

## Planning Committee (Major Applications) A

Tuesday 18 July 2023

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 Sam Dalton  
Councillor Nick Johnson  
Councillor Sarah King  
Councillor Reginald Popoola  
Councillor Cleo Soanes

### Reserves

Councillor John Batteson  
Councillor Ellie Cumbo  
Councillor Sam Foster  
Councillor Jon Hartley  
Councillor Portia Mwangangye  
Councillor Margy Newens  
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

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

**Contact:** Gerald Gohler on 020 7525 7420 or email: [gerald.gohler@southwark.gov.uk](mailto:gerald.gohler@southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 10 July 2023



# Planning Committee (Major Applications) A

Tuesday 18 July 2023

6.30 pm

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

## Order of Business

Item No.	Title	Page No.
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>MINUTES</b>	1 - 9
	To approve as correct records the minutes of the Planning Committee meeting held on 29 March 2023 and the meeting of Planning Committee (Major Applications) A held on 6 June 2023.	
6.	<b>DEVELOPMENT MANAGEMENT</b>	10 - 14

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>6.1.</b>	<b>LAND AT 19, 21 AND 23 HARPER ROAD, 325 BOROUGH HIGH STREET AND 1-5 AND 7-11 NEWINGTON CAUSEWAY, LONDON SE1 6AW</b>	<b>15 - 143</b>
<b>6.2.</b>	<b>DULWICH PICTURE GALLERY, GALLERY ROAD, LONDON, SOUTHWARK SE21 7AD</b>	<b>144 - 202</b>

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

**EXCLUSION OF PRESS AND PUBLIC**

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

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

Date: 10 July 2023

## Planning Committee (Major Applications)

### 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 (major applications) 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](mailto: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  
                         Environment, Neighbourhoods and Growth  
                         Tel: 020 7525 5403

                         Planning Committee Clerk, Constitutional Team  
                         Governance and Assurance  
                         Tel: 020 7525 420



## Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Wednesday 29 March 2023 at 6.30 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Richard Livingstone (Chair)  
Councillor Kath Whittam (Vice-Chair)  
Councillor Sarah King (reserve)  
Councillor Richard Leeming  
Councillor Bethan Roberts  
Councillor Reginald Popoola  
Councillor Cleo Soanes  
Councillor Emily Tester (reserve)

**OFFICER** Colin Wilson (Head of Strategic Development)  
**SUPPORT:** Nagla Stevens (Deputy Head of Law)  
Gavin Blackburn (Manager Planning Enforcement, S106 Team)  
Catherine Jeater (Team Leader, Design and Conservation)  
Patrick Cronin (Planning Officer)  
Virginia Wynn-Jones (Principal Constitutional Officer)

### 1. APOLOGIES

There were apologies for absence from Councillors Nick Johnson and Ellie Cumbo. Councillors Sarah King and Emily Tester attended as reserves.

### 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 addendum report.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

### 5. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 8 March 2023 be agreed as an accurate record of the meeting and signed by the chair.

### 6. S106 OR POLICY ITEM

**Report:** see pages 8 to 20 of the main agenda pack.

The meeting heard the officer's introduction to the report.

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

#### RESOLVED:

That planning committee agrees the release of funds totalling £60,005,726.73 of S106 Affordable Housing funding, received against the legal agreements set out in Appendix A, to the S106 Affordable Fund in order to deliver affordable housing across Southwark.

### 7. 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.

## 7.1 21/AP/2838 - 21 ST GEORGES ROAD

### Planning Application Number: 21/AP/2838

Report: see pages 26 to 244 of the main agenda pack and pages 1 to 5 of the addendum report.

**PROPOSAL:** *Redevelopment of the site to include demolition of the existing building and the construction of a new 15-storey building with rooftop plant, containing a hotel, office, retail and restaurant space, together with public realm improvements and other associated works.*

The committee heard the officer's introduction to the report. Members put questions to officers.

Representatives for the objectors addressed the meeting and responded to questions from members of the committee.

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

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

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

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

### RESOLVED:

- a) That full planning permission be granted for 21/AP/2838, subject to conditions, including the conditions set out in the addendum report, referral to the Mayor of London and the applicant entering into a satisfactory legal agreement.
- b) That in the event that the legal agreement is not been entered into by 29 September 2023 the Director of Planning and Growth be authorised to refuse planning permission for 21/AP/2838, if appropriate, for the reasons set out in paragraph 435 of this report.



## 7.2 21/AP/0681 - 24 CRIMSCOTT STREET

### Planning Application Number: 21/AP/0681

Report: see pages 245 to 380 of the main agenda pack and pages 5 to 6 of the addendum report.

**PROPOSAL:** *Demolition of existing building and redevelopment to provide an eight storey (27.7m AOD) building comprising flexible Commercial, Business and Service floorspace (Class E(g)) along with public realm improvements, landscaping, secure cycle parking, refuse and recycling facilities and other associated works.*

The committee heard the officer's introduction to the report. Members put questions to officers.

Representatives for the objectors addressed the meeting and responded to questions from members of the committee.

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

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

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

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

### **RESOLVED:**

- a) That planning permission is granted, subject to conditions, including the conditions set out in the addendum report, and the applicant entering into an appropriate legal agreement by no later than 29 September 2023.
- b) In the event that the requirements of (a) are not met by 29 September 2023 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 221 of this report.

The meeting ended at 8.30pm

**CHAIR:**

**DATED:**



## Planning Committee (Major Applications) A

MINUTES of the Planning Committee (Major Applications) A held on Tuesday 6 June 2023 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Richard Livingstone (Chair)  
Councillor Kath Whittam (Vice-Chair)  
Councillor Nick Johnson  
Councillor Sarah King  
Councillor Cleo Soanes

**OTHER MEMBERS PRESENT:** Councillor Irina von Wiese  
Councillor David Watson

**OFFICER SUPPORT:** Colin Wilson (Head of Strategic Development)  
Nagla Stevens (Deputy Head of Law)  
Dipesh Patel (Manager Strategic Applications)  
Matt Harris (Team Leader, Design Conservation and Transport)  
Richard Craig (Team Leader, Design and Conservation)  
Zaib Khan (Team Leader, Planning)  
Philip Ridley (Senior Planning Officer)  
Gerald Gohler (Constitutional Officer)

### 1. APOLOGIES

There were apologies for absence from Councillors Sam Dalton and Reginald Popoola.

### 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 addendum report which had been circulated before the meeting.

The chair also announced that item 5.2 would be heard first, followed by 5.1.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

### 5. 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.

#### 5.2 33-36 BEAR LANE, LONDON SE1 0UH

##### Planning Application Number: 21/AP/0737

**Report:** see pages 95 to 180 of the main agenda pack and pages 4 to 8 of the addendum report.

**PROPOSAL:** *Demolition of existing buildings to allow for the erection of a new building eight storeys in height (plus roof plant and basement) to provide Class E Use Class with office and retail floor space. The development will include improvements to the low line and public realm, cycle parking, provision of a service bay and other associated works.*

The committee heard the officer's introduction to the report. Members put questions to officers.

Representatives of the objectors addressed the meeting and responded to

questions from members of the committee.

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

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

Councillor David Watson addressed the committee in his capacity as a ward councillor and responded to questions from members of the committee.

The committee put further questions to officers, asked for clarifications from the applicant's representatives and the objectors, and discussed the application.

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

**RESOLVED:**

1. That planning permission be granted, subject to:
  - a. the conditions set out in the report and addendum report, including the replacement of an on-street bike hangar, and
  - b. the applicant entering into an appropriate legal agreement by no later than 31 October 2023.
2. If the requirements of (1.) are not met by 31 October 2023 that the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 255 of the report.

Following this the meeting took a ten-minute comfort break, returning at 8:29pm.

**5.1 MINERVA HOUSE, 5 MONTAGUE CLOSE, LONDON, SOUTHWARK SE1 9BB**

**Planning Application Number: 21/AP/4194**

**Report:** see pages 8 to 94 of the main agenda pack and pages 1 to 4 of the addendum report.

**PROPOSAL:**

*Redevelopment of existing building including partial demolition and two storey upward extension to create eight-storey Class E building with installation of roof terraces, associated highway and landscaping works, cycle parking, refuse storage including plant facilities at roof level.*

The committee heard the officer's introduction to the report. Members put

questions to officers.

Representatives of the objectors addressed the meeting and responded to questions from members of the committee.

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

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

Councillor Irina von Wiese addressed the committee in her capacity as a ward councillor and responded to questions from members of the committee.

The committee put further questions to officers, asked for a point of clarification from the applicant, and discussed the application.

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

**RESOLVED:**

1. That planning permission be granted subject to:
  - a. The conditions set out in the report and addendum report, including an amended condition restricting the use of the roof terrace to 8am-8pm on weekdays
  - b. the applicant entering into an appropriate legal agreement, and
  - c. referral to the Mayor of London.
2. That in the event that the requirements of paragraph 1 above are not met by 6 December 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraphs 157 and 158 of the report.

The meeting ended at 10.12 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 18 July 2023	<b>Meeting Name:</b> Planning Committee (Major Applications) A
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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 committees. The matters reserved to the planning 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 Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
  8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
  9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
  10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

### **Community impact statement**

11. Community impact considerations are contained within each item.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Assistant Chief Executive – Governance and Assurance**

12. A resolution to grant planning permission shall mean 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 shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning 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 assistant chief executive – governance and assurance, and which is satisfactory to the director of planning and growth. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the assistant chief executive – governance and assurance. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission.
15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.
16. The National Planning Policy Framework (NPPF), as amended in July 2021, is a relevant material consideration and should be taken into account in any decision-making.
17. Section 143 of the Localism Act 2011 provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
18. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
  - a. necessary to make the development acceptable in planning terms;
  - b. directly related to the development; and
  - c. fairly and reasonably related to the scale and kind to the development.

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

19. 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.

## 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	

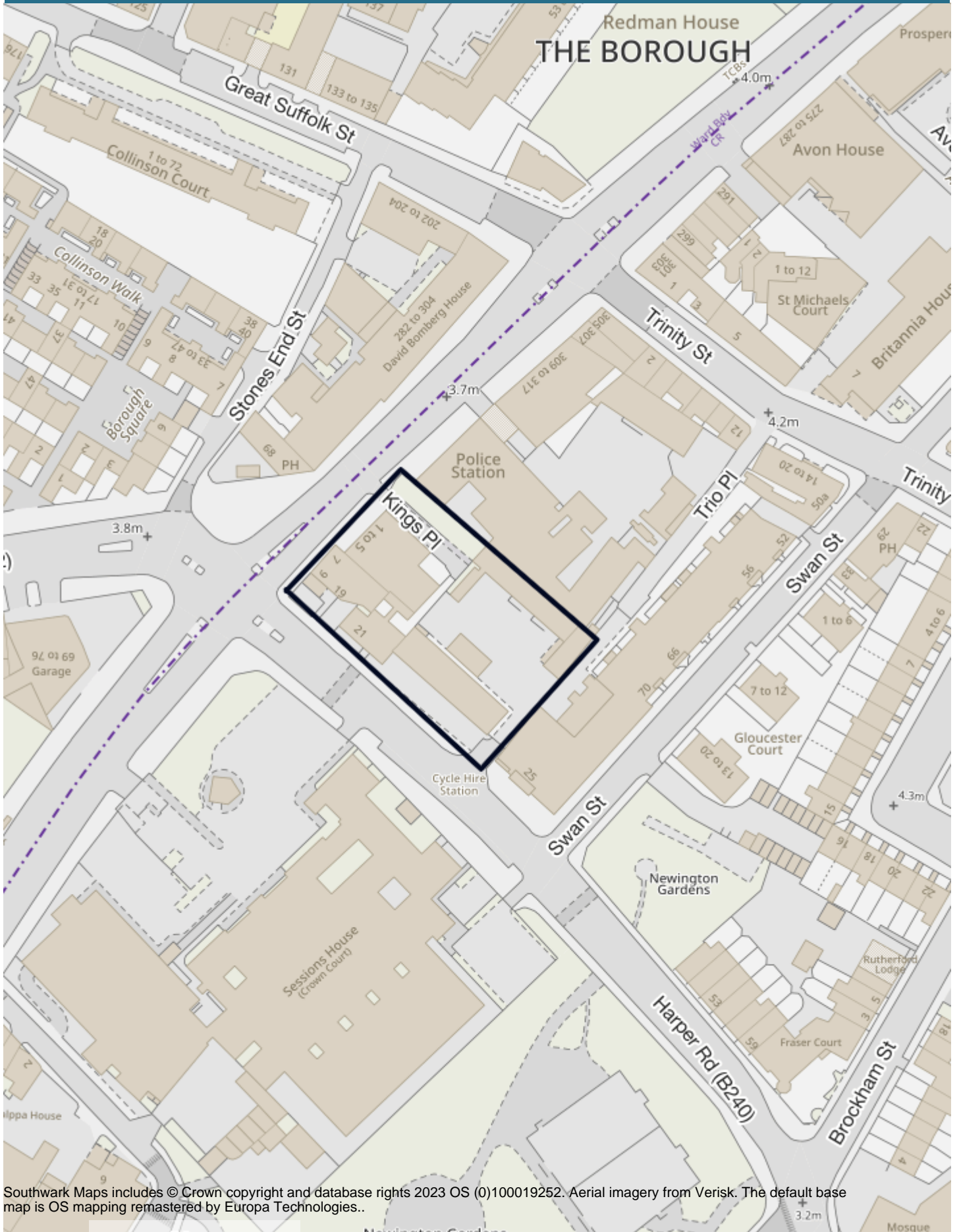
**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Gerald Gohler, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
<b>Version</b>	Final	
<b>Dated</b>	29 June 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		6 July 2023



23/AP/0479

Land At 19, 21 And 23 Harper Road, 325 Borough High Street and 1-5 And 7-11, Newington Causeway, London, SE1 6AW



Southwark Maps includes © Crown copyright and database rights 2023 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..



50 m

## Contents

RECOMMENDATIONS .....	3
EXECUTIVE SUMMARY.....	3
SUMMARY TABLES .....	4
BACKGROUND INFORMATION .....	6
Surrounding area .....	7
Details of proposal .....	7
KEY ISSUES FOR CONSIDERATION.....	8
Summary of main issues .....	8
Legal context.....	8
Adopted planning policy .....	9
Consultation responses from members of the public .....	9
Equalities.....	22
ASSESSMENT.....	23
Development viability .....	41
Provision of Affordable Housing .....	43
Policy background.....	43
Quality of accommodation.....	45
Wheelchair housing.....	45
Impact of proposed development on amenity of adjoining occupiers and surrounding area.....	46
Overlooking of Neighbouring Properties .....	54
DESIGN CONSIDERATIONS .....	54
Heritage assessment .....	58
Archaeology .....	64
Trees.....	67
Transportation .....	68
ENVIRONMENTAL CONSIDERATIONS .....	74
Wind and Microclimate.....	74
Flood risk and water resources .....	75
Ground conditions and contamination.....	75
Air quality .....	76
Noise and vibration .....	76

SUSTAINABLE DEVELOPMENT IMPLICATIONS .....	77
Energy.....	77
Overheating.....	78
PLANNING OBLIGATIONS (Section 106 Undertaking or Agreement) .....	79
Mayoral and Southwark Community Infrastructure Levy (CIL) .....	81
Statement of community involvement .....	81
Environmental impact assessment.....	84
Planning policy .....	85
Planning policy designations .....	85
Conclusion on planning issues.....	88

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 18 July 2023	<b>Meeting Name:</b> Planning Committee (Major Applications) A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 23/AP/0479 for: FULL PLANNING APPLICATION  <b>Address:</b> LAND AT 19, 21 AND 23 HARPER ROAD, 325 BOROUGH HIGH STREET AND 1-5 AND 7-11 NEWINGTON CAUSEWAY LONDON SE1 6AW  <b>Proposal:</b> Demolition of existing buildings and redevelopment to provide a mixed-use development comprising 444 purpose-built student residential rooms (Sui Generis), 5x 1 bedroom and 3x 2 bedroom affordable residential dwellings (Use Class C3), 1,850 employment floorspace (Use Class E(a) and (g)), in a building of 2 to 11 storeys together with access, cycle parking, hard and soft landscaping and other associated works.		
<b>Ward(s) or groups affected:</b>	Chaucer		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	03/03/2023	<b>Application Expiry Date</b>	01/12/2023
<b>Earliest Decision Date</b>	26/08/2022		

## RECOMMENDATIONS

1. That planning permission be granted, subject to conditions, referral to the Mayor of London, and the applicant entering into an appropriate legal agreement by no later than 1 December 2023.
2. In the event that the requirements of (1.) are not met by the 1 December 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 302 of this report.

## EXECUTIVE SUMMARY

The site has planning permission for hotel led development of up to 13 storeys (reference 18/AP/0657), a permission that has been implemented. This proposal is for development of up to 11 storeys to include mostly student accommodation but also with office floorspace and eight affordable keyworker homes. The

reduction in height and redesign would lead to a lesser impact on the Trinity Church Square Conservation area and fit better into the townscape.

A new pocket park is proposed as a public benefit, along with a financial contribution of £600,000 for the refurbishment of the Rockingham Community Centre. The affordable housing contribution would be made up from the on-site affordable keyworker homes and a financial contribution of a least £13.64m towards the delivery of council homes. There would be additional impacts on existing residents from a deduction of daylight, including those at the Trilogy development to the south but those impacts would be similar to that of the hotel scheme.

## SUMMARY TABLES

### Commercial GIA:

Use Class	Existing	Proposed	Change +/-
<b>Student Accommodation</b>	0sqm	13,428sqm (444 rooms)	+13,428sqm
<b>C3 Residential</b>	331sqm	758sqm 8 flats	+427sqm
<b>Class E(e) for the provision of medical or health services, principally to visiting members of the public.</b>	433sqm	0sqm	-433sqm Mitigated by funding for restoration of Rockingham Community Centre.
<b>Class E(g)(i) (offices / workspace)</b>	1,695sqm	1,850sqm	+155sqm
<b>E(a) Class use (Display or retail sale of goods, other than hot food)</b>	301sqm	TBCsqm (Is a percentage of the 1,850)	



Homes	Private Homes	Private Habitable room (HR)	Affordable. Key Worker
1 bed	5	10	5 (100%)
2 bed	3	9	3 (100%)

### Student Housing

Cluster Bedrooms	Studio Bedrooms	Total Bedrooms	Wheelchair Accessible M4(2)	Wheelchair Accessible M4(3)
136	354	444	18	5

### Environmental:

<b>CO2 Savings beyond part L Building Regulations</b>	40% for the residential flats. 17% overall with a £406,554 carbon offset payment.
---	--

	Existing	Proposed	Change +/-
<b>Urban Greening Factor</b>		0.404	
<b>Biodiversity Net Gain</b>	0.11	0.29	+261.40%
<b>Surface water run off rates (6-hour in 100 year)</b>	83.62 l/s	1.5 l/s	82.12 l/s
<b>Green/Brown Roofs</b>	0sqm	1240.8sqm	+1240.8sqm
<b>Cycle parking spaces</b>	0	381	+381

### CIL and S106 (Or Unilateral Undertaking):

<b>CIL (estimated)</b>	<ul style="list-style-type: none"> <li>£960,833</li> </ul>
<b>MCIL (estimated)</b>	<ul style="list-style-type: none"> <li>£1,022,353</li> </ul>
<b>S106</b>	<ul style="list-style-type: none"> <li>Off-site affordable housing- £13.64m</li> <li>Carbon Offset – £406,554</li> </ul>

- Archaeology - £11,171
- Car Club provision of marked bay and vehicle on-street, for all users, and 3-years free Membership for residential units at first occupation.
- Deliver and Servicing Management Plan Bond and Monitoring Fee
- Revocation of Parking Permits for all proposed properties and units
- Travel Plan and monitoring fee (as per s106 SPD)

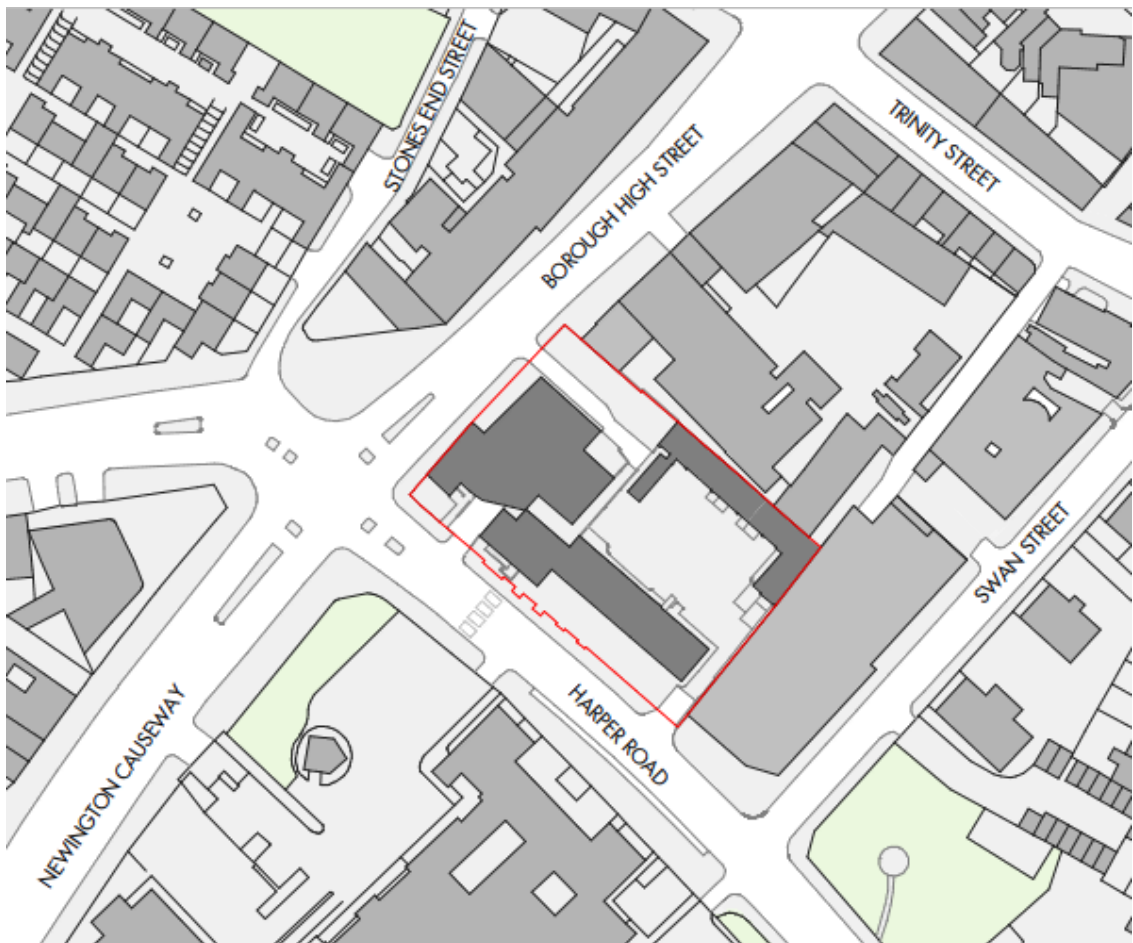
The following contributions are likely to be expected from TfL as part of the GLA referral:

- Cycle hire (Subject to TfL costings)
- Bus Service Improvement Contribution (TfL to specify)
- Cycle Route Improvement Contribution (Southwark Spine network on Harper Road) TBC

## BACKGROUND INFORMATION

### Site location and description

3.



4. The application is a 0.3 hectare (ha) site located at the junction of Borough High Street with Harper Road, and which is rectangular in shape. It contains a number of buildings ranging from 2-4-storeys in height which are of Victorian and 1960s/70s origin. The site incorporates Kings Place which is a private access road along the north-eastern boundary of the site leading to the back of one of the existing buildings. There is an area of open concrete at the junction of Borough High Street and Harper Road, some of which is used to provide two off-street parking spaces.
5. The existing buildings provide a range of different uses. Along the Borough High Street frontage set over two floors with vacant office space above, a takeaway, pharmacy, sandwich shop and seven flats. Along the Harper Road frontage there is a vacant café / takeaway, a probation service office, and an office building which is currently occupied as a meanwhile use by Hotel Elephant. Hotel Elephant is a not for profit company which provides space for arts, culture and enterprise in Southwark and there are currently around 70 full time employment positions within the site.

### **Surrounding area**

6. Southwark Police Station adjoins the site to the north-east, a new residential development (Trinity House) which is adjoins to the south-east, the Inner London Crown Court is to the southwest on the opposite side of Harper Road, and there is student accommodation (David Bomberg House) and a public house (The Ship) to the north-west of the site on the opposite side of Borough High Street.
7. Trinity Church Square Conservation Area is to the east of the site which contains grade II listed buildings. The Inner London Crown Court is also grade II listed.
8. The application site has the following designations attached to it:
  - Site Allocation NSP12
  - Central Activities Zone;
  - Borough and Bankside District Town Centre;
  - NSP Borough View 03 L Viewing Corridor
  - Controlled Parking Zone, Newington (D)
  - Archaeological Priority Zone (North Southwark and Roman Roads)
  - Air Quality Management Area; and
  - Environment Agency Flood Zones 2 & 3.

### **Details of proposal**

9. Planning permission is sought for the demolition of the existing two to four storey buildings to construct a part 2, part 5, part 7, part 8, part 9, part 10 and part 11 mixed-use development with no basement. The development would provide 444 studio rooms for students, 354 of which would en-suite studio rooms with 5% to be wheelchair accessible, with 136 cluster bedrooms. In addition to this, 8 keyworker dwellings (at intermediate rents) would be provided, along with 1,850

sqm flexible workspace (including 10% affordable workspace) and retail floorspace.

**Table: Proposed land uses**

Use Class	C3 Dwellinghouses	Sui Generis Student Housing	Class E
Existing	276sqm	0sqm	2,429sqm
Proposed	448sqm	13,428sqm	1,850sqm
Net Change	172sqm	13,428sqm	-(579sqm)

10. A total of 249sqm external amenity space will be provided in the public realm for the general public via a south facing pocket park on Harper Road with significant further private amenity space for the students on roofs and balconies for each flat.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

11. The main issues to be considered in respect of this application are:
- Affordable housing;
  - Design, layout, heritage assets and tall buildings;
  - Public realm, landscaping and trees;
  - Student accommodation, including wheelchair units;
  - Quality of accommodation;
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
  - Transport;
  - Planning obligations (S.106 undertaking or agreement);
  - Sustainable development implications;
  - Energy;
  - Water resources and flood risk;
  - Archaeology;
  - Wind microclimate;
  - Socio-economic impacts;
  - Equalities and human rights;

### Legal context

12. 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.

13. 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**

14. The statutory development plan for the borough comprises 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.

### **Consultation responses from members of the public**

15. A consultation with members of the public occurred March 2023. Letters were sent to local residents, the application was advertised in the local press and site notices were displayed.

16. 

Total number of respondents: 20		
The split of the views between the 1 respondents was:		
In objection: 19	Neutral: 1	In support 0

### **Reasons in objection**

17. The following paragraphs summarise the material planning considerations raised in objection by the consultation and re-consultation. The issues raised by these objections are dealt with in the main assessment part of this report. Some objections raised by the public consultation process do not constitute material planning considerations; therefore these are not captured in the following summary paragraphs, nor are they discussed in later parts of this report.
18. Effect on local ecology, close to adjoining properties, development too high, increase in traffic, loss of light, loss of privacy, noise nuisance, character.

### **Bulk and scale of the development**

19. Officer Comment: The amended scheme has less height than its predecessor on the corner of Borough High Street and Harper Road. This has substantial improvements to the setting of Trinity Church Square and the proposal sits comfortably with adjoining properties as set out in the report.

### **Materials**

20. The developer is proposing composite cladding rather than bricks, providing a poor façade finish.
21. Officer comment: The composite material is considered high quality but the character along Borough High Street with the exception of civic buildings including the courts is brick or, brick with stone dressings. Specific materials will be sought via condition with an express requirement for brickwork between the composite dressings so that the building better integrates with Borough High Street.

### **Overdevelopment**

22. Concerns raised regarding impact on local services from additional residents.
23. Officer comment: The proposal contributes a significant amount to affordable housing and the loss of the healthcare facility on the site, which has relocated

### **Loss of trees**

24. Concerns raised about the loss of a sycamore tree on the site.
25. Officer Comment: Whereas one tree is lost inside the site, the proposal involves substantial urban greening and a new tree is proposed for Borough High Street alongside a new pocket park facing Harper Road.

### **Traffic**

26. Concerns raised around increased traffic on the site.
27. Officer comment: The development is in a very high PTAL location with excellent public transport, sufficient cycle parking provision and the development is car free. It is therefore considered that the proposal will have limited negative impact on local networks and also a lower impact than the extant hotel scheme. Concerns have been made regarding parcel deliveries, however these will have limited impact on neighbouring properties because the single yellow line to be used for these is close to Borough High Street and away from other properties.

### **Loss of daylight and sunlight**

28. Concerns raised that the proposed development will reduce light to neighbouring properties.
29. Officer Comments: Daylight and sunlight impacts are similar to the existing hotel scheme and are discussed later in the report.

### **Concerns about impact on local ecology**

30. Officer Comment The development delivers a policy compliant Urban Greening Factor and a very good Net Biodiversity Gain.

### **Noise Nuisance and loss of privacy:**

31. Officer Comment: The roof terraces have been positioned so that the use of them will not impact adjoining residential properties and windows facing neighbouring properties to the east are a suitable distance so as to not give rise to material loss of privacy. Also, the entrance to Harper Road is positioned with a security desk adjacent and is a distance from neighbouring residential properties. A condition will be imposed requiring a noise limit on any plant installed on the roof. Suggestions had been made that the student entrance should be on Borough High Street. This option would cause additional activity on the already busy pavement there and the developer has mitigated impacts by introducing a pocket park that is overlooked by the security office.

### **Loss of existing occupiers**

32. Residents have raised concerns about the loss of Hotel Elephant, which provides support for the cultural fabric of London, fostering creativity and innovation.
33. Officer Comment: The scheme provides a similar amount of employment floorspace with 10% affordable workspace and it is not possible to require that the existing meantime occupier remains.

### **Lack of affordable housing**

34. Officer Comment: The scheme provides eight affordable key worker units and will deliver contributions for off-site affordable housing provision of at least £13.64m.
35. **Impact on the Police Station, daylight and privacy**
36. Officer Comment: The Metropolitan Police Service have objected due to loss of light to cells and loss of privacy regarding confidentiality of the Police Station. A daylight sunlight assessment has been produced demonstrating that impacts will occur but they are similar to impacts of the existing approved and implemented scheme. Also, a condition is proposed to require windows impacting the Police Station to be obscure glazed.

**Aerial photograph of the site**

37.



Aerial photography looking eastwards, Trinity Square to the east, County Court to the south

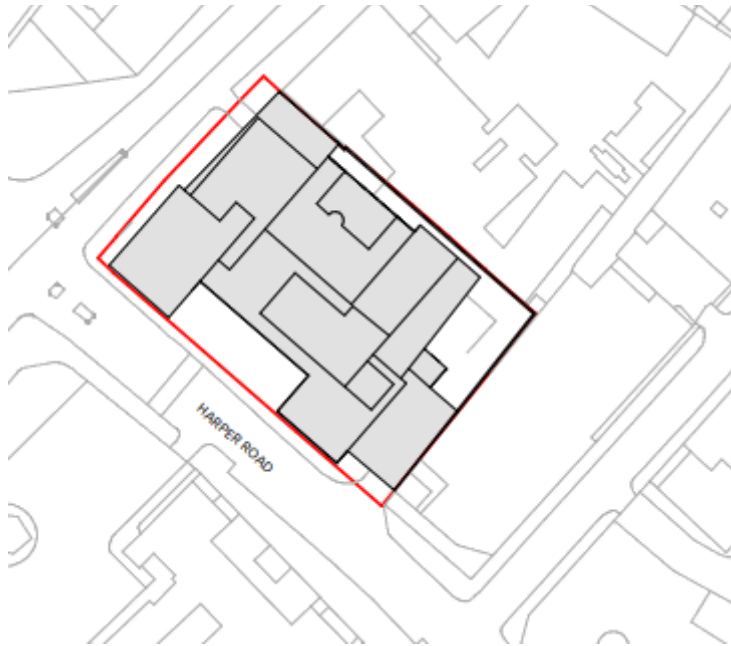
38.





Aerial photo looking northwards.

39.



### Development

40.



Approved hotel scheme (planning permission of 18/AP/0657).  
Borough High Street looking north.

41.



New proposal: Borough High Street looking north

42.



New proposal, Harper Rd elevation, looking westwards towards Borough High Street

43.



New proposal, viewed from Borough Road, looking eastwards

44.



New proposal, from Borough High Street, looking southwards.

45.



New Proposal, view looking westwards from the south east corner of Trinity Square

46.



Outline of building that will be seen from north east corner of Trinity Square.

### Student Housing Amenity

47. There is no specific amenity requirement for student accommodation, however, public and private amenity is provided on-site as follows:

Level 2	485sqm	Wellness courtyard / pavilion
		Shared kitchen and laundry facilities
Level 3 - 4	140sqm	Karaoke and multimedia rooms
Level 5	75sqm	Games room
Level 7	86sqm	Study room and terrace
Level 9	345sqm	Main pavilion and terrace

- 48.



Student entrance and pocket park

49. The student entrance has been positioned on Harper Road to provide a calm and safe entrance, within the green pocket park. A canopy signals the entrance from the main approach direction and students walk past the security room which has natural surveillance over the park to provide comfort and security for students and their welfare.
50. By setting back the building at this section and providing a new area of public realm, Harper Road will be substantially enhanced, with this space also serving a café to the west side.

51.



Level 2 wellness courtyard and pavillion

52. The courtyard and pavillion at 2<sup>nd</sup> floor provide a safe, regulated and well lit area for the refuge of students, to meet and relax. The pavillion will be available for meetings and classes such as for exercise.

53.

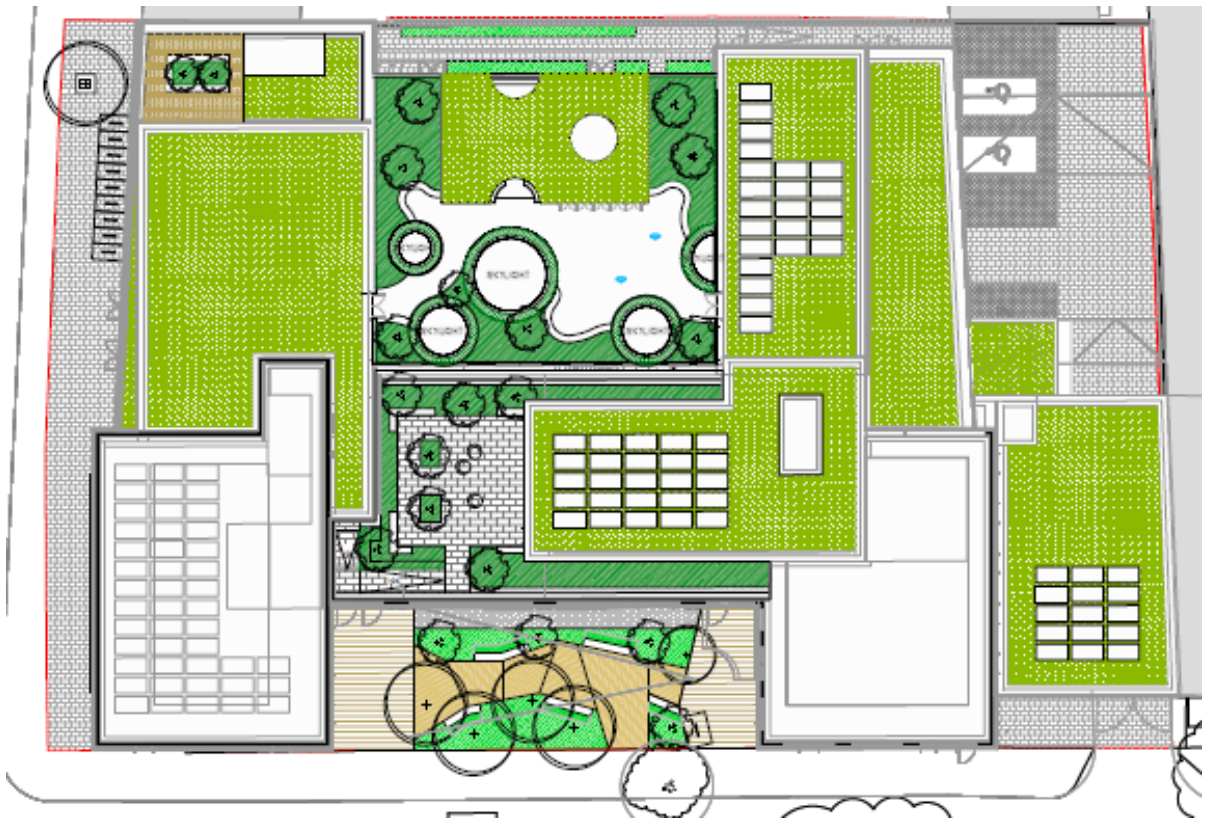


Level 9: Main rooftop pavillion and terrace

54. Within the pavillion will be communal cooking, eating and hang out spaces, surrounded by extensive planting. The pavillion opens up fully to the adjacent roof terrace with extensive views across London and the space will be fully managed.

**Public realm**

55.



Roof plan showing new tree, pocket park and green roofs

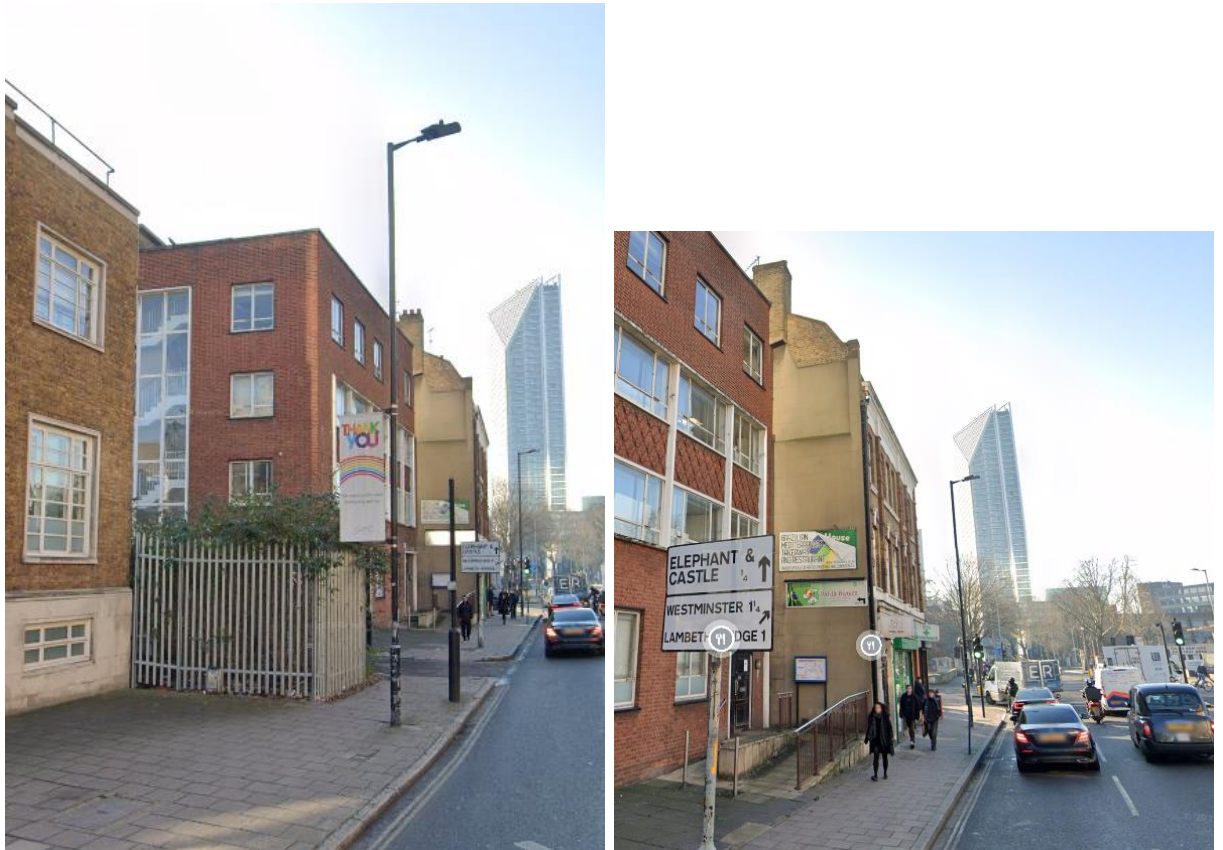
56.



View of the new south facing pocket park onto Harper Road.



57.



Location of fenced area on Borough High Street. Location of projecting part of existing Street that will be returned to pavement building to be cut back to provide wider pavement with the planting of a Ginkgo Bilboba Tree pavement to Borough High Street.

- 58.
- There will be improvement of the public realm on Harper Road with the pocket park as a result of the building being set back. The building will also be set back on Borough High Street with the projecting area fenced off being returned to public realm via legal agreement.
  - A new Ginkgo Bilboba tree is to be planted on Borough High Street, to the north west corner of the site.
  - Also, the roofs of the building provide terraces and biodiverse green roofs.

### Heights/massing

59.

#### Main building:

- First two floors comprise of retail, workspace, cycle parking and some student accommodation.
- Upper floors, up to floor eleven, comprise of student accommodation and associated amenity space and buildings.

#### Residential block:

- Five stories of residential comprising eight affordable key worker flats.

### Parking:

60.

- Car free development with the exception of 2no. Accessible Blue Badge car parking spaces, one with a electric charging point.

- Existing on-street parking on Harper Road on the site frontage to be removed to provide 3no. Taxi bays, a Car Club bay and additional length of single yellow line.
- 146 cycle spacers in total, with 72 short stay and 74 long stay.

### **Environment:**

- 61.
- The Biodiversity net gain report shows an increase of 261%, well in excess of the 10% required.
  - The Urban Greening Factor score is good and includes a mix of roofs, trees, hedges and perennial planting.
  - Greenfield runoff rates 1.51 l/s
  - Net Zero carbon development through a combination of on-site measures and an offsetting payment

### **Energy:**

- 62.
- The development follows the energy hierarchy, heating hierarchy and cooling hierarchy.
  - The energy hierarchy has been followed to maximise carbon savings.
  - The residential element has achieved a total cumulative CO2 saving of 79%. This is substantially above the minimum target of 35% and the 50% benchmark set in the GLA Energy Guidance cover letter 2022.
  - However, the London Plan does set out that it can be harder to meet 35% for non-residential uses. The strategy gives an overall 17% saving compared to 2021 Building Regulations. This results in a total carbon offset payment of £406,554 resulting in a net zero development.
  - On-site measures include efficient systems (e.g. efficient glazing and insulation) PV panels, air source heat pumps and mechanical ventilation with heat recovery.

### **Equalities**

63. The Equality Act (2010) provides protection from discrimination for the following protected characteristics: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. 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. Officers have taken this into account in the assessment of this application and Members must be mindful of this duty, inter alia, when determining all planning applications. In particular Members must pay due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act; and
  - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

64. As set out in the Essential Guide to the Public Sector Equality Duty (2014), “the duty is on the decision maker personally in terms of what he or she knew and took into account. A decision maker cannot be assumed to know what was in the minds of his or her officials giving advice on the decision”. A public authority must have sufficient evidence in which to base consideration of the impact of a decision.
65. The development would provide 444 student homes. These would also provide modern rooms for students with disabilities in an extremely well connected location with respect to transport links close to two universities. The purpose built student accommodation would also potentially reduce pressure on existing housing stock in the area. The existing medical practice on the site which closed prior to the submission of this application would be compensated by a financial contribution towards would ? What happens to that, do we know who it serves?

### Other equality impacts

66. The proposed development would also generate additional opportunities for local employment. The proposed development would deliver 1,850sqm (GIA) of class E floorspace on the ground floor, and first floor which represents a similar floorspace to existing with 10% affordable workspace provision. The affordable workspace would benefit local businesses that could include those with protected characteristics, and in particular BAME groups but also potentially south American businesses located in the vicinity.

### Conclusion on equality impacts

67. Having due regard to the public sector equalities duty, the development would comply with the relevant policies and building codes on access and avoid unlawful discrimination; it would advance the quality of opportunity by providing wheelchair accessible rooms and affordable students homes. 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.

## ASSESSMENT

### Principle of the proposed development in terms of land use

#### Existing lawful use

68. On 29/05/23, a Certificate of Lawfulness (Existing) was granted confirming that planning permission 18/AP/0657 had been implemented. This was through the demolition of a single building on site.
69. Town and Country Planning Act 1990 Section 56(4) defines what constitutes a, “*material operation*”, in line with which a development shall be deemed to have been commenced. Sub-section (aa) confirms that, “any work of demolition of a building”

comprises a material operation for this purpose. This establishes the lawful use of the application site for:

*“A part 5, part 7, part 8 and part 13 building a mixed-use development comprising 328 hotel rooms (Class C1) 20 no. residential dwellings (Class C3), offices, workspace and workshops (Class B1), multifunctional community events space (Class B1/D1), retail use (Class A1/A2/A3)”*

70. This Planning Application, 23/AP/0479, now proposes to change the use of the site to a mix of uses that include employment floorspace, retail, student accommodation and eight affordable keyworker dwellings.

## Relevant policy designations

### Overarching strategic policy objectives

71. The National Planning Policy Framework (NPPF) was updated in 2021. At the heart of the NPPF is a presumption in favour of sustainable development. The framework sets out a number of key principles, including a focus on driving and supporting sustainable economic development. Relevant paragraphs of the NPPF are considered in detail throughout this report. The NPPF also states that permission should be granted for proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
72. The Good Growth chapter of the London Plan includes GG2 “Making the Best Use of Land” and GG5 “Growing a Good Economy”, which are relevant to the proposal. To create sustainable mixed-use places that make the best use of land, objective GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in Opportunity Areas and town centres, and prioritise sites that are well connected by public transport. It also encourages exploration of land use intensification to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Objective GG5 states that to conserve and enhance London’s global economic competitiveness --and ensure that economic success is shared amongst all Londoners-- those involved in planning and development must, among other things:
- promote the strength and potential of the wider city region;
  - ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning;
  - provide sufficient high-quality and affordable housing, as well as physical and social infrastructure;
  - help London’s economy to diversify; and
  - plan for sufficient employment space in the right locations to support economic development and regeneration.

### Central Activities Zone (CAZ)

73. The site is within the CAZ, which covers a number of central London boroughs and is London's geographic, economic, and administrative core. London Plan Policies SD4 and SD5 outline the strategic functions of the Central Activities Zone (CAZ), of which higher education is one, stating that its unique mix of uses should be promoted and enhanced. Part B of Policy SD4 states "the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values".
74. With regard to retail uses, the London Plan designates Bankside and the Borough as one of the CAZ retail clusters, where retail expansion and diversification is to be supported in the interests of delivering "approximately 375,000 square metres of additional comparison goods retail floorspace over the period 2016-2041" across the CAZ.

### Bankside, Borough and London Bridge Opportunity Area

75. The site is within the Bankside, Borough and London Bridge Opportunity Area, one of twelve in central London. The London Plan sets out an indicative capacity of 10,000 jobs for this Opportunity Area over the twenty years to 2041. London Plan Policy SD1 "Opportunity Areas" requires boroughs through their development plans and decisions to:
- support development which creates employment opportunities and housing choice for Londoners;
  - plan for and provide the necessary social and other infrastructure to sustain growth; and
  - create mixed and inclusive communities.

### Bankside and Borough District Town Centre

76. The site is also within the Bankside and Borough District Town Centre, where London Plan Policy SD6 "Town Centres and High Streets" encourages development to, amongst other things:
- promote the vitality and viability of town centres, including by bringing forward mixed-use or housing-led intensification;
  - optimise residential growth potential; and
  - accommodate a diverse range of housing, including student housing.
77. The key policy at the local level is Southwark Plan Policy P35 "Town and Local Centres". This sets out that, amongst other things, development must:
- ensure main town centre uses are located in town centres and local centres;
  - be of a scale and nature that is appropriate to the role and catchment of the centre;

- retain retail floorspace or replace retail floorspace with an alternative use that provides a service to the general public, and would not harm the vitality and viability of the centre;
- not harm the amenity of surrounding occupiers or result in a concentration of uses that harms the vitality, viability and economic growth of the centre; and
- provide an active use at ground floor in locations with high footfall.

### Borough and Bankside Area Vision

78. The site is located in the Borough and Bankside Area Vision “AV.02”, which set out amongst other things to achieve the following:
- provide as many homes as possible while respecting the local character of each area, which in many places includes residential communities;
  - continue to consolidate Bankside and The Borough as part of the London Central Activities Zone;
  - increase or improve the number and quality of local open spaces, squares and public realm;
  - improve existing and create new cycle and walking routes, including the Thames Path; and
  - take into consideration the Southbank and Waterloo Neighbourhood Plan.

### Site allocation NSP12

79. Site allocation NSP12 states that redevelopment of the allocated site must:
- provide at least the amount of employment floorspace (E(g), B class) currently on the site or provide at least 50% of the development as employment floorspace, whichever is greater; and
  - retain the existing theatre use or provide an alternative cultural use (D2); and
  - provide active frontages including ground floor retail, community or leisure uses on facing Borough High Street and Harper Road.
  - provide new homes (C3).
80. Southwark Plan Site allocation NSP12 assumes the site’s existing use is “Employment use (E)(g) 2,000m<sup>2</sup> and community use, in this case a health centre, use Class E(ii) at 829sqm.

### Conclusion on policy designations

81. The principle of redeveloping the application site for a student housing-led development alongside a component of conventional affordable housing, together with flexible Class E (retail/service/dining and office) uses is acceptable, as it would support the role and functioning of the Opportunity Area and District Town Centre, while also playing its part in helping to achieve the Borough and Bankside Area Vision. The acceptability of each use is considered below.

## Office floorspace

### Policy background

82. Promoting the economy and creating employment opportunities is a key priority for the planning system. Owing to the site's location within an Opportunity Area and the Borough and Bankside District Town Centre (as well as being just outside the Elephant and Castle Major Town Centre), London Plan Policies SD1 and SD6 are relevant considerations. London Plan Policy GG5 requires local planning authorities to plan for sufficient employment and industrial spaces to support economic growth. Policies E1 and E2 deal specifically with the provision of business floorspace (Class E[g] use, formerly Class B use), with a focus on securing good quality, flexible and adaptable office space at varying sizes within the CAZ, alongside increases to the overall quantum of available office stock. 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.
83. In order to support the vibrancy and vitality of the CAZ, London Plan policies SD4 and SD5 promote mixed use development, including housing, alongside increases in office floorspace. Policy SD5 is clear, however, that new residential development should not compromise the strategic functions of the CAZ. The Mayor's Central Activities Zone SPG contains additional guidance on maintaining an appropriate mix of uses within the CAZ, setting out the weight that should be afforded to office use and CAZ strategic functions relative to residential.
84. At the borough level, a strategic target of the Southwark Plan is to build a strong, green and inclusive economy. To achieve this, Policy SP4 aims to bring forward at least 460,000 square metres 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 CAZ and sets a strategic target of 20,000 new jobs for the Elephant and Castle Opportunity Area. The policy also expects 10% all new employment floorspace to be affordable workspace for start-ups and small and independent businesses.
85. Policy P30 of the Southwark Plan identifies sites within the CAZ, Opportunity Areas and town centres as appropriate for accommodating the significant growth needed to meet business demand. This policy requires development proposals at the very least to maintain, but where possible increase, existing levels of business floor space. Proposals should also bring forward a mix of other complimentary uses as well as residential to enhance the offer, vitality and long term vibrancy of central London.

### Assessment

86. The proposal would result in an uplift of 155 square metres of employment space from the existing quantum of 1,695 square metres GIA. This employment floorspace would be in a rationalised and higher quality format than the existing, with affordable workspace forming part of the offer. This net increase is entirely appropriate for this central London location and is supported by the aforementioned policies. It is therefore welcome in principle.

87. Compared to this planning application, the consented/implemented scheme (18/AP/0657) provided slightly more employment floorspace at 2,019 square metres alongside some further employment floorspace within the hotel. While the lower square meterage of office floorspace contained within the 23/AP/0479 proposal should be recognised, when considered in the round with the various other significant economic and town centre benefits that would flow from the development –namely the student accommodation and retail use together with the on-site housing and Payment-in-lieu towards the delivery of Council homes locally– the quantum is considered acceptable.
88. Policy P31 of the Southwark Plan states that employment uses (Class E[g]) “will be secured and where necessary, retained through the implementation of conditions and/or planning obligations in accordance with the tests set out in national policy”. It is considered necessary to apply a condition to 23/AP/0479 preventing any change of use from office to occur without express planning permission having first been granted by the Local Planning Authority.

#### Job Creation

89. The current number of Full Time Employees (FTE) on site is less than 10. The proposals increases employment density potentially generating a maximum of 168 jobs, based on 1 job per 10sqm of NIA as per the Employment Density Guide. Also, the student accommodation will generate 4 full time job. The site could therefore generate up to 172 jobs overall.
90. However, the HCA Guide confirms in the notes for this sub-category that “NIA lower densities will be achieved in units with higher provision of shared or communal spaces”. Even if the worst case job yield is assumed, this would still equate to an increase in additional jobs at the site given the current number of FTE with a minimum increase of +21 FTE jobs.
91. The policy requirements to provide skills and employment plans for the offices within the scheme at 10% of the estimated FTE employment on site would be secured through a planning obligation. If any of these expectations were not to be achieved, financial contributions would be sought in accordance with the Council’s Planning Obligations and CIL SPD.

#### Affordable Workspace

92. Policy E2 of the London Plan requires large-scale development proposals to incorporate flexible workspace suitable for micro, small and medium sized enterprises. Policy E3 deals specifically with affordable workspace. The policy states “In defined circumstances, planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose”. The policy identifies the circumstances in which it would be appropriate to secure affordable space. Part B of the policy specifically identifies the CAZ as an important location for securing low cost space for micro, small and medium sized enterprises



93. Policy P31 of the Southwark Plan deals with affordable workspace. Criterion 2 of the policy requires major development proposals to deliver at least 10% of the gross new employment floorspace as affordable workspace on site at a discounted market rent for a period of at least 30 years. The policy recognises that there are many different forms that such space could take depending on the site location, characteristics, the nature of local demand and existing/proposed uses. The affordable workspace should respond to local demand and prioritise existing businesses.
94. The total quantum of affordable workspace offered by the applicant is 185 square metres, which equates to 10% of the total employment floorspace proposed, and as such is acceptable. The affordable workspace will be provided for 30 years at a 10% discount on the Local Market Rent, with service charge capped at £4.50 (index-linked) per square foot. These terms will be secured in the Section s.106.

### Community facility

95. A medical centre that previously operated from the application site relocated to premises elsewhere approximately three years ago. The now-vacant 433 square metre premises remains in its last lawful use as Class E [e]. The consented/extant planning permission at this site resulted in the loss of this Class E [e] floorspace, and as such the loss of the use has previously been deemed acceptable in principle. The planning application hereunder consideration would similarly result in the loss of the 433sqm of Class E [e] floorspace.
96. The council's regeneration team has been in dialogue with the applicant throughout the preparation of its planning application and discussions have centred on the local requirement to restore to full use the Rockingham Community Centre, a community facility located 250 metres to the south of the application site. The full and much-needed restoration works have been costed at £592,550 by the Regeneration Team, which the applicant has agreed to meet with a payment of £600,000. In order to direct these monies to the intended use they will be secured through the Section 106 Agreement. The applicant has agreed to commit to the payment within 10 days of the grant of an unchallengeable consent for its application.
97. The substantial investment offered by the applicant to refurbish and upgrade this local community facility is acceptable compensation for the loss of the Class E [e] floorspace, which in case has been deemed acceptable by virtue of the consented/extant planning permission.

### Flexible retail/service/dining floorspace

#### Policy background

98. Southwark Plan Policy P35 "Town and Local Centres" sets out retail requirements in the context of the evolving role of town centres, requiring new development to provide an active use at ground floor level in locations with high footfalls. In order to secure a diversity of traders and small businesses within town centres, Policy P35 requires development proposals to:

- retain retail floorspace; or
  - replace retail floorspace with an alternative use that provides a service to the general public and would not harm the vitality and viability of the centre.
99. In the CAZ, Opportunity Areas and town centres, Policy P35 requires any proposed retail uses to be conditioned so as to restrict change of use within Class E. Retail uses are defined as those falling within Classes E[a], E[b] and E[c] – which encompasses shops, post offices, cafés, restaurants, banks, building societies, professional services, estate agents and employment agencies. Uses such as indoor sport and recreation, crèche/nursery and offices fall outside the E[a], E[b] and E[c] classifications.

### Assessment

100. This planning application proposes a retail/service/cafe unit at ground floor level.
101. In accordance with Policy P35, the proposed restaurant/café unit will, through the use of a planning condition, be limited to Class E[a], E[b] or E[c] uses only; this will remove the right to change the use of the unit to sub-categories [d], [e], [f] or [g] as would otherwise be possible under Permitted Development Rights. This will afford the owner a degree of flexibility in the event that the intended restaurant/café function is deemed unfeasible, while ensuring the use of the unit continues to provide a public service and active frontage.

### Conventional housing

102. There are currently seven vacant flats on the site. In total these amount to 331 square metres (GIA) of Class C3 floorspace. The flats are low quality and in need of refurbishment in order to meet modern day living standards.
103. Site Allocation NSP12 of the Southwark Plan establishes an indicative capacity of 13 homes (net) for this site; adding this indicative capacity to the existing seven flats brings the gross expectation to 20 dwellings. While the eight proposed homes is fewer than this indicative capacity, and fewer than the 20 homes secured in the extant consent, it should be noted that the quantum secured in the extant consent was driven by the site allocation under the now superseded Saved Southwark Plan 2007 which set an estimated capacity of 60 units across part of the application site and the adjacent Trinity House site.
104. The proposals will therefore result in an uplift in residential accommodation on the site and there will be significant qualitative improvements by virtue of delivering purpose built residential units that meet relevant housing design standards in a self-contained part of the development. This approach accords with the Site Allocation which states that development must deliver new homes (Class C3). As there would be no net loss of existing housing, the proposal would also comply with Southwark Plan Policy P3 “Protection of Existing Homes”.
105. It is also important to note that all eight of the proposed homes would be in an affordable tenure, and thus while the total number of homes falls proposed by this planning application short of the indicative capacity, the quantum of on-site

conventional affordable housing being brought forward is broadly equivalent to the affordable quantum a 20 home scheme would have delivered.

106. Notwithstanding all of the above, in addition to delivering eight conventional Class C3 residential units, the scheme also proposes 444 student bedrooms. Student accommodation is a form of housing and relieves pressure on the demand for traditional housing in the area. Counted towards the borough's housing targets at a ratio of 2.5:1, the 444 student bedrooms would equate to 177.6 homes, exceeding the indicative capacity set out in the site allocation, and thus contributing windfall housing. This would make a significant contribution towards the Council's meeting its strategic housing targets, and should be welcomed as a benefit of the scheme. The student housing element of the proposed development is discussed in greater detail in a subsequent part of this report.
107. Given all of the above, it is concluded that the delivery of eight conventional Class C3 residential homes is compliant with Site Allocation NSP12 and is therefore acceptable in principle.

## Higher education and associated uses

### Policy background

108. The London Plan sets out the strategic vision for the higher education sector. Policy S3 "Education and Childcare Facilities" acknowledges that universities play a vital part in ensuring Londoners have the higher order skills necessary to succeed in a changing economy, and for the capital to remain globally competitive. Under Part B of the policy is a set of criteria that development proposals for education facilities should meet, including:
- being located in areas of identified need;
  - being in locations with good public transport accessibility; and
  - fostering an inclusive design approach.
109. Paragraph 5.3.8 of the supporting text to Policy S3 states:
- "Higher education in London provides an unparalleled choice of undergraduate and postgraduate degrees, continuing professional development, advanced research, and infrastructure to support business growth, such as incubation space and business support services. It is also a significant employer and attracts major international companies able to benefit from universities' research reputations, such as in pharmaceuticals and life sciences. Universities also play a vital part in ensuring Londoners have the higher order skills necessary to succeed in a changing economy, and for the capital to remain globally competitive. The Mayor has established a forum for higher education institutions and further education establishments to work with boroughs and other stakeholders to plan future developments, including student accommodation, in locations which are well-connected to public transport"*
110. London Plan Policy E8 "Sector Growth Opportunities and Clusters" states that London's higher and further education providers, and their development across all

parts of the city, are to be promoted. Their integration into regeneration and development opportunities to support social mobility and the growth of emerging sectors should be encouraged. The supporting text endorses measures to secure and develop London's leading role as a centre of higher and further education of national and international importance.

111. Southwark Plan Policy P27 'Education places' says that development for higher and further education facilities will be permitted where they meet identified needs.

#### Assessment

112. Within walking distance of two universities and benefiting from very strong transport accessibility, the site's location in the District Town Centre and on the cusp of a Major Town Centre makes it appropriate for education-related uses. The proposed student housing use would meet an identified within Southwark for higher education related facilities, while also supporting the CAZ as a centre of excellence for education. Therefore, in principle the proposal aligns with the requirements of London Plan Policies S3 and E8, as well as Southwark Plan Policy P27.

#### Purpose-built student housing

##### Policy background

113. Student housing is classified as non self-contained accommodation and a 'sui generis' use in the Use Classes Order. Student accommodation is also considered as 'housing' for monitoring purposes through the Council's and GLA's monitoring reports.
114. The London Plan sets the borough a target of providing 23,550 net new home completions over the next ten years. In order to help meet this target, while also supporting the vibrancy and vitality of the CAZ, London Plan policies SD4 and SD5 promote mixed use development, including housing, as well as locally-oriented retail, cultural, arts, entertainment, night-time economy and tourism functions. Policy SD5 makes clear that new residential development should not compromise the CAZ strategic functions.
115. Policy H15 of the London Plan sets an overall strategic requirement for purpose-built student accommodation (PBSA) of 3,500 bed spaces to be provided annually. The supporting text to Policy H15 is clear that PBSA contributes to meeting London's overall housing need and is not in addition to this need. Section 3.9 of the Mayor of London's Housing SPG states that specialist student accommodation makes an essential contribution to the attractiveness of London as an academic centre of excellence.
116. Part A of Policy H15 states that boroughs should seek to ensure the local and strategic need for PBSA is addressed, provided that:
- the development contributes to a mixed and inclusive neighbourhood;
  - it is secured for occupation by students;

- the majority of bedrooms and all affordable student accommodation is, through a nominations agreement, secured for occupation by students of one or more higher education providers;
  - the maximum level of accommodation is secured as affordable student accommodation and;
  - the accommodation provides adequate functional living space and layout.
117. Part B of Policy H15 encourages boroughs, student accommodation providers and higher education providers to deliver student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes
118. Paragraph 4.15.3 of Policy H15 states that:
- “To demonstrate that there is a need for a new PBSA development and ensure the accommodation will be supporting London’s higher education providers, the student accommodation must either be operated directly by a higher education provider or the development must have an agreement in place from initial occupation with one or more higher education providers, to provide housing for its students, and to commit to having such an agreement for as long as the development is used for student accommodation. This agreement is known as a nominations agreement. A majority of the bedrooms in the development must be covered by these agreements”.*
119. Where this is not achieved, paragraph 4.15.5 states that the accommodation will be treated neither as PBSA nor as meeting a need for PBSA. Instead, the development proposal will *“normally be considered large-scale purpose-built shared living and be assessed by the requirements of Policy H16 Large-scale purpose-built shared living”.*
120. At local level, the Southwark Plan aims to deliver at least 40,035 homes between 2019 and 2036, equating to 2,355 new homes per annum. Policy ST2 of the Plan states that new development will be focussed in locations including Elephant and Castle Opportunity Area, where the aim will be to balance the delivery of as many homes as possible against creating jobs, protecting industrial and office locations, sustaining vibrant town centres, and protecting open space and heritage.
121. Policy P5 of the Southwark Plan requires PBSA proposals where all the bedspaces would be ‘direct-lets’, as is the case with the scheme proposed at 5-9 Rockingham Street, as set out below:
- As a first priority deliver the maximum amount of PBSA alongside a minimum of 35% of the habitable rooms as conventional affordable housing (subject to viability);
  - In addition to this provide 27% of student rooms let at a rent that is affordable to students as defined by the Mayor of London.
122. Policy P5 is structured in recognition of the acute need for more family and affordable housing within the borough. One of the footnotes to the policy explains that *“allowing too much student accommodation will restrict our ability to deliver more family and affordable housing. By requiring an element of affordable housing, or a contribution*

*towards affordable housing from student housing development providing direct-lets, we can make sure we work towards meeting the strategic need for student accommodation and our local need for affordable homes including affordable family homes”.*

123. As such, the student housing policies of the Southwark Plan and London Plan, Policy P5 and Policy H15 respectively, differ in two key ways:
- Policy H15 prioritises the delivery of the maximum viable number of affordable student rooms (and does not expressly require student housing proposals to deliver conventional affordable housing either on- or off-site), whereas Policy P5 prioritises the delivery of conventional affordable housing; and
  - Policy H15 expects at least 51% of the bedspaces (the majority) to be subject to a nominations agreement, whereas Policy P5 requires all the bedspaces to be subject to a nominations agreement subject to viability.
124. Section 38(5) of the Planning and Compulsory Purchase Act 2004 (as amended) confirms that if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy contained in whichever of those documents became part of the development plan most recently. As the Southwark Plan underwent examination and was adopted more recently than the London Plan, the policies within the Southwark Plan take precedence in this instance. The Council faces a complex situation locally with regard to the provision of affordable housing; at the Southwark Plan Examination in Public, the examining Inspectors recognised this challenge as presenting specific local circumstances in Southwark with regard to PBSA, and endorsed Policy P5 cognisant that the policy requirements do not fully align with those of the London Plan PBSA policies. Essentially, this means a student housing planning application within Southwark prioritising the conventional affordable housing contribution may be acceptable in principle in policy terms, despite not fully aligning with the expectations of London Plan Policy P15.
125. When assessing the principle of a student housing scheme, the policies outlined above require consideration of:
- the principle of introducing a housing use to this site;
  - the local and strategic need for student housing;
  - whether the student housing would contribute to a mixed and inclusive neighbourhood;
  - securing the accommodation for student occupation;
  - whether a nominations agreement has been secured;
  - securing the maximum level of affordable housing subject to viability; and
  - whether adequate and functional accommodation and layouts would be provided.
126. The following paragraphs of this report assesses the proposed development against these considerations. Later parts of this report will deal with the other matters that these policies refer to, such as the affordable housing offer, quality of accommodation and transport aspects.

### Assessment

127. Through its assessment of the deliverable housing sites in the borough, the Council can demonstrate a five year supply of housing land, plus the necessary 20% buffer required by the housing delivery test. Whereas this site is allocated and expected to deliver 12 dwellings, it does provide 8 affordable flats and the new student housing provides a windfall housing provision, which the Southwark Plan anticipates will come forward at an average of approximately 601 homes per year over the period to 2036. The London Plan advises that 2.5 student bedspaces should be treated as the equivalent of a single dwelling; with 444 student rooms proposed, the development would contribute the equivalent of 178 (rounded) homes towards meeting the Council's housing targets. This would make a substantial contribution towards the 601 home annual target, and as such is welcomed. It would also reduce pressure on the local private rented market, in that it would release back to the private rented sector 178 single dwellings that would otherwise be in student occupation.
128. While the application site would be appropriate for Class C3 residential development (in which circumstances it would contribute to the Council's general housing supply as part of the windfall allowance for small sites), it has not been assumed for such development in calculating the 5 year housing land supply and buffer. The proposed student housing scheme would not compromise the Council's ability to meet its strategic housing targets set out in the Southwark Plan and London Plan, particularly because student housing contributes towards the borough's housing but also because of the relatively small size of the site.
129. For the reasons given above, the proposed student accommodation use would help contribute to, and not in any way constrain, the strategic housing delivery targets of the development plan, including the Council's vision to "build more homes of every kind in Southwark and to use every tool at our disposal to increase the supply of all different kinds of homes", as set out in Southwark Plan Policy ST2.
130. Some of the public objections received about the planning application have asserted that student accommodation does not address the need for housing and is a factor in rising rental charges across London. While these concerns are noted, for the reasons detailed above, it is considered that the development would make a contribution towards addressing housing need.

### *Is there a local and strategic need for student housing?*

131. There is a demand for more student accommodation across London, which needs to be balanced with making sure Southwark has enough sites for other types of homes, including affordable and family housing. The affordable housing element of the current application is considered further in a separate section of this report.
132. There are several higher education institutions (HEIs) in the borough with teaching facilities and student accommodation. These include London South Bank University

(LSBU), Kings College London (KCL), University of the Arts (UAL) and London School of Economics (LSE). The borough is also home to some smaller satellite campuses.

133. The evidence base underpinning the Southwark Plan included a background paper on student housing, dated December 2019. It refers to the Council's Strategic Housing Market Assessment (SHMA) Update 2019, which found that:

- major HEIs within Southwark provide a total of 23,500 course places;
- over 21,000 students aged 20 or above live in the borough during term time;
- at least 50% of these students live in private rented accommodation, while 15% live with their parents; and
- there are some 7,800 bed spaces in PBSA in the borough.

134. The applicant has submitted their own Student Accommodation Assessment regarding Purpose Built Student Accommodation (PBSA) in support of this application, prepared by Savills. It notes the following key points:

- London is the top global market for higher education with the largest student population in the country and the most universities. Several universities are ranked very high globally.
- London also has the highest graduate retention rate of any UK university city by a significant margin –this is crucial to keep London as one of the World's Top Economies.
- The number of full-time students in the capital is the highest it's ever been, at c.331,000.
- There has been significant growth in overseas students, with the strongest growth from outside the EU (32% increase over the last 10 years). Overseas students are significantly more likely to need PBSA.
- Constraints including high housing costs restrict the number of students that can live in the centre of London where over 60% of London's universities are located.
- Most existing schemes, both private and university operated, are in the Inner South and Central regions.
- In London, around 30% of full-time students live in PBSA. 27% live with parents/guardians whilst 42% live in the wider private rented market in HMO's (Houses of Multiple Occupancy).
- There are c.30,000 beds in the pipeline across c.70 schemes.
- PBSA in Southwark has the ability to attract students who study across the capital due its excellent transport links, as well as students who already live in the borough.
- 33% of students (6,650) in Southwark live in the wider PRS market. Expanding the provision of student halls will place less pressure on the wider PRS.
- The Central London region has around 174,000 full-time students. C.22,000 of those are from China. The no. of Chinese students has increased by 450% since 2008/09.
- International students are far more likely to live in PBSA. Overseas students are 2.7 more times likely to live in PBSA than domestic students. They are



also more likely to stay in PBSA in their second and third years rather than move to the wider PHS/HMO market.

- The student to bed ratio for the central and inner south region combined is 2.1. For the Inner South area, it is 2.3 meaning there are more students per beds.
- Private sector PBSA is therefore crucial in offering enough accommodation and to a high standard for those who wish to study in Central or Inner South regions, rather than move to the less regulated and often poor service on offer in the HMO sector.

135. Findings from Savills' study indicate that there are approximately 112,000 full-time students currently attending higher education courses at universities with a main campus within the Central and Inner South regions. Southwark has 20,115 full-time students and 9,602 PBSA beds, which equates to a student to bed ratio of 2.1 which is low, but higher than the central boroughs of Camden and Islington.

University	Travel time (public transport)	Cycle time
London South Bank University	7 min walk	3 min
London College of Communication	10 min walk	2 min
King's College Hospital	10 min walk	3 min
King's College London	31 min walk / 22 min bus	8 min
London School of Economics	35 min walk / 24 min bus	9 min
Birkbeck College	49 min walk / 30 min tube	21 min
University of Westminster	57 min walk / 19 min tube	19 min

136. In summary, while the proposed accommodation would add to a number of pre-existing direct-let student housing developments in the borough, it would nevertheless contribute towards the borough's and London's stock of PBSA, for which there is an identified need. In this respect, the application addresses the overarching aim of Part A of London Plan Policy H15.

*Would the student housing contribute to a mixed and inclusive neighbourhood?*

137. Criterion 1 of London Plan Policy H15(A) requires student housing proposals to contribute to a mixed and inclusive neighbourhood.

138. The area surrounding the application site is characterised by a mix of uses, with commercial and conventional residential and uses predominating. To the south of the site is Metro Central Heights, containing approximately 400 conventional residential homes. The S.A.H site, to the north west of the application site, is allocated for redevelopment and is expected to deliver at least 57 new homes. Other Class C3 housing nearby includes the Rockingham Estate and 251 Southwark Bridge Road. In this surrounding land use context, the proposed student-housing led scheme would sustain a mixed and inclusive community through the introduction of an alternative residential product and demographic.
139. Some members of the public have objected to the application site being redeveloped for student housing on the grounds that the location is inappropriate for students and out of character for the area. However, for the reasons given above, the location is considered suitable for a student housing use.
140. The impacts arising from the 444 new residents are discussed in the later relevant parts of this report (transport, Section 106 contributions etc.), along with the details of the mitigation secured. Mayoral and Community Infrastructure Levies, payable by the developer upon implementation of the development, can be channelled into the provision of coordinated new infrastructure to meet the needs of the local population.
141. With regard to the recent consent for student accommodation at 6 Avonmouth Street and 5-9 Rockingham Street, given the low representation of PBSA schemes within the wider area, in the event that both schemes were implemented, it is not considered that together they would negatively impact the neighbourhood in terms of the mix of uses and inclusivity. On this basis, the proposed land use is considered to be broadly in conformity with the London Plan policy. Introducing a modest amount of student housing into a town centre location, and one where conventional residential uses are well represented, is not considered to cause harm.

*Is a nominations agreement in place?*

142. Criterion 3 of London Plan Policy H15(A) requires the majority of the accommodation within a PBSA proposal to be secured for students, and for this to be achieved through a nominations agreement with one or more HEIs.
143. The applicant does not intend to enter into a nominations agreement with a HEI for any of the proposed accommodation; instead, the accommodation will be directly managed by an independent provider. While the proposed development would not comply with Criterion 3 of Policy H15(A) due to being 100% 'direct-let', the locally-specific and more up-to-date student housing policy (Southwark Plan Policy P5) supports direct-let student housing subject to the provision of affordable housing (which is in turn subject to viability) and additionally a proportion of the affordable student accommodation and recognises it as PBSA. Accordingly, it is considered that if a development proposal complies with the affordable requirements that Policy P5 sets out for direct-let schemes, there is a policy compliant basis in this location for student accommodation schemes to not require the securing of a nominations agreement.

*Has the maximum level of affordable housing been secured?*

144. Criterion 4 of London Plan Policy H15(A) requires the maximum level of accommodation to be secured as affordable student accommodation.
145. However, and as mentioned in earlier parts of this report, it is considered that Southwark Plan Policy P5, in its prioritisation of conventional affordable housing delivery (subject to viability), provides a legitimate alternative pathway for student accommodation proposals to provide maximised affordable housing. While such general needs affordable housing would preferably be delivered on-site, a payment-in-lieu may be appropriate in exceptional circumstances and subject to robust justification, as per the Council's Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD.
146. Turning firstly to the matter of the London Plan's specific requirement for student housing proposals to deliver affordable rooms, while this is noted, the Council's priority is for conventional affordable housing due to the pressing need in the borough. Officers consider that although there would be some benefit to providing affordable student housing, this would be significantly outweighed by the benefits arising from general needs affordable housing delivery. Therefore, the latter should be prioritised. Southwark is one of the top four London Boroughs in terms of the provision of student housing, and already contributes significantly to London's student housing needs (notwithstanding the fact that there remains an unmet demand for student housing in the borough as set out earlier in the report). In reviewing the viability of the scheme, therefore, the payment-in-lieu has been considered in terms of a contribution towards general needs affordable housing, rather than for use in reducing the rent levels of students occupying the site. Including affordable student housing within the development would adversely affect the overall viability, and therefore the level of contribution the development could make to general needs affordable housing.
147. Turning next to the Southwark Plan preference for conventional affordable housing provision to be on- rather than off-site, in the case of this particular site it would prove extremely difficult to accommodate more conventional housing alongside student accommodation. This is due to the need for stair cores and the desire to segregate the standard affordable housing on site from the student accommodation in the interest of protecting residential and student amenity. For example, there would not be sufficient space to accommodate separate cores or dedicated facilities ancillary to the conventional housing such as communal amenity space or playspace if additional conventional affordable housing is to be provided. Accordingly, in this instance, it is considered permissible for the redevelopment of the site not to deliver this particular requirement of Southwark Plan Policy P5, and for an in-lieu equivalent to be secured to fund the delivery of general needs affordable housing elsewhere in the borough.
148. The payment-in-lieu from this proposal will be placed into the Affordable Housing Fund and ring-fenced to help fund the delivery of affordable housing schemes in the borough, with sites in Chaucer ward having first priority.

*Does the accommodation provide adequate functional living space and layout?*

149. A supporting paragraph to London Plan Policy H15 states that schemes not securing a nominations agreement for the majority of the accommodation will normally be considered as large-scale purpose-built shared living. The London Plan expects the quality of accommodation within purpose-built shared living schemes to be assessed against the requirements of Policy H16 “Large-scale Purpose-built Shared Living”; these are more onerous than the counterpart standards for PBSA, which are set out in Criterion 5 of Policy H15(A). However, owing to the supportive position of the Southwark Plan regarding the principle of 100% direct-let PBSA, when assessing whether the accommodation proposed by this planning application would provide adequate functional living space and layout, it is considered appropriate to do so against the standards set by Criterion 5 of Policy H15(A) rather than Policy H16.
150. Criterion 5 of Policy H15(A) requires the accommodation to be adequate and functional in terms of its living space and layout. Southwark Plan Policy P5 which requires 5% of student rooms as “easily adaptable for occupation by wheelchair users”.
151. It is considered that the proposed development would provide good quality accommodation for students, meeting the expectations of the London Plan Policy H15 Part A (5) and Southwark Plan Policy P5. The spatial arrangement, environmental internal conditions, level of amenity (within the individual units and the communal spaces), and the provision of wheelchair housing would all be adequate, as explained in detail in a subsequent part of this report entitled ‘Quality of Accommodation

*Is the location suitable for student accommodation?*

152. Part B of London Plan Policy H15 requires student housing scheme sites to be well connected by transport to local services. Situated within the CAZ and the Bankside and Borough District Town Centre, the site benefits from excellent accessibility to public transport (as reflected in its PTAL rating of 6B), services and established higher educational facilities. Within a few minutes’ walk of the site are two university campuses (LSBU and the University of the Arts) as well as a wide range of leisure and recreation activities for students, including Newington Gardens open space. Furthermore, at present there is not a large concentration of student accommodation in the vicinity.
153. Site Allocation NSP49 (London Southbank University Quarter) of the Southwark Plan, the red line boundary of which is approximately 200 metres to the northwest of the application site, requires redevelopment to provide research and education facilities or otherwise support the functioning of London Southbank University Quarter. While the Harper Road site is located outside of this allocation, owing to its proximity to LSBU, the student housing led proposal could be seen as helping support the Council’s ambitions to consolidate this nearby strategic site as a specialist higher education cluster.

Summary on the principle of student housing

154. In conclusion, the site is considered to be appropriate in principle for student accommodation, meeting a demonstrable need and achieving compliance with the requirements of London Plan Policy H15 and Southwark Plan Policy P5.

### Conclusion on uses

155. The proposed land uses are appropriate in policy terms for this site within the CAZ and the Borough and Banskside District Town Centre. The introduction of student housing and key worker housing is considered to be a major benefit of the scheme, facilitating the growth of Elephant and Castle's education offer, while also bringing economic and housing delivery benefits. The proposed employment and flexible retail uses would maintain an active frontage in this high footfall location while also delivering affordable workspace, thereby supporting the vitality and viability of the District Town Centre.

### **Development viability**

#### Policy background

156. Southwark's Development Viability SPD requires a Financial Viability Appraisal (FVA) to be submitted for all planning applications which trigger a requirement to provide affordable housing. Southwark's Development Viability SPD pre dates the current London Plan and Southwark Plan policies for student housing. Nonetheless the FVA should also identify the maximum level of affordable student housing that can be sustained as required by Policy P5 "Student Homes".
157. The SPD, in requiring an in lieu payment of £100,000 per habitable room of conventional affordable housing, effectively establishes the minimum payment-in-lieu a scheme should deliver. However, the policy expectation, as per Southwark Plan Policy P5, is for development proposals to deliver the *maximum* viable amount. It should also be noted that the SPD does not provide an in lieu figure for affordable student housing, as the SPD was drafted before the current London Plan policy was adopted.
158. Earlier parts of this report have explained the rationale for this proposal to deliver no on-site affordable student housing, and to instead deliver a 100% direct-let scheme with eight affordable dwellings (comprising 19 habitable rooms) together with a payment-in-lieu towards off-site affordable housing. For the proposed development, a 35% provision equates to 155.4 habitable rooms which adjusts to 136.4 habitable rooms when the on-site provision of 19 habitable rooms has been deducted. This results in a minimum expected contribution of £13,640,000 as an in-lieu payment to the Council to use for providing affordable housing.
159. The applicant has submitted a Financial Viability Assessment (FVA) in accordance with the Affordable Housing SPD and Southwark Plan Policy P5 to allow an assessment of the maximum level of affordable housing that could be supported by the development. The appraisal was reviewed by BPS on behalf of the Council.

## Assessment

### Findings of the viability review process

160. The final iteration of the applicant's FVA, prepared by DS2, establishes the proposed student housing scheme based on the AUV of the extant scheme (18/AP/0657). The FVA indicates a Residual Land Value (RLV) for the site of £29,455,501 and a Benchmark Land Value (BLV) of £16,744,020. With the differential between these two figures being £12,711,481, the applicant's FVA concludes that this is the maximum affordable housing contribution that can be viably sustained. With the minimum affordable housing contribution required by policy equating to £13.64 million, and following negotiation with officers, the applicant has offered an enhancement of £928,519 (bringing their total payment-in-lieu offer to £13.64 million), despite this exceeding what their FVA concluded would be viable.
161. The values estimated by the applicant's assessor differ from the findings of BPS' viability review. BPS' review, despite having applied the same BLV as DS2, indicates that the scheme could viably support a 35% equivalent affordable housing offer while generating a surplus of £28,122,188.
162. The applicant's assessor fundamentally disagreed with BPS' inputs and findings. Differences of opinion included build costs, PBSA profit, PBSA purchaser's costs, PBSA tenancy length, PBSA summer occupancy, site mobilisation, and disposal and marketing costs. The applicant's assessor contends that a payment-in-lieu of more than the £13,640,000 policy minimum would make the scheme unviable such that the planning application would not be pursued.
163. It should be acknowledged that there are other costs that will potentially militate against the applicant being able to make a payment of as much as £28,122,188, which their FVA review did not account for. These include any indexation applied to other Section 106 contributions and the community infrastructure levies. Furthermore, costs may or may not increase due to changes to Building Regulations (one such example being the 2021 changes to Part L), and various building contract issues such as supply and demand of products and labour. Some consideration needs to be given to costs such as these which fall outside the remit of, or cannot be forecasted and factored-into with any accuracy, a typical viability process at the planning application stage. The proposed Late Stage Review would identify the actual total costs incurred by the applicant in building the scheme, and would compare these to the estimated costs in the application-stage viability report, enabling a proportion of any surplus profit that might be generated to be captured and could result in an increased payment of £15.94m based on an equivalent of 40% affordable housing.

### Payment-in-lieu offer

164. Notwithstanding the considerations set out in the preceding paragraph, the magnitude of the surplus reported by BPS was such that officers insisted on an improvement to the applicant's payment-in-lieu offer to ensure the maximum viable amount was secured. To this end, the applicant has agreed to a 'collar' based on a BCIS (Building Cost Information Service Construction Data) all on tender price index which accounts

for inflation, meaning that a minimum payment would be based on the inflation of BCIS costs meaning that any payment would increase to account for current inflation costs. The effect of the collar would be that if cost inflation were to reduce, the payment would not be lowered but if inflation were to increase, the payment would increase to account for that.

165. The Section 106 Agreement will secure an Early Stage Review in the event of implementation being delayed for more than two years, as well as the Late Stage Review, in accordance with Policy H5 (F) (2). As student housing is not typical 'for sale' housing, and the value relies on the rent levels achieved, it is proposed that the Late Stage Review be carried out after the first full academic year of occupation of the development. In this case, £2.3m is the maximum additional payment the applicant would be liable for should the Late Stage Review reveal a surplus. This is based on £100,000 per extra habitable room (or part thereof) that would need to be provided as affordable (equivalent) to bring the total proportion up to 40%. It should be noted that this cap has not been discussed with, or endorsed by, the GLA; it is possible when the application is referred back to the Mayor at Stage 2 that the cap may be subject to an upwards, but not downwards, adjustment.
166. The figure of £2,300,000 derives from the differential figure of 22.2 habitable rooms between the applicant's 35% affordable housing equivalent offer and the Southwark Plan Fast Track target of 40%, rounded up to 23 and then multiplied by £100,000.

### Conclusion on development viability

167. With a Late Stage Review and an implementation-dependent Early Stage Review to be imposed through the Section 106 Agreement, officers consider that the maximum viable amount of affordable housing has been secured, and that therefore Criterion 4 of London Plan Policy H15(A) has been met, having regard to the expectations of the more up to date Southwark Plan and considering the two development plan policies in the round.

## **Provision of affordable housing**

### Policy background

168. Southwark Plan Policy P1 expects schemes containing nine conventional Class C3 homes or fewer to provide the maximum amount of social rented and intermediate homes, or a financial contribution towards the delivery of new council social rented and intermediate homes, with a minimum of 35% subject to viability.
169. The minimum 35% affordable housing expected by Policy P1 should be split in a 25:10 ratio between social rented and intermediate tenures, calculated on a habitable room basis. As a proportion of all the affordable habitable rooms in the development, this equates to 71% social rented equivalent tenures and 29% intermediate tenures.
170. Specifically with regard to intermediate homes, the Southwark Plan recognises that there are a range of products that can meet the needs of middle income households who cannot afford suitable housing at market prices but who can afford to pay more

for their housing than households in social rented housing. However, for households with annual incomes of less than £60,000, Southwark prioritises London Living Rent

## Assessment

### Tenure mix

171. The eight homes proposed on-site (comprising a total of 19 habitable rooms) constitutes 4.1% of the total habitable rooms contained within the development as a whole (the student housing element comprising the remaining 95.9%). While the on-site housing offer is 100% intermediate (i.e. zero social rented), the small quantum of housing the site can accommodate alongside the other proposed uses means that, were any of the eight homes to be dedicated as social housing, a Housing Association would be extremely unlikely take them on. The lack of social housing, given the scale of the on-site housing offer, is therefore considered permissible in this instance. In order to meet the requirement of Policy P1 a payment in lieu is proposed to ensure that at least the equivalent of 35% affordable housing (in a tenure compliant split of 10:25 between intermediate and social rented) is delivered. This is discussed in detail in the 'Development Viability' section of this report; with the Payment-in-Lieu to be secured through the Section 106 Agreement, the proposal achieves a policy compliant affordable housing offer.

### Securing the intermediate housing for keyworkers

172. The Council's draft Affordable housing SPD (AHSPD) defines a key worker as someone working within an essential public service. The AHSPD states that key workers are needed to provide key services, and an appropriate amount of affordable housing should be made accessible to key workers to ensure that they are able to live and work in Southwark. In 2017, Southwark Council consulted on an introduction of an intermediate rent housing list which recognised the role of key workers and the importance of ensuring key workers can afford to live within the city, who may not otherwise be able to access social housing but are also priced out of affording private rent. The report draws on the correlation between the ability to ensure sustained accommodation for key workers and the ability for the council, amongst one of the providers of important social care positions, to deliver on essential public services.

173. The 2017 report defines a Southwark keyworker to be somebody who works in an essential front line post who currently works in the London Borough of Southwark. This included the following:

- Nurses and other clinical staff employed in the NHS (at hospitals, health centres or in the community)
- Social workers, educational psychologists and therapists employed by a London Borough of Southwark or the NHS
- Firefighters
- Police officers and Police Community Support officers (PCSO)
- Teachers and teaching assistants who work in state schools, faith schools, free schools and academies (i.e. non-fee charging schools)
- Ambulance workers and paramedics



174. In November 2022, the Southwark Council reaffirmed its commitment to keyworkers by pledging in a Cabinet report to build 500 homes for keyworkers at affordable rents by 2026. Keyworker homes are London Living Rent tenure, for which the household income cap is £60,000, but with the additional qualification of being subject to a three year lease cycle (i.e. every three years the tenant's eligibility is reviewed). The November 2022 Cabinet report did not establish precisely which jobs would classify as a 'keyworker' role. Therefore, in the event that Members resolve to grant permission for 23/AP/0479, and if by the time the Section 106 Agreement is concluded the Council has not published a more up-to-date definition, for the purposes of the Section 106 Agreement the 'keyworker' definition relied upon will be that from the 2017 report.
175. The Section 106 Agreement will set out in greater detail the specificities of how the housing will be secured for keyworkers. An important element of this will be the marketing strategy. This would need to reflect the discussions held to date and set out in detail how marketing to keyworkers would be carried out, including on relevant websites and within institutions that are employers of keyworkers such as local hospitals and other local healthcare facilities.
176. In summary, officers are of the view that the inclusion of truly keyworker homes (London Living Rent tenure, with additional criteria around tenancy length and 3-yearly reviews) is a significant benefit of this scheme.

### **Quality of accommodation**

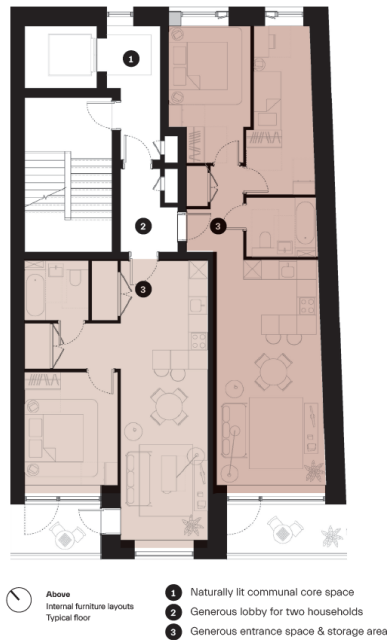
177. London Plan Policy H15 requires purpose built student accommodation to provide adequate functional living space.
178. There are no specific housing standards for student housing and given the different needs and management of student housing in comparison to conventional housing, it is not appropriate to apply standard residential design standards to student housing. The student rooms themselves comprise a range of room types to suit varying needs including ensuite bedrooms, accessible ensuite bedrooms, studio rooms and accessible studio rooms. All bedrooms and studios will have integrated storage and will be provided with an ensuite shower room.
179. All residents would have access to a total of 1896sqm of indoor and outdoor amenity space.

### **Wheelchair housing**

180. P 5 of the Southwark Plan requires 5% of student rooms to be wheelchair accessible. 11 bedrooms will be designed to accommodate wheelchair users meeting the requirements of Building Regulations M4(3) 'wheelchair user dwellings' which equates to 11 bedrooms proposed. The wheelchair user accommodation would be secured through the Section 106 Legal Agreement.

181. The key worker housing provides generous layouts that are designed to optimise well-being. The lift lobbies are day lit with windows to the outside and views out. All of the flats enjoy south facing balconies overlooking the Grade II Listed County Court House.
182. These flats are also entirely separate from the adjoining student housing with room and dwelling sizes that comply with the residential design standards SPD. All of the two bedroom dwellings would have dual aspect while the one bedroom dwellings would have their single aspect to the southwest.

183.



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

184. P56 (Protection of amenity) of the Southwark Plan states that developments should not be permitted when it causes an unacceptable loss of amenity to present or future occupiers or users. This includes privacy and outlook impacts, overlooking or sense of enclosure, loss of daylight and sunlight, and unacceptable noise from developments.
185. There will be more activity as a result of the development and a student management plan has been provided, which will be developed secured through condition to secure suitable control of impacts through the operator. The site will benefit from 24/7 management with a full time Accommodation Manager, Assistant Manager, Receptionist and Maintenance Operative. Staff would also be contracted for cleaning and out of hours security / concierge services. The security desk would be highly visible by the front door facing the pocket park and Harper Road. A more detailed strategy will be required for deliveries, moving in and out.

## Daylight and sunlight impacts

186. The following section of this report details the potential daylight, sunlight, and overshadowing impacts of the proposed development on surrounding residential properties. This analysis is based on guidance published by the Building Research Establishment (BRE). As required by Regulations, the submitted assessment has been undertaken by competent, experienced, registered professionals.

### BRE Daylight Tests

187. Guidance relating to developments and their potential effects on daylight, sunlight, and overshadowing is given within the 'Building Research Establishment (BRE).
188. The two most common tests for assessing the likely daylight impacts on surrounding, existing properties set out in the BRE Guidelines are the Vertical Sky Component (VSC) test and the No Sky-Line (NSL) test. The VSC test calculates the availability of daylight to the outside of a window and the NSL test shows the distribution of daylight within a room.
189. The VSC test calculates the angle of vertical sky at the centre of each window and plots the change between the existing and proposed situation. 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 also advise that VSC can be reduced by about 20% of its original value before the loss is noticeable. In other words, if the resultant VSC with the new development in place is less than 27% and/or less than 0.8 times its former value, then the reduction in light to the window is likely to be noticeable.
190. The distribution of daylight within a room can be calculated by plotting the NSL. The NSL is a line which separates areas of the working plane that do and do not have a direct view of the sky. Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. The BRE advises that if there is a reduction of 20% or more in the area of sky visibility, daylight may be noticeably affected.

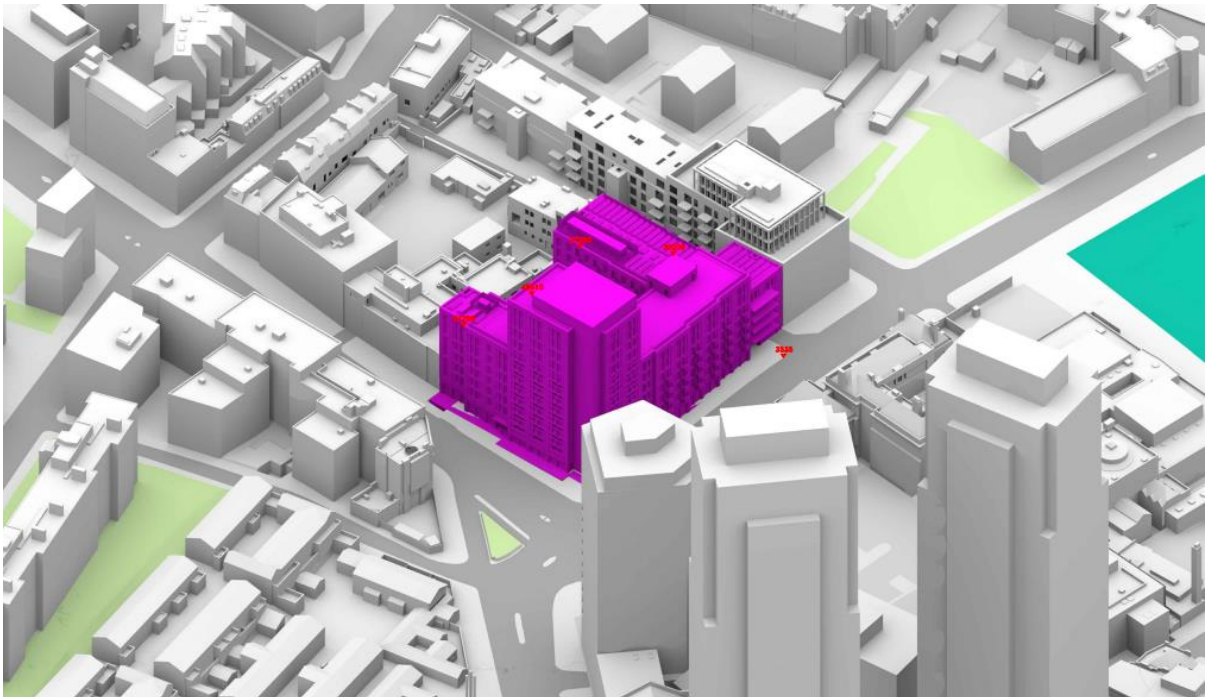
### BRE sunlight tests

191. The BRE sunlight tests should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. The tests should also be applied to non-domestic buildings where there is a particular requirement for sunlight. The BRE guide states that sunlight availability may be adversely affected if the centre of the window:
- receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and
  - receives less than 0.8 times its former sunlight hours during either period and

- has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
192. In addition, the BRE sets out specific guidelines relating to balconies on existing properties. This guidance acknowledges that balconies and overhangs above an existing window tend to block sunlight, especially in summer. Even a modest obstruction may result in a large relative impact on the sunlight received. As a result, they advise that the impact of existing balconies can be demonstrated by carrying out additional PSH calculations, for both the existing and proposed situations, with the balconies notionally removed.
193. The applicant has undertaken a daylight and sunlight assessment. It looks at the impacts of overshadowing on Newington Gardens and the impact of daylight and sunlight for the following neighbouring properties:
1. Trilogy Apartments
  2. Borough Triangle - Building D – Pending Application
  3. 1-6 Borough Square
  4. The Ship, 68 Borough Road
  5. David Bomberg House
  6. 14-20 Trinity Street
  7. 2 Trinity Street
  8. 4 Trinity Street
  9. 6 Trinity Street
  10. 8 Trinity Street
  11. 10 Trinity Street
  12. 12 Trinity Street
194. The site is relatively underdeveloped regarding massing, particularly to the south providing an open aspect to the newly constructed dwellings on the Trilogy development which is on the bottom left of the image below.



The hotel scheme's massing would have an impact on the daylight for nearby dwellings, the massing of which is shown in the image below:



By reducing the massing on the tower and omitting the basement levels, the developer has improved the development in the townscape but massing has been increased on the northern and southern flanks:



The analysis in the daylight and sunlight assessment takes a two stage approach: firstly an assessment of the impact against the current massing on the site and then secondly as a comparison to the implemented hotel scheme.

Analysis of results:

195. 1-6 Borough Square, 14-20 Trinity Street and 2-12 Trinity Street will comply entirely with BRE Guidelines.

Trilogy Apartments



197. 102 windows were assessed serving 59 habitable rooms. 48 of the 102 comply with BRE Guidelines for Vertical Sky Component vs 56 windows meeting the test for the

consented scheme. This is because the elements of the building closest to Trilogy Apartments is taller.

198. The windows that fail the BRE test serve 33 bedrooms, 19 open plan living, kitchen and dining Rooms and 2 living rooms. Reduction to VSC varies between 22% and 75%. Ten of these windows are located below balconies and therefore achieve less daylight and are more sensitive to changes in massing.
199. In terms of No Sky Line, 43 of the 59 rooms assessed will satisfy BRE guidelines. Of the 16 that fail, 6 are open plan living, kitchen dining and living rooms with between 38% and 57% alterations. The remaining 10 rooms are bedrooms with alterations between 21% and 57%. This is marginally different to the consented scheme which had 45 rooms meet the No Sky Line Test. These reductions while large need to be viewed in the context of the implemented hotel scheme where changes in daylight are of a similar degree, the 'alternative' test of comparing the hotel scheme with this proposal is a relevant consideration.
200. The alternative test compares this scheme with the approved consent that has been implemented. When comparing the two, there is minimal change to the retained VSC values. At ground, 1st, 2nd and 3rd floor, the absolute reductions in VSC are within 1.6 of the VSCs that there would be if the hotel scheme were built out
201. At 4th floor of Trilogy, the retained values are within 2.2% of the 2020 consent with retained values being generally good due to higher position of windows ranging from 19 to 34% Vertical Sky Component. The penthouse accommodation has dual aspect communal rooms opening up onto roof terraces where daylight and sunlight will be only marginally impacted.
202. Overall, 57 of the 59 rooms tested will experience minor and less than substantial changes in daylight distribution compared to the implemented scheme, with the greatest impact being 3rd and 4th floor where rooms retain a view of the sky dome to 65% of the room area, providing a good level of retained daylight distribution for an urban environment.

203.



The Ship Public House, 68 Borough High Street

204. 16 windows were assessed serving 5 rooms, 10 of which satisfy BRE Guidelines. This rate of compliance is identical to the 2020 consent. When compared to the existing consent, the windows experience no more than 1.7% change in absolute Vertical Sky Component, demonstrating that there is no discernible difference between the two schemes. Whereas one room will experience a more noticeable change it is noted that the windows serving these rooms retain good levels of Vertical Sky Component at between 20% and 22%. Regarding sunlight, all windows meet guidance against the existing baseline condition.

205.





## David Bomberg House, Student Housing

206. 75 windows have been assessed serving 75 rooms. 64 are student bedrooms with 11 being kitchen / dining rooms.
207. 44 of the 75 rooms will meet the BRE criteria for VSC with the remaining 32 windows serving 28 student rooms and three kitchen / dining rooms. 29 of these 31 rooms will retain a VSC of between 18 and 26%, which is generally reasonable for a dense urban environment such as this. The remaining two windows will retain a VSC just below 17%. 54 of the 75 rooms adhere to No Sky Line BRE Guidelines.
208. When compared with the 202 consent, the windows will retain an absolute VSC of within 2.7% or less of the consent, which demonstrates that there is no material difference in VSC between the two schemes. Regarding No Sky Line, all but two of the rooms experience similar effects and these two rooms will nonetheless retain a view of the sky dome to 51% and 52% of the room. Regarding sunlight, all windows meet guidance against the existing baseline condition.

209.



Potential Borough Triangle Scheme

210. 80 potential windows serving 40 potential rooms were tested. All meet the BRE criteria for Vertical Sky Component, with all 40 rooms satisfying No Sky Line BRE criteria and all rooms adhere to BRE Guidelines for sunlight.

211.



Southwark Police Station

Holding cell  
windows

212. Objections were received from Southwark Police Station concerning daylight / sunlight impacts on the south facing cells that face towards the site. These being rooms sensitive to impacts were tested.
213. The cells are served by openings that are largely obstructed with solid metal framing and thin strips of glazing that are opaque. Subsequently, no direct skylight enters the holding cells with any sense of natural light being glow rather than direct sky visibility.

### **Overlooking of neighbouring properties**

214. The development has been designed to minimise any potential overlooking of nearby residential properties and complies with the distance separation in the Residential Design Standards of 21m for separation to neighbouring residential windows. All external amenity spaces have been carefully positioned to avoid overlooking or risk noise pollution to adjacent residential buildings.
215. Concerns have been raised by Southwark Police Station regarding overlooking. This will be mitigated by a condition requiring details of windows facing the Police Station to be fixed shut and obscure glazed. All of the relevant windows can be treated as such because they are secondary or to communal areas that do not require outlook.

### **Design considerations**

216. The application is for the demolition of existing buildings and redevelopment to provide a mixed-use development comprising purpose-built student residential accommodation (444 student rooms), 8 affordable residential flats, offices (including affordable workspace) and some retail.

217. The proposals are a reworking of a development, following an earlier permission for the clearance of the site, the excavation of a 2-storey basement and construction of a hotel-led missed-use development, providing 328 bedroom spaces and included 7 residential flats, offices, retail and community uses (incl. GP surgery). The consented scheme featured a C-shaped built form that comprised a 7-storey perimeter block (27m AoD) enclosing a central courtyard space that was open to the public, and a 13-storey corner residential tower (c.46m AoD) located on the junction of Borough High Street and Harper Road (18/AP/0657). The permission remains extant and is a material consideration.
218. The current proposal omits the basement excavation and adopts a broadly H-shaped layout, comprising three intersecting slab blocks, with the main (stem) blocks arranged parallel to Borough High Street and their 'gable' ends set towards Harper Road. The 'gable' ends and crossbar block enclose a garden area that opens south towards Harper Road as a new public garden/ forecourt space, whilst the matching space to the north is infilled with a podium block, providing offices at ground floor and rooftop communal gardens for the students. The buildings are also set back from their current building line to provide wider pavements.
219. In contrast to the consented scheme, the overall height is brought down by two storeys and the proposed built volume above grade is more evenly spread. The proposed main slab block comprises 11-storeys (c.40m AoD) onto Borough High Street, whilst the crossbar block and rear block are generally 9-storeys (c.35m AoD) in height, but with a pop-up pavilion 10th storey and roof terrace at their apex. A further rooftop pavilion sits within the podium gardens at the rear. Overall, the proposals involve a reduction of c.2400 sqm of floorspace, mostly through the reduced basement excavation.
220. In terms of the proposed built form, the scheme architects have sought to reduce the slab-like appearance of the main block onto Borough High Street, modulating the massing and the detailed elevational design. The building line is articulated, with the north section of the building aligned with the Police Station building to the north to provide continuity of frontages, before stepping out towards the main junction with Harper Road. The height is similarly articulated, with the final four storeys of the north section of the block set back to form a 7-storey shoulder height towards the north, but with the block's southern end remaining 11 full storeys and finished with a raised parapet for subtle visual emphasis.
221. The 7-storey shoulder height makes for a comfortable scale within the street, reflecting the height of the modern residential development opposite; albeit it nonetheless represents an obvious increase in height compared to the east side of the street, which is generally 3 to 4-storeys, including the neighbouring Police Station. However, the 7-storey shoulder height reflects the extant scheme.
222. The addition 4-storey element is sufficiently setback both from the building frontage and in from the flank end to read as a secondary element in terms of the appearance of the 'host building' as well as within the street scene. Further effort could be made to reduce its appearance, building up the shoulder parapet, though this can be reviewed by condition. It will, however, be evident within the street adding to the overall scale,

though this has to be set against the reduction in height of the remainder of the block compared to the extant scheme.

223. The southern section of the building, at 11 full storeys, sits well within the streetscape, which is more open at the junction with Harper Road. The modest increase in parapet height, combined with the forward articulation of the block brings a moderate visual emphasis to the building, offsetting the slab-form and bookending the street block. Overall, the scale within Borough High Street is effective.
224. In terms of Harper Road, the building steps down in height to mainly nine storeys; the exception being a small pop-up pavilion that serves a roof terrace. The building line also cuts back to provide the new pocket garden space onto Harper Road. The nine storeys and setback arrangement provides a sufficiently comfortable transition downwards to the 7-storeys of the neighbouring modern residential building within Harper Road (no.25), as well as not appearing overwhelming within the street or when viewed from the Inner Sessions court opposite (see later).
225. The extended gable ends of the building bring a coherent enclosure to the new forecourt public garden space, which has a comfortable scale and an open, sunny aspect southwards towards the foregrounds of the Inner Sessions Court opposite. The new space mirrors the foregrounds opposite, with the two spaces working together to suggest a single, larger open space within the townscape, which is welcome. Overall, the development's scale and form are effective and supported on design grounds.
226. In terms of the ground floor plane, the development's layout brings a good level of activation and animation to the street frontages. The main office entrance and a separate entrance to the affordable workspace are positioned onto Borough High Street, activating the primary street. The frontage includes large window openings, which help animate the street. A further entrance is provided closer to the street corner, providing access to the café, which is also open onto the office lobby. The café animates the street corner, and has a further entrance onto the new pocket garden, with an area set out for tables and chairs. The gardens are overlooked by the communal facilities of the student accommodation, with the entrance to the student halls located in the far corner of the gardens, set back from the pavement, avoiding any congestion of the street. The security/reception office for the halls is positioned onto the back edge of the pavement, overseeing the entrance to the student halls, as well as the street. Finally, the residential block has a separate entrance and foyer positioned just beyond the gable end, positioned close to the residential building of no.25. Overall, the urban design quality is effective, with good activation and informal surveillance of the public realm.
227. The elevational architecture is engaging and contextual, albeit in a modern idiom. The facades have a good solid/void ratio, with punched-hole openings arranged in an ordered manner that brings a rhythm and calmness to the designs. The window openings are sized and detailed to bring a good sense of base, middle and top, with material finishes adding to the effect. The corner 'taller' block is expressed as a double-height ground floor, with the final floor slightly extended, with taller window openings and a taller parapet, giving the corner added visual emphasis.

228. The façade detailing includes metalwork ‘shrouds’ around the window openings, which protect against solar gain and help provide privacy around internal corners, as well as adding a visual richness to the elevations. The main windows are fixed shut, with opening sidelights providing ventilation in a secure manner. The entrance to the student foyer features a large fixed canopy, which appears rather clumsy, but which could be finessed through further design work that can be conditioned.
229. The main facing materials are currently shown as a series of pre-casts, with slight variations in tone and texture used to highlight the base, middle and top. The use of the pre-cast for the window lintels and scalloped parapet walls are particularly welcome, albeit thought could be given to including subtle secondary cornices or banding for further design relief. This could be reviewed by condition.
230. In general, the light colour tones of the material finishes is welcome, bringing a calm quality to the designs, with the slightly darker tones to emphasising the ground plane. The choice of pre-cast for the main elevation, however, is challenging, as it brings a stone-like appearance to the designs, suggesting a more civic quality to the development. However, in terms of the townscape, the context is predominantly brickwork in yellow stock or occasionally red brick for residential buildings, with stone/precast reserved for detailing, or the preserve of the nearby Grade II listed court, the Police Station at ground floor (NDHA) and the spire of the Grade II\* St George the Martyr. It is therefore considered that, whilst the ground floor of the development could be in stone, reflecting its more public/ communal use, the upper floors would be more appropriate in brickwork, giving the student accommodation a more domestic quality. This could be in a light buff not dissimilar to no.25 Harper Road, or possibly whiter, which would maintain the light tone, but with more warmth and sufficient domestic familiarity. This should be sought by condition, ensuring the use of a sufficient depth of brickwork and not brick-slips for quality and robustness.
231. Finally, brief mention should be made of the functional quality of the architecture, which is high. The proposed offices and the ground floor in general (including student communal facilities) have good floor-to-ceiling heights and good daylighting, with large window openings and the inclusion of large rooflights within the podium gardens. The offices enjoy a flexible arrangement of multiple entrances, a shared café facility and good end-of-journey facilities. The student accommodation is well designed, with the students enjoying large communal facilities, including roof gardens and rooftop terraces with pavilions, as well as library, cinema and games room, and good cycle storage and security. The rooms are a mix of cluster and studios, each well-appointed and benefitting from excellent ceiling heights of 2.65m within their main space, albeit lower for the bathrooms and hallway. The top-floor studio rooms enjoy mezzanine bedrooms. All rooms have been thoughtfully planned, with decent room widths, good storage and good-sized windows with openable sidelights for ventilation.
232. Finally, the affordable residential is similarly of a high standard, with all flats being dual aspect, with generous ceiling heights and good sized private balconies. The drawback is the undercroft vehicle entrance and adjacency to the servicing area for the development, although controls over landscaping and servicing hours could limit the impact on amenity (DM to consider). Importantly, the main outlook of the flats is southwards towards the low-rise court and its perimeter tree cover.

## Conclusion on design

233. Overall, the urban design of the new scheme is well-considered and is of high quality, responding sufficiently well to the surrounding urban form in terms of building alignment and general scale, with the H-shaped arrangement and façade articulation allowing a finer built form than the slab-block form would otherwise suggest. The buildings are taller than their immediate neighbours, but sufficiently modulated not to appear disruptive or overwhelming within the street scene and to respond well to the development's corner setting with its more open townscape. The architecture is similarly well-considered, with its ordered appearance and whilst modern, has a rich and sufficiently contextual appearance, subject to finishes. As such, the design approach is supported in principle, subject to the impacts of the development on the historic environment.

## **Heritage assessment**

234. The development site contains no designated heritage assets and is not within a conservation area, but is located in close proximity to the Trinity Church Square Conservation Area. At the heart of the conservation area lies Trinity Church Square, a formal square of Grade II listed townhouses enclosing the Grade II listed former Holy Trinity Church (now Henry Wood Hall). The square and its feeder streets lie some 90m north of the site. Other conservation areas lie beyond 300m of the site and would be unaffected.
235. The Grade II listed Inner Sessions Court is the closest designated heritage asset, siting directly opposite the site on Harper Road, less than 30m away. The court dates from the early 1920s (WE Riley) and is a Portland Stone building in the classical style and has a strong compositional form that faces broadly westwards towards Newington Causeway. Other relatively nearby listed buildings, include the group of buildings no.62; Hanover House (49-60); and the Duke of York public house (47) Borough Road, some 140-200m westwards from the site. The varied group comprises an unusual two-storey house with an octagonal planform and cupola roof (Henry Hartley, 1821); a four-storey gault brick and stucco fronted former factory in a classical style (1889); and the late 19<sup>th</sup> century 3-storey corner pub in weathered stock brick and red brick dressings in the Queen Anne style. The highest Grade asset in the wider vicinity is the Grade II\* listed St George the Martyr (1734-6, John Price) with the distinctive contrast of its red brick nave and Portland stone tower, located some 300m northwards further along Borough High Street and marking the junction with Marshalea Road and Great Dover Street.
236. In addition to the designated heritage assets, the site is close to Newington Gardens, which is a park that fronts onto Harper Road, diagonally opposite the site, and is recorded in the Southwark Plan as a non-designated heritage asset (NDHA). Its appearance adds to the character of the townscape.
237. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of proposals upon a

conservation area and its setting and to pay “special regard to the desirability of preserving or enhancing the character or appearance of that area”. Section 66 of the Act also requires the Authority to consider the impacts of a development on a listed building or its setting and to have “

238. The NPPF (2021) provides guidance on how these tests are applied, referring in paras 199-202 to the need to give great weight to the conservation of the heritage asset, and the more important the asset, the greater the weight; evaluate the extent of harm or loss of its significance; generally refuse consent where the harm is substantial; and, where necessary, weigh the harm against the public benefits of the scheme. Para 203 addresses non-designated heritage assets (NDHA) and the effect an application may have on its significance, directly or indirectly. It advises on the need for a balanced judgement, “having regard to the scale of any harm or loss and the significance of the heritage asset”.
239. Trinity Church Square is of high townscape quality and special interest, with its compositional urban form, attractive period townhouses and set-piece architecture of its focal church and garden setting. The surrounding terraces possess a strong uniform character, as expressed in part by their unbroken rooflines when experienced within the square. Presently, the adjoining townscape does not impinge on views within the square and its feeder streets to any great extent: Several tall buildings located in London Bridge and towards Elephant and Castle town centre are visible in the distance, appearing above the roofline, but are clustered, limiting the impact.
240. The application scheme has been designed to greatly reduce the development’s visibility from within Trinity Church Square compared to the extant scheme. The Townscape Visual Impact Assessment (TVIA) provides verified renders and wireline views of the development from within Trinity Church Square and reproduces those of the extant scheme for comparison. Winter and summer shots are provided to show the effect of tree cover within the square. For the most part, the development would not be seen from within Trinity Garden Square, being screened by the terraced housing and church. The points it comes into view are in views from the northeast and southeast corners of the square, which are illustrated in views nd #3. From the northeast corner, on the pavement outside no.48, the wireline shows that the uppermost elements of the development would be visible above the roofline on the west side of the square. This would likely be parapet of the final storey and rooftop screen, which would form a long, low incursion across property nos.4-7, but would remain below the height of the chimney stacks. The incursion would be visible in winter and would disrupt the otherwise unbroken roofline experienced in this view, detracting from the setting of the listed terrace and from the conservation area. However, the harmful effect would be moderated during the summer months when the intervening tree cover within the square would screen the view and by the fact that the integrity of the buildings as a uniform terraced group would remain unaffected. The harm is less than substantial, towards the lower end of harm.



Proposed view from the northeast corner of Trinity Church Square



Proposed view from the southeast corner of Trinity Church Square

241. Moreover, the impact would be less harmful compared to that of the extant scheme as shown below,





View of the hotel scheme from the northeast of Trinity Church Square

242. Similarly, the proposed development from the pavement in the southeast corner of Trinity Church Square, outside no.31, the parapet and rooftop screen would be visible above the opposing corner properties nos. 15-16, with a thin sliver of screen extending slightly above no. 14. Whilst a minor incursion, it nonetheless sits above the roofline and infills the corner junction, disrupting the otherwise unbroken ridgeline and roof form, detracting from the setting of the Grade II terrace and this part of the conservation area. With no intervening tree cover, the impact would be experienced year-round. The harm is less than substantial, towards the lower end of harm. However, the impact would be much less apparent than the extant scheme., as shown in model shot #3w in the appendices (p.77), where the disruption is more significant in height with the final residential storey and roofplant distinctly more evident.



Hotel scheme from the southeast corner of Trinity Church Square

243. Elsewhere within the vicinity, the TVIA shows that the development would be visible from within Trinity Street, rising above the listed terraced group nos.2-13 on the corner with Swann Street and visible within the townscape gap formed by Trio Place. In this section of the conservation area, the tall building 2-Fifty-1 is particularly evident within the backdrop and the listed terraced properties slightly more varied in character, and as such, the additional impact of the development is negligible.
244. In terms of the other designated heritage assets, render views show the inter-visibility between the development and Grade II\* St Gorge the Martyr church. It confirms that the development would be seen comfortably bookending the street and would not alter an appreciation of the architecture of the church or its landmark quality, being sufficiently distant and relative calm in its appearance. The impact on the heritage asset would be neutral.
245. The closet designated heritage asset is the Inner Sessions Court. A notable feature of the courthouse is that its compositional form is best appreciated when viewed head-on from Borough High Street, in which instance the development would be seen to its north, beyond its forecourt and side wing. The submitted views give a broader perspective, but nonetheless show the intervening roadway and how the development sits discretely away from the court complex. The development appears large in comparison, but its architecture is calm and orderly, with the scale seen to step down towards the rear, where it reads closet to the court building. The muted colour tone of the new buildings emphasises the discrete building forms, without becoming visually intrusive. The development's articulated form onto Harper Road that encloses its pocket garden helps its massing recede in the view, lessening its sense of scale in the views. The appearance would be further softened in summer months with the existing

extensive tree cover. Overall, the visual integrity of the court's architecture, compositional form and local landmark quality are sustained, with the impact on its setting considered neutral.



View to the north with the Inner London Court (Grade II listed) on the right

246. The settings of the remaining listed buildings in Borough Road would be unaffected, being sufficiently remote from the new development. View #7 suggests the likely visual effect, with the development reading calm and well-composed at the junction of Borough High Street and Borough Road in the middle distance, rather than visually intrusive.
247. Finally, in terms of the Newington Gardens the views from here are through a heavily treed landscape, enclosed by the lower-rise form of the court's rear extension and the lightly higher built form of the existing residential development at no.25 Harper Road. The wireline view shows that the upper floors of the development would be visible above part of the court's rear extension. It would be seen to continue the parapet height of no.25 Harper Road, before stepping up slightly towards the junction with Borough High Street. Its articulated form would be apparent. Importantly, the development would appear orderly and generally read as part of the moderately-scaled urban enclosure of the parkland, sustaining the character and setting of the park. The effect would therefore be neutral.

#### Conclusion on heritage

248. The proposed site does not contain a heritage asset and is not within a conservation area. It is, however, close to a number of heritage assets, where the building will become visible within the setting. For the most part, however, the effects are neutral

with the significance of the heritage assets sustained. The exception, however, is Trinity Church Square where, despite the reduction in height compared to the extant scheme, the scale of the development would nonetheless remain evident within the backdrops to the Grade II listed church and terraces, and to the wider conservation area, breaching the consistent rooflines and coherent townscape. The harm to the significance of the listed buildings and conservation area is less than substantial and towards the low end of harm, being limited in extent and more a technical infringement in character. In accordance with the NPPF the harm should be weighed against the planning benefits of the scheme. This would include the comparative harm of the extant scheme, which remains a material consideration.

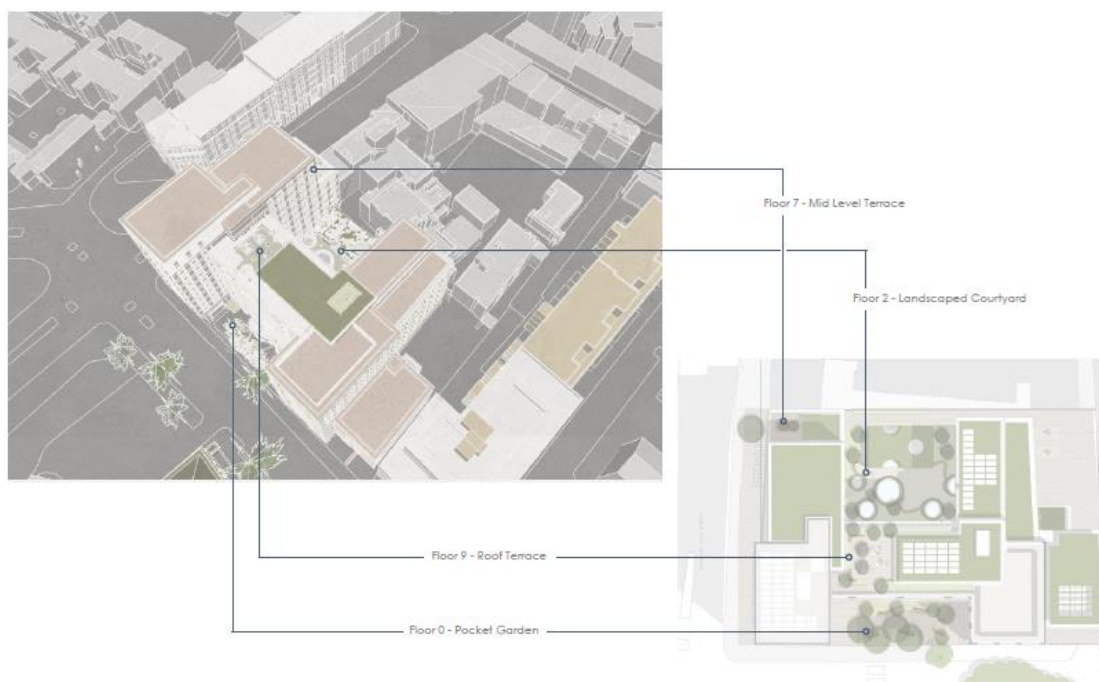
## **Archaeology**

249. The application offers significant archaeological benefits compared to the hotel scheme. The detail included in the application removes any basement floor level, providing a building where policy objectives of preserving archaeological remains in situ may be possible. However, this is a site immediately adjacent to known areas of burials and burial laws applied through burial licences issued under the various acts require the removal of human remains. The locations and number of cores within the proposal structure may require significant levels of archaeological work.
250. The applicants have submitted an archaeological assessment that details previous archaeological works on site. Further archaeological evaluation is necessary, and it is recommended that the locations of the cores or lift shafts are targeted, other impacts can be managed more suitably with conditions. No detail has been provided for rain water mitigation; the locations of any underground stores will need to be conditions to ensure they are in areas away from significant archaeology.
251. Due to the presence of a mausoleum and roman sarcophagus on the adjacent site there is a potential for archaeology of national significance to be present on site, therefore the national significance condition is required to ensure the works are suitably managed.
252. The scale and location of this development provides an ideal opportunity for a programme of public engagement works to be associated with the archaeology already identified on this site, tied into recent research on the course of the London Civil War defence lines, and the significant roman archaeology from the adjacent site. Conditions are recommended to ensure that the site is properly evaluated and investigated.

## Urban greening and Biodiversity

253.

Landscape approach



Locations of new pocket park and roof terraces delivering urban greening

**Table 2: Post Construction Habitats**

Habitat type	Area (hectares)	Distinctiveness	Condition	Strategic significance	Strategic significance	Total habitat units
Intensive green roof	0.09013	Low	Poor	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.17
Urban tree	0.02407	Medium	Poor	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.07
Other green roof	0.02675	Low	Condition Assessment N/A	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.05
Introduced shrub	0.0187	Low	Condition Assessment N/A	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.04
Sustainable urban drainage feature	0.042	Low	Condition Assessment N/A	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.05
Developed land; sealed surface	0.10935	V.Low	N/A - Other	Area/compensation not in local strategy/ no local strategy	Low Strategic Significance	0.00
						0.38

254. The biodiversity net gain report shows an increase of 261% well in excess of the 10% required with provision of green roofs, trees, shrubs and sustainable urban drainage features.

Urban Greening Factor Calculator				
Surface Cover Type	Factor	Area (m <sup>2</sup> )	Contribution	Notes
Semi-natural vegetation (e.g. trees, woodland, species-rich grassland) maintained or established on site.	1	0	0	
Wetland or open water (semi-natural; not chlorinated) maintained or established on site.	1	0	0	
Intensive green roof or vegetation over structure. Substrate minimum settled depth of 150mm.	0.8	901.3	721.04	
Standard trees planted in connected tree pits with a minimum soil volume equivalent to at least two thirds of the projected canopy area of the mature tree.	0.8	213.6	170.88	
Extensive green roof with substrate of minimum settled depth of 80mm (or 60mm beneath vegetation blanket) – meets the requirements of GRO Code 2014.	0.7	267.5	187.25	
Flower-rich perennial planting.	0.7	72	50.4	
Rain gardens and other vegetated sustainable drainage elements.	0.7		0	
Hedges (line of mature shrubs one or two shrubs wide).	0.6	115	69	
Standard trees planted in pits with soil volumes less than two thirds of the projected canopy area of the mature tree.	0.6	27.1	16.26	
Green wall –modular system or climbers rooted in soil.	0.6		0	
Groundcover planting.	0.5		0	
Amenity grassland (species-poor, regularly mown lawn).	0.4		0	
Extensive green roof of sedum mat or other lightweight systems that do not meet GRO Code 2014.	0.3		0	
Water features (chlorinated) or unplanted detention basins.	0.2		0	
Permeable paving.	0.1	420	42	
Sealed surfaces (e.g. concrete, asphalt, waterproofing, stone).	0		0	
<b>Total contribution</b>			<b>1256.83</b>	
<b>Total site area (m<sup>2</sup>)</b>			<b>3110</b>	
<b>Urban Greening Factor</b>			<b>0.404125402</b>	

Urban greening factor

255. The Urban Greening Factor at 0.404 is good and includes a mix of roofs, trees, hedges and perennial planting.

## Trees

256.

Climate resiliency played an important role in the selection of the trees and plant species. Largely we have adopted trees species capable to cope with dryer summers and hotter temperatures. The RHS climate resiliency guide has been largely used to inform our choices.

At ground floor, exposure and spatial availability are the other parameters that we have considered for the tree choices. *Gleditsia triacanthos* will gently filter light allowing for an overall bright public realm and allow understory vegetation to thrive.

- Ginkgo biloba- 30/35cm girth
- Osmanthus burkwoodii - 250/300cm high
- Osmanthus aquifolium - 250/300cm high
- Prunus serrulata 'Tai Haku' - 300/350cm high
- Amelanchier lamarckii 250/300 cm high
- Crataegus x persimilis prunifolia 25/30cm girth
- Pinus sylvestris 'Watereri' - 200/250 cm high
- Gleditsia triacanthos 'Inermis' 30/35 cm girth
- Zelkova serrata - 25/30 cm girth

Existing Tree retained

Amelanchier lamarckii Gleditsia triacanthos 'Inermis'

Crataegus x persimilis Ginkgo Biloba Osmanthus aquifolium Osmanthus burkwoodii Pinus sylvestris 'Watereri' Zelkova serrata

### Proposed trees

257. P61 says, among other things that development would be permitted where trees are planted as part of landscaping schemes commensurate to the scale and type of development and that where trees are removed they should be replaced by new trees which result in net loss of amenity taking into account tree canopy as measured by stem girth. A new tree is proposed on Borough High Street, with existing trees retained and additional trees proposed across the pocket park and biodiverse roofs. The new street tree will be secured by a s278 Highway Act agreement secured in the legal agreement alongside the planning permission. Other trees will be secured by condition.

## Fire safety

258.



Image (above): Fire service site plan

259. The Gateway 1 Fire Statement demonstrates that the building will satisfy Part B of the Building Regulations. The issues outlined have been addressed using design guidance documents BS 9999 and BS 9991. HSE noted in pre-application advice given directly that they are satisfied with the fire safety design to the extent that it affects land use planning. No further comments have been received from the HSE following consultation in respect of this application. (can you email them please and tell them we are taking this to committee on 18 July).

260. The proposal complies with Policy D12 and Policy D5(B) of the London Plan 2021 and will comply with Part B of the building regulations.

## Secured by design

261. The application has been reviewed by the Metropolitan Police, Secure by Design Advisor who is satisfied that, should this application proceed, it would be able to achieve the security requirements of the Secured by Design.

## Transportation

262. Key transport principles are:

- Vehicular access to the Site provided from Harper Road



- Access designed to accommodate turning of service vehicles up to 7.5t box vans (8m in length and 3.55m in height).
- The development is to be car-free, with the exception of 2no accessible Blue Badge car parking spaces.
- All refuse collection for the student accommodation and commercial will be to the rear loading bay, where the bin stores are located.
- The application proposes the residential refuse collection to the front, but a notwithstanding condition is proposed to move the residential refuse collection to the rear, in the general vicinity of the residential cycle store so as to provide a more active frontage and pleasant entrance, to avoid odour and vermin risk at the entrance of the flats and to secure that residential refuse collections also occur to the loading bay.
- The existing on-street parking on Harper Road on the Site frontage is to be removed to provide 3 Taxi bays, a Car Club bay and additional length of single yellow line for drop off close to Borough High Street.

Mode	Mode Share	AM Peak			PM Peak		
		In	Out	Two-Way	In	Out	Two-Way
Underground	30%	1	12	14	10	6	16
Train	7%	0	3	3	2	1	4
Bus	27%	1	11	12	9	5	14
Taxi	0%	0	0	0	0	0	0
Bicycle	7%	0	3	3	2	1	4
On foot	29%	1	12	13	10	6	16
<b>Total</b>	<b>100%</b>	<b>4</b>	<b>42</b>	<b>46</b>	<b>34</b>	<b>19</b>	<b>53</b>

263. Trip generation for the student housing is expected to be sustainable with a majority of journeys via public transport, foot and bicycle.

Total Person	AM			PM		
	In	Out	Two-way	In	Out	Two-way
Total Person Trip Rate	0.08	0.4	0.48	0.24	0.11	0.35
Total Person Trip Gen	1	3	4	2	1	3

264. The eight affordable key worker flats will generate a minimal number of trips and will be car free.

	AM Peak			PM Peak		
	In	Out	Two-Way	In	Out	Two-Way
Employees	61	7	68	7	61	68

265. The employment space is also car free with the majority of trips being by public transport, cycle and foot.

266.

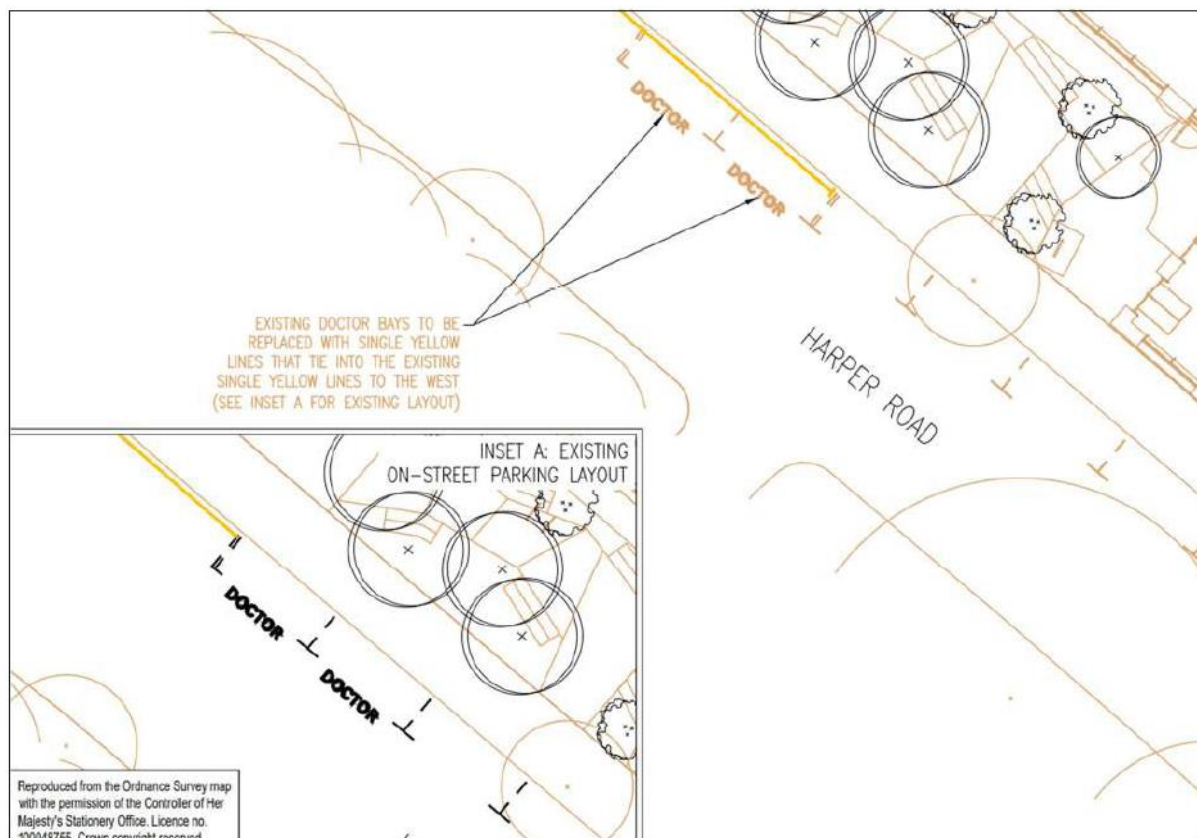


### Proposed access strategy

267. The Site currently has two existing gated vehicular accesses. The primary vehicle access is via Harper Road, with a secondary access via Borough High Street. Both access points are currently secured by gates, with no general vehicle access provided. The proposal involves removing the Borough High Street Access with all access via Harper Road. The existing vehicular access on Borough High Street is proposed to be removed and reinstated with improved public realm.

268. Vehicle access for delivery and servicing as well as Blue Badge users, will be via the existing access on Harper Road. All vehicles will enter and exit from the site in a forward gear. All delivery and servicing activity (including refuse collection) for the student and commercial uses will be undertaken on site. Residential waste collection will continue to be undertaken on-street on Harper Road, as per the existing arrangement. Pedestrian and cycle access will be provided at grade via dedicated pedestrian routes and dedicated cycle stores. A management strategy requiring details of how students would move in and out is recommended as part of the legal agreement to ensure that the impact on the transport network is minimised.

269.



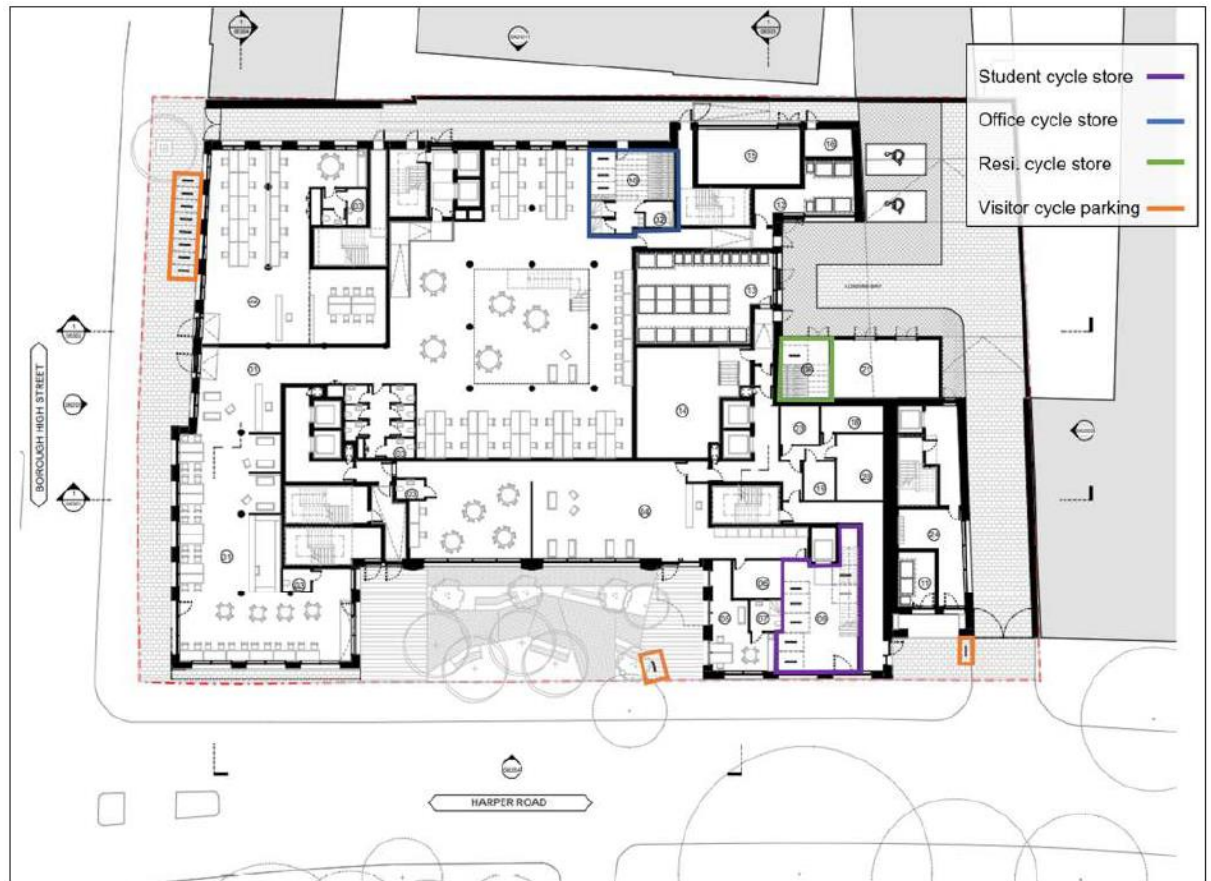
### Harper Road Kerbside Proposals.

270. The redundant doctors' bays situated on Harper Road are to be converted to single yellow lines to provide additional kerbside space for pick-up./drop-off activity.

### Long and short stay cycle parking

Use	Cycle Parking Type				
	Two-tier	Sheffield	Acc. Sheffield	Raised Wheel	Folding Bike Locker
Student Accommodation	272	42	16	3	-
Residential	12	-	2	-	-
Office	22	4	2	-	6
<b>Total</b>	<b>306</b>	<b>46</b>	<b>20</b>	<b>3</b>	<b>6</b>

271.



272. It is proposed to provide all long-stay cycle spaces within dedicated, secure, internal cycle store areas, accessible from dedicated street-level access points. Visitor parking is provided in the form of Sheffield stands within accessible landscaped areas in the public realm.

273.



274. Student cycle storage is provided in secure storage at first floor level. At least 8 shared / pooled bikes such as pre-loaded bike lockers will be provided, managed by site concierge located in the student lobby area.



Image (above): On-site servicing and parking arrangements

275. The development is proposed to be car free except for two accessible Blue Badge parking bays; one residential and one non-residential.
276. Public realm improvements form part of the proposal, including new landscaping, a pocket park, a new tree and widening of the footways around the site to create an enhanced pedestrian experience.
277. It is not known what archaeology lies on the site but there is the potential of significant remains. To this end, conditions are recommended that would allow nationally significant remains to be preserved on site. If such remains were found, the applicant would need to amend the scheme with a possibility that excavation and piling will require re-design.

## Environmental considerations

### Wind and microclimate

278. The majority of areas at and around the Site would be expected to have wind conditions suitable for the intended use throughout the year without any landscaping in situ. However, the seating provisions on the pocket park and at terraces would be expected to have wind conditions one category windier than suitable for the intended use without the inclusion of landscaping. The proposed landscaping scheme would however provide beneficial shelter to the areas with windier conditions and would

alleviate wind conditions to render them suitable. The proposed landscaping will be secured by condition.

## Flood risk and water resources

279. The site lies in Flood Zone 3a and is located within an area benefitting from River Thames flood defences. Measures have been included in the design for the development to be safe for its lifetime which include residential accommodation being well above the maximum likely water level breach and finished floor levels, all accommodation being at first floor or above. Also, finished floor levels of the new building will be set at 4.425AOD or above providing mitigation in the event of a breach from existing flood defences. The development also includes sustainable drainage and flood modelling allows for climate change. The proposal also has minimal flood risk as a result of having no basement.

## Ground conditions and contamination

Table 13. Geotechnical Parameters for Preliminary Pile Design

Stratum	Design Level (mOD)	Bulk Unit Wt (kN/m <sup>3</sup> )	Cohesion (c <sub>v</sub> ) kPa [c'] kPa	Friction angle (°)	Limiting Shaft Friction (kPa)	Limiting Base Stress (kPa)	Nc	Alpha
Made Ground	~3.5	18	No capacity in Made Ground		-	-	-	-
Kempton Park Gravel	1.0	19	- [0]	32	-	10,000	-	-
London Clay	-4.8	20	70+8z <sup>2</sup> [5]	23	110	n/a	9	0.5
Harwich Formation	-25	20	- [0]	38	110	10,000	-	-

280. Given the height of the building the foundations will likely comprise piled foundations. These will be required to extend into the London Clay formation. A ground investigation previously carried out identified the above parameters. These indicate a maximum pile length of 24m, which is 5m above the investigated depth.
281. The site has been marked as ruins, suggesting a bomb site. Therefore a detailed unexploded ordinance risk assessment should be done. Also, a ground movement assessment may be required for Thames Water assets and London Underground tunnels to assess the potential impacts of piling.
282. A contamination assessment was previously carried out on the site but its findings are limited due to it relating to two samples of soil from small local areas north of the site. Further assessments are therefore required.
283. A single skin steel fuel tank likely for petrol was present on the site in 1959 that had a 4546L capacity. It was filled with water from 1980 with no reports of leaks or spills.

Therefore there is potential for contamination in soil and groundwater from this source that should be investigated due to risk of vapour.

284. No groundwater was analysed previously so this should be carried out, particularly in light of groundwater contamination being identified at a site circa 50m away.
285. The applicant's initial contaminated land report recommends the following further steps:
- Trial pitting following demolition of the buildings on site to obtain samples for a contamination assessment and investigate the buried fuel tank.
  - Boreholes across the site to allow installation of shallow groundwater and gas monitoring standpipes; particularly located in the northwest of the site.
  - Gas and groundwater monitoring – recommended minimum three visits noting that a further three may be required subject to findings / regulator requirements.
  - Groundwater and soil chemical laboratory testing
  - Potential deep boreholes to allow use of efficient deep slim piles
  - Waste acceptance criteria testing
  - Factual and Interpretative Reporting
  - Detailed Unexploded Ordinance Assessment.
  - Works to be carried out in accordance with any archaeological watching brief.
286. The further contaminated land works that are required will be required by condition.

## **Air quality**

287. The site is located in an Air Quality Management Area (AQMA) and an Air Quality Assessment has been submitted. The assessment shows that pollution concentrations for the development would be below the target concentration for NO<sub>2</sub> and particulate matter so residents would not be exposed to unacceptable levels of these pollutants. Further, it concludes that the development would be air quality neutral and that impacts from construction can be mitigated through good practice. A construction management plan is proposed to ensure that impacts during construction are minimised.

## **Noise and vibration**

### Plant noise

288. Plant (power, heating and cooling machinery) would be contained within three rooms at basement level and one room at Level 21. Plant would also be located on the roof of the tower, screened behind an acoustic enclosure
289. A condition is recommended requiring the plant not to exceed the background sound level (LA<sub>90</sub> 15min) at the nearest noise sensitive premises, and for the specific plant sound level to be 10 dB(A) or more below the representative background sound level in that location, all to be calculated fully in accordance with the relevant Building Standard. The condition is considered sufficient to ensure that the proposed plant will



not have an unacceptably adverse impact on existing neighbouring residents or the users of the building.

### Public noise nuisance

290. In terms of public noise nuisance from the development for surrounding residents, a Student Management Plan submitted with the application details how the probable provider, Homes for Students, would operate the accommodation so as to limit sources of human noise disturbance to neighbours.

## **Sustainable development implications**

### **Energy**

291. Policy SI 2 of the London Plan states that reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand should be incorporated into developments to help achieve zero-carbon targets. This approach should be in accordance with the 'Be Lean', 'Be Clean', 'Be Green' hierarchy. Paragraph 9.2 of Policy SI 2 states that the hierarchy should inform the design, construction, and operation of new buildings. The priority is to minimise energy demand, and then address how energy will be supplied and renewable technologies incorporated. Sub paragraph c of paragraph 9.2.12 of Policy SI 2 requires proposals to further reduce carbon emissions through the use of zero or low-emission decentralised energy where feasible, prioritising connection to district heating and cooling networks and utilising local secondary heat sources. The student accommodation aspect of the proposal would be expected to achieve net zero carbon (what would it savings be? And what are the savings of the residential?), and the commercial aspect a 35% reduction against part L of the Building Regulations 2010 (hasn't this been updated and what are the savings?)
292. An Energy Statement and Strategy has been submitted based on the guidance of the National Planning Policy Framework (2019), The London Plan (2021), Southwark Plan (2022), Southwark Sustainable Design and Construction Supplementary Planning Document (2015), and the Mayor's Energy Assessment Guidance.

### Be Lean (use less energy)

293. 'Be lean' refers to the approach taken by the design team to maximise the positive aspects of the scheme's passive design to minimise the base energy demand of the buildings. As part of this application, key passive ('Be Lean') design features include:
- Balanced G-value and light transmittance (LT) glazing to optimise solar gains and internal daylight levels.
  - Highly insulated fabric
  - Tight construction
  - No thermal bridging/ Good detailing
  - Maximise daylight

- Local mechanical ventilation with heat recovery units that recover 95% of heat
- Air source heat pumps
- Water saving strategies

These measures would result in a lean reduction of 45% for the affordable homes, which is above the 15% target in the London Plan. The commercial and student rooms saving would be 2%.

#### Be Clean (supply energy efficiently)

294. As part of the Be Clean approach, the use of energy efficient equipment, heat networks and community heating have been considered. There are no district heat networks that the site can connect to so the development would be 'futureproofed' so that a connection can be made should a network be available in the future. There are no savings for this element of the hierarchy.

#### Be Green (Low or Carbon Zero Energy)

295. The feasibility study undertaken for the Be Green element has identified solar PV, open / closed loop ground source heat pumps, air source heat pumps technologies and mechanical ventilation with air source heat pump suitable for the site to deliver renewable energy on site. These would provide 35% saving for the residential and 13% saving for the student and commercial element.
296. The total savings from the 'be lean' and 'be green' interventions would be 17%, leaving 4,279.5 tonnes of CO<sub>2</sub> per year to be mitigated through an off-site contribution. Again can you be clear about the savings associated with each use, and the shortfall associated with each use please). This would amount to a payment of £406,554. In addition to this, the commercial element would achieve a BREEAM rating of excellent..

### **Overheating**

297. Policy SI 4 of the London Plan "Managing heat risk" states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy. This policy seeks to reduce the impact of the urban heat island effect.
298. An overheating assessment has been undertaken within the energy strategy document. An acoustic assessment of the site shows that natural ventilation opens cannot be used in the overheating strategy due to high ambient noise levels along Borough High Street and due to air pollution. Mechanical ventilation will therefore be utilised. Passive design measures to assist the mechanical ventilation include:
- High performance face to limit summer solar gains and solar glazing with deep window reveals.
  - Minimise internal heat gains by reducing pipe length for hot water systems.
  - Exposed concrete soffits in parts of the student flats to reduce excess heat gains from artificial lighting.

- Active cooling in the affordable residential flats use comfort cooling provided in the supply air from the heat recovery units.
- Commercial areas will be cooled using a variable refrigerant flow system.

### Planning obligations (Section 106 Undertaking or Agreement)

299. Southwark Plan policy IP3 and policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative aspects of a generally acceptable proposal. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations 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

300. The application would be supported by the following Section 106 obligations:

Planning obligation	Mitigation	Applicant's position
<b>Local Economy and Workspace</b>		
Employment and training (during construction)	<ul style="list-style-type: none"> <li>• Jobs for unemployed Southwark residents during the construction phase of the development. Where this is not possible to meet this requirement, a charge of £4,300 per job not provided will be applied;</li> <li>• Southwark residents trained in pre- or post-employment short courses. Where this is not possible to provide a payment a charge of £150 per resident will be applied;</li> <li>• New apprenticeship start or in work NVQ. Where this is not possible to provide a payment a charge of £1,500 per apprenticeship will be applied.</li> </ul>	Agreed
Employment and enterprise	Allow for local procurement and supply chain measures during construction and after construction.	Agreed
Affordable Housing (P1)		

Wheelchair Units	23 Wheelchair accessible rooms	Agreed
Management Plan	Management, operation and promotion strategy, to include details of a moving in and out strategy to be submitted and agreed prior to occupation.	Agreed
<b>Transport and Highways</b>		
Public realm and highway improvements	<ul style="list-style-type: none"> <li>• Delivery of a pocket park</li> <li>• s.278 works with the highway authority for highway works, tree planting and traffic management change.</li> </ul>	Agreed
Parking permit restriction	This development would be excluded from those eligible for car parking permits under any future CPZ operating in this locality.	Agreed
<b>Energy, Sustainability and the Environment</b>		
Futureproofing for connection to District Heat Network (DHN)	Prior to occupation, a CHP Energy Strategy must be approved setting out how the development will be designed and built so that it will be capable of connecting to the District CHP in the future.	Agreed
Achieving net carbon zero	an off-set payment of £406,554	Agreed
Archaeology monitoring/supervision fund	Contribution towards cost of providing technical archaeological support	Agreed
Rockingham Community Centre	Payment of £600,000 for the refurbishment of the centre	Agreed
Administration fee	Maximum contribution to cover the costs of monitoring these necessary planning obligations, calculated as 2% of total sum	Agreed

301. The S106 heads of terms agreed would satisfactorily mitigate against the adverse impacts of the proposed development.
302. In the event that a satisfactory legal agreement has not been entered into by 1 December 2023, the director of planning and growth is authorised to refuse planning permission, if appropriate, for the following reason:

“The proposal fails to provide an appropriate mechanism for securing planning obligations to mitigate the impact of the development. The proposal therefore fails to demonstrate conformity with strategic planning policies and fails to adequately mitigate the particular impacts associated with the development in accordance with policy P5 of the Southwark Plan, policy H15 of the London Plan DF1 ‘Delivery of the Plan and Planning Obligations’ of the London Plan and IP3 of the Southwark Plan, as well as guidance in the council's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).”

### **Mayoral and Southwark Community Infrastructure Levy (CIL)**

303. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material “local financial consideration” in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, while Southwark’s CIL will provide for infrastructure that supports growth in Southwark. The contribution is estimated to be £1,107,267.

### **Statement of community involvement**

304. Consultation was carried out by the applicant prior to the submission of the planning, and during the consideration of the application. The consultation undertaken was carried out with the local community and key stakeholders from the area. The applicant’s SCI mentioned a number of groups that were engaged/consulted and they are:

- Ward councillors
- Local landowners of nearby buildings
- Stakeholders

A website was also provided for people to access information on the proposal, in particular the revisions that were made: [kingsplaceconsultation.co.uk](http://kingsplaceconsultation.co.uk)

E newsletters sent to 44 people who signed up for updates.

Printed newsletter sent to 1,263 addresses and an introductory letter to 25 local stakeholders, including ward councillors, neighbouring businesses and community groups.

In person activities included door-knocking to 113 addresses engaging in conversation with 30 residents and consultation drop-in sessions on-site attended by 10 people.

A webinar was conducted attended by 5 people.

This is summarised in the tables below, which are taken from the submitted Statement of Community Involvement.

305. Comments made include a desire for a welcoming, safe space involving the local community in the development process. Improvements were sought to the character and feel of the area. Protection of the skyline was sought and genuinely affordable housing was sought. A majority approved change of use from hotel and height reduction but some raised concerns about noise and increased foot traffic. Some sought affordable employment space and several wanted to see local community meeting places. Improvement to the public realm was sought and coffee and retail space desired.

### **Consultations**

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

### **Consultation replies**

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

### **Summary of consultation responses**

308. This application was subject to a round of statutory consultation in late September 2020. The development was published in Southwark News on October 8<sup>th</sup> 2020, and a Site Notice was displayed at the site on 9<sup>th</sup> December 2020.
309. 21 comments from residents were received on this application, with 20 objecting and one neutral comment.

### GLA

310. Stage 1 comments have not yet been received from the GLA.

### TfL

311. No comments to date

### Environment Agency

312. No comments to date

### Metropolitan Police

313. The Designing Out Crime Officer has advised that the development can attain secure by design accreditation. The Met Officer has recommended a condition be attached regarding the need for the development to attain secure by design accreditation.

#### Health and Safety Executive

314. No comments to date.

#### Transport Team

315. No objections subject to conditions

#### Ecology

316. Confirm that the application will result in a biodiversity net gain and recommend conditions

#### Urban Forester

317. Acknowledge that two category C trees and one Category B tree would be lost but that the mitigation from a new street tree on Borough High Street, the pocket park and landscaping of the terraces and roofs would mitigate the loss.

The mitigation strategy adequately accounts for the loss of canopy cover. It exceeds the relevant UGF target score of 4.0 and therefore complies with P61 and London Plan Policy G5 'Urban Greening'.

Conditions have been recommended.

#### Archaeology officer

318. States that there is potential for significant remains on the site and recommends conditions.

#### Highways

319. No objection subject to conditions and a legal agreement.

320. A s.278/38 legal agreement is desired to complete the following works:

1. Repave the footways including new kerbing fronting the development on Borough High Street and Harper Road using materials in accordance with Southwark's Streetscape Design Manual - SSDM (granite natural stone slabs and 300mm wide silver grey granite kerbs).
2. Upgrade the vehicular crossover on Harper Road to current SSDM standards. Works to include realigning of kerbs.

3. Reinstate redundant vehicular crossovers on Harper Road and Borough High Street as footway.
4. Plant new street trees fronting the development. Works to include silva cells and irrigation.
5. Upgrade street lighting fronting the development to current standards.
6. Promote a TRO to remove doctor's bays and extend parking bays on Harper Road and replace single yellow lines with double where appropriate. Works to include road markings and signage.
7. Repair any damage to the highway due to construction activities for the Development including construction work and the movement of construction vehicles.
8. Offer for adoption the strip of land between public highway boundary and new building line as publicly maintained. To be secured via S38 Agreement.

## **Environmental impact assessment**

321. 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.
322. The council was not requested to issue a screening opinion as to whether the proposed development, due to its proposed size and scale, would necessitate an Environmental Impact Assessment (EIA).
323. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the circumstances in which development must be underpinned by an EIA. Schedule 1 of the Regulations sets out a range of development, predominantly involving industrial operations, for which an EIA is mandatory. Schedule 2 lists a range of development types for which an EIA might be required due to the potential for significant environmental impacts to arise. Schedule 3 sets out that the significance of any impact should include consideration of the characteristics of the development, the environmental sensitivity of the location and the nature of the development.
324. The range of developments covered by Schedule 2 includes 'Urban development projects' where:
- The area of the development exceeds 1 hectare and the proposal is not dwellinghouse development; or
  - The site area exceeds 5 hectares.
325. The application site is 0.0783 hectares and as such the proposal does not exceed the Schedule 2 threshold.
326. Consideration, however, should still be given to the
327. No request for an Environmental Impact Assessment (EIA) was carried out in accordance with Regulation 5 of the Town and Country Planning (Environmental



Impact Assessment) Regulations 2017. It is noted that the regulations raise and amend the thresholds at which certain types of development project will need to be screened in order to determine whether an environmental impact assessment is required. The development could be considered an urban development project under Schedule 2 of the Regulations. As the development would not introduce more than 150 dwellings it is therefore not necessary to assess the potential impact against Schedule 2 of the EIA Regulations.

### **Planning policy**

328. The statutory development plan for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2019 is a material planning consideration.

### **Planning policy designations**

329. The application site is found within the following Planning Policy Designations:

Site Allocation NSP12  
 Central Activities Zone;  
 Borough and Bankside District Town Centre;  
 NSP Borough View 03 L Viewing Corridor  
 Controlled Parking Zone, Newington (D)  
 Archaeological Priority Zone (North Southwark and Roman Roads)  
 Air Quality Management Area; and  
 Environment Agency Flood Zones 2 & 3.

330. This application was determined in accordance with the development plan unless material considerations indicate otherwise; and the following national framework, regional and local policy and guidance are particularly relevant.

### **Planning policy**

#### **National Planning Policy Framework**

331. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
332. Paragraph 212 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 7 - Ensuring the vitality of town centres  
 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 15 - Conserving and enhancing the natural environment  
 Section 16 - Conserving and enhancing the historic environment

333. National Planning Policy Guidance is a web-based resource which brings together planning guidance on various topics into one place.

### London Plan 2021

334. The London Plan is the regional planning framework and was adopted on March 2nd 2021. The most relevant policies are those listed below.

Policy SD6 - Town centres and high streets  
 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 D12 – Fire safety  
 Policy H1 – Increasing housing supply  
 Policy H3 - Monitoring housing targets  
 Policy H4 – Delivering affordable housing  
 Policy H15 - Purpose built student accommodation  
 Policy S3 - Education and childcare facilities  
 Policy E9 – Retail, markets and hot food takeaways  
 Policy HC1 - Heritage conservation and growth  
 Policy HC3 – Strategic and local views  
 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 12 – Flood risk management  
 Policy SI 13 – Sustainable drainage  
 Policy T2 – Healthy streets  
 Policy T4 – Assessing and mitigating transport impacts  
 Policy T5 – Cycling  
 Policy T6 – Car parking  
 Policy T7 – Servicing, deliveries and construction  
 Policy DF1 – Delivery of the Plan and Planning Obligations

## Mayoral SPGs

335. The following Mayoral SPGs are relevant to the consideration of this application:

Use of planning obligations in the funding of Crossrail (2010)  
Affordable Housing and Viability SPG (2017)

## New Southwark Plan

336. The Southwark Plan was adopted in February 2022 and the most relevant policies of this plan are:

Policy P5 - Student homes  
Policy P14 - Design quality  
Policy P16- Designing out crime  
Policy P17- Tall buildings  
Policy P18 - Efficient use of land  
Policy P19- Listed buildings and structures  
Policy P20 - Conservation of the historic environment and natural heritage  
Policy P22- Borough Views  
Policy P23- Archaeology  
Policy P27- Education places  
Policy P28- Access to employment and training  
Policy P35 - Towns and local centres  
Policy P47- Community uses  
Policy P50 - Highways impacts  
Policy P51 - Walking  
Policy P53 - Cycling  
Policy P55 - Parking standards for disabled people and the mobility impaired  
Policy P56 - Protection of amenity  
Policy P60 - Biodiversity  
Policy P61 - Trees  
Policy P68 - Reducing flood risk  
Policy IP3 - Community infrastructure levy (CIL) and section 106 planning obligations

## **Human rights implications**

337. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing new mixed use 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.

## SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

338. None.

### Conclusion on planning issues

339. The major redevelopment of the site is supported through the site allocation. The proposed use would provide residential accommodation for students with 5% of rooms being wheelchair accessible.

340. At 11 storeys, the development would sit comfortably in the townscape and not cause harm to heritage assets, including the Grade II listed Inner London Sessions Court building while the harmful impact on the Trinity Church Square Conservation Area is less than substantial, lower than the impact of the hotel scheme and outweighed by the benefits, including delivery of affordable housing on site and a financial contribution to affordable housing off site. The development would provide a pocket part and public realm improvements on Borough High Street and Harper Road.

341. There would be some impact on residents from a reduction in daylight and sunlight but these are due to in part to existing constraints on these dwellings and the impacts of the proposal are not significantly different to the impacts from the extant consent on the site that has been implemented.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents TP	Environment, Neighbourhoods and Growth  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 0254 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation
Appendix 2	Consultation undertaken
Appendix 3	Consultation responses received
Appendix 4	Relevant planning history

**AUDIT TRAIL**

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Philip Ridley, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	6 July 2023	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance	No	No
Strategic Director, Environment, Neighbourhoods and Growth	No	No
Strategic Director, Housing	No	No
<b>Date final report sent to Constitutional Team</b>		6 July 2023

**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.

---

<b>Applicant</b>	Southwark Homes Limited	<b>Reg. Number</b>	23/AP/0479
<b>Application Type</b>	Major application		
<b>Recommendation</b>		<b>Case Number</b>	1422-19

**Draft of Decision Notice****for the following development:**

Demolition of existing buildings and redevelopment to provide a mixed-use development comprising purpose-built student residential rooms (Sui Generis), affordable residential dwellings (Use Class C3), employment floorspace (Use Class E(g)), together with access, cycle parking, hard and soft landscaping and other associated works.

Land At 19 21 And 23 Harper Road 325 Borough High Street And 1-5 And 7-11 Newington Causeway London SE1 6AW

**In accordance with application received on 22 February 2023 and Applicant's Drawing Nos.:**

## Existing Plans

EXISTING LOCATION PLAN	A348-MCO-XX-ZZ-DR-A-05001
EXISTING ELEVATION NORTH	A348-MCO-XX-ZZ-DR-A-05201
EXISTING ELEVATION EAST	A348-MCO-XX-ZZ-DR-A-05202
EXISTING ELEVATION SOUTH	A348-MCO-XX-ZZ-DR-A-

	05203
EXISTING ELEVATION WEST	A348-MCO-XX-ZZ-DR-A-05204
EXISTING PLAN LEVEL B1	A348-MCO-XX-B1-DR-A-05099
EXISTING PLAN LEVEL 00	A348-MCO-XX-00-DR-A-05100
EXISTING PLAN LEVEL 01	A348-MCO-XX-01-DR-A-05101
EXISTING PLAN LEVEL 02	A348-MCO-XX-02-DR-A-05102
EXISTING PLAN LEVEL 03	A348-MCO-XX-03-DR-A-05103
EXISTING PLAN LEVEL ROOF	A348-MCO-XX-R1-DR-A-05111
EXISTING SECTION AA	A348-MCO-XX-ZZ-DR-A-05301
EXISTING SECTION BB	A348-MCO-XX-ZZ-DR-A-05302

## Proposed Plans

PROPOSED SITE PLAN	A348-MCO-XX-ZZ-DR-A-06001
PROPOSED ELEVATION NORTH	A348-MCO-XX-ZZ-DR-A-06201
PROPOSED ELEVATION EAST [EAST WING]	A348-MCO-XX-ZZ-DR-A-06202
PROPOSED ELEVATION EAST [WEST WING]	A348-MCO-XX-ZZ-DR-A-06203
PROPOSED ELEVATION SOUTH	A348-MCO-XX-ZZ-DR-A-06204
PROPOSED ELEVATION WEST [WEST WING]	A348-MCO-XX-ZZ-DR-A-06205
PROPOSED ELEVATION WEST [EAST WING]	
PROPOSED SITE PLAN	A348-MCO-XX-ZZ-DR-A-06001
PROPOSED PLAN LEVEL 00	A348-MCO-XX-00-DR-A-06100
PROPOSED PLAN LEVEL 01	A348-MCO-XX-01-DR-A-06101
PROPOSED PLAN LEVEL 02	A348-MCO-XX-02-DR-A-06102
PROPOSED PLAN LEVEL 03-04	A348-MCO-XX-03-DR-A-06103
PROPOSED PLAN LEVEL 05	A348-MCO-XX-05-DR-A-06105
PROPOSED PLAN LEVEL 06	A348-MCO-XX-06-DR-A-06106
PROPOSED PLAN LEVEL 07	A348-MCO-XX-07-DR-A-

	06107
PROPOSED PLAN LEVEL 08	A348-MCO-XX-08-DR-A-06108
PROPOSED PLAN LEVEL 09	A348-MCO-XX-09-DR-A-06109
PROPOSED PLAN LEVEL 10	A348-MCO-XX-10-DR-A-06110
PROPOSED PLAN LEVEL ROOF	A348-MCO-XX-R1-DR-A-06111
PROPOSED SECTION AA	A348-MCO-XX-ZZ-DR-A-06301
PROPOSED SECTION BB	A348-MCO-XX-ZZ-DR-A-06302
PROPOSED SECTION CC	A348-MCO-XX-ZZ-DR-A-06303
PROPOSED SECTION DD	A348-MCO-XX-ZZ-DR-A-06304

## Other Documents Received

Arboricultural Report	The Moyal Associates
Archaeological Impact Assessment	MOLA
Biodiversity Net Gain Report	Schofield Lothian, January 2023
Circular Economy Statement	ScotchPartners
Construction & Env't Management Plan	GT Gardiner & Theobald
Contamination Assessment	Walsh
Daylight, Sunlight, Overshadowing and Solar Glare Report	2 Point
Delivery and Servicing Plan	WSP
Design & Access Statement	Morris & Company
Energy Strategy	Skelly & Couch
Equalities Impact Assessment	Trium
Health Impact Assessment	Trium
Landscape Strategy and Urban Greening	Andy Sturgeon Design
Lighting Assessment	Skelly & Council
Fire Statement	OFR
Flood Risk Assessment	Walsh
Noise and Vibration Assessment	Clarke Saunders
Planning Area Schedule	
Planning Gateway 1, Fire Statement	OFR
Pre-Demolition Waste Audit	McCormack
Preliminary Ecological Appraisal	Schofield Lothian
Southwark Police Station Assessment	Sellar
Statement of Community Involvement	Kanda Consulting
Student Accommodation Assessment	Savills
Student Management Plan	CRM Students
Sustainability Statement	Scotch Partners
Townscape Assessment	Tavernor
Transport Assessment	WSP
Transport Plan	WSP



Utilities Assessment	Skelly & Couch
Viability Assessment + Appendices	DS2
Ventilation / Extract Statement	Skelly & Couch
Waste Management Report	WSP
WCLA GLA Template	
Whole Life Carbon Assessment	Scotch Partners
Wind Study Report	RWDI

**Permission is subject to the following Compliance Condition(s)**

1.	The development to which this permission relates must have commenced not later than the expiration of three years beginning from the date of this decision notice. Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended.	
2.	The development hereby permitted shall be carried out in accordance with the approved plans listed in this notice, unless otherwise required by any other condition in this notice.	
	PROPOSED ELEVATION NORTH	A348-MCO-XX-ZZ-DR-A-06201
	PROPOSED ELEVATION EAST [EAST WING]	A348-MCO-XX-ZZ-DR-A-06202
	PROPOSED ELEVATION EAST [WEST WING]	A348-MCO-XX-ZZ-DR-A-06203
	PROPOSED ELEVATION SOUTH	A348-MCO-XX-ZZ-DR-A-06204
	PROPOSED ELEVATION WEST [WEST WING]	A348-MCO-XX-ZZ-DR-A-06205
	PROPOSED ELEVATION WEST [EAST WING]	
	PROPOSED SITE PLAN	A348-MCO-XX-ZZ-DR-A-06001
	PROPOSED PLAN LEVEL 00	A348-MCO-XX-00-DR-A-06100
	PROPOSED PLAN LEVEL 01	A348-MCO-XX-01-DR-A-06101
	PROPOSED PLAN LEVEL 02	A348-MCO-XX-02-DR-A-06102
	PROPOSED PLAN LEVEL 03-04	A348-MCO-XX-03-DR-A-06103
	PROPOSED PLAN LEVEL 05	A348-MCO-XX-05-DR-A-06105
	PROPOSED PLAN LEVEL 06	A348-MCO-XX-06-DR-A-06106
	PROPOSED PLAN LEVEL 07	A348-MCO-XX-07-DR-A-06107
	PROPOSED PLAN LEVEL 08	A348-MCO-XX-08-DR-A-06108

	PROPOSED PLAN LEVEL 09	A348-MCO-XX-09-DR-A-06109
	PROPOSED PLAN LEVEL 10	A348-MCO-XX-10-DR-A-06110
	PROPOSED PLAN LEVEL ROOF	A348-MCO-XX-R1-DR-A-06111
	PROPOSED SECTION AA	A348-MCO-XX-ZZ-DR-A-06301
	PROPOSED SECTION BB	A348-MCO-XX-ZZ-DR-A-06302
	PROPOSED SECTION CC	A348-MCO-XX-ZZ-DR-A-06303
	PROPOSED SECTION DD	A348-MCO-XX-ZZ-DR-A-06304
	TYPICAL WING BAY ELEVATIONS	A348-MCO-XX-ZZ-DR-A-06401
	TYPICAL GABLE END BAY ELEVATIONS	A348-MCO-XX-ZZ-DR-A-06402
	TYPICAL POCKET PARK BAY ELEVATION	A348-MCO-XX-ZZ-DR-A-06403
	TYPICAL COURTYARD BAY ELEVATION	A348-MCO-XX-ZZ-DR-A-06404
	TYPICAL RESIDENTIAL BAY ELEVATION	A348-MCO-XX-ZZ-DR-A-06405
	Reason:	
	To ensure that the Development is undertaken in accordance with the approved drawings and documents to achieve compliance with Development Plan Policies (London Plan 2021 and Southwark Plan 2022), and National Planning Policy Framework 2021.	
	<b>PRE-COMMENCEMENT CONDITIONS</b>	
3.	PROGRAMME OF ARCHAEOLOGICAL MITIGATION	
	Before any work hereby authorised begins, [excluding archaeological evaluation, demolition to slab level, and site investigation works] the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority. Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.	

4.	<p data-bbox="242 78 1383 145"><b>ARCHAEOLOGICAL PRE-COMMENCEMENT FOUNDATION AND BASEMENT DESIGN CONDITION</b></p> <p data-bbox="242 190 1383 515">Before any work, hereby authorised, [excluding demolition to slab level, archaeological evaluation and site investigation works], begins, the applicant shall submit a detailed scheme showing the complete scope and arrangement of the basement and foundation design, and all associated subterranean groundworks, including the construction methods. The submitted documents should show how archaeological remains will be protected by a suitable mitigation strategy. The detailed scheme will need to be approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approval given.</p> <p data-bbox="242 560 1383 739">Reason: In order that all below ground impacts of the proposed development are known and an appropriate protection and mitigation strategy is achieved to preserve archaeological remains by record and/or in situ in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.</p>

5.	<p><b>ARCHAEOLOGICAL PUBLIC ENGAGEMENT PROGRAMME</b></p> <p>a) Prior to commencement of the development (excluding demolition and site investigation works) hereby permitted, the applicant shall submit to and receive the Local Planning Authority's approval of a Public Engagement Programme which shall set out:</p> <ol style="list-style-type: none"> <li>1) How the field work areas will be hoarded to provide opportunities for passers-by to safely view the excavations;</li> <li>2) Detailed drawings (artwork, design, text and materials, including their location and a full specification of the construction and materials) for the public interpretation and presentation display materials celebrating the historic setting of the site, which will be located on suitably visible public parts of the temporary site hoarding;</li> <li>3) Details of at least one event, such as a heritage trail, that will be held during the field work phase (as a minimum this should state the date/time, duration, individuals involved and advance promotional measures for the event, and provide an outline of the content of the event);</li> </ol> <p>b) Prior to the commencement of the fieldwork phase, the hoarding shall be installed in full accordance with the LPA-approved details referred to in parts a.1 and a.2 of the condition, and the hoarding shall remain as such and in place throughout the fieldwork phase.</p> <p>c) During the fieldwork phase, the event (referred to in part a.3) shall be carried out.</p> <p>d) Before first occupation of any part of the development, detailed drawings (artwork, design, text and materials, including their location and a full specification of the construction and materials) for the public interpretation and presentation display materials celebrating the historic setting of the site, in some form of permanent display case or signage to be installed within a publicly-accessible part of the development hereby approved. The approved display case or signage shall be installed in accordance with the approval and shall not be replaced other than with a display case or signage of similar specification and bearing the same information.</p> <p>Reason: In order that all below ground impacts of the proposed development are known and an appropriate protection and mitigation strategy is achieved to preserve archaeological remains by record and/or in situ in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.</p>

6.	<p><b>TREE PROTECTION MEASURES</b></p> <p>Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>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.</p> <p>b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.</p> <p>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.</p> <p>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.</p> <p>In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) - Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard.</p> <p>If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.</p> <p>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); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).</p>
7.	<p><b>CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN</b></p>

	<p>No development shall take place, including any works of demolition, until a written Construction Environmental Planning 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:</p> <ul style="list-style-type: none"> <li>• A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;</li> <li>• Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;</li> <li>• 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.)</li> <li>• A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;</li> <li>• Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.</li> <li>• A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London</li> </ul> <p>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.</p> <p>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.</p>
8.	<p><b>Contamination Strategy</b></p> <p>No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:</p> <ol style="list-style-type: none"> <li>1. A preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risk arising from contamination at the site.</li> <li>2. A site investigation scheme, based on (1) to provide information for a detailed</li> </ol>

	<p>assessment of the risk to all receptors that may be affected, including those off site including any unexploded ordinances.</p> <p>3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.</p> <p>4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.</p> <p>Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with paragraph 170 of the National Planning Policy Framework.</p>
9.	<p><b>SECURITY MEASURES</b></p> <p>a. Secured By Design Measures. 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 the development</p> <p>b. Secured by Design Certification. Any such security measures shall be implemented prior to occupation in accordance with the approved details which shall 'seek to achieve' the secured by design accreditation award from the Metropolitan Police Service.</p> <p>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).</p>
10.	<p><b>ECOLOGICAL MANAGEMENT PLAN</b></p> <p>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 be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.</p> <p>The scheme shall include the following elements: To include the roofs, trees,</p>

	<p>hedges, soft landscaping and nesting features</p> <p>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.</p>
11.	<p>London Underground</p> <p>The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for each stage of the development for all of the demolition, foundations, and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> <li>• Provide details on all structures</li> <li>• Accommodate the location of the existing London Underground structures and tunnels</li> <li>• Accommodate ground movement arising from the construction thereof</li> <li>• And mitigate the effects of noise and vibration arising from the adjoining operations with the structures and tunnels.</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in the paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan Supplementary Planning Guidance for Land and Industry and Transport 2012.</p>
12.	<p><b>SUSTAINABLE URBAN DRAINAGE</b></p> <p>No works (excluding demolition and site clearance) shall commence until full details of the proposed surface water drainage system incorporating the Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, dimensions, depth and location of attenuation units and flow control devices. The specific SuDS type, arrangement and material should be given in line with the proposed strategy dependant on any necessary site investigations. The strategy should achieve a reduction in surface water runoff rates as detailed in the approved 'Flood Risk Assessment and Drainage Strategy' prepared by Ardent. The applicant must confirm 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 and retained in accordance with the approved details.</p> <p>Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017), Policy SI 13 of the London Plan, and Policy P68 of the Southwark Plan.</p>



13.	<p><b>FIRE ACCESS</b></p> <p>Prior to the commencement of development, details of access for fire appliances as required by Approved Document B of the Building Regulations and details of adequate water supplies for fire fighting purposes shall be submitted to and approved in writing by the Local Planning Authority. The development approved shall be completed in accordance with any details approved which shall be retained thereafter..</p> <p>Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the National Planning Policy Framework and Policy D12 (Fire safety) of the London Plan.</p>
14.	<p><b>FAÇADE DETAILS</b></p> <p>Prior to commencement of any works above grade (excluding demolition), detailed drawings at a scale of 1:5 or 1:10 through:</p> <ul style="list-style-type: none"> <li>i) all facade variations; and</li> <li>ii) commercial fronts and residential entrances; and</li> <li>iii) all parapets and roof edges; and</li> <li>iv) all balcony details; and</li> <li>v) heads, cills and jambs of all openings</li> </ul> <p>to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with any such approval given.</p> <p>Reason: In order that the Local Planning Authority may be satisfied as to the quality of architectural design and details in accordance with Chapter 12 - Achieving well designed places of the NPPF, Policies D4 (Delivering good design) and D9 (Tall buildings) of the London Plan, and Policies P13 (Design of places), P14 (Design quality), and P17 (Tall buildings) of the Southwark Plan.</p>
15.	<p><b>FAÇADE SAMPLES</b></p> <p>Prior to the commencement of any above grade works (excluding demolition), samples of all external facing materials and full-scale (1:1) mock-ups of the facades to be used in the carrying out of this permission shall be presented on site to the Local Planning Authority and approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given. The facades to be mocked up should be agreed with the Local Planning Authority. These details should, notwithstanding the approved details, provide details of brickwork between the stone dressings to sympathize with the predominant use of brick along Borough High Street.</p> <p>Reason: In order that the Local Planning Authority may be satisfied as to the quality of architectural design and details in accordance with Chapter 12 - Achieving well designed places of the NPPF, Policies D4 (Delivering good design) and D9 (Tall buildings) of the London Plan, and Policies P13 (Design of</p>

	places), P14 (Design quality), and P17 (Tall buildings) of the Southwark Plan.
16.	<b>ABOVE GRADE CONDITIONS</b>
17.	<p><b>HARD AND SOFT LANDSCAPING</b></p> <p>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 later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season.</p> <p>Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations, BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard.</p> <p>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), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).</p>
18.	<p><b>GREEN ROOFS FOR BIODIVERSITY</b></p> <p>Part 1: Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:</p> <ul style="list-style-type: none"> <li>- biodiversity based with extensive substrate base (depth 80-150mm);</li> <li>- laid out in accordance with agreed plans; and</li> <li>- 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).</li> </ul> <p>The biodiversity (green/brown) 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 roof(s) shall be carried out strictly in accordance with the details so</p>

	<p>approved and shall be maintained as such thereafter.</p> <p>Part 2: Full Discharge of this condition will be granted once the green/brown roof(s) 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.</p> <p>Reason:</p> <p>To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).</p>
19.	<p>Condition: Invertebrate habitats</p> <p>Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than 6 Bee bricks and/or invertebrate hotels shall be provided and the details shall include the exact location, specification and design of the habitats. Bee bricks and/or invertebrate hotels 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.</p> <p>The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>Discharge of this condition will be granted on receiving the details of the invertebrate features and mapped locations and Southwark Council agreeing the submitted plans, and once the invertebrate features are installed in full in accordance to the agreed plans.</p> <p>Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: G6 of the London Plan 2021, Policy P59 and P60 of the Southwark Plan 2022.</p>
20.	<p>Tree planting and screening</p> <p>Full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. 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 local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be</p>

	<p>planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.</p> <p>Reason: To ensure the proposed development will preserve and enhance the privacy of residents opposite and 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 2021 Parts 8, 11, 12, 15 and 16; 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 of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity.</p>
21.	<p><b>RESTRICTION ON THE INSTALLATION OF ROOF PLANT</b></p> <p>Details of roof plant, equipment and other structures shall be provided and approved in writing by the Local Planning Authority prior to the first commencement of above ground work. Development shall then be carried out in accordance with the approved details unless otherwise agreed in writing.</p> <p>Reason: In order to ensure that 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 and to ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise and vibration 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 P13 (Design of places), Policy P14 (Design quality), P56 (Protection of amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022) of the Southwark Plan (2022).</p>
22.	<p><b>WHEELCHAIR ACCESIBLE STUDENT ROOMS</b></p> <p>Prior to the commencement of any above grade works (excluding demolition), the applicant shall submit written confirmation from the appointed building control body that the specifications for each student bedspace identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015). The development shall be carried out in accordance with the details thereby approved by the appointed building control body.</p> <p>M4 (Category 3) 'wheelchair user dwellings':- at least 5% M4 (Category 2) 'accessible and adaptable':- remaining units</p> <p>Reason: In order to ensure the development complies with Policy P5 (Student homes) of the Southwark Plan and Policy D7 (Accessible Housing) of the London Plan.</p>
23.	<p><b>PROVISION OF CYCLE STORAGE</b></p>

	<p>Prior to the commencement of any above grade works (excluding demolition):</p> <p>a) details and 1:50 scale drawings of the secure cycle parking facilities to Southwark Plan 2022 standards shall be submitted to and approved in writing by the Local Planning Authority This shall include:</p> <p>For the student accommodation, 346 spaces, 333 of which are long-stay with 13 short-stay including 272 two-tier, 42 Sheffield, 15 Accessible.Sheffield and 3 raised wheel.</p> <p>For the office accommodation, 39 spaces, 34 of which are long-stay with 5 short-stay including 22 two-tier, 4 Sheffield, 2 Accessible.Sheffield and 6 lockers for folding bikes.</p> <p>For the residential accommodation, 16 spaces, 14 of which are long-stay with 2 short-stay including 12 two-tier and 2 Accessible.Sheffield</p> <p>Details must also provide additional cycle measures including 12 shared bikes to be located within the student lobby area and managed by the on-site concierge.</p> <p>b) Details relating to the servicing layout and its relationship with the public highway shall be submitted to be approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the occupation of the development and thereafter shall be retained and the space used for no other purpose and the development shall not be carried out otherwise than in accordance with any such approval given.</p> <p>Reason: In order to ensure that satisfactory safe and secure cycle parking and changing facilities are provided and can be easily accessed by users 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 London Plan Policy T5 (Cycling) and Southwark Plan Policy P53 (Cycling).</p>
	<b>PRE OCCUPATION CONDITIONS</b>
24.	<p><b>LANDSCAPE MANAGEMENT PLAN</b></p> <p>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.</p> <p>Details of an irrigation schedule shall be provided for all trees to ensure successful establishment.</p> <p>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.</p>

	<p>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.</p> <p>Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 8545 (2014) Trees: from nursery to independence in the landscape; BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) -Tree Pruning Standard; EAS 03:2022 (EN) -Tree Planting Standard.</p> <p>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), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).</p>
25.	<p><b>SWIFT NESTING FEATURES</b></p> <p>Details of Swift nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission. No less than twenty four nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / 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 Swift nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>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.</p> <p>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 Biodiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).</p>

26.	<p><b>BIRD AND BAT BOXES</b></p> <p>Details of bird and/or bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission. No less than six nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / 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 boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>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.</p> <p>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 Biodiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).</p>
27.	<p><b>Condition. Ecological Monitoring</b></p> <p>Prior to the new development being first brought into use / occupied, a scheme for monitoring the effectiveness of the biodiversity mitigation and enhancement measures shall be submitted to and approved by the Local Planning Authority. This shall include:</p> <p>Surveys of created habitats listed in the UGF and BNG reports and use of bird or bat boxes.</p> <p>The monitoring shall be carried out and reported to the Local Planning Authority in accordance with the agreed scheme for a period of 30 years.</p> <p>Surveys should be undertaken in years 1, 3, 5, 7, 10, 15, 20, 25 and 30.</p> <p>Species results will be submitted to the London Biological Records Centre, Greenspace Information for Greater London (GIGL).</p> <p>Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: G6 of the London Plan 2021, Policy P59 and P60 of the Southwark Plan 2022.</p>
28.	<p><b>SPRINKLERS</b></p> <p>Prior to the commencement of any above grade works (excluding demolition), full particulars of the sprinkler system to be used within the building shall be submitted to and approved in writing by the Local Planning Authority The</p>

	<p>development shall not be carried out otherwise than in accordance with any approval given.</p> <p>Reason: To ensure that there is an adequate level of fire safety within this mixed use development in accordance with Policy D12 (Fire Safety) of the London Plan.</p>
29.	<p><b>EVACUATION LIFTS</b></p> <p>Prior to the commencement of any above grade works (excluding demolition), details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that a minimum of at least two lifts (or more subject to capacity assessments) will be suitably sized fire evacuation lifts suitable to be used to evacuate people who require level access from the building. The development shall be carried out in accordance with these details and maintained as such in perpetuity.</p> <p>Reason: In order to ensure that the proposed development complies with the requirements of the London Fire Brigade and Policy D12 (Fire Safety) of the London Plan.</p>
30.	<p><b>WASTE</b></p> <p>Before the first occupation of the building hereby permitted, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers. The facilities shall thereafter be retained and shall not be used or the space used for any other purpose. Details should, notwithstanding the details submitted, position waste storage for the residential properties adjacent to the loading bay so as to avoid odour and vermin risk to the residential entrance and to secure that residential refuse collections occur at the rear service yard.</p> <p>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 the National Planning Policy Framework 2021 and Policies P56 (Protection of amenity) and P62 (Reducing waste) of the Southwark Plan 2022.</p>
31.	<p><b>COMPLIANCE CONDITIONS</b></p>



32.	<p><b>ARCHAEOLOGICAL MITIGATION</b></p> <p>Archaeological Mitigation, compliance with WSI and archaeology of national significance</p> <p>a. During all below grade works or impacts, the applicant shall carry out archaeological mitigation in accordance with an archaeological written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority [ref: WRITTEN SCHEME OF INVESTIGATION FOR ARCHAEOLOGICAL MITIGATION]. The below-grade works shall not be carried out otherwise than in accordance with any such approval given and in compliance with the method set out in the approved WSI.</p> <p>b. In the event that archaeological finds or deposits are found at any time when carrying out the approved development that could be deemed to be of national significance, they shall be reported immediately to the Local Planning Authority, and a scheme for their protection, investigation, recording and/or preservation shall be agreed and submitted to the Local Planning Authority for approval in writing</p> <p>We need to seek section 106 planning obligations to support Southwark Council's effective monitoring of archaeological matters. A contribution has to be calculated by the case officer for developments on the basis of the officer time which is needed to carry out the range of archaeological tasks which are required. It is up to the individual case officer to make sure that applicants make a calculated contribution for Southwark's archaeology service in accordance with our 'S106 Planning Obligations and CIL' SPD (page 19). Reason: In order that the archaeological interest of the site is secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.</p>
33.	<p><b>Plant Noise</b></p> <p>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.</p> <p>Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.</p>
34.	<p><b>Restriction of Commercial Use</b></p>

	<p>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), there shall be no use of the ground floor of the development hereby granted that is identified as 01 Workspace/Corner Café, shown in the Proposed Plan Level 00 (Ground Floor) Drawing Number A348-MCO-XX-00-DR-A-06100 other than Use Class E(a), Retail and E(g) use for the rest of the commercial floor space unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To support the Borough and Bankside Town Centre by providing active frontages at ground floor level and to provide retail provision and to secure employment floorspace in accordance with NPPF 2021 Chapters 1 (Achieving Sustainable Development), 6 (Ensuring the vitality of town centres), London Plan Policies GG5 (Growing a good economy), SD6 (Town centres and high streets), SD7 (Town centres: development principles and Development Plan Documents), SD8 (Town centre network), SD9 (Town Centres: Local partnerships and implementation), Policy SD10 (Strategic and local regeneration), E9 (Retail, markets and hot food takeaways 2022 Southwark Plan Policies P32 (Small Shops), P35 (Town and local centres), P38 (Shops outside protected shopping frontages, town and local centres) and P52 (Low line routes).</p>
35.	<p>35. Servicing hours - standard Any deliveries or collections to the commercial use hereby approved shall only be between the following hours: 08:00 - 20:00 Monday to Friday, 09:00 - 18:00 on Saturdays and 10:00 - 16:00 on Sundays and Bank Holidays.</p> <p>Reason To safeguard the amenity of neighbouring residential properties 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.</p>
36.	<p>36. No infiltration of Surface Water Drainage</p> <p>No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework</p>
37.	<p>37. RESTRICTION ON THE INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT</p> <p>Notwithstanding the provisions of Parts 24 and 25 The Town &amp; 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.</p>

	<p>Reason: 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).</p>
38.	<p><b>STUDENT ACCOMMODATION NOISE</b></p> <p>The student accommodation hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:</p> <p>Bedrooms - 35dB LAeq T†, 30 dB L Aeq T*, 45dB LAFmax T * Living and Dining rooms- 35dB LAeq T †</p> <p>* - Night-time - 8 hours between 23:00-07:00  † - Daytime - 16 hours between 07:00-23:00</p> <p>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 Southwark Plan Policy P56 (Protection of amenity) and the National Planning Policy Framework.</p>
39.	<p><b>PARTY WALL NOISE TRANSMISSION</b></p> <p>Party walls, floors and ceilings between the commercial premises, the new dwellings and student accommodation shall be designed to achieve a minimum weighted standardized level difference of 60 dB DnTw+Ctr. Pre-occupation testing of the separating partition shall be undertaken for airborne sound insulation in accordance with the methodology of ISO 16283-1:2014.</p> <p>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 Southwark Plan policy P56 ('Protection of amenity') and the National Planning Policy Framework 2021.</p>
40.	<p><b>FIXED AND OBSCURE GLAZING TO BE PROVIDED</b></p> <p>The window(s) on the north elevation of the building shown on PROPOSED PLAN LEVEL 01, Ref A348-MCO-XX-01-DR-A-06101 circled by a green line shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.</p> <p>Reason:</p> <p>In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Southwark Police Station and any future development on that site; from undue overlooking in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework</p>

	(2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).
41.	<b>NON STANDARD CONDITION</b>
42.	<p><b>ARCHAEOLOGICAL REPORTING</b></p> <p>Within one year of the completion of the archaeological work on site, an assessment report detailing the proposals for the off-site analyses and post-excavation works, including publication of the site and preparation for deposition of the archive, shall be submitted to and approved in writing by the Local Planning Authority, and the works detailed in the assessment report shall not be carried out otherwise than in accordance with any such approval given. The assessment report shall provide evidence of the applicant's commitment to finance and resource these works to their completion.</p> <p>Reason: In order that the archaeological interest of the site is secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.</p>
43.	<p><b>ARBORICULTURAL SITE SUPERVISION</b></p> <p>Part 1: All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.</p> <p>Part 2: 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 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 project or pre-appointed tree specialist.</p> <p>Works shall comply to BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) - Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard.</p> <p>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); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).</p>

44.	<p><b>Materials Schedule and On-Site Presentation of Samples</b></p> <p>Before any façade works of development hereby authorised begins:</p> <p>a) A materials schedule providing the specification of materials to be used in the approved elevations in constructing the development hereby approved shall be submitted to and approved in writing by the LPA;</p> <p>b) Sample panels of facing materials and surface finishes for the elevations, each to be at least 1 square metre in surface area, shall be presented on site (or an alternative location agreed with the Local Planning Authority) to and thereafter approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with any such approval given in relation to parts a) and b) above.</p> <p>Reason: In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing, are suitable in context and consistent with the consented scheme in accordance with: the National Planning Policy Framework 2021, Policies P13 ('Design of places') and P14 ('Design quality') of the Southwark Plan 2022 and policy D4 ('Delivering good design') of the London Plan 2021.</p>
45.	<p><b>External Lighting - pre-approval</b></p> <p>Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance Note 1 for the reduction of obtrusive light (2021) and Lighting within the schemes public realm areas should conform to lighting standard BS 5489:2020.</p> <p>Details of any external lighting (including: design; power and position of luminaries; light intensity contours) of all affected external areas (including areas beyond the boundary of the development) shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise than in accordance with any such approval given.</p> <p>Reason: In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with Chapter 8 (Healthy and safe communities) of the National Planning Policy Framework (2021), the Southwark Plan 2022 Policy P16 (Designing out crime); P13: Design of places, P14: Design quality Policy P56 (Protection of amenity) and P66 Reducing noise pollution and enhancing soundscapes.</p>
46.	<p><b>PILING METHOD STATEMENT</b></p>

	<p>No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. To ensure that the development does not harm groundwater resources in line with the National Planning Policy Framework paragraph 183 and Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan.</p>
47.	<p><b>ENERGY EFFICIENCY</b></p> <p>The development hereby permitted shall be constructed to include the energy efficiency measures stated in the Energy Strategy prepared by JAW and submitted in support of the application. All measures and technologies shall remain for as long as the development is occupied, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To ensure the development complies with the National Planning Policy Framework, Strategic Policy SP4 of the Southwark Plan, and Policy S1 2 (Minimising greenhouse gas emissions) of the London Plan.</p>
	<p><b>INFORMATIVES</b></p>
48.	<p><b>Surface Water Drainage</b></p> <p>Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system. There should be no discharge into land impacted by contamination or land previously identified as being contaminated. There should be no discharge to made ground. There must be no direct discharge to groundwater, a controlled water.</p>
49.	<p><b>London Fire Brigade Informative</b></p> <p>If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office (water@london-fire.gov.uk) to discuss the proposed provision.</p> <p>If there are any deviations to Brigade access and facilities then this information needs to be provided to Fire Safety Regulation (FSR-AdminSupport@london-</p>

	fire.gov.uk) to review the proposed provision.
50.	<p>Piling</p> <p>Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If Piling is proposed, a Piling Risk Assessment must be submitted, written in accordance with EA guidance document "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater &amp; Contaminated Land Centre report NC/99/73".</p>
51.	<p>Waste</p> <p>The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste or have ceased to be waste. Under the Code of Practice:  <a href="https://www.claire.co.uk/projects-and-initiatives/dow-cop">https://www.claire.co.uk/projects-and-initiatives/dow-cop</a></p> <p>Excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution.</p> <p>Treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA some naturally occurring clean material can be transferred directly between sites.</p> <p>Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.</p> <p>The Environment Agency recommends that developers should refer to the Position statement on the Definition of Waste: Development Industry Code of Practice and the Environmental regulations page on GOV.UK  <a href="https://www.gov.uk/browse/business/waste-environment/environmental-regulations">https://www.gov.uk/browse/business/waste-environment/environmental-regulations</a></p>

## Consultation undertaken

**Site notice date:** 03/03/2023

**Press notice date:** 09/03/2023

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:**

### Internal services consulted

Design and Conservation Team [Surgery]  
Transport Policy  
Archaeology  
Design and Conservation Team [Formal]  
Local Economy  
Ecology  
Planning Enforcement  
Highways Development and Management  
Highways Licensing  
Housing Regeneration and Delivery  
Community Infrastructure Levy Team  
Flood Risk Management & Urban Drainage  
Urban Forester  
Waste Management

Environmental Protection  
Section 106 Team  
Urban Forester  
Urban Forester

### Statutory and non-statutory organisations

EDF Energy  
Environment Agency  
Great London Authority  
Historic England  
London Fire & Emergency Planning Authori  
London Underground  
Natural England - London & South East Re  
Network Rail  
Metropolitan Police Service (Designing O

Transport for London

Thames Water



**Neighbour and local groups consulted:**

10B Trinity Church Square London Southwark  
 10A Trinity Church Square London Southwark  
 Flat 14 Fraser Court 1 Brockham Street  
 25C Trinity Church Square London Southwark  
 Flat 7 34 Trinity Church Square London  
 Flat 3 22 Trinity Church Square London  
 Flat 70 Collinson Court Great Suffolk Street  
 Flat 6 Gloucester Court Swan Street  
 Flat 8 Collinson Court Great Suffolk Street  
 Flat 7 Collinson Court Great Suffolk Street  
 Flat 27 Collinson Court Great Suffolk Street  
 8A Trinity Street London Southwark  
 8 Borough Square London Southwark  
 Flat 75 Redman House Lant Street  
 Flat 63 Redman House Lant Street  
 Flat 60 Redman House Lant Street  
 Flat 110 Redman House Lant Street  
 Flat 104 Redman House Lant Street  
 Flat 18 Collinson Court Great Suffolk Street  
 Flat 13 Collinson Court Great Suffolk Street  
 40 Collinson Walk London Southwark  
 33 Collinson Walk London Southwark  
 31 Collinson Walk London Southwark  
 10 Trinity Street London Southwark  
 Advocates Lounge Sessions House Newington Causeway  
 Flat C 307 Borough High Street London  
 302 Borough High Street London Southwark  
 299A Borough High Street London Southwark  
 Part Ground Flr Rise House 5 Trinity Street  
 Flat 20 66 Swan Street London

Flat 8 66 Swan Street London  
 Flat 6 66 Swan Street London  
 Flat 4 66 Swan Street London  
 64 Swan Street London Southwark  
 60 Swan Street London Southwark  
 Flat 25 25 Harper Road London  
 Flat 24 25 Harper Road London  
 Flat 20 25 Harper Road London  
 Flat 16 25 Harper Road London  
 27 Harper Road London Southwark  
 Flat 3 56 Swan Street London  
 Flat 2 56 Swan Street London  
 Flat C6b David Bomberg House 282-302 Borough High Street  
 Flat C2b4 David Bomberg House 282-302 Borough High Street  
 Flat B7a David Bomberg House 282-302 Borough High Street  
 Flat B4a David Bomberg House 282-302 Borough High Street  
 Flat B3a David Bomberg House 282-302 Borough High Street  
 Flat B2a David Bomberg House 282-302 Borough High Street  
 Flat A5a David Bomberg House 282-302 Borough High Street  
 Unit B And C 40-42 Newington Causeway London  
 Living Accommodation The Ship 68 Borough Road  
 6 Borough Square London Southwark  
 Flat 3 56 Trinity Church Square London  
 Flat 64 Redman House Lant Street  
 Flat 2 Collinson Court Great Suffolk Street  
 Flat 59 Collinson Court Great Suffolk Street  
 Flat 70 Redman House Lant Street  
 Flat 56 Redman House Lant Street  
 Flat 30 Collinson Court Great Suffolk Street  
 Flat 2 Gloucester Court Swan Street  
 Flat 18 Gloucester Court Swan Street

19 Collinson Walk London Southwark  
 Unit 1 Suffolk House 127-129 Great  
 Suffolk Street  
 7A Trinity Church Square London  
 Southwark  
 Second Floor Borough Medical Centre 1-  
 5 Newington Causeway  
 Flat A 62 Trinity Church Square London  
 Flat 1 6 Trinity Street London  
 Flat 2 St Michaels Court 3 Hulme Place  
 12B Trinity Street London Southwark  
 14 Brockham Street London Southwark  
 16 Trinity Church Square London  
 Southwark  
 First Floor And Second Floor 14-16  
 Trinity Street London  
 Flat 1 29 Swan Street London  
 Ground Floor Left 7 Newington  
 Causeway London  
 Ground Floor To First Floor Borough  
 Medical Centre 1-5 Newington Causeway  
 9 Newington Causeway London  
 Southwark  
 19 Trinity Church Square London  
 Southwark  
 58 Trinity Church Square London  
 Southwark  
 48 Trinity Church Square London  
 Southwark  
 45B Trinity Church Square London  
 Southwark  
 Flat 9 2 Trinity Church Square London  
 Flat 1 14 Trinity Church Square London  
 11A Trinity Church Square London  
 Southwark  
 Apartment 2 Rutherford Lodge 7  
 Brockham Street  
 Flat 11 Fraser Court 1 Brockham Street  
 Flat 6 Fraser Court 1 Brockham Street  
 Flat 6 34 Trinity Church Square London  
 Flat 2 34 Trinity Church Square London  
 Flat 2 22 Trinity Church Square London  
 Flat 1 38 Trinity Church Square London  
 Unit 2 Suffolk House 127-129 Great  
 Suffolk Street  
 20 Trinity Street London Southwark  
 Britannia House 7 Trinity Street London  
 Flat 68 Collinson Court Great Suffolk  
 Street  
 Flat 65 Collinson Court Great Suffolk  
 Street  
 Flat 55 Collinson Court Great Suffolk  
 Street  
 Flat 46 Collinson Court Great Suffolk  
 Street  
 Flat 41 Collinson Court Great Suffolk  
 Street  
 Flat 40 Collinson Court Great Suffolk  
 Street  
 Flat 81 Redman House Lant Street  
 Flat 36 Collinson Court Great Suffolk  
 Street  
 Flat 16 Gloucester Court Swan Street  
 Flat 1 Gloucester Court Swan Street  
 Flat 78 Redman House Lant Street  
 Flat 76 Redman House Lant Street  
 Flat 67 Redman House Lant Street  
 Flat 57 Redman House Lant Street  
 Flat 16 Collinson Court Great Suffolk  
 Street  
 13 Borough Square London Southwark  
 39 Scovell Crescent London Southwark  
 The Ship 68 Borough Road London  
 Public Lounge Sessions House  
 Newington Causeway  
 2 Horsemonger Mews London  
 Southwark  
 Offices 23 Harper Road London  
 Flat 2 Balppa House 57-61 Newington  
 Causeway  
 Unit 3 Arches 80 And 81 Newington  
 Court Newington Causeway  
 Flat 19 66 Swan Street London  
 Flat 7 66 Swan Street London  
 Flat 5 66 Swan Street London  
 62 Swan Street London Southwark  
 Flat 8 56 Swan Street London  
 Flat E3 David Bomberg House 282-302  
 Borough High Street  
 Flat E2 David Bomberg House 282-302  
 Borough High Street  
 Flat C3b David Bomberg House 282-302  
 Borough High Street  
 Flat B7b David Bomberg House 282-302  
 Borough High Street  
 Flat B1 David Bomberg House 282-302  
 Borough High Street  
 Flat A6b David Bomberg House 282-302  
 Borough High Street  
 Flat A3a David Bomberg House 282-302  
 Borough High Street  
 42 Newington Causeway London  
 Southwark  
 Flat 12 Fraser Court 1 Brockham Street

Flat 7 2 Trinity Church Square London  
 Flat 4 29 Swan Street London  
 11 Trinity Church Square London  
 Southwark  
 6 Trinity Street London Southwark  
 Flat 39 Collinson Court Great Suffolk  
 Street  
 Flat B 62 Trinity Church Square London  
 Flat 1 44 Trinity Church Square London  
 10C Trinity Church Square London  
 Southwark  
 Flat 15 Collinson Court Great Suffolk  
 Street  
 15 Borough Square London Southwark  
 Flat 9 Collinson Court Great Suffolk  
 Street  
 Flat 52 Collinson Court Great Suffolk  
 Street  
 Flat 37 Collinson Court Great Suffolk  
 Street  
 Flat 65 Redman House Lant Street  
 Unit 8 Suffolk House 127-129 Great  
 Suffolk Street  
 Flat 54 Redman House Lant Street  
 Flat 1 31 Trinity Church Square London  
 Flat 10 Fraser Court 1 Brockham Street  
 Flat D 47 Trinity Church Square London  
 45D Trinity Church Square London  
 Southwark  
 Flat 2 2 Trinity Church Square London  
 Flat 5 202 Great Suffolk Street London  
 Flat 5 St Michaels Court 3 Hulme Place  
 Ground Floor 293-295 Borough High  
 Street London  
 Second Floor 44-46 Newington  
 Causeway London  
 Flat A 47 Trinity Church Square London  
 Flat 6 Balppa House 57-61 Newington  
 Causeway  
 Unit 4 Arches 78 And 79 Newington  
 Court Newington Causeway  
 Flat 3 305 Borough High Street London  
 Flat B 59 Trinity Church Square London  
 Flat 2 6 Trinity Street London  
 Flat C 67 Trinity Church Square London  
 43 Trinity Church Square London  
 Southwark  
 35 Trinity Church Square London  
 Southwark  
 18 Trinity Church Square London  
 Southwark  
 5 Brockham Street London Southwark

Flat 3 2 Trinity Church Square London  
 Flat 5 34 Trinity Church Square London  
 Flat 4 31 Trinity Church Square London  
 Flat 4 27 Trinity Church Square London  
 Flat 12 St Michaels Court 3 Hulme Place  
 16 Brockham Street London Southwark  
 Flat 100 Redman House Lant Street  
 Flat 66 Collinson Court Great Suffolk  
 Street  
 Flat 51 Collinson Court Great Suffolk  
 Street  
 Flat 3 202 Great Suffolk Street London  
 Flat 20 Collinson Court Great Suffolk  
 Street  
 Flat 90 Redman House Lant Street  
 Flat 84 Redman House Lant Street  
 Flat 79 Redman House Lant Street  
 Flat 66 Redman House Lant Street  
 Flat 61 Redman House Lant Street  
 Flat 19 Collinson Court Great Suffolk  
 Street  
 Flat 14 Collinson Court Great Suffolk  
 Street  
 Flat 102 Redman House Lant Street  
 4 Borough Square London Southwark  
 14 Borough Square London Southwark  
 47 Collinson Walk London Southwark  
 41 Collinson Walk London Southwark  
 39 Collinson Walk London Southwark  
 Unit 2 David Bomberg House 282-302  
 Borough High Street  
 36 Collinson Walk London Southwark  
 17 Collinson Walk London Southwark  
 43 Scovell Crescent London Southwark  
 Maisonette Second And Third Floor 38  
 Newington Causeway London  
 Third Floor Borough Medical Centre 1-5  
 Newington Causeway  
 Balppa House 57-61 Newington  
 Causeway London  
 Flat 17 66 Swan Street London  
 Flat 9 66 Swan Street London  
 Flat 3 66 Swan Street London  
 Flat 2 66 Swan Street London  
 58 Swan Street London Southwark  
 Flat 29 25 Harper Road London  
 Flat 14 25 Harper Road London  
 Flat 10 56 Swan Street London  
 Flat 5 56 Swan Street London  
 Flat D2 David Bomberg House 282-302  
 Borough High Street  
 Flat B6b David Bomberg House 282-302

Borough High Street  
 Flat B5b David Bomberg House 282-302  
 Borough High Street  
 Flat B4b David Bomberg House 282-302  
 Borough High Street  
 Flat A5b David Bomberg House 282-302  
 Borough High Street  
 5 Light Room Apartments 325 Borough  
 High Street London  
 11 Borough Square London Southwark  
 38 Collinson Walk London Southwark  
 Flat 99 Redman House Lant Street  
 Flat 105 Redman House Lant Street  
 3 Trinity Church Square London  
 Southwark  
 Flat 88 Redman House Lant Street  
 55 Harper Road London Southwark  
 10 Borough Square London Southwark  
 Flat 38 Collinson Court Great Suffolk  
 Street  
 Flat 7 202 Great Suffolk Street London  
 Flat 2 Stonemason Court 63 Borough  
 Road  
 30 Collinson Walk London Southwark  
 Flat 57 Collinson Court Great Suffolk  
 Street  
 Flat 54 Collinson Court Great Suffolk  
 Street  
 1 Trinity Church Square London  
 Southwark  
 Flat 96 Redman House Lant Street  
 Flat 26 Collinson Court Great Suffolk  
 Street  
 Flat 24 Collinson Court Great Suffolk  
 Street  
 Flat 7 Gloucester Court Swan Street  
 28 Collinson Walk London Southwark  
 Unit 1 David Bomberg House 282-302  
 Borough High Street  
 4A Trinity Church Square London  
 Southwark  
 Flat 4 38 Trinity Church Square London  
 Flat 3 14 Trinity Church Square London  
 23A Trinity Church Square London  
 Southwark  
 7D Trinity Church Square London  
 Southwark  
 Flat 1 56 Trinity Church Square London  
 63 Trinity Church Square London  
 Southwark  
 Flat 2 29 Swan Street London  
 Unit C 127-129 Great Suffolk Street  
 London  
 Flat 1 Balppa House 57-61 Newington  
 Causeway  
 Unit 1 Arches 84 And 85 Newington  
 Court Newington Causeway  
 53 Harper Road London Southwark  
 Flat 1 5 Trinity Church Square London  
 40 Trinity Church Square London  
 Southwark  
 37 Trinity Church Square London  
 Southwark  
 23 Trinity Church Square London  
 Southwark  
 12 Trinity Church Square London  
 Southwark  
 65 Trinity Church Square London  
 Southwark  
 61 Trinity Church Square London  
 Southwark  
 10 Brockham Street London Southwark  
 Flat 6 2 Trinity Church Square London  
 Flat B 47 Trinity Church Square London  
 23B Trinity Church Square London  
 Southwark  
 12C Trinity Church Square London  
 Southwark  
 22 Trinity Street London Southwark  
 David Bomberg House 282-302 Borough  
 High Street London  
 299 Borough High Street London  
 Southwark  
 Flat 61 Collinson Court Great Suffolk  
 Street  
 Flat 45 Collinson Court Great Suffolk  
 Street  
 Flat 56 Collinson Court Great Suffolk  
 Street  
 Flat 6 202 Great Suffolk Street London  
 Flat 4 202 Great Suffolk Street London  
 Flat 33 Collinson Court Great Suffolk  
 Street  
 Flat 28 Collinson Court Great Suffolk  
 Street  
 Flat 23 Collinson Court Great Suffolk  
 Street  
 Flat 11 Gloucester Court Swan Street  
 Flat 97 Redman House Lant Street  
 Flat 69 Redman House Lant Street  
 297 Borough High Street London  
 Southwark  
 32 Collinson Walk London Southwark  
 29 Collinson Walk London Southwark

First Floor 133-135 Great Suffolk Street  
 London  
 Flat 12 202 Great Suffolk Street London  
 Unit D Second Floor 127-129 Great  
 Suffolk Street London  
 Flat 7 Balppa House 57-61 Newington  
 Causeway  
 Unit 2 304 Borough High Street London  
 Flat 21 66 Swan Street London  
 Flat 21 25 Harper Road London  
 Flat 19 25 Harper Road London  
 Flat 4 25 Harper Road London  
 Flat 3 25 Harper Road London  
 Flat 7 56 Swan Street London  
 Unit 1 304 Borough High Street London  
 62 Borough Road London Southwark  
 Flat C5b David Bomberg House 282-302  
 Borough High Street  
 Flat C5a David Bomberg House 282-302  
 Borough High Street  
 Flat C4b David Bomberg House 282-302  
 Borough High Street  
 Flat B6a David Bomberg House 282-302  
 Borough High Street  
 Flat A6a David Bomberg House 282-302  
 Borough High Street  
 Flat 63 Collinson Court Great Suffolk  
 Street  
 Basement Flat 67 Trinity Church Square  
 London  
 16C Trinity Church Square London  
 Southwark  
 Flat 3 52 Trinity Church Square London  
 Flat 7 31 Trinity Church Square London  
 9 Borough Square London Southwark  
 39 Trinity Church Square London  
 Southwark  
 47 Scovell Crescent London Southwark  
 51 Harper Road London Southwark  
 Flat 2 5 Trinity Church Square London  
 20 Trinity Church Square London  
 Southwark  
 Second Floor Flat 8 Trinity Street  
 London  
 Flat 4 Stonemason Court 63 Borough  
 Road  
 Flat 2 19 Harper Road London  
 Flat 64 Collinson Court Great Suffolk  
 Street  
 Flat 77 Redman House Lant Street  
 Flat 9 St Michaels Court 3 Hulme Place  
 33 Swan Street London Southwark  
 21 Collinson Walk London Southwark  
 Flat 4 29 Trinity Church Square London  
 Flat 3 44 Trinity Church Square London  
 Flat 8 2 Trinity Church Square London  
 Flat 5 Fraser Court 1 Brockham Street  
 Flat 2 Fraser Court 1 Brockham Street  
 Ruse 280 Borough High Street London  
 Flat 4 49 Trinity Church Square London  
 Flat C 62 Trinity Church Square London  
 Flat A 60 Trinity Church Square London  
 Third Floor Flat 8 Trinity Street London  
 57 Trinity Church Square London  
 Southwark  
 Unit A 127-129 Great Suffolk Street  
 London  
 Flat B 307 Borough High Street London  
 Flat 3 Balppa House 57-61 Newington  
 Causeway  
 Crown Court Swan Street London  
 Flat 10 St Michaels Court 3 Hulme Place  
 24 Newington Causeway London  
 Southwark  
 Flat 3 19 Harper Road London  
 21 Harper Road London Southwark  
 50 Trinity Church Square London  
 Southwark  
 Flat 2 14 Trinity Church Square London  
 Flat 5 49 Trinity Church Square London  
 Flat 3 49 Trinity Church Square London  
 Flat 1 49 Trinity Church Square London  
 10E Trinity Church Square London  
 Southwark  
 45C Trinity Church Square London  
 Southwark  
 Flat 6 29 Trinity Church Square London  
 Flat 5 29 Trinity Church Square London  
 Flat 4 34 Trinity Church Square London  
 Flat 2 44 Trinity Church Square London  
 1-3 Trinity Street London Southwark  
 Flat 72 Redman House Lant Street  
 Flat 3 Stonemason Court 63 Borough  
 Road  
 Flat 1 Stonemason Court 63 Borough  
 Road  
 77 - 81 Borough Road London  
 Southwark  
 2 Trinity Street London Southwark  
 Flat 32 Collinson Court Great Suffolk  
 Street  
 12 Trinity Street London Southwark  
 Flat 9 Gloucester Court Swan Street  
 Flat 8 Gloucester Court Swan Street

Flat 98 Redman House Lant Street  
 Flat 93 Redman House Lant Street  
 Flat 73 Redman House Lant Street  
 Flat 58 Redman House Lant Street  
 Flat 107 Redman House Lant Street  
 2 Borough Square London Southwark  
 1 Borough Square London Southwark  
 26 Collinson Walk London Southwark  
 23 Collinson Walk London Southwark  
 16 Collinson Walk London Southwark  
 Basement And Ground Floor 4 Trinity Street London  
 Flat 10 Balppa House 57-61 Newington Causeway  
 Rise House 5 Trinity Street London  
 Basement And Ground Floor 305-307 Borough High Street London  
 Basement Part Ground And First Floor Rise House 5 Trinity Street  
 Flat 22 66 Swan Street London  
 Flat 12 66 Swan Street London  
 Flat 10 66 Swan Street London  
 54 Swan Street London Southwark  
 Flat 32 25 Harper Road London  
 Flat 31 25 Harper Road London  
 Flat 17 25 Harper Road London  
 Flat 11 25 Harper Road London  
 Flat 4 56 Swan Street London  
 Flat 1 56 Swan Street London  
 Flat E6 David Bomberg House 282-302 Borough High Street  
 Flat E5 David Bomberg House 282-302 Borough High Street  
 Flat C1b David Bomberg House 282-302 Borough High Street  
 Flat A4a David Bomberg House 282-302 Borough High Street  
 Flat A2a David Bomberg House 282-302 Borough High Street  
 2 Light Room Apartments 325 Borough High Street London  
 Flat 43 Collinson Court Great Suffolk Street  
 Unit 5 127-129 Great Suffolk Street London  
 Flat 3 34 Trinity Church Square London  
 55 Trinity Church Square London Southwark  
 Flat 1 18 Trinity Street London  
 53 Trinity Church Square London Southwark  
 6 Mccoid Way London Southwark  
 33 Trinity Church Square London Southwark  
 Flat 21 Collinson Court Great Suffolk Street  
 Deeper Life Bible Church 82 Borough Road London  
 4 Mccoid Way London Southwark  
 10F Trinity Church Square London Southwark  
 45 Collinson Walk London Southwark  
 37 Collinson Walk London Southwark  
 34 Collinson Walk London Southwark  
 10 Mccoid Way London Southwark  
 Flat 44 Collinson Court Great Suffolk Street  
 Flat 10 Collinson Court Great Suffolk Street  
 Flat 94 Redman House Lant Street  
 Flat 91 Redman House Lant Street  
 Flat 74 Redman House Lant Street  
 Flat 68 Redman House Lant Street  
 Flat 34 Collinson Court Great Suffolk Street  
 45 Scovell Crescent London Southwark  
 42 Trinity Church Square London Southwark  
 Flat 109 Redman House Lant Street  
 Flat 6 31 Trinity Church Square London  
 Flat 3 31 Trinity Church Square London  
 Flat 1 27 Trinity Church Square London  
 Flat 15 Fraser Court 1 Brockham Street  
 Flat 7 Fraser Court 1 Brockham Street  
 Flat 6 49 Trinity Church Square London  
 Flat 2 54 Trinity Church Square London  
 Flat 13 66 Swan Street London  
 Flat 23 66 Swan Street London  
 Flat 1 66 Swan Street London  
 70 Swan Street London Southwark  
 Flat 27 25 Harper Road London  
 Flat 15 25 Harper Road London  
 Flat 7 25 Harper Road London  
 Flat 6 25 Harper Road London  
 Flat 5 25 Harper Road London  
 Flat 2 25 Harper Road London  
 Flat 9 56 Swan Street London  
 Flat E4 David Bomberg House 282-302 Borough High Street  
 Flat D1 David Bomberg House 282-302 Borough High Street  
 Flat C4a David Bomberg House 282-302 Borough High Street  
 Flat C1a David Bomberg House 282-302

Borough High Street  
 Flat B5a David Bomberg House 282-302  
 Borough High Street  
 Flat B3b David Bomberg House 282-302  
 Borough High Street  
 4 Light Room Apartments 325 Borough  
 High Street London  
 325B Borough High Street London  
 Southwark  
 37 Scovell Crescent London Southwark  
 Flat 3 Collinson Court Great Suffolk  
 Street  
 Flat 11 Collinson Court Great Suffolk  
 Street  
 Flat C 47 Trinity Church Square London  
 Flat 6 St Michaels Court 3 Hulme Place  
 Flat 3 5 Trinity Church Square London  
 133-135 Great Suffolk Street London  
 Southwark  
 18 Newington Causeway London  
 Southwark  
 Flat 5 19 Harper Road London  
 Flat 10 Gloucester Court Swan Street  
 Flat 17 Gloucester Court Swan Street  
 Flat 2 29 Trinity Church Square London  
 Flat 8 34 Trinity Church Square London  
 Flat 3 38 Trinity Church Square London  
 6 Trinity Church Square London  
 Southwark  
 Apartment 1 Rutherford Lodge 7  
 Brockham Street  
 Atm 304 Borough High Street London  
 Flat 4 St Michaels Court 3 Hulme Place  
 Flat 2 305 Borough High Street London  
 Flat 15 Gloucester Court Swan Street  
 Flat 12 Gloucester Court Swan Street  
 Flat B 67 Trinity Church Square London  
 Flat 72 Collinson Court Great Suffolk  
 Street  
 Flat 69 Collinson Court Great Suffolk  
 Street  
 Flat 17 Collinson Court Great Suffolk  
 Street  
 7 Borough Square London Southwark  
 Flat 47 Collinson Court Great Suffolk  
 Street  
 Flat 42 Collinson Court Great Suffolk  
 Street  
 Flat 80 Redman House Lant Street  
 66 Trinity Church Square London  
 Southwark  
 Crown Court Basement To Second  
 Floors Sessions House Newington  
 Causeway  
 Flat G 62 Trinity Church Square London  
 Flat D 62 Trinity Church Square London  
 Flat 4 19 Harper Road London  
 Unit A 40-42 Newington Causeway  
 London  
 Flat A 2 Avonmouth Street London  
 Flat B 60 Trinity Church Square London  
 7-9 Newington Causeway London  
 Southwark  
 26 Newington Causeway London  
 Southwark  
 Flat 1 22 Trinity Church Square London  
 Flat 5 14 Trinity Church Square London  
 Flat 4 5 Trinity Church Square London  
 6A Trinity Church Square London  
 Southwark  
 Flat 8 Fraser Court 1 Brockham Street  
 Flat 4 Fraser Court 1 Brockham Street  
 Flat 3 Fraser Court 1 Brockham Street  
 Flat 1 Fraser Court 1 Brockham Street  
 25B Trinity Church Square London  
 Southwark  
 23C Trinity Church Square London  
 Southwark  
 7C Trinity Church Square London  
 Southwark  
 Flat 1 2 Trinity Church Square London  
 Flat 2 31 Trinity Church Square London  
 Flat 7 St Michaels Court 3 Hulme Place  
 18 Brockham Street London Southwark  
 Flat 11 202 Great Suffolk Street London  
 Unit 4 Suffolk House 127-129 Great  
 Suffolk Street  
 5 Mccoid Way London Southwark  
 Flat 58 Collinson Court Great Suffolk  
 Street  
 7 Mccoid Way London Southwark  
 Flat 35 Collinson Court Great Suffolk  
 Street  
 Flat 5 Collinson Court Great Suffolk  
 Street  
 Flat 25 Collinson Court Great Suffolk  
 Street  
 Flat 3 Gloucester Court Swan Street  
 5 Borough Square London Southwark  
 Flat 95 Redman House Lant Street  
 Flat 89 Redman House Lant Street  
 Flat 87 Redman House Lant Street  
 Flat 86 Redman House Lant Street  
 43 Collinson Walk London Southwark

27 Collinson Walk London Southwark  
 22 Collinson Walk London Southwark  
 50 Swan Street London Southwark  
 2C Trinity Street London Southwark  
 282 Borough High Street London Southwark  
 Flat 1 305 Borough High Street London  
 Flat A 307 Borough High Street London  
 Flat 5 Balppa House 57-61 Newington Causeway  
 Second Floor And Third Floor Flat 2 Trinity Street London  
 Second Floor Rise House 5 Trinity Street  
 24 Collinson Walk London Southwark  
 Flat 6 Collinson Court Great Suffolk Street  
 Flat 4 Collinson Court Great Suffolk Street  
 Flat 29 Collinson Court Great Suffolk Street  
 35 Scovell Crescent London Southwark  
 Flat 10 202 Great Suffolk Street London  
 25 Trinity Church Square London Southwark  
 Flat 106 Redman House Lant Street  
 Flat 103 Redman House Lant Street  
 Flat 101 Redman House Lant Street  
 Flat 3 27 Trinity Church Square London  
 16A Trinity Church Square London Southwark  
 69 Borough Road London Southwark  
 45A Trinity Church Square London Southwark  
 77 Borough Road London Southwark  
 Ground Floor 44-46 Newington Causeway London  
 Flat A 59 Trinity Church Square London  
 2 Avonmouth Street London Southwark  
 Flat 7 19 Harper Road London  
 Flat A 51 Trinity Church Square London  
 41 Trinity Church Square London Southwark  
 30 Trinity Church Square London Southwark  
 21 Trinity Church Square London Southwark  
 46 Trinity Church Square London Southwark  
 Flat 4 14 Trinity Church Square London  
 Flat 3 54 Trinity Church Square London  
 Flat 1 54 Trinity Church Square London  
 Flat 6 5 Trinity Church Square London  
 Flat 9 Fraser Court 1 Brockham Street  
 Flat 4 22 Trinity Church Square London  
 Flat 3 29 Trinity Church Square London  
 Flat 2 27 Trinity Church Square London  
 Flat 5 Stonemason Court 63 Borough Road  
 Flat 11 St Michaels Court 3 Hulme Place  
 Flat 1 St Michaels Court 3 Hulme Place  
 Flat 9 202 Great Suffolk Street London  
 8 Trinity Street London Southwark  
 1 Mccoid Way London Southwark  
 Flat 60 Collinson Court Great Suffolk Street  
 Flat 48 Collinson Court Great Suffolk Street  
 8 Mccoid Way London Southwark  
 Flat 5 Gloucester Court Swan Street  
 Flat 31 Collinson Court Great Suffolk Street  
 Flat 19 Gloucester Court Swan Street  
 Flat 1 Collinson Court Great Suffolk Street  
 3 Borough Square London Southwark  
 20 Collinson Walk London Southwark  
 14 Collinson Walk London Southwark  
 41 Scovell Crescent London Southwark  
 Third Floor 133-135 Great Suffolk Street London  
 Flat 3 29 Swan Street London  
 Flat 15 66 Swan Street London  
 Flat 18 66 Swan Street London  
 Flat 16 66 Swan Street London  
 Flat 30 25 Harper Road London  
 Flat 28 25 Harper Road London  
 Flat 22 25 Harper Road London  
 Flat 18 25 Harper Road London  
 Flat 13 25 Harper Road London  
 Flat 8 25 Harper Road London  
 Flat 6 56 Swan Street London  
 Flat D3 David Bomberg House 282-302 Borough High Street  
 Flat C3a David Bomberg House 282-302 Borough High Street  
 Flat C2a David Bomberg House 282-302 Borough High Street  
 Flat A2b David Bomberg House 282-302 Borough High Street  
 1 Light Room Apartments 325 Borough High Street London  
 25 Collinson Walk London Southwark  
 Unit 3 Suffolk House 127-129 Great Suffolk Street



301-303 Borough High Street London Southwark  
 Flat 8 202 Great Suffolk Street London  
 Flat 6 19 Harper Road London  
 12 Brockham Street London Southwark  
 28 Trinity Church Square London Southwark  
 Flat 92 Redman House Lant Street  
 Flat 71 Redman House Lant Street  
 35 Collinson Walk London Southwark  
 First Floor Flat 4 Trinity Street London  
 3 Brockham Street London Southwark  
 Second Floor Flat 4 Trinity Street London  
 12 Mccoid Way London Southwark  
 Flat 59 Redman House Lant Street  
 Unit 7 Suffolk House 127-129 Great Suffolk Street  
 Flat C 2 Avonmouth Street London  
 Flat 13 Fraser Court 1 Brockham Street  
 Flat 2 202 Great Suffolk Street London  
 26 Trinity Church Square London Southwark  
 Flat 2 204 Great Suffolk Street London  
 Flat E 62 Trinity Church Square London  
 Flat 4 Balppa House 57-61 Newington Causeway  
 Flat 1 52 Trinity Church Square London  
 49 Harper Road London Southwark  
 4 Trinity Church Square London Southwark  
 Flat 1 204 Great Suffolk Street London  
 Living Accommodation Ruse 280  
 Borough High Street  
 Fifth Floor 291-299 Borough High Street London  
 Living Accommodation 40-42 Newington Causeway London  
 1 Horsemonger Mews London Southwark  
 Flat C 59 Trinity Church Square London  
 57 Harper Road London Southwark  
 Flat 2 52 Trinity Church Square London  
 38 Newington Causeway London Southwark  
 Flat 1 34 Trinity Church Square London  
 Flat 2 49 Trinity Church Square London  
 Flat 2 56 Trinity Church Square London  
 Apartment 3 Rutherford Lodge 7  
 Brockham Street  
 7B Trinity Church Square London Southwark  
 16B Trinity Church Square London Southwark  
 12B Trinity Church Square London Southwark  
 Flat 4 2 Trinity Church Square London  
 Flat 4 44 Trinity Church Square London  
 65 Borough Road London Southwark  
 307 Borough High Street London Southwark  
 1 Hulme Place London Southwark  
 3 Mccoid Way London Southwark  
 2 Mccoid Way London Southwark  
 Flat 71 Collinson Court Great Suffolk Street  
 Flat 50 Collinson Court Great Suffolk Street  
 Flat 1 202 Great Suffolk Street London  
 Flat 20 Gloucester Court Swan Street  
 Flat 14 Gloucester Court Swan Street  
 12A Trinity Street London Southwark  
 Flat 4 18 Trinity Street London  
 Flat 2 18 Trinity Street London  
 Flat 55 Redman House Lant Street  
 Flat 53 Redman House Lant Street  
 18 Collinson Walk London Southwark  
 33 Scovell Crescent London Southwark  
 Flat D 307 Borough High Street London  
 First Floor 44-46 Newington Causeway London  
 Fourth Floor 291-299 Borough High Street London  
 Basement And Ground Floor Flat 61  
 Trinity Church Square London  
 Unit B 127-129 Great Suffolk Street London  
 Borough Medical Centre 1 - 5 Newington Causeway London  
 Flat 24 66 Swan Street London  
 Flat 14 66 Swan Street London  
 Flat 11 66 Swan Street London  
 68 Swan Street London Southwark  
 52 Swan Street London Southwark  
 Flat 26 25 Harper Road London  
 Flat 23 25 Harper Road London  
 Flat 12 25 Harper Road London  
 Flat 10 25 Harper Road London  
 Flat 9 25 Harper Road London  
 Flat 1 25 Harper Road London  
 2 Hulme Place London Southwark  
 Flat D5 David Bomberg House 282-302  
 Borough High Street  
 Flat D4 David Bomberg House 282-302

Borough High Street  
 Flat C6a David Bomberg House 282-302  
 Borough High Street  
 Flat B2b David Bomberg House 282-302  
 Borough High Street  
 Flat A3b David Bomberg House 282-302  
 Borough High Street  
 Southwark Police Station 323 Borough  
 High Street London  
 3 Light Room Apartments 325 Borough  
 High Street London  
 325A Borough High Street London  
 Southwark  
 Flat B 2 Avonmouth Street London  
 Unit 6 127-129 Great Suffolk Street  
 London  
 Flat 4 305 Borough High Street London  
 Flat 83 Redman House Lant Street  
 Flat 13 Gloucester Court Swan Street  
 Flat 108 Redman House Lant Street  
 Flat 9 Balppa House 57-61 Newington  
 Causeway  
 Flat 62 Collinson Court Great Suffolk  
 Street  
 Flat 13 202 Great Suffolk Street London  
 9A Trinity Church Square London  
 Southwark  
 Ground Floor Flat 67 Trinity Church  
 Square London  
 Flat 53 Collinson Court Great Suffolk  
 Street  
 Flat 22 Collinson Court Great Suffolk  
 Street  
 Flat 3 18 Trinity Street London  
 Flat 5 5 Trinity Church Square London  
 Flat 67 Collinson Court Great Suffolk  
 Street  
 12 Borough Square London Southwark  
 Flat 49 Collinson Court Great Suffolk  
 Street  
 Jury Lounge Sessions House Newington  
 Causeway  
 Flat 12 Collinson Court Great Suffolk  
 Street

Flat 85 Redman House Lant Street  
 Flat 82 Redman House Lant Street  
 Flat 62 Redman House Lant Street  
 Flat 3 St Michaels Court 3 Hulme Place  
 Henry Wood Hall Trinity Church Square  
 London  
 Flat 4 Gloucester Court Swan Street  
 Flat 5 31 Trinity Church Square London  
 Flat 2 38 Trinity Church Square London  
 Flat 5 2 Trinity Church Square London  
 25A Trinity Church Square London  
 Southwark  
 12A Trinity Church Square London  
 Southwark  
 Flat 8 31 Trinity Church Square London  
 Flat 7 29 Trinity Church Square London  
 Flat 8 St Michaels Court 3 Hulme Place  
 Flat F 62 Trinity Church Square London  
 20-22 Newington Causeway London  
 Southwark  
 304 Borough High Street London  
 Southwark  
 Flat 8 Balppa House 57-61 Newington  
 Causeway  
 First Floor Flat 2 Trinity Street London  
 Ground Floor 14-16 Trinity Street  
 London  
 Flat 3 6 Trinity Street London  
 51 Trinity Church Square London  
 Southwark  
 9 Trinity Church Square London  
 Southwark  
 59 Harper Road London Southwark  
 Flat A 67 Trinity Church Square London  
 13 Trinity Church Square London  
 Southwark  
 64 Trinity Church Square London  
 Southwark  
 Flat 1 19 Harper Road London  
 Flat 1 29 Trinity Church Square London  
 10D Trinity Church Square London  
 Southwark

## Re-consultation:

**APPENDIX 3****Consultation responses received****Internal services**

Design and Conservation Team [Surgery]  
 Transport Policy  
 Archaeology  
 Design and Conservation Team [Formal]  
 Ecology  
 Highways Development and Management  
 Community Infrastructure Levy Team  
 Urban Forester  
 Urban Forester  
 Urban Forester

**Statutory and non-statutory organisations**

Great London Authority  
 Metropolitan Police Service (Designing O

**Neighbour and local groups consulted:**

Flat 12, 25 Harper Road Southwark  
 London  
 60a westow hill London se19 1rx  
 Flat 24 66 Swan Street London  
 Flat 10 25 Harper Road London SE1  
 6AW  
 66 Swan St London SE1  
 F5 21 Harper road London SE1 6AW  
 6 Falmouth Road London Southwark  
 Flat 28 25 Harper Road London  
 24 Ash Ave London SE17 1HS  
 Flat 17, 25 Harper Road London SE1

6AW  
 Flat 15 25 Harper Road London  
 12b Trinity Street Trinity Street London  
 Flat 10 56 Swan Street London  
 Flat 1, 25 Harper Road London SE16AW  
 Flat 24 25 Harper Road London  
 15 Collinson Court London SE1 1NZ  
 53 Harper Road London SE1 6AP  
 66 Swan St London SE1 6AW  
 21 Harper Road F6 London  
 55 Baker Street London W1U 8AN

## Relevant planning history

No relevant planning history

---



Southwark Maps includes © Crown copyright and database rights 2023 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..

50 m

Scale = 1:100 000 000 000

21-Jun-2023

**Contents**

Contents .....	1
RECOMMENDATIONS .....	2
EXECUTIVE SUMMARY .....	2
BACKGROUND INFORMATION .....	3
Site location and description .....	3
Details of proposal .....	6
Planning history of the site, and adjoining or nearby sites. ....	12
KEY ISSUES FOR CONSIDERATION .....	12
Summary of main issues.....	12
Legal context .....	12
Planning policy.....	13
ASSESSMENT.....	13
Principle of the proposed development in terms of land use.....	13
Assessment of the works to the Listed Building.....	20
Design and impact on the conservation area and setting of the Listed Buildings	26
Transport and Highways .....	32
Landscaping and trees.....	33
Ecology and biodiversity .....	34
Impacts on neighbouring amenity .....	34
Fire Safety .....	35
Mayoral and borough community infrastructure levy (CIL).....	36
Community impact and equalities assessment .....	38
Human rights implications.....	39
Positive and proactive statement .....	39
Positive and proactive engagement: summary table.....	40
CONCLUSION .....	40
BACKGROUND DOCUMENTS.....	41
APPENDICES .....	41
AUDIT TRAIL .....	41

<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 18 July 2023	<b>Meeting Name:</b> Planning Committee (Major Applications) A
<b>Report title:</b>	<b>Development Management planning application:</b> Application for: Full Planning Application (23/AP/1156) and Application for: Listed Building Consent (23/AP/1157)  <b>Address:</b> Dulwich Picture Gallery, Gallery Road, London, Southwark SE21 7AD  <b>Proposal:</b> Erection of a new building to house a Children's Picture Gallery, erection of a single storey extension to the Gallery Cottage, closure of an existing access and creation of a new access point from Gallery Road with associated landscaping, bin storage and bicycle storage and installation of a ground source heat pump. (associated LBC ref: 23/AP/1157)		
<b>Ward(s) or groups affected:</b>	Dulwich Village		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date:</b> 25 April 2023		<b>PPA Expiry Date:</b> 20 July 2023	
<b>Earliest Decision Date:</b> 20 June 2023			

## RECOMMENDATIONS

1. That planning permission be refused for planning application 23/AP/1156 for the following reason:

The proposed Children's Picture Gallery constitutes inappropriate development on the application site which is designated as Metropolitan Open Land (MOL). It would detract from the openness of the MOL and would result in the permanent loss of the MOL. The proposal is therefore contrary to the National Planning Policy Framework (NPPF) 2021, Policy G4 (Open space) of the London Plan 2021 and Policy P57 (Open space) of the Southwark Plan 2022.

2. That consent be granted for Listed Building Consent 23/AP/1157 subject to conditions.

## EXECUTIVE SUMMARY

3. This report provides an assessment of both the full planning application (23/AP/1156) and the associated Listed Building Consent (23/AP/1157) for the

proposals relating to the site at Dulwich Picture Gallery. It should be noted that the Listed Building Consent assessment covers only the impacts on Grade II listed Gallery Cottage and this is set out in paragraphs 77 - 106 of this report. While this must form part of the assessment of the full planning application, other planning considerations are taken into account in the assessment of 23/AP/1156 including the principle of the development, impacts on heritage assets, impacts on neighbours, ecology and biodiversity and fire safety.

4. In summary, it is recommended that the Listed Building Consent (23/AP/1157) is granted as the harm is less than substantial and is outweighed by the modest heritage gains of restoring the appearance and operation of the front door and removing elements of clutter; securing the long-term viability of the building as a historic asset; and by the new public access to the building, as a schools' welcome point and occasional café. In addition, the impacts having been sufficiently minimised and deemed necessary to provide a functioning new space for large school groups.
5. It is recommended that the full planning permission (23/AP/1156) is refused. While many elements of the proposal are acceptable in principle, the proposal for a new building is contrary to the development plan. The proposal causes significant harm to the Metropolitan Open Land (MOL) and this harm is not outweighed by any other considerations. This is set out in detail in paragraphs 40-76 of this report.
6. Two pre-apps were held with the applicant prior to the submission of a planning application (22/EQ/0245 and 23/EQ/0038). At both of these pre-apps, officers raised concerns regarding the impact on the MOL amongst other issues including impact on the Listed Building and details surrounding the landscaping proposals. Although it is welcomed that the applicant has made efforts to reduce the harm on the MOL by reducing the scale of the proposed new build, a significant level of harm remains.
7. Throughout the assessment of this application, a number of changes have been made to the application including the removal of any lighting proposals and alterations to the Listed Cottage such as a change to proposed canopy to provide a retractable awning rather than a fixed canopy. All changes came in response to consultation comments.
8. This application is being determined at Planning Committee (Major Applications) A as it has been referred by councillors and agreed by the chair of committee.

## **BACKGROUND INFORMATION**

### **Site location and description**

9. The application site relates to Gallery Cottage and the landscaped area which are within the curtilage of the Dulwich Picture Gallery, which is Grade II\* listed.
10. Gallery Cottage sits to the southwest of the gallery building. The cottage is Grade II listed and is thought to be designed by Sir John Soane for use by the gallery caretaker. Its significance derives from its close association with the architect and



the main gallery, and for its contrasting humble design.

11. Public access to the gallery is from College Road, where a formal gateway within the boundary brick wall leads initially to the café and onwards to the gallery's main entrance. A secondary public entrance is to the grounds and is an informal entrance within the timber fencing onto Gallery Road, located between the meadow and main gardens. A servicing/ staff entrance is located in the northwest corner of the grounds, with a vehicle and adjacent pedestrian gate within the boundary railings onto Gallery Road.
12. The grounds to the picture gallery comprise mainly lawns with trees, shrubs and gravel bound pathways. The landscape is simple and in a more formal arrangement immediately to the front (east) and rear (west) of the gallery, but becomes more informal to the south, forming a copse of trees and an area of meadowland, and includes freestanding sculptures. The boundary is formed by a low plinth wall and metal railings to the west, a brick wall to the east, and close-boarded fencing to the south and southwest. Trees and hedges run along the perimeter of much of the site.
13. The Gallery and mausoleum were originally designed by Sir John Soane and constructed between 1811 and 14, and then partly rebuilt following damage in World War II. The contemporary cloister and cafe pavilion were added to the gallery by Rick Mather Architects in 2000. The main entrance to the Gallery is via College Road. The significance of the building is its age; architectural composition and material quality; its close association with Soane; and its form and detailing as a formal building set within a loosely formal landscape, visible on a purposeful east/ west axis from the adjoining streets. The building's historic significance is also derived from its use as a purpose-built gallery and its location in a suburban setting surrounded by gardens; as the first art gallery open to the general public; but also from its unique part use as a mausoleum to its founders.
14. The gallery building and its café are adjacent to the Grade II listed complex of Dulwich College Old School/ Christ's Chapel and Edward Alleyn almshouses (and near to the Grade II listed Old Grammar School at the junction of Gallery Road/ College Road; and opposite the Grade II listed late 18th /early 19th century Stellar House (no.11) and mid-18th century semi-detached houses of no.13 and 15 College Road.
15. The site is also opposite the registered parks and gardens of Dulwich Park (Grade II) to the east and Belair Park (Grade II) to the west. The nearest residential properties are located to the south and south-east of the site at College Gardens.
16. The site is within the Dulwich Village Conservation Area (sub-area 2) which is characterised by its historic layout of thoroughfares and property boundaries; its sense of openness and greenery and views along spacious streets; and fine Victorian and Georgian residential and institutional buildings. The village as a strong 'rus in urbe' character, with the conservation area sub-area 2 notable for the highly positive contribution of its listed buildings, well-maintained gardens and registered parkland. The site is also located on Metropolitan Open Land.



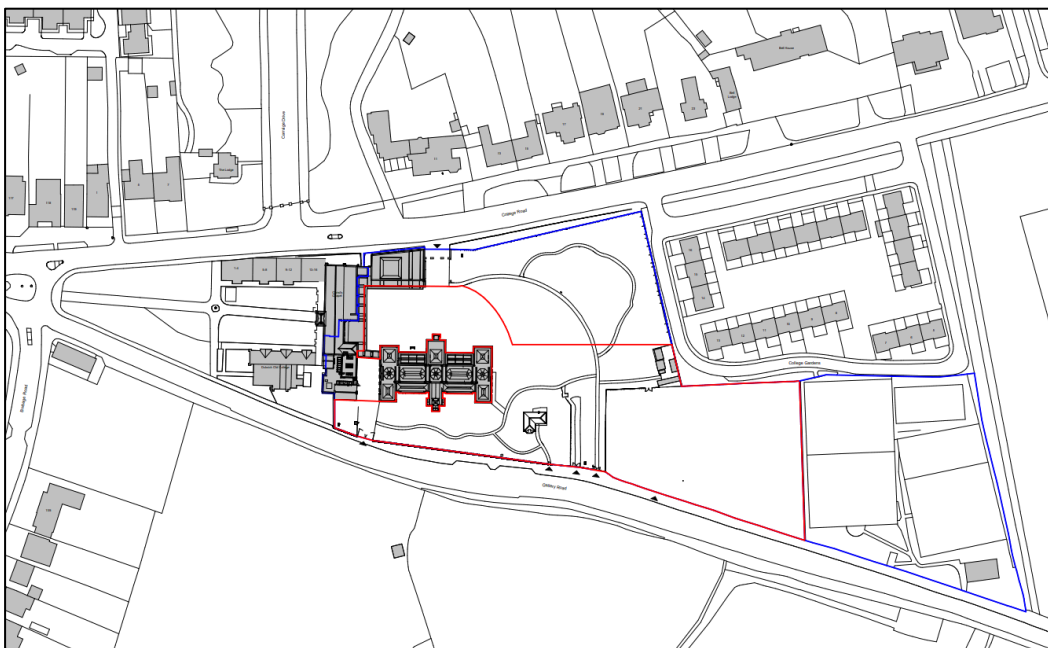
*Map of conservation area and listed buildings.*

*Red buildings are Grade II\* Listed*

*Green buildings are Grade II Listed*

17. The following designations are relevant to the site:

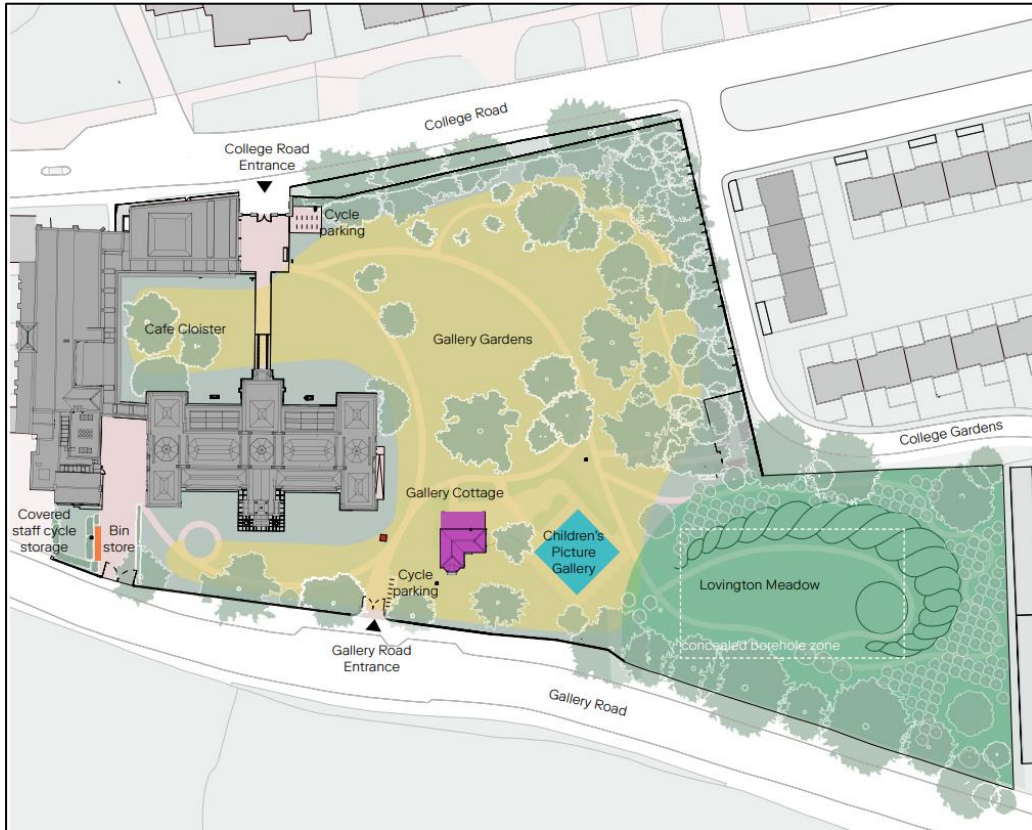
- Dulwich Picture Gallery/ Hitherwood Metropolitan Open Land (MOL)
- Dulwich Village Conservation Area
- Dulwich Village Local Town Centre
- Dulwich Picture Gallery Green Chain Park
- Critical Drainage Area



*Site location plan*

## Details of proposal

18. A number of elements form part of this application and are illustrated in the following proposed site plan:



19. The proposals include the following:

### Children's Picture Gallery

20. The proposed Children's Picture Gallery will be a single storey building with a footprint of 160sqm. The proposal would be located centrally in the Gallery Gardens and to the south of the listed Gallery Cottage.
21. The submission documents describe the Children's Picture Gallery as a space 'where children can interact with and learn to appreciate art with a particular focus on tactile activities that will take their lead from the Gallery's Collection and Exhibitions in the Main Gallery.' The space is intended for children up to 8 years of age with defined 45 minute sessions from 9am – 5pm. The space will have capacity for 30 children plus carers and 3 staff members. No plans have been provided for the internal layout of the gallery and it is assumed that the space is intended for more interactive arts-based programmes rather than for the display of artwork given that the large windows likely limit the ability to hang art on the walls and details of free-standing art displays are not provided at this stage.

22. The building also contains four toilets and a plant room to facilitate a Ground Source Heat Pump (GSHP) which will be used to connect to all of the Gallery buildings.
23. The elevations are clad in timber panels with horizontal joints and the parapets are finished with a metalwork trim. The picture windows have surrounds that slightly project, creating a pothole effect, with the surrounds highlighted in a contrasting metallic finish. A further feature of the building are the large fixed canopies on each of the facades.



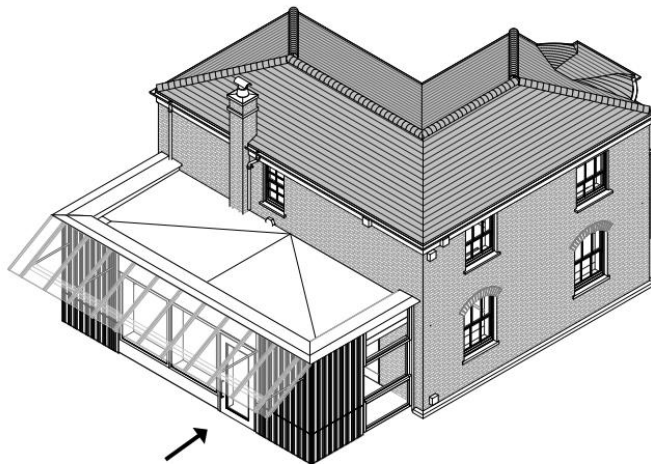
*Image of proposed Children's Gallery*

### Extension to Gallery Cottage

24. A 31sqm single storey rear extension is proposed to the listed cottage. The primary use of the ground floor of the two storey building is as a school reception and lunchroom on Mondays to Thursdays for visiting schools groups. It is proposed that the Cottage will be used as a café on Friday to Sundays. The café will not provide any cooking equipment and will only be opened at the same times as the Gallery. The upper floor of the building would continue to function as ancillary staff offices and storage for the gallery.
25. The proposed works to the cottage comprise:
- an extension to the eastern elevation, with awnings, requiring formation of a new opening within the existing elevation for access
  - refurbishment of existing windows and entrance doors, including addition of vinyl privacy film to WC windows and removal of modern trellis and internal plasterboard to the former front door on the western elevation to re-open doorway
  - repointing of brickwork and repairs to chimney, including insertion of new flue/

ventilation equipment within chimney, and rationalisation of any external clutter

- replacement of partitioning within ground floor southern wing to create two WCs (including disabled WC) and storage room
- installation of exposed mechanical ventilation to ground floor ceiling soffits, serving WCs and extension
- widening of existing internal doorways at ground floor level from hallway through to main room for mobility access
- upgrading or replacement of internal doors for fire resistance, and repositioning of original internal door for store room
- provision of bench seating within ground floor main room, attached to walls
- refurbishment of parquet floor to main room
- provision of new and additional radiators below windows throughout, concealed behind bench seating on ground floor level, and
- installation of insulation and plasterboard lining to internal walls at ground and first floor levels, requiring removal and re-fixing of skirtings and architraves



*Proposed rear extension to Gallery Cottage (canopy now a retractable awning)*

## Landscaping

26. Landscaping proposals include the removal of hedges around Gallery Cottage and the field which will become known as 'Lovington Meadow'. Hedges and 18 trees will be removed to facilitate the development including 5 Category B trees. However, the proposals include the planting of 126 new small trees (Sorbus Torminalis), 4 Oak trees and 1 Elm New Horizon tree.
27. There are multiple references to the use of the Meadow as a sculpture garden. However, specific details of the sculpture garden have not been provided. The applicant has provided indicative information regarding what might be included in the sculpture garden but there is no specific information provided relating to the quantity or scale of the sculptures or the period of time for which they may be present. Therefore, there is insufficient information to assess the impacts on the openness of the MOL and whether or not there is a change to the character of the

MOL. Without being able to fully assess the impact of the proposal, it is not possible to confirm whether or not the proposal would comply with planning policies. The description of development does not reference a sculpture garden and therefore in assessing this proposal, only the landscaping proposals will be considered and not any potential sculpture garden. Separate planning permission would need to be sought for the installation of sculptures within this area. If planning permission were to be granted for this application, the sculpture garden would not form part of this planning permission as it not shown on the proposed plans.



*Proposed landscaping plan*

### New entrance

28. The existing pedestrian entrance on Gallery Road will be moved to the north of the Cottage to be closer to the Gallery with the existing telephone box moved from the existing vehicle entrance to the new pedestrian entrance. New railings will also be introduced along the whole of the Gallery Road boundary.



*View of proposed new pedestrian entrance, new railings and Children's Picture*

## *Gallery*

### Bin and bike storage

29. A new bin store and cycle storage for staff will be provided adjacent the existing vehicle entrance. Additional cycle storage for visitors is proposed alongside the new pedestrian entrance.

### **Consultation responses from members of the public and local groups**

30. The application has received 36 public comments including 2 comments of objection (one objection was subsequently replaced with a comment of support by the Dulwich Society; see para 33) and 34 comments of support. Summarised below are the material planning considerations raised by members of the public. These matters are addressed in the subsequent parts of this report.
31. Support:
- Enable the Gallery to increase its cultural and educational offer
  - Children's Picture Gallery will encourage new, younger and more diverse audiences to the Gallery
  - The project will make the Gallery more likely to be a cultural destination of choice for all the schools of Southwark
  - Provide opportunities for young children to engage in creative play and will allow for more school groups to visit
  - The development will secure the Gallery's future, help the Gallery remain viable and will be a benefit to the local community. The Gallery gets no government funding.
  - Opportunity to improve public realm and make the Gallery more accessible
  - Sensitive, well-designed, sustainable extension of a public amenity that increases public space
  - The ground source heating is a benefit; provides long term renewable energy
  - No contradiction between the intention to preserve open space and the scale and purpose of either the proposed new building or the practical modifications to the existing cottage.
  - The design improves access to and opens new views of the gallery's landscaped gardens
  - Need for a sculpture park in London. Sculpture gardens add to the environment and community. Proposal adds additional interest by providing a new sculpture garden
  - Welcome the new landscaping, trees and sculpture meadow. New trees will benefit surrounding by lessening pollution and increasing biodiversity. Proposals will enhance the piece of land adjacent to the Gallery
  - Concern that the proposed extension is too small and will not be able to cope with demand
  - Support for the re-purposing of the empty building to provide more and better facilities for the public, and to develop the unused surrounding
  - Proposal in line with Dulwich Area Vision (AV07)

32. Objections:

Conservation Area Advisory Group (CAAG) (summary of main points raised in comments)

- Applaud Gallery for plans to increase public access including a sculpture area, a new children's gallery, enhanced facilities and a café to be incorporated in an addition to the existing Gallery Cottage building.
- Buildings and landscape relate poorly to the architecture and fabric of the listed gallery
- The siting of the building at a 45degree angle to the other buildings on the site and to the adjoining road frontage seemed inappropriate, given the relationship of all other buildings on the frontage to it.
- Architects looked at eight different sites for the Children's Gallery building as designed, rather than designing it specifically to relate to one, to maximize its particular views and other advantages.
- MOL is a precious resource and loss of open space is questionable. Consideration should have been given to extending the existing gallery
- No objection to the new access from Gallery Road
- Concern for the loss of mature trees to facilitate landscaping proposals
- In summary, the panel had strong concerns about the creation of "an object building" in the context of the listed building. They applauded the ambitious work of the architects and the Gallery in looking to achieve an appropriate response to the Soanian plan but suggested that they might consider using materials with more gravitas in new building that will mellow and enhance with time rather than deteriorate. The panel supported the basic brief seeking to enhance the sites facilities. They acknowledged that the proposal for the new building has strong character but thought its design is not what is needed here.

33. Others:

Dulwich Society originally objected to the application (comment dated 14/05/2023). Their objection can be summarised as follows:

- Support the children's facility in principle but concerned about the detailed design. The canopies are very prominent and will distract from the listed building
- Support the extension of the cottage but concerned about the height of the extension and the prominent canopy
- Lack of detail on the soft and hard landscaping proposals
- Bins should be accessed from Chapel Cottage garden to deliver better aspect to public areas
- Object to the Construction Management Plan which is lacking in detail
- The proposal should be presented to Southwark's Design Review Panel (DRP)

Following this objection, the architects met with the Society and the Society and are now expressing support (comment dated 01/06/2023) for the application although requested some further information:



- Details of boundary treatment and landscaping to be secured via condition
- The Construction Management Plan should be amended prior to approval to give residents assurance that disruption will be minimised
- Children's Picture Gallery – support the facility and now accept the canopies as they serve to provide sheltered space and boost the building's sustainability credentials. The Society would like to have sight of all materials prior to approval
- Extension to cottage – the proposed extension is large when viewed with the host building but the Society now accepts the introduction of the canopy as it will draw the eye down and provide additional seating/circulation space. The proposed height is constrained for a public building. The Society would like to have sight of all materials prior to approval
- Public benefits of the scheme include economic, social and/or environmental objectives. The public benefits that may follow from this development are considerable. Any perceived harm is outweighed by the public benefit of providing a children's gallery, cafe and sculpture garden

### **Planning history of the site, and adjoining or nearby sites**

34. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 3.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

35. The main issues to be considered in respect of this application are:
- Principle of the proposed development on MOL in terms of land use;
  - Assessment of the works to the Listed Building;
  - Design and impact on the conservation area and setting of the listed buildings;
  - Transport and highways;
  - Landscaping and trees;
  - Ecology and biodiversity;
  - Impact on neighbours;
  - Sustainability and environmental issues;
  - Fire safety;
  - Mayoral and borough community infrastructure levy (CIL);
  - Consultation responses;
  - Community impact, equalities assessment and human rights.
36. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

37. 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.

38. 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

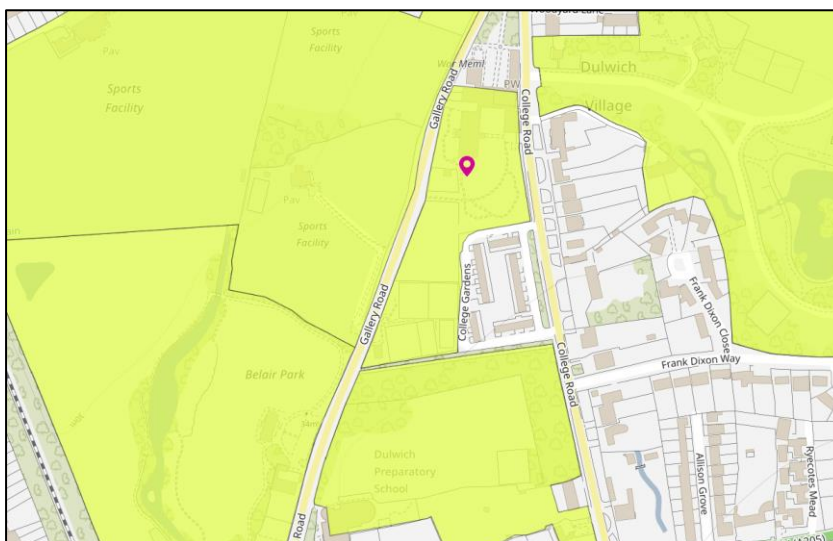
39. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2021) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant 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

40. With regards to the principle of the development, the main policy consideration relates to development on Metropolitan Open Land (MOL).

The extent of the MOL designation is shown below:



*MOL designation. To the east of the site is Dulwich Park, to the south is Dulwich College and to the west is Dulwich College Sports Ground and Belair Park*

41. Southwark Plan P57 (Open space) states that:

“Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted on MOL or BOL when:

1. It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or
2. It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building; or
3. It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.”

42. This is supported by the London Plan 2021 Policy G3 (Metropolitan Open Land) which states that MOL is afforded the same status and level of protection as the Green Belt. However, the London Plan also goes on to say in paragraph 8.3.4 that:

“Proposals to enhance access to MOL and to improve poorer quality areas such that they provide a wider range of benefits for Londoners that are appropriate within MOL will be encouraged. Examples include improved public access for all, inclusive design, recreation facilities, habitat creation, landscaping improvement and flood storage.”

43. The National Planning Policy Framework (NPPF) 2021 paragraph 147 states that “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.” The NPPF goes on to state in para 148 that:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

The NPPF does not define what constitutes ‘very special circumstances’.

44. As set out in the NPPF any harm to the Green Belt should be given substantial weight. Therefore, while Southwark Plan P46 (Leisure, arts and culture) and P47 (Community uses) are also relevant to the principle of development, they must be given less weight in comparison to policies relating to MOL. Policy P46 states that development will be permitted where new leisure, art and cultural uses are provided and it delivers or supports the delivery of public art projects, independent museums and theatres. Policy P47 states that development will be permitted where new community facilities are provided that are accessible for all members of the community.

45. Given the wide-ranging proposals which form part of this application, the principle of each of these proposals are individually assessed as follows:

### Children's Picture Gallery

46. The proposed Children's Picture Gallery is a single storey building with a footprint of 160sqm. The proposed location is to the south of the listed Gallery Cottage and centrally located within the MOL which is currently an open landscaped area of the site.
47. The development does not meet any of the exceptions set out in Southwark Plan Policy P57 (Open space) or the NPPF where the principle of development could be considered appropriate development on MOL. This is because it is not an ancillary facility for a land use which would preserve the openness of MOL and would conflict with its MOL function. The policy supports the extension or alteration of an existing building or the replacement of an existing building, but not the construction of a new building within MOL designation. Therefore, given the fact that it is inappropriate development there is harm caused to the MOL as defined in the NPPF paragraph 147.
48. When assessing the impact of a proposal on the openness of Green Belt land, the Planning Practice Guidance (PPG) suggests that consideration should be given to a number of factors, including but not limited to:
- the spatial and visual impacts;
  - the duration of the development taking into account the provisions to return the land to its original state; and
  - the degree of activity likely to be generated such as traffic
49. In the Planning Statement, the applicant notes that the proposals when taken together (i.e. including the extension to the listed building) would only result in a 1% increase to the built-up footprint on the MOL, bringing the total built up area on the MOL to 13%.
50. With regards to the footprint, while it is welcomed that the applicant has made attempts to reduce the footprint of the building since the initial pre-application (22/EQ/0245), the proposed footprint of 160sqm, would remove a significant piece of an existing designated open space which is relatively small in a central location. The size of the proposed building is apparent when compared against the existing cottage (footprint of 62sqm excluding the new extension) and even when taking into account the proposed extension on the cottage (93sqm including the extension), which forms part of this application. The proposed new Children's Gallery Building is therefore considered to be a significant part of the MOL which will contain permanent buildings.
51. When assessing the spatial and visual impacts, it is important to note that openness is three-dimensional and factors such as the mass and views through the site are as important as the size of the footprint. The views through the currently open site of the MOL are lost with the introduction of a new building, the bulk of the proposed canopies also add to the visual impact making the building

appear larger than it is. In the Planning Statement, the applicant states that the openness and views will not be impacted by the proposal and that 'the removal of dense beech hedges throughout much of the site creates a greater sense of visual openness to the site'. Officers strongly disagree with this point – hedges and any other shrubbery are a natural feature to the environment of MOL and add to the rural-like and green character that would be expected on MOL. The Southwark Plan states that land designated as MOL contributes to the physical structure of London by being clearly distinguishable from the built up area and contains features or landscape of historic, recreational, nature conservation or habitat interest at a metropolitan or national level.

52. In this case, the proposal would be a permanent building on the site located very centrally within the MOL designation, therefore resulting in the permanent loss of MOL. In their objection, CAAG "noted that the architects had looked at around eight different sites for the Children's Gallery building as designed, rather than designing it specifically to relate to one, to maximize its particular views and other advantages". Officers agree with this point and have not seen any other design for the building in different locations within the site. This supports the fact that the building has not been appropriately designed for its location to retain the openness of the MOL.
53. Overall, there is clear harm to the MOL for the following reasons:
- The principle of the proposal is inappropriate development as per paragraph 147 of the NPPF and Policy P57 (Open space) of the Southwark Plan.
  - The size of the proposed Children's Gallery Building is significant in the context of this relatively small open area of the MOL as evident when viewed against the existing building on-site (Gallery Cottage).
  - The openness of the MOL is negatively impacted by introducing a building in a central and very prominent location in the MOL, this includes impacts of views through the site.
  - The proposed building would be a permanent structure on the site resulting in the permanent loss of MOL.
54. As the development does not meet the exceptions where development may be permitted on MOL, consideration is instead given to whether there are 'very special circumstances' that would justify the harm to the MOL.
55. Within the applicant's submission documents, the following reasons are provided for the need for a Children's Gallery:
- The Gallery is a nationally significant cultural institution
  - The proposal would diversify the audience attracted to the gallery
  - The proposal would provide greater amenity for visitors through the provision of additional toilets
  - The proposal is needed to help financially safeguard the gallery for the future.
56. The national, regional and local significance of the gallery is not disputed and the council is supportive of the gallery's aspirations to continue to evolve and expand its offer. However, the preservation of open space, in particular Metropolitan Open

Land, is a key priority and strategic aim of the council as set out in Southwark Plan Policy SP6 (Climate emergency) which states that we will protect and improve our network of open spaces and within Policy P57 (Open space). In addition, the protection of greenbelt land is a national objective as set out in the NPPF which looks to resist development on the greenbelt. Given the importance of the local objectives to protect open space, which must be given substantial weight, the significance of the gallery does not outweigh the harm to the MOL and does not constitute 'very special circumstances'.

57. The primary reason for the proposal is to diversify the audience attracted to the gallery. The applicant sets out that the proposal of a Children's Gallery would help in achieving the gallery's goals in increasing the level of provision for families and children. It is acknowledged by officers that the proposal for a Children's Picture Gallery received support during the public consultation of this planning application. The applicant also carried out public consultation as set out in their submitted Statement of Community Involvement, which illustrated support for the proposal. In addition, some weight must be given to the provision of a new child-focused art-themed space in line with Southwark Plan P46 (Leisure, arts and culture), which supports the delivery of such uses. However, as set out in the NPPF, substantial weight must be given to the harm to the MOL and given the council's priority to protect open space, this is not considered adequate to outweigh the harm to the MOL. The gallery maintains its ability to increase its offer to children and families through an extension to the listed Gallery Cottage which is acceptable in principle as set out in paragraphs 62-63 of this report. The addition of a new free standing building further detracts from the MOL and the provision of additional child-facilities, which could otherwise be provided in part through the extension of the cottage, are not considered to be 'very special circumstances' that outweigh the harm to the MOL.
58. With regards to the proposal providing greater amenity for visitors through the provision of additional toilets, officers note that the refurbishment of the adjacent cottage will also include toilets and the need for even more public toilets in such close proximity to each other do not constitute 'very special circumstances' that outweigh the harm to the MOL.
59. Finally, the Children's Gallery would be ticketed for under-8's and would provide a revenue stream for the gallery who do not currently receive funding from local or central government and are heavily reliant on ticketed exhibitions to generate income. The applicant suggests that economic measures that allow an organisation to continue to deliver cultural, community and social benefits constitute 'very special circumstances'. Again, officers are supportive of the gallery's aims to continue to expand its offer, however, this should not come at the expense of open space. While the provision of a ticketed Children's Picture Gallery may provide a financial benefit to the applicant, there is a very minor economic benefit to the wider community in that the proposal would only create 3 jobs and therefore the direct economic benefit to the wider community would be very minor and does not outweigh the harm to the MOL.
60. While it is acknowledged that the gallery must be able to finance itself, the wider community benefits of the proposal are questionable given that it will only be those

who can afford to pay to enter the Children's Gallery that will benefit from it. Although there are some discounted tickets available for access to the gallery it will not be a community facility that is open to all members of the community as per the requirements of Southwark Plan P47 (Community uses). Therefore, 'very special circumstances' do not outweigh the obvious harm to the MOL.

61. In summary, it is not considered that any of the 'very special circumstances' proposed by the applicant outweigh the clear harm to the MOL as a result of the proposed building on the site. The proposal is inappropriate development and the openness of the MOL is negatively impacted.

#### Extension to the grade II listed gallery cottage

62. Southwark Plan P57 (Open space) allows for development on MOL where "It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building".
63. In this case, the extension, while significant (approx. 31sqm), is not considered to be disproportionate in terms of land use as it is half the size of the existing footprint of the Cottage which measures at approx. 62sqm. Therefore, the principle of this extension is considered acceptable in land use terms and would not adversely detract from the openness of the MOL, subject to impacts on the listed building (discussed in paragraphs 77-106).

#### Landscaping of the meadow

64. Southwark Plan P57 (Open space) allows for development when "It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function".
65. The principle of improving the landscaping is not contrary to Policy P57 (Open space) and will improve the quality and accessibility of the open space. The landscaping proposals will also not affect the openness of the MOL or detract from its character.
66. However, details of the sculpture garden have not been provided. The applicant has provided indicative information regarding what might be included in the sculpture garden but there is no specific information provided relating to the quantity or scale of the sculptures or the period of time for which they may be displayed. Therefore, there is insufficient information to assess the impacts on the openness of the MOL and whether or not there is a change to the character of the MOL. Without being able to fully assess the impact of the proposal, it is not possible to confirm whether or not the proposal could be considered acceptable on balance.
67. As the development description only includes reference to landscaping and not to a sculpture garden and none of the plans provide details of the sculptures, the sculpture garden is not considered part of this application although it is understood

from the applicant that this is their aspiration. Given the operational works likely required in installing a sculpture/statue/artwork, the applicant would need to apply for temporary planning permission for the sculptures when the quantity, scale and location of these features are known.

68. Notwithstanding this, the proposals for landscaping the meadow are acceptable and not considered to be contrary to Policy P57 (Open space).

#### Bin and cycle storage

69. New bin and staff cycle storage is to be located on the Gallery Road side of the site alongside the existing vehicle entrance. The bin storage will replace the existing arrangement on site which currently includes a number of bins located on the public highway. The proposed storage facilities are modest in scale and located on the edge of the MOL, alongside the vehicle entrance. Therefore, there is not considered to be a considerable impact on the openness of the main green space and the location of the new storage facility is acceptable.
70. New visitor cycle storage is also to be provided alongside the new visitor entrance on Gallery Road. While the location on the green space is not ideal, it is best practice to locate cycle storage as close as possible to an entrance. In addition, the stands are proposed to be Sheffield stands and are not in an enclosed storage facility which will minimise the impact on the MOL and can therefore be considered acceptable on balance.

#### New pedestrian access

71. A new pedestrian access is proposed on the Gallery Road side of the site to the north of the Cottage. The new entrance will have no significant impacts on the openness of the MOL and will improve pedestrian access to the site. Therefore, on balance the new access is considered acceptable.

#### Conclusion on principle of development

72. Although the proposals comply with Southwark Plan P46 (Leisure, arts and culture), the application site is designation as MOL. Paragraph 148 of the NPPF states that 'local planning authorities should ensure that substantial weight is given to any harm to the Green Belt'. MOL is afforded the same level of protection as the Green Belt within the London Plan. Therefore, policies relating to MOL outweigh any other relevant policies which are given limited weight.
73. While many elements of the proposal are acceptable in principle, the introduction of the new Children's Gallery Building on the site is not appropriate development. The harm to the MOL is clear and 'very special circumstances' do not exist that outweigh this harm to the MOL.
74. The submitted Planning Statement suggests that the proposals when taken as a whole (i.e. including all elements of the application) would increase the public accessibility of the MOL by 35%. The applicant also states that funding for the proposals will only go ahead for all elements of the proposal are implemented. With regards to the funding, how an applicant finances their development is not a



planning consideration and is not a relevant factor in assessing this application. Notwithstanding this, officers do not consider this to be enabling development i.e. there is no need for a Children's Gallery Building to be provided in order for the Meadow to be made accessible and used by the public. While it is acknowledged that the level of landscaping as proposed may not be possible without funding, there is no reason why some level of access to the meadow area could not be provided if the Gallery wished to expand its offer and this does not justify the proposed loss of MOL as a result of the proposed Children's Gallery.

75. Permitting a new building on MOL sets a precedent for this type of development in the borough which undermines the strategic objectives of Southwark Plan SP6 (Climate emergency) and P57 (Open space). Development on MOL should be resisted in line with national and local policies.
76. In conclusion, it is recommended that the planning application (23/AP/1156) is refused on the basis that the Children's Picture Gallery is inappropriate development on MOL and the development would result in a level of harm to the MOL that is not outweighed by 'very special circumstances'.

### **Assessment of the works to the listed building**

77. This section of the report provides an assessment of the associated Listed Building Consent (LBC) application 23/AP/1157, which is assessed alongside the main planning application. The LBC relates to the works proposed to the Grade II listed Gallery Cottage.

#### **Description and heritage significance**

78. Paragraph 194 of the NPPF requires applicants together with the Local Planning Authority to identify the architectural or historic significance of a designated heritage asset and to record the effect of any proposal on that architectural or historic significance.
79. The architectural or historic significance of any heritage asset includes its internal and external historic features and its setting. In addition to the facades of a Listed Building its features of significance could include its roof, its plan form, decorative internal features like original cornices, skirtings and fireplaces and important structures like floor beams, staircases or chimneys.
80. Gallery Cottage sits within the institution's grounds, positioned to the southwest of the picture gallery and mausoleum. The cottage is Grade II listed and is recorded as being early 19th century and possibly designed by Sir John Soane for use by the gallery's builder and later caretaker/ groundskeeper. Its significance derives from its close association with the architect and the gallery/mausoleum building, and for its contrasting humble design.
81. The building is two storeys in the same brickwork as the gallery and has a low hipped slate roof with short eaves, and an 'L' shaped plan that projects towards Gallery Road. The brickwork pattern is mixed, with generally those elevations facing north and projecting west in Flemish bonded brickwork and those facing

east and south in stretcher bond.

82. The north facing façade is two windows wide, whilst the Gallery Road elevation (west) is one window wide to the projection and two windows wide for the main body. The projection features a full-height bay with quadrant corners, containing the single window and a panelled front door below, with the door shaded by a metalwork portico. A further front door is located within the inner corner of the L, facing towards Gallery Road, with a bracketed canopy. The entrances and first floor windows feature flat arched openings, whilst those at ground floor mainly cambered arched or segmental arched with swept window heads. The windows are mainly white painted timber sashes with a 3-over-3 fenestration, the exceptions being two blind windows on the west and south elevations, and the windows on the east elevation, which are nonetheless timber and multi-paned. The east elevation has a matching part timber and glass rear door, adjacent to a narrow projecting brick chimney stack.
83. Looking at the current condition of the cottage, the building has been altered over time, particularly during the 1950s and in response to wartime damage, with notable changes to the footprint and to the elevations and interior, reflected in the switch of the brickwork patterns. Further changes were made in the 1990s (TP9700063 and TP9700064), when the building was adapted for use as ancillary gallery storage and staff amenities.
84. The interior plan form and details are partly altered, although 4-panel doors with simple architraves, elements of picture rail and skirting are likely original. The ground floor cover is herringbone parquet, typical of the 1950s, whilst the ceilings are modern plasterboard. The two main rooms at ground floor within the original building footprint have been opened up to form a single room, albeit nibs and a downstand are retained, preserving a sense of the room proportions. Importantly the cottage's character is sufficiently preserved, with its charming bow fronted appearance, as reflected in its listing in 1998.
85. Lastly, the cottage has a small garden/ allotment area and is partly sectioned off from the main grounds by beech hedge fencing, with a gap retained within the hedge for access. The cottage is also accessed from Gallery Road by a pedestrian gateway within the boundary railings and a separate vehicle gate within the adjoining timber fencing.
86. As referenced above, the cottage's heritage significance derives from its architectural and historical interest, primarily through its association with the architect, Sir John Soane; and its close association with the gallery, being contemporaneous with and integral to the gallery's construction and on-going upkeep. The early 19th century cottage and gallery are of group value, with their historic interconnections and the simple cottage charm contrasting with the grandeur of the gallery/mausoleum; both set within a shared semi-rural landscape that makes a positive contribution to their significance.

### Gallery Cottage proposals

87. Full details of the proposals to the Listed Cottage are set out in paragraphs 24 – 25 of this report. The two main changes are the upgrading of the thermal

performance of the building and its extension; the remainder being matters of general refurbishment and the updating of finishes to meet fire and access regulations.

88. On the latter matters, the refurbishment works are welcome, particularly with the retention of existing windows and doors, which although not all original are nonetheless historical. The internal doors would be upgraded for fire resistance, applying fire seals and intumescent paint, which would have minimal impact on their appearance. The removal of the modern trellis and re-opening of the original front door are a positive feature, albeit the door would only be used in emergencies only.
89. Internally, at ground floor level the installation of new partitioning and toilets are acceptable, as they would replace existing modern fixtures and fittings and would not especially alter the current planform, which is non-original in this part of the building. The widening of the doorways from the hallway through to the main room at ground floor level will require some loss of historic building fabric. However, the loss is minimal and is required to secure sufficient access for those with disabilities. It is notable that access to the upper floor of the building would be cordoned off to visitors in a low-key manner, using a rope and sign, with the upper rooms locked.
90. The additional changes are the setting out of the main visitor space for seating, which involves fixing new benches to the walls within the through-room. Whilst the bench seating is extensive, the damage to the internal fabric would be modest and would not unduly affect the volume(s) of the conjoined rooms, which would continue to be read. The benching would also serve to screen from view the large radiators. The remaining furniture is free-standing. The changes are reversible, and are acceptable. If the application were to be approved, a condition is recommended for detailing of the benches to limit the fixings and ensure a high quality finish. The existing 1950s parquet floor is refurbished.
91. New ventilation ducts would be installed within the hallway, WCs and extension, exposed beneath the ceiling finish within the building, and exposed with other services between the joists within the extension. The main extractor would be located within the existing chimney. The exposed services are evidently not in character with the cottage, whilst there would be some disruption of fabric in inserting the equipment within the chimney. The impacts are of some harm.
92. Turning to the two main changes, the upgrading of the thermal performance of the building is supported in principle both in terms of the contribution to environmental sustainability, but also the long-term preservation of the heritage asset itself. The considerations, however, are the sensitivity of the upgrading works and the impact on the cottage's historic fabric as a traditionally constructed building. As noted above, the cottage has undergone extensive renovations and repairs during the early post-war period, the outcome of which is that relatively limited internal features survive.
93. The proposals are to lay additional insulation within the loft space and to line the building's perimeter walls internally on both floor levels with insulated

plasterboard. The latter would involve removing and reinstating the skirtings, window and door architraves, and picture rails to maintain the internal appearance of the rooms. There would be some detailed adjustments needed to the window sills and some loss of room size, albeit the impacts would be marginal: The depth of new build-up has been moderated. As there are no surviving cornicing, the changes in wall depths and room proportions would not be apparent.

94. The outstanding concern is water vapour within the building, with moisture becoming trapped within the building fabric and leading to problems of condensation and damp. In traditional building construction, wall finishes are 'breathable' allowing water vapour to escape and is supported by traditional ventilation through openable windows and floor/ wall vents, as well as by the general 'leakiness' of historic properties. The risk of the proposals is that it could lead to a greater moisture build-up, with the improved insulation and airtightness of the property. The applicants have referenced that the windows will remain single glazed and openable and that new ventilation equipment is being installed. Nonetheless, problems of moisture build-up and interstitial water vapour remain a concern. It is therefore recommended that a condition is attached requiring a methodology statement for the monitoring of water vapour within the property, including detection within the insulated walls and roofspace.
95. Regarding the proposed extension, the new structure is located on the more informal, rear elevation of the building away from the main road, facing towards the gallery's central gardens. The extension is large, measuring 8.6m in length, 3.6m in depth, and provides just over 25sqm of new internal floorspace; in effect, matching the size of the main through-room at ground floor level. It is also slightly tall, measuring 3.2m to parapet height.
96. Importantly, it is single storey, remaining in elevation some 200mm below the cill height of the first floor window, with its internal clearance similar to the ceiling height of the cottage's ground floor (c.2.4), although the open joist ceiling finish will make it feel slightly more generous at 2.55m. Furthermore, whilst the structure runs almost the full length of the cottage's eastern façade, it nonetheless remains set in from the corners by 300mm (northeast corner) and 330mm (southeast corner), just about allowing the outer brickwork of the host building to continue to be read. The impact, however, is eased by the detailed design.
97. Some adjustments have been made during the pre-application and application processes; notably setting in the extension's flanks as far as possible without disrupting the existing cottage windows; retaining more of the rear elevation of the cottage; and more recently, the substitution of a large fixed canopy with a retractable awning. The adjustments are welcome, serving to reach a proportionate size and to minimise the disruption to the appearance of the cottage. The change of canopy is particularly welcome for several reasons; in its instance, helping to reduce the sense of scale that a fixed canopy (as initially proposed) brought to the structure.
98. In terms of design, the extension is fairly lightweight in its appearance and contemporary in style, contrasting with the traditional, robust brick cottage. The structure comprises metal-clad panels with vertical etched detailing and extensive

glazing. The main (east) elevation features a large, timber-framed picture window opening, which is set on a timber upstand and closed by a timber fascia, and a timber-framed glass entrance door. The glazing is flanked by the metal-clad panels on either side. The cladding initially returns onto the side elevations, with the second half of the elevations comprising further glazing. The latter comprises a tall, timber-framed sash window, which allows for natural ventilation of the internal space. The parapet upstand has a crisp finish, with a narrow, projecting metalwork trim.

99. The designs are simple and effective, with the extensive glazing providing an attractive, open appearance to the structure, balanced by the cladding, which provides elements of solidity at the outer corners and limits solar gain. The profiled metal adds a design detail, enriching its appearance, whilst its colour finish is naturally weathered, intended to relate to the main gallery's earlier cloister extension/café. The timber frames are painted, although the final colour is undecided. A condition for the material finishes and paint colour is recommended, and a patinated copper finish for the metalwork advised, relating more to the verdi gris finishes of the main gallery, supporting the group value.
100. The open appearance of the extension allows the rear wall of the cottage, with its retained windows and doors, to continue to be read. The use of the tall windows for the junctioning of the flank elevations with the cottage is particularly welcome, given the length of the extension and the distinctly modest corner setbacks. The glazing will allow the now-internalised brickwork to be seen obliquely, adding breadth to the otherwise narrow brickwork returns that remain on the outside. This helps preserve the solid character of the host building's rear elevation and its brickwork patina, and avoids the building having seemingly been carved open at ground floor level. Internally, the new fixtures appear to be free-standing, whilst the floor finish is not confirmed. The latter could be confirmed by condition if the application were to be approved to ensure an appropriate, high quality finish (e.g., natural stone).
101. The proposed new opening within the rear (east) elevation of the cottage is wide, measuring 1.7m wide, connecting the new space directly with the ground floor main room(s). This is much more than a typical doorway, but is intended to allow the adjoining spaces to reasonably flow. Internal to the main room, wall nibs of 1.1m and 0.3m are retained to either side in an offset manner, but at least retains some sense of the room's original proportion. The opening is finished with a cambered arch detail. The archway dressing gives the opening a stronger architecture and arguably references the original ground floor windows on the north elevation that are arched. However, the wide dressed opening does affect how the original room is read internally and leaves a vestige downstand at its crown, harming the domestic character and legibility of the historic planform.

### Conclusion on heritage impact to the listed building

102. Overall, the extension is large and a notable modern addition. It remains sufficiently subservient in height to the host building, whilst its design is sufficiently lightweight and low-key, with the material finishes to the windows and doors softening its appearance. Nonetheless, its footprint remains extensive and its massing impacts upon the cottage character. The harmful impact is eased by the

extension's relatively transparent design, which allows more of the underlying built form to be read, and the substitution of the fixed canopy with a retractable awning. The changes to the host building itself are mostly within the later addition and are neutral in their heritage impacts.

103. The heritage impacts of relining the internal walls for thermal improvements are minor, as is the relocation of the historic door. There is, however, some damage and loss of historic fabric with the new fixings, widening of the doorways, installation of services, and knock through to the extension. The heritage impacts have been minimised to an extent, although the disruption to the legibility of the planform remains a challenge. This, the exposed services and the extensive footprint are considered harmful to the built form and character, which are of special interest as a cottage reportedly designed by Sir John Soane. However, the building's close association with the main gallery and its group value are not undermined, subject to the final colour finishes. As such, the harm is less than substantial and towards the low end of the range of harm.

### Heritage balance

104. The NPPF requires Local Planning Authorities to consider whether the public benefits of the proposed development outweigh any harm that may arise and whether it is justified. In the case of substantial harm, Local Planning Authorities should consider whether the harm is necessary to deliver the public benefits. The greater the harm the greater the justification necessary.
105. In this instance, the harm is less than substantial and is outweighed by the modest heritage gains of restoring the appearance and operation of the front door and removing elements of clutter; securing the long-term viability of the building as a historic asset; and by the new public access to the building, as a schools' welcome point and occasional café. It is also justified, the impacts having been sufficiently minimised and deemed necessary to provide a functioning new space for large school groups. Therefore, on balance, the alterations and extensions to the Listed Building are supported on heritage grounds, subject to conditions and it is recommended that the Listed Building Consent application (23/AP/1157) is approved.
106. It is notable that Historic England has reached a similar conclusion, recording some degree of alteration to the historic fabric and loss of planform, but that the harm would be low level. CAAG, whilst supporting the wider project's ambition, thought the architecture poorly related to the adjacent listed gallery, questioning the choice of materials. However, the subsequent replacement of the fixed canopy with the canvas awning and suggestion of the use of patinated copper for the metal cladding are thought by officers as sufficient to address CAAG's concerns.

## **Design and impact on the conservation area and setting of the listed buildings**

### Design and layout of the children's picture gallery

107. The building has a square footprint, measuring 12.3m in length and breadth, with a cross-shaped interior layout that positions the entrance lobby, plant room, gallery toilets and public toilets in its corners. The building's main entrance is located in the northeast corner of the building, and is recessed at an angle, creating a fold in the corner massing.
108. Each facade features a circular picture window with the internal daylighting supplemented by a large rooflight, which also adds to the sense of space inside. The single storey building measures 4.3m to parapet height, with a minor projection for the central rooflight, and results in an internal clearance height of 3.1m. The elevations are clad in timber panels with horizontal joints and the parapets are finished with a projecting metalwork trim. The picture windows have surrounds that slightly project, creating a pothole effect, with the surrounds highlighted in a contrasting metallic finish. A further feature of the building are the large fixed canopies on each of the facades, which measure 7.9m in length and project 3m from the building, providing shelter to external bench seating, as well as limiting solar gain. Lastly, the pavilion is notable for its freestanding and offset arrangement, with the building rotated in the landscape at 45 degrees to the neighbouring cottage and to Gallery Road.
109. Looking at the designs for the new gallery, the proposals are for a distinctive new building. The building is large, but has been positioned and finished to help ease its visual impacts on the conservation area. At 4.3m tall it would sit approximately 1m below the eaves height of the neighbouring cottage. However, its footprint is extensive, measuring 160sqm, which compares 93sqm of the Cottage with its proposed extension. Its single storey massing is therefore significant.
110. Its size is a direct consequence of its functions, providing sufficient and effective internal space that is comparative to similar children-focused facilities within other major museums. The new gallery is not designed for the display of artwork, with the large windows providing good outlook and daylighting and limited wall-hanging space. No plans have been provided showing any fixtures or fittings for display panels or likely configuration of free-standing panels. However, the space is intended to host a more active, arts-based programme for children that could involve elements of play, which would likely require a large, well-lit space. The additional plant room and new public toilets for the gardens are limited in size and make practical sense to provide within the same building envelope.
111. The architects have sought to reduce its sense of scale and visual impacts by siting the building 10m away from the neighbouring cottage and from Gallery Road by a similar distance, and by rotating it by 45 degrees to the cottage and roadway. Presently the building corner on allows the elevations to receded in view, reducing the sense of mass when seen close by. However, the effect diminishes when seen further away, as the broadness of the overall form becomes more apparent. Furthermore, the scale is not assisted by the large fixed canopies, which adds to

the sense of scale, making the building appear bulkier and much larger in footprint.

112. Regarding the architecture, the form is simple with the wide, flush entrance; spacious interior; attractive outlook and excellent daylighting. The elevations are engaging, notable for the folded corner entrance and large picture windows that enrich the design. The timber finish is welcome, reflecting the pavilion character and adding warmth and texture to the building, with the jointed panelling potentially offering a design detail. The contrasting metalwork canopies provide a further level of design interest, with their patinated metalwork adding positively to the material palette, albeit the canopies are distinctly large.
113. Overall, the modern design is understated, but effective, with an engaging compositional quality, whilst the material palette is attractive and durable. If the application were to be approved, the final choice of timber (incl. treatment and jointing) would need to be carefully controlled by condition to ensure the high quality and engaging design is maintained, as would the finishes for the main entrance door, picture windows (incl. surrounds and reveals) and canopies.
114. The principal concern from an urban design and heritage perspective, however, remains how the new building sits within the wider setting of the MOL, particularly given its location, size and orientation.
115. Whilst siting the building back from the main road and rotating it 45 degrees runs counter to the local townscape character of buildings fronting onto the highway and to good legibility, in this instance it has some benefit of reducing its appearance in close-by views from Gallery Road, but to a lesser extent from the main entrance on College Road and its main entrance. This is welcome to an extent in helping to ease its presence. It also supports the pavilion form, allowing it to read as an object building within a space. In this aspect, it works with the character of similar pavilions within the nearby sports grounds and Dulwich and Belair Parks, and as such can be argued as supporting local distinctiveness and architectural character. Moreover, its orientation and legibility work well once the grounds are entered, with the building arranged to align with the new pathways and provide attractive outlooks across the grounds, including of the re-landscaped meadow.

### Heritage impacts of the Children's Picture Gallery

116. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of proposals upon a conservation area and its setting and to pay "special regard to the desirability of preserving or enhancing the character or appearance of that area". Section 66 of the Act also requires the Authority to consider the impacts of a development on a listed building or its setting and to have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
117. The NPPF (2021) provides guidance on how this assessment is applied, referring in paras 199-202 to the need to give great weight to the conservation of the heritage asset, and the more important the asset, the greater the weight; evaluate the extent of harm or loss of its significance; generally refuse consent where the



harm is substantial; and, where necessary, weigh the harm against the public benefits of the scheme.

118. In terms of the setting of a heritage asset, the NPPF defines setting as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”. (NPPF, Glossary)
119. The new building sits reasonably comfortably within the Dulwich Village conservation area, which is defined by its historical road and property alignments, period buildings and village character. In this part of the conservation area, the ‘rus in urbe’ character is reflected mainly in the detached residential and educational buildings that are set behind are set within generous gardens or by the pavilion buildings set within parkland or sports fields, and by the transparent railings or picket fencing with hedge planting. In terms of the heritage asset, in instance, the setback and orientation of the building, its pavilion appearance and the surrounding existing and new landscaping (incl. perimeter railing and hedging) are sufficient to preserve the character and appearance of the local conservation area.
120. The shortcomings, however, are the building’s impacts on the heritage settings of the Grade II\* listed gallery and Grade II listed cottage, and its relationship to the wider landscape as Metropolitan Open Land.
121. The significance of the Grade II\* listed gallery is its strong architectural and historic interest of its imposing classical architecture by the renowned Sir John Soane, with its powerful external elevations and fine interiors; its value as the first purpose-built public art gallery and its influence on the design of all later galleries; its incorporation of the mausoleum and role in the development and popularity of Dulwich Village. The cottage derives its significance from its close association with Sir John Soane and with the construction and maintenance of the gallery, but also its group value with the gallery and contrasting humble appearance.
122. The immediate settings for the two listed buildings are the gallery grounds in which the buildings sit, but also the wider setting of the sports fields to the south and west, the Old College to the north, and Dulwich Park and adjacent housing to the east. The current grounds make a highly positive contribution to the setting with the attractive, soft landscaping lending a formal garden setting to the west and a semi-rural/ more arcadian character to the west, enhancing the fine classical appearance of the gallery and mausoleum. The cottage similarly benefits from the semi-rural landscape, albeit partly hidden behind the tall hedge planting. The open aspect of the nearby sports fields and generous feel to College Road add to this setting, as does the historic Grade II listed Old College.
123. It is acknowledged that the public’s experience of the gallery has changed from its historic arrangement, with the switching of the gallery entrance onto College Road and the development of the new entranceway and cloister building. However, the switch in access was prior to the listing and is of itself of historic interest, whilst the cloister and café are an attractive, sensitive development that sits within the

foreground.

124. When seen from the College Road site entrance and axial pathway, the predominance of the gallery would remain, with its generally soft landscaped foreground remaining. The background would alter, with the loss of the hedge boundaries and the greater visibility of the associated cottage, which is welcome. However, the new development would also appear to one side of the cottage, adding a new sizeable building within the wider background. Though partly obscured by an existing tree, the new building would nonetheless be visible, with its orientation resulting in the full width of the façade being evident. Importantly, its appearance to the south side of the cottage would not detract from the primary significance of the Grade II\* listed gallery in this view, with the gallery's powerful architecture remaining pre-eminent, preserving its setting in this view.
125. From Gallery Road, whilst the new building will occasionally be seen when passing along the road or when approaching the gallery along its existing or new pathways, the pavilion is generally glimpsed within the background, but experienced as being distinctly separate from the main gallery. As such, the setting of the main gallery is only marginally affected, with the significance of the Grade II\* listed building preserved.
126. That said, the development would affect how the gallery cottage is read and in particular its close association with the main gallery, impacting on its significance in terms of its group value. From the east, despite the intervening 10m, the pavilion and cottage will be read side-by-side, closer to each other than the cottage to the main gallery. The building's orientation and material finishes have sought to ease its presence, softening its appearance. However, the new building remains distinctly evident, with its large massing and prominent canopies. Amendments have also been made to the proposed cottage extension, replacing an earlier matching fixed canopy that visually linked the two buildings with a traditional canvas awning, which highlighted the difference and would only occasionally be deployed. This has helped to maintain the visual connection between the cottage and main gallery, although the proximity of the pavilion has nonetheless affecting its setting, diluting its contribution to the group value.
127. From Gallery Road, the impact is much less evident, with the new pavilion appearing partly obscured by and sufficiently beyond the cottage when approaching from the north so as not to affect the close association between the cottage and gallery. Head-on from Gallery Road, opposite the site, the traditional appearance of the two buildings and shared material finishes clearly link the historic building, with the pavilion sufficiently read as a discrete building to one side of the pair. However, when approached from the south, the perspective would initially result in the pavilion and cottage reading much closer together and more associated in terms of proximity than the cottage and gallery. The view is kinetic, with the harm experienced over a relatively short distance, as the pedestrian passes by the two buildings.
128. In terms of the impact on the settings of other heritage assets, the new building is located at a sufficient distance from other Grade II listed buildings in the wider surroundings (e.g., Old College) and obscured by intervening buildings, including

the gallery cottage and main gallery, so as not to not affect their setting. Similarly, the new building is sufficiently distant from the neighbouring Grade II registered park and gardens of Dulwich Park and Bel Air Park so as not to affect their settings.

129. Overall, whilst there is harm to the setting of the cottage and its significance in terms of group value, the harm is less than substantial and at the low end of the range.

### Boundary changes

130. The proposals include a new opening within the boundary railing onto Gallery Road, midway along the road frontage. This will provide a new pedestrian entrance to the grounds, with a new pathway linking with the existing internal pathway around the gallery building.
131. The current railings and low plinth wall are modern replacements in steel and cast concrete, with the vehicle and pedestrian gates to match. The new railings have a robust and simple design and provide a coherent and attractive boundary to the Gallery Road frontage.
132. The new opening for a new pedestrian entrance would be designed to match the present gates, comprising stone gateposts and metal gates. The entrance location is set further south towards the end of the gallery, but is not dissimilar to the historic location for the main entrance.
133. The location provides a relatively central entry point to the grounds on Gallery Road that offers good views of the west elevation of the gallery and mausoleum, and encourages public use of this part of the grounds. The entrance is welcome on design grounds, providing a legible public entrance that is easily accessible within Gallery Road. It would also not impact upon any heritage matters, maintaining a coherent appearance to the boundary and wider heritage setting. If the application were to be approved, a condition requiring the submission of details for the entrance is recommended to ensure the quality.
134. The proposals include extending the railings and low plinth wall along the full boundary onto Gallery Road; currently part of the cottage boundary and the meadow is bounded by timber fencing. This is welcome in continuing the coherent boundary design along the full extent of the site and reflecting that the meadow is part of the gallery grounds.
135. The existing entrance within the northeast corner of the site is retained mainly for back-of-house servicing. Whilst the gates and gravel surfaces are retained, the proposals include the provision of new bike storage for staff, a new bin enclosure and new hedge planting. No details of the cycle storage are provided, although it would be sat behind existing tall perimeter hedge planting, limiting any visual impact. The new bin closure is visible within the servicing area, offset to one side, comprising an 8m long timber enclosure that is open-topped, limiting its height to 2.1m. The design is typical and would generally go unnoticed if painted black or left as a softwood finish. The new hedge planting edges the service area,

obscuring it from view within the main grounds, which is welcome. Subject to conditions controlling the finish for the bin enclosure and the design details for the cycle store, the new structures would have minimal impact on the wider townscape and settings of the main gallery and neighbouring Old College, and are acceptable.

136. The K6 phone box does not appear to be statutory listed. It is nonetheless an important heritage feature on the site, given its inherent design quality and historic link, being inspired by the mausoleum's rooftop design. Its retention and relocation within the grounds, close to the new pedestrian entrance is supported, where the visual connection between the phone box and mausoleum remains evident.

### Cottage alterations and extension

137. The changes to the cottage are mainly considered under the Assessment of the works to the Listed Building section of this report which is also a material consideration in the assessment of the full planning application (23/AP/1156). However, the impacts on the heritage assets, including the conservation area are also considered below.
138. As set out under the Assessment of the works to the Listed Building, the refurbishment works are welcome, as are the removal of external clutter, including the modern trellis around the front door, and the re-opening of the original front door as a doorway. Internally, there is some loss of historic fabric and introduction of new modern partitioning, fixtures and fittings that will cause some harm to the historic fabric, although the planform would not be unduly affected. The main matters are the lining of the internal walls for improved thermal efficiency and the large extension and associated knock-through.
139. With regards to the heritage impacts on the cottage, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of proposals upon a conservation area and its setting and to pay "special regard to the desirability of preserving or enhancing the character or appearance of that area". Section 66 of the Act also requires the Authority to consider the impacts of a development on a listed building or its setting and to have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
140. In terms of the Dulwich Village conservation area, the extension would mainly be obscured from view within Gallery Road, with only its outer corners being marginally visible in oblique views. It would be slightly more visible from College Road and from outside the main entrance, although it would remain glimpsed, whilst its single storey height and transparent finish would reduce its visual impacts. The structure would become more evident on entering the public grounds and approaching the building. Nonetheless, it would continue to read as lightweight and transparent, and whilst large, would appear conservatory in character and generally in keeping with other detached residential buildings within the conservation area that have rear conservatories. Tucked against its host building, the extension would not unduly affect the openness and greenery of the

grounds and, overall, would preserve the character and appearance of the local conservation area.

### Conclusion on design and conservation issues

141. The alterations and extension to the cottage are generally well designed, albeit the scale and loss of historic fabric present a degree of harm. The harm is less than substantial and relatively modest, but important given the high-quality historic environment.
142. The provision of the new gallery building is broadly acceptable in design terms, its architecture being of high quality. Its scale and proximity to the cottage is, however, harmful to the setting of the listed cottage, detracting from its significance in terms of its contribution to group value. The harm is less than substantial although some harm exists. Despite this, the new building remains a substantial structure within Metropolitan Open Land, altering its appearance and enjoyment as open land which is inappropriate development.

### Transport and highways

#### Cycle parking

143. Southwark Plan P53 (Cycling) requires F1 use classes to provide 1 cycle space per 8 staff with a minimum of 2 spaces and 10 spaces per 100sqm with a minimum of 2 spaces for visitors.
144. The new proposals would result in a need for 4 additional staff members and therefore the provision of 8 cycle spaces (in the form of 4 Sheffield stands) for staff located alongside the vehicle entrance is acceptable. If planning permission were to be granted, a condition is recommended to ensure compliance with the submitted details.
145. 22 visitor cycle spaces are to be provided as Sheffield stands alongside the new pedestrian entrance on Gallery Road. This is compliant with the Southwark Plan requirements set out in P53.

#### Car parking and impact on highway

146. The proposal does not include any new car parking spaces and retains the existing two wheelchair accessible spaces. The car free nature of the proposal is acceptable and in line with the Southwark Plan's aims to 'grow sustainably without adverse environmental impacts and carbon emissions through car free development'.
147. A trip generation exercise was completed. The figures in the submitted trip generation are extremely low considering the new offer proposed on site. However, Southwark's Transport Team have reviewed this and concluded that we do not expect the trips generated would be significant or cause a severe impact.

## Servicing and deliveries

148. A Delivery and Servicing Management Plan (prepared by YES Engineering Group Ltd; Dated April 2023) was submitted and outlines that servicing and deliveries would be carried out from a dedicated service bay via the existing vehicle entrance of the site on Gallery Road. This is an improvement to the existing arrangement where servicing currently takes place on street on Gallery Road.
149. A Construction Management Plan (prepared by YES Engineering Group Ltd; dated April 2023) was submitted. The Council's Network Management Team have reviewed this document requested additional information relating to vehicle access and deliveries. They also stated that deliveries would need to be held outside of school drop off and pick up times given the close proximity to schools. Officers acknowledge that the CMP was prepared without having a contractor appointed and therefore specific details are not yet possible. Therefore, if this application were to be approved further details would be requested via a pre-commencement condition.

## Refuse and waste storage

150. A new bin enclosure is proposed alongside the existing vehicle access. The proposed refuse/recycling arrangements accord to adopted policy. If planning permission were to be granted, details of materials would be required.

## Landscaping and trees

151. An Arboricultural Impact Assessment (AIA) (prepared by Landmark Trees; dated 21 April 2023) was provided and assessed 59 trees on or in close proximity to the site. Of the 59 trees assessed, 3 were classed as of extremely high amenity value (Category A), 20 Category B trees were noted along with 32 Category C trees and another 4 trees were in a state of decline (Category U). The proposal requires the loss of 18 trees to facilitate development including 5 Category B trees. The range of trees being removed include Beech, Oak, Sweet Gum, Willow, Alder, Lime and Horse Chestnut.
152. The proposals include the planting of 126 new small trees (*sorbus torminalis*), 4 Oak Trees and 1 Elm New Horizon tree. Due to the density of the proposed trees this has been classified as woodland. The proposed woodland planting is considered to provide the same ecological functionality as the individual trees which are being lost therefore the tree replacement strategy is considered acceptable.
153. Other landscaping features include the planting of 95m of hedges, 135sqm of shrubbery and 2,030sqm of wildflower perennials. This is considered acceptable and will assist in achieving a Biodiversity Net Gain (BNG) on the site.
154. As part of the proposed Lovington Meadow to the south of the site a series of concealed boreholes for a ground source heat network to reduce the energy demand of the site will be installed. The siting of the vertical heat pump boreholes

and associated infrastructure including cables and recovery units would need to be detailed in a condition if the application were to be approved and include an Arboricultural Method Statement to ensure that the heat pump is not routed through any root protection areas of the trees.

155. Overall, the landscaping proposals are broadly supported but further details would be required via condition if the application were to be approved.

### **Ecology and biodiversity**

156. Southwark Plan P60 (Biodiversity) requires development to achieve a Biodiversity Net Gain (BNG). A Biodiversity Net Gain Assessment (prepared by Lizard Landscape, Design and Ecology dated 20/04/2023) has been provided. The proposal would provide a 17.06% BNG across the site demonstrating a clear net gain in biodiversity.
157. An Ecological Impact Assessment (prepared by Lizard Landscape, Design and Ecology dated 05/04/2023) was provided. The report noted that bat droppings were found in the cottage roof void. Because of this, the cottage roof void is considered a bat roost. However, works are not proposed to the roof of the cottage and therefore it is considered that there will be no significant impacts to bats as a result of the proposal.
158. Throughout the assessment of the application, the applicant withdrew proposals for external lighting in the Gallery Gardens after officers objected to the proposal without further bat activity surveys taking place to ensure there was no harm to the bat roost. If the applicant were to consider lighting in the future, a bat activity assessment must be carried out and submitted with any future application.

### **Impacts on neighbouring amenity**

159. The nearest residential properties are located to the south and south-east of the site along College Gardens.
160. Given the distance between the proposals and the nearest residential properties (approx. 20m to the Meadow and over 50m to the proposed Children's Gallery), none of the proposals that form part of this application would result in a loss of privacy, overlooking, loss of daylight or sunlight or create an overbearing sense of enclosure.
161. A Noise Impact Assessment (prepared by Savills; dated 14/04/2023) was submitted to assess any potential noise impacts on neighbouring properties. The report concluded that the development would result in low-level noise impacts. The Environmental Protection Team (EPT) reviewed the report and did not raise any concerns although suggested an hours of use condition if the application were to be approved to protect the amenity of neighbours.

## **Sustainability and environmental issues**

### Energy

162. As the proposal is a minor development, a full energy strategy is not required. Notwithstanding this, the proposals include a Ground Source Heat Pump (GSHP) that will improve the energy consumption on site. In addition, the Children's Picture Gallery includes features such as PV panels and mechanical ventilation. The Listed Cottage will benefit from underfloor heating and fabric upgrades such as insulation. The proposals are in line with the aims set out in Southwark Plan P70 (Energy) to minimise carbon emissions.

### Air Quality

163. The site is located in an Air Quality Management Area. An Air Quality Neutral Assessment (prepared by Redmore Environmental; dated 5<sup>th</sup> April 2023) has been submitted as part of the application. The report concludes that the Ground Source Heat Pump (GSHP) will not produce emissions and the development does not increase the level of car parking on site which will also not be generate any additional emissions. The Council's Environmental Protection Team (EPT) have reviewed the assessment and are satisfied that the proposal is air quality neutral.

### Flood Risk

164. The site is in a Critical Drainage Area. A Flood Risk Assessment was not required as the application is minor development. There is considered to be a minimal risk of flooding, the proposal does not include any sensitive uses such a residential and no concerns are raised at this stage.
165. A new Sustainable Urban Drainage Systems (SuDS) is to be used to improve the drainage on the site, particularly around the Café Quad, to improve the existing drainage on the site.

### **Fire safety**

166. Policy D12 (A) of the London Plan (2021) requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
167. 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.
168. A Fire Statement (prepared by Pyrotec Fire Protection Ltd.; dated 20/04/2023) has been provided for this proposal. The statement covers matters required by planning policy including details of evacuation, access for firefighting personnel



and details of construction methods and fire resistant materials. This is in no way a professional technical assessment of the fire risks presented by the development.

### **Mayoral and borough community infrastructure levy (CIL)**

169. 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. In this instance, the development does not constitute CIL liable development.
170. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the GIA measurements obtained from the proposed floor plans, the gross amount of CIL is £10,391.82 (pre-relief). CIL charitable relief can be claimed, subject to the charity landowner meeting all eligibility criteria and CIL Form 10 (Charitable Exemption Claim Form) being submitted on time. The resulting CIL is estimated to be £0.00 (net of relief). It should be noted that this is an estimate, floor areas will be checked when related CIL Assumption of Liability and Relief Claim Form 10 are submitted, after planning approval has been secured.
171. CIL Form 2 (Assumption of Liability) and CIL Form 10 must be submitted to the collecting authority after planning approval has been granted. If the development commences before the collecting authority has notified the claimant of its decision on the claim, the relief would be cancelled and the liability to the levy would be recalculated

### **Consultation responses from external and statutory consultees**

172. Historic England (HE):
- Historic England was consulted at the pre-application stage and was broadly supportive of the proposals.
  - HE do not think that the proposals would harm the significance of the gallery and any harm arising from the conversion of the cottage would be modest. HE welcome the positive changes that would be made to the setting of the listed buildings; the scheme should contribute to the ongoing conservation and enjoyment of the place.
  - HE supports the applications on heritage grounds.

#### **Officer comments:**

Throughout the assessment of this planning application, officers sought clarity from HE regarding what they considered to be 'any harm' to the Cottage and what are the 'positive changes' to the setting of the listed building.

HE stated that the works to the Cottage were not technically referable to HE hence the reason the consultation response was light touch.

HE stated that the works cause 'some harm' however given alterations had already taken place in the past any further harm would be 'low level and could be justified if it is considered to be outweighed by the public benefits'. With regards to the improvements to the setting of the listed building, suggestions included 'the upgraded boundary treatment to Gallery Road, and the new visitor entrance (although the bike storage could be more discretely located), consolidated bin storage, removal of the fences and hardstanding next to the cottage'.

### **Consultation responses from internal consultees**

#### 173. Ecology

- Ecological assessment notes bat droppings in the cottage roof void and notes that some of the trees have moderate potential for bat roosting
- Bat conservation trust recommends additional surveys if there is moderate potential of bats roosting. The presence of bat droppings suggests there is potential of a bat roost being present.
- Advise deferring this application until a bat activity survey is submitted
- BNG acceptable

Officer comments:

After discussing with the ecologist, it was understood that works were not proposed to roof of the cottage where the bats were found. Subject to the applicant withdrawing their lighting proposals, which would have had an impact on the bats, the ecologist has dropped his objection and asked the applicant to note that if they were to propose lighting in the future a bat activity survey must be carried out.

#### 174. Urban Forester

- Broadly supportive of landscaping proposals but would require multiple conditions if approved

Officer comments:

Landscaping comments are provided in detail under the relevant section of the report and conditions would be included in consultation with the Urban Forester if the application were to be approved

#### 175. Transport

- Cycle parking is not compliant with the Southwark Plan
- Car parking acceptable
- No new vehicle crossovers will be permitted
- Refuse/recycling acceptable
- CEMP and DSMP – no comments
- A Minor Section 278 and/or Section 184 agreements may need to be entered into to manage any footway resurfacing or replacement required once works for the proposed development are complete.
- Pedestrian sightlines of 1.5m x 1.5m are required either side of the opening in the boundary on Gallery Road, not within the opening, with no features higher than 0.6m within this area. Due to the intensification of use at the sight, visibility splays must be shown on an updated plan for review.
- No need for a Travel Plan as the additional trips generated are limited

Officer comments:

All comments are addressed under the relevant sections of the report. With regards to the pedestrian sightlines, there will be no intensification of use at the vehicle crossover as the new pedestrian access will decrease the use of this access by pedestrians therefore there is not considered to be a need for pedestrian sightlines. With regards to s278 works, if the application were to be approved a condition would be included requiring the applicant to repair the footway if any damages occurred as a result of the construction

176. Environmental Protection Team (EPT)

- Acoustic report satisfactory subject to condition regarding hours of use
- Air quality neutral assessment satisfactory
- Land contamination details requested if contamination found during construction

Officer comments:

Relevant conditions would be included if the application were to be approved

177. Design and Conservation

- Given the harmful impact on the MOL and presently on the significance of the cottage and its setting, an objection is raised on design grounds.
- Comments are detailed under the relevant section of the report

178. Network Management

- Southwark's CMP Pro Forma should be completed
- Deliveries should be held outside school drop off and pick up times, generally between 0800 - 0930 and 1500 – 1630 and consultation regarding the construction management should be carried out with nearby schools
- Details of access and deliveries throughout construction needs to be provided

Officer comment:

If the application were to be approved, an updated CMP would be sought via a pre-commencement condition

179. Waste Management

- No comments

### **Community impact and equalities assessment**

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

181. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

182. 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.
183. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

184. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
185. This application has the legitimate aim of providing new spaces related to the gallery and making improvements to the landscaping and entrance to the site. 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**

186. 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.

187. 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 core strategy 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?	Some advice followed, but provision of a new building on MOL was highlighted as a concern
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**

188. In conclusion, many elements of the proposal are acceptable in principle. However, the provision of the Children' Picture Gallery remains unacceptable and contrary to the NPPF, Policy G4 (Open Space) of the London Plan 2021 and Policy P57 (Open Space) of the Southwark Plan 2022. The proposed 'very special circumstances' do not outweigh the harm to the MOL and loss of open space. For this reason, it is recommended that the full planning application (23/AP/1156) is refused.
189. The proposal to the listed building is acceptable and the harm is outweighed by the public benefits of refurbishing the Cottage and increasing its use. It is recommended that Listed Building Consent is granted for 23/AP/1157.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Application file 23/AP/1156 & 23/AP/1157 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 0991 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policies
Appendix 3	Relevant planning history
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Ciara Lester, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	20 June 2023	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director, Finance	No	No
Strategic Director, Environment, Neighbourhoods and Growth	No	No
Strategic Director, Housing	No	No
<b>Date final report sent to Constitutional Team</b>		5 July 2023

**APPENDIX 1****1<sup>st</sup> Recommendation – Planning Permission 23/AP/1156**

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.

---

<b>Applicant</b>	Dulwich Picture Gallery	<b>Reg. Number</b>	23/AP/1156
<b>Application Type</b>	Minor application	<b>Case Number</b>	2083-C
<b>Recommendation</b>	Refuse		

**Draft of Decision Notice****Planning permission is REFUSED for the following development:**

Erection of a new building to house a Children's Picture Gallery, erection of a single storey extension to the Gallery Cottage, closure of an existing access and creation of a new access point from Gallery Road with associated landscaping, bin storage and bicycle storage and installation of a ground source heat pump. (associated LBC ref: 23/AP/1157)

Dulwich Picture Gallery, Gallery Road, London Southwark

**In accordance with application received on 24 April 2023 and Applicant's Drawing Nos.:**

Plans - Existing 333-CGA-04-XX-DR-A-06350-Existing Gallery Cottage Elevations B received 08/06/2023

Plans - Existing 333-CGA-04-XX-DR-A-02150-Existing Gallery Cottage Plans B received 08/06/2023

Plans - Existing 333-CGA-04-RF-DR-A-02151-Existing Gallery Cottage Roof Plan B received 08/06/2023

Plans - Existing 333-CGA-02-00-DR-A-02150-Existing Storage & Refuse Plan B received 08/06/2023

Plans - Existing 333-CGA-00-00-DR-A-02152-Existing Gallery Road Entrance C received 08/06/2023

Elevations - Existing 333-CGA-00-00-DR-A-02151-Existing Gallery Road Elevation C received 08/06/2023

Plans - Existing 333-CGA-00-00-DR-A-02150-Existing Site Plan C received 08/06/2023

Plans - Proposed 333-CGA-04-XX-DR-A-06350-Proposed Gallery Cottage Elevations D received 08/06/2023

Elevations - Proposed 333-CGA-04-XX-DR-A-00150-Gallery Cottage Demolition Plans C received 08/06/2023

Plans - Proposed 333-CGA-04-RF-DR-A-06152-Proposed Gallery Cottage Roof Plan C received 08/06/2023

Plans - Proposed 333-CGA-04-01-DR-A-06151-Proposed Gallery Cottage First Floor Plan D received 08/06/2023

Plans - Proposed 333-CGA-04-00-DR-A-06150-Proposed Gallery Cottage Ground Floor Plan D received 08/06/2023

Plans - Proposed 333-CGA-03-RF-DR-A-06152-Proposed Children's Picture Gallery Roof Plan C received 08/06/2023

Elevations - Proposed 333-CGA-03-00-DR-A-06351-Proposed Children's Picture Gallery North East & North West Elevations C received 08/06/2023

Elevations - Proposed 333-CGA-03-00-DR-A-06350-Proposed Children's Picture Gallery South West & South East Elevations C received 08/06/2023

Plans - Proposed 333-CGA-03-00-DR-A-06150-Proposed Children's Picture Gallery GA Plan C received 08/06/2023

Plans - Proposed 333-CGA-02-00-DR-A-06150-Proposed Storage & Refuse Plan C received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06154-Proposed Gallery Road Elevation B received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06153-Proposed Lovington Meadow Plan C received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06152-Proposed Gallery Road Entrance D received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06151-Proposed Site Plan D received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-00150-Site Demolition Plan C received 08/06/2023

Sections 333-CGA-04-XX-DR-A-06250-Proposed Gallery Cottage Sections D received 08/06/2023

Sections 333-CGA-04-XX-DR-A-06250-Existing Gallery Cottage Sections B received 08/06/2023

Sections 333-CGA-03-00-DR-A-06250-Proposed Children's Picture Gallery Sections C received 08/06/2023

Site location plan 333-CGA-00-00-DR-A-02153-Location Plan B received 08/06/2023

For the reasons outlined in the case officer's report, which is available on the Planning Register. The Planning Register can be viewed at:  
<https://planning.southwark.gov.uk/onlineapplications/>

### **Reasons for Refusal**

1. The proposed Children's Picture Gallery constitutes inappropriate development on the application site which is designated as Metropolitan Open Land (MOL). It would detract from the openness of the MOL and would result in the permanent loss of the MOL. The proposal is therefore contrary to the National Planning Policy Framework (NPPF) 2021, Policy G4 (Open space) of the London Plan 2021 and Policy P57 (Open space) of the Southwark Plan 2022.



## Important Notes Relating to the Council's Decision

### 1. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development 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 you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. 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](mailto: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-byinquiries>).

### 2. 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.

### **3. Compensation**

- In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.

## 2nd Recommendation – Listed Building Consent 23/AP/1157

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.

---

<b>Applicant</b>	Dulwich Picture Gallery	<b>Reg. Number</b>	23/AP/1157
<b>Application Type</b>	Listed Building Consent	<b>Case Number</b>	2154-78
<b>Recommendation</b>	GRANT consent		

### Draft of Decision Notice

#### Listed Building Consent is GRANTED for the following development:

Listed Building Consent for the erection of a new building to house a Children's Picture Gallery, erection of a single storey extension to the Gallery Cottage, closure of an existing access and creation of a new access point from Gallery Road with associated landscaping, bin storage and bicycle storage and installation of a ground source heat pump.

Dulwich Picture Gallery, Gallery Road, London Southwark

#### In accordance with application received on 24 April 2023 and Applicant's Drawing Nos.:

Plans - Existing 333-CGA-04-XX-DR-A-06350-Existing Gallery Cottage Elevations B received 08/06/2023

Plans - Existing 333-CGA-04-XX-DR-A-02150-Existing Gallery Cottage Plans B received 08/06/2023

Plans - Existing 333-CGA-04-RF-DR-A-02151-Existing Gallery Cottage Roof Plan B received 08/06/2023

Plans - Existing 333-CGA-02-00-DR-A-02150-Existing Storage & Refuse Plan B received 08/06/2023

Plans - Existing 333-CGA-00-00-DR-A-02152-Existing Gallery Road Entrance C received 08/06/2023

Elevations - Existing 333-CGA-00-00-DR-A-02151-Existing Gallery Road Elevation C received 08/06/2023

Plans - Existing 333-CGA-00-00-DR-A-02150-Existing Site Plan C received 08/06/2023

Plans - Proposed 333-CGA-04-XX-DR-A-06350-Proposed Gallery Cottage Elevations D received 08/06/2023

Elevations - Proposed 333-CGA-04-XX-DR-A-00150-Gallery Cottage Demolition Plans C received 08/06/2023

Plans - Proposed 333-CGA-04-RF-DR-A-06152-Proposed Gallery Cottage Roof Plan C received 08/06/2023

Plans - Proposed 333-CGA-04-01-DR-A-06151-Proposed Gallery Cottage First Floor Plan D received 08/06/2023

Plans - Proposed 333-CGA-04-00-DR-A-06150-Proposed Gallery Cottage Ground Floor Plan D received 08/06/2023

Plans - Proposed 333-CGA-03-RF-DR-A-06152-Proposed Children's Picture Gallery Roof Plan C received 08/06/2023

Elevations - Proposed 333-CGA-03-00-DR-A-06351-Proposed Children's Picture Gallery North East & North West Elevations C received 08/06/2023

Elevations - Proposed 333-CGA-03-00-DR-A-06350-Proposed Children's Picture Gallery South West & South East Elevations C received 08/06/2023

Plans - Proposed 333-CGA-03-00-DR-A-06150-Proposed Children's Picture Gallery GA Plan C received 08/06/2023

Plans - Proposed 333-CGA-02-00-DR-A-06150-Proposed Storage & Refuse Plan C received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06154-Proposed Gallery Road Elevation B received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06153-Proposed Lovington Meadow Plan C received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06152-Proposed Gallery Road Entrance D received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-06151-Proposed Site Plan D received 08/06/2023

Plans - Proposed 333-CGA-00-00-DR-A-00150-Site Demolition Plan C received 08/06/2023

Sections 333-CGA-04-XX-DR-A-06250-Proposed Gallery Cottage Sections D received 08/06/2023

Sections 333-CGA-04-XX-DR-A-06250-Existing Gallery Cottage Sections B received 08/06/2023

Sections 333-CGA-03-00-DR-A-06250-Proposed Children's Picture Gallery Sections C received 08/06/2023

Site location plan 333-CGA-00-00-DR-A-02153-Location Plan B received 08/06/2023

### **Time limit for implementing this permission and the**

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

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

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

2. SCHEDULE OF CONDITION AND SCHEDULE OF WORKS

Prior to commencement of works, the applicant shall submit a Schedule of Condition of existing windows/ doors and Schedule of Works for their repair to the Local Planning Authority for approval in writing. All existing doors, windows, shutter boxes and window cases, are to be retained, repaired and refurbished. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building, in accordance with: Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); Policy P19 (Listed buildings and structures), Policy P20 (Conservation areas) and Policy P21 (Conservation of the historic environment and natural heritage) of the Southwark Plan (2022).

**Permission is subject to the following Above Grade Condition(s)**

3. The following samples for the extension shall be made available on site for inspection by the Local Planning Authority, and approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given

i) metal cladding

ii) timberwork for fenestration, external door, upstands and fascia, including any painted finishes

iii) awning material, including colour finish

iv) floor finishes (including hallway and ground floor ancillary rooms within the cottage)

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P21 Conservation of the historic environment and natural heritage, P20 Conservation areas, P19 Listed

buildings and structures, P13: Design of places; P14: Design quality and P15: Residential design of the Southwark Plan (2022).

4. Shop drawings (scale 1:1, 1:2, 1:5) for the following shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given:
- i) all new fenestration and doors for the extension
  - ii) all new awning structures (including guides /tracks, arms, storage box and any fascia cover).

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P21 Conservation of the historic environment and natural heritage, P20 Conservation areas, P19 Listed buildings and structures, P13: Design of places and P14: Design quality of the Southwark Plan (2022).

5. Shop drawings (scale 1:1, 1:2, 1:5) for all new fixed furniture (including benches) within main ground floor room of the cottage and within its extension showing fixing details, shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P21 Conservation of the historic environment and natural heritage, P20 Conservation areas, P19 Listed buildings and structures, P13: Design of places and P14: Design quality of the Southwark Plan (2022).

6. Prior to commencement of thermal upgrading works on site, a Method Statement(s) and Schedule of Works for the installation and operation of moisture/water vapour monitoring equipment within the cottage, including monitoring within the walls and roof spaces, shall be submitted to the Local Planning Authority for approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC 1 (Heritage conservation and growth) of the London Plan (2021); Policy P19 (Listed buildings and structures), Policy P20 (Conservation areas) and Policy P21 (Conservation of the historic environment and natural heritage) of the Southwark Plan (2022).

**Permission is subject to the following Compliance Condition(s)**

**7. MATERIALS TO MATCH EXISTING**

All new internal/external works and finishes and works of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent.

**Reason:**

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) and Policy HC1 (Heritage conservation and growth) of the London Plan (2021) and Policies P13 (Design of places), P14 (Design quality) and P19 (Listed buildings and structures) of the Southwark Local Plan 2022

**8. SPECIFICATION OF RAINWATER GOODS AND PIPEWORK**

All repairs to rainwater goods and new pipework runs are to be in cast iron and to match existing historic profiles and details. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building unless approved by this Local Planning Authority in writing before commencement of the works on site.

**Reason:**

In order to ensure that the materials and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policies D4 (Delivering good design) and HC1 (Heritage conservation and growth) of the London Plan (2021); Policy P19 (Listed buildings and structures) and Policy P20 (Conservation areas) of the Southwark Plan (2022).

## Informatives

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.



## Relevant planning policies

### National Planning Policy Framework (the Framework) 2021

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.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 7 Ensuring the vitality of town centres
- Chapter 8 Promoting healthy and safe communities
- 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

### 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:

- Policy SD6 Town centres and high streets
- Policy D12 Fire safety
- Policy S1 Developing London's social infrastructure
- Policy S4 Play and informal recreation
- Policy S5 Sports and recreation facilities
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.5 Non-residential disabled persons parking

- Policy T7 Deliveries, servicing and construction

### **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:

- P13 Design of places
- P14 Design quality
- P19 Listed buildings and structures
- P20 Conservation areas
- P21 Conservation of the historic environment and natural heritage
- P35 Town and local centres
- P46 Leisure, arts and culture
- P47 Community uses
- P53 Cycling
- P54 Car Parking
- P55 Parking standards for disabled people and the physically impaired
- P56 Protection of amenity
- P57 Open space
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees

### Relevant planning history

Reference and Proposal	Status
<p><b>18/AP/3490</b> Construction of a temporary pavilion building for summer period up to the end of September 2019 to provide ancillary exhibition and gallery facilities comprising an accessible, raised gantry walkway at approximately 2.1m high within a timber cube structure measuring approximately 10m high, 11m wide and 11m deep, to be accessible during standard gallery opening hours (09:00 - 18:00) and for occasional events up to 22:00.</p>	<p>Granted 31/01/2019</p>
<p><b>19/AP/5360</b> Extension of the time on-site from removal by 15th October to removal by 2nd November, removal to commence 21 October of planning permission 18/AP/3490 - Construction of a temporary pavilion building for summer period up to the end of September 2019 to provide ancillary exhibition and gallery facilities comprising of an accessible, raised gantry walkway at approximately 2.1m high within a timber cube structure measuring approximately 10m high, 11m wide and 11m deep, to be accessible during standard gallery opening hours (09:00 - 18:00) and for occasional events up to 22:00.</p>	<p>Agreed 26/09/2019</p>
<p><b>18/AP/1569</b> Relocate 1.3m wide tarmac footpath in the grounds next to Dulwich Picture Gallery due to intrusion on roots of a 43 year old Wellingtonia tree.</p>	<p>Granted 04/07/2018</p>
<p><b>17/AP/2003</b> Non-Material amendment to planning permission 17AP0624 granted 25/05/2017(Construction of a detached single storey temporary pavilion building.) Addition of decked terrace to south of pavilion, to extend seating area.</p>	<p>Agreed 15/06/2017</p>
<p><b>17/AP/0624</b> Construction of a detached single storey temporary pavilion building.</p>	<p>Granted 26/04/2017</p>
<p><b>16/AP/3395</b> External alterations to allow level wheelchair access through the main entrance. General and associated landscaping works affecting hardstanding, pathways and soft landscaping. Internal alterations comprise replacement kitchen and bathroom, relocation of an internal door, alterations to openings, removal of a partition and installation of a replacement floor to the south wing.</p>	<p>Granted 05/10/2016</p>
<p><b>10/AP/3204</b> Changes to existing external approach to the main entrance to provide step free access for disabled visitors and staff. Internal modifications to entrance lobby to improve accessibility for visitors coat and bag storage.</p>	<p>GRANTED- Minor Application 14/01/2011</p>

<b>97/AP/0063</b> New single storey extension & cloister link to existing building ancillary to art gallery inc. cafe/w.c/lecture room etc; new vehicle access:(REVISED APPLICATION with no car parking area).	Granted 22/10/1997
---	-----------------------

## Consultation undertaken

**Site notice date:** 29/04/2023

**Press notice date:** 27/04/2023

**Case officer site visit date:** 05/12/2022 (site visit held during first pre-app 22/EQ/0245)

**Neighbour consultation letters sent:** 27/04/2023

### Internal services consulted

Design and Conservation Team [Formal]  
 Transport Policy  
 Urban Forester  
 Ecology  
 Waste Management  
 Community Infrastructure Levy Team  
 Environmental Protection

### Statutory and non-statutory organisations

Dulwich Society  
 Historic England  
 Georgian Society (consulted on 23/AP/1157 only)

### Neighbour and local groups consulted:

Flat 4 Edward Alleyn House College Road	Flat 8 Edward Alleyn House College Road
7 College Gardens London Southwark	Flat 2 Edward Alleyn House College Road
12 College Gardens London Southwark	Flat 14 Edward Alleyn House College Road
Flat 16 Edward Alleyn House College Road	Flat 12 Edward Alleyn House College Road
20 College Gardens London Southwark	18 College Gardens London Southwark
14 College Gardens London Southwark	1 College Gardens London Southwark
Flat 5 Edward Alleyn House College Road	The Old College 16 Gallery Road London
21 College Gardens London Southwark	The Lodge Old College Gate College Road
17 College Gardens London Southwark	12 Gallery Road London Southwark
Park Rangers Office Dulwich Park College Road	13 College Gardens London Southwark
10 Gallery Road London Southwark	7 College Road London Southwark
17 College Road London Southwark	21 College Road London Southwark
9 College Gardens London Southwark	19 College Road London Southwark
6 College Gardens London Southwark	15 College Road London Southwark
3 College Gardens London Southwark	13 College Road London Southwark
Flat 1 Edward Alleyn House College Road	

11 College Road London Southwark  
8 College Gardens London Southwark  
5 College Gardens London Southwark  
4 College Gardens London Southwark  
22 College Gardens London Southwark  
2 College Gardens London Southwark  
19 College Gardens London Southwark  
15 College Gardens London Southwark  
11 College Gardens London Southwark  
10 College Gardens London Southwark  
Flat 9 Edward Alleyn House College  
Road  
The Wardens Flat The Old College 16  
Gallery Road  
Flat 7 Edward Alleyn House College  
Road  
Cloisters Flat 16A Gallery Road London  
16 College Gardens London Southwark  
Flat 6 Edward Alleyn House College  
Road  
Flat 3 Edward Alleyn House College  
Road  
Flat 15 Edward Alleyn House College  
Road  
Flat 13 Edward Alleyn House College  
Road  
Flat 11 Edward Alleyn House College  
Road  
Flat 10 Edward Alleyn House College  
Road  
16A Gallery Road London Southwark  
23 College Road London Southwark

## Consultation responses received

### Internal services

Transport Policy  
 Urban Forester  
 Ecology  
 Community Infrastructure Levy Team  
 Environmental Protection  
 Design and Conservation

### Statutory and non-statutory organisations

Dulwich Society  
 Historic England

### Neighbour and local groups consulted:

Dulwich Society  
 Conservation Area Advisory Group (CAAG)  
 113 Woodwarde Road Dulwich London  
 31 Marsden Road London SE15 4EE  
 38 Therapia Road London SE22 0SE  
 51 Chivalry Road London Sw111HX  
 18A Waring Drive Orpington BR66DW  
 3 Rushmead Close Croydon CR0 5JG  
 40 THERAPIA ROAD LONDON SE22 0SE  
 17 College Gardens London SE21 7BE  
 26-34 Rothschild street London Se27 0HQ  
 69 Crystal Palace Road London SE22 9EY  
 33 St James Square London SW1Y 4JS  
 38 Therapia Road London SE22 0SE  
 Flat 4 Paxton House London  
 50 Ruskin Walk LONDON SE24 9LZ  
 8 Dulwich Village London SE21 7AL  
 15 Burbage Road London SE24 9HJ  
 135 Kennington Road London SE11 6SF  
 Horniman Museum and Gardens London SE23 3PQ  
 4 Gilkes Crescent Dulwich SE21 7BS  
 16 College Gdns London SE21 7BE  
 16 Rouse Gardens Alleyn Park London  
 133 clive road london se21 8df  
 Elm Lawn Dulwich Common London  
 Studio 1.09 St Johns school, Larcom Street London  
 53 College Road London SE21 7LF  
 28 Ruskin Walk London SE24 9LZ  
 The Grange Grange Lane London  
 James Allen's Girls' School 144 East Dulwich Grove London  
 53 College Road Dulwich London  
 238 Crystal Palace Road London SE22 9JQ36 Lancaster Avenue London SE27 9DZ

**OPEN**

**MUNICIPAL YEAR 2023-24**

**COMMITTEE: PLANNING COMMITTEE (MAJOR APPLICATIONS) A**

**NOTE:** Original held in Constitutional Team; all amendments/queries to Gerald Gohler, Constitutional Team, Tel: 020 7525 7420

**OPEN**

<b>COPIES</b>		<b>COPIES</b>	
<b>MEMBERS</b>		<b>PLANNING TEAM</b>	
Councillor Richard Livingstone (Chair)	1	Colin Wilson / Stephen Platts	1
Councillor Kath Whittam (Vice-Chair)	1		
Councillor Sam Dalton	1		
Councillor Sarah King	1		
Councillor Reginald Popoola	1		
Councillor Cleo Soanes	1		
<b>Electronic Copies (No paper)</b>		<b>COMMUNICATIONS TEAM (Electronic)</b>	
Councillor Nick Johnson		Louise Neilan	
Councillor John Batteson (reserve)			
Councillor Ellie Cumbo (reserve)		<b>LEGAL TEAM</b>	
Councillor Sam Foster (reserve)		Nagla Stevens	1
Councillor Jon Hartley (reserve)			
Councillor Portia Mwangangye (reserve)		<b>CONSTITUTIONAL TEAM</b>	
Councillor Margy Newens (reserve)		Gerald Gohler	3
Councillor Emily Tester (reserve)			
<b>MEMBER OF PARLIAMENT (Electronic)</b>		<b>TOTAL PRINT RUN</b>	11
Helen Hayes MP, House of Commons, London, SW1A 0AA			
		List Updated: 6 July 2023	