

# Planning Committee (Major Applications) B

Tuesday 12 December 2023

6.30 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

## Membership

Councillor Richard Livingstone (Chair)  
Councillor Kath Whittam (Vice-Chair)  
Councillor Ellie Cumbo  
Councillor Sam Foster  
Councillor Jon Hartley  
Councillor Portia Mwangangye  
Councillor Emily Tester

## Reserves

Councillor Cassandra Brown  
Councillor Sam Dalton  
Councillor Barrie Hargrove  
Councillor Nick Johnson  
Councillor Sarah King  
Councillor Reginald Popoola  
Councillor Cleo Soanes

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## INFORMATION FOR MEMBERS OF THE PUBLIC

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### 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.

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### Contact

Gregory Weaver on 020 7525 3667 or email: [greg.weaver@southwark.gov.uk](mailto:greg.weaver@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 4 December 2023



# Planning Committee (Major Applications) B

Tuesday 12 December 2023

6.30 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
<b>PART A - OPEN BUSINESS</b>		
<b>1.</b>	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
<b>2.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
<b>3.</b>	<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.	
<b>4.</b>	<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.	
<b>5.</b>	<b>MINUTES</b>	1 - 5
	To approve as a correct record the minutes of the meeting held on the 7 <sup>th</sup> November 2023.	
<b>6.</b>	<b>DEVELOPMENT MANAGEMENT</b>	6 - 10

Item No.	Title	Page No.
6.1.	23/AP/1862 747-759 & 765-775 OLD KENT ROAD AND LAND AT DEVONSHIRE GROVE, LONDON, SE15 1NZ	11 - 337
6.2.	22/AP/4006 38-42 SOUTHWARK BRIDGE ROAD	338 - 433

**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.”

**PART B - CLOSED BUSINESS**

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

Date: 4 December 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**.

- |   |
|---|
| <ol style="list-style-type: none"><li>(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.</li><li>(b) The applicant or applicant's agent.</li><li>(c) One representative for any supporters (who live within 100 metres of the development site).</li><li>(d) Ward councillor (spokesperson) from where the proposal is located.</li><li>(e) The members of the committee will then debate the application and consider the recommendation.</li></ol> |
|---|

**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 3667



## Planning Committee (Major Applications) B

MINUTES of the OPEN section of the Planning Committee (Major Applications) B held on Tuesday 7 November 2023 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Richard Livingstone (Chair)  
 Councillor Kath Whittam  
 Councillor Ellie Cumbo  
 Councillor Sam Foster  
 Councillor Portia Mwangangye  
 Councillor Emily Tester

**OTHER MEMBERS PRESENT:** Councillor Irene Von Weise

**OFFICER SUPPORT:** Colin Wilson, (Head of Strategic Development)  
 Dipesh Patel, (Manager Strategic Applications)  
 Nagla Stevens, (Deputy Head of Law)  
 Patrick Cronin, (Planning Officer)  
 Neil Loubser, (Team Leader)  
 Gregory Weaver, (Constitutional Officer)

### 1. APOLOGIES

Apologies were received from Councillor Emily Tester and Councillor Jon Hartley.

### 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.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

#### 5. MINUTES

The minutes of the meeting held on the 13<sup>th</sup> September 2023 was agreed as a correct record.

#### 6. RELEASE OF £393,387.10 FROM S106 AGREEMENTS TOWARDS IMPROVING VICTORY COMMUNITY PARK

Report: see pages 8 to 67 of the main agenda pack.

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

Members put questions to officers.

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

#### RESOLVED:

1. That the Planning Committee (Major Applications) B approve the release of £393,387.10 of Section 106 funding secured in connection with Elephant Park (set out in more detail below) towards improving the Victory Community Park.

Reference	Account No	Type	Address	Amount
12/AP/1092  Outline application for: Redevelopment to provide a mixed-use development comprising a number of buildings ranging between 13.13m and 104.8m in height with capacity for between 2,300 (min) and 2,469 (max) residential units together with retail (Class A1-A5), business (Class B1),	W06635	Play, Children's Play Equipment and Sports Development	The Heygate Estate and surrounding land bound by New Kent Road to the north, Rodney Place and Rodney Road to the east, Wansey Street to the south, and Walworth	£393,387.10

leisure and community (Class D2 and D1), energy centre (sui generis) uses. New landscaping, park and public realm, car parking, means of access and other associated works.			Road and Elephant Road to the west	
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## 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 THE LIBERTY OF SOUTHWARK (FORMERLY LANDMARK COURT), LAND BOUNDED BY SOUTHWARK STREET, REDCROSS WAY AND CROSSBONES GRAVEYARD, LONDON, SE1

**PLANNING APPLICATION NUMBER:** 23/AP/2334

**Report:** See pages 73 – 96 of the main agenda pack and pages 1 – 2 of the addendum report.

### PROPOSAL:

*Non material amendment of planning permission 19/AP/0830: 'Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated*

*areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure; and; ancillary plant and equipment.'*

*Non-Material Amendment to enable the dismantlement, storage and restoration of the façade of 15 Southwark Street and the amendment of the wording of Condition 25.*

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

A representative of the objectors to the proposal addressed the committee and answered questions put by 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, or ward councillors, who wished to speak.

Councillor Irina Von Weise attended the Committee in the capacity of ward councillor for this ward and presented her statement in defence of the objection.

The committee discussed the application.

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

**RESOLVED:**

1. That the application for non-material changes be agreed.

**7.2 79-161 ILBERTON ROAD, LONDON, SOUTHWARK, SE16 3JZ**

**PLANNING APPLICATION NUMBER: 23/AP/0387**

**Report:** See pages 97 – 359 of the main agenda pack and pages 2 – 11 of the addendum report.

**PROPOSAL:**

*Redevelopment of the site to provide two separate building comprising large scale purpose built shared living units, conventional residential dwellings, flexible commercial floorspace, a not-for-profit café community use, children's playspace, public realm improvements, landscaping and other associated works.*

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

Members put questions to planning officers.

There were no objectors in attendance.

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, or ward councillors, who wished to speak.

The committee discussed the application.

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

**RESOLVED:**

1. That full planning permission be granted for application 23/AP/0387, subject to conditions, referral to the Mayor of London and the applicant entering into a satisfactory legal agreement.
2. That in the event that the legal agreement has not been entered into by 7 May 2024 the director of planning and growth be authorised to refuse planning permission for application 23/AP/0387, if appropriate, for the reasons set out in paragraph 725 of this report.

Meeting ended at 10.25 pm

**CHAIR:**

**DATED:**

# Agenda Item 6.

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 12 December 2023	<b>Meeting Name:</b> Planning Committee
<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 committee and planning sub-committees. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

## KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
  - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Levelling Up, Housing and Communities and any directions made by the Mayor of London.
  - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within

the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

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

### **Community impact statement**

11. Community impact considerations are contained within each item.

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

#### **Director of Law and Governance**

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 Director of Law and Governance, and which is satisfactory to the Director of Planning and Growth. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Director of Law and Governance. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, 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

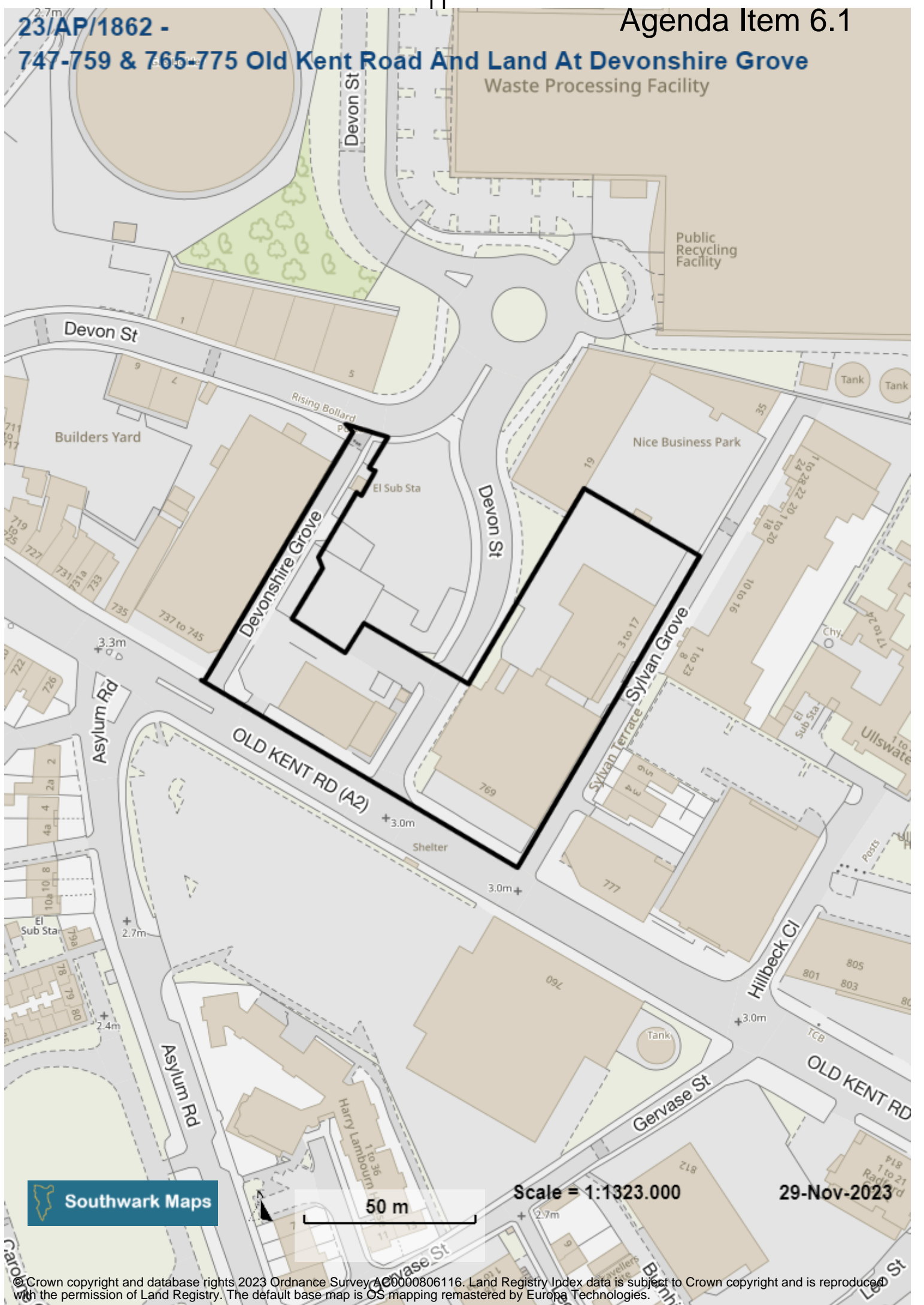
No.	Title
None	

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Gregory Weaver, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
<b>Version</b>	Final	
<b>Dated</b>	5 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>		5 June 2022

23/AP/1862 -

747-759 & 765-775 Old Kent Road And Land At Devonshire Grove



Southwark Maps

50 m

Scale = 1:1323.000

29-Nov-2023

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<b>Item No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
6.1	OPEN	12 December 2023	Planning Committee B (Major Applications)
<b>Report title:</b>	<b>Development Management planning application:</b> Application 23/AP/1862 for: Full Planning Permission  <b>Address:</b> 747-759 & 765-775 Old Kent Road and Land at Devonshire Grove London, SE15 1NZ  <b>Proposal:</b> Phased mixed-use redevelopment of the site, comprising: <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>		
<b>Ward(s) or groups affected:</b>	Old Kent Road		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	03.07.2023	<b>Application Expiry Date</b>	02.10.2023
<b>Earliest Decision Date</b>	18.08.2023	<b>Extension of Time End Date</b>	12.06.2024

## RECOMMENDATION

1. That full planning permission be granted for 23/AP/1862, subject to conditions, referral to the Mayor of London and the applicant entering into a satisfactory legal agreement; and
2. That environmental information be taken into account as required by Regulation 26(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended); and
3. That the Planning Committee, in making their decision, has due regard to the potential equalities impacts that are outlined in this report; and

4. That following the issue of planning permission, the Director of Planning and Growth write to the Secretary of State notifying them of the decision, pursuant to Regulation 30(1)(a) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017; and
5. That following issue of the planning permission, the Director of Planning and Growth shall place a statement on the statutory register pursuant to Regulation 28 of the Town and Country Planning (Environmental Impact Assessments) Regulations and for the purposes of Regulation 28(1)(h) the main reasons and considerations on which the Local Planning Authority's decision is based shall be set out as in this report; and
6. That, in the event of requirements of paragraph 1 above not having been met by 12 June 2024 the Director of Planning and Growth be authorised to refuse planning permission for 23/AP/1862, if appropriate, for the reasons set out in paragraph 920 of this report.

## **EXECUTIVE SUMMARY**

7. A key redevelopment site and catalyst for change in the Old Kent Road Opportunity Area, the application site (hereafter referred to as 'Devonshire Place') comprises a U-shaped area land located towards the southern end of the Old Kent Road high street. The site is occupied by a petrol station and a former tool hire store currently in meanwhile use. These buildings are separated from each other by a stretch of private highway land forming part of the application site but under the ownership of Southwark Council. Three conservation areas are within a 250 metre radius of the site, two of which are very close at a distance of less than 75 metres. There are also a number of listed buildings nearby, the closest being Gasholder no.13 to the northwest. A warehouse on the adjacent Daisy Business Park site is on the Council's draft list of locally important historic buildings. The Southwark Integrated Waste Management Facility (SIWMF) lies approximately 50 metres north of the site.
8. The applicant represents a joint venture partnership between Shaw Corporation and Regal London who, together, have substantial experience of redeveloping complex urban sites.
9. The potential of the site to make a major contribution to the Council's homes and jobs targets is reflected in the adopted site allocation (NSP69) and the draft site allocation (OKR18), both of which identify the site as appropriate for delivering community facilities, shopping/retail uses fronting the Old Kent Road high street, and a significant quantum of new homes. Both of the allocations recognise that some tall buildings will be necessary to deliver these objectives.
10. This application proposes the construction of four buildings arranged around a series of landscaped public open spaces. The buildings would step down in height from the site's northeastern extremity towards the Old Kent Road high street, with the tallest being 33 storeys and the shortest 16. In brief, the development would deliver:



- 200 conventional (Class C3) affordable homes, in a tenure split of 125 social rent and 75 intermediate;
- Purpose Built Student Accommodation (hereafter referred to as 'PBSA'), comprising 941 bedspaces;
- a 95 square metre community hub;
- two flexible commercial/business units (727 square metres in total), one of which is intended to be a GP surgery, with a fall-back mechanism in place to provide a policy-complaint quantum of affordable workspace in the event that a healthcare provider cannot be secured;
- a 86 square metre café; and
- reconfiguration of Devonshire Grove and associated enhancements to other parts of the local highway network.



**Image 01** (above): View of the proposal looking northeastwards from the nearby car park. Buildings C and D can be seen in the foreground of this view, with Buildings A and B in the background.

11. The application site benefits from hybrid (i.e. part outline, part full) planning permission under 19/AP/1239, which is extant but has not yet been technically implemented. The extant consent is for a residential led scheme comprising five buildings, the tallest two of which would be set back from the Old Kent Road high street behind a pair of medium-rise 'street blocks'. There are a number of differences between the extant consent and the 23/AP/1862 planning application proposal, such as the different 'red line' site boundary and the newly-proposed PBSA use, as well as the disposition, heights and architectural design of the buildings. However, 23/AP/1862 retains many of the principles of the extant hybrid permission. These include the level of affordable housing, the

provision of active employment-generating uses on the Old Kent Road high street, and the reconfiguration of Devonshire Grove together with a set-back building line enabling new bus stops and a cycle lane to be delivered on Old Kent Road. The building envelopes established by 19/AP/1239, and the impacts these caused as well as the mitigation the proposal incorporated, is a material consideration in the determination of this new planning application

12. The proposed 941-bedspace PBSA, which would be entirely direct-let (i.e. not linked to any specific university or college) at market rate, would achieve high standards of residential design, providing a range of bedroom typologies supported by a suite of internal communal facilities. The application is supported by a strategy for integrating the student population with the future residential occupiers of the conventional housing as well as the wider Old Kent Road community. A Student Management Plan, to be secured by planning obligation, would ensure the successful long-term management of the premises.
13. The proposal would deliver 200 high quality affordable dwellings, including a policy-compliant proportion of larger family units and wheelchair homes. Benefiting from well-proportioned and logically configured internal accommodation, a predominance of dual aspect and access to good-sized external amenity spaces, the homes would achieve a high quality of residential design. These new dwellings would contribute towards local affordable housing and the Council's housing targets, thereby bringing tangible benefits for the local community. The housing offer is considered to be a substantial benefit of the application. The extant hybrid permission, which is a material planning consideration in the determination of 23/AP/1862, secured 41% (rounded) of the housing in affordable tenures. In this regard, the newly proposed development, which would also secure 41% (rounded), represents an equally good offer.



**Image 02** (above): Visualisation of one of the proposed 4-bedroom social rent dwellings, which would be a triple aspect home with wrap-around terrace.

14. 813 square metres of commercial/business floorspace is proposed, arranged as three separate units, two of which would provide an active frontage onto the Old Kent Road high street with colonnaded return elevations framing part of the new public realm. One of these units is envisaged as a healthcare facility, and an



NHS GP Practice interested in taking up occupancy has submitted a letter of intent. The third commercial/business proposed is a café forming part of the overarching PBSA use of the host building; fronting onto a central public square where a bandstand is proposed, the café is intended to draw passers-by from the high street into the heart of the site. The applicant engaged extensively with local stakeholders at the pre-application stage, and the feedback received has informed the design of the proposal, resulting in the provision of a community hub that would be available free-of-charge for residents, community groups and the local Tenants' and Residents' Associations (TRAs). The new public spaces within the development would provide further community and health benefits.

15. The application site is situated in a location where tall buildings are considered appropriate, subject to demonstration that they would achieve an exemplary standard of design and meet the requirements of the London Plan and Southwark Plan in all other regards. Forming an interesting composition and possessing a strong urban character, and with robust and high quality materials specified throughout, the proposed buildings would achieve an exemplary standard of architectural design. They would be set within high quality public realm, featuring numerous new trees, soft landscaping and play facilities.



**Image 03** (above): Visualisation looking north from the Old Kent Road high street, through the proposed public space in-between Buildings C and D and towards the Grade II listed Gasholder No.13, which can be glimpsed in the background.

16. With regard to amenity and environmental considerations, although the proposal would result in daylight and sunlight impacts at a small number of nearby existing properties that depart from the BRE guidelines, the retained levels are still considered adequate for a dense urban area. The applicant's Environmental Statement, which quantifies and evaluates the scheme's expected impacts accounting for all proposed mitigation, has been assessed by officers in collaboration with specialists commissioned by the Council. The conclusion of

the Environmental Impact Assessment process is that the effects can be acceptably managed through planning conditions and obligations.

17. As the report explains, the proposal would make efficient use of a prominently located and under-utilised site to deliver a high quality and sustainable development that accords with the Council's aspirations for the area. In addition to the economic benefits brought by this proposal, such as the employment generating uses and the construction-related jobs and training, a range of financial contributions will be secured to offset the impacts of the development and assist with local and London-wide infrastructural investment.

## PLANNING SUMMARY TABLES

18. **Conventional housing**

Homes	Private Homes	Private HR	Aff.SR Homes	Aff.SR HR	Aff.Int Homes	Aff.Int HR	Homes Total	HR Total
Studio	0	0	0	0	0	0	0	0
1 bed	0	0	39	102	36	83	75	185
2 bed	0	0	45	180	39	143	84	323
3 bed	0	0	37	190	0	0	37	190
4 bed	0	0	4	24	0	0	4	24
Total	0	0	125	496	75	226	200	722

19. **Commercial**

Use class and description	Existing GIA	Proposed GIA	Change +/-
E [a] to (f) (Retail/dining/services)	2,625.0		
E [g] i) (Office)	0	727.0	-1,898.0
E [g] ii) and iii) (Light industrial)	0		
E (Affordable workspace)	0	81.3 (as a subset of the above)*	+81.3
B2 (Industrial)	0	0	N/A
B8 (Storage/Distribution)	0	0	N/A
C1 (Hotel)	0	0	N/A
Sui Generis (PBSA)	0	18,977.4	+18,977.4
Sui Generis (community hub)	0	95.4 (as a subset of the PBSA)	+95.4

Sui Generis (publicly-accessible café)	0	86.0 (as a subset of the PBSA)	+86.0
<b>Employment</b>	<b>Existing no.</b>	<b>Proposed no.</b>	<b>Change +/-</b>
Operational jobs (FTE)	3	61	+58
<i>* This 81.3 square metres of space would be provided only if the healthcare facility cannot be delivered.</i>			

20. **Parks and child play space**

	Existing area	Proposed area	Change +/-
Public Open Space	0	1,685 sq.m	+1,685 sq.m
Play Space	0	1,160 sq.m	+1,160 sq.m

21. **Carbon Savings and Trees**

Criterion	Details		
CO2 Savings	51% improvement on Part L of Building Regs 2021		
Trees Lost	0 x Category A	0 x Category B	0 x Category C
Trees Gained	68		

22. **Greening, Drainage and Sustainable Transport Infrastructure**

Criterion	Existing	Proposed	Change +/-
Urban Greening Factor	0	0.43	+0.43
Greenfield Run Off Rate	N/A	2.55l/s*	N/A
Green/Brown Roof Coverage	0	1443sq.m	+1443sq.m
Electric Vehicle Charging Points	0	7	+7
Blue Badge Parking Spaces	0	7	+7
Cycle Parking Spaces	0	918	+918

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

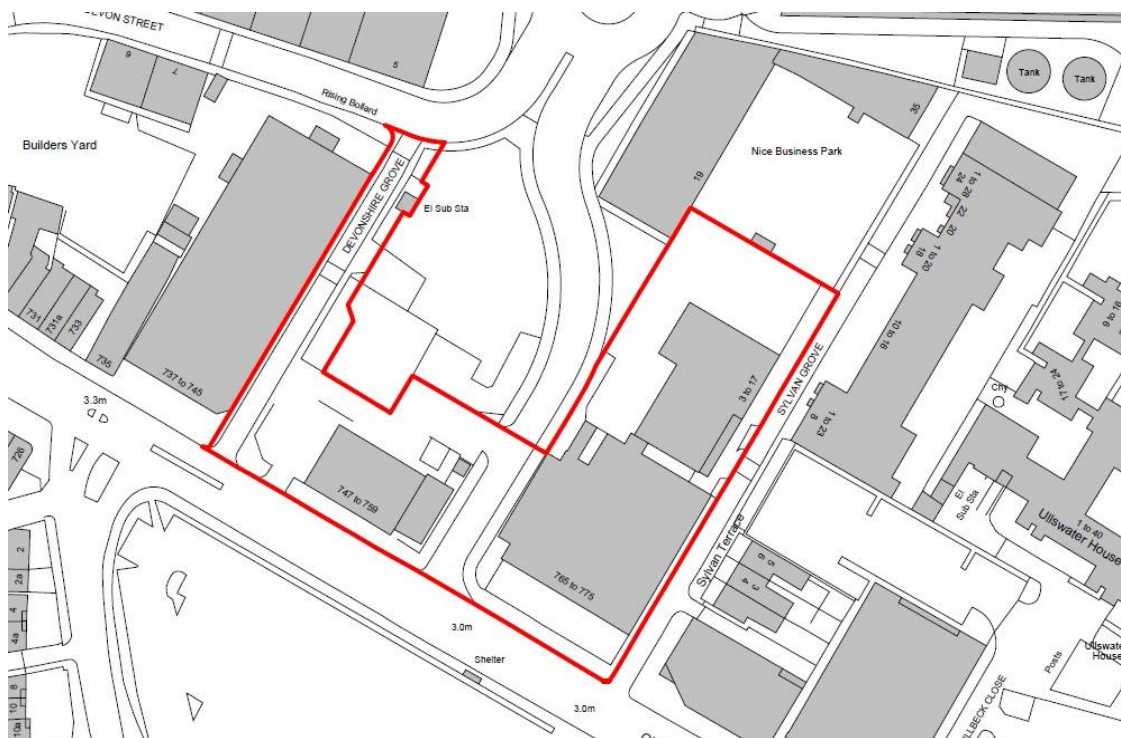
Criterion	Total Contribution
CIL (estimated)	£4,292,506 (net of relief)
MCIL (estimated)	£2,070,389 (net of relief)
Section 106 Contribution	As per the 'Planning obligations' section of this report

## BACKGROUND INFORMATION

### Site details

#### Location and description

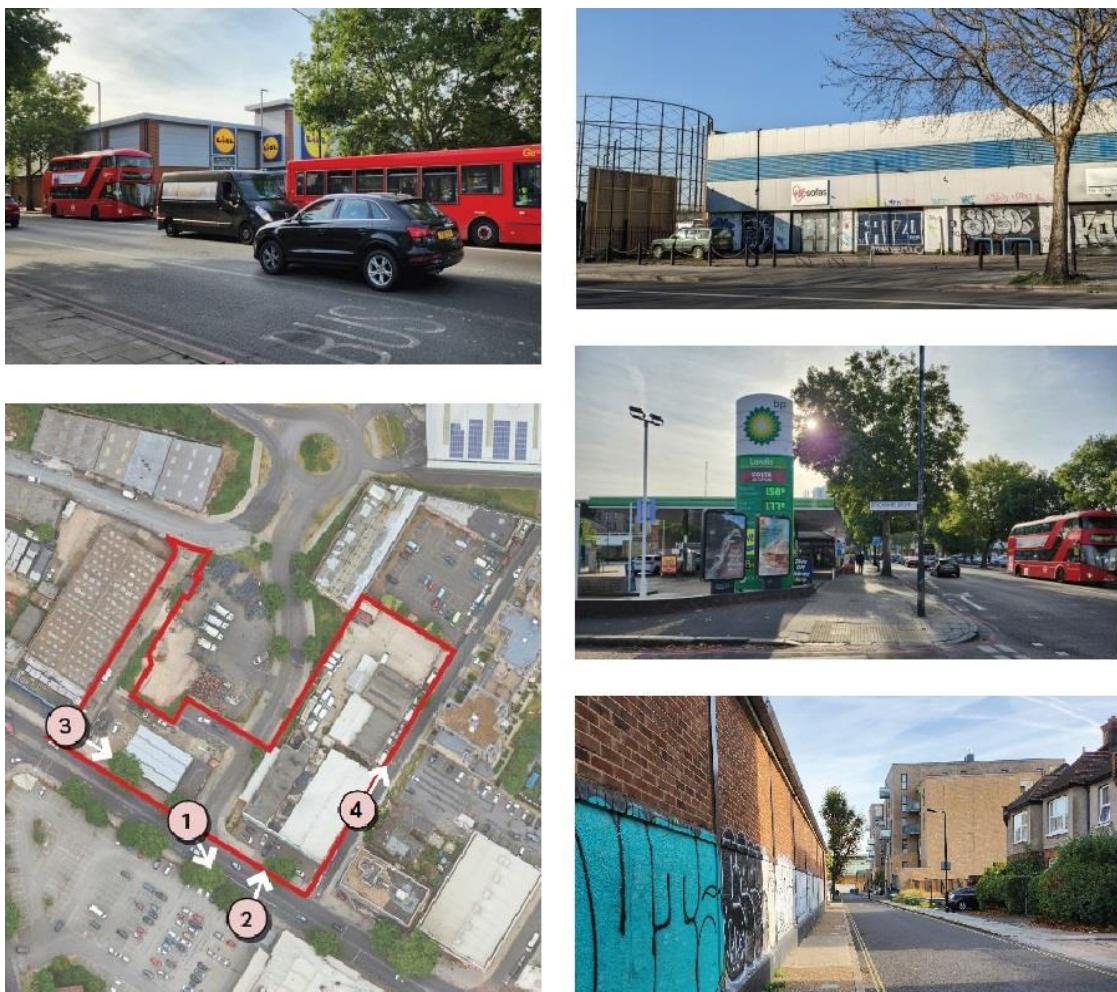
24. The broadly U-shaped application site comprises a 0.72 hectare plot of land located north of Old Kent Road high street. It is bounded:
- immediately to the southeast by the highway of Sylvan Grove (a two-way cul-de-sac), the southeastern side of which is flanked by low and medium-rise housing;
  - immediately to the southwest by the Old Kent Road high street, on the opposite side of which is a single-storey commercial premises (currently occupied by 'Lidl') with associated surface parking for circa 195 cars;
  - immediately to the northwest by the highway of Devonshire Grove (a narrow two-way road that is bollarded at its northern end), which is flanked along the entirety of its western side by a commercial warehouse building (currently occupied by 'Safestore'); and
  - immediately to the northeast by Council-owned land hereafter referred to as "Devonshire Yard" and the Daisy Business Park site.
25. The site is bisected in a north-south direction by Devon Street (South Arm). This one-way dual carriageway currently operates as the egress road for the SIWMF located to the north. Vehicles approaching the SIWMF do so via Devon Street (West Arm) which, similarly to the South Arm, is a one-way dual carriageway.



**Image 04** (above): Location plan, showing the site edged in red.



26. The existing land uses on the site comprise a petrol filling station at 747-759 Old Kent Road, and a former HSS Hire Store at 765-755 Old Kent Road. The petrol station comprises a typical canopy structure above the fuelling forecourt alongside a small convenience kiosk. With regard to the former HSS Hire Store, since the relocation of HSS to new premises at Ruby Street in 2019, the building has been in meanwhile use as a workspace for artists, creative businesses and makers (Class E). This meanwhile use was facilitated by officers as part of the partnership working on this site. The premises themselves are a collection of former employment and warehouse buildings, constructed generally of brick with flat and pitched roofs, having been significantly altered over the years. In between the former Hire Store and the Old Kent Road high street is a forecourt area, which provides parking for up to 8 vehicles, with further areas to the rear capable of accommodating at least a further 20 vehicles.



**Image 05** (above): Photographs of the existing site (numbered 1 to 4, clockwise from top left) with the viewpoints annotated on the map (bottom left).

### Surroundings

27. The local area is characterised by a range of land uses, including residential, commercial industrial, educational, cultural and leisure uses. There is also the SIWMF to the north of the site, accessed from Devon Street.

28. Immediately east of the site and Sylvan Grove is the approved development proposals for Tustin Estate, led by Southwark Council – this comprises a hybrid permission for 167 new homes approved in detail, and up to 523 further affordable and market homes in outline.
29. Although the immediate surroundings currently comprise low-to-medium rise building typologies, the Old Kent Road area continues to be subject to substantial change. There are a series of planned tall building clusters coming forward within the Opportunity Area, including to the north near Burgess Park, at Cantium Retail Park, Ruby Triangle and in the Asylum Road / Devonshire Grove areas. These development clusters are aligned with the ‘Stations and Crossings’ strategy set out in the Old Kent Road Area Action Plan (hereafter referred to as the draft OKR AAP). The ‘Stations and Crossings’ strategy seeks to distribute tall buildings at key stations or crossings on the Old Kent Road, to create a distinct and coherent hierarchy of buildings, places and streets. This context is reflective of the intensification and densification the wider Opportunity Area is undergoing.



**Image 06** (above): Model of the proposed development (shown in green), in the context of consented/implemented major developments (shown in yellow) and major proposals currently at planning application stage (shown in pink).

30. The application site is key to establishing the aforementioned Asylum Road / Devonshire Grove ‘Station’. The land to the north of the site, which is known as ‘Daisy Business Park’ benefits from extant planning consent for a building of 32 storeys (ref: 19/AP/2307). An alternative proposal for a development of a similar height and scale has since been submitted, and is pending the Local Planning Authority’s determination (ref: 23/AP/0582), further detail about which is given in a later part of this report. Together the Daisy Business Park and the Devonshire Place sites are intended to deliver a cluster of taller buildings that will act as a marker for a planned Bakerloo Line tube station to be delivered on land opposite at 760 Old Kent Road. The redevelopment of these two sites will, therefore, result in a change to the general scale, density and grain of the built environment in this particular part of the Old Kent Road area.



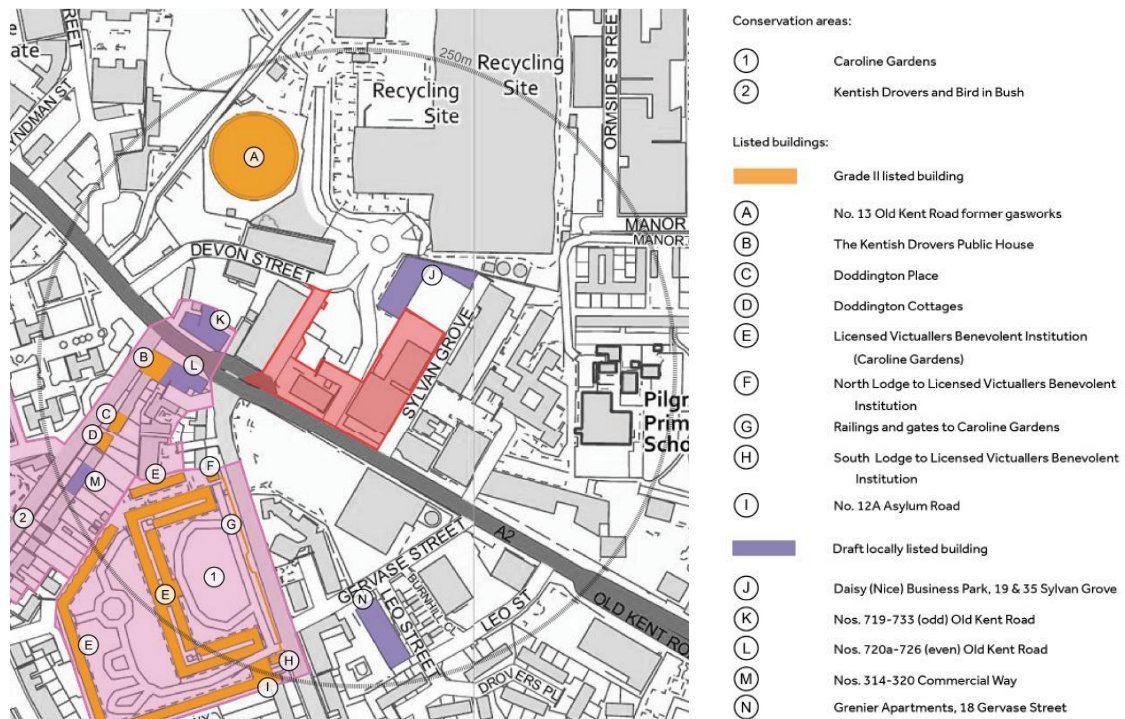
## Designations

31. The following policy, socioeconomic and environmental designations apply to the application site:
- Site Allocation NSP69 (Devon Street and Sylvan Grove) in the Southwark Plan 2022;
  - Old Kent Road Area Vision AV13;
  - Old Kent Road Opportunity Area;
  - Old Kent Road Strategic Cultural Area;
  - Old Kent Road Action Area;
  - Old Kent Road Action Area Core;
  - the Urban Zone;
  - Hot Food Takeaway Primary School Exclusion Zone;
  - Flood Zone 3 (in an area benefitting from flood defences);
  - East Southwark Critical Drainage Area;
  - the Air Quality Management Area;
  - “East Central” Multi-Ward Forum Area; and
  - Community Infrastructure Levy Charging Zone 2.
32. The application site sits within the Core Area of the draft OKR AAP. More specifically it sits within Sub-Area 4, ‘Hatcham, Ilderton and Old Kent Road (South)’. Within this Sub-Area, the application site forms part of the OKR 18 parcel, ‘Devon Street and Sylvan Grove’, which covers 3.0 hectares of land and has an indicative capacity of 1,500 new homes and 1,203 additional jobs. While the majority of the OKR 18 parcel is designated as a Locally Significant Industrial area or as Strategic Protected Industrial Land within the draft OKR AAP and/or the Southwark Plan, the application site does not fall under either of these designations.
33. With regard to heritage designations, the site is not located within a conservation area and there are no statutorily listed buildings at the site or within its immediate vicinity. The site is in close proximity to:
- the Kentish Drovers and Bird in Bush Conservation Area, the boundary of which is approximately 40 metres away to the west at its closest;
  - the Caroline Gardens Conservation Area, the boundary of which is approximately 70 metres away to the south at its closest; and
  - Livesey Conservation Area, approximately 250 metres to the northwest),
34. Within approximately 100 metres of the site are following listed buildings and structures, all Grade II:
- the Gasholders to the north-west (Gasholder No.13 Old Kent Road former gasworks);
  - the Kentish Drovers Public House (720 Old Kent Road); and
  - a number of buildings and structures in the Caroline Gardens Conservation Area (1-100, 101-110 Asylum Road and the railings and gates to Caroline Gardens).

35. The following nearby buildings feature on the Council's draft list of locally important historic buildings, the consultation for which closed in late 2022:

- Daisy Business Park, 19 and 35 Sylvan Grove.
- 719-733 (odd) Old Kent Road;
- 720a-726 (even) Old Kent Road;
- 314-320 Commercial Way
- Grenier Apartments, 18 Gervase Street

36. The site is within the 'North Southwark and Roman Roads' Tier 1 Archaeological Priority Area.



**Image 07** (above): Map of the site (depicted in red) in the context of nearby designated and non-designated heritage assets.

37. Although the site is not within any borough views, it falls within the Protected Vista Extension of Strategic View 3A.1 (Kenwood Viewing Gazebo to St Paul's Cathedral) and Strategic View 2A.1 (Parliament Hill summit to St Paul's Cathedral).

38. There is no existing public space within the application site, with the nearest major parks being Burgess Park, located 1 kilometre to the west of the site, and Southwark Park, located 1.3 kilometres to the north. There are smaller parks closer by at Tustin Common, Caroline Gardens, Brimington Park and Bridgehouse Meadows. A major public space is planned at Livesey Park, north of the site, the centrepiece of which will be the former Gasholder.

39. There are five existing trees located within the site: three London Plane trees on the footway of the Old Kent Road high street (all Category B), a Common Lime

tree on Sylvan Grove (Category B) and a smaller London Plane on Devon Street (also Category B).

40. With regard to transport connectivity, the site has a Public Transport Accessibility Level (PTAL) rating of between 3 'good' and 5 'high'. The variation in PTAL rating is due to the presence of Queen's Road Peckham Station, which for part of the site is just outside the PTAL distance threshold of 960 metres. However, the station is within a reasonable walking distance along Asylum Road from all parts of the site. The site can therefore be considered to benefit from a PTAL of 5.
41. The future 2031 PTAL forecast is also 3-5. However, this does not take into account the site's location directly opposite the proposed future Bakerloo Line Extension (BLE) underground station. To be named "Old Kent Road", this station will further enhance public transport accessibility when it comes forward, increasing the application site's rating beyond a 5, most likely to a 6, and therefore to an 'excellent' level of accessibility.
42. There are several bus stops in close proximity to the site, namely:
  - Commercial Way (Stop WB), which is adjacent to the site on the south side of Old Kent Road high street;
  - Commercial Way (Stop EP), which is approximately 100 metres northwest on Old Kent Road high street; and
  - Old Kent Road / Ilderton Road bus stops, which are located approximately 200metres southeast on Old Kent Road high street.
43. Bus services are available on the 21, 53, 172, 453, N21, N53, and P12, providing connectivity to the Lambeth, Aldwych, Marylebone, Holloway and wider London.
44. With regard to local cycling infrastructure, the closest dedicated route is National Cycle Route 425, which runs east to west across the Old Kent Road area from Burgess Park to Rotherhithe. Cycleways 10 and 35 also run along part of National Cycle Route 425. There are no cycle lanes (segregated or integrated) along the course of the Old Kent Road high street
45. The nearest short-stay cycle storage facilities are:
  - at Lidl, approximately 25 metres to the southeast of the site, comprising three Sheffield stands (six spaces);
  - outside 722 Old Kent Road, approximately 50 metres to the northwest, comprising two Sheffield stands (four spaces);
  - at the junction of Gervase Street and Old Kent Road, approximately 75 metres to the southeast of the site, comprising four Sheffield stands (eight spaces);
  - to the front of the Pilgrim's Way shopping parade, between 75 and 100 metres to the southeast of the site, comprising Sheffield stands in a cluster of two and a cluster of four (twelve spaces) in total.

46. With respect to parking and servicing infrastructure locally, nearby there are:
- loading bays (accommodating up to ten small vehicles) on Devon Street (West Arm), approximately 50 metres north of the site;
  - one Blue Badge parking space (at Gervase Street, approximately 250 metres to the south of the site);
  - three Car Clubs, as follows:
    - Zipcar on Friary Road, 450 metres away (a 9 minute walk);
    - Zipcar on Green Hundred Road, 450 metres away (a 9 minute walk); and
    - Zipcar on Verney Way, 600 metres away (a 12 minute walk).
47. Although the site is not within a Controlled Parking Zone (CPZ), the Trafalgar CPZ –which covers North Peckham and the area around Trafalgar Avenue– is nearby, its northern boundary being the section of Old Kent Road high street onto which the application site fronts. This CPZ is operational weekdays from 08:00 to 18:30.
48. The highways of Devonshire Grove, Devon Street (South Arm) and Sylvan Grove are all part of the borough network. The Old Kent Road high street is a TfL highway. All these highways are also subject to a Local Development Order (LDO), approved by Southwark Cabinet on 13 June 2023. The LDO permits the construction of an underground network of 7 kilometres of insulated pipes to carry heat from the South-East London Combined Heat and Power (SELCHP) facility in South Bermondsey to properties around Old Kent Road and Peckham for the purposes of supplying heating and hot water.
49. The site’s southwestern boundary aligns with, but is just outside of, the safeguarded area of the potential future Bakerloo Line Extension promoted by Transport for London.



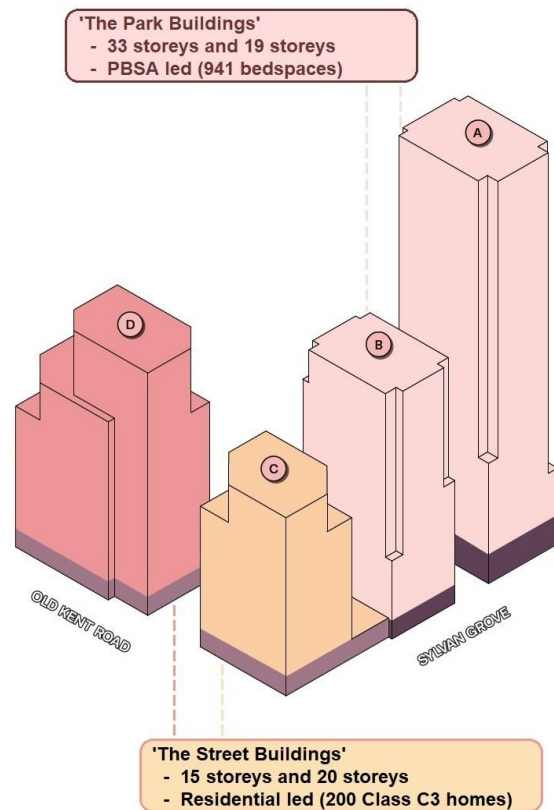
**Image 08** (above): Excerpt of TfL’s BLE safeguarding directions, showing (edged in red) the land subject to safeguarding and in (in blue) the area of surface interest where the “Old Kent Road” station is planned, with the site edged in green.

## Details of proposal

50. This application seeks full planning permission for the phased comprehensive mixed-use redevelopment of the site to provide four buildings –named ‘A’, ‘B’, ‘C’ and ‘D’– set within new landscaped public realm. The proposed development entails the demolition of the existing buildings at 747-759 Old Kent Road (the petrol filling station) and 765-755 Old Kent Road (the former HSS Hire), as well as an electricity substation on Devonshire Grove.

51. Buildings A and B, which the applicant describes as the ‘Park Buildings’, would occupy the rear part of the site with frontages along Sylvan Grove. Both would contain PBSA. Buildings C and D, which the applicant describes as the ‘Street Buildings’, would be located on the south western portion of the site. Both of these buildings would be conventional housing led. Flexible commercial floorspace is proposed at the base of Buildings C and D, fronting onto the Old Kent Road. Buildings A and B would share a common architectural language, as would Buildings C and D.

**Image 09** (right): Diagram of the arrangement of Buildings A, B C and D in relation to the Old Kent Road high street and Sylvan Grove.



### Buildings A and B

52. Building A is the northernmost and tallest of the four proposed buildings, rising to 33 storeys (116.05 metres AOD). It would comprise 641 PBSA units, with a 95.4 square metre community hub located at ground floor level fronting the newly created publicly-accessible outdoor amenity space, “Sylvan Gardens”.
53. The lower floors would contain cycle storage space and various communal amenity spaces such as lounge areas, a gym, a quiet study zone, on-site laundry and a management office. These communal amenity spaces would amount to 987.8 square metres in total, equating to an average of 1.54 square metres per student. The upper floors would comprise a range of student cluster bedrooms served by shared living/kitchen/dining facilities, with a number of studios and premium studios also provided.
54. A basement is proposed beneath Building A. With a maximum excavation depth of 3.5 metres, the basement’s coverage would be very similar to the building’s ground floor footprint. The internal spaces would be given over to ancillary









mechanical, electrical and other plant requirements to serve the proposed development. The basement would be futureproofed to accommodate a potential connection to the DHN coming forward in the wider area.



**Images 10, 11 and 12** (clockwise from top right): Building A's crown treatment; Building B's base treatment; and a visualisation of the two buildings as seen looking eastwards from Devonshire Grove.

55. Building B, to be located southwest of Building A, would be set back from the Old Kent Road high street behind Building C. Standing to a height of 19 storeys (71.88 metres AOD), Building B would comprise 300 PBSA units and an 86 square metre café located at ground floor level facing west. In a similar arrangement to Building A, the lower storeys would comprise communal student amenity space and cycle storage, with the upper floors containing cluster flats (i.e. en-suite bedrooms sharing living/kitchen/dining facilities), studios and premium studios. In total, 427.8 square metres of internal communal amenity space would be provided, equating to 1.43 square metres per student.
56. The 941 PBSA units to be delivered across the two buildings are all to be direct-let. A nominations agreement –whereby all or some of the rooms would be operated directly by a higher education provider– has not been agreed. Instead, it is expected that the scheme would be managed by Homes for Students, the largest independent student accommodation provider in the UK.

57. The community hub provided in the base of Building A would be offered to the local community for their use, subject to booking. The applicant's intention is for the PBSA management company to operate it in accordance with a community use agreement (secured via the Section 106 Agreement).
58. The applicant envisages that the publicly accessible café element in the base of Building B could be operated as part of the wider student amenity offer in the short term, but once other developments come forward in the area and footfall increases, it could be demised to a high street or independent tenant.

	Bin Store/ Plant
	Community Hub
	Student Amenity
	Student Facilities
	Student Offices
	Publicly-accessible cafe



**Image 13** (above): Ground floor plan of Buildings A (towards the top of the image) and B (towards the bottom).

59. In terms of their form and massing, the buildings are conceived as controlled rectilinear volumes extruded from rectangular footprints, the proportions of A's footprint being slightly larger than those of B's. At incremental points up the profile of each building, the corners would be notched, with the resulting void carried vertically through the full height of the structure. The buildings are intended to read a pair, the only major differentiating feature being their heights.
60. With regard to the elevational treatments, the principal façade system would be composed of deeply projecting metal piers, interspersed by similarly pronounced lateral elements every four storeys; together, these would produce a regular gridded effect with a vertical emphasis. To mark the base of the buildings, the piers would be a crisp white at Levels 00 and 01, switching to a creamy white from Level 02 upwards. Colourful expressions would also be used at the base and key entrance points. Each of the bays within the gridded frame would comprise two halves, one clad in a full-height finely ribbed panel, the other formed of a single metal-framed window complemented by dark metal spandrels. The finely ribbed panels would fade in colour as height increases, those on the lowest storeys being reddish-brown and those on the highest storeys having a peach hue.

61. The crown of both buildings would take the form of four portico-style screens, one to each of the elevations, broken by the cut-aways at the building corners. Being an extension of the principal façade system, the screens would be formed of creamy-white metal piers matching the storeys below.



**Images 14 and 15** (above left and right right): Visualisation of Buildings A and B, looking northwards from Sylvan Grove; materials palette for Buildings A and B, comprising off-white metal framing and ribbed panelling in varying tones of brown, red and peach.

62. At the base of the two buildings along their principal (Sylvan Grove) frontages, widened footway is proposed, together with at-grade planting beds. The existing large lime tree on Sylvan Grove, which is subject to a Tree Preservation Order, is to be retained and re-bedded as part of the soft-landscaped kerbline. A fully inset 18-metre long loading bay running parallel to the highway is proposed to the front of Building B, with a further servicing and maintenance bay to be created as part a new turning head in between the entrances to Building A and Building B. The turning head would also provide one Blue Badge parking space.

### Buildings C and D

63. Building C, situated at the corner of Old Kent Road high street and Sylvan Grove, would rise to a maximum of 15 storeys (57.62 metres AOD).
64. This proposed building comprises 75 shared ownership affordable dwellings in a mix of 1 and 2 bedroom apartments, all of which would have their own private external amenity space. At ground floor level, flexible Class E space is proposed on the Old Kent Road frontage – this 249 square metre space could be operated as a medical facility and a letter of intent has been provided by a local GP Surgery. Raised one storey above ground level, a podium play area (293.51 square metres) would span the rear of Building C. The proposed roof areas of



the building are intended to be landscaped and accessible for resident amenity purposes.

65. A small off-street integral car park is proposed within the rear (northeastern) single-storey projection. This would contain six Blue Badge bays for use by eligible residents.



**Image 16** (above): Visualisation of Buildings D and C, looking north eastwards from the Old Kent Road high street.




**Image 17** (above): Close-range view of one of the proposed roof gardens.

66. Building D, situated at the corner of Old Kent Road and Devonshire Grove, would be separated from Building C by the main pedestrian entrance to the site. It would stand 20 storeys at its maximum point (72.12 metres AOD).
67. It would accommodate 125 Social Rent affordable homes (Class C3) in a range of 1, 2, 3 and 4 bedroom apartments, all of which would be equipped with their own private amenity space. At ground floor level, a flexible commercial space of 478 square metres is proposed fronting the Old Kent Road high street; although a fully flexible Class E use is sought, the applicant envisages it being occupied as a convenience retail store.
68. Like Building A, Building D would incorporate an area of basement extending 3.5 metres below ground level. This subterranean storey would occupy an area approximately two-thirds that of the ground floor footprint. As with the basement at Building A, it would provide ancillary mechanical, electrical and other plant requirements to serve the proposed development. It has also been futureproofed to enable connection to the future DHN.



**Image 18** (above): Ground floor plan of Buildings C (towards the right-hand side of the image) and D (towards the left-hand side of the image), either side of the central public realm.

	Flexible Commercial/ Community
	Bin Store/ Plant
	Entrance Lobby
	Blue Badge Parking

69. With regard to the form and appearance of Buildings C and D, both would present 12-storey frontages onto Old Kent Road, above which would rise a trio of set-back storeys framed by a portico. Although Building D would appear similar in form and height to Building C when viewed from Old Kent Road, the rear portion of this building would be extruded by a further 5 storeys, bringing its total height to 20 storeys. This taller set-back element is intended to create an urban marker for the future Bakerloo line extension and the gateway to an anticipated public space beyond. Numerous high-level chamfers have been applied to Buildings C and D to sculpt the massing. Inset balconies are proposed to highlight corners and break up the façades.
70. A two-storey colonnade is proposed along the northwestern facade of Building C and the southeastern elevation of Building D; these are intended to help 'frame' the entrance into the central public realm. A unique materiality and architectural detail –comprising a bronze glazed brickwork 'plinth' eroding into a more rough-cast white brick finish above– would be employed on the ground floor elevations and within the colonnades to help emphasise the commercial uses. The approach to materiality on the upper floors of these residential buildings is for a predominance of robust red brick. Balcony balustrades, windows and doors would all be framed in bronze metal, while spandrel panels would be finished in red pre-cast concrete.







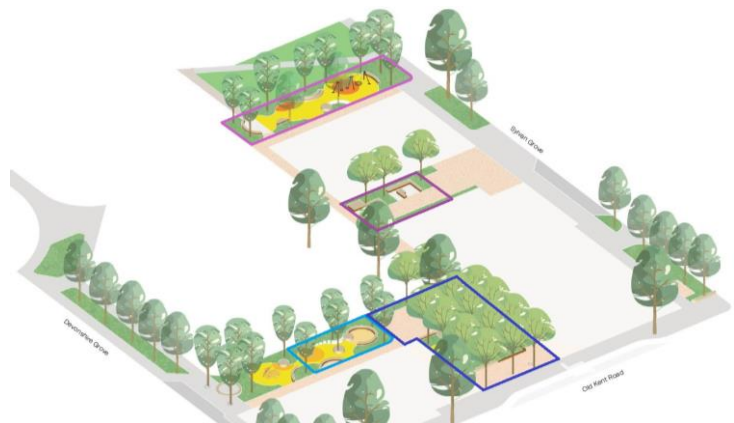
**Images 19 and 20** (above and right): Visualisation of the two buildings, looking north along Old Kent Road high street; materials palette for Building D, comprising brick and metal.

71. With regard to the base of Buildings C and D, trees and at-grade planting beds would be provided along the Sylvan Grove and Devonshire Grove frontages. Alongside widened footways, an on-street fully inset layby is proposed on Devonshire Grove. The layby would measure 13 metres in length. A new car club space would be delivered alongside the layby. With respect to the Old Kent Road, the building line of Buildings C and D would be set back from the kerbline by 4.1 metres at the narrowest, widening to a maximum of 5.8 metres.

### Public realm

72. Approximately 23% of the site is to be given over to public realm. This would take the form of four different zones, each with their own character, named as follows:

-  The Grove;
-  Grove Play;
-  Assembly Gardens; and
-  Sylvan Gardens.



**Image 21** (above): Proposed site layout, with the buildings omitted and the public realm areas edged.

73. Bounded by the Old Kent Road high street to the southwest and framed along its long edges by the colonnaded bases of Blocks C and D, The Grove would comprise two halves. The southern half would be characterised by a dense



cluster of trees, and is intended to be a meeting place, with the tree canopies providing shade and shelter for sitting and dwelling. The other half of The Grove, to the north of the clutch of trees, would be a predominantly hard surfaced community square, with a bandstand as its centrepiece. The bandstand would allow for informal, unprogrammed activities for both adults and children.

74. Located north of Building D and directed overlooked by the residential lobby, Grove Play would provide play opportunities for children under 12, serving the residents of the development and the local community. Formal facilities such as spinning tables are proposed, as well as sensory play, sand and water for more informal activities. Shrubs and trees would frame these play facilities.
75. Public artwork and murals are proposed at ground floor level along part of the northeast façade of Building D and northwest façade of Building C, to provide an interesting visual backdrop to Grove Play and The Grove respectively.
76. The third proposed public space, Assembly Gardens, would be situated between Buildings A and B. It is intended to create a space that links the student blocks, while also enabling a pedestrian and cycle route through the site along a southeast-to-northwest axis. It would feature a pair of 'garden pockets'; these seating areas would be set back within planting to create quiet, calm spaces. The garden pockets are intended to foster congregation, play and social interaction between the residents of the development and the wider local community.



**Image 22** (above): Visualisation of the bandstand proposed within the northern half of The Grove.



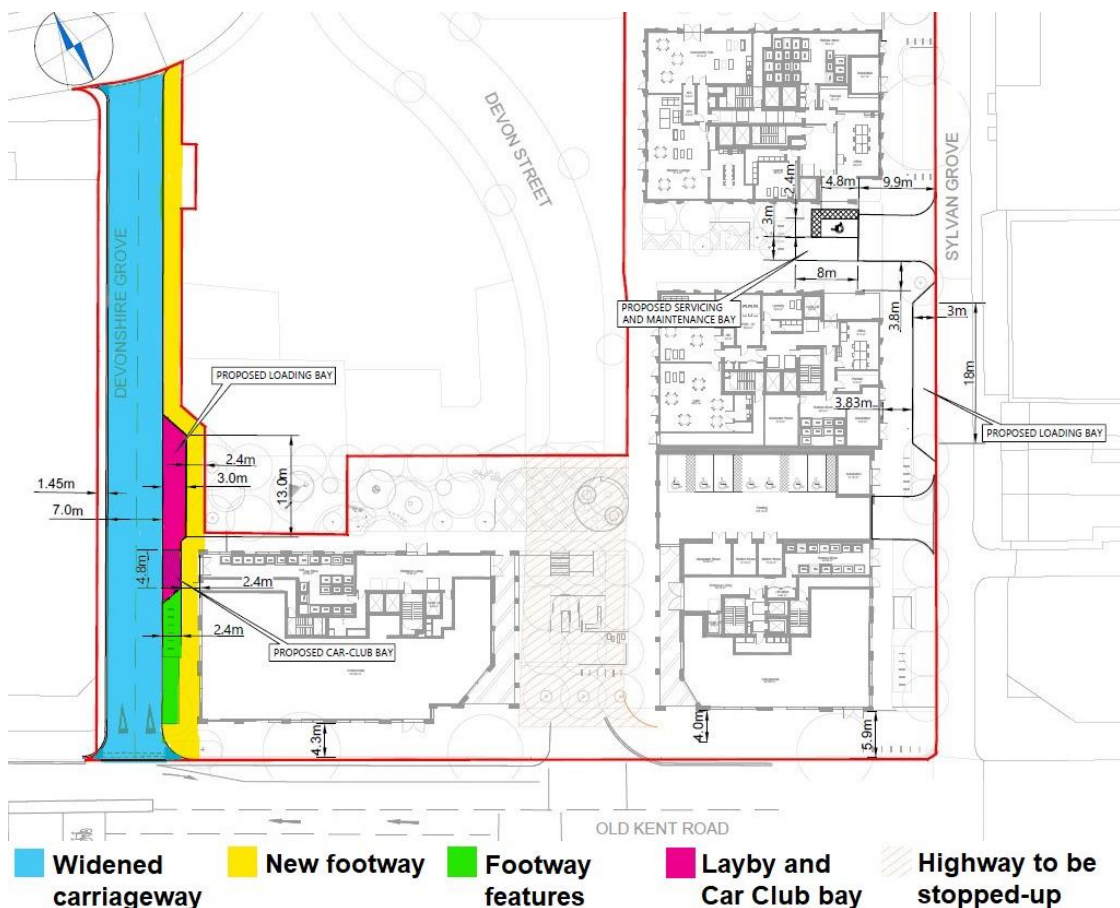
**Image 23** (above): Visualisation, taken facing northwest from Sylvan Grove towards Assembly Gardens.

77. The final proposed piece of public realm, Sylvan Gardens, would be located on the northern edge of the application site, and would be overlooked by the proposed community hub at the base of Building A. This proposed outdoor space is conceived as a playful garden serving the residents of the development as well as the adjacent Sylvan Grove residents. Incorporating facilities including swings, table tennis and basketball, it would provide a range of activities for children and young adults, as well as students. Sylvan Gardens has been designed so that it can extend through to the Daisy Business Park landscape

(adjacent to the north) to provide a larger unified space for all communities to come together.

### Highway reconfigurations

78. Like the extant hybrid permission, this new planning application proposes the widening of Devonshire Grove to provide a 7 metre carriageway, including a widening of the Bellmouth at the northern end of the road where it joins Devon Street (West Arm). To the east of the widened 7 metre carriageway, a widened footway would be provided with a minimum 2.4 metre width. The reconfiguration works would also include the provision of the 13 metre long layby and the Car Club bay.
79. The delivery of the widened Devonshire Grove is intended to facilitate existing traffic associated with the SIWMMF and other neighbouring premises, by creating a two-way vehicular route from the SWIMF to the Old Kent Road high street.



**Image 24** (above): Plan showing, to the left hand side of the image, the proposed widened Devonshire Grove and, in the centre of the image hatched in orange, the section of the existing Devon Street (South Arm) to be stopped-up.

80. This planning application also proposes to stop-up the southernmost stretch of Devon Street (South Arm). These works are timetabled to occur after the widening of Devonshire Grove has been completed. The stopping-up is necessary to unite the two segments of non-highway land that make up the

application site, which would otherwise be bisected by the carriageway. In the future, the remainder of Devon Street (South Arm) could be stopped up to facilitate a future development on the Council-owned Devonshire Yard land to the north, and the delivery of a new central green space.

81. The changes to the network of vehicular routes through and adjacent to the site would also facilitate the reconfiguration of the junction of Old Kent Road with Asylum Road, planned as part of Transport for London's emerging Healthy Streets A2 Corridor scheme. This reconfiguration will see the point at which Asylum Road meets Old Kent Road realigned slightly to the southeast, producing a crossroads with Devonshire Grove. The Healthy Streets A2 Corridor scheme will deliver improved bus services and cycling facilities, together with an enhanced pedestrian environment. The junction reconfiguration does not form part of this planning application, and will be delivered through a collaboration between the Council and Transport for London, with contributions from the applicant as part of S278 agreement (detailed in a later part of this report).

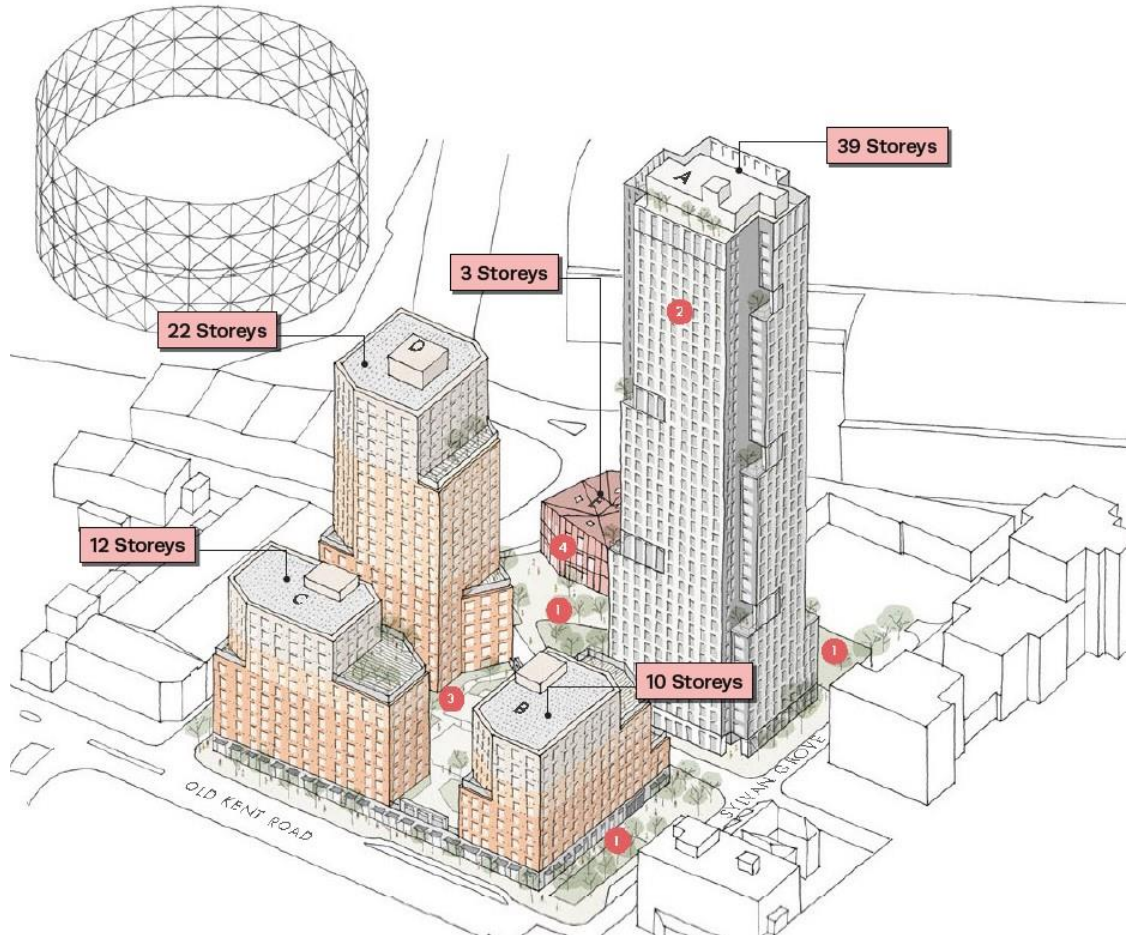
### **Planning history of the application site and nearby sites**

82. Appendix 3 sets out in detail the full planning history for the site as well as details of relevant applications on adjoining or nearby sites. The key item of planning history is the extant hybrid permission, as discussed below.

#### Extant hybrid planning permission

83. The site, plus the additional adjacent Council-owned Devonshire Yard land to the northwest, benefits from hybrid planning permission (ref. 19/AP/1239). The planning permission was issued with a legal agreement in February 2022 following a resolution to grant at Planning Committee in June 2020.
84. The full development description for the extant hybrid permission is contained at Appendix 3. In brief, the scheme comprises:
- five buildings up to 39 storey's in height, with a single-storey podium linking three of the buildings;
  - up to 565 residential dwellings (264 in detail, 301 in outline);
  - of the 565 residential dwellings, 224 affordable in affordable tenures (representing 41% of the total by habitable room);
  - 4,480 square metres GEA of flexible commercial/employment/leisure/community floorspace;
  - 579 square metres GEA of basement ancillary uses including parking, energy centre and refuse storage; and
  - 2,873 square metres of new public open space.
85. The officer recommendation for approval supported the redevelopment of the site, recognising that the principle of housing and the height/massing strategy were accepted, in line with the Council's policy aspirations to increase the number of new homes in the area. The proposals were considered in

accordance with the adopted local policy at the time, as well as the Council's emerging policy framework, the latter having now been adopted following Examination in Public in 2022. The development was considered to provide a suite of major regeneration benefits for the Old Kent Road area and the borough more widely.

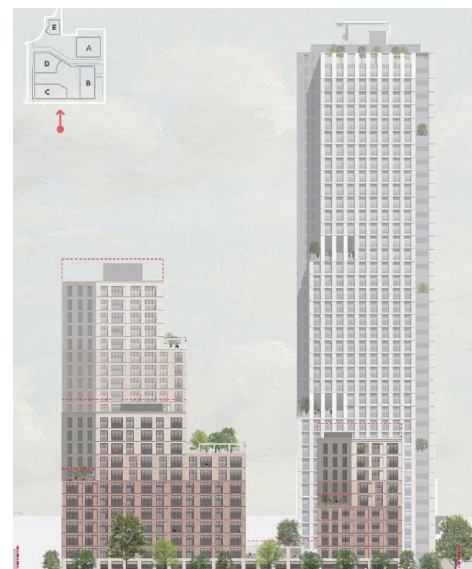
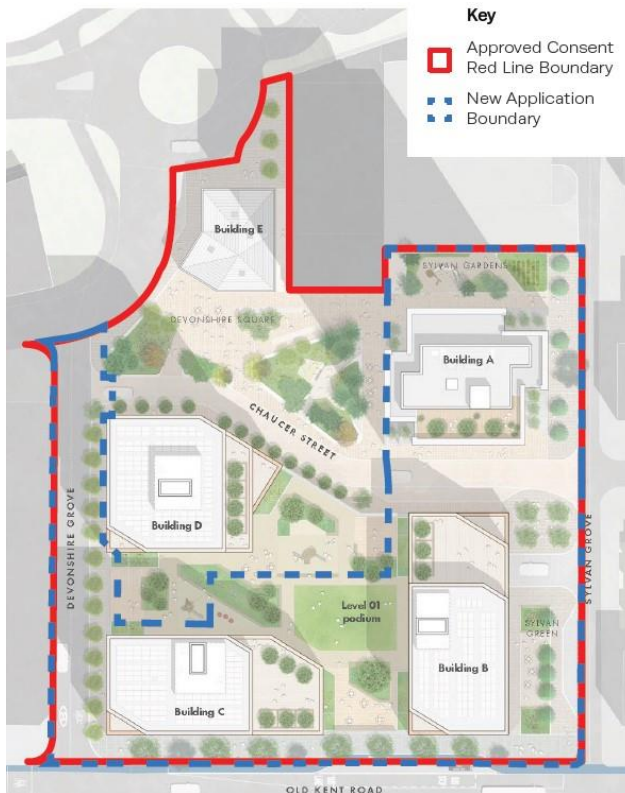


**Image 25** (above): Sketch isometric of the extant hybrid permission.

86. The extant hybrid permission is included within the Old Kent Road Housing Delivery Plan as one of the 'Phase 1' schemes, meaning all 565 homes can be delivered in advance of the delivery of the planned Bakerloo Line Extension. More information about the Housing Delivery Plan is provided in a later part of this report entitled 'Housing'.
87. The extant hybrid permission has not been implemented. Importantly however, it does establish a material 'fallback' position in the context of the newly proposed development.
88. In the years since the extant development was designed, there have been significant changes to the housing market and build costs. These have led the applicant to reappraise options, while still seeking to deliver a similar quantum of affordable housing units as previously consented. The major difference between the new planning application and the extant hybrid permission is that



the site now excludes the Council-owned Devonshire Yard land. The image below left depicts the difference in the boundary line of the two applications.



**Images 26, 27 and 28** (clockwise from top left): Comparison of the boundary lines of the two applications; visualisation of the hybrid extant permission; southwest elevation of the hybrid extant permission.

89. As an extant planning permission with no major planning barriers preventing technical implementation, the development proposed by 19/AP/1239, and the impacts it would cause as well as the mitigation it secured, are relevant material planning considerations in the determination of the new planning application hereunder consideration. The weight lent to such judgement must, however, have regard to the differences (and the degree of these differences) between the two applications. Amongst other things, such differences include the site extents, the proposed land uses, the form and disposition of buildings, and the specific planning benefits delivered.

## **Pre-application engagement and mid-application amendments**

### Pre-application engagement

90. Planning application 23/AP/1862 was submitted following a detailed pre-application enquiry, the reference number for which is 22/EQ/0205. The pre-application process involved:
- seven meetings and three informal design reviews with Council planning



officers;

- one workshop with Council transport and highways officers;
- a meeting with the GLA;
- a meeting with TfL;
- the applicant's attendance at the Council's Design Review Panel; and
- the applicant's attendance on two separate occasions at the Old Kent Road Community Review Panel.

91. During the course of the pre-application engagement, the applicant undertook social value research to see how the PBSA and conventional housing uses could be integrated optimally, and also made various amendments to the scheme design such as:

- refining the form and disposition the buildings to achieve an appropriate relationship not only to each other but also in the context of the existing and emerging townscape, including the Council-owned Devonshire Yard land;
- developing the architecture of the buildings to improve their legibility, materiality and distinctiveness;
- developing the internal layouts of the dwellings and PBCL units to achieve optimised configurations that perform well with respect to technical considerations such as dual aspect and daylight/sunlight receipt;
- fire safety provisions, in particular the need for all four buildings to contain two escape stairs;
- developing the play and amenity space provision;
- revising the delivery and servicing solution, including where and how provision would be made for student move in/out, on-site blue badge parking, a car club bay, and loading and unloading;
- re-embedding where appropriate the principles established by the extant hybrid permission, such as a minimum 40% affordable housing offer, future-proofing the delivery of TfL's Healthy Streets programme along the Old Kent Road high street, enhancing the connectivity of the site through a suite of highway upgrades, and financial contributions towards amongst other things increasing bus capacity.

92. The images below provide an overview of how the proposals evolved through the course of the pre-application process, comparing them with the final iteration as submitted for planning permission:



**Image 29** (above): Ground floor layout and public realm proposals presented at Pre-App Meeting 01



**Image 30** (above): Ground floor layout and public realm proposals at planning application stage.



**Image 31** (above): Streetscene, showing the heights and treatments presented at Pre-App Meeting 02.



**Image 32** (above): Streetscene, showing the heights and treatments proposed at planning application stage



**Image 33** (above): The 40 square metre community hub presented at



**Image 34** (above): The 95.4 square metre community hub proposal

*the first round of the Community Review Panel.*



**Image 35** (above): West elevation of proposed Buildings A and B presented at Pre-App Meeting 03.

*presented at the second round of the Community Review Panel.*



**Image 36** (above): West elevation of Buildings A and B proposed at planning application stage.

93. At the end of this iterative process, the pre-application enquiry was closed and no formal response letter was issued by the Council. An overview of the pre-application consultation and engagement that has been undertaken, and the responses to officer feedback, can be found in the applicant's Design and Access Statement as well as the Statement of Community Involvement
94. With regard to the Community Review Panel, the feedback was broadly positive. A copy of the Panel's full feedback can be found at Appendix 6 of this report. A later part of this report entitled 'Design' provides:
- a summary of the Panel's feedback from the first meeting (March 2023), together with an explanation of how the applicant sought to address the issues raised; and
  - a summary of the Panel's feedback from the second meeting (May 2023), again supported by an overview of the efforts made by the applicant to address this feedback.
95. With regard to the Design Review Panel, the 'Design' section of this report sets out the Panel's comments and provides a summary of how the applicant responded to each of these. The copy of the Panel's full feedback can be found at Appendix 7.

### Mid-application amendments

96. Over the course of the planning application process, the applicant has made further refinements to the proposal in response to concerns raised through the consultation process and/or issues highlighted by officers.
97. With respect to building and landscape design, changes and additional information included:
- revised internal core layouts in Buildings A and B (PBSA) to ensure multiple means of escape via the originally proposed dual stairs, which have been retained;
  - the provision of an Adaptation Study, which demonstrates how Buildings A and B could theoretically be transformed into conventional housing in the future.
98. With respect to energy and sustainability matters, changes included:
- revisions to the energy strategy, mainly relating to the expansion of the photovoltaics coverage (generating an additional 18.86kWp of renewable energy).
99. With respect to transport and highways, changes included:
- revising the detailed proposals for, and the phasing of, the pre-implementation highways works around the site (at Devonshire Grove and the SIWMF roundabout);
  - changes to the cycle storage proposals, including adjustments to the overall number and typological split of long-stay stands, as well as the layouts of the cycle store rooms;
  - changes to the bin store arrangements; and
  - revisions to the Blue Badge parking arrangement in the car park of Building C.
100. The applicant also supplied a small number of supplementary and revised reports to provide clarifications and corrections with regard to various issues raised by consultees and officers. Other matters resolved during the course of the planning application process included commitments to certain planning obligations and other mitigation.
101. The mid-application amendments did not necessitate any public consultation. This is because the changes did not:
- result in any enlargement to the buildings' scale; or
  - worsen any of the amenity or environmental impacts produced by the original scheme, or result in the creation of any new ones; or
  - remove, reduce or vary the mitigation originally proposed; or
  - engage any other issues potentially of wider public concern.



## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

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

- Consultation responses from members of the public and local groups;
- Environmental impact assessment;
- Principle of the proposed development in terms of land use;
- Impact of proposal on development potential of nearby land
- Development viability;
- Tenure mix;
- Dwelling size mix;
- Quality of residential accommodation – PBSA;
- Quality of residential accommodation – Conventional housing;
- External amenity space and young people’s play space
- Amenity impacts on nearby residential occupiers and surrounding area;
- Design;
- Public realm, landscaping and trees;
- Green infrastructure, ecology and biodiversity;
- Archaeology;
- Transport and highways
- Environmental matters;
- Energy and sustainability;
- Communications and aviation;
- Socio-economic impacts
- Planning obligations;
- Mayoral and Borough Community Infrastructure Levies;
- Community engagement;
- Consultation responses; and
- Community impacts, equalities and human rights.

103. These matters are discussed in detail in the ‘Assessment’ section of this report.

### Legal Context

104. 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 draft Old Kent Road Area Action Plan 2020. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

105. 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**

106. The statutory development plan for the borough comprises the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2023 is a material consideration but not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

## **ASSESSMENT**

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

107. Consultation with members of the public was first conducted in July 2023. Letters were sent to local residents, the application was advertised in the local press and site notices were displayed. Comments were received from 11 individual members of the public and 1 local group. The table below summarises the number of representations received during this period:

<b><u>Consultation: Summary table</u></b>		
Total number of respondents: <b>13</b>		Total number of responses: <b>13</b>
The split of views between the 13 respondents was:		
In objection: <b>2</b>	Neutral: <b>0</b>	In support: <b>11</b>

### **Reasons in objection**

108. The one objection to the application came from a local group, the Conservation Area Advisory Group (CAAG). Their reasons for objection are summarised below. The issues raised by these objections are dealt with in the main 'Assessment' part of this report.

#### **Locational and land use appropriateness**

109. • A scheme of this size and density, dominated by one use (PBSA), with a very large number of units of one accommodation type for one generation, is ill fitted to the location.

#### **Architectural design and heritage impacts**

110. • The proposal is too dense (i.e. excessive number of homes proposed given the site area);
- the proposed development, in comparison with the extant hybrid permission, increases the density of building on the site;
  - there is no architectural distinctiveness to the buildings;
  - the cladding proposed for Buildings A and B would look cheap;
  - the buildings would negatively impact on the skyline of surrounding conservation areas;
  - the buildings would negatively alter the setting of the listed Licenced Victuallers Alms-houses, now 'Caroline Gardens'.

#### Residential uses

111. • The student rooms are considered to be 'mean' and below an acceptable space standard;
- the storage space within the student rooms is inadequate;
  - virtually all the student rooms are single aspect;
  - the site location is unsuitable for student accommodation, with poor transport links (no tube or mainline stations close by, now or in the foreseeable future) and no significant open space and recreation facilities nearby.

#### Amenity

112. • Buildings A, B and C are uncomfortably close together, raising questions about overlooking.

#### Public realm, landscaping and communal amenity space

113. • The landscaping of the open areas between the buildings is uninspiring with an excess of paved area;
- the proposed development, in comparison with the extant hybrid permission, makes an inferior amenity and outside space offer;
  - the proposed development, in comparison with the extant hybrid permission, would achieve inferior sunlight levels within the external spaces.

#### Agent of change

114. • The development has the potential to curtail/compromise the activities of Veolia as operator of SWIMF.

#### Reasons in support

115. Listed below are the material planning considerations raised in support of the planning application by the consultation responses.

#### Architectural design and heritage impacts

116. • Attractive proposal that is in keeping with current and proposed developments such as the Ledbury Estate.

#### Residential uses

117. • The planning application would deliver the same level of affordable housing as the extant permission;
- the proposal would deliver affordable homes on-site;
  - the proposed affordable housing is needed by the local community;
  - the proposal incorporates family sized social rent homes;
  - the proposed PBSA would provide support to the businesses on Old Kent Road; and
  - the proposed PBSA would deliver significant local benefits, in that it would enable the delivery of on-site affordable housing.

#### Potential healthcare facility

118. • The proposal has considered how a new doctors surgery could be accommodated on site;
- a potential new GP surgery in this location would benefit the local community; and
  - the developer has positively collaborated with a healthcare provider, such that the latter has submitted a letter of intent in respect of occupying the commercial unit at the base of proposed Building C.

#### Public realm, landscaping, communal open space and playspace

119. • The extent of new open space, including green space, would be a benefit to the area; and
- the development would provide children's play space and spaces for local people to grow plants and food - none of which currently exist in this area.

#### Developer engagement

120. • The developer has consulted extensively with the Tustin Community Association and the Ledbury Tenants and Residents' Association; and
- one of the existing on-site 'meanwhile' businesses (arebyte) appreciates the opportunity to occupy the former HSS Hire Store on a temporary basis, and is grateful for the help and regular communications they have received from the applicant.

#### Social integration considerations and public safety

121. • There has been careful consideration given to the creation of spaces where the new residents and students can mix;
- the scheme would successfully integrate the new development (and the future residents) with the existing residents of Tustin Estate and Sylvan Grove; and



- the new amenities, open spaces, and services delivered by the development would provide opportunities and benefits for the existing community, including the Tustin Estate residents, as well as the future residents;
- a safer environment would be created, with the applicant making efforts to reduce and design-out crime.

### Local economy

122. • Regal London's Building Heroes (Real Estate Academy) would provide existing residents with new skills and direct opportunities into work;
- the development would provide business space;
  - the development would deliver new job opportunities for local people; and
  - the potential for new shops, cafes and restaurants would help to re-establish Old Kent Road as a high street for local residents and businesses.

## **Environmental impact assessment**

### Legislative background

123. Environmental Impact Assessment (EIA) 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.
124. 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.
125. Under the EIA Regulations part 1, 4(5) planning authorities are required to “ensure that they have, or have access as necessary to, sufficient expertise to examine the Environmental Statement”.

### Scoping Opinion

126. The proposed development falls within Schedule 2, Category 10(b) ‘Urban Development Project’ of the EIA Regulations and constitutes EIA development, having regard to its potential for likely significant environmental effects due to the nature and scale of the proposal. Accordingly, approximately three months in advance of the planning application submission, the applicant asked the Local Planning Authority to issue a Scoping Opinion to establish the extent of information necessary to be contained within an Environmental Statement (ES) in order to meet the statutory requirements. An ES is a report that describes the

EIA process and its findings. Where a Scoping Opinion has been obtained, projects must base their environmental statement on that Opinion.

127. The reference number for the aforementioned Scoping Opinion is 23/AP/0693. The Council issued its Opinion to the applicant in May 2023. This is available to read/download from the Council's Public Access for Planning register. The Opinion comprises two documents: the Council's decision notice, alongside a technical review produced by Atkins. Atkins is an independent environmental specialist commissioned by the Council in the interests of ensuring compliance with Part 1, 4(5) of the Regulations.
128. In summary, the Opinion advised the applicant to scope-in eight environmental topics, accepting the scoping-out of the other nine topics, as per the below table:

<b><u>Directions given by Scoping Opinion 23/AP/0693: Summary table</u></b>	
<b>Topic</b>	<b>Scope in or out?</b>
Air quality	<b>In</b>
Archaeology	Out
Aviation	Out
Climate change and adaptation	<b>In</b>
Daylight, sunlight and overshadowing	<b>In</b>
Ecology	Out
Electronic Interference	Out
Ground conditions and contamination	Out
Heritage, townscape and visual impact assessment	<b>In</b>
Human health	Out
Major accidents and/or natural disasters	Out
Materials and waste	Out
Noise and vibration	<b>In</b>
Socio-economics	<b>In</b>
Transport	<b>In</b>
Water environment (resources and flood risk)	Out
Wind microclimate	<b>In</b>

129. Having regard to the advice given in the Scoping Opinion, the applicant prepared their ES to accompany their formal planning application submission.

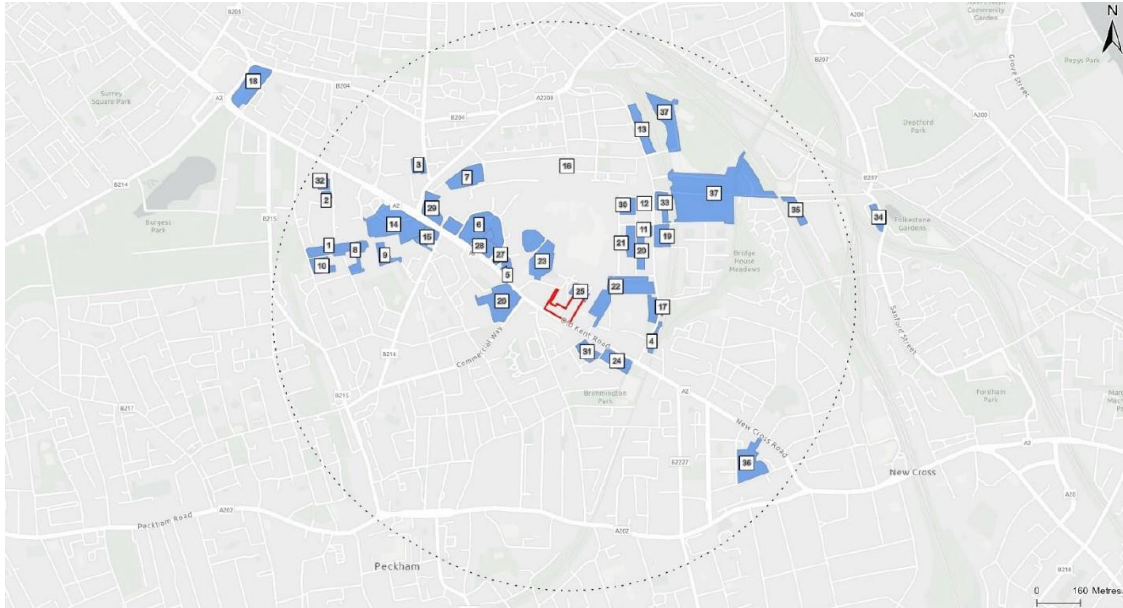
Environmental Statement submitted in support of the planning application

Duties of the Council

130. Regulation 3 of the EIA regulations precludes the granting of planning permission unless the Council has undertaken an EIA. This process requires the Council to take account of the environmental information, which includes the ES, any further information, any representations made by consultation bodies, and any other person, about the environmental effects of the development. The ES submitted by the applicant in support of 23/AP/1862 has been advertised and consulted on in accordance with the regulations. The environmental information has been considered in the assessment of this application.
131. Notwithstanding any Scoping Opinion it may have previously issued, the Council is still required to review the ES at planning application stage having regard to any changes that may have occurred, for example to the proposal or to the baseline environmental conditions, since the date of the Opinion. The Council must then consider whether any of those changes are such that the planning application proposal would give rise to any significant environmental impacts (in respect of all topics, not just the topics agreed to be scoped-in) beyond those accounted for in the applicant's ES. In this context the Council is entitled to seek further environmental information from the applicant. This is in accordance with part 1, 15(9) of the Regulations.

#### Approach and structure of the Environmental Statement

132. The submitted ES identifies and considers the likely significant effects resulting from the proposed Devonshire Place development during the 'construction' stage as well as the 'completed, occupied and operational' stage. It assumes a construction phase of 4 years and 6 months when assessing the construction stage environmental impacts. The likely effects assume the implementation of mitigation proposed within the planning application. Where the mitigation measures within the scheme still give rise to significant adverse environmental effects then additional mitigation is proposed.
133. The ES has considered the effects arising from the proposal in combination with 37 "cumulative schemes" in the area. The cumulative schemes considered encompass:
- approved but uncompleted projects (i.e. unimplemented or under construction);
  - projects for which a planning application has been made and which are under consideration by the consenting authorities;
  - projects for which a request for an EIA Scoping Opinion has been submitted and there is sufficient information on the proposed development available at the time of writing; and
  - projects that will produce an uplift of more than 10,000 square metres GEA of mixed use floorspace or over 150 dwellings, or are on land of more than 5 hectares.



**Image 37** (above): Schemes considered in the cumulative effects assessment, with the dotted line indicating a 1 kilometre radius around the application site.

134. The ES is structured as four volumes. Volume 1 is the ‘Non-Technical Summary’ (NTS). The NTS is designed to convey key information to enable the public to understand and assess the proposed development and the potential impacts.
135. Volume 2 of the ES contains twelve topic chapters, covering the following matters and eight of the nine scoped-in environmental topics. The chapters are:
- 1-3. Introduction, description of the site and EIA methodology;
  - 4-5. Alternatives, design evolution, and the proposed development;
  6. Socio-economics;
  7. Transport;
  8. Air quality;
  9. Noise and vibration;
  10. Wind microclimate;
  11. Daylight, sunlight and overshadowing;
  12. Climate change and adaptation;
  13. Water environment (resources and flood risk);
  14. Effect interactions;
  15. Residual effects
136. Volume 3 of the ES contains the Heritage, Townscape and Visual Impact Assessment (HTVIA) as a further topic.
137. Volume 4 of the ES contains the appendices, of which there are a total of 26. These appendices contain the technical evidence and other relevant background information substantiating the conclusions of the ES.

#### Alternatives, design evolution and the proposed development

138. The EIA regulations require the ES to provide information on the alternative options considered by the applicant.

139. The ES considers an alternative detailed “do nothing” scenario, finding that in the absence of the development an opportunity would be lost to secure a substantial improvement in the per capita operational emissions associated with energy use at the site, due to the proposal’s comparatively better fabric efficiency and the improved use of renewable energy technologies. Opportunities for significant beneficial biodiversity and socio-economic effects would also not be secured in the “do nothing” scenario.
140. Alternative locations for the proposed development are not considered in the ES, given that the site lies within the Old Kent Road Opportunity Area (OKROA) designated for mixed-use development. This is considered to be appropriate. Another reason for not considering alternative locations is that the site is the only one being considered under the applicant’s control/ownership.
141. Alternative uses are not considered in the ES. This is because the site is subject to a site allocation in the Southwark Plan and the draft OKR AAP, both of which set out consistent land use expectations of any redevelopment of the site; the preferred option (i.e. the final planning application proposal) would comply with these deliverables. As such, to not take into account alternative uses is considered to be appropriate.
142. The ES then proceeds to document how the design of the proposed development has evolved, taking environmental effects into account and the rationale for the selection of the preferred option. It outlines the various iterations that flowed from the extensive pre-application engagement with the Council, other statutory bodies and the local community, and how these were balanced with environmental objectives. It also provides a detailed assessment of the ‘opportunities and constraints’ of the site context to help explain how the preferred option emerged.

#### Environmental topics

143. Of the nine topics scoped into the ES, seven are assessed as part of their own dedicated chapter within the ‘Assessment’ section of this committee report; these assessments set out the likely environmental effects and residual impacts of the scheme. The climate change and adaptation chapter is summarised within the ‘Energy and sustainability’ section later in this report. Heritage, townscape and visual impacts are all considered as part of the ‘Design’ section of this report.
144. Therefore, the relevant section of this committee report should be referred to for the full assessment of these nine environmental considerations.

#### Mitigation

145. The mitigation measures to be secured by either conditions or Section 106 planning obligation for the ES topics are summarised in this list:
- Socio-economics:

- Construction phase:
  - Securing via obligation the benefits of construction phase jobs and training.
- Operational phase:
  - Securing the GP surgery or affordable workspace as planning obligations;
  - Embedded mitigation measures include new housing, open and play space provision, and commercial floorspace.
- Transport:
  - Construction phase:
    - Securing via condition/obligation a construction environmental management plan and construction logistics plan (CEMP and CLP), as well as a construction waste management plan and traffic management plan.
  - Operational phase:
    - Securing via condition/obligation final version of the A Delivery and Servicing Plan (DSP), Framework Travel Plan and Student Management Plan that accompany the planning application.
- Air quality:
  - Construction phase:
    - Securing via condition/obligation a CEMP to ensure that site-specific measures (including monitoring) in relation to the control of dust emissions are put in place.
  - Operational phase:
    - None required.
- Noise and vibration:
  - Construction phase:
    - Securing via condition/obligation measures to control noise emissions during the demolition works and reduce vibration from piling, and to include an 'hours of work' limitation in line with the Council's standard hours.
  - Operational phase:
    - Securing via a 'hard and soft landscaping' condition a review of the mitigation measures to the Level 1 podium play area to minimise noise levels at the perimeter;
    - Securing an operational phase plant noise egress assessment for the three substations that are proposed as part of the development, as well as the one substation to be temporarily relocated within the Devonshire Yard site.
- Wind microclimate:
  - Construction phase:
    - None required.
  - Operational phase:
    - Securing via condition/obligation the soft landscaping and wind mitigation measures within the scheme (such as entrance side screens and partially solid balcony balustrades).



- Daylight, sunlight and overshadowing:
  - Construction and operational phases:
    - None required.
  
- Climate change and adaptation:
  - Construction phase:
    - Securing via condition/obligation a Resource Waste Management Plan, a CLP and a CEMP.
    - Securing within the CEMP a temporary surface water management system at the outset of construction activity to prevent flooding.
  - Operational phase:
    - Securing the Energy Strategy, including the Carbon Offset 'Green Fund' contribution;
    - Securing the car-free nature of the scheme and the other mitigation measures provided in the Transport Assessment, such as via a Travel Plan and Car Parking Management Plan;
    - Securing the embedded features through obligations/conditions relating to Circular Economy and Whole Life Cycle.
  
- Water environment (resources and flood risk)
  - Construction phase:
    - None required.
  - Operational phase:
    - Educating residents of the low risk of a flood through a Flood Warning and Evacuation Plan;
    - Embedded mitigation through appropriate design of external levels and their relation to building thresholds
  
- Townscape and visual:
  - Construction phase:
    - Securing hoarding of the lower element of the structure for part of the construction phase (to be detailed in the CEMP).
  - Operational phase:
    - Securing via condition/obligation the design quality aspects (i.e. materials, detailed drawings, 1:1 mock-up elevational panels, and landscaping).

#### Effect interactions and residual effects

146. The ES has assessed two types of cumulative effects:

- Type 1 - intra-project effects which are the combined effects of individual topic impacts on a particular sensitive receptor; and
- Type 2 - inter-project effects which are the combined effects of several development schemes.

147. With regard to intra-project effects in the construction phase, the ES identifies that there is potential for effects on neighbouring and local residential properties

and commercial properties in relation to dust and noise and vibration. In terms of intra-project effects during the operational phase, none are expected; however, the ES states there will be some residual effects during the operational phase. Mitigation measures in respect of intra-project effects are addressed in the relevant topic chapters and will be incorporated into the CEMP (further detail is provided on this in the applicable later parts of this committee report).

148. With regard to inter-project effects, there are significant cumulative effects - both adverse and beneficial. Significant adverse effects are: related emissions and noise and vibration during construction; and overshadowing to nearby properties during operation. Significant beneficial effects are related to increased employment and provision of housing. The ES concludes that mitigation measures must be implemented during construction and operation to ensure these adverse effects are reduced as far as practicable (further detail is provided on this in the applicable later parts of this committee report).

#### Clarifications

149. Through the course of the planning application process, a number of clarifications were sought from the application as part of the detailed technical review of the ES, undertaken by officers with the assistance of Atkins. The applicant supplied these clarifications, and all were deemed satisfactory without any leading to a Regulation 25 request for additional environmental information. As such, officers and Atkins consider the ES to be acceptable for the topics it addressed, and that the originally submitted ES remains valid for the development.

#### Mid-application amendments

150. Mid-way through the planning application process, a series of amendments were made to the planning application (as detailed in an earlier part of this committee report), which were accompanied by a ES Statement of Conformity prepared by the applicant's Environmental Consultant. This Statement of Conformity explains that the amendments do not change the findings of the ES with regard to the nine topics considered and/or any other potential environmental considerations. Officers and Atkins concur with the Statement of Conformity, concluding from their own independent assessment that the proposed amendments would not be considered to result in any changes to the residual effects or conclusions presented in the original ES, which is considered to be valid in the context of the proposed amendments.

#### Conclusion on the Environmental Statement

151. The ES concludes that, in most cases, the proposed development would provide beneficial impacts to residents, businesses and the general public. It does, however, acknowledge that some receptors would experience adverse impacts and that most of these would occur during construction. As such, these effects would be temporary and mitigation measures have been identified which would help to reduce them significantly.

152. Consultees have not raised issues with the scope or detail of the ES, and the specialist review undertaken by Atkins concludes that the ES complies with the Regulations. In summary, the submitted ES is sufficient to allow an informed assessment of the proposal's likely environmental effects.

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

### Existing lawful use and principle of demolition

153. The site currently comprises a petrol filling station and a former trade counter, hire and storage building which is now used on a temporary meanwhile basis as artist's workspace. These existing land uses are summarised in the table below:

<b>Existing land uses and quanta: Summary table</b>	
<b>Existing Land Use</b>	<b>Existing Floorspace (GIA)</b>
747-759 OKR: Petrol Filling Station (Sui Generis)	94.32 sq.m
765-755 OKR: Meanwhile Use (Class E)	2,625.34 sq.m
<b>Total Sui Generis</b>	<b>94.32 sq.m</b>
<b>Total Class E</b>	<b>2,625.34 sq.m</b>

154. The principle of redeveloping the site for mixed-use development has been established through the extant hybrid permission approved in February 2022 (ref. 19/AP/1239). Notwithstanding this, the following paragraphs provide an assessment of the principle of the proposed development in respect of the key planning policy and material considerations.
155. Unlike at the point in time 19/AP/1239 was granted approval, the site has now been formally allocated for development in the Southwark Plan, and the strategic housing need for the borough remains a pertinent issue in planning decision making, not least the acute requirement for affordable housing.
156. The NPPF promotes the efficient use of land and requires new development to make optimal use of previously developed land, specifically acknowledging the multiple benefits that can be delivered through mixed-use schemes. The NPPF states that decision making should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing.
157. This previously developed brownfield land lies within the Old Kent Road Opportunity Area and is currently underutilised with low levels of employment and no housing. The existing site makes no meaningful contribution to the Council's land use objectives. It is a sustainable site with a high existing level of public transport accessibility and, accordingly, is allocated for mixed-use redevelopment in the Southwark Plan. In Opportunity Areas, both the London

Plan and Southwark Plan policies strive for higher density, high quality mixed-use development that will assist in addressing the acute need for new homes and a range of employment opportunities. The draft OKR AAP supports this approach.

158. There is no policy protection for petrol filling station uses and therefore the loss of the filling station on the site is acceptable in principle. In any case, there are three petrol filling stations within a 1 kilometre radius; these are at the Asda and Tesco stores on the Old Kent Road, and the third is a Shell filling station on New Cross Road in the neighbouring borough of Lewisham.
159. With regard to the principle of demolishing the HSS (Class E) premises, there is no objection principle in land use terms subject to at least the same quantum being re-provided in the proposed development. This matter of the quantum of proposed non-residential floorspace is dealt with in detail in a later part of this 'Principle of the proposed development in terms of land use' section of the report.
160. The existing buildings are not listed and possess no heritage value; although re-use, refurbishment and adaptation are relevant considerations at the inception of new development proposals, the existing petrol station and former HSS Hire buildings are clearly not suitable for retention to deliver the requirements of an up-to-date site allocation. Notwithstanding, the applicant has undertaken a pre-demolition audit, which identifies that 95% of existing materials have potential for re-use in the construction process, or to be recycled to avoid landfill and reduce embodied carbon. The pre-demolition audit accompanies the applicant's Circular Economy Statement, more detail about which is given in a later part of this report.
161. Overall, the application site is a prime candidate for sustainable redevelopment. The demolition of the existing buildings, which are ill-suited to retention and/or repurposing, and the redevelopment of the land for a high quality scheme of the scale, character and mix of uses proposed –and one that responds positively to the recently-adopted site allocation– are supported by strategic and local policy. The principle of demolition and redevelopment is therefore acceptable.

## Relevant policy designations

### Overarching strategic policy objectives

162. The National Planning Policy Framework (NPPF) was updated in 2023. 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.

163. The Good Growth chapter of the London Plan includes objectives GG2 and GG5, which focus on making best use of land growing a good economy. 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.

#### Old Kent Road Opportunity Area

164. The site is located within the Old Kent Road Opportunity Area where the London Plan recognises the potential for “significant residential and employment growth” to be realised through a suitable planning framework that optimises development in conjunction with improvements to public transport accessibility. The Old Kent Road Opportunity Area is identified within the London Plan as having an indicative employment capacity of 5,000 and an indicative residential capacity of 12,000 homes.

165. London Plan Policy SD1 encourages opportunity areas to:

- optimise residential and non-residential output;
- optimise density; and
- contribute towards meeting (or where appropriate) exceeding the minimum guidelines for housing and/or indicative estimates for employment capacity.

166. The Old Kent Road Area Vision of the Southwark Plan 2022 sets out the overall vision for the Old Kent Road. The policy says development should:

- deliver direct benefits to the existing community including new and improved homes including new council homes, schools, parks, leisure and health centres, and the creation of jobs;

- promote car free development and support the Bakerloo Line extension, electric buses, taxis, commercial vehicles and cycling which will help to tackle air and noise pollution;
- help foster a community in which old and young can flourish;
- build new homes that come in a range of types from terraced houses to apartments with a high design quality including generous room sizes, high ceilings and big windows to ensure people have space to think and to rest;
- link existing open spaces like Burgess Park to each other and new park spaces; and
- demonstrate excellent standards of environmental sustainability including pioneering new district heating networks to reduce carbon emissions, measures to tackle poor air quality and sustainable urban drainage systems to reduce flood risk.

167. The Old Kent Road Area Vision also states that the draft OKR AAP will set out the physical framework for enabling the community to realise its potential. The Council is in the process of preparing this AAP which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. A further preferred option of the OKR AAP (Regulation 18) was published in December 2020. As the document is still in draft form, it can only be attributed limited weight.

168. The London Plan specifically recognises the value of the proposed Bakerloo Line extension from Elephant and Castle to Lewisham and beyond, which would increase the connectivity and resilience of the Old Kent Road Opportunity Area while also reducing journey times to key destinations.

#### Old Kent Road District Town Centre

169. Policy SD8 of the London Plan requires district centres to focus on the consolidation of a viable range of functions, particularly convenience retailing, leisure, social infrastructure, local employment and workspace, while seeking to deliver higher density mixed-use residential development. Policy SD7 of the London Plan expects commercial floorspace to be delivered to a basic fit-out and to be practically laid out with a good street frontage.

170. Amongst other things, London Plan Policy SD9 expects boroughs to use 'mechanisms' in town centre locations that help deliver housing intensification and mixed uses, and which also secure ongoing asset management. As an example, the policy cites specialist forms of housing investment such as PBSA.

171. The key policy at the local level is Southwark Plan Policy P35. This sets out that, amongst other things, development in town and local centres 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.

#### Old Kent Road Strategic Cultural Area

172. The Strategic Cultural Area designation, the extent of which exactly matches the Old Kent Road Area Action Core, seeks to support and build on the range of cultural facilities available locally, while celebrating the identity and community of the area. Some elements of the draft OKR AAP that respond to this designation are the proposals to:

- deliver a network of arts and cultural spaces which will provide a foundation for the local community, as individuals or groups, young and old, to explore and engage in continuous learning;
- strengthen the identity of Old Kent Road as a cultural destination, attracting new creative enterprises, a university and a major cultural attraction; and
- integrate Old Kent Road's historic and valued character into new development, celebrating its industrial past and present.

#### Southwark Plan Site Allocation

173. The Southwark Plan 2022 includes a site allocation, NSP69 'Devon Street and Sylvan Grove', which the application occupies approximately 24% of. NSP69 states that redevelopment of the site must:

- provide new homes (C3); and
- provide retail uses on the Old Kent Road frontage; and
- provide at least the amount of employment floorspace currently on the site (E(g), B class); and
- provide leisure, arts, culture or community uses; and
- provide a new access road into the SIWMMF; and
- provide public open space of 3,573 square metres.



**Image 38** (above): Site allocation NSP69 'Devon Street and Sylvan Grove', as depicted in the Southwark Plan 2022.

174. The design and accessibility guidance states that “development should reinforce the high street and provide a new part of the town centre.” The design guidance goes on to state that as the site falls within the Old Kent Road Opportunity Area, development will need to demonstrate that the site responds positively to the objectives of the draft OKR AAP.

175. NSP69 supports tall buildings and states that “comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.”

176. The allocation also states that the site has the potential to connect to the District Heat Network (DHN) and South East Combined Heat and Power (SELCHP) network in the future.

#### Draft OKR AAP Site Allocation

177. The application site is located within the OKR 18 parcel of the draft AAP. This parcel, for which the draft AAP sets out a future growth vision, has a boundary very similar that of Southwark Plan Site Allocation NSP69.

178. The draft AAP sets out some ‘must’ deliverables of redevelopment within OKR 18. Those applicable to the Devonshire Place site are:

- deliver new homes; and
- replace existing on-site employment floorspace (to be consistent with the building and land use types shown in Figure SA4.3, see right); and
- provide community uses; and
- enable walking and cycling connections between (to the east) Manor Grove and the Tustin Estate and (to the west) the proposed Livesey Park; and
- provide a new access road to the SIWMF.

**Image 39** (right): Figure SA4.3 of the draft AAP, ‘Building Typologies and Land Uses’, cropped to the application site (edged in red).



179. The OKR 18 vision also sets out a number of detailed design expectations. Those that are relevant to the Devonshire Place site are:

- providing a new public square that splits across the Devonshire Place and Sylvan Grove sites, and which has a unified landscape design and management regime;
- providing pocket parks, including one at the end of Devon Street;
- using the part-retained warehouse at the Daisy Business Park site to inform the position and design of open spaces and other buildings within the OKR 18 parcel, including their appearance and materiality, particularly through the use of brick;
- providing a standalone light industrial building on the northern edge of the site allocation;
- reinforcing the frontages on Old Kent Road with shopping and retail uses at ground floor and new and refurbished business space providing space suitable for offices, studios and managed workspaces;
- providing sand and wet play facilities for children.

180. The high street strategy in the draft AAP expects the architecture of the Devonshire Place scheme to complement the Victorian terraces, with the overall impression being of “a new area firmly founded in its rich heritage”.

181. The draft AAP also includes a strategy with regard to building heights in OKR18, the key elements of which are:

- the buildings fronting on to Old Kent Road should be between eight and ten storeys to frame the high street;

- buildings set back from Old Kent Road should rise to between eight and twelve storeys;
- there is scope for 'Tier One' and 'Tier Two' Three' tall buildings within the northern parts of the site, adjacent to a commensurately sized open space at Devonshire Grove and Sylvan Grove.

182. The servicing and road network strategy for OKR18 says:

- Devon Street (West Arm) will become two way working to maintain access to Southwark's Integrated Waste Management Facility and to the London Power Network site; and
- Devon Street (South Arm) will be stopped up and Devonshire Grove will become a two way working carriageway leading to a new junction alignment with Asylum Road.

#### Conclusion on policy designations, including response to the site allocations

183. The overarching thrust of policies within the Development Plan is to optimise and make effective use of land. The site is a long-standing underutilised collection of land parcels and low-rise buildings, presenting a clear opportunity for optimisation.

184. In land use terms, the principle of redeveloping the application site for a housing-led development, providing a mix of conventional Class C3 dwellings and PBSA alongside flexible Class E (retail/dining/service/office) premises and a community hub, is acceptable as it would bring into productive use this underutilised inner London site. The proposed mix and quantum of uses would support the role, functions and ambitions of the Opportunity Area and meet the expectations of the two site allocations, NSP69 of the Southwark Plan 2022 and OKR 18 of the draft AAP.

185. The acceptability of each of the individual uses is considered below.

#### Higher education and associated uses

##### Policy background

186. The London Plan sets out the strategic vision for the higher education sector. Policy S3, which is concerned with education 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.

187. 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”*

188. London Plan Policy E8 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.
189. Southwark Plan Policy P27 says that development for higher and further education facilities will be permitted where they meet identified needs.

#### Assessment

190. Southwark is home to Kings College London, the University of the Arts, and London South Bank University, representing some of the largest universities in London. There are also a number of noteworthy higher education providers in adjacent boroughs such as Lewisham, which is home to Goldsmiths, the latter being easily accessible via the Old Kent Road transport corridor. The draft OKR AAP seeks to bring a university to the area, and identifies OKR3 ‘Mandela Way’ as a likely location for such an institution. Benefiting from high transport accessibility and good links to the aforementioned higher education institutions, the application site’s District Town Centre location makes it appropriate for education-related uses.
191. The student housing proposed by this planning application would meet an identified need within Southwark for higher education related facilities, while also supporting the Opportunity Area to progress towards becoming a centre of excellence for education. It would also form an integrated part of a mixed-use redevelopment. Therefore, in principle the proposed student housing land use aligns with the requirements of London Plan Policies S3 and E8, as well as Southwark Plan Policy P27.
192. As student accommodation is a type of housing, the acceptability of the proposed PBSA as part of the planning application’s overall residential offer is considered within the following ‘Housing’ assessment. Other related considerations, such as the quality and management of the accommodation,

and how transport impacts would be mitigated, are assessed in the relevant later parts of this report.

## Housing

### Policy background

193. The London Plan sets the borough a target of providing 23,550 net new home completions over the next ten years. The targets are to be achieved by: allocating a range of sites for housing; encouraging development on appropriate windfall sites; and optimising the potential for housing delivery on all suitable and available brownfield land. In order to help meet this target –while also ensuring social and other infrastructure is delivered to create mixed and inclusive communities as well as employment opportunities– London Plan Policy SD1 promotes mixed use development in opportunity areas, whereby functions such as retail and community are provided alongside housing.
194. Policy H1 of the London Plan seeks to optimise the potential for housing delivery on all suitable and available brownfield sites, especially on sites with existing or planned public transport access levels of 3-6 or which are located within 800 metres of a station or town centre boundary.
195. At the local level, the Southwark Plan and draft OKR AAP reiterate the targets established by the London Plan. Policy ST1 ‘Development targets’ of the Southwark Plan states that the Council “will work with our partners, local communities and developers to ensure that developments deliver the required growth and improvements to achieve our targets including 40,035 homes between 2019 and 2036 (2,355 new homes per annum)”. Of the 40,035 homes, the Plan aims for 11,000 to be new council homes. In seeking to play its role in the delivery of these borough targets, the draft OKR AAP sets out the phased delivery of 20,000 homes by the year 2038.
196. The regeneration of the application site for housing-led development is promoted by the site allocations in the Southwark Plan and the draft AAP. Both NSP69 and OKR 18 identify the allocation area’s capacity as being 1,500 homes.

### Assessment

#### *Principle of housing*

197. By delivering 941 PBSA bedspaces and 200 conventional residential units, this planning application would contribute to realising the housing aspirations for the Opportunity Area, in line with London Plan Policy SD1, while also increasing London’s housing supply, in accordance London Plan Policy H1.
198. The proposed housing units are lent further support by the Southwark Plan and the draft AAP, which promote residential uses on the application site in the quantum proposed. The proposed housing would create a mixed community in



a well-connected inner London location, the accessibility rating of which is likely to rise significantly in the near future.

199. Having regard to all of the above, the provision of residential floorspace, in a mix of conventional Class C3 units and PBSA, is acceptable in principle. This is subject to the Class C3 dwellings and PBSA meeting the relevant policies concerned with unit sizes, quality of accommodation, management arrangements and standards of amenity; it is also subject to a compliant tenure mix being delivered across the development as a whole. These matters are discussed in later sections of this report

*Contribution towards borough housing targets*

200. 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. As the application site forms part of an identified 'allocation' in the Southwark Plan, its redevelopment for housing has been anticipated by the borough-wide assessment of deliverable housing sites. The borough-wide assessment attributed an indicative capacity of 855 new homes to the NSP69 allocation; this was based on the number of homes secured in the Daisy Business Park application (ref: 19/AP/2307) with a further 636 as a remaining capacity.
201. Although student housing is classified as non self-contained accommodation and a Sui Generis use in the Use Classes Order, it is considered as 'housing' for monitoring purposes through the Council's and GLA's monitoring reports. The London Plan advises that 2.5 student bedspaces should be treated as the equivalent of a single dwelling. With 941 student rooms proposed, the Devonshire Place development would contribute the equivalent of 376 (rounded) homes towards meeting the Council's housing targets. It would also reduce pressure on the local private rented market, in that it would release back to the private rented sector 376 single dwellings that would otherwise be in student occupation.
202. Aside from the contribution it would make towards the strategic housing targets set out in the Southwark and London Plans, the proposed PBSA would also assist in delivering on-site conventional (Class C3) housing, thus making a further contribution towards the targets. This is because the delivery of the 200 proposed conventional homes is intrinsically linked to the delivery of the PBSA direct-let bedspaces, as the proposal relies on a cross-subsidisation financial model.
203. Together, the PBSA and the 200 conventional homes would deliver the equivalent of 576 homes. This equates to 24.5% of the borough's 2,355 home annual target, and represents 1.4% of Council's targets over the entire Plan period. The significant contribution the proposal would make to the housing delivery targets is welcomed.
204. With respect specifically to affordable housing, there is a pressing need at the local level, with over 11,300 people on the borough's Housing Association

waiting list as of December 2022. The 125 proposed social rent units would in particular help ease this pressure, delivering quality low-cost accommodation for Southwark residents, while also assisting the Council in its aim to provide 11,000 new council homes by 2043 as part of the overall target of 40,035.

*Old Kent Road Housing Delivery Plan*

205. The Greater London Authority (GLA) and Transport for London (TfL) officers have worked closely with Southwark Council officers to agree the broad geography and phasing of development across the area covered by the draft AAP, to help provide certainty to communities, local businesses and developers in advance of the Bakerloo Line Extension (BLE) and a clear timetable for its delivery. This has resulted in broad agreement between the GLA, TfL and Southwark Council on the scale and geography of the area's new town centres, where industrial uses will be retained, replaced and intensified, and how housing delivery will be phased in advance of the BLE. Broad alignment and the location of potential tube stations has also been agreed between Southwark Council and TfL, and formal safeguarding is in place.
206. As part of the collaborative process outlined above, and as per AV.13 'Old Kent Road Area Vision' of the draft AAP, a Housing Delivery Plan has been introduced. This comprises two consecutive phases, Phase 1 and Phase 2, each with their own housing number limit. For Phase 1, the cap is 9,500 net additional homes. Any scheme granted permission after the cap has been met would fall into Phase 2, and be subject to a Grampian agreement linked to BLE delivery. Phase 2 schemes will only be eligible for implementation once a BLE construction contract is in place. In respect of the OKR Housing Delivery Plan only (i.e. not in respect of strategic housing targets), the Local Planning Authority and TfL have agreed that a 3:1 conversion rate can be applied in respect of PBSA schemes, where three PBSA units equate to one conventional (Class C3) dwelling.
207. The application site benefits from an extant planning permission, as part of a wider site encompassing the Council-owned Devonshire Yard land, for up to 565 homes. As confirmed in the extant planning permission, these 565 homes fell within the Phase 1 capacity. Planning application 23/AP/1862 puts forward an alternative form of development for the site. Applying the 3:1 conversion rate agreed with TfL, 23/AP/1862 would deliver the equivalent of 514 dwellings. Rounding-up has been applied to the PBSA unit calculation in order not to underplay the total number of homes (or part thereof) this proposal would bring forward, and how this number would play into the running total of homes relative to the 9,500-home cap. The calculation is as follows:
- one third of the 941 PBSA units (which is 3.133); plus
  - the 200 conventional homes.
208. The existing Section 106 Agreement restricts implementation of the extant planning permission (excluding the Devonshire Grove highway works) until the developer has acquired the Council-owned Devonshire Yard land. As this will no longer be necessary under the 23/AP/1862 planning application, and the fact

that the Council would only be capable of independently building out Building E from the extant planning permission (Building E being wholly non-residential), the Council as landowner of Devonshire Yard does not hold any existing BLE Phase 1 unit 'credit'. A new planning permission would therefore be required for residential development on the Devonshire Yard land, and the merits of such a scheme would need to be considered at that time in the context of the Phase 1 cap.

209. Essentially, it is only possible for the BLE credit to be used either for the extant planning permission or in connection with the newly-proposed 23/AP/1862 scheme, but not both. While planning permission could theoretically be sought for redevelopment of the Council-owned Devonshire Yard land, a fresh permission would require in this scenario either:

- the seeking of a new planning permission by the Council for residential development of approximately 51 units within the Phase 1 cap; or
- the seeking at a later date of planning permission for a larger development which would fall into Phase 2.

210. The Council's Property division has confirmed that there are no plans in the short term to seek planning permission for redevelopment of the Devonshire Yard land. Given this context, it is acceptable in principle to designate planning application 23/AP/1862, and all of the proposed 514 residential units (equivalent), as a 'Phase 1' scheme.

211. In the event of a resolution to grant permission for the 23/AP/1862 proposal, the Section 106 Agreement will incorporate a 'surrender' covenant requiring the owner to 'give up' the right to develop under the extant hybrid permission. From a legal perspective, this is feasible because the applicant for 23/AP/1862 is also the applicant for the extant hybrid permission. Are we still proposing this?

212. In the wider context of extant planning permissions and live planning applications across the Old Kent Road Opportunity Area, if planning permission is granted for the new Devonshire Place proposal and the 19/AP/1239 consent is simultaneously surrendered, this would bring the total number of homes within Phase 1 to the equivalent of 9,496 dwellings. This is summarised by the table below:

<b>Delivery of Old Kent Road Housing Delivery Plan: Summary table</b>	
<b>Phase 1 schemes by status</b>	<b>No. of homes</b>
Extant planning permissions incorporating residential use(s)	8,046
Planning applications incorporating residential use(s) that benefit from a resolution to grant planning permission, but are pending completion of a legal agreement ^	681
Planning applications incorporating residential use(s) without a resolution to grant as yet *	252

The 23/AP/1862 planning application	514
Total of all Phase 1 schemes	9,493
Surplus/headroom relative to the 9,500-home cap	Headroom of 7

*^ These applications are 19/AP/6395 (294 St James's Road), 20/AP/3822 (95 Haymerle Road), 21/AP/4757 (Ilderton Wharf), 22/AP/1603 (18-22 Penarth Street) and 23/AP/0387 (79-161 Ilderton Road) proposing 15, 40, 163, 141 and 322 homes respectively.*

*\* This application is 23/AP/0582 Daisy Business Park, proposing 252 homes.*

213. Given that the proposal hereunder consideration would not result in a breach of the 9,500 home cap, the Opportunity Area would not experience any undue infrastructural burden as a consequence of the proposed homes. As such, 23/AP/1862 will be treated as a Phase 1 development and will not be subject to the Grampian agreement.

214. The inclusion of the surrender clause in the Section 106 Agreement will give clarity and certainty to the housing pipeline within the Old Kent Road area, enabling the Local Planning Authority to make optimum use of any extra headroom beneath the 9,500 home ceiling that may be released by developers seeking alternative uses on sites where housing has been consented previously. The Local Planning Authority is currently in a number of pre-application discussions about reducing or removing altogether the housing component from some extant Phase 1 planning permissions. It is also possible that extant permissions for housing will lapse, which would reduce the total number of homes in Phase 1, potentially releasing extra capacity beneath the 9,500 home ceiling. With all of the aforementioned in mind, there is scope for any future proposed development of the Council-owned Devonshire yard land to fall within Phase 1, depending on timings of such an application and the quantum of housing proposed.

### Conclusion on the provision of housing

215. With residential uses being supported on this site at all policy levels, in land use terms the proposed housing is acceptable. It would make a major contribution to meeting the Mayoral and local-level housing delivery targets, while playing its part in delivering the capacity identified in Southwark Plan allocation NSP69 of 855 new homes. Furthermore, bringing forward the development within Phase 1 of the Old Kent Road Housing Delivery Plan would not result in any undue infrastructural burden in advance of the Bakerloo Line Extension.

### Student accommodation

#### Policy background

216. In order to help meet the London Plan target of 23,550 net new home completions over the next ten years, while also supporting the vibrancy and vitality of the town centres, Policy SD6 promotes mixed-use or housing-led intensification in these locations. The policy makes express reference to PBSA,

saying the “particular suitability of town centres to accommodate a diverse range of housing should be considered and encouraged, including [...] student accommodation”.

217. 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.

218. Part A of Policy H15 states that boroughs should seek to ensure the local and strategic need for PBSA is addressed, provided that:

1. the development contributes to a mixed and inclusive neighbourhood;
2. it is secured for occupation by students;
3. 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;
4. the maximum level of accommodation is secured as affordable student accommodation and;
5. the accommodation provides adequate functional living space and layout.

219. 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

220. 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”.*

221. 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”.*

222. At the 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

Old Kent Road 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.

223. 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 Devonshire Place 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.

224. 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”*.

225. 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.

226. 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.

227. 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.

228. The following paragraphs of this report assesses the proposed development against these considerations. Later parts of this report deal with the other matters that these policies refer to, such as the affordable housing offer, quality of accommodation and transport aspects.

## Assessment

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

229. 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.

230. 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). Mountview Academy, based in Peckham Rye, also provides a range of undergraduate and postgraduate degrees validated by the University of East Anglia (UEA). The borough is also home to some other smaller satellite campuses.

231. The strategic need for student accommodation is evidenced through the GLA paper 'Student Population Projections and Accommodation Need for new London Plan 2017' (amended October 2018). Drawing on Higher Education Statistics Agency (HESA) data, this document sets out the annual student housing need for 3,500 bed spaces within London over the plan period. The study projects the total student accommodation need in London to increase from 104,835 bed spaces to 171,063 bed spaces by the end of the plan period (2041/42).



232. 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.

233. The applicant has not submitted their own Student Need Study in support of this application; however, their planning statement cites a report recently undertaken by Savills, which found that international students are 60% more likely to live in PBSA than domestic students. Given that London remains one of the key global destinations for students looking to study abroad, with the numbers of international students increasing within the capital in recent years, there will be continued demand for PBSA.

234. HMOs are typically owned by absentee landlords. The Savills report notes that since 2017 there have been over 300,000 buy-to-let mortgage redemptions in the UK as changes to taxes have dampened profitability for private landlords; this trend is likely to continue with increased interest rates and therefore higher borrowing costs for landlords who rent their properties to students. This market research, in addition to the evidenced need in the London Plan and Southwark Plan, demonstrates a compelling requirement for additional PBSA in London, from both a supply and demand side position.

235. 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?*

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

237. The area surrounding the application site is characterised by a mix of uses, including residential, commercial industrial, educational, cultural and leisure uses. The Daisy Business Park, to the north east of the application site, is allocated for redevelopment and benefits from extant permission to deliver 219 homes (ref: 19/AP/2307). Other Class C3 housing nearby includes 8-24 Sylvan Grove, which contains 80 dwellings, with a further 6 homes towards the southern end of Sylvan Grove. Immediately beyond Sylvan Grove is the expansive Tustin Estate, containing terraced houses and flatted residences within a range of point-blocks and deck-access buildings. 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. The aforementioned housing uses coexist and integrate with the surrounding non-residential uses, and thus there is no reason why the introduction of the student housing proposed by 23/AP/1862 would constrain, or be out of character in any other way with, the mixed-use nature of the neighbourhood.

238. It should be noted that there is a pending planning application at the Daisy Business Park site for a PBSA-led scheme (ref: 23/AP/0582). The proposal would deliver 688 bedspaces alongside 23 conventional dwellings and approximately 2,000 square metres of commercial floorspace. There is a low representation of PBSA schemes within the wider area, with the nearest existing premises being:

- the under-construction development at 671-679 Old Kent Road (approximately 175 metres northeast of the application site);
- Great Court in Bermondsey (approximately 600 metres northeast of the application site);
- Archwood House in Peckham Rye (approximately 600 metres to the southwest application site).

239. Therefore, in the event that both the Devonshire Place and the Daisy Business Park PBSA proposals were granted permission and implemented, it is not considered on balance 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 district town centre location, and one where conventional residential uses are well represented, is not considered to cause harm.

*Would the accommodation be secured for student occupation?*

240. Criterion 2 of London Plan Policy H15(A) requires the use of the accommodation to be secured for students.

241. The proposed development will be managed by an independent provider, most probably Homes for Students, an Accreditation Network UK certified operator. As such, responsibility will rest with Homes for Students to ensure the units are let to students on courses with HEIs. Student-exclusive use will be secured by way of an obligation in the Section 106 Agreement.

242. A supporting paragraph to Policy H15 notes that boroughs should consider allowing the temporary use of accommodation during vacation periods for ancillary uses. The viability evidence base for the Southwark Plan tested direct-let student housing schemes assuming a 40 week term time tenancy with 11 week non term-time let allowance. In light of this, it is considered reasonable to allow the operator of the proposed student housing scheme to let the rooms during the vacation period when not in use by the principal student occupiers. This will be secured through the Section 106 Agreement.

*Is a nominations agreement in place?*

243. 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.
244. 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?*

245. Criterion 4 of London Plan Policy H15(A) requires the maximum level of accommodation to be secured as affordable student accommodation.
246. 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.
247. While the London Plan's specific requirement for student housing proposals to deliver affordable rooms 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 surplus 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.

248. The proposed development has been viability reviewed to determine the maximum viable contribution towards conventional affordable housing. The proposed level of affordable housing reveals a deficit, which is only overcome through forecasted increases in PBSA rents in the coming years, as per the sensitivity analysis in the FVA. As such, the current offer of 40.8% on-site conventional housing represents the maximum viable contribution.

249. With 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 for this Fast-Track application, 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.

250. The matter of viability is dealt with in detail in a subsequent part of this report.

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

251. 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 co-living (PBCL). The London Plan expects the quality of accommodation PBCL schemes to be assessed against the requirements of Policy H16; 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.

252. 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”.

253. 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?*

254. Part B of London Plan Policy H15 requires student housing scheme sites to be well connected by transport to local services. Situated within the Opportunity Area and a District Town Centre, the site benefits from high accessibility to public transport, conveniences and services. There are also numerous leisure and recreation spaces available for students nearby, including Brimington

Park and Bridgehouse Meadows. Within fifteen minutes' walk of the site is Mountview Academy, with Goldsmiths approximately 15 minutes by bus. For all of these reasons, the Devonshire Place site is considered to a suitable location for PBSA.



**Image 40 (above):** Map of the site's accessibility to public transport, HEIs, conveniences and services.

Summary on the principle of student housing

255. 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. The proposal would provide high quality accommodation for students in an accessible and sustainable area to meet local need and demand and would contribute to the creation of a mixed and inclusive community.

Flexible non-residential (commercial/employment/business) uses

256. This planning application proposes three units in a flexible non-residential use. Details are provided below.

<b>Flexible non-residential units: Summary table</b>		
<b>Unit name and location</b>	<b>Sought use classes</b>	<b>GIA sq. m</b>
Building B unit, Level 00	Sui Generis	86

Building C unit, Level 00	Class E[a] through E[g]	249
Building D unit, Level 00	Class E[a] through E[g]	478
Total		813
<b>Comparison with extant permission</b>		
Quantum of non-residential floorspace compared to the extant planning permission (19/AP/1239)		-2,652

257. Class E comprises various sub-categories encompassing a wide range of uses. Sub-categories [a] through [f] can generally be described as 'commercial uses' and are as follows:

- [a] conventional retail;
- [b] dining (excluding pubs and bars);
- [c] financial and professional services;
- [d] indoor sport, recreation or fitness (e.g. gym);
- [e] medical or health services; and
- [f] crèche, day nursery or day centre.

258. The proposed Sui Generis use for the unit at the base of Building B is a factor of the café being within the demise of the PBSA and forming part of the PBSA amenity space offer. At least at 'day 1' of the development becoming operational, the café would be staffed and managed by the PBSA operator. In reality, however, and because it would be open to the general public, the use of the café is equivalent to Class E[b].

259. Class E[g] sub-categories can generally be described as 'employment/business uses', encompassing the following:

- offices;
- research and development functions; or
- light industrial process capable of being carried out in any residential area without detriment to amenity.

#### Policy background to commercial uses

260. In opportunity areas, London Plan Policy SD1 places focus on the need to support development that creates employment and provides the necessary social and other infrastructure to sustain growth and create mixed and inclusive communities. London Plan Policies E9 and SD7 provide support for, and do not permit loss of, essential convenience retail and specialist shopping in Major Town Centres. Policy SD7 requires development proposals in town centres to deliver commercial floorspace appropriate to the size and role of the town centre.

261. At the local level, the Southwark Plan identifies the borough's town centres as appropriate for delivering approximately 19,500 square metres of retail floorspace. Policy P35 of the Plan 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.

262. Southwark Plan Policy P35 also requires any proposed retail uses in opportunity areas and town centres 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.

263. The Southwark Plan provides support for uses with active frontages that promote activity and successfully engage with the public realm in appropriate locations. Both the Southwark Plan and draft AAP allocations within which the Devonshire Place site is located require retail to be provided on the Old Kent Road high street.

#### Policy background to employment/business uses

264. 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 office uses, with a focus on securing good quality, flexible and adaptable floorspace at varying sizes in the CAZ and town centres. 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.

265. 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), of which 90,000 square metres should be located outside the CAZ. The policy goes on to say this 90,000 square metres of employment use should include industrial, distribution, hybrid and studio workspace. It also sets a strategic target of 10,000 new jobs for the Old Kent Road Opportunity Area, and expects 10% all new employment floorspace to be affordable workspace for start-ups and small and independent businesses.

266. 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. Applications proposing employment floorspace should be supported by a marketing strategy to demonstrate how the facilities would meet current market demand. In opportunity areas, Policy P30 states that proposals



should help contribute to mixed use neighbourhoods by incorporating new types of flexible business workspace accommodating manufacturing, technology, science, creative and cultural industries and the digital economy.

267. The Southwark Plan and OKR AAP site allocations expect at least the amount of employment/business floorspace currently on the site (Class E(g) / B Class uses) to be reprovided.

#### Policy background to affordable workspace

268. 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”.
269. Policy P31 of the Southwark Plan deals with affordable workspace. Although affordable workspace technically applies to employment/business uses, Criterion 2 of the policy requires major development proposals to deliver affordable workspace amounting to at least 10% of the gross new employment floorspace (i.e. not just employment/business space, but commercial space too). The workspace should be secured 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.

#### Assessment

##### *Quantum of proposed non-residential use compared to existing land use and the extant hybrid permission*

270. As mentioned in an earlier part of this report, the existing petrol station (and the ancillary kiosk) is a Sui Generis use that does not benefit from policy protection, meaning its loss is acceptable without the need for re-provision. As such, the only existing on-site floorspace relevant to this assessment is the building at 765-755 Old Kent Road, and the 2,625 square metres of floorspace it contains. HSS Hire, the most recent formal permanent occupier of the building, is technically a retailer (Class E[a] use).
271. The 727 square metres of non-residential floorspace proposed by this planning application is:
- 21% of (and in absolute terms 2,738 square metres less than) the quantum proposed in the extant hybrid permission;
  - 28% of (and in absolute terms 1,898 square metres less than) the existing quantum of non-residential floorspace within the former HSS Hire Store building.

272. The Southwark Plan and draft OKR AAP require the NSP69 and OKR18 allocations to provide at least the amount of employment floorspace currently on the site. NSP69 clarifies that “employment floorspace” refers to Class E[g] and B uses. As there is no existing Class E[g] or B floorspace on the site, there are no re-provision requirements. Notwithstanding this, because the extant hybrid permission is a material consideration, the comparatively smaller quantum of non-residential floorspace proposed by 23/AP/1862 must be taken into account.
273. Following HSS’s vacation of 765-755 Old Kent Road in 2018, the building has been in meanwhile use as an artists’ workshop. The building does not, therefore, provide a service to the general public at present, and has not done so for over four years. It follows that the building does not contribute towards meeting the retail needs of local residents and the District Town Centre catchment.
274. Putting to one side the lack of existing operative retail uses, it would not be reasonable to require the full re-provision of 2,625 square metres of non-residential floorspace, as such a quantum would not be commensurate with the role of a newly designated District Centre. Retail floorspace of this size is unlikely to be attractive to the market in this location. The retail landscape has changed structurally over recent years, accelerated by the Covid-19 pandemic, with many high street retailers seeking flexible format stores, including reduced physical footprints to respond to changing shopping habits.
275. The character of Old Kent Road is being reimagined as a linear high-street space, with the vision for the Old Kent Road in Southwark Plan Policy AV.13 promoting convenience goods, services, and social infrastructure to meet the needs of the existing and new resident population. Notwithstanding that the previous tenant, HSS Hire, has already relocated, a ‘big box’ trade counter or retail warehouse typology would be more appropriately located on a retail or employment park.
276. A large-format retail warehouse in this location could conflict with the delivery of the essential ‘Healthy Streets’ upgrade promoted by TfL for the Old Kent Road, including the provision of a new bus stops and a segregated cycle lane. Further, the nature of a retail warehouse requiring large structural spans will also make the delivery of residential accommodation to the upper floors very challenging.
277. In exploring options for how the quantum of proposed retail floorspace could be increased, the applicant did consider the inclusion of mezzanine floorspace; however, this was not currently deemed commercially viable or desirable to the market. Similarly, basement retail would be commercially unattractive because it is usually only necessary for tenants who carry significant bulky stock, again a rarity in modern town centre retailing at District Centre scale. Additional basement space would also negatively affect embodied carbon and construction costs, which in turn affects development viability.
278. For all these reasons, the proposed non-residential use proposed is considered to represent the optimal level for this site, in terms of both the total quantum and the arrangement as two smaller units (one capable of being subdivided further).

It would appropriately reflect the needs of the emerging local community, and promote the creation of a healthy, active and vibrant street frontage on the Old Kent Road. The smaller nature of the business units would also meet the needs of the creative industries, thereby aligning with the objectives of London Plan Policy HC5.

279. Furthermore, it must be recognised that because the application site makes up a 24% portion of the allocation as a whole, it would not necessarily be expected to deliver all of the allocation's requirements on its own. The other land parcels within NSP69/OKR18 could feasibly provide non-residential uses that collectively result in no net loss across the allocation area. A final relevant consideration is that the total area of the site proposed by 23/AP/1862 is smaller than that of the extant hybrid permission, and as such it would not be reasonable to expect this planning application to bring forward exactly the same quantum.

280. Although Policies P31 and P35 of the Southwark Plan seek to restrict new non residential units to either a retail/dining/service function (Class E[a] through [c]) or an employment/business use (Class E[g]), the applicant seeks a fully flexible Class E use for the two units. This is to maximise letting options and to avoid longstanding periods of vacancy. This is permissible in this particular instance, given that both units would present extensive and attractive glazed frontages along the Old Kent Road high street that, irrespective of the interior Class E use, would provide an active and engaging frontage. Notwithstanding the full Class E flexibility hereby recommended, the applicant envisages a specific type of occupier for each of the units, as detailed below.

Potential convenience retail use

281. Although a fully flexible Class E use is sought for the ground floor unit in Building D, the applicant's intention is for the space to be occupied as a convenience retail store. This particular type of operator is being targeted in recognition of the policy and site allocation requirements to provide retail use. Such a use would activate the Old Kent Road and contribute to the delivery of the new high street.



**Image 41** (above): *Alternative configurations for the interior of the Building D commercial unit, with Option 1 being the layout should a convenience retailer be secured for the premises.*

282. A convenience retailer in this location would meet the existing and projected needs of new residents, students and the wider community, and be positioned in close proximity to the future Bakerloo Line station. It would also replace the existing ancillary petrol station kiosk with a suitably sized offering befitting of the context. Being of a comparatively larger area than the kiosk, it would enhance retail choice.

283. To help secure the desired tenant, and in so doing make efforts to meet the aspirations of local stakeholders, the Section 106 Agreement will require all marketing of the unit to be targeted at conventional food retailers up until nine months prior to practical completion. If by nine months in advance of completion no operators have been found for the unit, marketing would be broadened out to include all other Class E sub-categories. This commitment is welcomed, and will be secured in the Section 106 Agreement.

Healthcare facility or affordable workspace

284. The total quantum of proposed employment-generating floorspace within the development is 813 square metres GIA; this is the cumulative total of the Building, B, C and D units. Under the terms of Policy P30, at least 10% of this (i.e. at least 81.3 square metres) should be dedicated as 'affordable workspace'.

285. The applicant has been in discussions with Nexus Health Group, who operate an existing network of NHS surgeries in the Borough, to occupy the Building C commercial unit as a potential GP surgery. The applicant chose to approach Nexus following positive engagement with ward councillors, local residents and the local TRA's who raised the need for additional health facilities in this location. Nexus has:

- supplied a letter of intent with regards to occupying the unit;
- written in support of the planning application (these comments are accounted for and tallied in the earlier 'Consultation responses' of this report); and
- separately confirmed to the applicant that they are not proposing to close their Commercial Way premises in the event they agree terms for the Building C unit, as there are sufficient patient numbers for both Devonshire Place and Commercial Way to function.

286. Nexus is keen to continue engagement with the applicant on lease terms as soon as there is a positive resolution on the planning application.



**Image 42** (above): *Potential layout of the Building C commercial unit, showing how a healthcare facility (consultation rooms etc.) could be accommodated while still providing an extensive wrap-around active frontage.*

287. Policy P31 of the Southwark Plan allows for public health use as an alternative to affordable workspace in exceptional circumstances. As such, the allocation of the Building C unit for health services in lieu of providing a minimum quantum of dedicated conventional affordable workspace is the applicant's preferred option in this application. The Section 106 Agreement would need to ensure that rates at which the space is let to the healthcare provider proportionately represents the fact that the Building C unit is 3.06 times larger than the minimum size required by the affordable workspace policy, while also taking account of the potential for the duration of the healthcare facility to be shorter than the 30-year policy minimum affordable workspace lifetime.
288. The London Plan Policy S2, which is concerned with health and social care facilities, supports the provision of high-quality new and enhanced social care facilities to meet identified need, and where they are easily accessible by public transport, cycling and walking. Southwark Plan policy P47, which is concerned with community uses, states that new community facilities will be permitted where they are accessible for all members of the community. Were the proposed Building C unit to be occupied for the envisaged healthcare facility function, it would meet all of these requirements.
289. The Section 106 Agreement would need to be structured to allow for a scenario where the healthcare facility cannot be delivered, in which circumstances a conventional approach to 10% on site affordable workspace would be triggered. In these circumstances, on-site facilities would most probably take the form of an 'island' of desk space within the wider (market rate) floorspace of the Building C unit. A suitably worded planning obligation would ensure that, if the space defaults to dedicated affordable workspace, it will remain in Class E[g] use for the entirety of the affordable workspace lifetime.
290. To account for the 'default scenario', the Section 106 Agreement will include a dedicated affordable workspace schedule. This will ensure, among other things, that:
- the workspace is provided for a 30-year period at a peppercorn rent for months 0-11, and then from 12 months until the end of the affordable workspace lifetime at no more than £15/sq.ft;
  - the capped rental rate of £15/sq.ft will be inclusive of service charges;
  - no more than 50% of the market rate commercial floorspace can be occupied until the affordable workspace has been fitted-out to the agreed specification ready for occupation; and
  - a Full Management Plan and a Full Marketing Strategy, both to be secured in advance of the marketing period and first operation of the workspace.
291. For the reasons given above, the proposed affordable workspace offer is policy compliant.





**Image 43** (above): View from Old Kent Road, showing the appearance of the frontage should a convenience retailer and healthcare provider take up the two units.

Publicly-accessible café within the PBSA student amenity space

292. The application proposes a café space at the base of Building B. Although forming part of the PBSA amenity facilities (and thus technically being a Sui Generis use), the cafe would be open to the wider public as well as students. To be managed by the PBSA operator, the café was proposed by the applicant as a direct response to feedback from pre-application meetings with officers and the Community Review Panels.



**Image 44** (above): View of the proposed publicly-accessible café, taken looking eastwards across The Grove from outside the residential lobby of Building D.

293. The café would complement the 727 square metres of non-residential uses proposed on the Old Kent Road frontage, while also supporting the retail/restaurant offer across the wider town centre. Additionally, the unit would help draw members of the public into the heart of the site, and improve activation by providing an extensive glazed frontage onto the northern half of The Grove, where the bandstand is proposed. This public facing café would also serve a community integration role, being a place where the future student residents can meet and interact with the wider community. It is therefore supported by policy at all levels.

Potential office use



294. Notwithstanding their aspirations for the two units to be occupied by a supermarket and a healthcare provider, the applicant has supplied a brief marketing strategy (as is required by Southwark Plan Policy P30) to demonstrate that, should one or both of the commercial units be occupied for office purposes, this would meet a market demand. The strategy sets out that the predicted lack of supply of Grade A space being delivered in the short-term will ensure that the proposed development will provide attractive high quality business floorspace in an inner London location. It anticipates that there will be a large variety of occupiers wanting to upgrade from current secondary stock, and that these occupiers will be attracted to the area given its Opportunity Area and District Town Centre location.

#### Prohibiting inappropriate uses

295. As explained in an earlier part of this report, the site is in the Hot Food Takeaway Exclusion Zone. For the avoidance of doubt in case of any future changes to the Use Class Order and/or prior notification routes, a planning obligation is recommended precluding the occupation of any of the units for hot food takeaway purposes. This is in the interests of environmental protection and visual amenity. Importantly, the obligation would not prohibit hot food preparation per se, as long as customers consume the food on site (i.e. in a café/restaurant arrangement).

296. For the avoidance of doubt in case of any future changes to the Use Class Order and/or prior notification routes, a planning obligation is recommended precluding change of use of any of the three commercial units to a betting shop, pawnbroker or pay day loan shop. This would be in the spirit of Southwark Plan Policy P40, which does not permit betting shops, pawnbrokers and pay day loan shops in locations outside protected shopping frontages. This is in the interests of promoting healthy lifestyles and reducing societal inequalities.

### Community uses

#### Policy background

297. Both London Plan Policy S1 and Southwark Plan Policy 46 support the delivery of new high-quality facilities provided they are available for and accessible to all members of the community. Furthermore, both the Southwark Plan and draft AAP state that redevelopment of the allocation area “must” deliver community uses.

#### Assessment

298. The proposal includes a community hub unit at ground floor level of Building A. Marking the corner of the building, it would have glazed frontages northwest towards the Devonshire Yard land and northeast fronting onto Sylvan Gardens and towards Daisy Business Park beyond. Like with the proposed café at the base of Building B, the community hub would function as part of the overarching PBSA (Sui Generis) use.

299. The facility is intended to provide a new functional use for local community and neighbourhood groups to hold meetings and exhibitions, as well as an inclusive space for new residents to engage with local activities, programmes and services. The community hub more than doubled in size to 95.4 square metres during the design process following consultation with the Design Review Panel and Community Review Panel. The space would be maintained and managed by the PBSA operator free-of-charge for the lifetime of the development.



**Image 45** (above): Visualisation of the community hub interior.

300. The community hub's proposed location within an otherwise residential building is not inappropriate given that, firstly, the intended users are the existing community and new residents, and secondly, the hub's size means the potential for associated trip generation and residential amenity impacts would be minimal.

301. The community hub has been designed conscious of the needs of individual residents, small local societies, groups and resident organisations for ad hoc activities, and in this regard responds positively to Policy S1 of the London Plan 2021, which recognises that voluntary and community groups often experience difficulty finding premises suitable for their needs. Furthermore, it would make a contribution towards the network of arts and cultural spaces envisaged by the draft OKR AAP and the broader Strategic Cultural Area designation. Through the Section 106 Agreement, minimum hours of opening and mechanisms for ensuring good levels of community accessibility will be secured.

302. For all of the reasons outlined above, the community hub is acceptable, and should be treated as a benefit of the application.

### Job creation

303. Applying the metrics advised by the Homes and Communities Agency Employment Density Guide, the existing uses currently have the potential to employ a combined total of just over 20 people. In reality, however, the existing employment levels on site are much lower than this, at approximately 3 FTE positions. This is calculated as follows:

- the meanwhile use currently operating from the former HSS Hire Shop, as a temporary use, should be treated as supporting zero jobs; and
- the petrol station supports approximately 3 FTE positions.

304. Across the three flexible non-residential units and the community hub (which together contain 908.4 square metres of non-residential floorspace), up to 41 FTE positions would be supported, depending on the particular type of employment for which the units are ultimately used.

305. The provision of up to 41 FTE positions, representing an uplift of up to 38 on the site's current yield, would satisfy the aims of the London Plan and the Southwark Plan in creating new jobs within the Opportunity Area.

### Business relocation and retention

306. Where a proposed development may displace existing small or independent businesses, Policy P33 of the Southwark Plan requires the application to be accompanied by a Business Relocation Strategy. This must explain how the existing businesses will be supported through the course of the redevelopment and provide evidence that that the relocation option is suitable for the viable continuation of the businesses.

307. The petrol filling station is operated by Motor Fuel Group, with the kiosk operated under the Londis franchise. Motor Fuel Group is not an SME and thus does not benefit from any policy protection. In any case, Motor Fuel Group has made a supportive representation to the Council about the planning application, confirming that they have occupied the premises and entered into a lease with a vacation notice period of 6 months in full awareness of the property being allocated for redevelopment as part of the wider Devonshire Place site.

308. With regards to the current occupier of former HSS Hire buildings, Arebyte, this organisation has not had a long-term presence on the site, having taken advantage of low cost meanwhile space that otherwise would have been left vacant. This artists' workspace has submitted a representation in support of the planning application, in which they note that they took up occupancy having been made aware of the future wholesale redevelopment of the area.

309. In summary, there is no requirement to relocate or retain either of the two existing commercial occupiers, and both entered into leases in full awareness of the site being allocated for development. In any case, new business space would be created within the proposed development for vulnerable and/or small-to-medium sized enterprises if the default affordable workspace obligation is triggered.

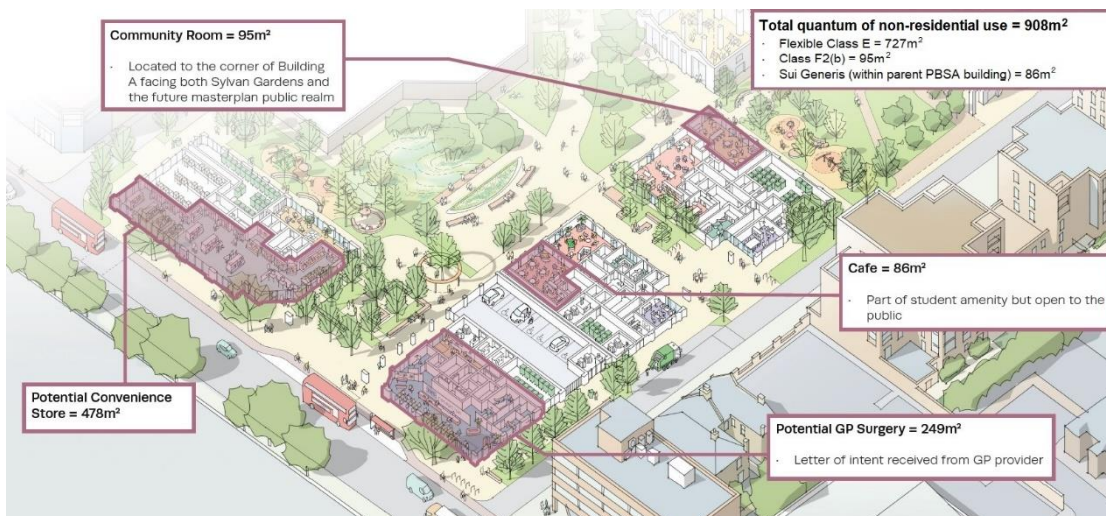
### Conclusion on uses

310. The proposed land uses are appropriate in policy terms for this site within the Old Kent Road Opportunity Area and District Town Centre. The introduction of PBSA is considered to be a major benefit of the scheme, facilitating the growth of the borough's education offer and directly enabling the delivery of a large number of on-site affordable conventional dwellings in the form of 125 social rent units and 75 intermediate units. This would in turn contribute to the creation of a mixed and inclusive community within this part of the Opportunity Area.

311. The three flexible non-residential units and the community hub would be complementary to, and would co-exist well with, the proposed residential uses. These four units would activate the Old Kent Road high street frontage and/or the new public open spaces within the site. The scale and flexibility of the uses proposed means that they would be subservient to the adjoining large scale

town centre uses to the north and complement rather than compete with them. The proposals, in providing a mix of employment-generating and community facilities, meet the expectations of the Southwark Plan and draft OKR AAP site allocations.

312. While the extant permission –and the larger quantum of non-residential floorspace it incorporated– is a material consideration in the determination of this planning application, the proposed scheme is considered to provide adequate employment-generating uses, when balanced against the benefits brought by the other land uses, in particular the 200 affordable homes. The proposed units would provide space that is modern, fit-for-purpose and more energy efficient than the existing outdated buildings on the site.



**Image 46** (above): Axonometric of the ground floor plane, with the proposed non-residential uses highlighted.

313. The potential provision of new GP surgery at the ground floor level of Building C would provide additional healthcare capacity for the local community, and is considered an acceptable alternative to delivering on-site affordable workspace. Planning obligations would ensure the affordable workspace policy requirements are met in the event that a healthcare provider cannot be secured for the premises.
314. The application site is an important catalyst site for the southern end of the Old Kent Road Opportunity Area. The range of proposed uses represents a truly mixed development that will generate new jobs and maximise the opportunity for community integration, revitalising this longstanding under-optimised site. Located opposite the proposed “Old Kent Road Station” of the BLE extension, the proposed development would provide essential place-making, public realm and mixed town centre and high street uses for both future and existing communities. In conclusion, the proposed uses are strongly supported by the draft OKR AAP and the land use objectives of policies at all levels.

## Tenure mix

315. The proposed development takes a hybrid approach whereby the PBSA units, all of which would be direct-let with no affordable bed spaces, would be delivered alongside conventional on-site affordable housing. A total of 200 conventional dwellings are proposed, of which 75 would be in intermediate tenures and 125 in social rent.

### Policy background

316. Policy H6 of the London Plan prescribes the tenure split of affordable housing. It requires:

- at least 30% to be low-cost rent (social rent or London Affordable Rent);
- at least 30% to be intermediate (with London Living Rent and shared ownership being the default tenures); and
- the remaining 40% to be determined by the borough as low-cost rented homes or intermediate tenure(s) based on identified local need.

317. Policy P1 of the Southwark Plan sets a requirement for a minimum of 25% of all the housing to be provided as social rent and a minimum of 10% intermediate housing to be provided. As a proportion of all the affordable habitable rooms in the development, this equates to 71% social rent equivalent tenures and 29% intermediate tenures. Policy P1 requires any rooms that are over 28 square metres to be counted as two habitable rooms for the purposes of calculating affordable housing. This accounts for large open-plan living spaces that include kitchens and dining areas. If a planning application offers more than 35% affordable housing, the offer must comprise a minimum of 25% social rented and a minimum of 10% intermediate housing; the remainder can comprise a mix of affordable tenures at the applicant's discretion.

318. As discussed in an earlier part of this report, the PBSA element of the proposal is entirely direct let and would cross-subsidise the delivery of the affordable housing component of the proposed development.

319. Across all the proposed residential land uses in the development, there are 1,776 habitable rooms. Therefore, to meet the tenure split requirements of Policy P1, the application must offer at least 622 habitable rooms in affordable tenures, to be split between social rent and intermediate in a ratio of 71:29.

320. However, and as explained in detail in the following section of this report, Devonshire Place is subject to a site-specific Fast-Track eligibility threshold of 40.8%. When the threshold percentage is applied to the 1,776 habitable rooms, this produces a minimum requirement for 725 of the proposed habitable rooms to be provided in affordable tenures.

321. In light of the above, across the scheme as a whole a minimum of 725 affordable habitable rooms must be delivered of the following composition:

- at least 444 in social rent tenure;

- at least 178 in an intermediate tenure; and
- the other 103 habitable rooms (i.e. the differential between 622 and 725) can be either social rent or intermediate.

## Assessment

322. The table below summarises the composition of the proposal using the 'habitable room' approach accepted by the Council:

<b>Housing composition by habitable room: Summary table</b>					
<b>Land use</b>	<b>Sub-type</b>	<b>Total no. hab rooms (/hab room equivalent)</b>		<b>As % of total hab rooms</b>	
Conventional housing (Class C3)	Social rent dwellings	496		27.9%	
	Shared ownership dwellings	229	<b>725</b>	12.9%	<b>40.8%</b>
PBSA (Sui Generis)	Cluster bedrooms	604	714	34.0%	<b>59.2%</b>
	Cluster l/k/d's	110		<b>1,051</b>	
	Studios	228	337		
	Premium studios	109		6.2%	
	<i>Communal amenity</i>	<i>Excluded from hab room calculations</i>			
		Total		<b>1,776</b>	<b>100%</b>

323. As the above table demonstrates, the tenure mix of the proposed conventional housing would be policy compliant, exceeding the minimum proportions of social rent and intermediate housing required by both the London Plan and Southwark Plan.

## **Affordable housing and development viability**

### Policy background

324. National, regional and local planning policies place a high priority on the delivery of affordable housing as part of the plan led approach to addressing the housing crisis. Southwark's Strategic Housing Market Assessment (SHMA) identifies a need for 2,077 social rent and intermediate homes per annum which is approximately 71% of Southwark's total housing need. The SHMA suggests that approximately 78% of the total affordable housing need is for intermediate housing to meet the housing needs of lower and middle income residents. However, the most acute need is for social rent housing to meet the needs of homeless households living in unsuitable temporary accommodation such as bed and breakfasts or overcrowded conditions.



325. The regional policies relating to affordable housing are set out in the London Plan 2021, with the three key policies being H4, H5 and H6. These should be applied having regard to the Mayor's 'Housing' and 'Affordable Housing and Viability' SPGs.
326. Policy H4 requires development to deliver the maximum reasonable amount of affordable housing, with the Mayor setting a strategic target of 50%. The Policy promotes the delivery of those affordable homes on-site, with a cash in lieu contribution permitted only in exceptional circumstances. Policy H4 details the quantum of affordable housing proposals must provide in order to qualify for the Fast-Track route, whereby a detailed viability assessment will not be required at planning application stage but the permission will be subject to review mechanisms if development is not commenced within the relevant timeframe.
327. At the local level, the Southwark Plan also includes a Fast-Track route, albeit setting a higher bar to pass than the Mayor. The relevant policy, Policy P1, states that a detailed interrogation of viability will be waived only where a development provides 40% affordable housing in a policy compliant tenure mix (i.e. a minimum of 25% social rent and a minimum of 10% intermediate housing), with no grant subsidy. The 40% Fast-Track threshold is calculated on a habitable room basis. The reasons that accompany Policy P1 qualify the 40% threshold level, saying "for developments proposed on public sector land the Mayor's approach will be followed".

### Assessment of the scheme for Fast-Track eligibility

328. The application site does not contain any industrial land/use but does comprise a mix of public and private land, as explained in an earlier part of this report. Although the site was subject to a Strategic Industrial Land (SIL) designation at the time of the extant hybrid permission, this has since been removed. On that basis, the relevant affordable housing threshold is a factor of the private and public land calculation only.

### Mayor's Fast-Track threshold – background

329. The GLA's Threshold Approach to Affordable Housing on Public Land Practice Note (July 2018) states that where a site comprises a mix of public and private land, the Mayor's strategic target of 50% should apply to the proportion of the site that is public, with the 35% threshold applied to the remainder (i.e. the private portion). The Practice Note makes reference to public land that does not contain a functional building or land use also being subject to the lower 35% threshold. The Mayor is currently consulting on more up-to-date guidance, in the form of the draft Affordable Housing LPG (May 2023). This draft guidance reiterates the position set out in the Practice Notice, stating that where a site is a mix of public and private land, the 35% and 50% threshold will apply to the proportions of the site that are private and public land respectively.

330. When the site is taken as a whole the overall threshold will be a combination of both thresholds, calculated according to the formula below (and with site areas to be calculated in square metres):

$$\begin{aligned} & (\text{public land site area} / \text{total site area}) \times 50 \\ & \quad + \\ & (\text{private land site area} / \text{total site area}) \times 35 \end{aligned}$$

331. The draft LPG goes on to say, at para 3.3.4, that: “Where only a small proportion of a site is public land such as an access route and this does not or did not previously contain a building or land use, the 35% threshold should apply for the whole site”.

#### Mayor’s Fast-Track threshold - assessment

332. As illustrated in the below image, when excluding existing and proposed public highway (both of which do not contain existing or proposed buildings or land uses), the public land totals 450 square metres within the application site – this is equivalent to 8.6%. Therefore, and in the context of the latest draft guidance, it could be argued that 35% is the relevant threshold given that none of the public land does, or will, contain buildings or land uses. This argument would rely, however, on the Council and the GLA concurring with the applicant that the public land represents a “small” proportion of the site, as per the requirements of para 3.3.4.



**Image 47** (above): Plan depicting the public and private land parcels that make up the application site, with the Devon Street (South Arm) highway

*discounted.*

333. To avoid these debates, the applicant has taken an approach for the new development consistent with that of the extant hybrid permission, which generates a site-specific threshold level of 36.3%. This is as summarised below:

<b>Blended threshold approach: Summary table</b>			
<b>Public land</b>	<b>Sq.m</b>	<b>Private land</b>	<b>Sq.m</b>
Public Land Area 1	230	Private Land Area 1	1,145
Public Land Area 2	220	Private Land Area 2	3,615
Total Public Land	450	Total Private Land	4,760
Total Public Land (as % of all included land)	8.6%	Total Private Land (as % of all included land)	91.4%
<b>Mayor's threshold calculation</b>			
	(public land site area / total site area) x 50	4.3%	= 36.3%
+	(private land site area / total site area) x 35	32.0%	

#### Council's Fast-Track threshold - background

334. In terms of establishing a threshold level for sites that comprise a mixture of private and public parcels of land, Southwark Plan Policy P1 says in the supporting notes that "For developments proposed on public sector land the Mayor's approach will be followed". This should be read in the context of the wider policy, which states that where a development meets or exceeds the threshold level of 40% affordable housing, and does so with a policy compliant tenure mix and without grant subsidy, the Council's Fast-Track route can be followed
335. The formula for establishing the local-level threshold is, therefore, as below (and with site areas to be calculated in square metres):

$$\begin{aligned} & (\text{public land site area} / \text{total site area}) \times 50 \\ & + \\ & (\text{private land site area} / \text{total site area}) \times 40 \end{aligned}$$

#### Council's Fast-Track threshold - assessment

336. The below table sets out how, when the Council's affordable housing targets of 50% and 40% are applied to the mix of public and private land parcels respectively, any housing proposals for the Devonshire Place site would need to deliver at least 40.8% as affordable in order to be treated as a Fast-Track scheme:

<b>Blended threshold approach: Summary table</b>			
<b>Public land</b>	<b>Sq.m</b>	<b>Private land</b>	<b>Sq.m</b>
Public Land Area 1	230	Private Land Area 1	1,145
Public Land Area 2	220	Private Land Area 2	3,615
Total Public Land	450	Total Private Land	4,760
Total Public Land (as % of all included land)	8.6%	Total Private Land (as % of all included land)	91.4%
<b>Council's threshold calculation</b>			
	(public land site area / total site area) x 50	4.3%	= 40.8%
+	(private land site area / total site area) x 40	36.5%	

337. An earlier part of this report entitled 'Tenure Mix' explained that the proposed conventional housing offer comprises 725 habitable rooms in total, split 496:229 between social rent and intermediate tenures. The table below compares the provision with the minimum number of habitable rooms needed in each tenure in order for the proposal to qualify as Fast-Track:

<b>Habitable room distribution across affordable tenures: Summary table</b>			
<b>Provision</b>	<b>Social rent</b>	<b>Intermediate</b>	<b>Total</b>
Proposed hab rooms	496 (68.4% of all a/h)	229 (31.6% of all a/h)	725
Min. F-T requirement	444	178	725
Provision vs min. F-T requirement	<b>+52</b>	<b>+51</b>	<b>±0</b>

338. Given that the proposed development surpasses the site-specific threshold level of 40.8%, and does so with the first 35% in a tenure compliant ratio of 71:29 between social rent and intermediate, under the terms of Policy P1 it would be eligible to follow the Fast-Track route. However, because the proposed development is a hybrid residential use that couples conventional affordable housing with direct-let PBSA, it engages Policy P5(2) of the Southwark Plan, not just Policy P1.

339. An earlier part of this report entitled 'Principle of the proposed development in terms of land use' detailed the policy context for student housing proposals, and explained that Policy P5 is structured in response to a locally assessed need to prioritise Class C3 conventional affordable housing. It also explained why Policy P5 takes precedence over the counterpart London Plan student housing policy. The policy provides two avenues for applicants to follow, one for schemes that are entirely direct let (this is P5(2) and one for schemes that are nominations (this is P5(3)). As the Devonshire Place proposal is for direct-let PBSA, route P5(2) applies.

340. Policy P5(2) includes a requirement for 27% of student rooms to be let at affordable rents. Accordingly, an FVA has been submitted by the applicant with the intention of demonstrating that the proposal cannot viably sustain any affordable student housing in addition to the level of conventional affordable housing proposed. The FVA modelled a 'counterfactual' scheme, whereby a Policy P5 compliant level of affordable student housing is offered on top of the current over-provision of conventional affordable housing.

### Assessment of non-provision of student accommodation

341. The applicant's FVA found that the counterfactual scheme would be significantly unviable and ultimately undeliverable. Having reviewed the FVA, the Council's assessor (BPS) agrees that delivering discounted student accommodation would produce a deficit. It would not, therefore, be viable to provide this in addition to the Class C3 affordable housing offer.

342. As such, it can be concluded that the scheme achieves Fast-Track status at both Mayoral and borough levels in its offer of 40.8% affordable housing in a tenure compliant mix without grant subsidy, and with none of the student rooms being let at affordable rents.

### Assessment of scheme deliverability

343. Sensitivity testing carried out as part of the applicant's FVA showed that, even in the event that where PBSA rents increase from their base position by 10% in conjunction with build cost savings of -5%, the target rate of return is still not exceeded (0.50% deficit). However, the testing did find that, if built costs were to fall by 10% along with 10% rent increases, the target rate of return would be exceeded. In light of this, and while the proposed scheme cannot afford any additional planning contributions at this stage, it is potentially capable of being viable and is therefore deliverable.

344. In the context of the Old Kent Road Housing Delivery Plan, the demonstrated deliverability of the planning application provides further support to designating it as part of the 'Phase 1' tranche (in so doing consuming Phase 1 capacity that would otherwise be available to other housing proposals). In turn, the forecasted deliverability provides reassurance that the development would not constrain the delivery of housing across the borough as a whole, and thus would not militate against the Council's meeting its development targets between now and 2036 as set out in Policy ST1.

### Review mechanisms

345. As demonstrated in the applicant's FVA, there would be a viability case for offering a lower level of affordable housing in this instance: the scheme is in financial deficit, surmountable only if market conditions become more favourable, as per the sensitivity analysis undertaken. The applicant has chosen not to do this, instead deciding to maintain a similar level of affordable housing (in terms of habitable room percentage and quantum) as the extant

hybrid permission. It is also noteworthy that in terms of the development programme, the conventional (i.e. affordable) housing would be delivered before the PBSA (i.e. market rate) units, which will be secured via appropriate Section 106 mechanisms.

346. No mid- or late-stage viability review mechanisms are proposed because, with all Fast Track thresholds having already been met, any such reviews would be to no purpose (i.e. they would not result in any more on-site affordable housing than is already proposed at planning application stage). For these reasons, only an implementation-dependent Early Stage Review will be secured in the Section 106 Agreement.
347. The Mayor's draft LPG states "Provisions that seek to delay the trigger date for an Early Stage Review should not be included in the S106 agreement, as this review is intended to secure additional affordable housing where viability allows – regardless of the reason development may have been delayed". The LPG goes on to say that schemes following the Fast-Track route "It is not appropriate to input application stage build cost or value information into Early Stage Review formulas for Fast-Track schemes, even if this is submitted as part of the application".
348. The applicant wishes to delay the trigger date for the Early Stage Review by 6 months; as such, the trigger date will be 30 months from the grant of planning permission. In spite of the guidance given in the Mayor's draft LPG, in this instance the 30 month period is considered acceptable, as it is designed to account for the time it will take to carry out the Devonshire Grove works. It should be noted that the extant hybrid permission included a non-standard Early Stage Review window of 42 months for the same reasons as aforementioned. By comparison, the 30 months secured in this new application represents a significantly more ambitious deadline by which the developer must reach substantial implantation. In this regard, it is considered that the 30 months balances the Mayor's objectives of accelerating housing delivery while also accounting for site-specific barriers that need to be overcome to unlock potential housing land.
349. Although in disagreement with BPS' conclusions on the inputs used in the application-stage FVA, for the purposes of concluding the viability discussions ahead of planning committee, the applicant agreed to the viability position as reported by BPS for the site as a whole. The applicant's agreement was subject, however, to four of the agreed inputs being 'fixed' at planning application stage in the Early Stage Review formulas. The inputs agreed by BPS are:
- Application-stage costs: £208,504,800 (composed of £198,576,000 plus a contingency of £9,928,800);
  - Gross Development Value: £328,156,877;
  - Profit: 15% of all GDV (except affordable 6% on the affordable element); and
  - Deficit: -£23,580,000



## Pace of affordable housing delivery

350. The Mayor's draft Affordable Housing LPG 2023 states the following at paragraph 6.1.2:

*“The [S106] agreement should include restrictions on the occupation of a proportion of market housing before an appropriate proportion of the affordable housing, particularly low-cost rent, has been constructed and disposed of to an RP or the council. This should ensure that the baseline level of affordable housing secured in the S106 agreement will be delivered. Affordable housing should be included within the initial buildings or phases of schemes and should not be concentrated in the final buildings or phases, which could result in the relevant S106 obligations not being met”.*

351. The construction programme is estimated to take just over 4 years and 5 months, with Blocks C and D to be delivered by late summer 2027, and Blocks B and A completed by the beginning of the academic year in 2028. A summary of the indicative timetable is provided below:

<b><u>Indicative construction programme: Summary table</u></b>			
<b><u>Works</u></b>	<b><u>Weeks, days</u></b>	<b><u>Start date</u></b>	<b><u>End date</u></b>
<b><u>Demolition and enabling</u></b>			
Implementation / start-on-site and services diversions	12w, 1d	25.04.2024	19.07.2024
Widen Devonshire Grove to provide SIWMF new access/ egress	8w, 0d	22.07.2024	16.09.2024
<b><u>Delivery of Buildings C and D</u></b>			
Building C below ground and main construction works	81w, 3d	26.11.2024	19.06.2026
Building D below ground and main construction works	120w, 2d	21.01.2025	13.05.2027
Building C fit-out	75w, 0d	11.08.2025	18.01.2027
Building D fit-out	83w, 3d	13.01.2026	20.08.2027
<b><u>Delivery of Buildings B and A</u></b>			
Building B below ground and main construction works	105w, 1d	15.04.2025	21.04.2027
Building A below ground and main construction works	156w, 2d	16.06.2025	14.06.2028

Building B fit-out	73w, 3d	06.01.2026	25.06.2027
Building A fit-out	114w, 1d	03.08.2026	02.10.2028
<b><u>Entire construction programme</u></b>			
Start to finish (demo, enabling and delivery of all four buildings)	<b>231w, 5d</b>	<b>25.04.2024</b>	<b>03.10.2028</b>

352. As the above table shows, the commencement of Buildings C and D (the affordable housing) has been foregrounded in the construction programme, with both buildings preceding any commencement of Building A or B. The final of the two affordable housing blocks, Building D, is anticipated to complete approximately one year and one month before completion of the final PBSA block, Building A.
353. To ensure delivery of the affordable housing keeps pace with the market element, it is proposed to include the following back-stops in the Section 106 Agreement:
- none of the PBSA units can be occupied until at least 37% of the affordable housing is delivered (i.e. not until Building C has been delivered could any PBSA units be occupied); and
  - no more than 32% of the student accommodation can be occupied until all 120 affordable housing units have been delivered (i.e. not until Buildings C and D have been delivered could the majority of the PBSA (i.e. Building A) be occupied).
354. On account of the above, there are suitable safeguards in place to ensure the delivery of the affordable housing keeps pace with the market sale (PBSA) residential component.
355. It is recognised that the sequencing of the affordable housing, whereby the low-cost rent would come after the shared ownership element, is not wholly in line with recommendations of the LPG. However, because all 200 units would need to be delivered before the vast majority of the PBSA (68%) could be occupied, and taking into account the practical need to build-out Building C before the other buildings, the sequencing is on balance considered acceptable.

### Conclusion on affordable housing and development viability

356. On this site comprising privately-owned and publicly owned non-industrial land a target of 36.3% by habitable room (meeting relevant discount and tenure thresholds), without public subsidy, must be provided to be eligible for the Mayor's Fast-Track Route. This figure is higher for the local-level Fast-Track route, being 40.8%. The Devonshire Place proposal would deliver 40.8%, exceeding the Mayor's threshold and meeting Southwark's, and thus negating the policy requirement for any interrogation of viability at planning application

stage. However, a FVA was volunteered by the applicant because of the Council's student homes policy, P5 of the Southwark Plan.

357. As per part 2 of Policy P5, the applicant is prioritising and maximising the delivery of on-site affordable housing. The volunteered FVA demonstrates that 40.8% affordable housing offered would result in a deficit for the developer, and as such the proposed level of affordable housing is in excess of the maximum reasonable amount.
358. Through sensitivity checking, the FVA confirms that in spite of the deficit, longer-term favourable market conditions could make the scheme financially viable and thus deliverable. This would largely depend on forecasted increases in PBSA rents in the coming years.
359. In accordance with the requirements of London Plan Policy H5 and Southwark Plan Policy P1, the Section 106 Agreement will incorporate: an implementation-dependent Early Stage Review; clauses to ensure delivery of a proportion of the conventional housing in advance of the PBSA; and provisions around the qualifying criteria for the affordable housing products. With these secured, the proposal is considered to be compliant with all affordable housing policies at local and London levels. It would also largely accord with the guidelines set out in the Mayors' draft Affordable Housing LPG 2023.

## Dwelling size mix

### Policy background

360. With regard to dwelling size mix, the principles set out by London Plan Policy H10 are made locally specific by Southwark Plan Policy P2. The latter states that major residential developments must provide a minimum of 60% of residential units with two or more bedrooms, and that within the OKR Action Area Core 20% of residential units must have three or more bedrooms. Dwelling mix compliance is assessed on the basis of dwelling numbers, not habitable rooms.

### Assessment

361. The below table summarises the split of sizes/occupancies across the 200 proposed conventional (Class C3) dwellings:

<b>Distribution of dwelling sizes across affordable tenures: Summary table</b>					
<b>Unit size</b>	<b>Social rent</b>		<b>Intermediate</b>		<b>Total</b>
1-bed	39	(31.2% of all SR)	36	(48.0% of all SO)	75 (37.5%)
2-bed	45	(36.0% of all SR)	39	(52.0% of all SO)	84 (42.0%)
3-bed	37	(29.6% of all SR)	0		37 (18.5%)

4-bed	4 (3.2% of all SR)	0	4 (2.0%)
All units	<u>125</u>	<u>75</u>	<u>200</u> (100%)

362. As the table shows, 62.5% of the units would have two or more bedrooms, and 20.5% of the units would contain three or more bedrooms. This meets the requirements of Policy P2. The provision of some four-bedroom dwellings, all in social rent tenure, should be seen as a positive attribute of the scheme.

## **Quality of residential accommodation – PBSA**

### Policy background

363. Although student housing falls within the Sui Generis use class, it comes with many of the same functional, amenity and environmental requirements as conventional residential development. As such, it is necessary to give regard to the development plan policies concerned with residential uses when considering the acceptability of student housing proposals.

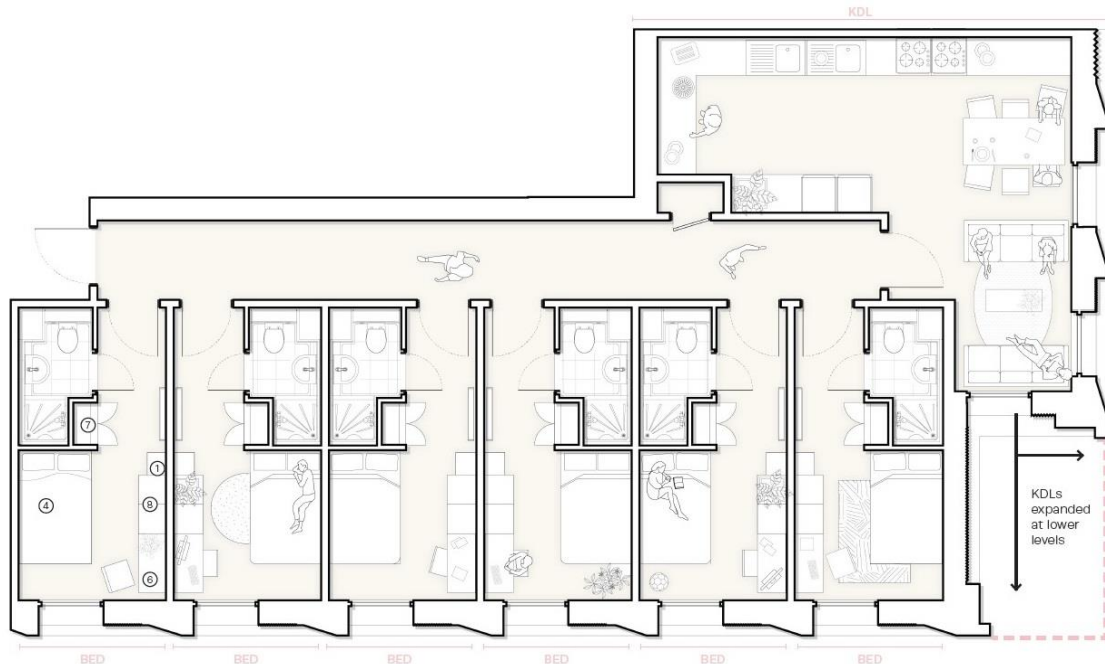
364. The Southwark Plan does not prescribe any minimum space standards with respect to student accommodation. Policy P15 “Residential Design”, which sets out the standards for new homes generally and includes a 17-point criteria, is clearly designed for conventional residential housing. Nevertheless, it is not unreasonable to expect student housing proposals to achieve some of those criteria, namely:

- Criteria 1 - Provide a high standard of quality of accommodation for living conditions;
- Criterion 6 - Provide acceptable levels of natural daylight by providing a window in every habitable room;
- Criterion 7 - Achieve a floor to ceiling height of at least 2.5 metres for at least 75 per cent of the Gross Internal Area of each dwelling to maximise natural ventilation and natural daylight in the dwelling; and
- Criterion 14 - Provide communal facilities.

365. There are no other local-level requirements that student housing proposal should meet in terms of quality of accommodation.

### Spatial arrangement

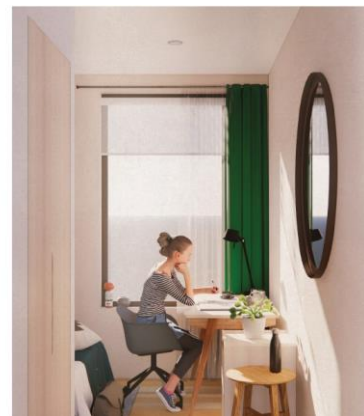
366. Three different ‘bedspace’ formats are proposed. The majority of these (604 of the 941) would take the form of a 12.5 square metre GIA private en-suite bedroom within a cluster flat, where the occupiers would share an open-plan communal kitchen, living and dining space. The bedrooms would be furnished with a queen size bed, a desk and storage space. The square meterage of the open-plan communal space varies depending on the particular floor of the building on which the cluster flat is located, as well as in some instances the number of bedspaces within the flat. None of these kitchen/living/dining spaces would be smaller than 27 square metres, with some in excess of 35 square metres.



**Image 48** (above): Typical cluster flat layout in Building B, showing the dual aspect nature of the communal kitchen/living/dining space.



**Image 49** (above): Visual of the communal living/kitchen/dining space within the cluster flats.



**Image 50** (above): Visual of a cluster bedroom.

367. The other two 'bedspace' formats proposed are regular studios and premium studios. The studio typology is a self-contained apartment equipped with a shower room and all the necessary facilities to meet the sleeping, living and food preparation needs of the individual occupier. 228 regular studios and 109 premium studios are proposed.

368. With regard to the premium studios, these would range in size from 25.0 to 30.0 square metres GIA. The premium studios are generously proportioned and would provide very good levels of residential amenity for the occupiers.

369. The regular studios would range in size from 16.8 to 24.0 square metres GIA. Although these particular unit types are of an efficient configuration, the layouts submitted as part of the planning application include furnishings to illustrate how queen-sized beds, a desk and storage space could be accommodated in

a way that would not be cramped or impractical for use. Alongside furnishings, a kitchenette would provide two hob rings, a sink a fridge and cupboards for storing food and waste. The occupier would be expected to dine at their desk. On balance, and taking account of the level of internal communal facilities provided within the PBSA buildings that would supplement the private individual accommodation, the regular studios are considered to be of an adequate size and layout.



**Images 51 and 52 (left and above):** Layout of the two types of studio; Visual of one of the regular studios.

370. All of the accommodation typologies would achieve at least 2.5 metre floor-to-ceiling heights, which is in accordance with Policy P15. This would contribute to the sense of space within these dwelling units.

#### Environmental comfort

371. Each bedroom would incorporate at least one window containing an openable pane. This would allow for a degree of manually-controlled passive ventilation and thermal control. Air tempering would be available in the rooms to complement the natural ventilation.

372. The Noise and Vibration Assessment submitted with the application outlines how, through a suitably designed façade and ventilation strategy, the building façade would ensure appropriate internal noise conditions are achieved. Conditions are recommended requiring pre-occupation testing of the separating floors and walls to demonstrate that the relevant acoustic performance standards, as prescribed by the Building Regulations, have been met. This will ensure that the occupiers of the dwellings do not experience excess noise, transmitted either vertically or horizontally, from adjacent sound sources.

#### Aspect, outlook and sense of openness

373. Outlook, sense of openness and privacy are all very important considerations for student housing proposals, as unlike conventional housing which provides occupiers with multiple rooms and a variety of outlooks, the bedrooms would



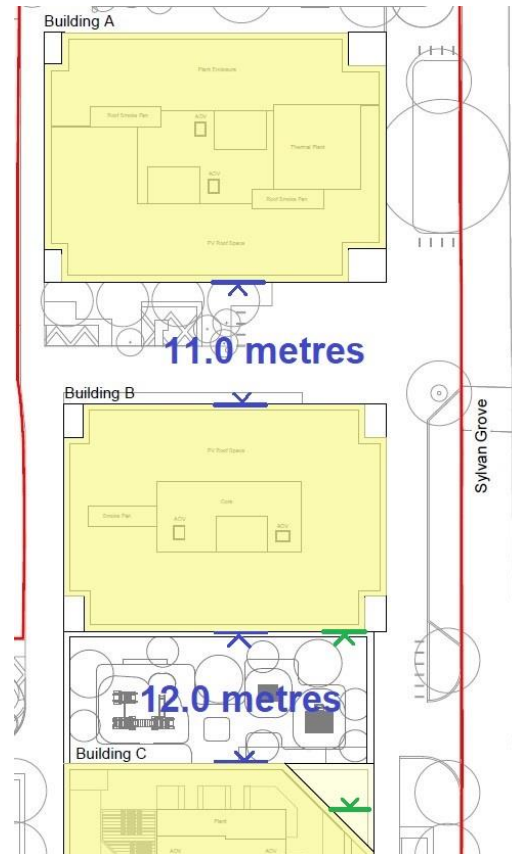
be in many cases the only space inhabited by the occupiers, and they would do so for much of the year.

374. Buildings A, B and C have been arranged on the site in a linear formation, running along a northeast-southwest axis. This enables all the northwest, southeast and northwest facing facades to enjoy extremely good outlook and sense of openness in the current-day context.

375. As the diagram to the right shows, the linear arrangement produces façade-to-façade spacing's between the buildings as follows:

- 11.0 metres between A and B; and
- 12.0 metres between B and C.

376. With regard to the 12.0 metre distance for the southwest-facing rooms in Building B, it is recognised that this is a relatively intensive relationship between windows that do not face each other across a highway. To help ease the relationship between the two buildings, the applicant has chamfered the eastern corner of Building B on its upper three storeys. As a consequence of the chamfer, the separation distance widens to an average of 16 metres (as indicated in the diagram by the green markers). For the rooms on the upper floors of Building B's southwest facade, the chamfer would produce a deeper and more expansive outlook, albeit in an oblique direction.



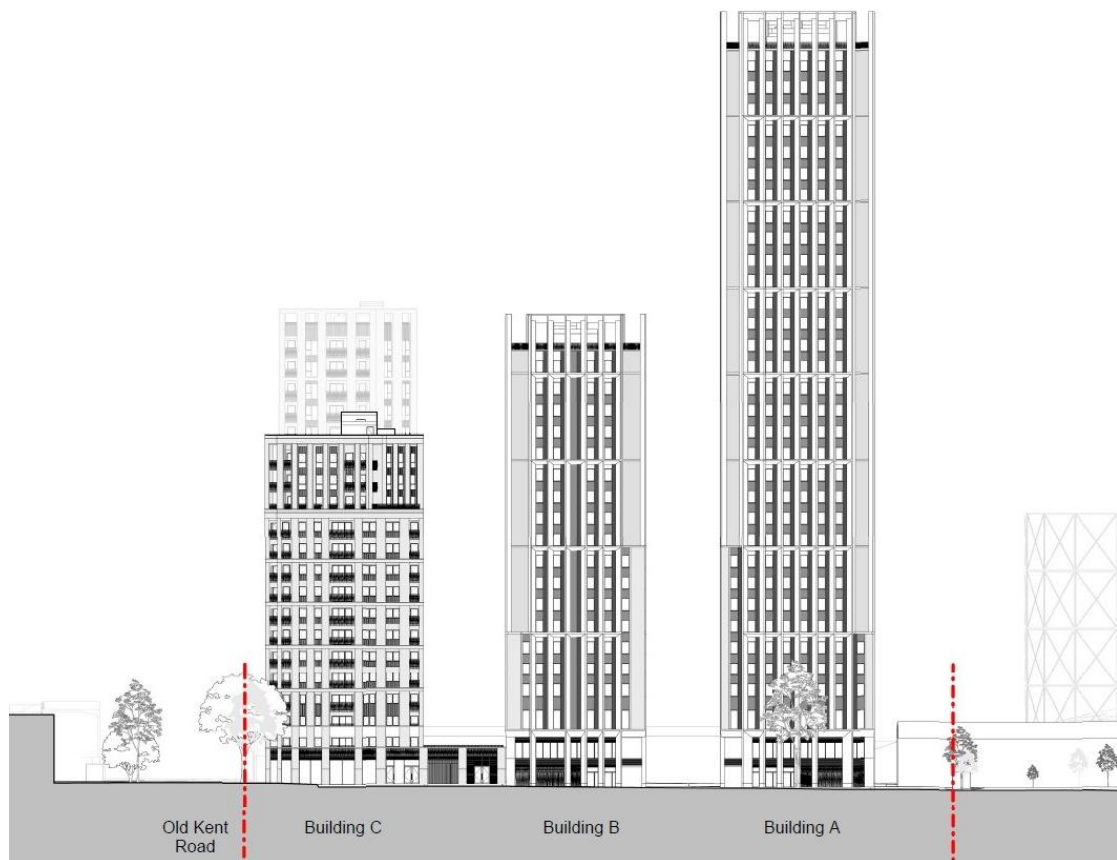
**Image 53** (above): Plan of Buildings A, B and C (highlighted yellow) with the separation distances annotated in blue and green.

377. The relative heights of the buildings, with C being four storeys shorter than B, would also help reduce the sense of enclosure for the PBSA residents. Overall, it is considered that a good quality of outlook would be achieved for all rooms located on this façade of Building B.

378. It must be acknowledged that the PBSA bedspaces looking onto Assembly Gardens (the space between Buildings A and B) would be set at a close distance to each other. Notwithstanding, the rooms in question are all bedrooms forming part of cluster flats. As such, the occupiers of these bedrooms would have use of a second room (the living/kitchen/dining space) within their home from which to enjoy an alternative view to the exterior. In all instances the living/kitchen/dining spaces are dual aspect, and thus would offer the student occupiers a good quality alternative outlook.

379. The notched corners to both of the buildings, which produce voids that rise through the full height of the massing, are another device that helps to lessen the effective breadth of the buildings, in turn helping to enhance the outlook and sense of openness from the PBSA bedspaces that look onto Assembly Gardens.

380. It is also important to note that because Building B is thirteen storeys shorter than Building A, only approximately half of the southwest-facing windows at Building A would be subject to the 11-metre separation distance; all the rooms on the upper floors would have an entirely unobstructed view 'out' to the southwest.



**Image 54** (above): Sylvan Grove (southeast) elevation of Buildings A, B and C, with Building D shown as a faded elevation behind Building C.

381. While all of the cluster bedrooms would be single-aspect, a number of the studios (both regular and premium) would achieve dual aspect. Where achieving dual aspect has not been feasible, opportunities have been taken where possible to provide these studios with two windows.

382. For the reasons set out above, and recognising the site's Opportunity Area location and the attendant policy imperative to optimise density through a design-led approach, the outlook and sense of openness for all PBSA occupiers would be acceptable on balance.

**Image 55** (right): Building A floorplan, showing the dual aspect effect of the notches.



### Privacy

383. The one representation received in objection to this planning application raised, among other things, a concern that the relationship between Buildings A, B and C would cause unacceptable overlooking of the proposed PBSA units.

384. With regard specifically to preventing harmful overlooking of dwellings, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:

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

385. While the above guidelines are helpful in informing decisions about privacy impacts, it is important to recognise that the recommended distances can be applied more flexibly where the rooms under assessment are all proposed (i.e. none are existing).

386. The applicant has intentionally staggered the windows on the facades of the PBSA buildings so that none of the habitable room windows would directly face each other. In addition, on every floor of both buildings, all the bedroom windows would be interspersed by a deeply-projecting vertical 'baguette'; these elevational features would provide a splay restriction, further lessening opportunities for oblique mutual overlooking.

387. In summary —and while recognising that neither the 11 metres separating Block A from Block B nor the 12 metres separating Building B from Building C would meet the guidelines of the Residential Design Standards— given the urban context and the mitigating design features, no harmful overlooking is anticipated for any of the PBSA occupiers.

### Daylight

388. In new buildings, the BRE 2022 guidelines recommend calculating 'illuminance'

to determine whether a dwelling will appear reasonably daylit. The UK National Annex gives illuminance recommendations of:

- 100 lux in bedrooms;
- 150 lux in living rooms; and
- 200 lux in kitchens.

389. These are the median illuminances, to be exceeded over at least 50% of the assessment points in the room for at least half of the daylight hours.

390. The planning application is accompanied by a Daylight, Sunlight and Overshadowing (DSO) report, based on a 'worst case scenario' model, whereby all cumulative schemes within the area have been included within the existing baseline.

391. With regard specifically to the illuminance assessment provided within the DSO report, this shows that 878 out of 1032 rooms assessed would be fully compliant with the target values advised by the BRE, which equates to 85%. Of the 154 rooms that fall short of the target criteria, 57 rooms are within Building A and 97 rooms are within Building B. These are clustered on the lower floors, with the most heavily impacted rooms being those that look onto Assembly Gardens.

392. All 57 rooms of the affected rooms in Building A are the cluster student bedrooms. Some of the affected rooms record illuminance levels as low as 55 to 60 lux; however, these would be relatively few in number. In terms of Building B, similarly low illuminance levels would be achieved (53 lux at lowest) in a small number of instances. All but four of the 97 affected rooms would be cluster student bedrooms benefitting from access to well-lit and dual aspect communal living/kitchen/dining spaces. The remaining 4 living/kitchen/dining rooms would demonstrate a good median lux value of between 183 and 197 lux, marginally short of the 200 lux level recommended by the BRE.

393. Although bedrooms in conventional dwellings are considered less sensitive in terms of their daylight needs than other room types (due to their principal use of sleeping), student bedrooms are typically used for longer daytime periods by the occupier and are normally where daylight-reliant activities take place, such as studying. Therefore, the natural light expectations in student rooms are arguably higher than those of a conventional bedroom. At the same time, it must be recognised that all students within the proposed cluster bedrooms would have additional access to well-lit and dual aspect communal living/kitchen/dining spaces where it is expected that they would spend a reasonable proportion of their time, carrying out activities such as eating, relaxing with their flatmates and potentially studying.

394. Buildings A and B have been designed to optimise all available daylight to the communal living/kitchen/dining spaces and studios, as per the advice given by officers during the course of the pre-application engagement process. Hence, the living/kitchen/dining spaces have been positioned on the southeast and northwest edges of the floorplates, with the buildings' corners taken advantage

of to produce dual aspect. Due to this design approach, all of these rooms would achieve 150 lux or better.

395. On account of the above, and having given regard to the daylight levels that can typically be expected in a Opportunity Area context where increased density is anticipated, it is considered that the impacts would not be of such magnitude to warrant refusal of the proposal, especially when balanced against the various wider benefits the proposed development would bring as detailed throughout this report.

### Sunlight

396. In new buildings, the BRE 2022 guidelines recommend calculating the 'sunlight exposure' to assess whether a dwelling will appear reasonably sunlit. This test measures the hours of sunlight that could be received at the centre point of each window on 21 March.
397. The results of the sunlight assessment show that all (100%) living/kitchen/dining rooms with a main window facing within 90 degrees of due south would be fully compliant with the recommended BRE Guidelines sunlight targets.
398. Like with the daylight performance discussed above, there would be some instances of PBSA bedrooms not meeting the target criteria for sunlight; in the main, the affected bedrooms are those on the southwest façade of Building B and those that look onto Assembly Gardens. These instances of non-compliance total 129 in number, equating to 51% of all (251) tested bedrooms.
399. Recognising the challenges to achieving compliance with the BRE sunlight guidelines in locations where densification is expected, and taking account of the fact that all living/kitchen/dining areas would meet the recommendations, it is not considered that the amenity of the bedroom occupiers would be harmed.

### Wheelchair rooms

400. The Building Regulations make clear that student accommodation is to be treated as hotel/motel accommodation for wheelchair specification purposes. As such, Policy E10(H) is the relevant policy to apply in assessing compliance of PBSA wheelchair proposals, as has been clarified by GLA Practice Note 'Wheelchair Accessible and Adaptable Student Accommodation' dated November 2022. In respect of the 941 bedspaces proposed across Buildings A and B, 109 would be provided to M4(3) standards.
401. Representing more than 10% of the total number of bedspaces, the wheelchair unit provision would meet the numerical requirements of Southwark Plan Policy P5. In locational terms, the units would also meet policy requirements, being provided across various floors. This would help achieve social integration.
402. The M4(3) units would ensure options are available for potential wheelchair occupiers who need to move in immediately and could not wait for adaptation

works to be carried out (e.g. those have gone through clearing and are applying for accommodation just before the start of term). The wheelchair user accommodation is to be secured through the Section 106 Agreement.

#### Internal communal facilities

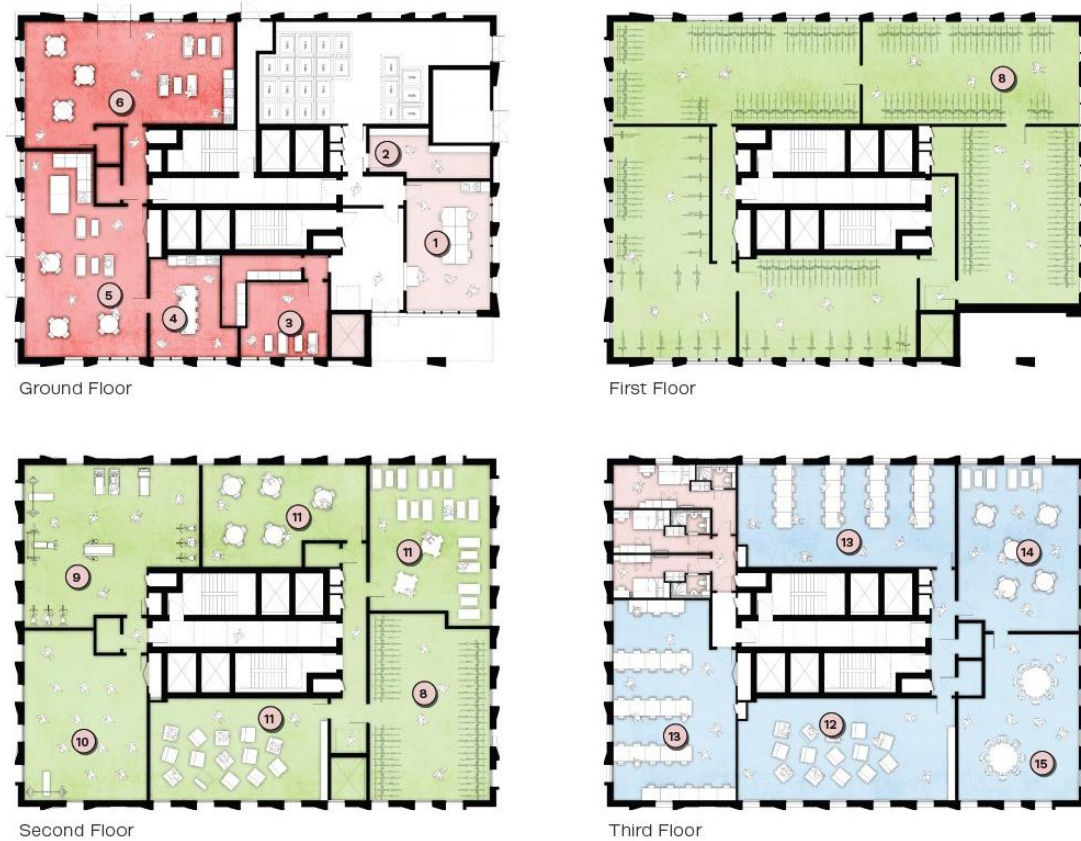
403. In addition to the private and shared spaces within the units themselves, internal communal amenity spaces are proposed. These would be distributed throughout the building to offer a range of different spaces for communal amenity. A series of dining spaces, lounges and gyms are proposed to provide space for occupiers to be social and active. Study spaces incorporating libraries are proposed on the second and third floors of Buildings A and B to facilitate quiet study spaces. Building A would also include a cinema/screening room. The café located on the ground floor of Building B represents part of the student amenity offer, however will be publicly accessible.
404. The size of these facilities and their distribution across the two buildings are summarised below:

<b>Internal communal facilities within the PBSA: Summary table</b>			
<b>Building</b>	<b>Floor</b>	<b>Facility</b>	<b>Size (sq. m)</b>
A	00	Private dining room	30.6
	00	Student lounge	92.6
	02	Gym, library, break-out room	385.1
	03	Quiet study, silent study, cinema	425.3
	<b>Total:</b>		
B	00	Cafe	86.5
	00	Private dining room	30.8
	00	Student lounge	63.5
	01	Gym, break-out room	111.4
	02	Quiet study, silent study	108.3
<b>Total:</b>			<b>400.6</b>
<b>Total across both buildings:</b>			<b><u>1333.1</u></b>
<b>Average per PBSA bedspace:</b>			<b><u>1.4</u></b>
<i>Not included in calculation</i>	<i>Back-of-house space including laundry facilities, toilets, storage, parcel store, reception/office etc.</i>		

405. As the above table shows, these communal amenity spaces would provide on average 1.4 square metres per student. This is considered to be in accordance with the levels of internal communal amenity space provided on other student schemes across London and the borough.
406. Although all the communal amenity facilities would be provided on the lower storeys of the buildings, meaning those residing in studios and flats on the uppermost floors would be some distance away, the facilities need to be



concentrated at the base of the buildings for fire safety reasons. In any case, residents living on storeys towards the tops of the buildings would in all probability access the facilities using elevators rather than the staircases, and as such their journey time would be short.



**Image 56** (above): Layout of Levels 00 to 03 of Building A, showing how the communal facilities would be arranged on Levels 00, 02 and 03, with Level 01 given over exclusively to cycle storage.

407. For the reasons given above, it is considered that a good level and range of internal communal facilities would be provided for the PBSA residents.

#### Access to outdoor space

408. The proposed PBSA would not come with any outdoor facilities exclusively for the student residents. As discussed in detail in a later part of this report, the development as a whole would provide 1,685 square metres of 24/7 publicly-accessible realm. AAP11 of the draft OKR AAP expects 5 square metres of public open space to be provided for every new dwelling, meaning the 200 conventional homes to be provided in Buildings C and D consume a 1,000 square metre of the 1,685 square metres of on-site space. As the number of PBSA bedspaces equates to 514 dwellings (rounded up), which generates a 1,570 square metre requirement, the residual on-site public realm (685 square metres) would not fulfil this policy requirement. The shortfall would be 885 square metres.

409. The draft OKR AAP requires that, where the quantum of on-site public open space proposed would fail to meet the needs of number of homes proposed, a payment-in-lieu may be acceptable. The tariff is £205 for every square metre of undelivered on-site public open space. In the case of the Devonshire Place proposal, this generates an in-lieu sum of £181,425. This will be secured through the Section 106 Agreement.
410. The proposed student housing scheme on the adjacent Daisy Business Park site would also fall short on delivering its on-site public realm requirements, triggering a public open space payment-in-lieu of £113,570. Thus, if both schemes are granted permission and both are implemented, they would make a combined contribution of over £290,000. This would be ring-fenced for investment in new, and enhancement of existing, local public open space.

#### Conclusion on quality of residential accommodation - PBSA

411. Although one of the respondents to the public consultation has raised concerns about the quality of life for the student occupiers due to the size of the rooms and the quality of outlook (for those facing each other across Assembly Gardens, and also for those looking towards Building C), the proposal would achieve good quality living accommodation for students. A range of room sizes and shared facilities is proposed, achieving overall acceptable internal natural light and levels of environmental comfort. There has been clear consideration of accessibility, and a financial contribution towards investment in nearby public open space would be secured.
412. For the reasons given above, the proposed PBSA would comply with London Plan Policy H15, while also meeting the four relevant criteria of Southwark Plan Policy P15.

### **Quality of residential accommodation – Conventional housing**

#### Policy background

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

#### Assessment

### Tenure integration

415. London Plan Policy D6 requires housing developments to maximise tenure integration in the interests of achieving mixed communities. It states that all affordable housing units should have the same external appearance as private housing, and that all entrances should be indistinguishable from each other. Policy SP2 of the Southwark Plan 2022 echoes these objectives, requiring residential schemes to achieve equity of esteem from street level and avoid segregation of tenures.
416. The application proposes to contain all of the social rent homes in Building D and all of the shared ownership homes in Building D. Despite the two tenures not being full integrated, the external appearance of the two buildings would be of a consistent standard, and the communal entrances would be indistinguishable from each other, thus ensuring imperceptibility of tenure. In addition, the various outdoor communal and public landscaped spaces serving the two blocks would help to foster integration between residents irrespective of the tenure of their home. This would ensure equity of esteem from street level.

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

417. The internal area of all of the proposed homes would satisfy the minimum floor areas set out in the Council's Residential Design Standards SPD. All 200 dwellings would be logical and efficient in their layout, with practically-shaped rooms and minimised circulation space. Additionally, compliant levels of built-in storage would be provided within the homes.



**Image 57** (above): Layout of Levels 02-07 of Building D, showing the range of home sizes that would be provided and their layouts.

418. In summary, the dwelling, room and built-in storage sizes are considered acceptable.

### Wheelchair dwellings

419. This planning application proposes 25 'wheelchair accessible/user' homes compliant with Building Regulation M4(3) standard. This equates to 12.5% of the total number of dwellings. The 25 homes, which would be in a range of dwelling sizes and distributed across various floors of the two buildings, would be split between the following specifications:

- x 13 M4(3)(2)(a) 'Wheelchair accessible'; and
- x 12 M4(3)(2)(b) 'Wheelchair user' (i.e. fully fitted-out).

420. All of the 12 M4(3)(2)(b) units would be in Building D, which meets the local-level requirement for 10% of the social rented homes within a development to be fitted out to this higher standard, as specified in Southwark Plan Policy P8(3).

421. All other dwellings would be designed to achieve the Building Regulation M4(2) standard 'wheelchair adaptable'.

422. The number and layout of wheelchair dwellings, and their distribution across the tenures, meets the policy requirements. With the wheelchair user accommodation and marketing requirements to be secured through the Section 106 Agreement, the proposed provision is acceptable.

### Floor-to-ceiling height

423. All dwellings would have a floor-to-ceiling height of 2.5 metres. This meets the minimum requirements stipulated by London Plan Policy D6 and the Council's Residential Design Standards SPD, which are 2.5 metres and 2.3 metres respectively. This would contribute to the sense of space within all the dwellings.

### Aspect, outlook and sense of openness

424. Of the 200 dwellings proposed:

- x64 (32%) would be single aspect; and
- x136 (68%) would be dual aspect.

425. Of the 64 single-aspect units, 40 would be in Building C (the intermediate block), with the remaining 24 in Building D (the social rent block). All the single-aspect units would be one- or two-bedroomed, none would face within 90 degrees of due north, and the key habitable rooms for each of these flats would have generously proportioned windows to provide occupiers with a broad viewframe. Furthermore, the floorplate shape of both buildings means windows would not be flanked by deeply projecting walls, thereby guarding against the occupiers experiencing a tunnelled outlook. Thus, despite the single direction of outward view from some of the proposed dwellings, the floorplate configuration and orientation of the building means the occupiers would benefit from an acceptable quality of outlook.

426. In summary, the proposal would achieve a clear predominance of dual aspect, with all proposed dwellings benefitting from an acceptable quality of outlook. Although a small number would be single-aspect, none would be north-facing, and when balanced against the need to achieve an efficient use of land, it is considered that the new dwellings' quality of aspect and outlook would be in accordance with the policy framework.

### Privacy

427. The only existing residential buildings sufficiently close to Buildings C and D to present any potential privacy impacts for the future occupiers are the maisonettes at 1-6 Sylvan Terrace. However, as the across-street relationship between Building C and these maisonettes exceeds the 12 metre distance recommended by the Residential Design Standards, there would be no risk of privacy harm to the future occupiers of the proposed conventional housing.

### Daylight

428. As discussed in an earlier part of this report, in new buildings the BRE 2022 guidelines recommend calculating 'illuminance' to determine whether a dwelling will appear reasonably daylit. The UK National Annex gives median illuminance recommendations of:

- 100 lux in bedrooms;
- 150 lux in living rooms; and
- 200 lux in kitchens.

429. Where a room has a shared use, the highest target should apply (i.e. 200 lux in the case of a kitchen/living room). However, in the interests of discouraging applicants from designing small separate windowless kitchens, the CBDM methodology says that a degree of design flexibility can be applied in the case of a combined living/dining/kitchen area if the kitchens are not treated as habitable spaces.

430. The applicant's DSO report contains the results of internal daylight testing for a selection of the habitable rooms across Buildings C and D. The sample size for Building C is 74 rooms, and for Building D 82 rooms.

431. With respect to Building C, the tested rooms comprise 40 living/kitchen/dining spaces and 34 bedrooms. Looking specifically at the living/kitchen/dining rooms, 19 would achieve a median lux value of over 150 lux, which is considered good having regard to the CBDM methodology referred to above. The remaining 21 living/kitchen/dining rooms record median lux values of between 41 and 146 lux. The rooms at the lower end of this range would provide relatively low levels of daylight on average, although it should be remembered that actual levels of daylight achieved will vary throughout the year.

432. Turning to Building D, the 82 rooms assessed comprise 56 living/kitchen/dining spaces and 26 bedrooms. 22 of the 56 living/kitchen/dining spaces would demonstrate a median lux value of over 150 lux, with the remaining 34

demonstrating a median lux value of between 58 and 149 lux. As with the performance of the living/kitchen/dining spaces in Building C, these results for Building D indicate some of the rooms would on average experience lower daylight levels than their neighbours, but again actual daylight levels will vary through the year.

433. Across the two buildings, the 60 bedrooms tested record median lux value of ranging from 44 at the lowest to 97 lux at the highest. Although below the BRE recommendations, these are considered acceptable given the primary function of these rooms and the need to place the living/kitchen/dining rooms in the most well daylight parts of each floorplate.

434. In conclusion on daylight, it must be recognised that relatively low daylight levels would be achieved in some of the principal living spaces within the proposed dwellings. However, this underperformance is largely attributable to many of the rooms having a northerly though not completely north facing orientation, which renders them more challenged for daylight given the climatic intensive CBDM calculations – a northerly orientation is often unavoidable in a scheme that seeks to maximise opportunity. Furthermore, the technical analysis and calculations have taken into consideration the presence of balconies and it should be acknowledged that there is, to an extent, a trade-off between private amenity and daylight amenity. On balance, the daylight levels are considered acceptable.

### Sunlight

435. As discussed in an earlier part of this report, in new buildings the BRE 2022 guidelines recommend calculating 'sunlight exposure' to assess whether a dwelling will appear reasonably sunlit. This test measures the hours of sunlight that could be received at the centre point of each window on 21<sup>st</sup> March.

436. With regard to conventional (Class C3) homes specifically, the BRE recommends that:

- through site layout design, at least one main window wall should face within 90-degrees of due south;
- a habitable room, preferably a main living room, should receive a total of at least 1.5 hours of sunlight on 21<sup>st</sup> March; and
- where groups of dwellings are planned, site layout design should aim to maximise the number of dwellings that meet the above recommendations.

437. The applicant undertook internal sunlight testing of a sample of rooms at Buildings C and D with a main window facing within 90 degrees of due south. 109 rooms were tested at Building C and 218 at Building D. For both buildings, the sample comprises a mix of living/kitchen/dining rooms and bedrooms.

438. For Building C, the results of the sunlight assessment show that 50 out of the 53 living/kitchen/dining rooms would be fully compliant with the BRE Guidelines. This equates to a good performance rate of 95%. With regard to the Building C bedrooms, there would be full compliance, with all 56 tested rooms meeting the sunlight exposure levels recommended by the BRE.

439. Turning to Building D, the results of the sunlight assessment show that 81 out of the 95 living/kitchen/dining rooms with a main window facing within 90 degrees of due south would meet the sunlight exposure levels. Overall, this is a good performance. Regarding the 123 tested bedrooms at Building D, 94 would pass. This equates to a compliance rate of 76%. Although there would be a lower rate of compliance amongst the tested bedrooms at Building D, this is understandable, as the applicant has sought to prioritise the south-facing facades for living/kitchen/dining spaces. Inevitably, therefore, lower levels of sunlight exposure would be achieved in these particular rooms, the primary function of which (sleeping) makes them less sensitive than living rooms or kitchens.
440. In summary, the level of sunlight amenity within the proposed conventional housing would be acceptable.

#### Internal noise and vibration levels

441. Residential unit-types have been stacked wherever possible to overlap the same room uses, in the interests of minimising risks of inter-dwelling noise disturbance.
442. The southwest-facing dwellings on the lower floors on Buildings C and D would be set relatively close to Old Kent Road. To achieve an internal night-time acoustic environment that meets the criteria, the bedrooms on these floors would require an enhanced façade specification. The noise report submitted with the application provides examples of how a more acoustically effective façade system could be provided in these locations, such as through the use of thicker acoustic laminate glazing with wider air spaces (i.e. 10.8 mm acoustic laminate glass / 24 mm cavity / 14.8 mm acoustic laminate glass). Secondary glazing could also be used to achieve a higher rating.
443. Conditions are recommended requiring pre-occupation testing of the separating floors and walls to demonstrate that the relevant acoustic performance standards, as prescribed by the Building Regulations, have been met. This will ensure that the occupiers of the dwellings do not experience excess noise, transmitted either vertically or horizontally, from adjacent sound sources.

#### On-site storage facilities for refuse and deliveries

444. Each of the two blocks would have dedicated communal refuse facilities, in appropriate locations convenient for the residential occupiers.
445. Neither Building C nor Building D incorporates any externally accessible rooms for the storing of deliveries and other bulky items. Given that this type of facility would most probably require oversight by a concierge or other on-site management personnel, which in turn would have an inflationary effect on service charges, no such facility is proposed. Therefore, residents would be expected to accept larger deliveries in person and take them directly to the home. Given that good levels of built-in storage have been provided within the dwellings, this is considered acceptable and in line with policy requirements.



### Conclusion on quality of conventional residential accommodation

446. The proposal would deliver 200 high quality new dwellings. The following aspects of the residential design are considered particularly noteworthy:

- over 20% of the homes are large 3-bedroom or 4-bedroom family homes, offering:
  - a range of 3b4p, 3b5p, 3b6p occupancies;
  - 3b5p wheelchair homes; and
  - 4-bedroom homes suitable for 7 and 8 person families;
- there are no north facing single aspect homes proposed, with 68% of the homes comprising dual or triple aspect.
- all of the 3- and 4-bedroom family homes would achieve dual or triple aspect;
- the layouts have been carefully designed to prevent any potential unacceptable effects in terms of privacy or overlooking;
- good levels of built-in and bulky storage would be provided within the homes;
- all homes would achieve minimum accessibility standards, with over 10% 'wheelchair accessible/user' homes to be provided; and
- the consistent design quality across both buildings would achieve tenure imperceptibility.

447. The DSO report shows that some of the living/kitchen/dining rooms on the lower floors of Buildings C and D would record relatively low levels of natural light, in particular with regards to daylight. This is partly attributable to oversailing balconies on the floors above, and as such it is necessary to weigh the impacts against the amenity benefits these private outdoor spaces bring. Furthermore, northerly-facing rooms are inevitably challenged in terms of daylight receipt. The recorded levels, while low, would not be harmful to amenity and are not unusual in Opportunity Area locations.

448. For these reasons, it is considered that in the round the conventional residential accommodation would achieve a high quality of design.

### **Residential external amenity space and young people's play space**

#### Private external amenity space

449. All new residential development must provide an adequate amount of useable outdoor amenity space. The Council's Residential Design Standards SPD sets out the required amenity space standards, which can take the form of private gardens, balconies, terraces and/or roof gardens. It requires:

- for dwellings containing three or more bedrooms, the provision of 10 square metres of private amenity space;

- for dwellings containing two or fewer bedrooms, the provision of 10 square metres of private amenity space wherever possible, permitting any shortfall to be added to the communal space, and;
- 50 square metres of communal amenity space per development.

450. Each of the 200 homes would be equipped with a private amenity space in the form of an inset balcony or a terrace (totalling 1,787.4 square metres). While all of the proposed 3- and 4-bedroom homes would benefit from at least 10 square metres of private outdoor space, it has not been possible to provide 10 square metres for 148 of the 200 proposed dwellings. Of these 148 shortfalls, 69 are at homes in Building C and 79 are at homes in Building D. Each private amenity space would, however, meet the Mayor's minimum standards starting at 5 square metres for 1b2p occupancy homes, with an additional 1 square metre required for every additional occupier.

451. To compensate for these private amenity space shortfalls, and as the Council's Residential Design Standards SPD allows, there would be an overprovision of communal amenity space within each of the buildings, as explained in the table below:

<b>Private amenity space shortfall and offset: Summary table</b>				
	<b>Total private amenity shortfall (sq. m)</b>	<b>Communal requirement (shortfall + 50 sq. m)</b>	<b>Communal provision (sq. m)</b>	<b>Surplus (sq. m)</b>
Building C	141.6	191.6	288.9	+97.3
Building D	208.2	258.2	377.7	+119.5

452. As the table above shows, in aggregate the private balconies and the communal roofs provide policy compliant levels of external residential amenity.

453. In summary, while it should be recognised that the size of some proposed private amenity spaces would be less than 10 square metres, no home would have a balcony or terrace smaller than the occupancy-linked standards prescribed by the Mayor, and the communal external amenity spaces have been oversized to compensate for these shortfalls, which is permitted by policy. Accordingly, the private outdoor amenity space provision is considered to be acceptable.

### Communal external amenity space

454. As mentioned in the preceding part of this report, the proposed development would deliver 666.6 square metres of communal external amenity space, exceeding the minimum requirement by 33%.

455. The applicant intends to provide three raised gardens, two for the exclusive use of the 125 social rent households, with one for the 75 shared ownership homes.

The rooftop gardens would feature a mix of furniture providing opportunities to sit and relax individually or in groups. This furniture will be set amongst perennial planting.

456. The format, distribution, locations and quantum of communal amenity space meets the expectations of Policy D6 of the London Plan. As such, the provision is considered acceptable. Planning conditions are recommended requiring details of the finalised scheme of landscaping, treatment and enclosures, and for the facilities to be delivered prior to occupation of any of the dwellings. Management details are to be secured in the Section 106 Agreement.

### Young people's play space

457. Policy S4 of the London Plan 2021 requires new developments to make provision for play areas based on the expected child population of the development. The Mayor expects playspace to be designed to meet the needs of three different age groups: under-5s, 5-11 year olds, and 12-and-overs.
458. Play facilities and communal open space can be designed to be intertwined, but must be counted as discrete elements (i.e. playspace and communal playspace cannot be double counted). As set out in the draft AAP, if a development proposes any on-site public open space, this can be counted towards the playspace provision and towards the public open space, provided that the public open space is genuinely playable.
459. Calculated using the metrics set out in the Mayor's Play and Informal Recreation SPG, the total children's play space requirement for the proposed development is 1,446.5 square metres.
460. The below diagram depicts the applicant's strategy for providing dedicated playable areas on-site for the under-5s and 5-11s age groups, most of which are at ground level and publicly-accessible. The five discrete areas, which in total amount to 1,160 square metres, are:
- Building C podium - 308.0 square metres;
  - Sylvan Gardens - 341.0 square metres;
  - The Grove (north) - 163.0 square metres;
  - The Grove (south) - 166.0 square metres;
  - Grove Play - 182.0 square metres.



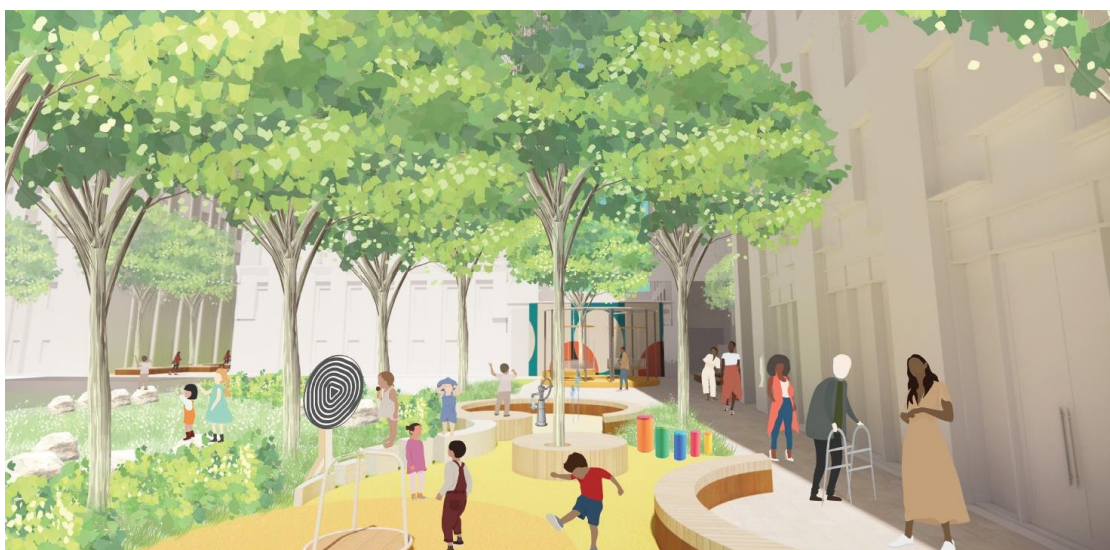
**Image 58** (above): Playspace strategy for the 0-4s and 5-11s age groups.

461. The table below explains how the applicant's play strategy would —through a combination of on-site provision and a payment-in-lieu— fulfil the yield for each of the three age groups:

<b>Play space yield and proposed provision: Summary table</b>			
<b>Building</b>	<b>Young person yield from development</b>	<b>Area of play space required (sq.m)</b>	<b>Format (size and location) of proposed provision</b>
Building C	Aged under 5	64.0	64.0 sq.m (Building C podium) [Minimum requirement met on-site]
	Aged 5 to 11	40.5	40.5 sq.m (The Grove [north]) [Minimum requirement met on-site]
	Aged 12 to 17	10.0	Delivered via in-lieu contribution
Building D	Aged under 5	541.0	244.0 sq.m (Building C podium) 182.0 sq.m (Grove Play) 115.0 sq.m (The Grove [south]) [Minimum requirement met on-site]
		= 114.5	
		= 1332.0	

	Aged 5 to 11	437.0	341.0 sq.m (Sylvan Gardens) 96.0 sq.m (The Grove [north]) <b>[Minimum requirement met on-site]</b>
	Aged 12 to 17	354.0	Delivered via in-lieu contribution
<b>Summary</b>			
Buildings C and D	Aged under 12	1082.5	1082.5 sq.m (Building C podium, The Grove [north and south], Grove Play, Sylvan Gardens) <b>[Minimum requirement met]</b>
	Aged 12 to 17	364.0	Delivered via in-lieu contribution
<i>Residual quantum of on-site playspace (i.e the surplus once the 0-11s yield has been satisfied on-site)</i>			<i>77.5 square metres (26.5 sq.m of The Grove [north] and 71 sq.m of the Grove [south])</i>

462. Formal play provision is to be focussed at Grove Play and Sylvan Gardens, where there would be opportunities for climbing, spinning, swinging and ball sports. Sand and water play would also be provided at Grove Play.



**Image 59** (above): Artist's impression of Grove Play facing in an eastwards direction towards the bandstand at the northern end of The Grove; within Grove Play the intention is to provide a 'water well', sand pit and spinning features.

463. A slide and playful climbing deck are proposed within the southern portion of The Grove, with playful furniture and bridges provided over the swales to create sensory play and role-play opportunities. The northern half of The Grove, around the bandstand, would provide opportunities for informal play (scooting, biking, ball sports, etc.) as well as including sensory play items that explore light and sound. The design of the bandstand incorporates level changes, colour shadow screens and hanging seats – all of which would create an engaging space for all generations.



464. The podium at Building C –which would include opportunities for climbing, sliding and role play– would be available to residents of both conventional housing blocks, with the children from Building D able to gain access through the use of fobs. This would ensure the entirety of the play provision across the site is equally accessible to all tenures.



*Images 60 and 61 (above, left to right): Precedent images of the types of play equipment the applicant intends to deliver on the Building C podium playspace.*

465. The range and quality of the proposed facilities are considered acceptable, providing engaging and naturalistic environments that cater inclusively for different needs and interests. The design principles and general configuration of the spaces are well thought through, with an appropriate materials palette and a good mix of hard and soft surfaces. Further detail about the landscape strategy (planting, lighting, surfaces etc.) is given in the relevant later part of this report.
466. With regard to the 12-17s age group, a financial contribution in lieu of providing on-site play space is considered acceptable, and will be secured in the Section 106 Agreement. Based on the tariff specified in the Council's Section 106 and CIL SPD of £151 per square metre, this planning application generates an offset contribution of £54,964.00. This contribution will be ring-fenced for the Council's Parks team, to be channelled into the upkeep and delivery of dedicated local facilities for teenagers. It should be noted that the development is within a short walking distance of several parks: although the nearest, at Caroline Gardens, has little for the over-11's, the larger spaces at Bird in Bush Park and and Brimington Park have a wide range of facilities oriented at this particular age group.
467. Planning conditions are recommended requiring details of the play spaces, including equipment and treatment. These conditions will require the facilities to be delivered prior to occupation of any of the dwellings. Separately, a management plan will ensure the spaces are kept in good and safe working order for the lifetime of the development. With these details secured, the proposed play space offer is considered acceptable.

### **Impact of proposal on development potential of nearby land**

468. Southwark Plan Policy P18, which is concerned with the efficient use of land, states that development will be permitted where it would not unreasonably compromise development potential or legitimate activities on neighbouring sites.

## Background to Devonshire Yard Feasibility Study

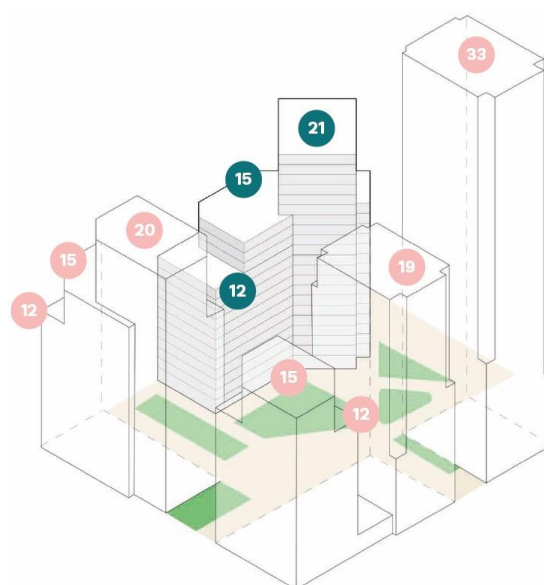
469. To demonstrate that the proposal would not compromise the ability of the Devonshire Yard land to be redeveloped in line with the expectations of the Southwark Plan and draft OKR AAP allocations, this planning application was accompanied by a Feasibility Study. The Feasibility Study hypothesises how a redevelopment could be delivered at Devonshire Yard that:

- accords with the allocation expectations for the Devon Street and Sylvan Grove area and accommodates approximately 150-170 residential units, this being the quantum of residential use aspired to by Southwark Council's Property division (as landowner); and
- would not unreasonably curtail how development (especially residential uses, which are particularly sensitive) could come forward on this adjacent land; and
- would deliver good quality accommodation achieving high levels of amenity.

470. The Feasibility Study assumes the whole of the existing IWMF egress road is stopped up (as facilitated by the Devonshire Place development), providing an enlarged site area for a future development on the Council's land.



**Image 62** (above): Layout of the 'feasibility scheme' in relation to the Devonshire Place scheme, including the potential for a central open space.



**Image 63** (above): Envelopes of the feasibility study buildings in relation to the proposed buildings at Devonshire Place.

471. Key attributes of the 'feasibility scheme' are:

- Non-residential uses:



- Inclusion of over 225 square metres of commercial / retail floorspace at ground floor, in order to provide an active frontage to the central area of public open space.
- Housing mix:
  - 172 residential units;
  - over 60% of units as 2-bedroom units or larger, and 20% as 3-bedroom units or larger; and
  - 12.8% of the homes as wheelchair accessible housing.
- Affordable housing:
  - provision of nominally over 50% of the residential accommodation as affordable housing (units and habitable rooms) in recognition that the land is in public ownership;
  - provision of the affordable accommodation in its own building with its own core; and
  - designing-in two escape stairs to both the private and affordable buildings.
- Housing quality:
  - 70% dual or triple aspect achieved, with no single aspect north facing units;
  - reasonable levels of privacy and outlook capable of being achieved, through a combination of inherent design and mitigation features.
- Heights
  - development envelope to be formed of two linked buildings, stepping from 12 and 15 to 21 storeys; and
  - development to step down towards the proposed Building D at Devonshire Place, and rise to the north, in an effort to complement the taller buildings at Devonshire Place (i.e. proposed Building A) and the Daisy Business Centre.
- Private amenity, communal amenity space and open space
  - capability to provide green links through the site and to the surrounding areas;
  - capability to provide a central area of public open space of approximately 2,450 square metres, of which:
    - 860 square metres could constitute the public open space (172 units x 5 square metres);
    - 1,134 square metres could meet the play space yield from the 172 homes; and
    - the residual could provide the communal amenity space (being more than adequate to meet the 50 square metre per block requirements).
- Transport and servicing
  - some off-street servicing has been factored-in (noting the feasibility scheme would benefit from surplus capacity from the new Devonshire Grove loading bay);

- five Blue Badge spaces (approximately 3% of 172 units) have been accommodated for, positioned within the recognised best practice guidance distance of 50 metre travel distance from both the affordable and private residential entrances.

472. The feasibility scheme makes reasonable assumptions regarding back of house and communal areas, including cycle stores, bin stores, plant, and substation rooms. These have been sized by comparison with the proposals for Devonshire Place. The applicant has confirmed that the sizings have also been informed by discussions with UKPN regarding the relocation of the existing substation on Devonshire Grove, which could also be incorporated into the new structures.

473. Although the feasibility scheme has not tested levels of daylight and sunlight achieved within the interior proposed spaces, this is acceptable given that exact locations and sizes of windows would be difficult to estimate at this 'concept' stage. Projecting balconies have not been factored in either, even those such features may have an impact on internal light levels, as well as potentially resulting in an increased proximity between buildings and/or an encroachment on the public realm. However, given the scope and purpose of the Feasibility Study, to have not given consideration to such detailed matters is considered permissible, and the judgement of officers can be relied on instead.

### Assessment of Devonshire Yard Feasibility Study

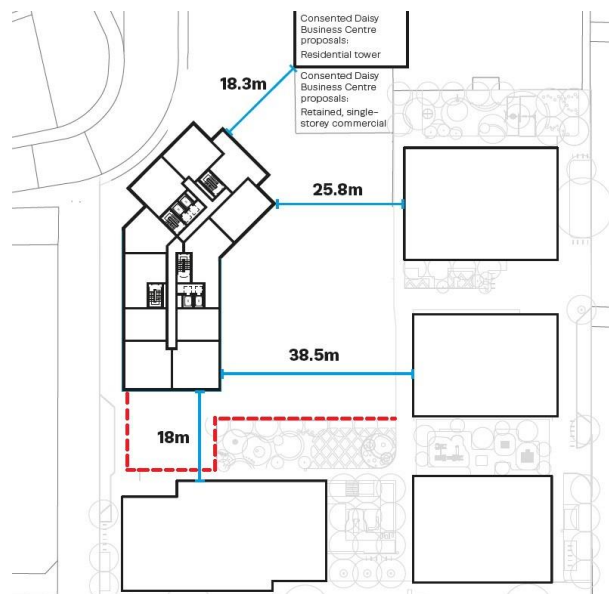
474. As outlined above, the feasibility scheme has explored in a good level of detail how an allocation-compliant quantum of development on the Devonshire Yard land would manifest itself in terms of its positioning, massing, height and townscape impact. Officers consider that the placement of this hypothetical policy-compliant scheme around the northwestern edge of the land is appropriate in urban design terms. Moreover, being lower than the Daisy Business Park tower (both the consented and the newly-proposed) and the tallest building proposed at Devonshire Place, the feasibility scheme would not be insensitive or incongruous in townscape terms.

475. To achieve a neighbourly façade-to-façade separation distance between the Devonshire Place buildings and any future development at Devonshire Yard, when taking into account the heights of these buildings as well as the imperative to ensure naturally-lit interiors and a neighbourly façade-to-façade relationship, it is likely that a separation distance of at least 18 metres would be required. The Study has applied this minimum separation distance when situating the feasibility scheme, producing distances of 18.3 metres to Building A and 18.0 metres to Building D. With regard specifically to Buildings A and B, which would be set close to the common boundary, it is only realistic to expect the portion of the Devonshire Yard land directly opposite not to be developed with buildings. This is because of the need to maintain an open area broadly in the centre of the site upon which all the perimeter buildings (including the Daisy Business Park tower) can rely for daylight, outlook and privacy. As such, the siting of Buildings A and B would not unreasonably suppress the development potential of the Devonshire Yard land.

476. Looking specifically at Building D, its rear building line would at one point be less than 2 metres away from the boundary shared with Devonshire Yard, making it the closest of all four proposed buildings. Due to this proximity, almost certainly any future development at Devonshire Yard would need to be set-back from the common boundary by a comparatively greater distance. While the onus that would be placed on Devonshire Yard to create a comfortable relationship must be fully acknowledged, this is to some extent a factor of the irregular boundary line; further to the east, where the red line boundary steps-out, the Devonshire Place land would make a more generous contribution of undeveloped land. It would be reasonable to expect the Devonshire Yard scheme, as the site coming forward later and with greater flexibility owing to its broader and more regularly-shaped footprint, to set-back by a greater distance from its southwestern boundary if this was deemed necessary to achieve a comfortable relationship to Building D.

477. It is also relevant to note that where overlooking distances in the feasibility scheme would be at their shortest (i.e. windows in the southwest elevation, looking directly towards windows opposite at Building D), homes with multiple aspects could easily be provided in these locations, guarding against any perception of a singular close-range outlook towards habitable rooms opposite.

**Image 64** (right): *Feasibility Study separation distances plan.*



478. In summary, the applicant's Feasibility Study has established that the four buildings proposed by this planning application, despite being relatively close to the common boundary in some locations, would not unreasonably curtail development options on this Council-owned land. The envelope modelled by the Feasibility Study demonstrates that the Devonshire Yard land would be capable of delivering the residual quantum of development expected by the site allocations, while also highly likely to be acceptable in urban design, townscape and quality of accommodation terms.

479. While it is recognised that the Devonshire Place proposal would place a constraint on the Devonshire Yard site, the proposal would not unreasonably compromise development on this adjoining Council-owned land because mitigation to manage any impact on privacy, outlook and streetscape environment can be designed into any future development. In summary, should the Devonshire Place proposal be built out, many different options would remain available to the developer of the Devonshire Yard site to deliver the requirements of the Southwark Plan and draft OKR AAP allocations. This would ensure best possible use of public land, in particular with regards to housing delivery, thereby

meeting the expectations of London Plan Policy H4 and the Mayor's wider Good Growth objectives.



**Image 65** (above): Visualisation depicting a view from the 'feasibility scheme', looking south across the potential open central open space and towards proposed Buildings B and D at Devonshire Place.

## **Amenity impacts on nearby residential occupiers and the surrounding area**

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

### Daylight and sunlight

481. The NPPF sets out guidance with regards to daylight/sunlight impact and states "when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site". The intention of this guidance is to ensure that a proportionate approach is taken to applying the BRE guidance in urban areas. London Plan Policy D6 sets out the policy position regarding this matter and states "the design of development should provide sufficient daylight and sunlight to new and surrounding houses that is appropriate for its context". Policy D9 states that daylight and sunlight conditions around tall building(s) and the neighbourhood must be carefully considered. Southwark Plan policies identify the need to properly consider the impact of daylight/sunlight without being prescriptive about standards.

482. The BRE Guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first and most readily adopted test prescribed by the BRE Guidelines is the Vertical Sky Component assessment (VSC). This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27%, which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by approximately 20% of the original value before the loss is noticeable.

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

#### Properties assessed for daylight impacts

484. This planning application was accompanied by a daylight, sunlight and overshadowing (DSO) assessment undertaken in accordance with the BRE guidelines. The document assesses the extent to which the proposed development would affect the dwellings in the following buildings:

- a. 1-30 Ulswater House;
- b. 8-24 Sylvan Grove
- c. 1-6 Sylvan Terrace;
- d. Harry Lambourne House; and
- e. 2, 2A, 4, 4A, 8, 10 and 10A Asylum Road.

485. The above five properties were tested for VSC and NSL impacts, but not illuminance as this method is more appropriately applied to new buildings.

486. The DSO report also undertook testing of:

- f. 726 Old Kent Road; and
- g. 79a Caroline Gardens.

487. However, by reason of their distance from and relationship to the site, neither of these two buildings would experience any daylight impacts above the recommendations of the BRE guidance. Therefore, this report gives no further consideration to the daylight impacts on these properties.

488. It should be noted that the applicant's DSO report assessed the properties at Hillbeck Close (within the parcel denoted as 'a' on the below map) for impacts. However, these have recently been demolished as part of the regeneration of the Tustin Estate, and as such it is not necessary to give any consideration to the impacts of the proposal on these particular properties.

489. Provided below is a map of the tested residential buildings:





**Image 66** (above): Plan of the site within its existing context, with the surrounding sensitive residential properties edged in red. The references 'a' to 'g' correspond with the addresses as listed above.

#### VSC and NSL impacts for sensitive surrounding residential properties

490. The table below summarises the VSC impacts to surrounding properties as a result of the proposed development being built-out in the present day context. The table includes a comparison of the proposal's impacts relative to those caused by the extant permission (19/AP/1239):

Residential Property	Number of windows that would experience a VSC reduction (as a percentage of the baseline VSC value)			
	No loss or a loss of up to 19.9%	20%-29.9% (minor adverse impact)	30%-39.9% (moderate adverse impact)	40% + (substantial adverse impact)
<b>1-30 Ulswater House</b>				
Total no. habitable windows tested: 25				
<ul style="list-style-type: none"> <li>Of the 25 windows, 6 would retain a VSC of 27% or more.</li> <li>For the <u>19</u> that would not, the distribution of percentage reductions is:</li> </ul>				
Proposed vs existing	<b>8</b>	<b>10</b>	<b>1</b>	<b>0</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing		0	0	0



Comparative impact of 23/AP/1862	Worse: 10 more	Worse: 1 more	No change	
<b>8-24 Sylvan Grove</b>				
Total no. habitable room windows tested: 180				
<ul style="list-style-type: none"> <li>Of the 180 windows, 49 would retain a VSC of 27% or more.</li> <li>For the <u>131</u> that would not, the distribution of percentage reductions is:</li> </ul>				
Proposed vs existing	<b>43</b>	<b>13</b>	<b>29</b>	<b>46</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing	22	30	42	
Comparative impact of 23/AP/1862	Better: 9 fewer	Better: 1 fewer	Worse: 4 more	
<b>1-6 Sylvan Terrace</b>				
Total no. habitable room windows tested: 12				
<ul style="list-style-type: none"> <li>Of the 12 windows, 2 would retain a VSC of 27% or more.</li> <li>For the <u>10</u> that would not, the distribution of percentage reductions is:</li> </ul>				
Proposed vs existing	<b>3</b>	<b>0</b>	<b>0</b>	<b>9</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing	0	0	9	
Comparative impact of 23/AP/1862	No change	No change	No change	
<b>Harry Lambourne House</b>				
Total no. habitable room windows tested: 38				
<ul style="list-style-type: none"> <li>Of the 38 windows, 31 would retain a VSC of 27% or more.</li> <li>For the <u>7</u> that would not, the distribution of percentage reductions is:</li> </ul>				
Proposed vs existing	<b>4</b>	<b>3</b>	<b>0</b>	<b>0</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing	0	0	0	
Comparative impact of 23/AP/1862	Worse: 3 more	No change	No change	
<b>2, 2A, 4, 4A, 8, 10 and 10A Asylum Road</b>				
Total no. habitable room windows tested: 36				
<ul style="list-style-type: none"> <li>Of the 36 windows, 29 would retain a VSC of 27% or more.</li> <li>For the <u>7</u> that would not, the distribution of percentage reductions is:</li> </ul>				
Proposed vs existing	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				

19/AP/1239 vs existing	2	0	3
Comparative impact of 23/AP/1862	Better: 1 fewer	Worse: 1 more	Better: 1 fewer

491. The table below summarises the NSL (also known as 'daylight distribution') impacts to surrounding properties as a result of the proposed development being built-out in the present day context. The table includes a comparison of the proposal's impacts relative to those caused by the extant permission (19/AP/1239):

Residential property	No. windows that would experience a reduction in NSL (as a percentage of the baseline NSL value)			
	No loss or a loss of up to 19.9%	20%-29.9% (minor adverse impact)	30%-39.9% (moderate adverse impact)	40% + (substantial adverse impact)
<b>1-30 Ulswater House</b>				
Total no. habitable rooms tested: 20				
Proposed vs existing	20	0	0	0
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing		0	0	0
Comparative impact of 23/AP/1862		No change	No change	No change
<b>8-24 Sylvan Grove</b>				
Total no. habitable rooms tested: 112				
Proposed vs existing	82	15	4	11
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing		13	6	11
Comparative impact of 23/AP/1862		Worse: 2 more	Better: 2 fewer	No change
<b>1-6 Sylvan Terrace</b>				
Total no. habitable rooms tested: 11				
Proposed vs existing	6	0	2	3
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing		1	3	5
Comparative impact of 23/AP/1862		Better: 1 fewer	Better: 1 fewer	Better: 2 fewer
<b>Harry Lambourne House</b>				

Total no. habitable rooms tested: 35			
Proposed vs existing	35	0	0
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>			
19/AP/1239 vs existing		0	0
Comparative impact of 23/AP/1862		No change	No change
<b>2, 2A, 4, 4A, 8, 10 and 10A Asylum Road</b>			
Total no. habitable rooms tested: 23			
Proposed vs existing	23	0	0
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>			
18/AP/2497 vs existing		0	0
Comparative impact of 23/AP/1862		No change	No change

### 1-30 Ulswater House

492. The one window to undergo a moderate loss of VSC would retain an absolute level in excess of 15%, which is not especially low for an urban environment. The 10 windows impacted to a minor adverse impact would all retain levels not unusual in inner London, with the room affected by the single lowest absolute VSC (of 13.76%) being served by a second window. For these reasons, the occupiers of the Ulswater House properties would, notwithstanding the reductions resulting from the proposed development, continue to enjoy acceptable levels of VSC.

493. In terms of the second daylight assessment, the NSL, the results record full BRE compliance.

### 8-24 Sylvan Grove

494. While there would be a large number adverse reductions to VSC at 8-24 Sylvan Grove, 35 of the 88 windows would retain an absolute VSC value of between 14.63% and 25.81%, which is considered reasonable for an urban location. It is understood that the remaining 53 windows serve 27 bedrooms, 14 living/kitchen/dining spaces and one kitchen/diner. Regarding the bedrooms, as noted at paragraph 2.2.10 of the BRE Guidelines, "...bedrooms should also be analysed although they are less important" given that their principal function is for sleeping.

495. Turning to the main habitable spaces, 14 living/kitchen/dining spaces are located under either a projecting or recessed balcony that restricts access to daylight. It is widely acknowledged that in these circumstances, less daylight and greater alterations are inevitable. However, all 14 living/kitchen/dining spaces would either be fully compliant with the BRE Guidelines or would retain a NSL level of over 60%, which is commensurate with an urban location. While the performance

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of the kitchen/diner would deviate from the BRE Guideline targets, it must be recognised that this unit is dual aspect, and the main living room faces away from the proposed development.

496. Broadly speaking, the NSL impacts of the proposed development on 8-24 Sylvan Grove would be similar to those produced by the extant hybrid permission.

497. For the reasons given above, and while the impacts are recognised, on balance the retained daylight level would be acceptable having regard to the site location.

#### 1-8 Sylvan Terrace

498. At 1 to 8 Sylvan Terrace, all rooms enjoy very high levels of existing light due to the surrounding low-rise buildings. Therefore, greater relative reductions in VSC will inevitably arise with any meaningful development of the application site. Although there would be 9 substantial adverse VSC reductions, which are of such magnitude that the internal spaces are likely to feel noticeably darker, it is not considered that any unduly harmful effects to residential amenity would arise. Moreover, the retained levels are not materially different to the levels previously deemed acceptable when the extant hybrid permission was approved.

499. Compared to the extant hybrid permission, the 23/AP/1862 proposal would achieve improved NSL levels for the Sylvan Terrace residents; this is due to a conscious decision on the part of the applicant to locate single-storey development (i.e. the podium linking Building C to Building B) directly opposite these properties. While the substantial adverse extent of change to some of the NSLs is recognised, the impacts are considered acceptable in this urban context and having regard to the extant planning permission.

#### Harry Lambourne House

500. While planning application 23/AP/1862 would produce a small number of VSC impacts greater those caused by the extant hybrid permission, they would all constitute 'minor adverse' transgressions. When considering the retained levels of VS for these properties, the effects of the proposed development would not be harmful to the amenity of the Harry Lambourne House residents.

#### 2, 2A, 4, 4A, 8, 10 and 10A Asylum Road

501. The one minor, one moderate and two substantial adverse VSC impacts to this row of properties would be isolated to nos. 2A, 4A, 10 and 10A. In the existing situation, these properties look across the surface car park of the supermarket, and beyond this towards the low-rise buildings that occupy the Devonshire Place site. Any reasonable redevelopment of the site would, therefore, generate sizable reductions in daylight; however, none of the four BRE transgressions would be harmful to amenity. It is also noteworthy that impacts of this nature to these properties were deemed acceptable when the extant hybrid permission was approved.

#### Sunlight

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502. The applicant's DSO report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guide states that nearby windows must be assessed using the three-stage process set out below to determine if, as a result of the development, the sunlight levels would reduce to an extent that the room may feel colder and less pleasant.

503. The first stage is to determine if the window would experience:

- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH); or
- a reduction in sunlight to less than 5% Winter Probable Sunlight Hours (WPSH); or
- both of the above.

504. If one of the above criteria is triggered, the next stage is to determine if:

- the window's resulting APSH is less than 0.8 times its former value; or
- the window's resulting WPSH is less than 0.8 times its former value; or
- both of the above.

505. Where one of the criteria in Stage 2 is met, the final stage is to determine if the overall loss of sunlight across the whole year would reduce by more than 4% of APSH.

506. The five properties assessed for daylight impacts have also been assessed for sunlight impacts; however, for four of these properties no breaches of the BRE guidelines were recorded. As such, and for brevity, table below summarises the impacts on the one property where impacts beyond the BRE recommendations were recorded:

Property	No. rooms that would experience a reduction in sunlight hours			
	No. of rooms tested	No. of rooms that pass	No. of rooms that fail winter	No. of rooms that fail annual
<b>8-24 Sylvan Grove</b>				
Proposed vs existing	23	15	<b>8</b>	<b>8</b>
<u>Comparison of the proposal's impacts against those caused by consented scheme</u>				
19/AP/1239 vs existing		15	8	8
Comparative impact of 19/AP/1239		No change	No change	No change

507. The windows at 8-24 Sylvan Grove, by reason of their outlook over the currently low-rise application site, benefit from very good sunlight levels at present. Their

orientation is to the southwest, the obliqueness making them heavily reliant on the site for sunlight hours. Thus, any meaningful development opposite would result in a sizeable loss. While acknowledging that there would be an appreciable change to APSH for the occupiers, on balance the impacts would not be harmful to residential amenity, especially given that similar impacts were deemed acceptable when the extant hybrid permission was granted.

#### Daylight and sunlight impacts relative to those caused by 19/AP/1239

508. As the tables above show, the effect on neighbouring properties caused by the proposed development would be similar to those produced by the previous planning consent for the site, 19/AP/1239, which is extant and thus could technically be implemented. In determining 23/AP/1862 some weight must be given to the fact that the daylight and sunlight losses produced by the newly-proposed development are not substantially greater than those established by 19/AP/1239. These conclusions are mirrored by the applicant's ES, which finds that the significance of effects is similar to those accepted as part of the extant hybrid permission.

#### Conclusion on daylight and sunlight

509. In total, the development would result in 27 minor, 31 moderate and 57 substantial adverse reductions in VSC for surrounding properties. With respect to NSL, there would be a total of 15 minor, 6 moderate and 14 substantial reductions for surrounding properties. These exceedances of the BRE guidance, and the negative impact they would have on neighbour amenity, should be given some weight in determining the application.

510. Regarding sunlight, only the residential properties at 8-24 Sylvan Grove would experience impacts beyond the recommendations of the BRE, and these would all have a "negligible" to "minor" adverse (not significant) effect

511. Given the site's location within the Old Kent Road Opportunity Area, where more intensive development is expected and where the BRE guidelines should be applied flexibly following the design-led approach to density promoted by the London Plan, the impacts are on balance acceptable. As noted above, the BRE guidelines are not mandatory and the advice within the guide should not be seen as an instrument of planning policy. While some noticeable relative changes in daylight amenity would occur at a number of residential properties surrounding the site, the retained daylight levels would be commensurate with those typical to other Growth and Opportunity Areas across London. There are also a large number of residential properties surrounding the application site that will satisfy the recommendations of the BRE Guidance in that they will not experience any noticeable alterations in daylight or sunlight as a result of the implementation of the proposed development. A final but importance consideration is that the impacts are similar in their extent to those previously deemed acceptable under the extant permission, 19/AP/1239.

#### Solar glare



512. The DSO report considers solar glare. Underpinned by a reasoned methodology linked to the BRE guidelines, the assessment undertaken by the DSO report establishes the potential glare throughout the year and at hourly intervals in the day to examine the likelihood of glare affecting sight across a maximised number of points in time on both an annual and a daily cycle. It took into account the typical height of viewpoints from cars on the local road network and from trains on the nearest railway lines.
513. The DSO report concludes that, from the assessed viewpoints, any glare within 30 degrees of the centre of the eye would be unlikely to occur. It should also be noted that the facades of the proposed development would be faced predominantly in brick or masonry-style material and would not include any highly reflective glass. As such, should there be any potential glare from a distance, it would be temporary and limited.
514. Solar glare was scoped out of the ES as part of the Scoping Process, which further demonstrates that any harmful environmental effects caused by the development in respect of solar glare would be unlikely.

### Overshadowing

515. The test promoted by the BRE for assessing overshadowing impacts on external amenity space is the 'Sun on Ground' assessment. This models the proportion of an outdoor amenity space where the sun would reach the ground on 21<sup>st</sup> March each year. On that date, the BRE advises that at least 50% of the area tested should receive a minimum of two hours of sunlight.
516. The DSO assesses all surrounding private amenity areas for overshadowing impacts and finds that they achieve 50% sunlight coverage for two hours on the Equinox, as set out in the BRE Guidelines.
517. With the BRE guidelines having been met, it can be concluded that no external amenity areas at nearby properties would be subject to harmful overshadowing.

### Outlook and sense of enclosure

518. The site is located within the Old Kent Road Opportunity Area, where there is an expectation for greater densities and taller buildings to come forward, changing the urban grain of the locality. The proposed development would introduce to the site four buildings arranged around a central publicly-open space. With gaps or single-storey podia interspersing the blocks, views 'through' would be possible, opening up views of the sky for residents of the existing nearby dwellings. Devices such as chamfered corners have been employed on Buildings C and D, along with the incorporation of high quality materials and low-level greening throughout the development, to give complexity and visual relief to building forms, all of which would have a positive effect on the surrounding properties' outlook. As such, it is not considered that any of the surrounding dwellings that look towards the site would experience a harmfully diminished quality of outlook or sense of openness as a result of the proposed development.

## Privacy

519. With regard specifically to preventing harmful overlooking of dwellings, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:

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

520. All the 'across street' distances between the development and habitable residential rooms opposite would exceed 12 metres. The closest distance between the proposed development and any neighbouring residential building is 14 metres (to the flatted development at 8-24 Sylvan Grove) but this would be the closest pinch point of the two buildings, widening to 20 metres where the upper floors of this flatted nearby block steps back. The separation distance from Buildings C and B to 1-6 Sylvan Terrace would be 19 metres. In summary, because the 12 metre 'across street' guideline of the Residential Design Standards would be achieved, no privacy infringement issues are raised.

521. At the Daisy Business Park site, directly to the north of Devonshire Place, planning permission was granted in 2021 for residential-led redevelopment. A new permission is pending the Local Planning Authority's determination for a proposal of a very similar envelope comprising a mix of PBSA, conventional housing and commercial floorspace. The layout of the newly-proposed buildings at Daisy Business Park, and the orientation of the habitable rooms windows, have been carefully considered in relation to the extant permission at Devonshire Place. By the same token, 23/AP/1862 has been designed cognisant of the configuration of the consented buildings at Daisy Business Park, the principles of which the new pending planning proposal upholds. As a consequence, there would be no windows in the two schemes that look directly towards each other at close range, and thus no risk of privacy infringement for the future occupiers of the Daisy Business Park development.

## Management and maintenance of the PBSA

522. The Council's 2015 Technical Update to the Residential Design Standards requires student housing proposal to be accompanied by details of the long-term management and maintenance arrangements of the student accommodation, including details of security. This is in the interests of ensuring that, once operational, the development:

- does not generate adverse neighbour amenity or local environmental impacts;
- is managed and maintained to ensure the continued quality of the accommodation, communal facilities and services; and
- will positively integrate into the surrounding communities

523. The applicant has identified the probable operator of the proposal as Homes for Students, who have been involved in the design evolution of the proposal to ensure it is fit for purpose. A management plan prepared by Homes for Students has been submitted in support of the planning application, which sets out how the proposed development will be managed and maintained. With regard to the management of the scheme, the Plan makes the following provisions:

- Noise and anti-social behaviour:
  - tenancy agreements will include rules and regulations relating to the property, local neighbourhood consideration and enforcement measures;
  - tenants will attend a welcome event at which they will be issued with a customised 'resident handbook'; and
  - tenants will receive an 'on arrival' induction about the rules, regulations and enforcements.
- Community liaison:
  - The on-site team will hold regular meetings with local residents and groups to discuss and address any issues.
  - Residents will be able to contact the Property Manager by a number of channels (at the reception, via the 24/7 help desk (which has an escalation mechanism to formal bodies); and
  - a formal complaint and incident procedure to the management company.
- Security
  - CCTV cameras in and around the building will be fed back to the management office to allow monitoring of incidents and potential incidents 24/7;
  - There will also be an electronic access control system to prevent unauthorised access into the building; and
  - The lifts will have access control fitted to restrict use of the lifts to the management team and tenants only.
- Tenancies
  - Where tenants breach the agreement, there will be escalating levels of enforcement which will include deductions from their deposits, written and final warnings and ultimately expulsions.

524. On account of the above, it is considered that sufficient information has been provided to address the requirements of the SPD, and that a robust strategy is in place to ensure the day-to-day operation of the student accommodation would not cause harm to the amenity of surrounding residents. A finalised version of the Student Management Plan will be secured through the Section 106 Agreement.

### Noise and vibration

#### Plant noise

525. Plant (power, heating and cooling machinery) would be contained within the basement levels of Buildings A and D. All four proposed buildings would also contain rooftop plant: at Buildings A and B, there would be chilled water plant and smoke vents serving the PBSA accommodation, while at Buildings C and D there would be smoke vents, VRF systems and other plant equipment. At all four buildings, acoustic enclosures would screen this rooftop plant.
526. A condition is recommended requiring the plant not to exceed the background sound level (LA90 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

527. 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.
528. The only other potential sources of public noise nuisance are the three proposed commercial/business units and the community hub. Examples include the use of one or more of the commercial/business units for a café/restaurant function, and any entertainment or music taking place incidental to this function. Were one or more of the commercial/business units to be occupied for light industrial purposes, noise nuisance could be generated unless mitigation is in place. The community hub could, with its doors onto Sylvan Garden, create 'spill-out' hubbub potentially at unneighbourly hours, unless hours of operation are controlled.
529. In order to limit any risk of public noise nuisance, it is recommended that opening hours limitations be imposed on the two flexible commercial/business units (unless they are occupied for office use) as follows:
- 07:00-23:00 on Mondays to Sundays (including Bank Holidays).
530. With regard to the community hub, it is recommended that the following opening hours limitations be imposed:
- 07:00-23:00 on Mondays to Saturdays; and
  - 09:00-22:00 on Sundays (including Bank Holidays).
531. In order to limit any risk of public noise nuisance, it is recommended that before any of the commercial/business units are occupied for a light industrial use, the internal fit-out must be adapted to provide a higher level of resistance to the transmission of sound.

532. A separate condition is proposed to control the hours of servicing/deliveries to the three units; these hours will apply irrespective of the particular type of tenant who takes up occupancy.

### Vibration

533. A vibration assessment for the site carried out in 2018 indicates no adverse impact from potential vibration sources. As the conditions of the site and context have not changed in a way that would materially alter these findings, the vibration assessment remains sound, and it can be concluded that none of the proposed spaces would be subject to harmful vibration doses. This is supported by the findings of the ES submitted with the application. Accordingly no vibration-related planning conditions are required.

### Odour

#### Odour from the SIWMF

#### *Policy and planning history background*

534. The site is located south of the SIWMF, which is being operated by Veolia UK as part of its 25 year PFI contract with the Council. This facility includes two biofilter stacks situated close to its northern edge, a distance of over 300 metres from the northern boundary of the Devonshire Place site. Policy P63 of the Southwark Plan, which is concerned with land for waste management, states:

*“The Integrated Waste Management Facility (IWWMF) will be protected for waste management purposes [...] We have designated the IWWMF near Old Kent Road, as a safeguarded waste site. The IWWMF’s Waste processing capacity helps towards meeting our waste apportionment targets set out in the London Plan.”*

535. The extant hybrid permission required the submission of a ‘prior to above grade works’ ventilation strategy, together with a further olfactometric testing exercise to be carried out following construction of each building but prior to its occupation. Olfactometric testing measures the concentration and intensity of odour, and evaluates the extent which such odour might pose a nuisance to human comfort and amenity.

536. The pre-occupation olfactometric testing requirement was included as a requirement of planning permission so that, in the event of unacceptable levels of odour being detected, additional filtration equipment could be installed within the interior spaces before any occupier move-ins take place.

537. No post-occupation monitoring was required, either by planning condition or planning obligation

### Assessment

538. Planning application 23/AP/1892 is supported by an Odour Assessment, which uses five years-worth of meteorological data (from 2018 to 2022) to assess inter-year wind behaviour variations. This Assessment is based on an emission rate of 2,500 oemu / m<sup>3</sup>we, as agreed between the applicant and representatives of SIWMF, and which was intentionally conservative in order to consider increased operations and seasonal variation. The output from the Assessment is a series of predictions of the 1-hour odour concentration experienced at a range of receptors across the Devonshire Place application site. The results represent the maximum concentration.

**Image 67** (right): A map of the SIWMF facility (in blue) and its biofilter stacks (red dots) in relation to the sensitive receptors modelled for levels of odour concentration (green dots).



539. The Odour Assessment finds that the effects on the proposed development from odour directly emanating from the SIWMF facility would be “negligible” to “slight adverse” (not significant). The assessment therefore concludes no additional mitigation is required (such as further filters to the mechanical ventilation system inlets) – this is in accordance with the relevant IAQM Odour Guidance.

540. As the results of the Odour Assessment (i.e. “slight adverse” at worst) are conservative and worst case, the Council’s Environmental Protection Team has concluded that:

- additional filtration in the fit-out of the Devonshire Place buildings will not be required;
- the pre-occupation olfactometric testing planning obligation included in the extant hybrid permission need not be replicated in the 23/AP/1862 permission; and
- no post-occupation monitoring obligation is necessary.

541. With regard to emissions from refuse lorries, the Odour Assessment found that these would be negligible across the site with the exception of ‘slight adverse’ impacts at the lower floors of Building D.

542. It follows that the interior environments of the proposed uses at Devonshire Place would not be subject to odour disturbance harmful to amenity.

### Extraction and ventilation equipment

543. The application is not accompanied by any extraction details. Preserving the architectural integrity of the proposed development, with its appurtenance-free façade, is considered to be of importance to the success of the development in terms of its townscape role. Thus, it is likely that any scheme of externally-affixed extraction (which would in all probability need to rise up the full profile of the building to terminate at roof level) would militate against an exemplary building design. Accordingly, it is expected that the flexible commercial/ business units, if used for restaurant/café purposes, would contain re-heat facilities rather than full cooking facilities with extracts/exhausts. A fully internalised extraction system would minimise the risk of odour impacts for the residential occupiers above and those residing in surrounding properties. Alternatively, ventilation for a small-scale 'prep' kitchen could be achieved solely through the ground floor façade of the commercial units by utilising the soffit/fascia.
544. For safeguarding purposes, a condition is recommended requiring details of any extraction and ventilation system to be submitted to the Council for its consideration prior to the installation of any such system.

### **Design**

545. Paragraph 56 of the NPPF stresses the importance of good design, considering it to be a key aspect of sustainable development. Chapter 12 of the NPPF is the key national policy for design. In particular para 134 requires development to reflect local and national design policies, guidance and SPDs. It sets out that outstanding or innovative design should be given significant weight in decision making, and requires development that is not well designed to be refused.
546. Chapter 3 of the London Plan deals with design related matters. Policy D3 promotes a design-led approach to making the best use of land. Policies D4 and D8 build on this, setting out the design principles for ensuring new development makes a positive contribution in terms of architecture, public realm, streetscape and cityscape. Policy HC1 advises that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural detail.
547. London Plan Policy D9 is specifically concerned with tall buildings. The policy contains a list of criteria against which to assess the impact of a proposed tall building – namely locational, visual, functional, environmental and cumulative. London Plan Policy D4 requires all proposals exceeding 30 metres in height to have undergone at least one design review or demonstrate that they have undergone a local borough process of design scrutiny. The proposed building would, at 70.67 metres above ground level, exceed the 30 metre threshold. It thus engages Policy D9.
548. The importance of good design is further reinforced by Policies P13 “Design of Places”, P14 “Design Quality” and P17 “Tall Buildings” of the Southwark Plan. These policies require all new developments to:



- be of appropriate height, scale and mass;
- respond to and enhance local distinctiveness and architectural character;
- conserve and enhance the significance of the local historic environment;
- take account of and improve existing patterns of development and movement, permeability and street widths;
- ensure that buildings, public spaces and routes are positioned according to their function, importance and use;
- improve opportunities for sustainable modes of travel by enhancing connections, routes and green infrastructure; and
- be attractive, safe and fully accessible and inclusive for all.

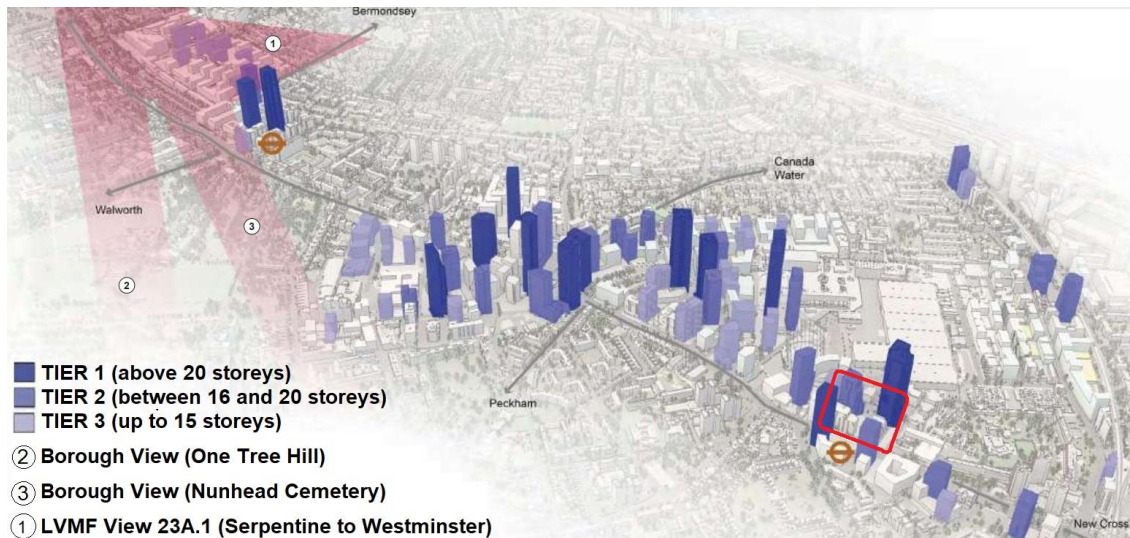
549. Specifically for tall buildings, Policy P17 requires:

- the location to be within a major town centre, an opportunity area and/or the CAZ, where tall buildings are appropriate;
- the location to be at an area of landmark significance;
- proposals to be of a proportionate height to the location and site;
- proposals to have a positive impact on the London skyline;
- proposals to respond positively to local character and townscape;
- there to be no harmful impact on strategic views;
- proposals to provide a functional public space; and
- the provision of newly publically accessible space near or at the top of the building where appropriate.

550. It also sets out that the design of tall buildings must:

- be of exemplary design and quality;
- conserve and enhance designated heritage assets and make a positive contribution to the wider townscape;
- avoid harmful environmental impacts;
- maximise energy efficiency; and
- have a positive relationship with the public realm, provide opportunities for new street trees, design lower floors to successfully relate to and create positive pedestrian experience, provide wider footways and accommodate increased footfall.

551. There are conservation areas and listed buildings in the vicinity of the application site, and the draft OKR AAP identifies buildings of townscape merit and architectural or historic interest nearby. The draft AAP identifies the cluster as an appropriate for a mix of Tier 1 (above 20 storeys), Tier 2 (16 to 20 storeys) and Tier 3 (up to 15 storeys) tall buildings, with an expectation that at Devonshire Place heights fronting onto Old Kent Road are lower.



**Image 68** (above): *The Stations and The Crossings* strategy from the draft Old Kent Road AAP, showing the distribution of tall buildings across the action area, including cluster at the new tube station where the site is located (edged in red), and these tall buildings' relationship to London and borough views.

552. The extant hybrid permission, 19/AP/1239, is a material consideration when assessing the design quality of the proposal hereunder consideration. Although the general arrangement of two buildings fronting onto Old Kent Road with taller buildings on the rear part of the site is similar to the extant hybrid permission, the 23/AP/1862 proposal differs in terms of its scale, form and architectural design.

### Site layout and public realm

553. The existing urban grain is varied, featuring a mix of: historical high street buildings; housing dating from various eras and in a range of formats and heights; and larger commercial warehouses. As previously mentioned, the application site is brownfield land within the Old Kent Road Opportunity Area. It is also subject to site allocations in the Southwark Plan and draft OKR AAP.

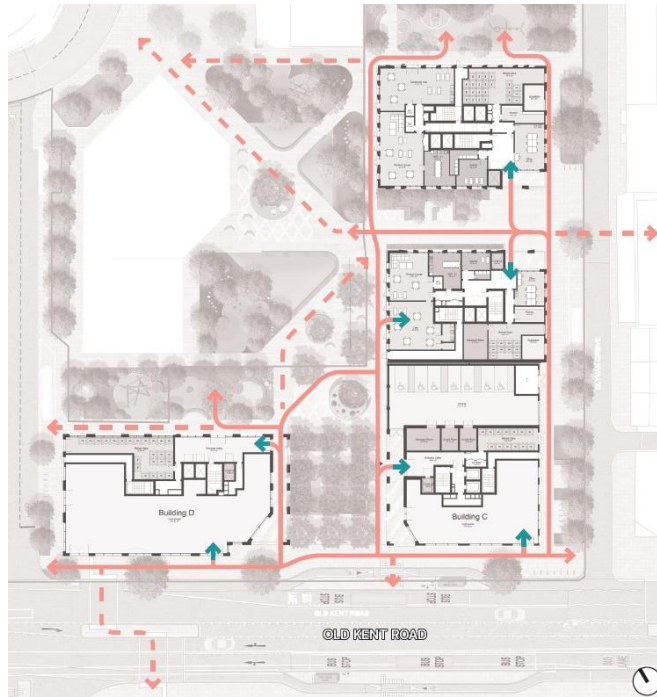
554. Characterised by scattered low-rise buildings and large areas of surface parking, the existing site makes no meaningful contribution to the Old Kent Road high street. Furthermore, the presence of Devon Street (South Arm) —which is used principally as a thoroughfare for large heavy vehicles— carves the site in two. With its lack of east-to-west permeability, the site offers little in the way of integration and connectivity with the wider Old Kent Road area.

555. The arrangement of the four proposed buildings conforms broadly to the massing composition and guidelines in the draft OKR AAP, and is a logical response to the shape of the site. The proposed layout of the buildings would instate a strong urban edge, framing the proposed public realm and establishing positive frontages along the Old Kent Road high street, Sylvan Grove and Devonshire Grove. The stopping up of Devon Street (South Arm) would remove vehicular access through the centre of the site, in turn enabling the delivery of enhanced hard- and soft-landscaped public realm along Old Kent Road. All of these urban design moves are strongly supported.

556. The landscaping and open space proposals have been carefully considered to enable new north-to-south and east-to-west connections through the site, providing increased connectivity between existing and planned open spaces in the wider area, as set out in the draft AAP. The proposal would provide pockets of publicly accessible open space distributed between the buildings, each intended to have a distinctive landscape character. These spaces would provide welcoming openings, inviting people into the site and promoting movement through it. They have also been designed in anticipation of a public open space potentially being delivered on the southern edge of the adjacent Devonshire Yard site. If this does materialise, the Devonshire Place public realm would knit into it seamlessly, forming a consolidated and generously-proportioned public space at the heart of the two sites, which would bring major public benefits. Details on the configuration, quantum and character of the proposed on-site open space is expanded upon in more detail in separate sections of this report.
557. In addition to successfully 'framing' the proposed on-site and potential future public spaces, the disposition of the buildings –whereby the taller blocks have been placed to the northwestern and northeastern edges of the site– would optimise sun-on-ground within the public realm.
558. Entrances and public-facing non-residential uses have been located either on the principal frontages (Old Kent Road high street and Sylvan Grove) or at the intersection of key routes through the site. The residential lobbies and the three commercial/business units would all bring activation at ground level and help frame the various proposed open spaces. Further activation would come from the glazed frontages of the PBSA laundry rooms. The colonnaded bases to the northwestern elevation of Building C and the southeastern elevation of D, which would flank either side of The Grove, would bring grandeur and a sense of arrival. The community hub, being located on the northern corner of Building A, would provide a positive interface with Sylvan Gardens and form part of a wider community offer that extends into the adjacent Daisy Business Park, all of which is welcomed.

559. Cycle stores and ancillary uses have been appropriately located either at basement or first floor level to minimise the extent of inactive frontage. Where inactive frontages have been unavoidable, the applicant has proposed to dress these using public art installations.

**Image 69** (right): Site movement strategy, showing how permeability has been maximised, where entrances are located, and how the site could connect into a future development at the adjacent Devonshire Yard land.



560. In contrast with the extant hybrid permission, the 23/AP/1862 proposal does not include a podium. The podium had the effect of rendering a significant amount of the on-site open space inaccessible to the general public. The new proposal, in not retaining the podium, would be more successful: it would ground the buildings, create a stronger and more engaging street presence, and provide a greater amount of publicly-accessible open space. By omitting the podium and setting proposed Buildings C and D apart by 17.5 metres, the new proposal would also provide a strong physical and visual connection between Old Kent Road and the potential future open space on the Devonshire Yard land. This should be seen a significant improvement in the site layout, permeability and overall public space offer.

561. In summary, the proposed site layout is well conceived, providing improved frontages along the Old Kent Road high street with increased permeability through the site. The proposed development would provide new north-to-south and east-to-west routes, enhancing the site's connectivity to a network of open spaces as proposed in the draft AAP, while also helping to integrate the site into the wider area. This aligns fully with the ambitions of the Southwark Plan to foster mixed and inclusive communities.

### Height, scale, massing and tall building considerations

562. The application proposes four buildings, the tallest of which (Building A) would rise to 33 storeys to the north of the site, with Buildings B and C cascading in height from 19 to 15 storeys to the south. Building D would be 20 storeys, with a 12-storey frontage onto the Old Kent Road high street.

563. The tallest of the four buildings constitutes a Tier 1 building - which the draft OKR AAP identifies as acceptable. The tower is located at the site's northeastern extremity, forming the primary landmark building within the cluster. The location



of the Tier 1 building is considered to be appropriate, acting as a navigation node to the proposed Bakerloo Line station, the central open space of The Grove, and the future larger open space that may be delivered as part of any redevelopment of the Devonshire Yard land.

564. The heights of the lower buildings are also broadly consistent with the draft AAP. Although the two buildings that front Old Kent Road are taller than the high street frontage guidelines, their massing has been carefully articulated by applying set-backs and chamfers to the upper storeys. These two buildings are conceived as gateway marker buildings for the proposed open space and new tube station. Given the townscape role of the buildings, their heights are acceptable.



*Image 70 (above): Visualisation of Buildings C and D as they front onto Old Kent Road.*

565. In providing a mix of Tier 1, Tier 2 and Tier 3 buildings, the development broadly follows the heights guidance of the draft AAP. The relative heights of the four buildings would also align with the strategy as set in the AAP, with there being a stepped increase away from the high street and towards the northeast of the site, responding to the Daisy Business Park redevelopment. Building A is 14 storeys taller than Building B, lending the family of buildings a clear hierarchy and creating a primary focal building within the cluster. For these reasons, the proposal would positively cohere in a cluster around the proposed station at this 'Crossing', which is considered beneficial in townscape terms.

566. With regard specifically to massing, Buildings A and B would possess a strong sense of verticality, attributable largely to their gridded frame and the notched corners reducing their apparent width. Buildings C and D have been well articulated to provide added interest and reduce the perception of the massing in the streetscape.

567. To enable legibility across the development, the design and materiality of the ground floors would vary depending on the typology. Buildings A and B would provide a striking white metal grounding, with dynamic artwork included within the double-height colonnade for added interest in immediate views of the tower. Buildings C and D, the conventional housing blocks, integrate chamfered corners to increase the public realm and promote movement into the heart of the site.

568. Underpinning the massing and townscape strategy is the concept of architectural pairs that together form of family of four. With regard to Buildings A and B, their

corners have been indented to exaggerate slenderness and verticality. Both would be topped with portico crowns to articulate the skyline. Due to the consistent massing approach, these two PBSA buildings, despite being of different heights, would nevertheless read as a pair.

569. Looking specifically at Buildings C and D, these would both have a staggered massing, with the ‘folding away’ upper floors helping to lessen the apparent bulk, and the chamfered corners creating a gateway into the centre of the site. In recessing the taller element of Building D from the Old Kent Road building line, the applicant has reconciled, on the one hand, the need to provide an urban marker for Devonshire Place and the planned underground station, and on the other, the importance of keeping the heights along the high street relatively controlled.

570. Buildings A and B would have an elevational expression distinct from that of Buildings C and D, reflecting the different internal uses. This approach is successful in lending variation and complexity to the cluster in immediate and long-range views.

571. Despite being differentiated in this way, the two couples would respond to each other through their strongly expressed frames and some commonalities in finish colour. As a grouping of four, they would have a dynamic interplay.



**Image 71** (above): Visualisation of the scheme, as seen facing north along the Old Kent Road.

572. The proposed strong and distinguished bases of all four buildings would relate positively to the proposed public realm, their architectural detailing providing a human scale to the development and adding interest in close-range views. In longer-range and wider townscape views, the ‘family of buildings’ concept is successful in providing further articulation to the massing and skyline.

573. As assessed in detail in a subsequent part of this report, it is not considered that this proposal, due to its height or scale, would result in substantial harm to designated London wide or local protected views.

574. In concluding on height, massing and scale, it is important to recognise that the maximum height of the proposed development is three storeys lower than the maximum height of the consented scheme. At the same time, it should be noted that 23/AP/1862 proposes buildings of comparatively greater height on the Old Kent Road frontage; however, as explained in detail above, it is considered that the approach to massing has mitigated this height such that Buildings C and D would sit comfortably within the streetscene and wider townscape.

575. With regard to policy compliance with London Plan Policy D9 and Southwark Plan Policy P17, the following aspects are of consideration:

Landscape contribution

576. The development comprises a series of open spaces, providing increased permeability for pedestrians and cyclists. Together with neighbouring sites, the development will provide publicly accessible open space for the existing and emerging communities. The proposal provides a number of improvements to the existing streets, including the proposed stopping-up and landscaping of Devon Street (South Arm), improving the public realm contribution between Buildings C and D. These are considered to commensurate with the scale of development.

Point of landmark significance

577. The application site is located opposite the proposed new “Old Kent Road” tube station, forming part of the Bakerloo Line extension. The development will act as a wayfinding node for the station and, together with the Daisy Business Park redevelopment to the northeast, will form part of a cluster of tall buildings. This is considered to be in accordance with key principles of the ‘Stations and Crossings’ strategy. The proposed development would also create a gateway to the potential centralised public square, while reinforcing the high street character along this stretch of the Old Kent Road. In this regard, the development constitutes a key landmark providing increased legibility of the new station. As such, and having regard to its location in the Old Kent Road Opportunity Area and District Town Centre, the height of the building is considered appropriate.



**Image 72** (above): View looking northwest along Old Kent Road, from a position to the front of Bowness House, showing the relationship of the four buildings to the existing and emerging context.



### Highest architectural standard

578. The proposal would be a high quality new-build scheme, incorporating a pallet of robust and rich facing materials, brought together into a refined and striking architecture through careful detailing. Each building would successfully achieve a distinguished base, middle and top. The varied approach to the architectural design of the typologies will ensure the scheme makes a dynamic addition to the skyline. It would deliver high-performance conventional and PBSA housing as well as commercial and community floorspace. The architecture and detailed design is well considered, in both its appearance in immediate and longer-range views.

### Relates well to its surroundings

579. At ground floor level, two-storey colonnade spaces would be provided, framing entrance spaces and providing glazed frontages onto the public realm. The development ensures sufficient activation is provided at the centre of the site, to align with the potential delivery of a public space on the adjacent Devonshire Yard land. The development ensures that the ground floor provides a positive interface with the proposed open spaces and surrounding streets, presenting accessible and welcoming entrances. Through the incorporation of glazing there will be a positive relationship between internal and external uses. The development will also ensure increased permeability through the site. The architectural design and composition of the buildings will aid legibility and wayfinding in mid-range and longer range views.



**Image 73** (above): View looking across The Grove towards Building D's colonnaded southeast elevation.



**Image 74** (above): View looking through The Grove, with Gasholder 13 visible in the background.

580. The proposed development responds uniquely, but positively, to the local character and will make a positive contribution to the townscape.

### Positive contribution to the London skyline

581. The development would form part of a cluster of emerging large-scale buildings around the planned tube station, a number of which benefit from planning permission. The proposed scale of the development –with the heights stepping up from the high street to the site's northeastern extremity– is consistent with the

heights promoted on this particular site in the AAP, and the 'Stations and Crossings' strategy more generally. The varied distribution of heights will facilitate an articulated skyline, defining a set of marker buildings to aid way finding.

582. The cumulative impact has been assessed as part of the applicant's HTVIA, which includes consideration of the proposed development within the cumulative context of existing proposed future developments and planning consents. The HTVIA demonstrates that the scale, form and massing of the development would be consistent with the emerging context. By reason of the proposal's massing and architectural treatment, its skyline contribution would be positive, providing a slender profile to the tallest block, with a well-articulated family of markedly lower buildings surrounding it.

#### Free-to-enter publicly-accessible areas

583. The application proposes public realm at grade covering an area of 1,685 square metres, broadly commensurate in size with the quantum of publicly-accessible open space proposed by the extant scheme (which had a larger site area). In addition to the areas within the site itself, the proposals would deliver widened footways supplemented by planted beds and new street trees. In light of this, the total quantum of new publicly accessible realm created by the redevelopment would be commensurate to the height of the proposed tall buildings, and should be treated as a benefit of the scheme.

#### Mitigated environmental impacts

584. As part of the consideration of tall buildings' suitability, the London Plan requires interrogation of wind, daylight, sunlight penetration, air quality, noise and temperature conditions around the building(s) and neighbourhood. It expects these not to compromise comfort and the enjoyment of open spaces around the building. An ES accompanied the planning application and other parts of this report assess these matters comprehensively, and conclude that with mitigation secured, no major adverse long-term effects would arise.

#### Conclusion on massing, height, scale and tall building considerations

585. In summary, although the proposed development –constituting a Tier 1 buildings, two Tier 2 buildings, and a Tier 3 building– would mark a step change in the scale of the immediate area's built scale, this is considered to be in line with the 'Stations and Crossings' building heights strategy in the draft AAP. Formed of a family of confident and carefully modelled buildings set within high-quality public realm, the development would repair a long-standing gap in the high street. It would play its role in delivering the series of tall building clusters planned along the Old Kent Road, while also making a beneficial contribution to the local townscape.
586. Overall, and having taken account of the effects arising cumulatively with other existing, consented and planned tall buildings nearby, the development's design would be exemplary, thereby meeting the policy criteria for a new tall building.

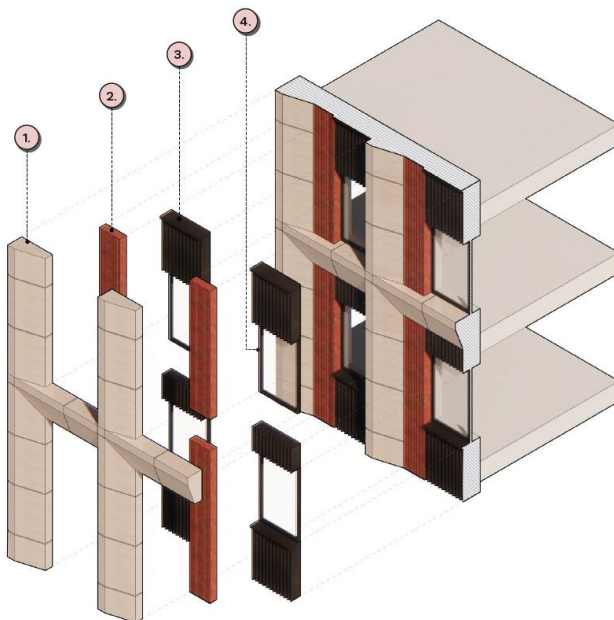
However, a significant outcome of a tall building is its visibility and while this is not harmful in itself, the potential effects on the 'receptor' townscape and heritage assets are of special concern. These are discussed in later parts of this 'Design' section.

### Architectural design and treatment

587. Southwark Plan Policy P14 sets out the criteria for securing high quality design. In respect of architectural design and materials the policy requires all developments to demonstrate high standards of building fabric, function and composition. Design solutions should be specific to the site's historic context, topography and constraints. They should also respond positively to the context using durable, quality materials that are constructed and designed sustainably to adapt to the impacts of climate change.

588. At Buildings A and B, a modern material palette is proposed consisting of:

- a light-coloured metal gridded frame (a crisp white at the base two storeys, switching to a cream above), arranged in four-storeys groupings;
- four portico style screens at roof level, each a continuation of the light-coloured metal gridded frame, collectively forming the 'crown';
- coloured ribbed panels within each bay and at the notched corners, fading in saturation as the height increases, complemented by dark metal panels and window frames; and
- colourful expressions applied to the external lobbies, to help celebrate these key points of arrival.



**Image 75** (above): Exploded isometric of the composition of the Building A and B facades, with (1) referring to the metal piers and beams, (2) to the ribbed metal panel, (3) to the dark grey metal spandrel panel and (4) to the glazing.



**Image 76** (above): Ground and first floor bays of Building A/B, highlighting at (5) the white metal piers and at (6) the textured metal footers.

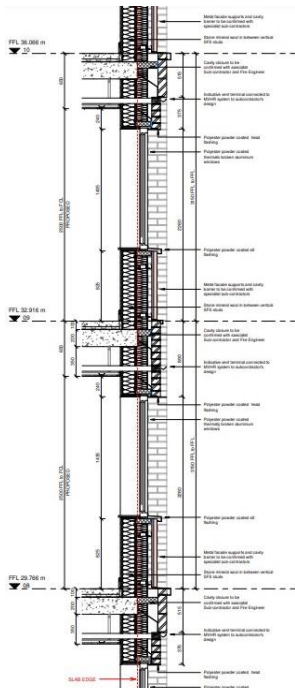
589. The lightweight ground floors, glazed bricks and graduated treatment at the base of the columns are all supported. The colour pops provided by the ribbed panels are intended to aid legibility, with the red hues being a connotation to the red brick masonry finish of Buildings C and D. The vertical stress and repetitious nature of the regular student module would create a functional composition that lends an elegance and controlled quality to these two tall buildings. Overall, the effect is considered to be successful.

590. The approach to the architectural treatment of Buildings C and D is more traditional in nature, reflecting the principal use of these buildings as conventional housing. The main body of the street buildings (including the double-storeyed base) would be faced in:

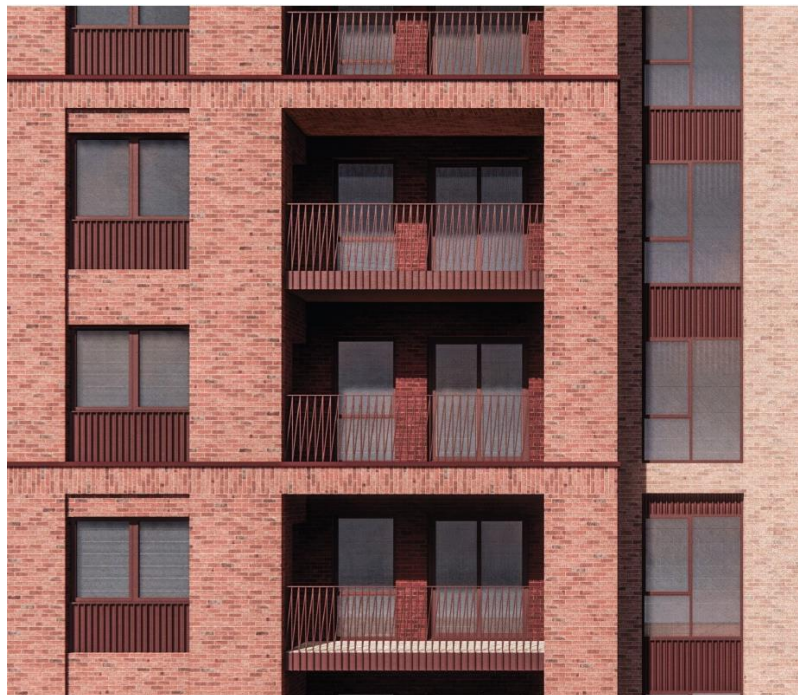
- two tones of red brick, and one lighter beige tone, all laid in a flush joint;
- red pre-cast concrete panels and banding;
- red coloured metalwork to fenestration and balconies;
- bronze glazed brick to base of buildings;
- bronze coloured metalwork to ground floor; and
- white brick to base of buildings.

591. The uppermost storeys of Buildings C and D would employ:

- metalwork lining to the column openings;
- graduated glazed brick detail at the base of columns; and
- full height glazed brick on the recessed wall.



**Image 77** (above): Indicative detailed section through the Building C/D façade.



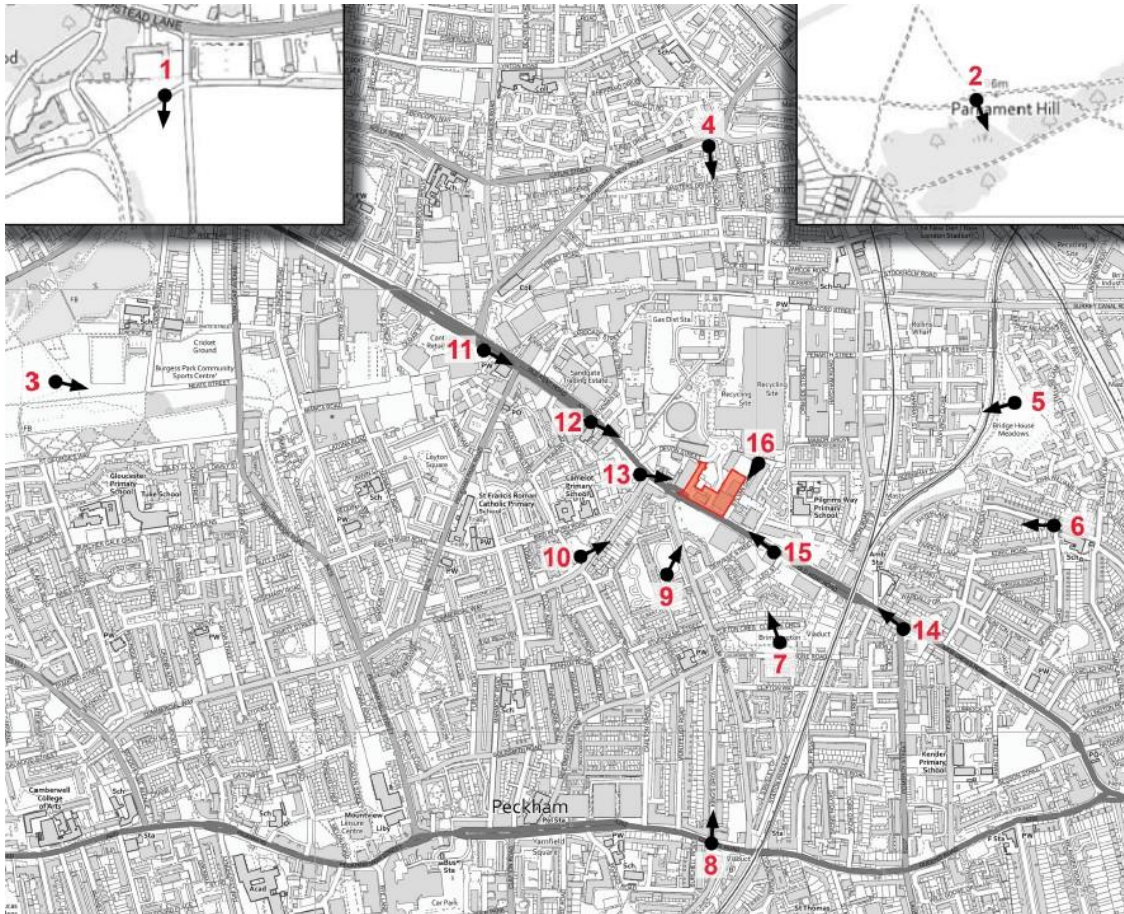
**Image 78** (above): Rendered bay study of Building D showing the two tones of facing brick, together with the use of string courses and vertical brickwork banding on alternate floors, all subtly offset by the metalwork.



592. The warm red hues of the brickwork and metalwork finishes would be consistent with the character of the Old Kent Road high street, and would directly reference the coloured ribbed panels on Buildings A and B, imbuing the four buildings with subtle similarities. The details –such as the string courses, the ribbed spandrel panels, the vertical brickwork banding and the shadow recesses– would complete the composition of Buildings C and D.
593. In terms of how all four buildings would be expressed at street level, a carefully detailed two-storey base would wrap the full perimeter of each building, broken only by the generous colonnades, external lobbies and podium. This consistent architectural approach would, as with the aforementioned use of red hues, help to subtly unite the four buildings as a family. The application of robust materials and rich detailing to the two-storey bases would make for a high quality streetscape environment.
594. The materials shown indicatively at this stage are high quality and robust, such that officers have confidence the appearance and architectural integrity of the building would be sustained through its lifespan.
595. To ensure the texture and interest of the elevational designs are carried through to the as-built scheme, conditions are recommended requiring sample panels of each material (including, in the cases of the bricks, the bond and mortar), as well as samples of the window and door frames.
596. Large scale bay studies have been provided with the submission to demonstrate design quality. Notwithstanding, a full set of detailed drawings will be secured by condition to ensure the delicate qualities and depth of the facades depicted in the application-stage drawings materialise in the as-built scheme. Additional to this, a condition is recommended requiring full scale mock-ups of the façade panels of the towers to be built on site and presented for officers' approval.
597. Overall, and with the abovementioned planning conditions enabling to officers to retain control over the detailed resolution, the proposal would achieve an exemplary quality of architectural design.

### Heritage and townscape impact

598. A Heritage Townscape and Visual Impact Assessment (HTVIA) has been submitted in support of this application. The study area for the HTVIA was informed through discussions with planning officers. A number of conservation areas and listed buildings fall within this radius, as do buildings on the draft local list. The 'townscape' element of the HTVIA considers the impact of the proposed scheme from sixteen different viewpoints (two of which are outside the borough), and includes consideration of cumulatives.



**Image 79** (above): Map showing the fourteen local viewpoints assessed in the HTVIA, as well as the two LVMF viewpoints (top right and top left call-out boxes).

### London Strategic views

599. The London View Management Framework (LVMF) (March 2012) identifies a number of strategic views that are sensitive to change, and require careful management if they are to be protected and enhanced. The types of strategic view are: London Panoramas; Linear Views; River Prospects; and Townscape Views. Two of the LVMF views are potentially sensitive to development at the application site, and as such the HTVIA has tested the impact of the proposed Devonshire Place within these views. The two views are:

- LVMF 3A.1 Kenwood: the viewing gazebo (in front of the orientation board); and
- LVMF 2A.1 Parliament Hill: the summit (looking toward St Paul's Cathedral).

600. While the development will be partly visible in View 2A.1, the degree of its visibility, which is limited, and its distance from St Paul's Cathedral in the view mean that it would not harm the view or the ability to appreciate and understand St Paul's in the view. The development would be seen as a relatively small part of the backdrop development in the view's wider context and would not particularly impinge on St Paul's Cathedral. Similar considerations apply to View 3A.1. Overall, there would be little impact on the protected LVMF views.





**Image 80** (above): View from LVMF 2A.1 with the proposal outlined in green.



**Image 81** (above): View from LVMF 2A.1 with the proposal outlined in green, submitted (but as yet undetermined) schemes outlined in pink and consented/implemented schemes outlined in yellow.

### Borough views

601. The site is not within any Borough View corridors or their wider consultation areas.

### Local townscape views

602. In a number of the views the impact of the proposals are considered to be neutral or in some cases beneficial. For instance in the view from Bridgehouse Fields (View 5) the development would be seen as part of a cluster of tall buildings along the alignment of the Old Kent Road and would be beneficial to the townscape setting by providing a point of orientation and reference from the open space.

603. In View 7 (from Brimington Park) the development is seen over the roof line of the Grade II listed buildings of Clifton Crescent. The view already includes the

towers of the Tustin Estate, and the taller buildings on the Aldi site at 840 Old Kent Road are currently being constructed. In terms of townscape the towers would form part of a cluster of well-designed tall buildings in this view and the impact would be beneficial.



**Image 82** (above): Triptych view across Brimington Park towards the application site in the existing condition.



**Image 83** (above): Triptych view across Brimington Park in the proposed scenario, showing the proposed development (in full render) in the centreground.



**Image 84** (above): Triptych view across Brimington Park in the cumulative scenario, with the proposal in the centreground, plus the submitted (but as yet undetermined) schemes outlined in pink and consented/implemented schemes outlined in yellow.

604. In View 8 the tallest elements of the scheme are seen on the axis of Kings Grove, and would provide a point of orientation in the townscape proportionate to the terraced street in which they would be visible from. This would add positively to the local townscape.

605. In View 9 (from Caroline Gardens) the development would have some negative effect as the scale and form of the development is in contrast to that of the two-



storey horizontality of the design of the Asylum buildings. However, this is mediated to an extent by the mature planting within the gardens and the impact is considered to be acceptable.



**Image 85** (above): *Triptych view across Caroline Gardens towards the application site in the existing condition.*



**Image 86** (above): *Triptych view across Caroline Gardens in the proposed scenario, showing the proposed development (in full render) in the centreground*



**Image 87** (above): *Triptych view across Caroline Gardens in the cumulative scenario, with the proposal in the centreground, plus the submitted (but as yet undetermined) schemes outlined in pink and consented/implemented schemes outlined in yellow.*

606. In View 11 you see the listed Gasholder 13 from the north to the south along Old Kent Road. Development as promoted by the draft OKR AAP and subsequently consented, such as that at Ruby Triangle, will inevitably mean that views towards the listed structure become somewhat more limited. In spite of this, there will still be views of the gasholder given its significant scale; it will remain a presence even in the reimaged high street setting. The development would sit to the

south of the gasholder in this view and overall the townscape of Old Kent Road would be enhanced.

607. In View 12 (from Hyndman Street/Old Kent Road) you see the slender profile of one of the student towers and the impact is considered to be beneficial to the townscape.
608. View 13 (from the junction with Commercial Way and Old Kent Road) is closer to the development and its height mass and bulk are more apparent in the context of the buildings within the Kentish Drovers and Bird in the Bush Conservation Area (including the listed Kentish Drovers pub). The design has sought to mediate the impact of the building on the immediate townscape, which unlike a lot of Old Kent Road is of a relatively high quality, by incorporating chamfers into the upper storeys. These pick up one of the design motifs of the extant hybrid permission. This, the architectural treatment of the flank elevations and the re-instatement of the high street frontage which the scheme delivers, is considered to be beneficial to the townscape.
609. View 15 (from Gervase Street north along Old Kent Road) is currently characterised by out of town retail sheds and car parking. The introduction of bold urban forms and the re-founding of the high street edge are beneficial in this view.
610. In View 16 (along Sylvan Grove towards Old Kent Road) similar considerations apply. The street is currently poorly defined on its northern side, primarily by open yard and car parking spaces. The student buildings provide a definite street edge, the impact on the townscape being beneficial.
611. In conclusion, in the majority of views the impact of the scheme would either be neutral or beneficial. This is to a degree to be expected, given the poor townscape character of much of the existing area.

#### Designated Heritage Assets

##### *Kentish Drovers and Bird in Bush Conservation Area*

612. The site is within 30 metres of the north edge of the conservation area and the north part of the conservation area spans the Old Kent Road, recognising the quality of the surviving Victorian high street that runs in a brief stretch between the junctions of Commercial Road and Asylum Road. The high street either side of this part of the conservation area is of a particularly poor quality. Opportunities to enhance the setting of the area arise from Future High Street Funding project in respect of the external refurbishment of the Kentish Drovers pub, re-development of adjacent allocations sites and the healthy high streets project which offers the opportunity to enhance the street itself.
613. The re-development of this site is considered to enhance that part of the conservation area that straddles the Old Kent Road, by reinstating the continuous retail frontage and thereby re-establishing a sense of the historic high street character. The new buildings are of a clearly different scale, but by

increasing the intensity of use and activity along the frontage they should ensure the buildings within the conservation area are in turn active and less likely to be vacant and shuttered, enhancing their special character which is in part defined by their retail use.

614. There will, however, be some harm to other parts of the conservation area, in particular from Bird in Bush Gardens where the buildings would appear along the predominantly two storey roofline along the south side of Commercial Way. Although some harm would be caused, the redevelopment would be read as a clearly different character of building in the backdrop of the setting of the conservation area and would not visually dominate the listed and unlisted buildings that make up the conservation area along Commercial Way. For that reason the harm to the character of the conservation area is considered to be at the lower end of the scale of less than substantial. Overall it is considered that the special architectural and historic character of the conservation area would be preserved.

#### Caroline Gardens Conservation Area

615. The northern parts of the conservation area are within 60 metres of the site. The main courtyard garden space is somewhat insulated from the poorer aspects of the Old Kent Road by relatively mature planting. Consequently the setting of Caroline Gardens, the central chapel and the ranges that enclose the garden space are more likely to be adversely affected by buildings that appear beyond that landscape screening. The same planting, however, also tends to mitigate the scale of neighbouring developments including this one. In addition, part of the wider setting of the conservation area includes views to it and its listed heritage assets across the car park of the adjacent Lidl supermarket, something that significantly detracts from the conservation area. Redevelopment of adjacent sites in line with the draft OKR AAP, including this site, will overall enhance the setting of the conservation area. The harm that is caused to this conservation area is considered to be at the lower end of less than substantial and outweighed by the overall enhancement of the setting of the conservation area and the scheme's wider public benefits.

#### Listed Heritage Assets

##### Gas Holder 13 (Grade II listed)

616. This is an engineering structure of significant scale and presence. The proposed development is 75 metres away from the Gas Holder and is not considered to be of a scale or proximity that would harm the heritage significance or setting of the gas holder.

##### Kentish Drivers Pub (Grade II listed)

617. The Kentish Drivers is of a far more domestic scale than Gas Holder 13, albeit having been seen in the context of tall buildings at the Ledbury Estate for at least the last 50 years (the towers on the estate are about to be demolished but will be replaced by a new tall building). Nonetheless, it is considered that there would

be some harm to the setting of this listed by reason of the contrast in height mass and bulk of the proposed scheme. This would, however, in turn be offset to a degree by improvements to the setting of the listed building as a result of the reinstatement of the historic high street frontage. Overall, the harm to the setting of the listed building is considered to be at the lower end of the scale of less than substantial and outweighed by the scheme's public benefits.



**Image 88** (above): View looking southeast along the Old Kent Road high street, with the Kentish drivers pub visible to the far right of the image, showing the proposal rendered alongside cumulatives (yellow and purple lines).

*Doddington Place (Grade II listed) and Doddington Cottage (Grade II listed)*

618. Both of these buildings are located on Commercial Way and are approximately 100 metres from the site. The development would appear above the roofline of this terrace of both listed and unlisted buildings. While there would be some harm to the setting of both listed buildings, given the relative distance, scale and contrasting material finish of the proposed development, it is considered that the harm caused would be at the lower end of the scale of less than substantial and outweighed by the public benefits of the scheme.

*Caroline Gardens (Grade II listed)*

619. Caroline Gardens are the grandest listed buildings in the Old Kent Road. As discussed, an intrinsic part of their setting is the landscaped gardens. The buildings sit on the cusp of the high street/arterial highway character of the Old Kent Road and the surviving leafy suburbia of Peckham New Town to the south east. Views from within the gardens have since the 1870's included views of listed Gas Holder 13 and would have in the past included other gas holders and the gas works coking plant which has been since demolished. The formal symmetry of the listed building is probably best appreciated by a view on axis with the chapel, and within this view the development appears on the periphery creating little harm to the buildings' setting.



620. From within the gardens, the development is more visible within the setting of the south range of the complex and would create some harm to that setting. But for reasons already discussed the mature planting in the gardens tends to mitigate that harm which is considered to be at the lower end of the scale of less than substantial and is outweighed by the scheme's public benefits.

*Clifton Crescent (Grade II listed)*

621. This terrace has a domestic charm, with its gentle curve and park setting. These listed buildings are the most distant from the development at approximately 300 metres. While the scheme does appear over the roofline of the terrace, given the distance, the relative scale of the proposals and the existing setting of this terrace—which includes the Tustin Estate towers—it is not considered that any harm would be caused to the special interest of the listed buildings.

*Non-designated heritage assets*

622. The draft OKR AAP identifies a number of non-designated heritage assets and these in turn have been included on the councils draft local list.

*Daisy Business Park, 19-35 Sylvan Grove*

623. In respect of locally listed buildings, the Daisy Business Park at 19 and 35 Sylvan Grove is closest to the application site. This non-designated heritage asset comprises two-storey brick warehouse buildings, dating from the 20<sup>th</sup> Century, joined at the corner to form an L shape.



**Image 89 (right):** Photo of the Daisy Business Park buildings

624. The building has been repurposed as small office spaces. There is a consent (ref: 19/AP/2307) to partially demolish and partly retain the building, with a residential tower exceeding 100 metres in height adjacent to the retained structure. It is not considered that the Devonshire Place proposal would harm the heritage interest of this building.

*719-733 Old Kent Road and 720a to 726 Old Kent Road*

625. These buildings comprise the remaining historic fragment of the Victorian high street. The Council has purchased 719-733 Old Kent Road and has invested Future High Street funds in refurbishing 733. The proposed development has been designed to reinstate the contiguous high street frontage which will

complement and enhance the setting and future use of these non-designated assets.

### 314-320 Commercial Way

626. The proposed 33-storey tower is visible over the roofline of this terrace. As noted in respect of the designated assets, this would cause some harm but the harm would be relatively limited.



**Image 90** (right): View of the Commercial Way terrace, plus the proposal (in green line) and cumulatives (in pink line).

### Grenier Apartments, 18 Gervase Way

627. This is a former London Board school converted to residential flats. It is located approximately 200 metres to the south of the site. It is not considered, given the distance between this building and the development, that there would be any harm caused to this non designated heritage asset.

### Conclusion on heritage and townscape impact

628. There would be some harm to designated and non-designated heritage assets as a result of the development but in all cases these would be at the lower end of the scale of less than significant harm and is clearly outweighed by the public benefits of the scheme. These benefits include a significant contribution to affordable housing supply and also a significant contribution to the reinstatement of the historic high street which is a key aspiration of the OKR AAP. The scheme is therefore considered to be acceptable in respect of heritage matters.

### Inclusive access

629. Policy D3 of the London Plan states that measures to design out crime should be integral to development proposals and be considered early in the design process. Developments should ensure good natural surveillance, clear sight lines, appropriate lighting, and logical and well-used routes. Policy P16 of the Southwark Plan reinforces this and states that development must provide clear and uniform signage that helps people wayfind and effective street lighting to illuminate the public realm.

630. The various inclusive access measures within the proposal would include:

- all surfaces at a gentle gradient and surfaced in slip-resistant treatments;

- all uses to have step-free access through the provision of ramped or lift arrangements;
- colour contrast to be provided to denote level areas from those with a gradient;
- reflective surfaces, internal finishes and lighting levels and sources to be designed to reduce disturbance for people with sensory disabilities;
- manifestations to glazed doors and windows where necessary;
- lift access to be provided to all levels within the building, with all lifts to include tactile information, audible announcements and adequately sized landing space;
- cycle storage provision to allow for larger cycles such as cargo cycles, purpose built cycles for disabled people and tricycles; and
- signage to be clear, legible and consistent (pictograms will be used wherever possible and text and signs will be in accordance with the Joint Mobility Unit Sign Design Guide).

631. The proposal is ambitious in its inclusive design principles creating a convenient and welcoming building and new public spaces that can be entered, used and exited safely, easily and with dignity for all.

### Designing-out crime

632. Policy D11 of the London Plan and Policy P16 of the Southwark Plan require development proposals to reduce opportunities for crime, and create and maintain safe internal and external environments.

633. Mentioned throughout the application documents are the various 'passive' ways in which opportunities for crime have been designed-out. Examples include:

- creating well lit routes and spaces with good sight lines, creating opportunities for natural surveillance in so doing;
- designing-out alcoves, secluded areas and other spaces for anti-social behaviour; and
- designing all cycle store room to be open-plan, well-surveilled and secure.

634. The Metropolitan Police's Secure by Design Officer has assessed the proposal and is confident that certification can be attained. To ensure certification is ultimately achieved, the imposition of a two-part 'Secured by Design' condition is recommended.

### Community Review Panel

635. The proposals were reviewed by the Council's Community Review Panel on two occasions at the pre-application stage. The first review took place March 2023, and the proposals were brought back for a second review two months later. The opportunity not only to review the scheme, but to see how it had evolved in response to earlier comments, was strongly welcomed by the Panel.

636. The Panel's feedback to the first review, which was generally positive, can be summarised as follows:

- Architecture:
  - welcomed very strongly the decision to remove the podium between Blocks C and D;
  - expressed the view that Buildings C and D would benefit from greater variety and depth, and a less uniform appearance;
  - felt more could be done in terms of the elevational designs to reference the area's Victorian heritage;
- Student accommodation:
  - cautioned that, unless there are robust management arrangements for the PBSA, the facilities and the surrounding public realm may not be successful;
  - felt there should be deeper consideration of how residents and students can mix, and that the spaces and facilities provided on-site should be more intentionally designed to foster integration;
  - suggested that the design team considers '24 hours in the life' of different people living on the site, to provide more detail on the way spaces will be used, and inform the overall design approach.
- Community offer:
  - asked for greater thinking about how the local community could be made to feel welcome, and people other than residents could be attracted to use its spaces (e.g. local artists could be invited to contribute to public art);
  - felt more uses other than a supermarket alone, should be provided, such as a café.
- Amenity impacts for future residents:
  - advised that the potential for unpleasant smells from SWIMF, which could have a negative impact for residents, is accounted for and appropriate mitigation put in place if necessary.
- Transport, highways and movement:
  - stressed the importance of implementing improved road crossings to provide for the large number of new residents the scheme will bring.

637. At the second review, the Panel was pleased to see that the proposals had been developed positively since the previous review meeting in response to the issues raised. The Panel's feedback was generally very positive, with only a few matters raised, as follows

- Playspace and public realm:
  - questioned if there might be scope to provide play space for adolescents as well as younger children;
  - sought more thinking about how the bandstand would be used, including how it would be used, who would play in it, whether it would

- cause noise problems, and whether it was appropriate to construct it around a tree;
  - asked if raised vegetable-growing beds could be provided for residents;
  - emphasised the importance of a safe public realm for all, and asked for detail on how this will be achieved (lighting plan, surface treatments plan etc.).
- Architecture:
    - expressed concerns about white material being used at ground-floor level, because positioning the palest colour at the base of the towers may undermine the overall effect of colour progression across the full elevations.
  - Amenity impacts for future residents:
    - Reminded the applicant of the importance of making sure high level amenity spaces are not uncomfortably windy.
  - Transport, highways and movement:
    - suggested drop kerbs from the planned/future floating bus stop, as well as visitor disabled parking bay, would be beneficial for those visiting the potential surgery;
    - stressed the need for a robust and workable move-in/move-out strategy for the PBSA.

638. The second review concluded with the Panel expressing confidence in the ability of the applicant and officers to collaboratively resolve the final few matters through the remainder of the pre-application process. A full account of the feedback from both rounds of the Community Review Panel is provided at Appendix 6 of this committee report.

### Design Review Panel

639. The proposals were reviewed by the Council's Design Review Panel at the pre-application stage in March 2023. The opportunity to review the scheme in an early stage of the design process was welcomed by the Panel. The Panel's feedback can be summarised under three themes, as follows:

- Urban morphology:
  - encouraged the applicant to rigorously test the proposed massing (and possible alternative heights and massing) alongside the optimal development for the council-owned Devonshire Yard land and what was generally known of emerging schemes on nearby sites;
  - questioned the distribution of heights and massing across the site;
  - questioned the size and arrangement of the public realm;
  - felt more focus should be given to how the environmental or energy strategy influences the composition and inter-relationship of buildings (e.g. through orientation and spacing); and

- questioned the appropriateness of placing the conventional (Class C3) housing adjacent to the Old Kent Road, with the student accommodation located towards the rear of the site.
- Human scale and resident/community offer:
  - encouraged the applicant to optimise active frontages, and the quality and public safety of the scheme's public realm;
  - raised concerns about the separation distances between the buildings, and how this may impact the quality of daylight and extent of direct views within the interior spaces;
  - felt that the community hub, at 45 square metres, was too small and that the applicant should make sure the interior dovetails with the adjacent Sylvan Gardens landscape; and
  - cautioned that, unless outdoor amenity space is provided for the students, this would only add pressure to the limited public space generated by the scheme's own housing provision.
- Architectural expression
  - advised that more work was needed to give legibility to the buildings;
  - expressed the view that the buildings would benefit from greater variety and depth, and a less uniform appearance;
  - felt the appearance of the two PBSA buildings was too corporate; and
  - felt the buildings needed a more sculptural quality, with Building D needing to be expressed as two volumes in different planes.

640. For the reasons set out in the preceding parts of this 'Design' section, it is considered that the applicant has positively evolved the design of the proposal in response to a number of the concerns raised by the Panel. These include:

- taking an entirely new approach to the articulation of Building D, to express it as two conjoined volumes, with the taller element set back from the other element fronting the Old Kent Road high street;
- significantly refining the elevational designs, to bring depth and relief, and to introduce some subtle references to the area's architectural heritage;
- adding chamfers to the tops of the buildings, with differentiation brought by indented balconies and pillars, creating clear definition of shadow and light;
- introducing colour gradation and indents to the façades;
- notching the massing of the building at staged heights around the four corners to create a more hewed, and less pure, form;
- re-engineering the building crowns to enable a cut-away on each of the four corners, giving the tower tops a more delicate and sculptural quality;
- introducing public art to some of the ground floor level facades; and
- increasing the size of the community hub to 95.4 square metres, more than double its original size.

641. A full account of the Design Review Panel's feedback is provided at Appendix 7 of this committee report.



## Conclusion on design

642. The design of the proposal evolved through the pre-application and planning application stages in direct response to independent design scrutiny from the Southwark Design Review Panel and two rounds of the Old Kent Road Community Review Panel. Extensive engagement with council officers and other bodies including the GLA and HSE also informed this iterative design process.
643. The relative heights of the four proposed buildings and their distribution across the site is logical and responds appropriately to the existing and emerging context, while also being broadly consistent with the tall buildings policy of the draft AAP. The proposal meets the Southwark Plan and London Plan tall building tests, and overall it is considered that the scale and massing of the proposal can be accommodated without undue harm to the established townscape. Throughout, robust and high quality finishes are proposed. To ensure high quality execution, sample materials, detailed section drawings and mock panels will be required by condition.



**Image 91** (above): Evening visualisation, facing southeast along Old Kent Road, of the proposed development. In this view, only Buildings A, B and D can be seen.

644. Having applied the statutory tests as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 and the requirements of the NPPF, it is considered that the proposal would conserve and enhance the significance of designated and non-designated heritage assets, with some less than substantial (but outweighed) harm caused in some instances, and would make a positive contribution to the wider townscape character. The proposed development would also make efficient use of land, optimise density and contribute towards creating

beautiful and sustainable places, in accordance with NPPF paragraphs 122 to 125, London Plan Policies GG2 and D3, and Southwark Plan Policy P18.

645. Inclusive design and crime minimisation considerations have all been resolved to an acceptable level of detail.

646. For the reasons given above, it is considered that an acceptable quality of design would be achieved.

### **Public realm, landscaping and trees**

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

648. As set out in the draft Old Kent Road AAP, all new development must deliver 5 square metres of public open space per proposed dwelling (including student housing). As prescribed by the draft AAP indicative masterplans, sites are identified as providing public open space either:

- a) all on site; or
- b) some on site, some off-site; or
- c) all off-site.

649. In scenario b), the total quantum of on-site public open space proposed by the planning application can be deducted from the 5 square metre per dwelling financial contribution requirement. Where a site is required to make a public open space financial contribution, the £205 per square metre tariff specified in the Council's S106 and CIL SPD should be applied.

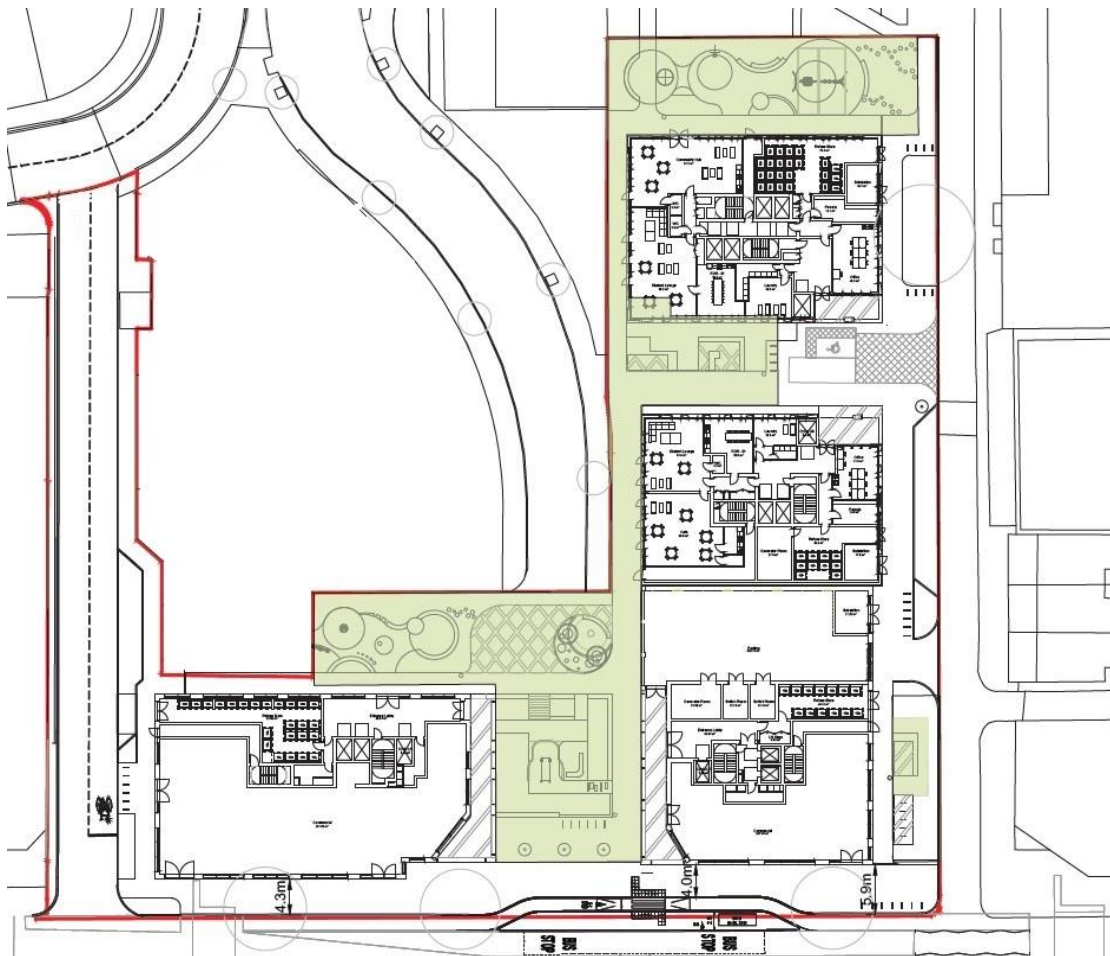
### **On-site public open space**

650. As mentioned in the 'Details of proposal' of this report, the proposed development incorporates four on-site public open spaces, each designed to have a distinctive character and programme. As the 'Residential external amenity space and young people's play space' part of this report has already explained, all but one of these areas of public realm would also incorporate play space; these facilities would be available to the resident children as well as young people from the wider neighbourhood.

651. When measuring the total quantum of public open space delivered by a proposal, areas that do not provide an open-to-the-air environment in which to dwell, relax, meet others and/or play should be excluded. Examples of such 'excluded' zones include:

- areas immediately to the front of main entrance doors and lobbies;
- colonnaded areas;
- footways (including any grassed/planted verges) running alongside main carriageways or servicing areas.

652. Applying the above rules, the Devonshire Place development would deliver in total 1,685 square metres of 24/7 free-to-access public open space, equating to 23% of the site area. The plan below shows the areas treated as 'public open space':



**Image 92** (above): Plan of the on-site areas treated as 'public open space'.

653. Given the site's Opportunity Area location, where density and intensification are expected, and also taking into account the height of the proposed buildings and the scale of the existing and planned surrounding built form, the balance of proposed public open space to building footprint is considered acceptable.

654. Sylvan Gardens would adjoin the public open space proposed at the Daisy Business Park site to the north (ref: 23/AP/0582), as is expected in the draft OKR AAP site allocation, creating a seamless and integrated new community space of generous proportions.

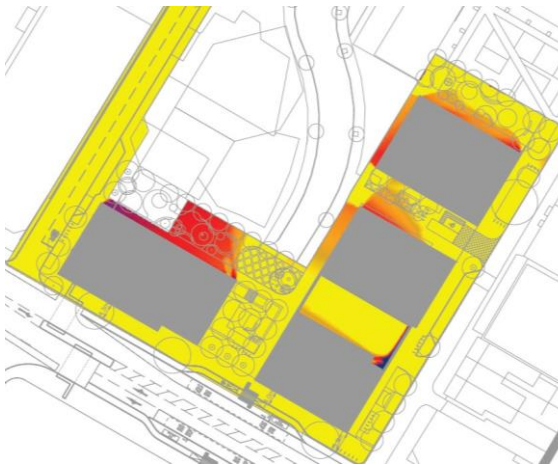
655. Coordinating these two spaces successfully through a coherent detailed landscape design can be achieved through the post-permission 'discharge of conditions' stages of the respective planning applications.



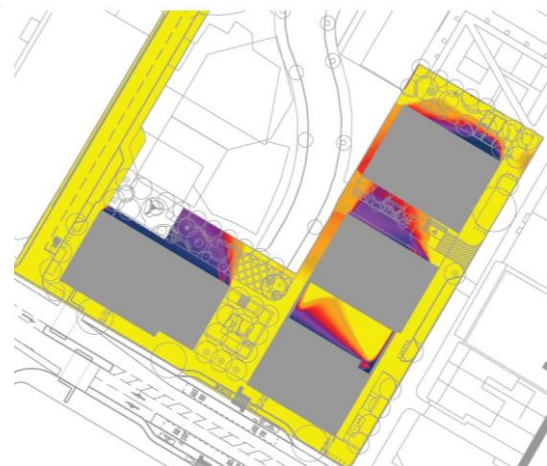
**Image 93** (above): Layout of the portion of Sylvan Gardens proposed at Daisy Business Park, with Devonshire Place's contribution indicated in mint green.

656. While the three other proposed spaces (Assembly Gardens, The Grove and Grove Play) are intimate and attractively-designed environments in themselves, their success is dependent to an extent on the nature of any future development proposals on the Devonshire Yard land (as discussed in other parts of this report).

657. A final consideration in respect of public open space is whether the configuration would achieve good levels of sunlight penetration. The DSO report submitted with the application demonstrates that, in the current-day context, 69% of the external amenity and play areas would receive in excess of the BRE recommended levels of sunlight (50% for 2 hours of the day when measured on the Equinox).



**Image 94** (above): Sun-on-ground analysis in the existing scenario (the areas in yellow, amounting to 69% of the site would achieve at least 120 minutes of coverage on the Equinox).



**Image 95** (above): Sun-on-ground analysis in the cumulative scenario, showing how the parameters of the Tustin Estate outline permission would reduce the site's performance.



658. Cumulatives, and their potential overshadowing effects, have also been considered. Once the Tustin Estate redevelopment is built out, it would affect the sunlight to the play space and amenity area, reducing the site-wide sun-on-ground performance to 51%. However, this performance is partly due to the massing being in a maximum parameter form. It is likely that any reserved matters application for this part of the Tustin Estate would be smaller, meaning the sun-on-ground performance at Devonshire Place would in reality be higher than 51%. In any case, 51% meets the BRE recommended levels of sunlight.
659. In light of the above, excessive levels of overshadowing are not, therefore, a concern.

### Off-site (Old Kent Road Opportunity Area) public open space

660. The proposal hereunder consideration would deliver the equivalent of 514 dwellings, producing a requirement for 2,570 square metres of public open space. The 514-equivalent dwelling yield is calculated as follows:
- one third of the 941 PBSA units (or part thereof) which is 514; plus
  - the 200 conventional homes.

661. As the planning application would provide 1,685 square metres of on-site publicly-accessible open space, this can be subtracted from the 2,570 square metres required by the draft AAP. The residual is 885 square metres. Applying the £205 multiplier, this generates an in-lieu contribution of £181,435.00. These monies could form part of the funding pot for delivering Livesey Park. Alternatively, there are some opportunities along sections of the Old Kent Road high street relatively close to the site to repave the asphalt pavement and/or introduce at-grade SuDS/planting beds; this would help to reduce air and noise pollution, achieve greenfield run off rates, and encourage habitat creation.

### Public realm adjoining the site

662. At the base of the buildings where they front onto Devonshire Grove, Old Kent Road High Street and Sylvan Grove, widened footways would be delivered as part of the proposed development, all of which would be finished in materials consistent with the adopted footway so that the ownership line would be imperceptible. These widened sections of footway would be offered up for adoption once constructed. A number of at-grade beds are proposed alongside sections of the footway, some to be planted with trees, helping to green the street. One example is the 'Sylvan Green' pocket proposed at the southeastern end of Sylvan Grove, where seating would be set amongst planting and a new tree, the layout and a precedent image of which are provided below. This would all make for a more pleasant and spacious pedestrian experience



**Image 96** (above): Layout of Sylvan Green.

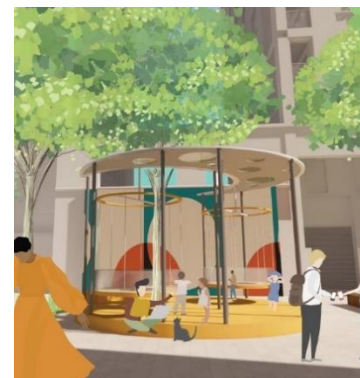


**Image 97** (above): Example of the landscape design intended for the Sylvan Grove pocket.

## Landscaping

663. With respect to the material strategy, a restrained palette of high-quality paving materials will enhance the character of the key spaces and define routes and places to pause. Warm-coloured pavers with natural stone aggregate will be used in the principal public realm zones, with entrance areas to the buildings and the community square finished in a combination of paving colours to create distinct surface patterns.

664. Turning to the furniture design, timber benches would provide comfortable seating opportunities for people to sit for longer periods. These would incorporate backrests and arm rests along part of their length to make them usable for people of all generations. The landscape design also incorporates large timber platforms – these have the ability to host multiple functions: places for groups to sit together, informal/incidental play, and performance space. A final element of the furniture design is the incorporation of hanging seats within the bandstand.



**Images 98, 99 and 100** (above left to right): Two precedent images of bandstand-style seating built around a tree, showing how it can provide a function during both the day- and night-time, which has informed the indicative proposals (third image) for the proposed bandstand at Devonshire Place.

665. The lighting strategy is the third element of the landscape design. At The Grove and in Assembly Gardens, lighting columns would complement catenary lighting,



the latter creating pools of light over seating and play elements. The bandstand, the centrepiece of The Grove, would contain canopy lighting, emphasising its role as a focal point in the landscape and enhancing its use for community events throughout the day and evening. The lighting strategy for Sylvan Gardens and Grove Play would be simpler: a small number of columns are proposed, along with luminaires integrated within seating.

666. The final element of the landscape strategy, the planting design, aims to create four distinct character zones linked to the functions of the public realm areas, as follows: 'play area planting', 'shade planting', 'boundary swale planting' and 'swale and play planting'. Although the planting schedules are indicative at this stage, they nevertheless comprise a good mix of drought tolerant and sun-loving species, as well as an appropriate ratio of evergreen to deciduous.



**Image 101** (above): The indicative schedule for the 'play area planting' zones.

667. The landscaping proposals are considered to be locally specific and mindful of climate change, with the indicative specification having appropriately privileged species for their hardiness and minimal maintenance needs. Through planning conditions, the applicant will be required to install the soft landscaping to the agreed specification and maintain it in the long-term. Its enduring positive contribution to the greening of the site and local area can therefore, be assured.

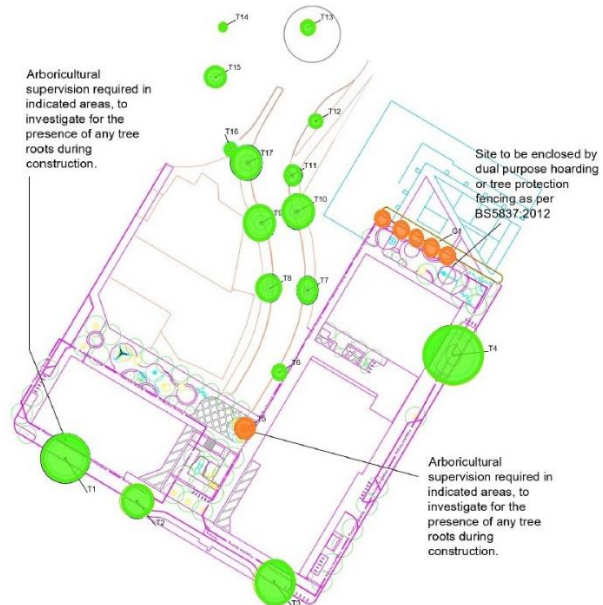
## Trees

668. A Tree Survey and Arboricultural Impact Assessment accompany the planning application. The Tree Survey identifies 18 arboricultural features either within or on land adjacent to the site.

669. These 18 features comprise 17 individuals and 1 group, to which the Tree Survey attributes the following classifications:

- Category B: 10 individuals;
- Category C: 6 individuals and 1 group; and
- Category U: 1 individual.

670. One of these trees, the large Lime on Sylvan Grove, denoted as T4 in the image, is subject to a Tree Preservation Order (TPO). It is the last surviving tree of the historic avenue and eponymous road, and therefore possesses heritage and biodiversity value. The application proposes the retention of all of the existing trees and groups.



**Image 102** (above): Arboricultural plan, with orange denoting the tree and group with stems inside the site boundary, and green denoting trees outside the boundary.

671. The Council's Urban Forester has appraised the Arboricultural Impact Assessment and Method Statement, and has deemed them acceptable.

672. This planning application proposes to plant a total of 68 new trees across the site. These would be provided in addition to the retained existing trees. The indicative details suggest that a variety of native species and tree sizes would be included. A mix of fast and slower growing species with a range of carbon storage potential is proposed. The detailed drawings show tree canopy extents at maturity (25 years) and any conflicts with built structures. The Council's Urban Forester has assessed these proposals and considers them to be well thought through and deliverable.



**Image 103** (above): Site layout showing the arrangement and variety of the 68 trees proposed. The deep and mid-greens indicate large/medium sized trees, whereas blue and mint green indicate smaller naturalistic or feature trees.

673. Additional to the 68 at-grade trees, a number of trees are proposed to be planted within the Building C podium area. These trees will be limited in size, being mainly multi-stem specimens in raised planters. They will nevertheless provide amenity value to the residents and some biodiversity benefit.
674. Sufficient soil volumes, long-term management and watering schedules are paramount to establishing trees within the urban environment. The applicant is currently working through the technical and construction design. Final details are to be secured through planning conditions and obligations.
675. Overall the proposal presents a significant uplift in tree cover for the site, which should be treated as a major benefit of the planning application.

### Conclusion on public realm, landscaping and trees

676. The scheme would make high quality public realm offer, all of which is to be open to the general public on a 24/7 basis. A robust palette of hard finishes would be paired with a diverse specification of planting, completed by a scheme of lighting appropriate to the context and mindful of public safety and biodiversity. A total of

68 new trees would be planted, with all 18 existing trees and groups to be retained, making a major contribution to the Opportunity Area's green infrastructure.

677. Having reviewed the landscaping proposals, the Council's Urban Forester considers the indicative materials and specifications to be of a high quality, with appropriately-selected trees and other soft planting. Many of the spaces would be suitably framed by active frontages and/or accommodate incidental play facilities. This will make for a rich, vibrant and attractive publicly-accessible realm.

678. Through the Section 106 Agreement, a contribution of £181,435.00 will be secured, to be put towards the delivery of off-site (Old Kent Road Opportunity Area) public open space. The Section 106 Agreement will also include a payment-in-lieu mechanism in the (albeit unlikely) event of the developer failing to deliver any of the 68 trees proposed.

### **Green infrastructure, ecology and biodiversity**

679. Policy G5 of the London Plan states that urban greening should be a fundamental element of site and building design. It requires major developments that are predominantly commercial to achieve an Urban Greening Factor (UGF) score of 0.3 and those that are predominantly residential to achieve a score of 0.4. The scheme proposed by 23/AP/1862 falls within the latter category.

680. The new Environment Act 2021 introduced a requirement for planning applications to deliver biodiversity value 10% in excess of the pre-development biodiversity value of the on-site. This is known as 'Biodiversity Net Gain' (BNG). The Act requires planning authorities to secure the BNG value delivered by the development through an appropriate planning mechanism for a minimum duration of 30 years. These requirements will become mandatory for all applications submitted from January 2024 onwards.

681. Notwithstanding that this planning application would not be subject to the mandatory requirements because it pre-dates January 2024, the protection and enhancement of opportunities for biodiversity is a material planning consideration.

682. London Plan Policy G6 requires development proposals to manage impacts on biodiversity and secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. Southwark Plan Policy P60 seeks to enhance populations of protected species and increase biodiversity net gains by requiring developments to include features such as green and brown roofs, green walls, soft landscaping and nest boxes. Southwark Plan Policy 59 requires major development to provide green infrastructure with arrangements in place for long-term stewardship and maintenance funding.

## Urban greening

683. The proposal would achieve a UGF score of 0.43 through a combination of these principal elements:

- 380 square metres of semi-natural vegetation;
- 1191 square metres of 'larger' tree coverage (trees planted in connected pits with soil volumes to at least two thirds of the projected tree canopy);
- 661 square metres of rain gardens and other vegetated sustainable drainage elements;
- 323 square metres of extensive green roof; and
- 1120 square metres of intensive green roof with substrate of minimum settled depth of 150mm.

684. The score of 0.43 would meet the minimum policy requirement, and as such should be treated as a benefit of the scheme. A two-part condition will be imposed to ensure the development is built-out to achieve the 0.43 UGF.

## Ecology

685. An Ecological Appraisal accompanies the planning application. It notes the following:

- Habitat suitable for roosting bats is present – further survey will be required to establish their presence/likely which are to be affected by works;
- habitat suitable for breeding birds is present – measures must be taken to avoid killing birds or destroying their nests;
- invasive plant species are present on site – measures must be taken to avoid causing the spread of these species into the wild; and
- a range of measures should be undertaken to satisfy the requirement for ecological enhancement included in planning policy.

686. The Ecological Appraisal concluded that provided the measures set out in the Appraisal are adhered to, all identified impacts to ecological receptors will have been addressed, with no residual impacts.

687. The accompanying Bat Survey, prepared by Temple, sets out that no evidence of roosting bats was recorded within any of the buildings on Site. Provided sensitive artificial lighting is employed during the construction and operational phase of development, the proposed development is considered unlikely to impact foraging or commuting bats using the site.

688. With a condition requiring the development to be constructed in accordance with the Ecological Appraisal, the ecological impacts of the development would be mitigated, in compliance with Policies P59 and P60 of the Southwark Plan.

## Biodiversity

689. The applicant's Biodiversity Net Gain Assessment found the site to have a baseline score of 2.19 habitat units. This relatively low score is attributable to the site coverage mainly comprising buildings, areas of hardstanding and bare ground, with only some introduced shrub and scattered trees. As a consequence of the development, the biodiversity score of the site would increase by 1.54 habitat units to a new score of 3.73, representing a gain of 70.37% on the baseline.
690. A planning condition is recommended requiring the submission of biodiversity audits at various stages across a 30-year duration commencing upon first occupation of the development. The purpose of these reports is to ensure the new habitats delivered as part of the development are managed and sustained appropriately post-permission.
691. In summary, the applicant has maximised opportunities for biodiversity within the proposal, achieving a gain of 70.37%. The proposal therefore complies with London Plan Policy G6 and Southwark Plan Policy P60.

## Conclusion on urban greening, ecology and biodiversity

692. The Council's Ecologist and Urban Forester have reviewed the application information and deemed the proposal to be satisfactory. The Ecologist welcomed the provision of urban greening, recommending conditions to secure the provision of features within the building fabric to support local biodiversity (24 Swift nesting bricks, 12 bat bricks/tubes and 6 bee bricks and/or invertebrate hotels), along with biodiversity audits for a 30-year period. A two-part condition will be imposed at the request of the Urban Forester to ensure the development is built-out to achieve the 0.43 UGF score.

## **Archaeology**

693. The site is located within the 'North Southwark and Roman Roads' Archaeological Priority Area and is of geo-archaeological significance. Having considered the proposal and the desk-based assessment that supports the planning application, the Council's archaeologist is satisfied that there is a secure baseline of data from which to assess the archaeology on site.
694. The planning application is supported by a desk-based assessment that provides a clear baseline of data concerning the level of archaeological work undertaken at surrounding sites. The site holds potential for prehistoric archaeology, roman archaeology and post-medieval or industrial remains. Based upon the results of surrounding excavations, this is a complex landscape with areas of isolated exploitation by prehistoric and roman people. There is a balance of what areas were exploited and what land surfaces or features left by such exploitation survive. The only way to detect this and manage the site is to undertake an archaeological evaluation to assess the potential. Depending upon the results of the evaluation further archaeological work may be required to excavate and record such remains.



695. Given the archaeological potential outlined above, the applicant has agreed to a number of conditions recommended by the Council's archaeologist to secure the archaeological interests of the site. Additionally, and in accordance with Council's CIL and S106 SPD, the applicant will provide £11,171 of funding to cover monitoring and technical archaeological support during the construction works.

## Transport and highways

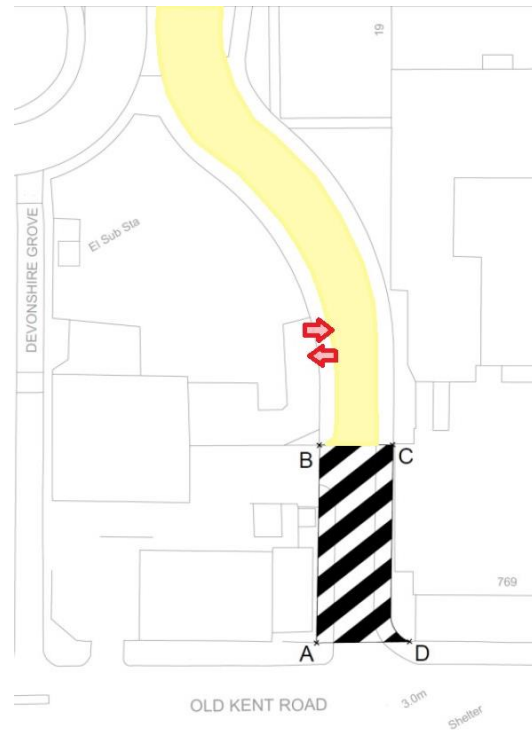
### Highways reconfigurations

696. As mentioned in the introductory parts of this report, the application proposes to widen the carriageway of Devonshire Grove and remove the bollards at the northern end to create a vehicular through-route from the SWIMF to the Old Kent Road. The widened carriageway would comprise two lanes (each 3.5 metres in width) flanked by a 2.4 metre wide footway along its eastern edge. The purpose of the reconfigured road is to enable current flows of traffic along Devon Street (South Arm) to be transposed to Devonshire Grove.

697. When the reconfigured Devonshire Grove is ready for operation it will initially replicate what it is replacing i.e. a two lane one-way road. As such, Devonshire Grove will be a 'left turn only' onto Old Kent Road. Only once Asylum Road has been realigned to create a four-way junction with Old Kent Road (as explained in more detail below) will Devonshire Grove become a two-way operation.

698. The purpose of providing Devonshire Grove in a reconfigured format is to ultimately enable the southernmost stretch of Devon Street (South Arm) to be stopped up, in turn enabling the proposed Devonshire Place development to be delivered. The northern two-thirds of Devon Street (South Arm) would remain open and accessible to ensure continued vehicular access to and from Devonshire Yard via its east entrance.

**Image 104** (right): Plan of Devon Street (South Arm), showing in black and white hatch the section to be stopped-up, and in yellow the stretch to remain operational to ensure continued access to the Devonshire Yard east entrance (red arrows).



699. Of the vehicles that make up the SIWMF fleet, the largest is a 16.5 metre long articulated truck. The Devonshire Grove carriageways have been designed to accommodate this type of vehicle; this ensures that two trucks travelling in

opposing directions along Devonshire Grove would be able to pass each other comfortably. The junctions at either end of the street have also been designed to ensure the trucks can make a feasible single 'sweep' as they pull into and exit from the reconfigured street. Manoeuvrability at the junction has been balanced against the Council's objective of creating tight bellmouths in the interests of improving the pedestrian experiences. Setting-back the stopping lines generously from the junction has helped achieve this.

700. Devonshire Grove when fully operational would be able to allow access to an 8-metre wide vehicle that is an occasional requirement of the UKPN site behind the gasholders. This positively responds to the needs of this utilities provider, while also improving long-term options for accessing the future Livesey Park.

701. A final important requirement of the package of highways works detailed above is that it does not limit the usability of the Council-owned Devonshire Yard site. The applicant has made an appropriate response to this by proposing that a new access point to the yard would be formed slightly further south of the existing gates. This would be supplemented by a new dropped kerb on the east side of the carriageway, enabling vehicles to cross over. Tracking has been provided to show how a vehicle entering the yard from this new (west) entrance could make the cross over manoeuvre without swinging into the opposite carriageway or clipping the kerb. The technical design is considered to be sound.

702. On account of all of the above, the detailed design of Devonshire Grove is considered acceptable. It would:

- provide a two-lane carriageway in direct replacement of, and capable of accommodating the traffic volumes currently encountered by, Devon Street (South Arm);
- incorporate parallel servicing laybys set entirely off the carriageway so as not to create queuing;
- safeguard optionality for the adjacent Council-owned Devonshire yard site;
- provide a widened footway, new street trees and new short-stay cycle strands; and
- deliver high quality surfacing and treatments throughout, all compliant with Council's technical specification.

#### Routing of SIWMF traffic: short-term scenario

703. There is a complex arrangement of vehicular routing along the streets that surround and bisect the application site, and upon which Veolia relies in order to carry out their refuse collection activities effectively. As part of the public consultation on the extant hybrid permission, Veolia raised concern about the potential for disturbance to the routing of their fleet during construction of the consented development. Similar concerns have been raised in respect of this new planning application.

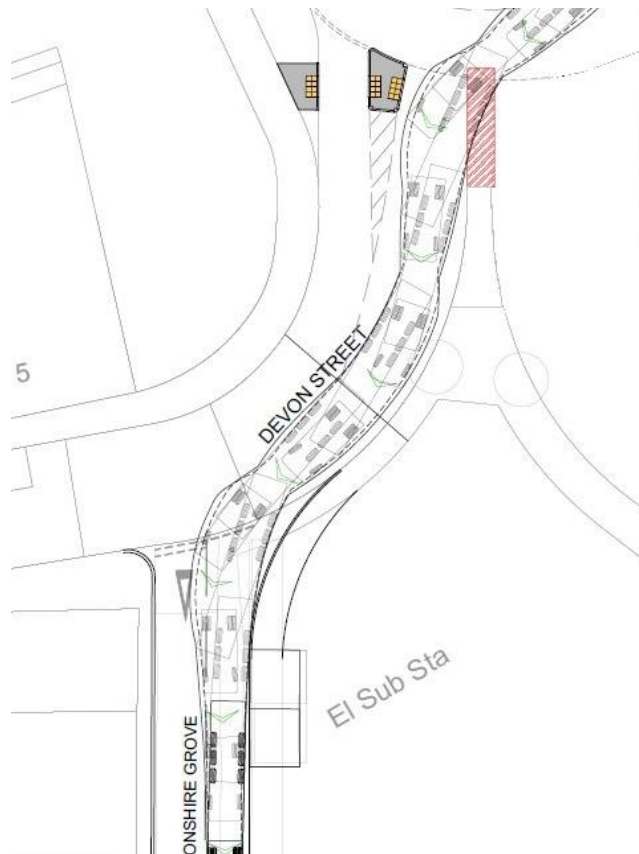
704. In line with the solution secured as part of the extant hybrid permission, 23/AP/1862 proposes that for the duration of the Devonshire Grove works and up until the road is operational, the existing egress arrangements via Devon Street (South Arm) will remain unaffected.

705. The stopping-up of the southern end of Devon Street (South), and with it the cessation of the current means of vehicular egress from SIWMF, would not rely simply on the Devonshire Grove becoming operational. Other management and physical changes to the local highway network would also be required, as set out below. These would need to be secured through Traffic Management Orders (TMOs), and as such can only be implemented by the Local Highways Authority:

- Devon Street (West Arm) to be made two-way;
- Any associated adjustments to parking/waiting/loading restrictions; and
- The bellmouth of the southwest leg of the roundabout to be widened and the footway peninsula shortened, to accommodate the swept path of a SIWMF refuse vehicle.

706. Once the works described above have been secured through the TMOs, this will allow vehicles exiting the SWIMF to egress from the roundabout onto the west-bound lane of the newly two-way Devon Street (West Arm). From there, the vehicles could then turn left into the southbound lane of the reconfigured Devonshire Grove.

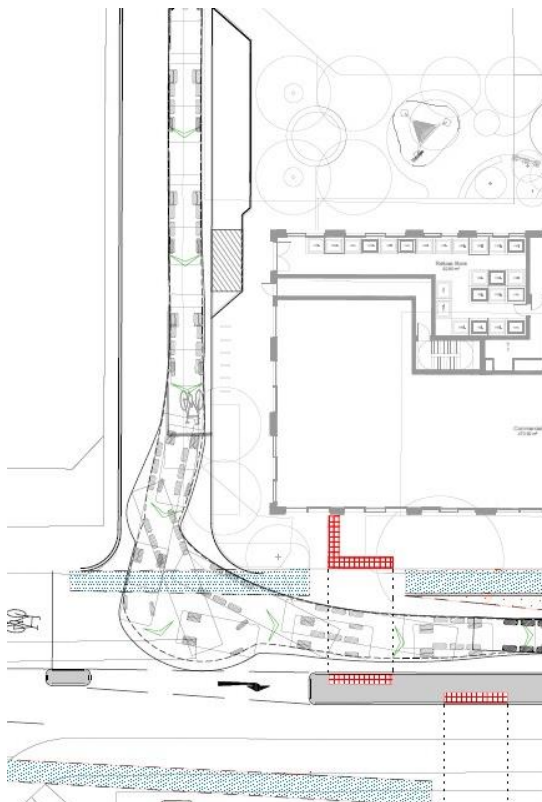
**Image 105** (right): proposed indicative configuration of the southwest leg of the roundabout, showing how the tip of the footway peninsula (red hatch) would need shortening to accommodate the path of a 16.5 metre articulated lorry.



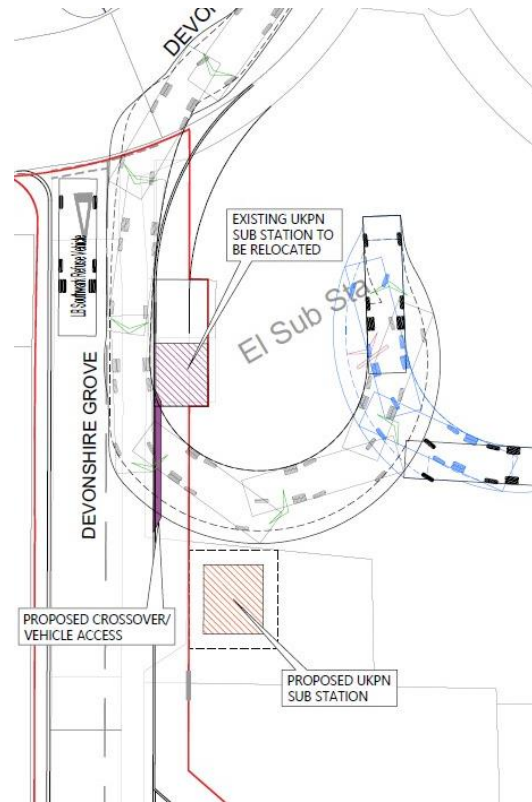
707. Devonshire Grove as reconfigured would enable vehicles departing IWMF to turn left (i.e. head southbound towards Lewisham) at the southern end of Devonshire Grove. However, due to the current configuration of the junction between Old Kent Road and Asylum Road, it would not be possible for a vehicle departing IWMF to make a right-turn out of Devonshire Grove onto Old Kent Road (i.e. heading northbound towards Elephant and Castle).

708. In the immediate short-term, there is no opportunity for northbound vehicles egressing the SIWMF to be routed along the newly two-way Devon Street (West Arm), and turn right at the end of the street onto Old Kent Road. This is because there is a staggered puffin crossing at the intersection of Devon Street (West) Arm and the Old Kent Road high street, the positioning and size of which would prohibit a northbound IWMF vehicle from making a right-turn out of Devon Street (West) Arm. There is a commitment on the part of the Local Highways Authority and TfL to relocate the puffin crossing further to the north so that the junction can facilitate bi-directional movements on all three arms. However, the precise timeframe for carrying out these works is unclear; it may be a matter of years rather than months.

709. For this reason, up until the point in time the puffin crossing relocation works occur, uninterrupted passage for IWMF vehicles wishing to egress in a northbound direction must be maintained. To this end, a Stopping-up Order will not be made by the Council in respect of Devon Street (South Arm) until the crossing relocation works have occurred and the intersection has been made multi-directional. Keeping the full stretch of Devon Street (South Arm) open to vehicles would not make it impractical for the construction of the Devonshire Place development to get underway. As such, it would not pose a barrier bringing forward the proposal (although it should be noted that stopping-up before the main works commence is the applicant's preferred option).



*Image 106 (above): Swept path analysis for a 16.5 metre articulated lorry making a left turn from the southern end of Devonshire Grove.*



*Image 107 (above): Swept path analysis for a 10.5 metre lorry making a left turn from Devonshire Grove into the Devonshire Yard site.*

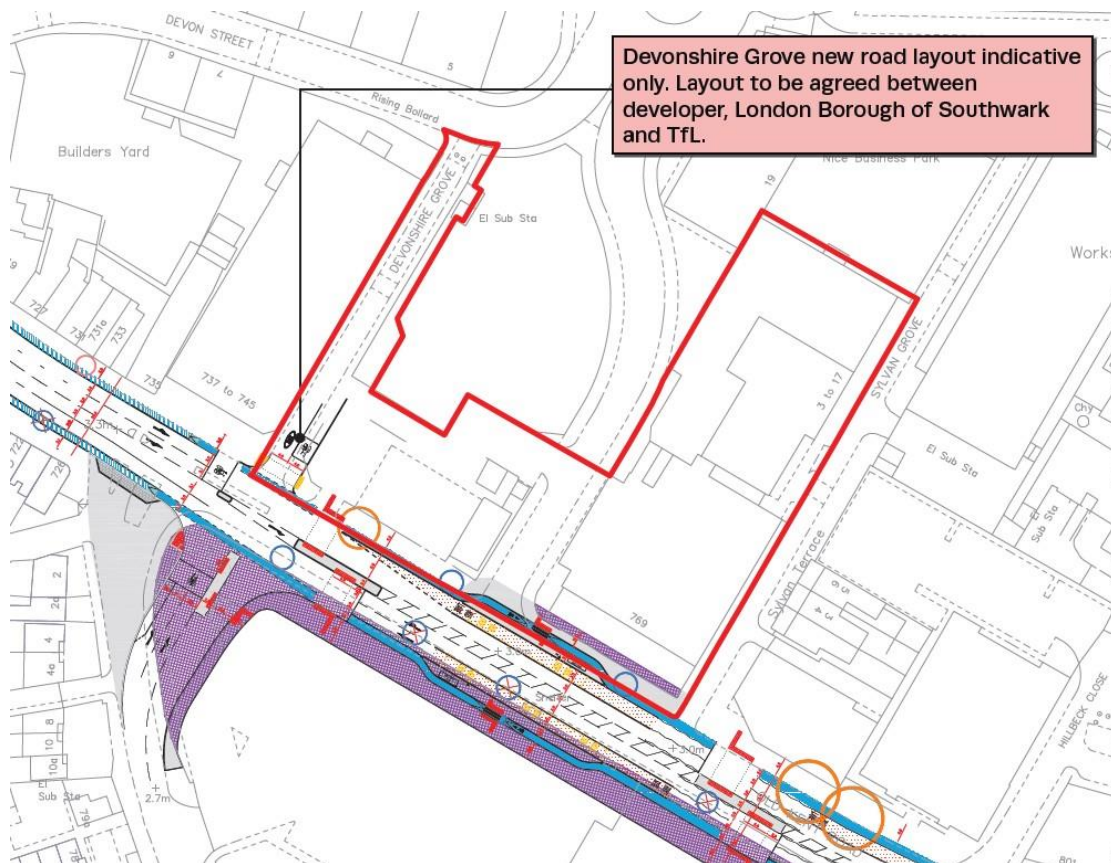
710. On account of all of the above, in all short-term scenarios the planning application secures the ability for egressing SIWMF vehicles to head in both north- and south-ward directions along the Old Kent Road. It should be noted that the applicant has worked proactively with the Council's Transport Projects, Network Management and Highways Development Management Teams throughout the pre-application stage and the course of the planning application process. These divisions understand the value of making the abovementioned traffic regulation/ management changes in the area, and for these changes to be timed accordingly to facilitate the development and safe operation of the highway.

Routing of SIWMF traffic: long-term scenario

711. As mentioned in the introductory parts of this report, TfL has future plans to deliver the Healthy Streets A2 Corridor scheme, which would run along Old Kent Road directly in front of the application site. This reconfiguration will see the point at which Asylum Road meets Old Kent Road realigned slightly to the southeast, producing a crossroads with (and entailing the signalisation of) Devonshire Grove. It is a long-term scenario which is expected to be brought about alongside the implementation of the new BLE station (i.e. not until the late 2030s / early 2040s). The improvements could be implemented sooner and/or as an incremental approach, but this would be subject to TfL's programme for its Healthy Streets initiative, which is outside of the applicant's control.

712. The potential future arrangement of the four-armed signalised junction is shown below:





**Image 108** (above): Indicative long-term layout of the junction, showing how the Asylum Road arm would be moved approximately 15 metres to the southwest to align with Devonshire Grove, thereby creating a four-way junction.

713. In the event of the above A2 Corridor configuration being delivered, SIWMF's fleet would be able to rely solely on Devonshire Grove to travel to and from the facility, with the four-armed junction enabling movements to and from the north, west and south. The applicant has provided swept path analysis to show that a 16.5 metre long articulated lorry making a left turn off Old Kent Road into Devonshire Grove would be able to navigate the bellmouth in a single movement.

714. Aside from having proven that the needs of the SIWMF fleet can be met in the short- and long-term, the above demonstrates that the planning application has been designed cognisant of the longer-term aspiration to rationalise the highways network locally as part of three major regeneration programmes, namely:

- the delivery of the Old Kent Road masterplan (as set out in the draft AAP);
- the implementation of TfL's Healthy Streets initiative; and
- the delivery of the underground station on the Lidl supermarket site as part of the Bakerloo Line Upgrade and Extension.

715. Therefore, the proposed highways reconfiguration strategy is strongly supported and should be treated as a major benefit of the planning application.

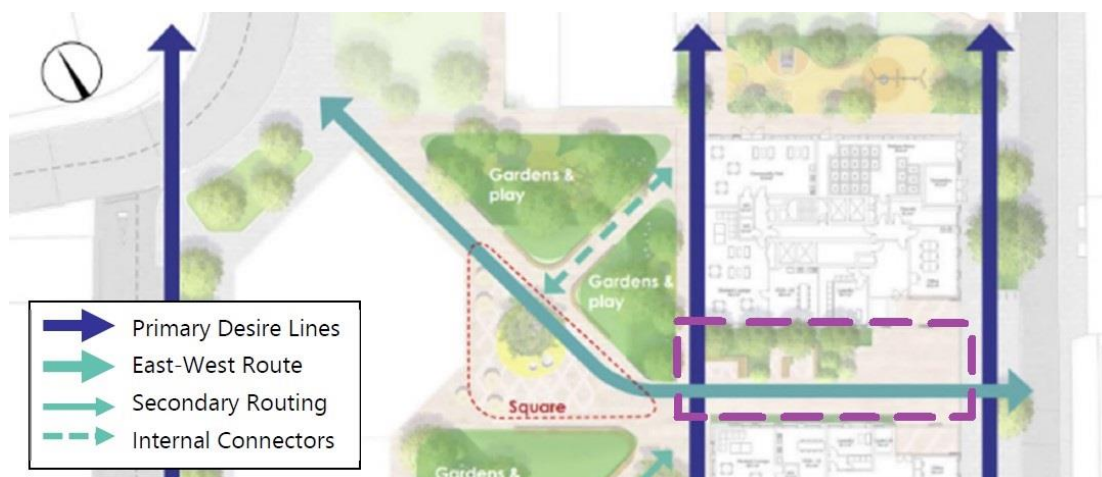


## Healthy Streets

716. London Plan Policy T2 requires development proposals to demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with TfL guidance. These indicators are intended to inform design, management and use of public spaces in order to place people and people's health at the forefront of development decisions.
717. The preceding part of this report has detailed the highway reconfigurations proposed around the site. As these would make for a more attractive and fully-accessible public realm, these would bring active travel benefits and should be treated as a major part of the 'Healthy Streets' offer. Additional to the highway reconfigurations, other Healthy Streets benefits would be delivered, which the following paragraphs summarise.

### Enhancements to the pedestrian and cycle environment on-site

718. The AAP includes aspirations for a new 'shared surface' route, for use by pedestrian and cyclists, running parallel to the Old Kent Road high street. The AAP anticipates that the route will pass through the Devonshire Place site, connecting Sylvan Grove to the east with Devon Street to the west, linking through to Hillbeck Close and the Tustin Estate.
719. This planning application responds positively to the AAP expectation, proposing to deliver a 'shared surface' route in-between Buildings A and B. The route would form an integrated part of Assembly Gardens, while still providing a linear 4.2 metres wide clear cycleway.
720. During the interim period until the Devonshire Yard site is redeveloped, the section of quieter route to be provided at Devonshire Place will serve as a walking route away from Old Kent Road high street, linking Sylvan Grove to Devonshire Grove. During this interim period, there may be the ability to provide a temporary connection through the Devonshire Yard land, subject to agreement with Southwark Council as landowner, which would achieve the AAP 'vision' of a cycleway from Sylvan Grove to Devon Street.



**Image 109** (above): Cycling and walking strategy for the northern part of the site, with the stretch of the east-west route delivered by this planning application shown edged in purple, with the remainder (shown here indicatively) to be delivered as part of future proposals at Devonshire Grove.

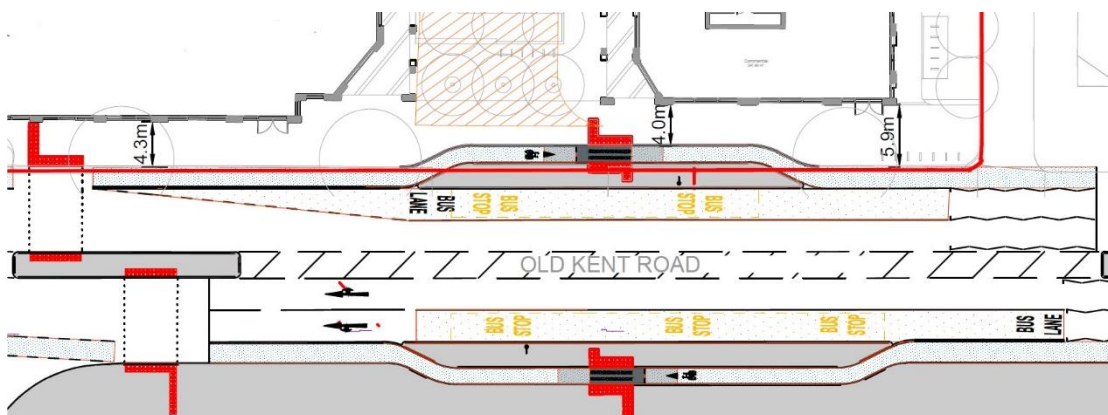
721. In proposing to deliver a section of the east-west route, this planning application maintains one of the key principles to the delivery of public realm improvements. The proposed routing would align very closely with the highway and pedestrian/ cyclist improvements agreed as part of the consented scheme, and be finished to a similarly high quality. In summary, the proposal makes a contribution towards active travel that, compared with the extant hybrid permission, is of proportionate magnitude and value.

#### Enhancements to the existing highways network adjacent to the site

722. In addition to the aforementioned works to Devonshire Grove, Healthy Streets improvements would be delivered in the form of widened footway, trees and at-grade planting beds on Sylvan Grove. These enhancements would be secured through a Section 38/278 Agreement.

723. A contribution of £120,000 is to be secured in the Section 106 Agreement to help deliver the comprehensive re-construction of the Sylvan Grove carriageway. The other contributors are the Daisy Business Park development and 18-24 Sylvan Grove, each also contributing £120,000. The works will be carried out by the Local Highways Authority after all three developments have been built.

724. The proposals also enable the future delivery of improvements to the Old Kent Road pedestrian and cyclist environment as part of TfL's Healthy Streets A2 Corridor Initiative. In particular, the setting-back of the building line onto the Old Kent Road high street will enable the delivery of floating bus stops with a dedicated cycle lane behind. Once the bus stops and cycle lane are delivered, very generous footway widths of between 4.0 and 5.9 metres would be retained along the Old Kent Road frontage. This future arrangement would provide a high quality and accessible public realm, and make active travel a safer and more attractive mode of transport.



**Image 110** (above): Proposed layout of Old Kent Road high street as part of the Healthy Streets A2 Corridor scheme, showing the extent of footway the application site would contribute (as indicated by the red line boundary).

725. These enhancements to the existing highways network adjacent to the site are strongly supported. They will make for a safer and more accessible public realm, and one that is more attractive to those considering travelling on foot or by bike.

#### Active Travel Audits

726. The 'Active travel' agenda, which is promoted at all levels of policy, seeks to make walking, wheeling and cycling the preferred choice for everyone. The applicant carried out two Active Travel Audits (ATAs), one for the day-time and one for the night-time. The purpose of the ATAs is to identify deficiencies in the existing local transport and public realm network, and make recommendations as to how these could be improved.

727. Turning firstly to the day-time ATA, this identified the following interventions as holding the greatest potentially to reduce barriers to active travel:

- provision of improvements to the routing, sense of place and pedestrian environment on Devon Street and Devonshire Grove;
- provision of even, well maintained paving and tactile paving at sections requiring improvement on the A2 OKR, New Cross Road, Asylum Road and Ilderton Road; and
- provision of dropped kerbs and tactile paving at crossings on Commercial Way.

728. With regard to the night-time ATA, this identified a number of ways the local environment could be improved to make active travel more appealing, safe and convenient. Examples include:

- repaving Asylum Road to provide wheelchair users and other disabled pedestrians with
- better access to Queens Road Peckham Station;
- relocating street furniture on Ilderton Road make navigating the route to South Bermondsey station easier for vulnerable pedestrians.

729. While the latter two issues identified by the day-time ATA warrant rectification as soon as possible, it is considered that other future major planning application proposals nearer to the locations in question could credibly deliver this remediation as part of their Healthy Streets contribution. In a similar way, all of the issues identified by the night-time ATA are a good distance away from the site, and could realistically be funded by other forthcoming developments closer to the locations in question, or through publicly-funded works.

730. As mentioned in earlier parts of this report, the planning application proposes significant reorganisation and enhancement works to Devon Street, Devonshire Grove and Sylvan Grove. In combination, these will bring forward

significant improvements to the local pedestrian environment and the 'sense of place' more generally. As such, these works alone represent an adequate contribution towards the Healthy Streets agenda. They will make for a safer, more comfortable and more convenient environment for pedestrians and cyclists. Therefore, in this particular instance, it is not considered necessary or proportionate to require the applicant to make contributions towards any of the off-site active travel enhancements identified in the two ATAs.

### Conclusion on Healthy Streets

731. Some ways in which the proposal would support the ten Healthy Streets indicators are:

- it would make major enhancements to the public realm around the site, safeguarding vehicular access rights for the SIWMF and UKPN, while also ensuring support for the future Healthy Streets corridor planned by TfL;
- it would provide a new walking and cycling route parallel to the Old Kent Road (providing a safe and pleasant active travel experience), which would form a critical part of a wider future network;
- it would be car-free save for wheelchair parking spaces, thus promoting walking, cycling and use of public transport;
- It would provide investment in sustainable transport facilities and services (including over £1.3 million specifically for bus services) to commensurately mitigate the impact on existing infrastructure; and
- it has been designed to minimise air and noise pollution.

732. The Section 106 Agreement will include clauses requiring the applicant to enter into the Section 278 works. The works will be packaged into sub-parts, reflecting the order in which the works are likely to be rolled out across the duration of the project delivery programme. These sub-parts are anticipated to be:

- Devonshire Grove Works;
- Devon Street Roundabout Interim Works;
- the Building A-B-C Section [i.e. Sylvan Grove] S38/278 Highway Works;
- the Building C-D Section [i.e. Old Kent Road high street] S38/278 Highway Works; and
- Devon Street Roundabout Permanent Works.

733. With all of the Healthy Streets benefits secured through the appropriate mechanisms (planning conditions, Section 106 obligations and a package of sequenced Section 278 agreements), the proposal meets the requirements of London Plan Policy T2.

### Trip generation

734. Policy T4 of the London Plan requires development proposals to ensure the impacts on the capacity of the transport network are fully assessed and that

any adverse impacts are mitigated. Policies P45, P49 and P50 of the Southwark Plan require developments to minimise the demand for private car journeys and demonstrate the public transport network has sufficient capacity to support any increase in the number of journeys by the users of the development.

735. As a borough, Southwark agrees with TfL that bus services will need to be increased in the Old Kent Road area ahead of the delivery of the BLE, in order to accommodate the demand generated by additional homes (as part of Phase 1 of the Delivery Plan) and additional jobs. As part of this agreement, TfL is required to report back to the Council with evidence that these pooled contributions are being spent appropriately; this reporting will serve as evidence that any further financial draw from future development is justified. As part of the agreement, TfL can require contributions from developments based on a tariff of £2,700 per proposed home (or equivalent for PBSA bedspaces), index-linked to March 2019.

736. Given the lack of on-site general needs car parking along with the various public transport options in the area, cycle links and cycle parking, the trips associated with the proposed residential accommodation and the four community/ commercial/ business units would predominantly be by sustainable travel modes including on public transport, by bicycle and on foot. The main drivers of trip generation in the proposed development are the residential uses, which would generate the following estimated trips:

- Conventional (Class C3) housing element:
  - 171 individual trips in the AM peak hour (of which only 5 would be undertaken using a private motor vehicle); and
  - 139 individual trips in the PM peak hour (of which only 4 would be undertaken using a private motor vehicle).
- PBSA element:
  - 93 two-way trips in the AM peak hour (of which only 2 would be undertaken using a private motor vehicle); and
  - 112 individual trips in the PM peak hour (of which only 1 would be undertaken using a private motor vehicle).

737. It is important to note that, compared to the existing site with its large areas of surface parking, the proposed development would result in a significant reduction in private car trips, with 64 fewer two-way trips in the AM peak and 139 fewer two-way trips in the PM peak.

738. Compared to the extant hybrid permission, 19/AP/1239, the new proposal hereunder consideration would generate 269 fewer movements during the AM peak and 176 fewer movements during the PM peak in comparison to the consented development. When considering the lesser transport infrastructure burden resulting from the new Devonshire Place proposal, it must be borne in mind that the consented development included the Devonshire Grove parcel of land and proposed a greater quantum of development – inevitably, therefore, its trip generation would be greater than that of the new proposal.

739. As there would be a public transport capacity impact from planning application 23/AP/1862, a contribution of £1,387,800 towards local bus service investment is to be secured for use by Transport for London. The applicant has agreed to this contribution.

740. It is considered the trip numbers generated by this planning application would not have any noticeable adverse impact on the local highway network when accounting for the bus service investment contribution, together with the other mitigation secured such as the initiatives in the Travel Plan. These initiatives include the appointment of a dedicated Travel Plan Coordinator, the provision of cycling facilities, furnishing users of the development with travel information, and offering cycle training courses.

741. A Final Travel Plan and Transport Methods Survey is to be secured by condition to ensure the measures outlined in the draft document are implemented and promoted.

### Servicing and deliveries

742. London Plan Policy T7 deals with servicing and delivery arrangements during construction and end use. With respect to end use, the policy requires provision of adequate space for servicing, storage and deliveries to be made off-street, with on-street loading bays only used where this is not possible.

### Servicing/delivery trip generation

743. The applicant's Transport Assessment, which uses TRICS data, predicts on a daily basis approximately 96 deliveries to the development, with the vast majority being in connection with the PBSA and conventional housing. The split would be as follows

- Conventional housing (Block D): 18 deliveries
- Conventional housing (Block C): 11 deliveries
- PBSA (Blocks A and B combined): 19 deliveries [a further forecasted 118 takeaways have not been factored-in because they are ad hoc and uncontrollable in their nature]
- Commercial (Block D): 2 deliveries
- Commercial (Block C): 1-2 deliveries
- Commercial (Block B): 1-2 deliveries

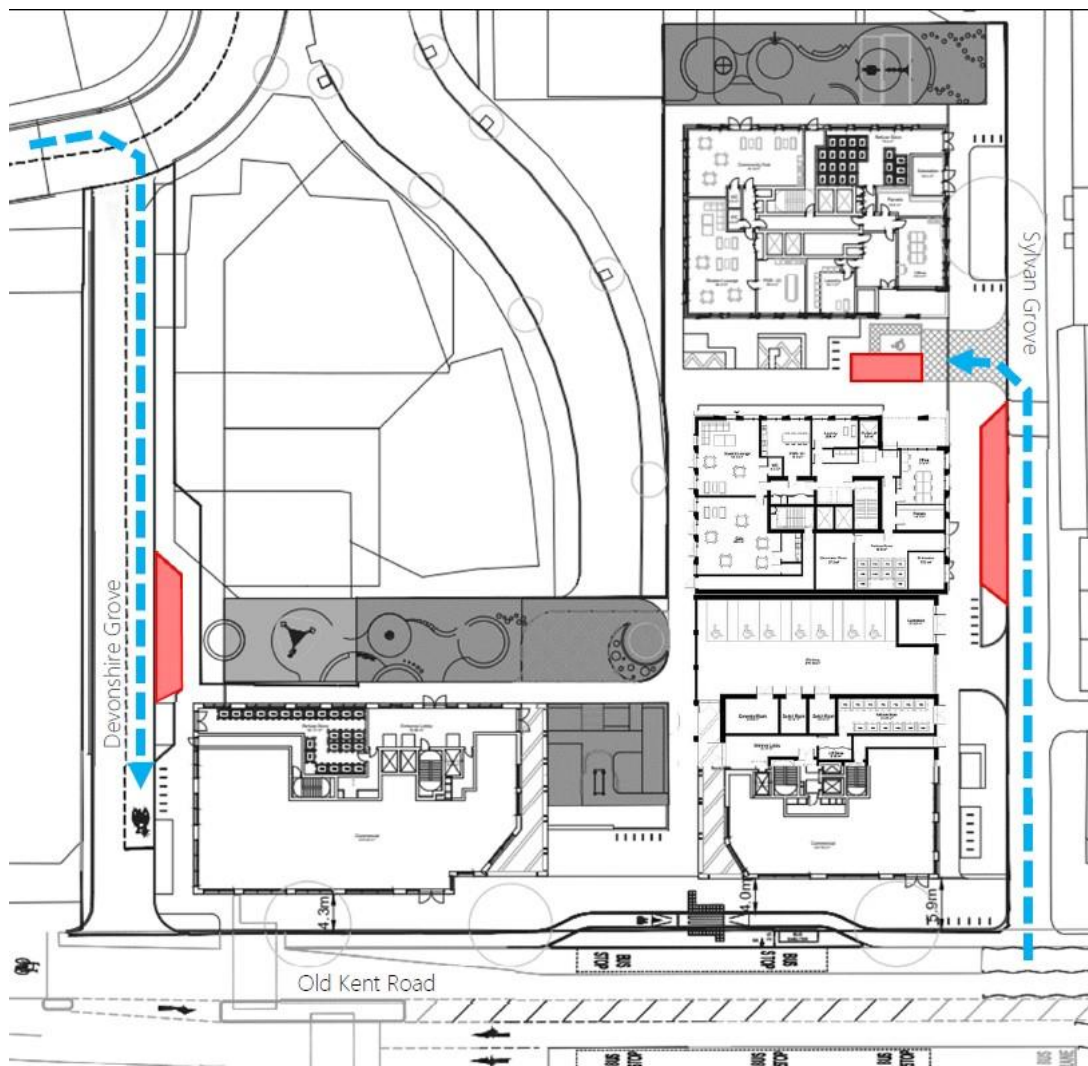
744. In respect of the PBSA premises (including the café), the Transport Assessment predicts that no more than 3 deliveries would be during the peak hour (assumed as 13:00-14:00). It finds that these vehicles could be comfortably accommodated in succession by the servicing/maintenance bay located in between Buildings A and B. 14 motorcycle or cycle take-away trips are predicted to occur during the peak hour (assumed as 19:00-20:00). Given that this peak hour is in the evening, if a delivery vehicle was to arrive at the site to find the servicing/maintenance bay already occupied, the Sylvan Grove loading layby could realistically be relied on as a fall-back facility.



745. In respect to servicing and delivery vehicles attending in Block C, these would use the layby on Sylvan Grove. With Block C anticipated to receive on average less than one delivery per hour (these would in the majority be ad hoc online retail deliveries primarily to the homes), the servicing demand of these 75 dwellings and one commercial unit can be adequately accommodated within the proposed on-street loading bay on Sylvan Grove.
746. With respect to servicing and delivery vehicles attending Block D, these would use the layby on Devonshire Grove. In calculating the necessary extent of servicing facilities for this building, the Transport Assessment has given consideration to the potential redevelopment of the adjacent Devonshire Yard land for a housing-led scheme. Assuming approximately 170 homes were to come forward on the adjacent land, the Transport Assessment concludes that the cumulative demand on the Devonshire Grove layby would be 40 deliveries (18 from the Block D homes, 3 from the Block D commercial premises, and 19 from the Devonshire Yard homes). When reviewing this number of deliveries across a 12-hour daytime profile, 40 deliveries is the equivalent of 3.33 deliveries per hour. This level of demand could be catered for within the proposed loading bay on the basis that dwell times would be limited, and multiple vehicles can be accommodated simultaneously.
747. The following initiatives will be adopted through the Final Delivery and Servicing Plan and the associated monitoring mechanisms, including a Delivery and Servicing Bond relating to the non-housing elements:
- on-site management team will manage servicing activity in relation to the PBSA, seeking where possible to minimise deliveries during peak hours;
  - all residents will be provided with a Home User Guide containing details on how to book deliveries;
  - suppliers will be encouraged to use consolidation wherever possible; and
  - the PBSA management team will ensure that deliveries remain in the vicinity of the site for as little time as required and that vehicle engines are switched off while stationary (where possible).

#### Servicing/delivery routing

748. In terms of routing, to access the Devonshire Grove loading bay, vehicles would arrive from the north via Devon Street (West Arm) in the interim period prior to TfL's Healthy Streets proposals being implemented. During the interim period Devonshire Grove will be southbound only. Vehicles would then exit onto Old Kent Road, heading southbound due to this exit being 'left turn only'.
749. To access the Sylvan Grove on-street loading bay, vehicles would turn left or right in to Sylvan Grove from Old Kent Road. Once loading/unloading has been completed, vehicles would then be able to turn around in the turning head proposed in-between Buildings A and B, enabling them to egress back on to Old Kent Road in forward gear.



**Image 111** (above): Routing strategy for servicing the southeast and northwest sides of the development, with the servicing facilities highlighted in red.

750. Once TfL's Healthy Streets proposals are fully implemented, Devonshire Grove will revert to two-way and form an all-movements junction with Old Kent Road. This will enable vehicles to arrive and depart from the south as well as arriving from the north.

751. The arrangements –both in the interim and long-term scenarios– are considered acceptable, and would have no negative impact on the local highways network or pedestrian safety.

#### Servicing/delivery hours

752. Servicing hours to all of the uses would be restricted by condition, as follows:

- 07:00 to 20:00 Monday to Saturday; and
- 10:00 to 18:00 on Sundays and Bank Holidays.

#### Conclusion on servicing/deliveries

753. The proposed servicing arrangements, with appropriate routing of inbound and outbound vehicles, as well as limitations on delivery hours, are supported by the Council's Transport Policy and Highways Development Management Teams.

754. The submission and approval of a standalone Final Delivery and Servicing Management Plan (DSP) is to be required by condition. This should be based on the principles established by the outline version submitted with the application, and the operation of the building thereafter will need to be in accordance with the approved Final DSP. As a precautionary measure, a Delivery and Servicing Management Bond will be secured so that adherence to the Final DSP and highways impacts can be monitored over the course of the first two years of operation.

### PBSA move-ins and move-outs

755. Students moving in and out of PBSA can generate a significant demand for loading space nearby. To ensure these impacts are minimised, the procedure for managing student arrival and departure periods at the start and end of term will be set out within the Final Student Management Plan to be secured by obligation, and this will be expected to align with the principles in the application-stage documents. The key elements proposed at this stage are:

- the servicing and maintenance bay provided on-site adjacent to Buildings A and B will be suspended for use by drop-off/pick-up activity;
- through an electronic booking system, students will be given a dedicated time slot (times would be distributed to avoid peak periods) in which they are able to make use of the service and maintenance bay to move their items;
- the move-in/out process may (if necessary, depending on numbers of move-ins) be spread across multiple days as necessary to ensure each student who requires it is provided with a time slot.

756. Specifically with regard to move-ins, but not move-outs, these further measures are proposed:

- an increased management presence will be provided to manage activity;
- in advance of their move-in date, students will be sent a supporting information pack relating to the vehicle move-in strategy, as well as information on public transport routes available to non-car arrivals.

757. In respect of move-out arrangements, student term end dates are variable depending on their respective courses, and as such, the process is less intensive – hence why only three of the five commitments above would apply to move-outs.

758. These measures are considered acceptable. With the final version of the Student Management Plan Plan secured prior to occupation, no harm would be caused to the local highway network or surrounding residential amenity.

### Refuse storage arrangements

759. With regard to the PBSA, waste would be collected by a private contractor, from bin stores sufficiently close to the collection point on Sylvan Grove. Plans submitted with the application demonstrate that the refuse store has been sized to accommodate the refuse receptacles necessary to meet the volumes of waste generated by the PBSA, with sufficient manoeuvring and circulation space factored-in.

760. With regard to the 120 conventional housing units, it will be the responsibility of the residents to transport their waste from their apartment to the bins provided in the communal bin store at ground floor level. Waste would be collected by Southwark Council Refuse Services. The stores at each building within 10 metres drag distance of the nearest collection point, which in the case of Building C is the Sylvan Grove layby, and in the case of Building D is the Devonshire Grove layby. The proposed collection arrangements are acceptable, as is the detailed design of the stores, with sufficient manoeuvring and circulation space factored-in.

761. The operators of the non-residential units will be expected to keep refuse within the demise of the property, and transport this to the kerbside on collection day by private contractors.

762. The Final DSP, to be required by condition, will secure the finalised refuse details including the collection arrangements.

### Car parking

763. Policy T6 of the London Plan requires developments in locations with existing and future high public transport accessibility to be car-free, save for adequate parking for disabled people. Specific requirements for different uses are set out in Policy T6.1 through to Policy T6.4, while Policy T6.5 deals with non-residential disabled persons parking.

764. Southwark Plan Policy P54 echoes the London Plan, promoting car-free development in zones with good public transport accessibility. It requires car-free non-residential proposals in CAZ locations, and for any disabled parking to be provided on-site and supported by EVCPs.

### Wheelchair car parking provision

765. Applying the London Plan standards, a total of 35 wheelchair accessible parking spaces should be provided on-site from first occupation of the proposed development, split between the residential uses on the following basis:

- PBSA: 29 (i.e. 3% of one third of 941)
- Conventional housing: 6 (i.e. 3% of 200)

766. The Southwark Plan requires a maximum of one car parking space per wheelchair accessible unit, which for this application would equate to a maximum of 62. This splits as 25 from the conventional housing, and 37 from the PBSA, the latter figure having been arrived at applying a 1:3 ratio to the PBSA wheelchair units). The policy makes clear that lower levels of parking can be provided, depending on:

- the anticipated demand for parking spaces,
- the tenure of the development;
- the quality and accessibility of the local public transport network; and
- the access to local amenities.

767. The application proposes a total of 7 wheelchair car parking spaces, 6 for the conventional housing residents (to be provided in an enclosed car park at ground floor level) and 1 for the PBSA occupiers (in the turning head in-between Buildings A and B).

768. Given the site's location close to numerous and regular bus routes and Queen's Road Station, as well as its predicted future PTAL rating, residents would benefit from a range of public transport options. As discussed below, a new Car Club bay would be provided on Devonshire Grove, which would provide an alternative car travel option for less physically able residents who do not own their own car. On balance, the number of car parking spaces provided is acceptable. Electric vehicle charging points for at least two of the spaces (equating to 20% of the total, rounded up) should be provided, and this will be required by obligation.

#### Reducing car usage

769. The applicant has also agreed to deliver a Car Club bay, in accordance with Policy P54 of the Southwark Plan. This would be located on the reconfigured Devonshire Grove, alongside the fully inset loading bay. The works will be delivered as part of the Section 278 Agreement.

770. Through an obligation in the Section 106 Agreement, all residents of the proposed development would be exempted from applying for parking permits.

#### Cycle parking

771. London Plan Policy T5 sets minimum cycle parking standards for different uses. Southwark Plan Policy P53 sets out requirements that are generally higher than the London Plan standards.

772. The table below summarises the minimum cycle parking required by the Southwark Plan and London Plan, alongside the provision proposed by this application. Wherever flexible uses are proposed, the use with the highest

storage requirement yield has been adopted for the purposes of these calculations:

<b>Cycle parking minimum policy requirements vs provision: Summary table</b>						
<b>Land use</b>	<b>Long-stay spaces</b>			<b>Short-stay spaces</b>		
	<b>Requirement</b>		<b>Provision</b>	<b>Requirement</b>		<b>Provision</b>
	<b>SP '22</b>	<b>LP '21</b>		<b>SP '22</b>	<b>LP '21</b>	
PBSA	941	706	731	95	24	70
Class C3 housing	561*	363	366	20	8	
Flexi commercial	6	6	4	42	42	
Community	2	1	0	2	1	
<b>Total</b>	<b>1,510</b>	<b>1,076</b>	<b>1,101</b>	<b>159</b>	<b>75</b>	<b>70</b>

\* For the purposes of these calculations, the site has been treated as being in the 'PTAL 6a, 6b and 5 areas' to reflect the likely future improvement to the site's PTAL, and the higher cycle storage yield this would generate

#### Long-stay cycle parking

773. As the table above shows, the proposal would fall short of the minimum Southwark Plan requirement by 409.

#### PPSA long-stay cycle parking

774. With regard specifically to the PBSA, in total 731 secure long stay cycle parking spaces would be provided – these would be located above ground floor level, but accessible by lift. 498 (representing 68.1% of the total) would be at Building A, in this mix of formats:

- 212 two-tier Josta Stands [424 spaces] (85% of the total);
- 48 standard Sheffield Stands [48 spaces] (10% of the total); and
- 26 Sheffield Stands for use by accessible/larger cycles [26 spaces] (5% of the total).

775. 233 of the spaces would be at Building B, in this mix of formats:

- 101 two-tier Josta Stands [202 spaces] (87% of the total);
- 19 standard Sheffield Stands [19 spaces] (8% of the total); and
- 12 Sheffield Stands for use by accessible/larger cycles [12 spaces] (5% of the total).

776. Detailed layouts have been provided of all the cycle stores, showing general compliance with the London Cycle Design Standards, including adequate aisle widths and stand spacings, adequate clear headroom, sufficient space for 2 cyclists to use the lift at any one time, and sufficient space for 2 cyclists to pass



in corridors. For these reasons, the quality of long-stay cycle storage is considered acceptable.

777. In an effort to address the shortfall from the policy minimum of 941 spaces, the applicant has proposed to supplement the long-stay stands with a pre-loaded 12-bike locker bank. Responsibility would fall to the PBSA operator to run a booking system, keep the bikes in well-maintained order, and replace/upgrade them as necessary over the lifetime of the development.
778. The cycle locker bank is a non-conventional form of long-stay cycle parking, but may potentially be advantageous to those who do not regularly choose, or have not previously sought out, cycling as a means of travel.
779. The cycle lockers should not be seen as increasing the quantum of long stay spaces, but rather as a form of mitigation (and a very limited one) for the 210-space shortfall from the Southwark Plan minimum standard. Additional to the lockers, a Travel Plan to be secured via the Section 106 Agreement will secure further mitigation.
780. The Section 106 Agreement will ensure that the cycle lockers remain free-of-charge and for the exclusive use of occupiers of the PBSA.
781. This failure to meet the minimum policy requirements should be treated as a deficit of the scheme, but –when the mitigation as outlined above is taken into account, and when balanced against the other various benefits of the planning application– not sufficient to warrant refusal of planning permission.

*Conventional (Class C3) housing long-stay cycle parking*

782. With regard specifically to the conventional housing, in total 363 secure long stay cycle parking spaces would be provided – these would be located at ground and basement levels. At Block D, 134 spaces would be provided in this mix of formats:
- 54 two-tier Josta Stands [108 spaces] (81% of the total);
  - 19 standard Sheffield Stands [19 spaces] (14% of the total); and
  - 12 Sheffield Stands for use by accessible/larger cycles [12 spaces] (5% of the total).
783. At Building D, 232 spaces would be provided in this of formats:
- 92 two-tier Josta Stands [184 spaces] (79% of the total);
  - 36 standard Sheffield Stands [36 spaces] (16% of the total); and
  - 12 Sheffield Stands for use by accessible/larger cycles [12 spaces] (5% of the total).
784. The level, quality and detailed design of the proposed long-stay cycle parking is acceptable. The delivery of these facilities will be secured through a compliance condition.

Community, commercial and business/employment long-stay cycle parking

785. With regard specifically to the commercial/business uses fronting into Old Kent Road, in total 4 secure long stay cycle parking spaces would be provided, all in Sheffield Stand format. These would be contained within the footprint units, 2 in each unit. This meets the requirements.
786. Although detailed plans showing how the 2 spaces needed for both the Block A community hub and the Block b café have not been provided, realistically such a small number of bikes could be comfortably accommodated within the footprint of each unit. As such, policy compliance can be assumed in respect of these two units.
787. As the non-residential floorspace proposed by this application would take the form of a number of small-scale units, the non-provision of dedicated showers for employees is acceptable in this instance.

Short-stay cycle parking

788. With regard to the proposed short-stay (visitor) provision, 35 stands all in a Sheffield format are proposed, providing 70 spaces in total. The stands would be distributed across the public realm with smalls cluster adjacent to the various main entrances of the buildings. These are appropriate locations, as they would ensure the effective footway widths along the site's three main frontages are kept clear of cycle storage.
789. The short-stay provision would fall slightly short of the London Plan requirement, and significantly short of the minimum Southwark Plan requirement (the shortfall being 89 spaces). In recognition of this, the applicant has offered to monitor the use of the proposed Sheffield stands as part of the Travel Plan, with a commitment to explore opportunities to provide additional spaces if the demand necessitates it. There may also be an opportunity to provide a further 14 spaces within a suitably wide section of the footway on the Old Kent Road high street, subject to agreement with TfL.
790. Given that opportunities have been maximised around the base of the building and within the red line boundary of the site to accommodate visitor cycle parking, and having regard to the applicant's offer to contribute towards investment locally in TfL (Santander) docking stations in addition to the monitoring mechanism within the Travel Plan, in this particular instance the shortfall is considered permissible.

Improving access to cycle hire options

791. Given that the development would introduce up to 58 additional FTE employees to the site as well as 200 new households and 941 students upon full occupation, the applicant has agreed to contribute £25,700.00 (index linked) towards expansion of one or more TfL (Santander) cycle docking stations in the vicinity of the site. To be secured in the Section 106 Agreement, this contribution would

meet the requirements of Policy T5 of the London Plan and Policy P53 of the Southwark Plan.

### Legible London signage

792. The applicant has agreed, at the request of TfL, to make a contribution of £30,000 towards providing new and refreshed Legible London signage. This will be secured in the Section 106 Agreement.

### Level changes across the ground plane

793. The proposed development would improve the public realm along the frontage of the site, particularly on Old Kent Road high street and Sylvan Grove, including widening the footways, and providing street trees and at-grade planted SuDS beds. As part of these public realm enhancement works, there is likely to be a degree of regrading of some of the existing footway to achieve the requisite cross-fall. This is standard practice and will be agreed through the Section 278 process, which occurs subsequent to planning permission being granted. The planning application proposes no changes to the existing road carriageway or kerb levels.
794. In the interests of optimising the layout of the development, ensuring the most efficient use of land, and having regard to inclusive design policies and equalities considerations, a planning condition is recommended requiring the applicant to provide a Final Ground Plane Spot Levels Plan prior to above grade works.

### Transport and highways summary

795. Having considered all transport and traffic related implications, the Council's Highways, Transport Planning and Waste Management Teams are satisfied with the proposal. The scheme would minimise vehicle movements by prioritising use of public transport, walking and cycling, and by encouraging consolidation of deliveries.

## **Environmental matters**

### Construction management

796. The applicant has submitted an Outline Environmental Construction Management Plan explaining how construction activities will be managed to minimise neighbour amenity, environmental and highway network impacts. This document has been reviewed by the relevant transport and environment consultees, who have deemed it to be a satisfactory framework document.
797. In order to ensure that increases in traffic, noise and dust associated with the demolition and construction phases of the development are minimised, a Final Construction Environmental Management Plan and a Construction Logistics Plan are to be required by condition. The applicant has also agreed to pay a sum of £20,560 to the Council's Highways Network Management to fund their work

in monitoring adherence to the CEMP through the demolition and construction phases.

### Flood risk, resilience and safety

798. The site is in Flood Zone 3 and is located within an area benefitting from flood defences. The applicant's Flood Risk Assessment sets out that the site is at low risk of groundwater flooding and only a small portion of it is at risk of surface water flooding. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable.

799. In terms of flood resilience and safety, the Council's Flood Risk Management Team has assessed the applicant's Flood Risk Assessment and is satisfied that:

- the site will not flood as a result of the 1 in 30 year rainfall event;
- there will be no flooding of buildings as a result of events up to and including the 1 in 100 year rainfall event; and
- finished floor levels can be designed to produce a nominal threshold above surrounding ground levels, with the external levels designed so any surface flows shed away from buildings and towards positively drained areas.

800. Compliance with the Flood Risk Assessment will be secured by way of a condition, and a pre-commencement obligation will be imposed requiring submission of a Flood Warning and Evacuation Plan.

### Sustainable urban drainage

801. The applicant's Drainage Strategy proposes that surface water flows would be attenuated through the use of a blue/green roof system, rain gardens, permeable paving and rainwater harvesting complemented by below-ground geo-cellular storage crates. The application proposes to discharge surface water drainage from the development to combined public sewers; however, the discharge rates are proposed to be restricted to a rate equivalent to greenfield runoff. This has been deemed satisfactory by the Council's Flood Risk Management Team. Two conditions are recommended, one requiring details of the final surface water drainage system to be submitted prior to commencement of the development, and the other requiring submission of a verification report prior to occupation.

802. As a precautionary measure, the Section 106 Agreement will include an offset obligation in the event that the finalised drainage system fails to achieve greenfield rates of run-off cannot (to be confirmed by the verification report referred to above). The contribution will be calculated at a rate of £366 per cubic meter.

### Land contamination

803. The application was accompanied by a preliminary Land Contamination Risk Assessment, which the Council's Environmental Protection Team has assessed and deemed acceptable.
804. The Site is considered to be similar to many brownfield development sites in the London area. Urban contaminants were identified in the made ground, including potential hydrocarbons and organic vapours associated with potential below ground fuel releases from the existing petrol filling station. The assessment concludes by assigning a moderate preliminary land contamination risk rating to the proposed development, recommending that in advance of any redevelopment of the site it will be necessary to decommission and remove the underground fuel storage tanks and fuel distribution infrastructure. In doing so, any unexpected contamination may require further assessment, remediation and verification.
805. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the Council for approval, with further remediation measures to apply if contamination is found to be present.

#### Basement-related impacts

806. A Basement Impact Assessment (BIA) was submitted with the application. It assesses predicted ground movements and estimates of any possible degree of damage (according to the Burland scale) on nearby structures and buildings. The BIA concludes that the proposal would be unlikely to result in any detrimental effect on the local hydrogeology and hydrology of the site, and would not have any adverse impact on neighbouring infrastructure.
807. The Council's Environmental Protection Team has assessed the BIA and raised no objections. A compliance condition is recommended to ensure the basement is constructed as per the method statement and with all mitigation measures implemented where necessary. A Section 106 obligation relating to an Approval in Principle (AIP), due to the proximity of the basement to the public highway, is also recommended.

#### Utilities

808. The submitted Utilities Strategy sets out the existing utilities on site (electricity, potable water, waste water and gas), and assesses the potential impacts of the proposed development on the wider networks, including the potential provision of additional services that may be required to deliver the proposals.
809. The applicant has made a submission to UKPN with an estimated total site load of 2500 kVA to carry out a developmental impact assessment for the site. The exact location of the connections required are to be confirmed by UKPN and relevant parties in due course. UKPN has not responded to a consultation request from the Southwark Council about the planning application, and as such no objections are assumed in regards to the impact the proposal will have on the power supply network.

810. The Council has commissioned AECOM to deliver an Integrated Water Management Strategy for the Old Kent Road Opportunity Area. The applicant's Utilities Report set out how the Devonshire Place proposal seeks to align with the Strategy. Thames Water has issued a 'no objections' consultation response to a request from Southwark Council, and has separately corresponded with the applicant to confirm that there is sufficient network capacity to serve the proposal. As such, it can be concluded that there would be no impact with regards to delivering acceptable pressure levels in the potable water supply and the local foul water infrastructure. Impacts on the local surface water infrastructure are dealt with in a separate part of this report entitled 'Sustainable urban drainage'.

811. As the scheme is all-electric, there would be no impacts on the National Gas Transmission network.

812. For these reasons, it is considered that the application meets the requirements of Southwark Plan Policies P64, P67 and P68.

### Wind microclimate

813. London Plan Policy D9 requires all tall building proposals not to cause changes to the wind environment that would compromise comfort and the enjoyment of open spaces around the building and in the neighbourhood. Southwark Plan Policies P14 and P56 require wind effects to be taken into consideration when determining planning applications, as does Policy P17 where the proposal is a tall building.

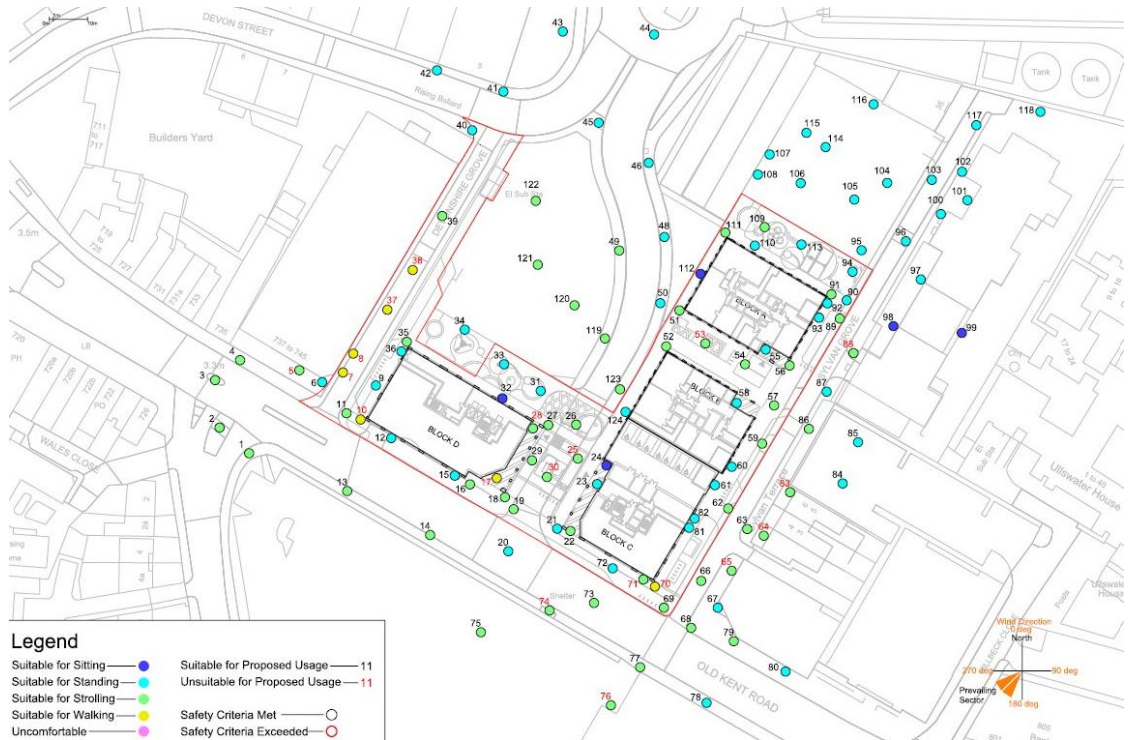
814. The applicant's Wind Microclimate Report submitted in support of the application considers the following scenarios

- Scenario 1 – existing baseline.
- Scenario 2 – proposed development in the 'Existing Surrounds, with Mitigation'
- Scenario 3 – proposed development in the 'Future Surrounds, with Mitigation'

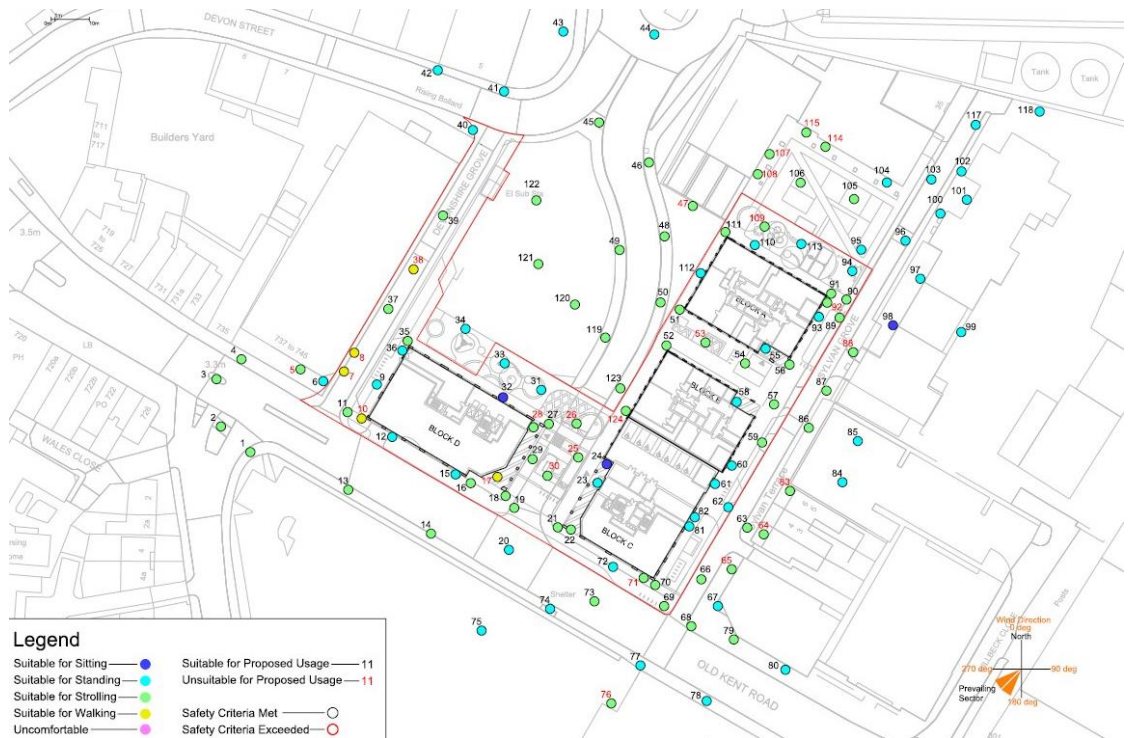
815. Wind conditions have been categorised using the Lawson Comfort Criteria and the predicted wind conditions compared against the intended pedestrian uses.

816. The Wind Microclimate Report finds that, following the introduction of the proposed development with mitigation, wind conditions are predicted to meet the safety criteria within the site and nearby surrounding area, and are predicted to be substantially suitable for existing and planned pedestrian uses. This applies at ground level and on the high-level communal outdoor spaces at Buildings C and D. When the cumulative developments (plus the on-site mitigation) are factored-in, the conclusion remains that wind conditions would meet the safety criteria and be comfortable for the likely pedestrian uses taking place.





**Image 112** (above): Pedestrian wind conditions at ground plane, in the ‘proposed development, with mitigation, within existing surrounds’ scenario in the worst season (i.e. winter).



**Image 113** (above): Pedestrian wind conditions at ground plane in the ‘proposed development, with mitigation, within cumulative surrounds’ scenario in the worst season (i.e. winter).

817. All necessary wind and microclimate mitigation measures have been implemented to bring the wind conditions surrounding the proposed

development to levels that are comfortable for the anticipated types of pedestrian activity. Therefore, it is considered that London Plan Policy D9 and Southwark Plan Policies P14, P17 and P56 have been met.

### Air quality

818. An Air Quality Assessment was submitted with the application, which considers the air quality impacts arising from the construction and operational use of the development, taking into account all relevant local and national guidance and regulations
819. In terms of the construction phase, fugitive dust was assessed as having a maximum dust risk of “high”; however, with the mitigation measures proposed, residual effects on receptors are likely to be negligible. These proposed measures, which are set out in the Outline Construction Environmental Management Plan, include locating machinery and dust causing activities away from sensitive receptors, using enclosed chutes and conveyors and covered skips, covering soil or debris mounds to prevent dust becoming airborne. The assessment of impacts from air pollution attributable to heavy goods vehicles during construction was also assessed quantitatively as “insignificant”. Mitigation in this regard includes ensuring all on-road vehicles comply with the London Low Emission Zone requirements. Both the fugitive dust and heavy good pollution would be temporary effects.
820. The proposed building itself would be all-electric (meaning there would be no on-site combustion), which mitigates air quality issues and facilitates significant advances towards zero carbon in future decades as the National Grid continues to decarbonise
821. An Air Quality Positive Statement accompanies the Air Quality Assessment, demonstrating the adopted measures that will benefit air quality and minimise exposure to poor air quality on the site.
822. The Air Quality Assessment concludes that, subject to the proposed mitigation measures, the effects on air quality during construction and operation are considered to be negligible. The Council's Environmental Protection Team has reviewed the Air Quality Assessment and raised no objection.

### Agent of change

823. Where new residential and other sensitive uses are proposed close to existing noise- and other potentially nuisance-generating development, Policy D13 of the London Plan requires the proposal, as the incoming ‘agent of change’, to be designed to mitigate and manage any impacts from existing sources on the future users/occupiers. Developments should be designed to ensure that established noise and other nuisance-generating uses remain viable and can grow without unreasonable restrictions placed on them.

### SIWME

824. The SIWMF is sensitive to 'agent of change' impacts in terms of its day-to-day on-site operations (largely odour, but also, noise emissions) and the usage of the local highways network by its fleet of vehicles.
825. The position of the proposed residential uses, with the PBSA being placed in the northern half of the site and the conventional housing (with its private and communal outdoor amenity spaces) located closer to the Old Kent Road high street, responds to the sensitivity of the SWIMF. Alongside this, appropriate glazing and mechanical ventilation would ensure that any noise or odour nuisance identified would be suitably mitigated, enabling the existing waste management activities to continue.
826. It should also be noted that the applicant has chosen not to develop residential units on the ground floor level. This would help reduce potential noise and odour disturbance to future residents caused by refuse vehicles travelling along Devonshire Grove and Old Kent Road high street.
827. A detailed Odour Assessment and Dispersion Modelling (OADM) Assessment accompanies the planning application, and an earlier part of this report has considered in detail the inter-relationship of SIWMF and the proposal with regard to odour risks. The OADM Assessment has been reviewed by officers, the Council's Environmental Protection Team and the independent reviewer of the ES (Atkins). It should be noted that neither of the latter two consultees has raised a request to secure the same odour-related provisions as those agreed in the extant hybrid permission. Similarly, the GLA's Stage 1 report does not request the replication of any such provisions. On that basis, and on the reading of the relevant assessment conclusions submitted with the application, imposing the previous odour-related Section 106 obligations on 23/AP/1862 would not pass the tests for planning obligations.
828. With regard to vehicular movements to and from the SIWMF, the highway layout envisaged by the OKR AAP masterplan and the design measures proposed by the development itself will ensure that the premises can continue to operate throughout the construction stage with minimal disturbance. Devon Street (South Arm), which is the current means of vehicular egress from the SIWMF, will occur only once Devonshire Grove has been widened to provide a 7-metre wide bidirectional road connecting the Devon Street roundabout to Old Kent Road high street. Once the reconfigured Devonshire Grove has been delivered, some further local road network adjustments will be required (mainly at the roundabout) to enable safe and unimpeded vehicular access from the SWIMF onto the new Devonshire Grove. These additional adjustments are to be secured through a package of Section 278 works. The proposed long-term routing strategy for the SWIMF vehicles (i.e. along Devonshire Grove) would in all likelihood improve, and certainly not hamper, the future operations of the SWIMF.
829. In summary, the proposed development has been designed with suitable regard to the existing SIWMF premises such that it will not prejudice the continued operation of this nearby facility.

### Other nearby potentially sensitive uses

830. In the vicinity of the site, there are a range of existing businesses including late night food and drink venues. The closest are the Empire Lounge and Bar at 777 Old Kent Road (which has a licence to operate until midnight many nights of the week) and further to the south, Esquire Bar and Grill, which stays open on some nights until 3am. These businesses currently coexist with nearby residential uses; as such, and taking into account the design and mitigation features detailed in earlier parts of this report, the proposed development would integrate successfully with these existing commercial uses. No 'agent of change' issues are, therefore, anticipated.

831. Other nearby uses sensitive to 'agent of change' include 'Christ is the Ladder' ministries operating from the third floor of 777-787 Old Kent Road (immediately to the southeast of the application site), the Christ Paradise Church at Daisy Business Park, and the bus routes along Old Kent Road high street. All proposed residential units would be specified to ensure reasonable resistance to sound such that these nearby noise-generating uses would not be at risk of having their operations compromised and/or any future growth unreasonably curtailed. No issues are foreseen in respect of the nearby uses and public transport services being unable to function/coexist with and grow alongside the proposed non-residential uses.

### Summary on 'agent of change'

832. For the reasons given above, the application complies with relevant NPPF, London Plan and Southwark Plan policies in respect of mitigating the impact of existing nuisances as the responsible 'agent of change'.

### Light pollution

833. With respect to light pollution from internal sources, this typically is an issue where light is emitted from artificial sources, such as commercial offices, towards:

- residential accommodation (where this would cause a nuisance to occupants); or
- natural environments where the existing level of external lighting is limited.

834. Given the urban environment, surrounding buildings and street lighting, the proposed development is unlikely to result in a significant change to the existing lighting levels. Furthermore, as the proposed development is composed of mainly residential/student accommodation, the façade detailing will break up the night-time illumination. Accordingly, it can be concluded that no undue effects would result from the occupation of the proposed residential uses, nor the commercial uses given that these are all contained at ground floor level.

835. With respect to light pollution from externally-affixed sources, buildings close to existing residential uses are not typically fitted with external lighting above

ground floor level in the interests of minimising amenity harm to the surroundings. Lighting additions on the facades of the proposed Devonshire Place would be set no higher than ground level or the soffit of first floor level (such as in the external lobbies to the PBSA), and not in close proximity to surrounding residential dwellings. As such, there would be no overspill harmful to residential amenity.

836. Although no detail is contained with the application documents about the nature of lighting within the high-level communal gardens at Buildings C and D, any luminaires in these areas would need to be at low-level and approximately positioned.

837. In summary, the proposal does not raise light pollution concerns. The final external lighting proposals, including any pre-determined dim-down and turn-off times, will be agreed through the Final Lighting Strategy, to be approved by the Council prior to first occupation of the building; this will be secured by condition.

### Fire safety

838. Policy D12 of the London Plan expects all development proposals to achieve the highest standards of fire safety and to this end requires applications to be supported by an independent Fire Strategy, produced by a third party suitably qualified assessor.

839. A Fire Strategy was submitted with the application; this was replaced by an updated version when the proposed development was amended mid-way through the application process to reconfigure the internal layout of Buildings A and B. The updated Fire Strategy includes a Planning Gateway One form, a requirement of the HSE for all referable planning application submissions. Among other things, the Fire Strategy confirms that:

- all four buildings would be served by two stairs for means of escape and fire service operations, and at least one fire-fighting shaft;
- all the buildings would be provided with a smoke clearance system in the common corridors;
- all the buildings would have elements of structure achieving 120 minutes fire resistance;
- for the residential uses in Buildings A and B, the 'means of escape' would be:
  - an 'independent evacuation' strategy for each student apartment or cluster, to evacuate independently (should a fire be detected in the common corridor, then the entire floor would be evacuated);
  - a 'simultaneous evacuation' strategy for the amenity spaces and ancillary areas;
- for the residential uses in Buildings C and D, a 'stay-put' means of escape strategy would apply;
- appropriate active fire protection systems would be installed, including fire detection and alarm, emergency lighting and signage, sprinklers and smoke control systems;

- in the case of an emergency, the evacuation lift would switch from its everyday use to become a tool only for the evacuation of persons with disabilities and is not considered a general escape route; and
- Building Regulations Approved Document B compliance would be achieved.

840. The Fire Strategy was produced by fire risk engineering consultancy Introba. The contents of the document have been checked and approved by a certified fire risk engineer (a Member of the Institution of Fire Engineers (MIFireE)).

841. On account of the above, the relevant fire risk minimisation policies of the London Plan are deemed to have been satisfied, with due regard to the guidance within the Fire Safety London Plan Guidance 2022.

842. A condition is recommended to ensure the construction and in-use operation of the building are carried out in accordance with the Fire Strategy.

## **Energy and sustainability**

843. Chapter 9 of the London Plan deals with all aspects of sustainable infrastructure and identifies the reduction of carbon emissions as a key priority. Policy SI2 “Minimising Greenhouse Gas Emissions” requires all developments to be net zero carbon with a minimum on-site reduction of 35% against the Part L 2021 baseline for both commercial and residential uses. Non-residential development should achieve a 15% reduction in emissions through energy efficiency measures. Where developments are unable to meet net zero carbon targets any shortfall between the minimum 35% and zero carbon must be mitigated by way of a payment towards the carbon offset fund. The energy strategy for new developments must follow the London Plan hierarchy (comprising ‘be lean’, ‘be clean’, ‘be green’ and ‘be seen’) and this must be demonstrated through the submission of an Energy Strategy with applications, as well as post construction monitoring for a period of 5 years.

844. Southwark Plan Policies P69 and P70 reflect the approach of the London Plan by seeking to ensure that non-residential developments achieve a BREEAM rating of ‘Excellent’ and include measures to reduce the effects of overheating using the cooling hierarchy. The policies pursue the ‘lean, green, clean and seen’ principles of the London Plan and require non-residential buildings to be zero carbon with an on-site reduction of at least 40% against the Part L 2021 baseline. Any shortfall must be addressed by way of a financial contribution towards the carbon offset fund.

## **Energy and carbon emission reduction**

### **Be Lean**

845. In terms of meeting the ‘be lean’ tier of the hierarchy, a range of passive and active measures are proposed. The passive measures include:



- ensuring optimum daylight and reducing excessive solar gains through building orientation, solar shading and a balanced proportion of solid wall to glazing;
- specifying energy efficient fabric and air tightness of the building to enhance thermal performance; and
- achieving the tightest possible thermal bridging with use of bespoke calculations and LABC details.

846. The active measures include:

- supplying heating and hot water in the conventional (Class C3) housing and PBSA via Air Source Heat Pumps (ASHPs);
- providing waste water heat recovery for the PBSA;
- supplying heating, hot water and cooling for the commercial units via ASHPs;
- installing energy efficient heat recovery ventilation systems;
- Applying insulation to all building services, tanks, pipes and ducts;
- Specifying all light fittings to be low energy to reduce emissions
- Specifying all commercial lighting to be a minimum 110m/cW efficiency; and
- fitting automatic on-off controls to lighting throughout, except in bedrooms.

847. These 'demand reduction' measures will achieve a 15% reduction in carbon emissions for both the residential uses, and an 10% reduction in respect of the non-residential uses. The proposed development therefore falls short of the overall policy target of 15%. However, the Energy Statement demonstrates that a fabric first approach has been adopted.

#### Be Clean

848. The site is located in a heat network priority area (HNPA) and is located close to the proposed future route of the South East London Combined Heat and Power (SELCHP). However, no district heating network with connection opportunities exists at the current time.

849. By designing-in a futureproofed plant room at basement level, as well as providing pipework (capped off) to each of the cores' heating risers, the opportunity to link the development into a wider district heating system would be safeguarded. This meets the requirements of Policy SI 3 of the London Plan.

850. As no immediate connection to a district heating network is proposed, no carbon savings are reported from the 'be clean' stage of the energy hierarchy.

#### Be Green

851. With respect to the 'be green' tier of the hierarchy, the applicant has proposed the following technologies:

- Air Source Heat Pumps (on the roof of Building A to serve the student accommodation and on Building D to serve the conventional housing); and
- photovoltaic panels at roof level featuring at least 410 watts per panel generating a total of 73.8kWp across Buildings A and B.

852. These 'be green measures' would reduce carbon emissions by 70% for the residential uses and 19% for the non-residential. On a side-wide basis, this equates to a reduction of 51%. The applicant has demonstrated that opportunities for renewable energy by producing, storing and using renewable energy on-site have been maximised.

### Be Seen

853. Introduced as part of the London Plan 2021, 'be seen' is the newest addition to the GLA's energy hierarchy. It requires developments to predict, monitor, verify and improve their energy performance during end-use operation. All applications should conduct a detailed calculation of unregulated carbon emissions as part of the compliance with the 'be seen' policy and associated guidance.

854. The applicant's Energy Statement states that a suitable metering strategy will be implemented to record energy consumption and generation from the point at which the different uses within the development are occupied. It is recommended that the on-going requirements for monitoring energy consumption and generation, and the associated reporting to the GLA in line with policy, be secured through a planning obligation.

### Total energy savings

855. Southwark Council's carbon offset cost is £95 for every tonne of carbon dioxide emitted per year over a period of 30 years. This is the equivalent of £2,850 per tonne of annual residual carbon dioxide emissions.

856. The proposal would reduce on-site regulated carbon dioxide emissions by 51% over a notional building minimally compliant with the Building Regulations 2021, which is above the 40% on-site target. The performance is summarised in the below table:

<b>CO2 emissions from each stage of the Energy Hierarchy: Summary table</b>			
	<b>Total Regulated Emissions</b>	<b>CO2 Savings</b>	<b>Percentage saving</b>
<b>Part L 2021 Baseline</b>	281.9 tonnes CO2		
With <b>Be Lean</b> applied	239.2 tonnes CO2	42.7 tonnes CO2	15%
With <b>Be Clean</b> applied	239.2 tonnes CO2	0	0
With <b>Be Green</b> applied	138.9 tonnes CO2	100.3 tonnes CO2	36%

<b>Cumulative saving</b>		<b>143.0 tonnes CO2</b>	<b><u>51%</u></b>
<b>Shortfall on carbon zero</b>	<b>138.9 tonnes CO2</b>		

857. The energy savings, as detailed above, which take into account the decarbonisation of the electricity grid, demonstrate the good environmental and sustainability credentials of the proposed development. The total per annum shortfall in savings relative to carbon zero would, at a rate of £95/tonne for 30 years, generate an offset contribution of £395,809. The offset contribution will be secured in the Section 106 Agreement, with appropriate adjustment clauses should there be any improvements to the carbon emissions in the post-planning design development stages.

### Whole life cycle and carbon capture

858. London Plan Policy SI2 requires all major development proposals to be supported by a whole life cycle carbon assessment. This assesses the embodied and operational emissions associated with redevelopment.

859. 'Embodied carbon' is the term used to describe the carbon emissions associated with:

- extraction and manufacturing of materials and products;
- in-use maintenance and replacement;
- end of life demolition, disassembly and disposal; and
- the transportation relating to all three.

860. 'Operational carbon' is the carbon dioxide associated with the in-use operation of the building. This usually includes carbon emissions associated with heating, hot water, cooling, ventilation and lighting systems, as well as those associated with cooking, equipment and lifts.

861. Driven by the aim of achieving net carbon zero for new development by closing the implementation gap, whole life cycle carbon assessments are monitored at the pre-application, submission and post-construction stages. Policy P70 of the Southwark Plan reinforces the need to calculate whole life cycle carbon emissions through a nationally recognised assessment and demonstrate actions taken to reduce life cycle carbon emissions.

862. The submitted whole life carbon assessment for the planning application considers the operational carbon and embodied carbon of the proposal throughout its life from construction, use and deconstruction. The assessment finds that over a 60-year study period, the development's operational and embodied load would be:

- 619 kgCO<sub>2</sub>e/m<sup>2</sup> for Modules A1-A5 (covering the product sourcing and construction stages); and

- 125 KgCO<sub>2</sub>e/m<sup>2</sup> for modules B to C (covering the in-use and end-of-life stages), excluding operational energy and water.
863. For predominantly residential developments, the benchmark set by the GLA for Modules A1-A5 is 850kgCO<sub>2</sub>e/m<sup>2</sup>, with an aspirational benchmark of 500 kgCO<sub>2</sub>e/m<sup>2</sup> GIA. The benchmark for Modules B-C is 350kgCO<sub>2</sub>e/m<sup>2</sup>, with an aspirational benchmark of 300kgCO<sub>2</sub>e/m<sup>2</sup>. Therefore, the proposed development exceeds the aspirational benchmark for Modules B-C (excluding B6 and B7). The main contributing factors in the development achieving this commendable performance are the high Ground Granulated Blast Furnace Slag (GGBS) content used in the concrete at substructure and superstructure level, the specification of products with Environmental Product Declaration and use of R454B Refrigerant.
864. Two conditions to require two further stages of whole life-cycle carbon assessment in the detailed design and completion stages are proposed

### Circular Economy

865. Southwark Plan Policy P62 states that a Circular Economy Statement should accompany planning applications referable to the Mayor. Circular economy principles include conserving resource, increasing efficiency, sourcing sustainably, designing to eliminate waste and managing waste sustainably at the highest value. London Plan Policies GG5, D3 SI7 and all mention circular economy principles and the benefits of transitioning to a circular economy as part of the aim for London to be a zero-carbon city by 2050.
866. A detailed Circular Economy Statement was submitted with the application, which sets out strategic approaches, specific commitments and the overall implementation approach.
867. The broad strategic approaches for the development include adopting lean design principles, minimising waste, specifying materials responsibly and sustainably, and designing for longevity, adaptability and flexibility. Ways this will be achieved include:
- using materials with high recycled content including concrete for pile capping with a minimum of 40% recycled content and the remainder of the frame with recycled content up to 25%;
  - use of concrete with 30% Ground Granulated Blast-furnace Slag (GGBS) for substructure and superstructure;
  - giving preference, where possible, to materials with Environmental Product Declarations;
  - use of R454B refrigerant;
  - using only FSC/PEFC certified timber products;
  - minimising material use through prefabrication off-site for façade windows;
  - reuse of construction site hoarding, scaffolding and welfare facilities; and
  - monitoring and reduction of onsite energy and water usage.

868. Specific targets committed to by the applicant include:

- diverting at least 95% of the waste from going into landfill;
- making beneficial use of at least 95% of excavation waste;
- ensuring the contractor prepares and implements a Site Waste and Resource Management Plan (SWMP/RMP); and
- meeting an overall target of 20% reused or recycled content based on value of materials.

869. The End of Life Strategy indicates that 9.3% of the total building material will be made up of recycled material. The Circular Economy Statement does not confirm the estimated Building Circularity Score for the proposed development and instead proposes that the score achieved on site be determined at post construction stage.

870. The application has addressed the requirements of London Plan Policy SI7, Southwark Plan Policy P62, and has referenced the GLA's guidance in producing the Circular Economy Statement. Conditions are proposed requiring post-completion reporting. Subject to these conditions, the proposal is considered to comply with the sustainable materials element of Policy P17.

### Overheating and cooling

871. London Plan Policy SI4 details that major development proposals should demonstrate how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy. Policy P69 of the Southwark Plan states that development must reduce the risk of overheating, taking into account climate change predictions over the lifetime of the development, in accordance with the cooling hierarchy.

872. The six-step hierarchy that should be followed when developing a cooling strategy for new buildings is as follows:

- minimise internal heat generation through energy efficient design; then
- reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls; then
- manage the heat within the building through exposed internal thermal mass and high ceilings; then
- use passive ventilation; then
- use mechanical ventilation; then
- use active cooling systems (ensuring they are the lowest carbon options).

873. The following paragraphs explain how the applicant has pursued this six-step process.

### Minimise internal heat generation

874. In both the residential and non-residential elements of the development, internal heat generation is to be minimised through measures including low energy lighting (to reduce lighting gains), low heating system water temperatures, and applying insulation to the communal pipework in excess of the Building Regulations and British Standards enhanced specification to avoid distribution losses.

Reduce heat entering the building

875. The heat entering the proposed development is to be reduced by a combination of measures. These include solar control glazing incorporating a G value of 0.4, orienting the buildings so that rooms are mainly east- or west-facing, proposing deep reveals to windows and doors, providing solar shading from balcony soffits, and installing biodiverse roofs to reduce heat gains from the exposed roof.

Manage the heat within the building

876. Good floor-to-ceiling heights are proposed in both the residential and non-residential parts of the proposed development. The applicant's Overheating Assessment confirms that thermal mass has been factored into calculations and that this will help to offset temperatures when the building becomes cooler. Where possible in the non-residential parts of the development, exposed concrete will assist with thermal mass.

Use passive ventilation

877. With regard to the residential uses specifically, a number of passive ventilation measures are proposed. These include optimising the number of dual aspect units in the conventional (Class C3) housing blocks to facilitate good cross-ventilation. Additional passive measures include trickle vents, which would provide background ventilation even when the windows are closed
878. In a scenario where only passive measures (i.e. no mechanical or active measures) are incorporated into the residential parts of the development, in some instances there would be a failure to achieve the recommended level of summer comfort. This is due to limitations with naturally ventilating the occupied spaces due to high ambient external noise levels and security restraints that prohibit fully unrestricted opening of windows. As such, the applicant had to proceed to stage 5 of the cooling hierarchy (as discussed below).
879. Turning to the commercial uses, for which equipment and occupancy gains are two most common sources of overheating risk, the proposed passive measures include designing as many of the commercial units as possible to be dual aspect. The Overheating Assessment has demonstrated that the units would comply with the applicable CIBSE TM52 criteria, and as such would not need to rely on active cooling.

Use mechanical ventilation



880. With regard to the residential uses (including common areas), mechanical ventilation is proposed, which is aimed at peak lopping and is only intended to mitigate the internal temperature when CIBSE TM59 is breached. Owing to the communal corridors in all four residential buildings having no external windows, attendant with which is the potential risk of overheating, mechanical ventilation is also proposed in these parts of the residential uses. With these systems in place, in no part of the proposed residential uses is active cooling required to supplement this mechanical cooling.
881. With regard to the commercial uses, as with the residential uses, mechanical ventilation is proposed to provide additional ventilation before the temperature reaches the operating temperature for cooling. This would help reduce the cooling demand.

#### Use active cooling systems (low carbon)

882. Due to the steps taken in accordance with the cooling hierarchy, as set out above, the need for cooling to avoid overheating risk throughout the year would be reduced across all the proposed uses. Notwithstanding that active cooling systems are not necessarily required, the applicant is opting to include them in the PBSA and commercial parts of the proposal. This active cooling would take the form of highly efficient low carbon air source heat pumps.

#### Summary

883. Following the cooling hierarchy, the applicant has demonstrated that the building cooling demand has been kept as low as possible with minimal solar gains, in line with the criteria set out in CIBSE TM 52 and TM 59 guidance. With the proposed measures taken into account, the overall efficiency of the development would be enhanced. This is considered to be in compliance with London Plan Policy S14 and Southwark Plan Policy P69.

#### BREEAM

884. Policy P69 of the Southwark Plan states that non-residential development must achieve a BREEAM rating of 'Excellent'. The applicant's BREEAM indicates 'Excellent' can be achieved, and a planning condition is recommended to secure this.

#### Water efficiency

885. The Sustainability Strategy submitted by the applicant confirms that the proposed development aims to minimise water consumption such that the BREEAM excellent standard for the 'Wat 01' water category would be achieved, as required by London Plan Policy S15. This will be achieved through the specification of features such as:

- water-efficient sanitary fittings;

- each meter (main and sub) having a pulsed output or other open protocol communication output to enable connection to appropriate utility monitoring and management system; and
- installation of a leak detection system will be installed.

## **Communications and aviation**

### Digital connectivity infrastructure

886. The NPPF recognises the need to support high-quality communications infrastructure for sustainable economic growth and to enhance the provision of local community facilities and services.
887. To ensure London's long-term global competitiveness, Policy S16 "Digital Connectivity Infrastructure" of the London Plan requires development proposals to:
- be equipped with sufficient ducting space for full fibre connectivity infrastructure;
  - achieve internet speeds of 1GB/s for all end users, through full fibre connectivity or an equivalent.
  - meet expected demand for mobile connectivity; and
  - avoid reducing mobile capacity in the local area.
888. Although a Utilities Assessment accompanies the planning application, the applicant has not confirmed in writing that the development would have the incoming duct arrangements to suit the provisions from the local networks, or that by the time construction works are underway 1GB/s fibre should be available. In this District Town Centre location, it is very unlikely that delivering such digital infrastructure would prove difficult; therefore, it is considered acceptable in this instance for the requirements of Policy S16 post-decision through a Digital Connectivity Strategy planning condition.

### Television, radio and telecommunications networks

889. The NPPF requires local planning authorities to consider the potential for new development to interfere with broadcast and electronic communications services, and to mitigate this adequately. Part C of London Plan Policy D9, which is concerned with the functional impacts of tall buildings, echoes this, requiring that "buildings, including their construction, should not interfere with [...] telecommunication".
890. The applicant has submitted a Telecommunications Impact Assessment (contained at Volume 4, Appendix 10 of the EIA). This document finds that, with regard to both the construction stage (involving the use of tower cranes) and the proposal itself once built, all fixed point-to-point microwave links are too far away from the site for or any potential interference effects to occur.

891. Proposed buildings that are tall and/or broad, and in particular this proposal due to its location with respect to an existing mobile phone basestation, have the potential to reduce coverage of mobile phone networks. The applicant's Telecommunications Impact Assessment confirms that the relevant Mobile Network Operators (MNOs), which are o2 and Vodafone, have both been contacted and detailed coverage impact assessments have been requested. Only MNOs can undertake such impact modelling due to the technical data needed in order to model signal propagation and network coverage. Neither of these MNOs have responded to the applicant; as such, it is concluded that no harmful impacts are anticipated.
892. Arqiva was consulted on the planning application and responded raising no concerns.
893. On balance, it is not considered that there would be any adverse harmful impacts.

### Aviation

894. The NPPF recognises the need for new development to maintain the national network of general aviation airfields, and their need to adapt and change over time. Part C of London Plan Policy D9 requires tall buildings not to interfere with aviation or navigation.
895. Although City and Heathrow Airports have both confirmed that the proposal raises no safeguarding issues, no consultation response has been received from the Civil Aviation Authority or NATS in relation to this planning application. Given the height of this proposal relative to nearby consented tall buildings at Daisy Business Park and Tustin Estate, and also bearing in mind that the extant permission at the site has a maximum height slightly taller than that of the 23/AP/1862 scheme, it is reasonable to conclude that the proposed tall buildings would not cause any harmful aviation impacts.

### **Economic impacts**

896. 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. This requirement is also covered by Southwark Plan Policy P28, with the methodology for securing these opportunities prescribed by the Council's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015 with 2020 Update)

### Direct on-site employment and training

897. In accordance with the policy framework, there would be a requirement for this development to deliver training and employment during the construction phase only. 27 construction industry apprentices, 108 short courses and 108 sustained jobs for unemployed Southwark Residents would be required. These would all need to be filled by the applicant in accordance with a Construction Phase

Employment, Skills And Business Plan. These obligations will be secured through the Section 106 Agreement.

898. In terms of direct employment, the PBSA element of the proposal has the potential to deliver up to 20 FTE positions. When this is added to the number of jobs likely to be generated from the non-residential uses on site, a gross employment gain of 61 FTE roles is predicted. The table below explains this:

<b>Gross employment yield of the proposed development: Summary table</b>				
<b><u>Class</u></b>	<b><u>Floorspace (GIA (sq.m))</u></b>	<b><u>NIA (sq.m)</u></b>	<b><u>HCA Jobs density</u></b>	<b><u>Number of FTE jobs</u></b>
Retail (Flexible Class E)	478.0	406.0	17.5	23
Restaurants and Cafes (Flexible Class E)	86.0	73.0	17.5	4
Flexible Commercial (Class E)	249.0	212.0	175.0	12
Community hub (Class F2[b])	95.4	81.0	N/A	2
PBSA (Sui Generis)	30,830.0	17,563	N/A	20
Total of all uses:				<b>61</b>

899. The existing buildings on site currently sustain approximately 3 FTE formal positions. On this basis, the proposed development would result in a net gain of 58 FTE jobs. Although the ES that supports this planning application assumes the existing buildings support 23 FTE jobs, this is based on a simple floor area calculation applying the HCA Density Matrix that does not account for the true, much lower, current permanent (i.e. non meanwhile) employment levels. As such, the FTE additionally predicted by the ES of 38 FTE positions is considered to be an underestimate.

### Indirect employment

900. A further consideration is indirect local job creation (for example, because of the 'traction' effect of large-scale redevelopments). Noting that typically development proposals will result in displacement of economic activity from elsewhere in the borough, once this is accounted for (at 25%, as per the Additionality Guide), the Devonshire Place proposal has the potential to create up to 7 indirect net jobs locally. This would bring the total job creation resulting from the development to as many as 65 FTE positions.

### Local catalyst effects

901. The new households and students accommodated on-site will contribute through the generation of increased household expenditure on the purchase of household goods (e.g. food and drink), education, as well as recreation and

culture. The ES that accompanies this planning application estimates that once the development is fully occupied, an estimated £8.7 million of net additional household expenditure (i.e. by residents of both affordable and student housing) will accrue annually to businesses in its immediate surroundings and the borough more widely. This expenditure will support the vitality and viability of businesses and support employment locally (i.e. over and above the additional direct and indirect FTE jobs). Moreover, this expenditure has the potential to catalyse the new high street on Old Kent Road, in the process generating demand for new shops, cafés, restaurants and other local amenities.

902. Claimant data indicates that as of May 2023 around 900 residents in the Old Kent Road area were claiming Universal Credit/employment support. As such, it is possible that the employment created on-site (or supported more widely), will provide opportunities for unemployed residents to join the labour market through training initiatives, and benefit from the proposed development.

### Fiscal impact

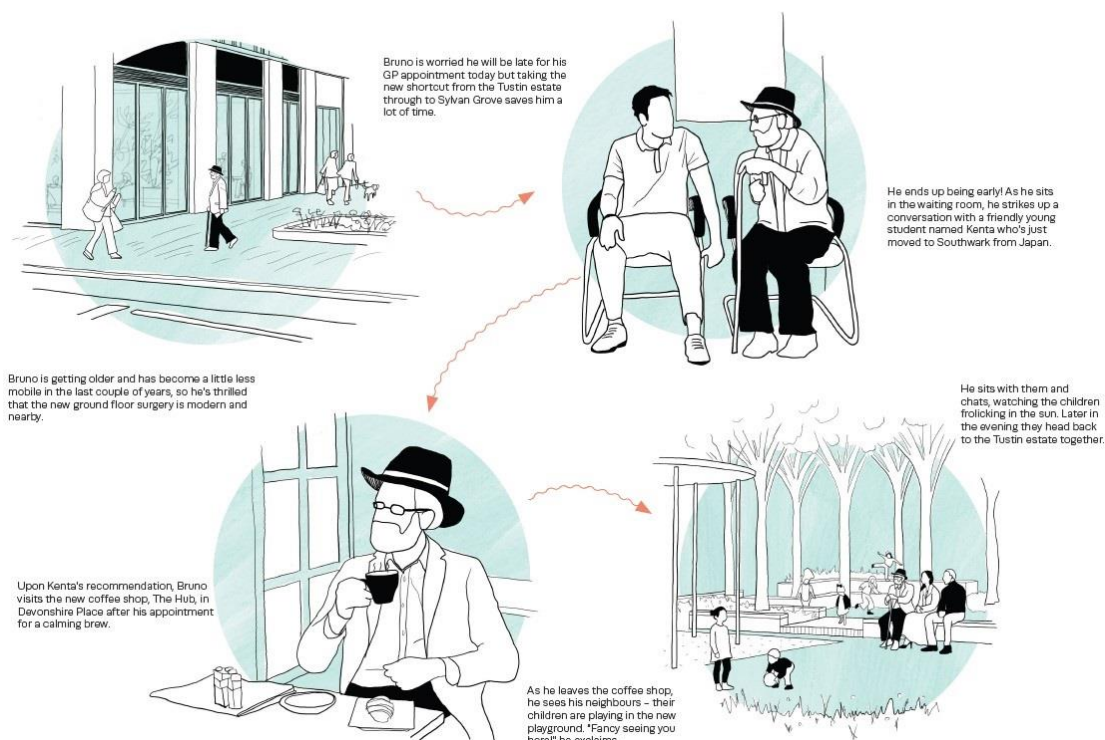
903. Once completed, Devonshire Place will generate business rates and council tax payments. This will provide Southwark Council with additional revenue through the UK Government's business rates retention scheme, helping to fund the running of the Council, in addition to enabling investment in important local infrastructure and/or services.
904. With regard specifically to business rates revenue, drawing on the anticipated uses within the proposed development and rateable values for similar uses within the local area, it is estimated that £257,800 would be generated.
905. With regard to the homes at Devonshire Place, assuming they are classed as either Band B or C for Council Tax purposes, it is estimated that between £263,300 and £301,000 in additional Council Tax revenue could accrue to Southwark Council each year in perpetuity.

### Social and community integration

906. The strategic policies of the Southwark Plan, in particular Policies ST1 and SP2, expect new development proposals to foster mixed and integrated communities, noting that environments should seek to promote inclusivity and interaction to help achieve this.
907. One of the respondents to this planning application raised the objection that delivering a student housing led scheme of this size and density, which would only provide for one generation, is ill fitted to the location.
908. Due to their inherently transient nature, student populations can prove more challenging to integrate into their local community. Cognisant of this, and mindful of the possibility of 688 students being introduced at the adjacent Daisy Business Park, the applicant has supported their application with a social integration study, which forms part of the Design and Access Statement. The

pre-application engagement was also formative in this regard, particularly the two Community Review Panels, which aided in the design decisions to:

- develop a wide range of ground floor uses and suitable management arrangements;
- develop how student and residential elements can work alongside each other and how residents and students can mix, e.g.:
  - Assembly Gardens being a good 'hang out' location for older local teenagers and the PBSA residents;
  - the Bandstand being a place where student recreation could take place alongside wider community events, children playing and/or adult residents of the conventional housing socialising;
- integrate a café within the development to bring different groups together; and
- design a larger community space to cater for as many different uses as possible.



*Image 114 (above): Excerpt from the applicant's social integration study*

909. For these reasons, it is considered that the applicant has made adequate efforts to respond to the strategic objectives of the Southwark Plan and London Plan to integrate the 941 students with the future resident community as well as the wider existing residents. It is not considered on balance that the 941 student residents this scheme would introduce, when coupled with the 688 at Daisy Business Park, would give rise to an imbalanced, unintegrated or mono-cultural community.

## Health impacts



910. Although officers and the applicant agreed that human health could be scoped-out of the ES, the planning application was nevertheless accompanied by a Health Impact Assessment (HIA). The applicant volunteered this to demonstrate that due consideration has been given to equalities considerations, and having regard to the importance given to improved health outcomes by the NPPF, Policies GG3 and GG4 of the London Plan and Policy P45 of the Southwark Plan.
911. The HIA considers a variety of criteria, baseline data and public health evidence to establish the likely effects of the proposed development on local health. Overall, the proposed development is predicted to have a number of minor to moderate beneficial effects on human health for future site residents and visitors, as well as on the existing community. The HIA predicts that the development would have no negative impacts.
912. The HIA makes number of recommendations which may help improve potential health outcomes. Some examples of these recommendation are given below:
- the design of the development should follow good practice such as the Lifetime Homes standard and the Secured by Design and Safer Places frameworks;
  - the proposal could, through its Community Infrastructure Levy liability, assist the Council to support and invest in relevant healthcare, educational and community bodies;
  - some of the proposed commercial space could potentially be used as a GP surgery facility;
  - continuing to consult with the local community and key stakeholders to ensure changing needs and priorities are met;
  - avoiding including any hot food takeaways on-site;
  - optimising potential for training and employment opportunities by working in collaboration with the Council to develop a bespoke employment strategy.
913. As detailed in the earlier applicable parts of his report, the development would secure measures and mitigation to achieve all of the above, in so doing complying with the NPPF and the development plan.
914. It should also be noted that the evidence base to the OKR APP includes a health impact assessment (forming part of a wider Integrated Impact Assessment), the conclusions of which are threaded through and underpin the content and policies of the draft AAP. As such, in according with the expectations of the draft AAP, the application would assist in tackling local health inequalities and delivering health outcomes.
915. With respect specifically to the potential delivery of an on-site healthcare facility providing up to six FTE general practitioners, for this to be treated as a planning benefit, it would need to deliver additionality to local healthcare services. Nexus Health Group, the partnership with whom discussions are well-progressed, has confirmed to the applicant that they are not proposing to close their Commercial Way premises in the event they agree terms for the Building C unit at Devonshire

Place. Nexus confirmed that there were sufficient patient numbers for both Devonshire Place and Commercial Way to function. As the delivery of the healthcare facility is not a guaranteed element of the development, this should be reflected in the weight Members give it when coming to a decision on the application.

## Planning obligations

916. London Plan Policy DF1 and Southwark Plan Policy IP3 advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. These policies are reinforced by the Section 106 Planning Obligations and CIL SPD, which sets out in detail the type of development that qualifies for planning obligations. The NPPF echoes the Community Infrastructure Levy Regulation 122 which requires obligations to be:

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

917. In accordance with the Section 106 Planning Obligations and CIL SPD, a suite of contributions have been agreed with the applicant in order to mitigate the impacts of the development. These are listed in detail at Appendix 8 of this report. In summary, the financial contributions (which total £2,006,642) are:

- Affordable Housing Monitoring Contribution (£26,500.00)
- Archaeology Monitoring Contribution (£11,171.00)
- Bus Contribution (£1,387,800.00)
- Carbon Green Fund Contribution 1 (£179,322.00)
- Children's Play Space Contribution (£54,964.00)
- Construction Management Contribution (£20,560.00)
- Cycle Hire Docking Station Contribution (£25,700.00)
- Old Kent Road Public Open Space Contribution (£181,425.00)
- Sylvan Grove Contribution (£120,000.00)

918. A number of contingent/default financial obligations will also apply. These will require a financial contribution in the event of a failure to deliver all or part of the following development benefits/mitigation:

- Carbon Green Fund Contribution 1 (£179,322.00)
- Agreed greenfield run-off rates;
- Agreed delivery and servicing baseline activity;
- Agreed number of construction employment, training and apprenticeships; and
- Agreed number of new trees.

919. Appendix 8 should be referred to for the full detailed set of the obligations sought to mitigate the development's impacts. Many of the obligations, although not a financial contribution per se, are extensive in nature. The appendix also include the applicant's current position in relation to each of these requested obligations.

920. In the event that a satisfactory legal agreement has not been entered into by 12<sup>th</sup> June 2024, it is recommended that the Director of Planning and Growth refuses planning permission, if appropriate, for the following reason:

*“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions, contrary to: Policy DF 1 (‘Planning Obligations’) of the London Plan 2023; Policy IP3 (‘Community Infrastructure Levy (CIL) and Section 106 Planning Obligations’) of the Southwark Plan; and the Southwark ‘Section 106 Planning Obligations and Community Infrastructure Levy SPD’ 2015”.*

### **Mayoral and Borough Community Infrastructure Levies**

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

#### Phasing for CIL purposes

922. Given the multiple-building nature of the proposal, and the protracted timeframe for delivery, the applicant seeks phased planning permission. This will not only enable the applicant to defer any CIL payment until such time that substantive construction works commences, but it will also allow the total CIL liability to be spread across the development
923. CIL phasing monitoring is based on when any material operation starts under each phase (as opposed, for example, when works are “delivered or works are “completed”). The Council’s CIL Team has reviewed an indicative CIL phasing plan proposed the applicant, which they consider to be clear and workable. The phasing plan will be refined post-Committee and prior to determination of the planning application. Accordingly, the applicant’s phasing plan will be listed on the decision notice as an approved plan.

#### Estimated CIL liability

#### CIL indexation caveat

924. As this planning application is an expressly phased development, the indexation of each detailed phase will be pegged to the approval date of associated pre-commencement condition. For the purpose of providing a CIL estimate at this stage, the 2024 indexation is used because it is the latest one available.

#### In-use criteria (demolition credit) caveat

925. At the date of this report, it is understood that the existing buildings on the site are currently in use. Before a full conclusive “in-use building” assessment can be undertaken upon the grant of permission, the CIL estimate below can only rely on the information provided by the applicants on the latest CIL Form1. It should be noted that, where the applicant chooses to divide the demolition of existing buildings, and to include some demolition in later phases, then the “in-use building” criteria can only be assessed later when the “first permit” date of a later phase has been reached.

#### PBSA Borough CIL rates criteria

926. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 zone. Based on the floor areas provided by the agent’s CIL Form 1 (dated 30 June 2023), the gross amount of CIL is approximately £13 million. Potentially £6.66 million of CIL Social Housing Relief can be claimed once the details of affordable housing has been secured by planning obligations; therefore, CIL is anticipated to be £6.36 million (net of relief), comprising £2.07 million of Mayoral CIL and £4.29 million of Southwark CIL.

927. It should be noted that as all 941 PBSA bedspaces are direct-let, the higher borough student CIL rate of £109 per square metre (plus 2024 indexation) has been applied for this CIL estimate.

928. It should be noted that this is an estimate, and the floor areas on approved drawings will be checked and the “in-use building” criteria will be further investigated, after planning approval has been obtained. CIL phasing details must be agreed with CIL team prior issue of planning decision notice

### **Development description and condition phasing**

#### Development description

929. The proposed development was originally:

*“Phased mixed-use redevelopment of the site, comprising:*

*- Demolition of all existing buildings/structures, site clearance and excavation;*

*- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);*

*- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and*

*- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.*

*For information:*

- *Building A would be 33 storeys (maximum height of +116.05 metres AOD), plus basement, and comprise 641 purpose-built student accommodation units together with associated amenity and ancillary facilities (Sui Generis), and a 95.4 square metre GIA community hub (Class F2(b)) located at ground floor level;*
- *Building B would be 19 storeys (maximum height of +71.88 metres AOD) and comprise 300 purpose-built student accommodation units together with associated amenity and ancillary facilities (Sui Generis), and a 86 square metre GIA cafe unit (Class E) located at ground floor level;*
- *Building C would be 15 storeys (maximum height of +57.62 metres AOD) and comprise 75 shared ownership affordable homes (Class C3) together with associated amenity and ancillary facilities, and a 249 square metre GIA commercial unit (flexible Class E) located at ground floor level; and*
- *Building D would be 20 storeys (maximum height of +73.62 metres AOD), plus basement, and comprise 125 social rent affordable homes (Class C3) together with associated amenity and ancillary facilities, and a 478 square metre GIA commercial unit (flexible Class E) located at ground floor level”.*

930. A development description of the same format, but with key details amended as appropriate, was used to publicise the planning application as part of the re-consultation undertaken in July 2023.
931. Post re-consultation, the Local Planning Authority and applicant agreed to simplify the development description (refer to the title block of this report for the exact wording). Separately, Condition 1 (Time Limit, Scope of Works and Phasing) of the draft decision notice describes the key elements of the proposal in more detail, including with use class references.
932. This arrangement of an accurate but simplified development description supported by a more specific Scope of Works condition responds to the Court of Appeal’s reversal of the High Court’s decision in *Finney v Welsh Ministers* [2019] EWCA Civ 1868. It will enable the applicant to seek amendments to the extant consented proposal by varying Condition 1 (under Section 73 of the Town and Country Planning Act) without any risk of the sought variation conflicting with the development description. Had the development description remained in its original very detailed format, any changes the applicant later wished to make falling outside the wording of the operative part of the grant would have necessitated the submission of a fresh full planning application.

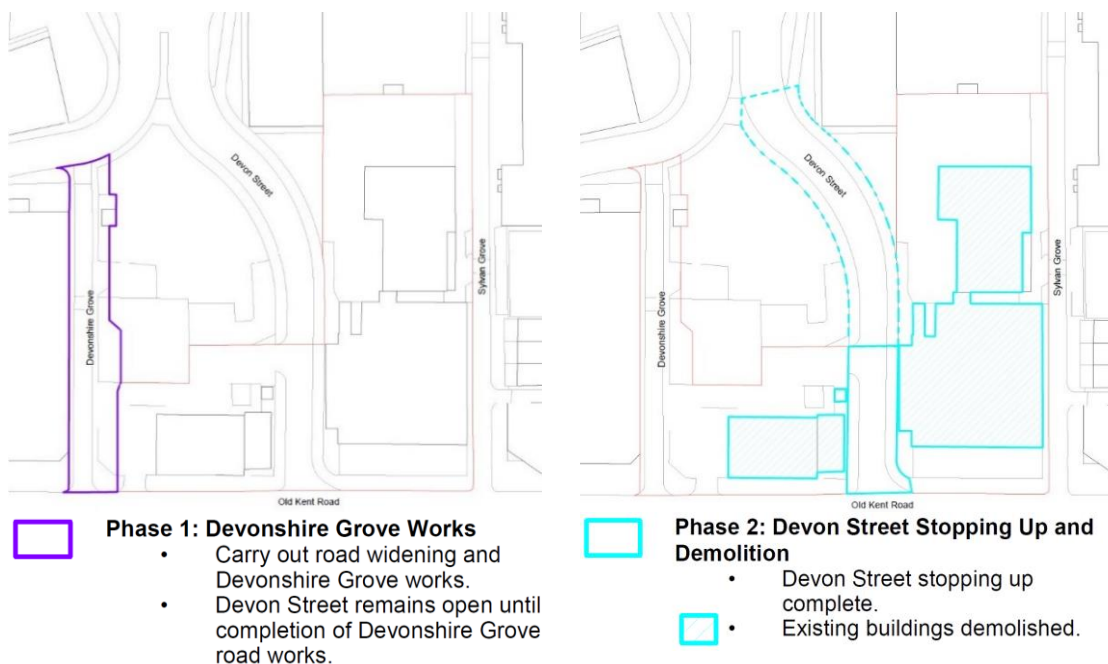
### Phasing for planning condition discharge purposes

933. As this planning application is a major, multiple building development proposal, the applicant wishes to divide the site into distinct parcels of land to enable condition discharge applications to be made in relation to each parcel, individually, as it comes to be developed.

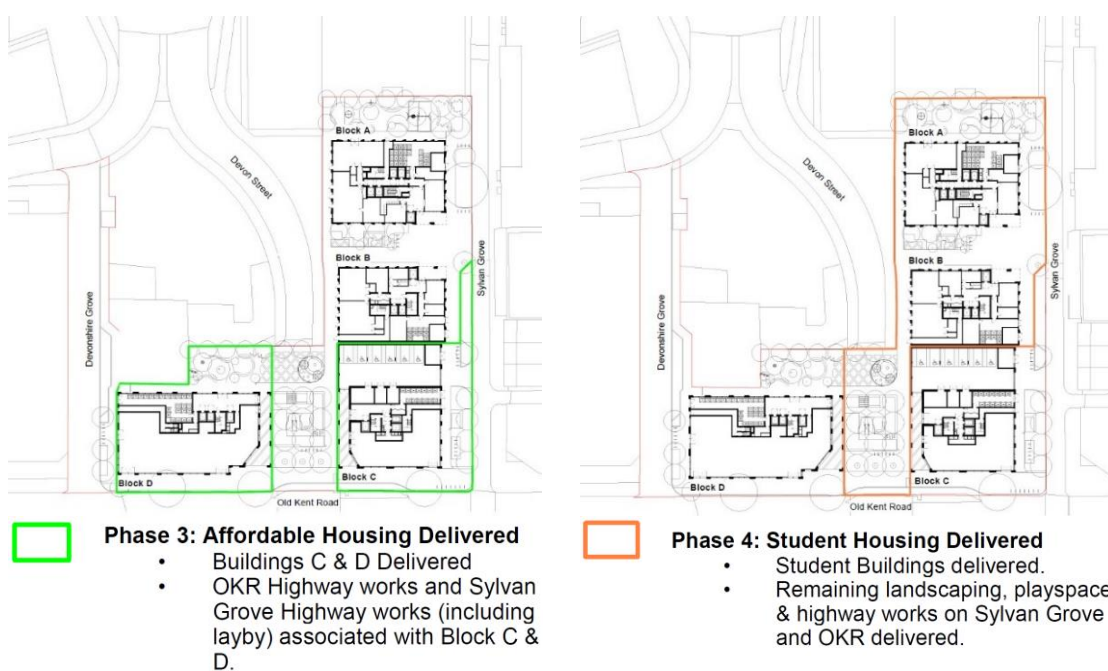
934. A condition phasing plan can be valuable in helping to bring forward development in a timely manner, in that it allows construction of certain buildings within a consented development to progress unimpeded by condition details relating to other parts of the development having not yet been discharged.

935. Importantly, phasing for planning condition purposes stand entirely apart from, and is in no way related to, phasing for CIL purposes.

936. In terms of spatial arrangement, the four proposed phases for condition discharge purposes are depicted below:



*Images 115 and 116 (above, left to right): Phases 1 and 2 of the programme.*



*Images 117 and 118 (above, left to right): Phases 3 and 4 of the programme.*



937. These are distinct geographical parcels of land that, due to their contiguous but not overlapping boundaries, provide a clear and workable disaggregation of the site against which to discharge condition details. Accordingly, to enable phase-based discharge of conditions:

- the applicant's condition phasing plan will be listed on the decision notice as an approved plan, and;
- some of the planning conditions will be worded where appropriate to expressly refer to specific phases (in so doing, those phases not referred to will implicitly be carved out, exempting the submission of any condition discharge details).

## Community involvement and engagement

938. This application was accompanied by a Statement of Community Involvement, confirming the public consultation that was undertaken by the applicant during the pre-application phase. The table below summarises this consultation:

<b><u>Consultation undertaken by applicant: Summary table</u></b>	
<b><u>Date</u></b>	<b><u>Form of consultation</u></b>
<b>Meetings (Pre-application phase)</b>	
October 2022	Meetings held with: <ul style="list-style-type: none"> <li>• the Tustin Estate TRA Chair; and</li> <li>• the Ledbury Estate TRA Chair.</li> </ul>
December 2022	Meetings held with: <ul style="list-style-type: none"> <li>• the Tustin Estate TRA Chair;</li> <li>• the Ledbury Estate TRA;</li> <li>• all three Old Kent Road ward councillors.</li> </ul>
<b>Public Consultation Events (pre-application phase)</b>	
March 2023	<ul style="list-style-type: none"> <li>• Design Review Panel;</li> <li>• Community Review Panel (round 1);</li> <li>• Leaflet drop;</li> <li>• Website launch;</li> <li>• Door knocking campaign;</li> <li>• Consultation event on Tustin Estate; and</li> <li>• Consultation event at Christ Church Peckham.</li> </ul>
April 2023	<ul style="list-style-type: none"> <li>• Meeting held with Chair of Sylvan Grove TRA.</li> </ul>
May 2023	<ul style="list-style-type: none"> <li>• Meeting held with Vital OKR;</li> <li>• Community Review Panel (Round 2)</li> </ul>

June 2023	<ul style="list-style-type: none"> <li>• Meeting held with Nexus Health Group;</li> <li>• Meeting held with Veolia; and</li> <li>• Meeting held with two of the three Old Kent Road ward councillors.</li> </ul>
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939. Included within the Statement of Community Involvement are the consultation materials that were circulated as part of the pre-application engagement exercise. A summary of each topic raised by the community feedback is also provided, along with details of how the applicant responded.
940. The pre-application consultation undertaken by the applicant was an adequate effort to engage with those affected by the proposals.
941. Although no direct community engagement was undertaken by the application at the planning application stage, following closure of the Council's public consultation process, the applicant prepared a 'response' letter together with additional documentation addressing the matters raised. The extent and format of application stage community engagement is considered adequate.
942. The Council, as part of its statutory requirements, sent letters to surrounding residents, issued a press notice publicising the planning application and displayed notices in the vicinity of the site. Details of the consultation undertaken by the Council are set out in the appendices. The responses received are summarised earlier in this report.

## Consultation responses from external consultees

### Arqiva

943.
  - No objection/comments.
  - **Officer response:** Noted.

### City Airport

944.
  - Did not wish to comment.

### Civil Aviation Authority

945.
  - Did not wish to comment.

### Environment Agency

946.
  - No objections/comments.
  - **Officer response:** Noted.

### Greater London Authority

947. The detailed Stage 1 response from the Greater London Authority is published on, and can be read in full at, the Council's Public Access for Planning Register. Generally, the response was supportive of the development. Below is a summary of the matters raised with an officer response to each:

#### Land use

- The Community Hub will be managed by a management company and details of public access will be secured in the Section 106 agreement.
  - **Officer response:** *The PBSA management will take responsibility for the hub, and a Management Plan has been secured to safeguard this.*
- Considering that the Phase 1 cap of 9,500 has been reached, prior to the Stage II referral to the Mayor the Council must confirm in writing that the phasing of residential delivery on the Council-owned parcel will accord with the principles of the Old Kent Phase 1 residential cap.
  - **Officer response:** *The matter of the Phase 1 cap is dealt with in the 'Principle of development in land use terms' part of this report. 23/AP/1862 would not cause a breach of the cap.*
- Employment and training opportunities for local people are to be secured in the Section 106 agreement and this will be confirmed at Stage II. This should include the offer for veterans.
  - **Officer response:** *The Section 106 Agreement will secure the appropriate obligations. Regal London's 'Building Heroes' programme is proposed in addition to LB Southwark's typical requirements, outside of the Section 106 Agreement.*
- The scheme meets the Mayor's blended threshold to qualify for the Fast-Track Route, subject to an early-stage financial viability review.
  - **Officer response:** *The applicant acknowledges the confirmation of the blended threshold and eligibility for FTR subject to an early-stage financial viability review which is agreed in principle. This position has also been agreed with LB Southwark and their independent viability advisor, BPS.*

#### Design and landscape

- The visual harm to the setting of listed buildings and conservation areas (particularly in Views 7 and 9) is aggravated by the proposed design, namely the detailed design and materials of Buildings A and B. The design approach to these two buildings, with its busy design and choice of colours, increases the visual impact of the proposed development in long views from the settings of heritage assets. This should be reconsidered to mitigate the harm caused, as these choices do not relate to public benefits and cause unjustified harm.
  - **Officer response:** *Council officers disagree with the GLA's position in this regard, as expanded on in the 'Design' section of this report. The detailed design and materials of the proposed development is a product of extensive engagement with Council officers during pre-*

*application, the Southwark Design Review Panel, and the Old Kent Road Community Review Panel. The design and choice of materials are considered high quality. Conclusions on heritage harm have been set out in the applicant's Supplementary Heritage Impact Assessment. Should GLA officers consider heritage harm to arise, this should be weighed in the planning balance with the significant public benefits of the proposed development, for instance the 200 new affordable homes (equating to 40.8%).*

- Having analysed the assessments contained in the HTVIA and having regard to the statutory duties the relevant paragraphs in the NPPF in relation to heritage assets, GLA officers consider that any harm caused by the proposal would be "less than substantial".
  - **Officer response:** *The applicant and the Council acknowledges this comment. The matter is dealt with in the 'Design' section of this report. Notwithstanding, the proposed development provides substantial public benefits which are considered to offset any harm on heritage assets that the GLA may conclude.*
  
- The Council is encouraged to seek design-led evidence from the applicant that the proposed student towers can be adapted and transformed into preferably conventional housing in the future, as requested during pre-application discussions with GLA officers.
  - **Officer response:** *An adaptation study, was submitted by the applicant following receipt of the Stage 1 response. It shows how Buildings A and B could theoretically be transformed into conventional housing in the future. Buildings A and B could lend themselves to future adaptation to conventional residential accommodation, for instance in terms of floor to ceiling heights, the arrangement of units around a central core, two escape staircases, cycle parking provision, and amenity space etc.*
  
- As the number of units per hectare exceeds 350, in line with Policy D4, details should be provided on longer-term maintenance implications and the long-term affordability of running costs and service charges (by different types of occupiers) as detailed in paragraph 3.2.9. This should be secured by condition, or within other conditions, as part of any permission.
  - **Officer response:** *The long term stewardship of Devonshire Place will be overseen via a management company setup prior to first occupation - they will be responsible for the day-to-day running of the development and administer overarching running costs and service charges, for example to maintain the public realm areas of landscape and playspace. It is expected that the student accommodation in Buildings A and B will be operated by a specialist PBSA operator and service charges will be incorporated into the rental values (direct-let at market value). The service charges associated with the affordable homes in Buildings C and D will be the responsibility of the chosen Registered Provider. An Estate Management Strategy has been offered as part of the S106 Heads of Terms.*

- The Council should secure further detail through street sections to make a final assessment of the proposal against the wider context.
  - **Officer response:** *Appropriate section drawings have been provided with the submission such that offers can make a well-informed decision about the sale of the proposed buildings and their relationship to the context.*
- The location of blank frontages at the entrances of Grove Place and Sylvan Gardens needs further detailing, as well as at the ground level of Buildings A and D.
  - **Officer response:** *The detailed design of the proposed development is a product of extensive engagement with Council officers during pre-application, the Southwark Design Review Panel, and the Old Kent Road Community Review Panel. The subject of activating frontages was given significant attention during pre-application discussions. Potential opportunities for murals to activate the ground floor façade of Building C (car park undercroft), or the rear of Building D (refuse store), or double-height entrances to Buildings A and B on Sylvan Grove are shown in the application documents and drawings. The applicant has maximised the opportunity for active frontages, ensuring these are present at key locations and on key routes, such as the new 'high street' onto Old Kent Road, the central areas of open space, and child play space. A public art strategy is to be secured by planning condition.*
- A public realm management and meanwhile plan should also be secured by the Council; this plan should address potential noise, littering and other nuisances arising from intended and unintended use of the public realm, in particular of the bandstand as well as appropriate measures to mitigate impacts from construction of later phases of the scheme and surrounding development.
  - **Officer response:** *An Estate Management Strategy, which will contain details to mitigate noise, litter and nuisance, is to be secured in the Section 106 Agreement.*
- The provision of accessible free drinking water fountains in the square should be secured by planning condition.
  - **Officer response:** *This will be secured by planning condition.*
- A phasing strategy should be agreed that ensures appropriate levels of shared outdoor amenity space are delivered as part of each construction phase.
  - **Officer response:** *An earlier part of this report discusses the indicative phasing plan the applicant has supplied. This plan will be further refined, including details of outdoor amenity space to be delivered as part of each construction phase, and be secured via Section 106. It should be noted that, realistically, not all of the playspace for Buildings C and D will be delivered until Building A (the last of the four buildings) reaches substantial completion. A back-stop*

*will be secured in the Section 106 Agreement setting a deadline by which of all playspace must be delivered following occupation of Buildings C and D, so that residents are not denied these facilities for an unreasonably long period of time.*

- an indicative phasing plan to LBS. This plan will be further refined, including details of outdoor amenity space to be delivered as part of each construction phase, and be secured via Section 106.
  - **Officer response:** *Defensible space has already been proposed as part of the landscape areas adjacent to bedroom windows and terraces. Further details of screening arrangements will be secured through the landscape planning condition.*
- Detailed bay studies should be secured by the LPA to ensure a distinct design approach is deployed to clearly distinguish residential and commercial entrances.
  - **Officer response:** *A planning condition to this effect is recommended.*

#### Fire Safety

- In response to the requirements of Policy D12(B), the strategy seeks to address the six criteria outlined and although most of the areas have been satisfactorily dealt with, further information on monitoring and maintenance [D12B(4)] and D12B(6) is required.
  - **Officer response:** *The applicant supplied an updated Fire Strategy in response to the GLA's Stage 1 response, dealing with these matters. The HSE has endorsed the Fire Strategy.*

#### Transport

- A Section 278 agreement to deliver improvements to the pedestrian, cycling and public transport environment should be secured by the Council. This is in line with other developments within the Opportunity Area and the extant permission for this site. The applicant should also demonstrate that the proposed increased widths of footpaths on Devonshire Grove and Sylvan Grove would suitably accommodate anticipated pedestrian flows, cyclists and other users. Once this has been demonstrated, the Council should secure the proposed widening.
  - **Officer response:** *This has all been achieved, and the detailed Section 278 works will be referred to in the Section 106 Agreement.*
- Noting the nature of the proposed development and its intended occupiers, and in light of an increased awareness of Women's Safety, a night-time ATZ of key routes should be undertaken. This should inform further discussions with the appropriate highway authority, Southwark Council or TfL, about necessary mitigation.
  - **Officer response:** *The applicant provided the night-time ATA, as discussed in more detail in the applicable part of this report.*



- It is noted that there is planting proposed in the east-west route, which could impact on the usable width. Whilst planting is welcomed, at least 3 metres minimum of usable width for this shared use route should be provided.
  - **Officer response:** *The clear width of cycle/pedestrian route would be 4.2 metres.*
- Regarding the interim (prior to development of the Devonshire Yard land) and final pedestrian and cyclist movement through the site, further information is required on how the walking and cycling arrangement is in line with the Healthy Streets approach, particularly noting that there will be areas within the site with inactive frontage until Devonshire Yard is developed. It also needs to be demonstrated how cycles would access the site via the existing network.
  - **Officer response:** *The Transport Assessment includes a review of the interim period as part of the Healthy Streets approach and Active Travel Audit, with recommendations also made regarding potential measures against the Healthy Streets indicators. The landscape proposal submitted with the application shows the detail of the walking and cycling environment through and around the site, with each building benefitting from a landscaped boundary. Potentially, the 'triangle' of land adjacent to the site but within the red line boundary of Devonshire Yard will be landscaped for an interim period to improve visual amenity. The development will enable cycle access along Old Kent Road by facilitating TfL's Healthy Streets proposal, whilst also providing an east-west route for pedestrians between Devonshire Grove and Sylvan Grove, with an additional cycle route partially enabled by the development, which fulfils the aspirations of the AAP within what this development can be reasonably expected to provide for.*
- A contribution towards extending the Santander cycle hire scheme should be secured. The opportunity to safeguard serviced land for a cycle hire docking station at this site would also be welcomed.
  - **Officer response:** *A sum equivalent to £50 per dwelling will be secured in the Section 106 Agreement. This is £25,700. There is no space within the red line boundary where a docking station could feasibly be accommodated.*
- This scheme and all other proposals that come forward in advance of the BLE are required to make financial contributions to improving bus capacity in the area, which will be secured via the Section 106.
  - **Officer response:** *As per the financial contributions routinely sought by TfL to improve bus capacity, this site will be required to make a contribution. The applicant has accepted this, and a sum equivalent to £2,700 per dwelling will be secured in the Section 106 Agreement.*
- The quantum of cycle parking spaces being provided for the commercial uses. Furthermore, based on the plans provided there are some areas of non-compliance with London Cycle Design St

- **Officer response:** *The applicant has since addressed this. Refer to the relevant part of this report for the assessment of the commercial-specific cycle storage.*
- Further thought on the quantum of disabled persons' parking for the student element is required.
  - **Officer response:** *The applicant has since addressed this. Refer to the relevant part of this report for the assessment of the PBSA-specific cycle storage.*
- The car-free nature, apart from disabled persons' parking, is welcomed subject to the Council securing a permit-free agreement and appropriate contribution towards reviewing (and where necessary, implementing or amending) local parking controls being secured.
  - **Officer response:** *These mechanisms will be secured by condition/obligation.*
- At least 20% of car parking spaces should have active electric vehicle charging provision (EVCP) from the outset, with passive provision for the remainder. However, given the numbers involved and the intended users the applicant is encouraged to provide active EVCP for all the spaces from the outset. The car club bay proposed on Devonshire Grove should also have active EVCP as required by London Plan policy.
  - **Officer response:** *A provision of at least 20% will be secured by condition/obligation*
- Delivery and servicing are proposed from on-street loading bays on Sylvan Grove and Devon Street. In line with London Plan Policy T7, sufficient space should instead be provided on-site to accommodate the delivery and servicing demands for the proposed development. Notwithstanding this, a robust assessment of the delivery and servicing demand of the development should be undertaken to demonstrate that the proposed facilities are sufficient to accommodate anticipated demand. Noting the on-street location of the loading bays, this should consider their use by those outside of this development and the growth in online ordering with home deliveries.
  - **Officer response:** *On balance, and having regard to the benefits of the proposal, the on-street servicing strategy is considered acceptable. A detailed review of servicing demands per use and per building is detailed within the Transport Assessment, which demonstrates there is sufficient servicing capacity available to accommodate the development, as well as the potential for residential deliveries associated with the Council's land to be developed in future to the northwest of the site.*
- The applicant's outline delivery and servicing plan should detail the measures that are to be implemented to reduce the impact of this activity on the surrounding transport network should be detailed, as well as how this site would support sustainable and active freight. Appropriate management of the expected demand should also be demonstrated. In

line with Policy T7, a full delivery and servicing plan should be secured via planning condition.

- **Officer response:** *A final and detailed Delivery and Servicing Plan, including measures as to how sustainable and active freight will be supported, will be secured.*
- The application is accompanied by a student management plan, which contains some detail on the student move-in/move-out process. However, assurances are needed that this activity would not adversely impact on the safe and efficient operation of the Old Kent Road, including the bus services. It must also be demonstrated how Sylvan Grove and Devonshire Grove would be kept open for normal use. A detailed student management plan should be secured through the appropriate mechanism.
  - **Officer response:** *A reasonable level of detail is provided within the application documents on this matter. A final Student Management Plan, prepared prior to occupation, will consider any cumulative effects associated with student move-in / move-out activity and measures to ensure that Devonshire Grove, Sylvan Grove and Old Kent Road do not become congested and remain open for normal use.*
- An outline construction logistics plan has been submitted with the application. In line with Policy T7, a full construction logistics plan detailing the construction methodology (in line with the Mayor's Healthy Streets and Vision Zero approach) and identifying measures that would be implemented to ensure the construction impact of this development on the surrounding transport network is minimised should be secured by planning condition. This plan would also need to demonstrate how development on the application site would co-ordinate with the nearby sites to reduce the cumulative impact of construction on the surrounding transport network.
  - **Officer response:** *A final CLP will be secured by condition.*

#### Energy and Sustainability

- The energy statement does not yet comply with London Plan Policies SI2, SI3 and SI4. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements.
  - **Officer response:** Further iterations of the Energy Statement have been submitted since the Stage 1 response, and the GLA's Energy Team has had sight of these. Conditions and obligations are required to ensure the application-stage strategy (or an improved iteration resulting from detailed design) is delivered.
- Conditions should be secured in relation to Circular Economy, Whole Life Cycle and Digital Infrastructure:
  - **Officer response:** These will all be secured.

- The Drainage Strategy should consider rainwater harvesting.
  - **Officer response:** The strategy has been updated to incorporate this request.
- A Flood Warning and Evacuation Plan condition and an Ecological Management Plan condition should be secured by planning condition.
  - **Officer response:** These will all be secured.

#### Heathrow Airport

948.     • Did not wish to comment.

#### Historic England

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

#### London Borough of Lewisham

950.     • Did not wish to comment.

#### London Fire and Emergency Planning Authority

951.     • Did not wish to comment.

#### Metropolitan Police

952.     • No objection subject to a two part 'Secured by Design' condition being applied.
  - **Officer response:** The suggested condition has been included on the draft decision notice.

#### National Air Traffic Services (NATS) Safeguarding

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

#### National Grid UK Transmission

954.     • Did not wish to comment.

#### National Planning Casework Unit

955.     • Did not wish to comment.

#### Natural England

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

### NHS Healthy Urban Development Unit (HUDU)

957. NHS HUDU are not typically included by the Local Planning Authority when carrying out consultation on planning applications, and accordingly NHS HUDU were not consulted as part of the 23/AP/1862 consultation. However, they submitted a representation about the application of their own accord. In summary, the matters raised were:

- Request for a contribution for £1,577,000, and for payment to be timed to enable the NHS to provide additional capacity in line with the new population arriving.
  - **Officer response:** *The Council has a published CIL charging schedule. Therefore, and in accordance with Regulation 122, HUDU's requested sum will not be secured. The appropriate avenue is for the NHS to make structured bids for funding from the Community Infrastructure Levy fund.*
- The application makes no reference to fitting out, or a discounted rent in respect of the proposed healthcare facility in Building C.
  - **Officer response:** *There is still some further negotiation required in this regard (e.g. the terms of the detailed fit-out specification and discounted rent levels) between the applicant and the Council, but the finalised terms will secure the space in a format and at a level that would make it attractive for occupation by an NHS GP Partnership healthcare provider.*
- The South East London Integrated Care Board believe that the proposed on site provision would not mitigate the impact of their development on local health infrastructure or fit in with the Board's strategy in this area.
  - **Officer response:** *As above, planning obligations are not the appropriate mechanism through which to secure financial investment in local public healthcare facilities.*
- Tall buildings should be designed to prevent suicide. Public Health England and the City of London have provided guidance which the Council may find useful. We ask that the Council requires submission of appropriate design details/uses planning conditions to reduce the risk of suicide. This is in line with the Mayor's ambitions for London to be a zero suicide city.
  - **Officer response:** *The design of the buildings meets the policy requirements for tall buildings as set out in the London and Southwark Plans, including consideration of public and personal safety.*
- Other design guidance could be applied in the consideration and specification of the wheelchair housing, such as South East London Housing Partnerships Wheelchair Homes Design Guide.

- **Officer response:** *The design of the buildings meets the policy requirements for wheelchair housing as set out in the London and Southwark Plans. In any case, the floorspace minimums and detailed design standards required by the applicable Southwark Plan policy (Policy P8) were informed by the SELHCPWH Design Guide.*

### Network Rail

958.     • Comments, but no objections or recommended conditions/informatives.  
           - **Officer response:** Noted.

### Sport England

959.     • Did not wish to comment.

### Thames Water

960.     • Did not wish to comment.

### Transport for London (TfL) – Active Travel England

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

### Transport for London (TfL) – Bakerloo Line Extension Safeguarding Unit

962.     • No objection/comments, as the site lies just outside the Safeguarding Zone.  
           - **Officer response:** Noted.

### Transport for London (TfL) – London Underground / Docklands Light Railway Infrastructure Protection

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

### Transport for London (TfL) – Spatial Planning

964. 'TfL – Spatial Planning' provided comments as part of the GLA Stage 1 referral process. These comments been provided under an earlier paragraph entitled "Greater London Authority", and an officer response has been given to each matter raised.

### Tower Hamlets Council

965.     • Did not wish to comment.



## UK Power Networks

966. • Did not wish to comment.

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

967. 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.

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

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

970. A comprehensive Equalities Impact Assessment accompanies the application It concludes that, overall, the proposed development will have a positive impact on EDI-related challenges and trends for future residents and users of the proposal itself, as well as on the wider community.

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

- Accommodation - accessibility: 10% of the PBCL and 10% of the conventional homes would be wheelchair accessible, as would all of the ancillary and common spaces within the host buildings.
- Accommodation – responsiveness to community profile: The provision of multi-bedroom housing responds to the protected characteristics of race in that larger housing is particularly well oriented to multi-generational families (who are more commonly from non-white backgrounds), as well as the characteristics of pregnancy and maternity.
- Employment and training opportunities: Local unemployed people would benefit from jobs and training opportunities connected with the construction stage.
- Existing business support: Of the two existing business on the site, one that is an SME has benefited from sub market rental rates during its period of meanwhile occupancy, and moved to the site in full knowledge of its forthcoming redevelopment. If the event of the proposed healthcare facility not be deliverable, 81.3 square metres (or equivalent) of affordable workspace would be provided, which would meet the needs of local eligible existing businesses.
- Healthcare opportunities: The potential provision of an on-site GP surgery, and the health-related services it would offer in a location well-served by public transport, would respond to the health needs of all members of society across all protected characteristics. The location of this potential healthcare facility at ground floor level and with a proposed bus stop immediately to the front on the Old Kent Road high street, would lessen the accessibility barriers faced by the less physically able and older people.
- Improved and more accessible public realm: The proposed public realm, as well as the agreed improvements to footways and highways within the vicinity of the site, would all be designed to assist people with mobility impairments. Physical measures such as level or shallow gradient surfaces and dropped kerbs would benefit disabled and older people in particular.
- Landscape: Outdoor furniture and outdoor lighting has been designed to create comfortable and safe environments in which people of all ages will want to dwell in the day- and night-time, while planting and play environments would create sensory and tactile spaces particularly supportive of those with certain disabilities. A key design driver behind the bandstand and Assembly Gardens is to provide outdoor facilities and public realm in which girls in particular will feel comfortable spending leisure time.
- Public safety: Safer public spaces (through the various proposed active and passive security and surveillance measures) would benefit all groups, but in particular older people, disabled people, women, LGBTQIA+ people and transgender people. Cycle stores and entrances would be secure-accessed, well naturally surveilled and lobbied to prevent tail-gaiting, complemented by CCTV surveillance.
- Religious groups: There is a church at the northern end of Sylvan Grove that is used primarily by the Latin American community (Christ Paradise Church). It is not considered that this development would prejudice the operation of the church in any way.

- Transport: Wheelchair parking spaces and cargo bike spaces (the latter being capable of transporting disabled users) would also be provided.
972. Officers are satisfied that equality implications have been carefully considered throughout the planning process and that Members have sufficient information available to them to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.

### **Human rights implications**

973. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
974. This application has the legitimate aim of redeveloping the site to provide four buildings comprising large scale purpose built student accommodation units, conventional residential dwellings, flexible commercial and community floorspace, children's playspace, public realm improvements, landscaping and other associated works. 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.

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

### **CONCLUSION**

975. This application would bring into productive and optimised re-use this underutilised site, providing a complementary mixture of PBSA, conventional housing, flexible commercial/business floorspace and a community hub. These uses would be supported by high quality hard- and soft-landscaped new public realm. The proposal would also enable major new transport infrastructure upgrades, enhancing links with the surrounding areas by providing safe and accessible walking, cycling and public transport routes. This would support the role and aspirations of the Old Kent Road Opportunity Area and is in line with the vision for the site, as set out in the adopted site allocation (NSP69) and the draft site allocation (OKR18).

976. Prior to the submission of the planning application, the applicant engaged in pre-application discussions with the Council, the Greater London Authority, Transport for London, the Health and Safety Executive, the Old Kent Road Community Review Panel, and the Southwark Design Review Panel amongst other stakeholders. Extensive public consultation with local residents, including the relevant TRAs, has also been undertaken.
977. The design evolution of the proposed development is a reflection of the extensive pre-application process. The careful façade modelling and confident crown designs are reflective of the buildings' significance, being located at one of the 'Station and Crossing' sites within the Opportunity Area where tall buildings are anticipated. The buildings would contribute positively to the local townscape. Through optimised active frontages and celebrated entrances, the development would provide an engaging and animated interface at street level.
978. This planning application proposes 40.8% affordable housing by habitable room, in a policy compliant split between social rent and intermediate tenures. The accommodation would be of a high quality with a range of home sizes offered, including a number of larger family homes, all supported by high quality external amenity space and play space. The 200 proposed homes are a significant benefit of the planning application.
979. There is support in the London Plan and Southwark Plan for student housing, which contributes to a mixed and inclusive community helps to release local family housing and is counted towards the borough's housing delivery. In a well-connected location with some HEIs a short bus ride away, the site is considered to be appropriate for student accommodation, meeting a demonstrable need and achieving compliance with the requirements of Southwark Plan Policy P5. Mindful of the importance of integrating the student population successfully with the existing and future local communities, the applicant developed the proposals working closely with the probable operator of the PBSA, who have considerable experience of managing student housing being the UK's largest independent provider.
980. The impacts on neighbours' amenity have been assessed and, while it is recognised that for some properties the daylight and sunlight losses would exceed the BRE guidelines, they are similar in their extent and magnitude to the impacts caused by the extant hybrid permission.
981. Transport and highways matters have been satisfactorily addressed by the application documents, with detailed arrangements and mitigation to be secured through planning conditions and obligations. Although the conventional housing and non-residential uses would provide long- and short-stay cycle parking in compliance with the London Plan and Southwark Plan requirements, the PBSA would not deliver the policy minimum of 941 stands. However, it is considered that the proposed on-site provision of free-of-charge cycle lockers, along with Travel Plan commitments, makes for acceptable mitigation in this instance.
982. In terms of energy and sustainability, the proposals exceed the policy minimum, achieving cumulative carbon savings of 51% against the Part L 2021 baseline,

and meeting the Mayor's aspirational Whole Life Cycle benchmarks. Alongside securing 70.37% biodiversity net gain, the proposal would achieve a commendable UGF score of 0.43 – the latter achieved through features such as green and intensive roofs, connected tree pits and rain gardens. Subject to compliance with the detailed energy and sustainability strategies submitted with the planning application and payment of the Carbon Green Fund, the development satisfactorily addresses climate change policies.

983. In line with the requirements of the NPPF, the Council has applied the presumption in favour of sustainable development. The proposal would accord with sustainable principles and would make efficient use of a prominent brownfield site to deliver a high quality development that is in accordance with the Council's aspirations for the area. Equality implications have been carefully considered throughout the planning process. It is therefore recommended that planning permission is granted, subject to:

- conditions as set out in the attached draft decision notice;
- referral to the GLA;
- the timely completion of a Section 106 Agreement;
- notification to the Secretary of State; and
- publication of this report (and any addenda and delegated reports) as necessary under the EIA regulations.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2168-761 Application file: 23/AP/1862  Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods and Growth Department 160 Tooley Street, London, SE1 2QH	<ul style="list-style-type: none"> <li>• Planning enquiries telephone: 020 7525 5403</li> <li>• Planning enquiries email: planning.enquiries@southwark.gov.uk</li> <li>• Case officer email: patrick.cronin@southwark.gov.uk</li> <li>• Council website: www.southwark.gov.uk</li> </ul>

## APPENDICES

No.	Title
<b>Appendix 1</b>	Recommendation (draft decision notice)
<b>Appendix 2</b>	Relevant planning policy
<b>Appendix 3</b>	Planning history of the site and nearby sites
<b>Appendix 4</b>	Consultation undertaken
<b>Appendix 5</b>	Consultation responses received
<b>Appendix 6</b>	Community Review Panel
<b>Appendix 7</b>	Design Review Panel
<b>Appendix 8</b>	Section 106 heads of terms

**AUDIT TRAIL**

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Patrick Cronin, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	28 November 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 of Finance & Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	30 November 2023	

## APPENDIX 1

Town and Country Planning Act 1990 (as amended)

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

### RECOMMENDATION (DRAFT DECISION NOTICE)

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**LBS Reg. No.:** 23/AP/1862

**Date of Issue of Decision:** N/A

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Applicant Regal Barkwest Limited

### Planning permission is **GRANTED WITH LEGAL AGREEMENT** for the following development:

Phased mixed-use redevelopment of the site, comprising:

- Demolition of all existing buildings/structures, site clearance and excavation;
- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);
- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and
- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.

At: 747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

In accordance with the valid application received on 03 July 2023 and supporting documents submitted which can be viewed on our Planning Register.

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

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

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### Conditions

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Permission is subject to the following Approved Plans Condition:

1. **APPROVED PLANS**

The development shall be carried out in accordance with plans and documents submitted with the planning application.



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**Permission is subject to the following Time Limit and Scope of Works Condition:**

**2. TIME LIMIT, SCOPE OF WORKS AND PHASING**

Permission is hereby granted for four separate buildings, Building A of 33 storeys plus additional rooftop plant (approximately 113.45 metres above ground level), Building B of 19 storeys plus additional rooftop plant (approximately 69.28 metres above ground level), Building C of 15 storeys plus additional rooftop plant (approximately 54.52 metres above ground level), Building D of 20 storeys plus additional rooftop plant (approximately 70.52 metres above ground level), with Buildings A and D each containing a single storey basement, all of which in totality would contain:

- 941 Purpose-built Student Accommodation units with associated amenity and ancillary facilities (Sui Generis);
- 200 affordable conventional residential dwellings (Class C3);
- 813 square metres GIA of flexible commercial/employment floorspace (Class E);
- 95.4 square metres GIA of community floorspace (Class F2[b]);
- children's playspace and public realm improvements; and
- other associated works incidental to the development.

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

The development shall be carried out in accordance with indicative phasing plan ref. MP\_RF\_DR\_A\_1105 Rev P1 (01878) or any alternative phasing plan submitted to and approved by the Local Planning Authority. Any alternative approved Phasing Plan should define the physical extent of each phase and the sequence of construction of the phases.

REASON:

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

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**Permission is subject to the following Pre-Commencement Conditions:**

**3. TREE PROTECTION MEASURES**

Prior to commencement of the development hereby approved (with the exception of Phase 1), all of the following shall have been completed:

- a) A pre-commencement meeting shall be undertaken, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting.
- b) A detailed Arboricultural Method Statement shall be submitted to and

approved in writing by the Local Planning Authority. The detailed Arboricultural Method Statement shall include:

- the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment;
- details of facilitative pruning specifications; and
- a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be submitted to and approved in writing by the Local Planning Authority showing surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the Arboricultural Method Statement. Before any above grade work hereby consented begins (with the exception of Phase 1), all tree protection measures shall be installed, carried out and retained throughout the period of the relevant works, unless otherwise agreed in writing by the Local Planning Authority.

In any case, all works must adhere to 'BS5837: (2012) Trees in relation to demolition, design and construction', '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' and 'EAS 03:2022 (EN) - Tree Planting Standard'.

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

REASON:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with: Chapters 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2023; 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.

#### 4. **ARBORICULTURAL FOUNDATION DESIGN**

Prior to the commencement of any development hereby consented (with the exception of Phase 1 and Phase 2), a detailed scheme showing the complete

scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. All foundation depths should, as a minimum, accord with NHBC 4.2.13, or be as engineer designed.

**REASON:**

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of arboricultural mitigation works as outlined in the Arboricultural Impact Assessment and Method Statement, as well as to avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with: Chapters 8 (Promoting Healthy and Safe Communities), 11 (Making Effective Use of Land), 12 (Achieving Well-designed Places), 15 (Conserving and Enhancing the Natural Environment) and 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and Policies P13 (Design of Places), P14 (Design Quality), P15 (Residential Design), P20 (Conservation Areas), P21 (Conservation of the Historic Environment and Natural Heritage), P56 (Protection of Amenity), P57 (Open Space), P58 (Open Water Space), P59 (Green Infrastructure), P60 (Biodiversity), P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

**5. TREE PLANTING STRATEGY AND MANAGEMENT PLAN**

Prior to the commencement of the above grade works relating to Phase 3 and Phase 4, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority, to include:

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

Prior to the commencement of the landscaping works for Phase 3 and 4, a Tree Management Plan for each phase shall be submitted to and approved by the Local Planning Authority, which shall detail responsibilities and maintenance schedules (including an irrigation schedule for all trees) to ensure successful establishment. For stem girths of up to 20cm the schedule shall be a minimum of three years, and for stem girths greater than 20cm the schedule shall be a minimum of five years.

The Tree Planting Strategy and the Tree Management Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local planning authority. 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 'Recommendations for Cultivation and Planting of Trees in Advanced Nursery Stock Category' 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 seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season, unless the Local Planning Authority gives its written consent to any variation.

REASON:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with: the National Planning Policy Framework 2023; 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 2012; and Policies P13 (Design of places), P14 (Design quality), P56 (Protection of Amenity) and P60 (Biodiversity) of the Southwark Plan 2022.

## 6. **DEMOLITION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of demolition associated with Phase 2 of the development hereby consented, a written Demolition Environmental Management Plan (DEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to demolition site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- a detailed specification of demolition works at each phase of development including consideration of all environmental impacts and the identified remedial measures including boundary limits and respite periods where exceedance of boundary limits is unavoidable;
- site perimeter continuous automated noise, dust and vibration monitoring and arrangements for provision of access to live data feeds to the Local Planning Authority;
- engineering measures to eliminate or mitigate identified environmental impacts (hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.);
- arrangements for a direct and responsive site management contact for nearby occupiers during demolition (signage on hoardings, newsletters, residents liaison meetings, etc.);
- 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.);
- site waste management (accurate waste stream identification, separation,

storage, registered waste carriers for transportation and disposal at appropriate destinations);

- a commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the higher standard as stipulated by the Mayor of London for Opportunity Areas .

To follow current best practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>;
- Section 61 of Control of Pollution Act 1974;
- the London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- the Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise';
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration';
- BS 7385-2:1993 'Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration';
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting'; and
- relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended and NRMM London emission standards (<http://nrmm.london/>)

All demolition work shall be undertaken in strict accordance with the approved CDEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with: the National Planning Policy Framework 2023; Policies GG3 (Creating a Healthy City), D14 (Noise) and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policies P45 (Healthy Developments), P50 (Highways Impacts), P56 (Protection of Amenity); P62 (Reducing Waste), P65 (improving Air Quality), P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

## 7. **DEMOLITION LOGISTICS PLAN**

Prior to the commencement of demolition associated with Phase 2 hereby consented a Demolition Logistics Plan shall be submitted to and approved by the Local Planning Authority.

The Demolition Logistics Plan shall:

- manage all freight and vehicle movements to and from the site;
- identify all efficiency and sustainability measures that will be taken during

the demolition phase of the development;

- make firm commitments to smart procurement and collaboration (e.g. sharing suppliers) to minimise the number of demolition vehicle trips; and
- demonstrate how deliveries to the development through sustainable modes of transport, such as smaller electric vehicles and cargo, will be maximised.

The development shall not be carried out other than in accordance with the approved Construction Logistics Plan or any amendments thereto.

REASON:

To ensure that demolition works do not have an adverse impact on the transport network and to minimise the impact of demolition activities on local air quality, in accordance with: the National Planning Policy Framework 2023; Policies GG3 (Creating a Healthy City), D14 (Noise), T6 (Assessing and Mitigating Transport Impacts) and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policies P45 (Healthy Developments), P50 (Highways Impacts), P65 (Improving Air Quality) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

## 8. **CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

Prior to the commencement of the development hereby consented (with the exception of any works of demolition, soft strip and site clearance), a written Construction Environmental Management Plan (CEMP) shall be 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:

- details of construction works including consideration of environmental impacts and the identified remedial measures including boundary limits and respite periods where exceedance of boundary limits is unavoidable;
- site perimeter continuous automated noise, dust and vibration monitoring and, if requested, arrangements for provision of access to live data feeds to the Local Planning Authority;
- engineering measures to eliminate or mitigate identified environmental impacts (hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.);
- arrangements for a direct and responsive site management contact for nearby occupiers during construction (signage on hoardings, newsletters, residents liaison meetings, etc.);
- a commitment to adopt and implement the 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.);
- site waste management (accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations);
- a commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the higher standard as stipulated

by the Mayor of London for Opportunity Areas .

To follow current best construction practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>;
- Section 61 of Control of Pollution Act 1974;
- the London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- the Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise';
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration';
- BS 7385-2:1993 'Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration';
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting'; and
- relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended and NRMM London emission standards (<http://nrmm.london/>)

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.

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 National Planning Policy Framework 2023; Policies GG3 (Creating a Healthy City), D14 (Noise) and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policies P45 (Healthy Developments), P50 (Highways Impacts), P56 (Protection of Amenity); P62 (Reducing Waste), P65 (improving Air Quality), P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

## 9. **CONSTRUCTION LOGISTICS PLAN**

Prior to the commencement of the development hereby consented (excluding any works of demolition, soft strip and site clearance), a Construction Logistics Plan to manage all freight vehicle movements to and from the site shall be submitted to and approved by the Local Planning Authority.

The Construction Logistics Plan shall:

- identify all efficiency and sustainability measures that will be taken during the main construction works phase of the development;
- make firm commitments to smart procurement and collaboration (e.g. sharing suppliers) to minimise the number of construction vehicle trips; and
- demonstrate how deliveries to the development through sustainable modes



of transport, such as smaller electric vehicles and cargo, will be maximised.

The development shall not be carried out other than in accordance with the approved Construction Logistics Plan or any amendments thereto.

REASON:

To ensure that construction works do not have an adverse impact on the transport network and to minimise the impact of construction activities on local air quality, in accordance with: the National Planning Policy Framework 2023; Policies GG3 (Creating a Healthy City), D14 (Noise), T6 (Assessing and Mitigating Transport Impacts) and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policies P45 (Healthy Developments), P50 (Highways Impacts), P65 (Improving Air Quality) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

#### 10. **ARCHAEOLOGICAL EVALUATION**

Prior to the commencement of the development hereby consented (with the exception of demolition to slab level, Devonshire Grove works and site investigation works), a Programme of Archaeological Evaluation Works shall be secured 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 necessary archaeological information is supplied, in the interests of ensuring suitable mitigation measures and/or foundation design proposals are presented, in accordance with: the National Planning Policy Framework 2023; and Policy P23 (Archaeology) of the Southwark Plan 2022.

#### 11. **ARCHAEOLOGICAL FOUNDATION AND BASEMENT DESIGN SCHEME**

Prior to the commencement of either Building A or D hereby consented (with the exception of demolition to slab level, archaeological evaluation and site investigation works), a detailed Archaeological Foundation and Basement Design Scheme for each building shall be submitted to and approved in writing by the Local Planning Authority

The Scheme shall:

- show the complete scope and arrangement of the basement and foundation design;
- show all associated subterranean groundworks, including the construction methods; and
- demonstrate that archaeological remains, if identified, will be protected by a suitable Archaeological Mitigation Strategy.

The development shall only be carried out in accordance with the approval given.

REASON:

In order that details of the basement, foundations and 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: the National Planning Policy Framework 2023; and Policy P23 (Archaeology) of the Southwark Plan 2022.

12. **ARCHAEOLOGICAL MITIGATION**

Prior to the commencement of Phase 3 and 4 hereby consented (with the exception of demolition to slab level, archaeological evaluation and site investigation works), the implementation of a Programme of Archaeological Mitigation Works, if required in accordance with the 'ARCHAEOLOGICAL FOUNDATION AND BASEMENT DESIGN SCHEME' condition on this decision notice, shall be secured 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 Archaeological Mitigation Works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site, in accordance with: the National Planning Policy Framework 2023; and Policy P23 (Archaeology) of the Southwark Plan 2022.

13. **DIGITAL CONNECTIVITY INFRASTRUCTURE STRATEGY**

Prior to the commencement of Phase 3 and 4 a, detailed plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with the approved plans.

REASON:

To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with: the National Planning Policy Framework 2023; Policy SI 6 (Digital Connectivity Infrastructure) of the London Plan 2021; and Policy P44 (Broadband and Digital Infrastructure) of the Southwark Plan 2022.

14. **FINAL GROUND PLANE SPOT LEVELS PLAN**

Prior to the commencement of Phases 3 and 4 hereby consented a detailed Final Ground Plane Spot Levels Plan shall be submitted to and approved in writing by the Local Planning Authority showing:

- the proposed finished floor levels in each of the ground floor rooms within the proposed development, including any stepped or raised areas;
- the gradients and falls of any sloped or ramped parts of the ground floor rooms within the proposed development;

- regular proposed spot levels across all external areas of the site, adjacent footway and adjacent highways; and
- level access thresholds (wherever feasible) from external areas into the interior spaces.

REASON:

To ensure a high quality and accessible public realm is delivered that relates to the internal ground floor environment and adjacent highway/footway network in a safe and rational way, in accordance with: the National Planning Policy Framework 2023; Policies Policy D4 (Delivering Good Design) and D5 (Inclusive Design), D8 (Public Realm) and T2 (Healthy Streets) of the London Plan 2021; and Policies P13 (Design of Places), P14 (Design Quality), P50 (Highways impacts), P51 (Walking), P53 (Cycling) of the Southwark Plan 2022.

15. **FINAL SURFACE WATER DRAINAGE STRATEGY**

Prior to the commencement of Phases 3 and 4 hereby consented (with the exception of demolition to slab level, archaeological evaluation, site investigation works and site clearance and the Devonshire Grove works), full details of the proposed Final Surface Water Drainage Strategy incorporating SuDS shall be submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should achieve a reduction in surface water runoff rates during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance, as detailed in the Sustainable Drainage Report prepared by Pell Frischmann (Revision P03, dated 08/09/2023). The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The applicant must state who will own the bespoke maintenance tasks for the proposed SuDS features. The site drainage must be constructed to the approved details.

REASON:

To minimise the potential for the site to contribute to surface water flooding, in accordance with: the National Planning Policy Framework; Policy SI 13 (Sustainable Drainage) of the London Plan 2023; Policy P68 (Reducing Flood Risk) of the Southwark Plan 2022; and Southwark's Strategic Flood Risk Assessment 2017.

16. **PILING METHOD STATEMENT**

No piling shall take place other than with the Local Planning Authority's written approval of a Piling Method Statement, in consultation with Thames Water.

The Piling Method Statement shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works.

Any piling shall be undertaken in accordance with the terms of the approved

Piling Method Statement.

REASON:

In the interests of protecting key water supply assets having regard to the close proximity of the proposed development to, and thus its potential impact on, underground water utility infrastructure, in accordance with: the National Planning Policy Framework 2023; and Policy SI5 (Water Infrastructure) of the London Plan 2021.

**Permission is subject to the following Above Grade Works Conditions:**

17. **HARD AND SOFT LANDSCAPING**

Before any above grade work related to Phases 3 and 4 hereby consented begins (with the exception of demolition and the Devonshire Grove works), detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of access, pavements and edgings and details of any planters and greening of plant enclosures) shall be submitted to and approved in writing by the Local Planning Authority.

The planting shall be carried out in the first planting season following completion of building works. Any trees or significant shrub that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season.

Works shall comply to:

- 'BS: 4428 Code of practice for general landscaping operations';
  - 'BS: 5837 (2012) Trees in relation to demolition, design and construction';
- and
- 'BS 7370-4:1993 Grounds maintenance: Recommendations for maintenance of soft landscape (other than amenity turf)'.

REASON:

To ensure that the details of the landscaping scheme are satisfactory, and to ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with: Chapters 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2023; 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 P13 (Design of Places), P14 (Design Quality), P56 (Protection of Amenity), P57 (Open Space), P59 (Green Infrastructure), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

18. **ECOLOGICAL MANAGEMENT PLAN**

Before any above grade work related to Phases 3 and 4 hereby consented begins (with the exception of demolition and the Devonshire Grove works), an Ecological Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall include details for the roofs, rain gardens, soft landscaping, trees and ecological features.

Thereafter, and for the lifetime of the development, the landscaped areas shall be retained, managed and maintained as set out within the approved Ecological Management Plan.

REASON:

To ensure the protection of wildlife and habitats, and to secure opportunities for the enhancement of the nature conservation value of the site, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening), G6 (Biodiversity and Access to Nature) and G7 (Trees and Woodlands) of the London Plan 2021; and Policies SP6 (Climate Emergency), P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

19. **BIODIVERSITY ROOFS**

Before any above grade work related to the relevant building hereby consented begins (with the exception of demolition and the Devonshire Grove works), details of the biodiversity roof(s) for each building shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity roof(s) shall be:

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

The biodiversity roof(s) 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 approved and shall be maintained as such thereafter.

REASON:

To ensure the development provides the maximum possible provision towards greening, in turn helping to create and foster habitats and valuable areas for biodiversity, in accordance with: the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening) and G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policy P60 (Biodiversity) of the Southwark Plan 2022.

## 20. **INVERTEBRATE HABITATS**

Before any above grade work related to the relevant building hereby consented begins (with the exception of demolition and the Devonshire Grove works), details of no fewer than 6 bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority for each building. The details shall include the exact location, specification and design of the habitats.

Prior to the first occupation of the building to which they form part, the habitat features shall be installed strictly in accordance with the approved details. Once completed and for the lifetime of the development, all the habitats shall be maintained in accordance with the approved details.

The approved habitat features shall from first installation and for the lifetime of the development be maintained in accordance with the approved details.

REASON:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with: the National Planning Policy Framework 2023; Policy G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policies P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

## 21. **BAT ROOSTING FEATURES**

Before any above grade work related to the relevant buildings hereby consented begins (with the exception of demolition and the Devonshire Grove works), details of no fewer than three bat tubes per building (i.e. twelve bat tubes in total) shall be submitted to and approved in writing by the Local Planning Authority for each building. The details shall include the exact location, specification and design of the habitats.

Prior to the first occupation of the building to which they form part, the tubes shall be installed strictly in accordance with the approved details. Once completed and for the lifetime of the development, all the tubes shall be maintained in accordance with the approved details.

REASON:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening) and G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policies P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

## 22. **SWIFT NESTING FEATURES**

Before any above grade work related to the relevant building hereby consented

begins (with the exception of demolition and the Devonshire Grove works), details of no fewer than six Swift nesting bricks per building (i.e. no fewer than 24 Swift nesting bricks in total) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the exact location, specification and design of the nesting bricks for each building.

Prior to the first occupation of the building, the nesting bricks shall be installed strictly in accordance with the approved details. Once completed and for the lifetime of the development, all the nesting bricks shall be maintained in accordance with the approved details.

REASON:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: the National Planning Policy Framework 2023; Policy G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policies P60 (Biodiversity) and P69 (Sustainable Standards) of the Southwark Plan 2022.

### 23. **SECTION DETAIL-DRAWINGS**

Before any above grade work related to the relevant building hereby consented begins (with the exception of demolition and the Devonshire Grove works), section detail-drawings for each building at a scale of 1:5 together with 1:50 scale context drawings:

- i. Facades (reveals, soffits etc.) including:
  - The various bricks and paneled treatments;
  - Canopies/awnings;
  - Junctions of exposed structural elements (columns, beams and floors);
  - Head, cills and jambs of openings;
  - Parapets and roof edges;
  - Rooftop balustrades and crowns;
- ii. Entrances (including any access sashes, security gates, entrance portals and awnings);
- iii. Typical windows;
- iv. Plant screening/ enclosure;
- v. Shopfront of the Class E units and the Large-scale Purpose-built Student Accommodation foyers;
- vi. Signage zones; and
- vii. Gates and fencing to all external spaces;

of the proposal to be constructed in the carrying out of this permission, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall not be carried out other than in accordance with any such approval given.

REASON:

In order to satisfy the Local Planning Authority that the construction details will achieve a high quality of design and detailing, are suitable in context and are consistent with the consented scheme, in accordance with: the National Planning Policy Framework 2023; Policy D4 (Delivering Good Design) of the



London Plan 2021; and Policies P13 (Design of Places) and P14 (Design Quality) of the Southwark Plan 2022.

24. **MATERIALS SCHEDULE AND ON-SITE PRESENTATION OF MOCK-UP PANELS**

Before any above grade work related to the relevant building hereby consented begins (with the exception of demolition and the Devonshire Grove works):

a) the specification of each facing materials to be used for each building hereby approved shall be submitted as part of a Material Schedule to, and approved in writing by, the Local Planning Authority; and

b) unless otherwise agreed in writing by the Local Planning Authority, full-scale mock-ups of the facades shall be presented on site (or near to the site) for each building and approved in writing by the Local Planning Authority (the detailed scope of mock up requirements to have been agreed with the Local Planning Authority in advance of them being constructed and presented on site).

The development shall not be carried out other than in accordance with any such approval given.

REASON:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in material terms, will achieve a high quality of design and detailing, and are consistent with the consented scheme, in accordance with: the National Planning Policy Framework 2023; Policy D4 (Delivering Good Design) of the London Plan 2021; and Policies P13 (Design of Places) and P14 (Design Quality) of the Southwark Plan 2022.

25. **SECURED BY DESIGN**

a) Before any above grade work hereby consented begins for the relevant part of Phase 3 and 4 (with the exception of demolition and the Devonshire Grove works), details of security measures (which target the 'Secured by Design' accreditation award from the Metropolitan Police) shall be submitted to and approved in writing by the Local Planning Authority.

b) Prior to the first occupation of the relevant part of Phase 3 and 4 hereby approved, confirmation that Secure by Design certification has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with: the National Planning Policy Framework 2023; Policy D11 (Safety, Security and Resilience to Emergency) of the London Plan

2021; and Policy P16 (Designing Out Crime) of the Southwark Plan 2022

26. **SPRINKLER SYSTEM**

Before any above grade work hereby consented begins for Building C or D (with the exception of demolition and the Devonshire Grove works), full particulars of the sprinkler system to be used within the commercial units shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in accordance with any approval given.

REASON:

To ensure that there is an adequate level of fire safety within this mixed use development, in accordance with: the National Planning Policy Framework 2023; and Policies D11 (Safety, Security and Resilience to Emergency) and D12 (Fire Safety) of the London Plan 2021.

27. **CAR PARKING DESIGN AND MANAGEMENT PLAN**

Before any above grade work hereby authorised begins for the relevant building (with the exception of demolition and the Devonshire Grove works), a Car Parking Design and Management Plan shall be submitted to and approved in writing by the Local Planning Authority for each building.

The Car Parking Design and Management Plan shall set out a strategy explaining:

- how the wheelchair accessible parking spaces are to be allocated on the basis of need (reflecting the fact that not every owner and/or occupier of a wheelchair dwelling may own a vehicle and not every disabled driver will require a wheelchair dwelling); and
- how, in the event that there is demand from the residential occupiers of the development, additional wheelchair accessible parking spaces to serve the wheelchair accessible residential units could be provided (including timeframe commitments for delivery such additional spaces).

All wheelchair accessible parking spaces on-site shall be safeguarded for future use by occupiers of the wheelchair accessible units.

REASON:

To ensure that there would be adequate provision for wheelchair accessible parking spaces, and that a strategy is in place to deliver more parking spaces in the event that there is occupier demand, in accordance with: the National Planning Policy Framework 2023; Policy T6.1 (Residential parking) of the London Plan 2021; and Policy P55 (Parking standards for disabled people and the physically impaired) of the Southwark Plan 2022.

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**Permission is subject to the following Pre-Occupation Conditions:**

## 28. **PUBLIC ART STRATEGY**

Before the first occupation of any part of Building C hereby consented, a Public Art Strategy setting out the vision for the 'public art wall' on the northwest elevation of Building C and the 'public art wall' on the northeast elevation of Building D shall be submitted to and approved by the Local Planning Authority.

The Public Art Strategy shall for each of the walls:

- provide the dimensions to be displayed; and
- demonstrate that reasonable endeavours have been made to respond to the principles set out in part 4.4.3 of the Mayor's London Public Charter and the Council's Public Art Policy 2022 (in particular the sections entitled 'Vision for Public Art in Southwark's Public Spaces', 'Environmental Impact of Public Art' and 'Recommended Measures for Commissioning Processes').

REASON:

To ensure the public art applied to the two walls makes a high quality contribution to the public realm that accords with the Council's aspirations for art in the public sphere, in accordance with: the National Planning Policy Framework 2023; Policy D8 (Public Realm) of the London Plan 2021; and P13 (Design of places), P14 (Design quality) P17 (Tall buildings) and P46 (Leisure, arts and culture) of the Southwark Plan 2022; and the Council's Public Art Policy 2022,

## 29. **FINAL EXTERNAL LIGHTING STRATEGY**

Before the first occupation of any part of the relevant building hereby consented, a Final External Lighting Strategy providing details of all external lighting (including design, power and position of luminaries, and any dim-down and turn-off times) for each building shall be submitted to and approved in writing by the Local Planning Authority. The Strategy shall demonstrate compliance with the Institute of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'.

REASON:

In order that the Local Planning Authority may be satisfied as to the details of the development in the interest of the visual amenity of the area, protection of biodiversity, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with: the National Planning Policy Framework 2023; Policies D3 (Optimising Site Capacity Through the Design-led Approach), D4 (Delivering Good Design), D8 (Public Realm), D9 (Tall Buildings), D14 (Designing Out Crime), D11 (Safety, Security and Resilience to Emergency), G1 (Green Infrastructure) and G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policies P13 (Design of Places), P16 (Designing Out Crime), P56 (Protection of Amenity), P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

## 30. **LANDSCAPE MANAGEMENT PLAN**

Before the first occupation of any part of the relevant phase hereby consented, a Landscape Management Plan shall be submitted to and approved by the Local Planning Authority for each relevant phase, which shall provide full details of:

- long term design objectives;
- management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens); and
- an irrigation schedule for all trees to ensure successful establishment.

The Landscape Management Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.

REASON:

To ensure the details of the landscaping scheme are satisfactory, in accordance with: Chapters 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2023; 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; Policies P13 (Design of Places), P14 (Design Quality), P56 (Protection of Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

### 31. **FINAL SECURITY SURVEILLANCE EQUIPMENT STRATEGY**

Before the first occupation of any part of the relevant building hereby consented, a Final Security Surveillance Equipment Strategy shall be submitted to and approved in writing by the Local Planning Authority for each building. The Strategy shall provide details of the security surveillance equipment to be installed on the building and within all external areas at all levels of the building.

REASON:

In order that the Local Planning Authority may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with: the National Planning Policy Framework 2023; Policies D3 (Optimising Site Capacity Through the Design-led Approach), D4 (Delivering Good Design), D8 (Public Realm), D9 (Tall Buildings), D14 (Designing Out Crime) and D11 (Safety, Security and Resilience to Emergency) of the London Plan 2021; and Policies P13 (Design of Places), P56 (Protection of Amenity) and P16 (Designing Out Crime) of the Southwark Plan 2022.

### 32. **BIODIVERSITY MITIGATION AND ENHANCEMENT MONITORING SCHEME**

- a) Before the first occupation of any part of the relevant phase hereby consented, a 'Biodiversity Mitigation and Enhancement Monitoring Scheme' shall be submitted to and approved by the Local Planning Authority for each phase. The Scheme shall include (but not necessarily be limited to):
- annual protected species surveys of created, retained or receptor habitats;

- botanical/bird/invertebrate surveys of created or retained habitats; and
- use of bird or bat boxes.

b) Following approval of the Scheme referred to in part a) of this condition, and following first occupation of the development, 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. Surveys shall be undertaken in years 1, 3, 5, 7, 10, 15, 20, 25 and 30, and the evidence submitted to the Council for discharge in those nine stages.

Species results will be submitted to the London Biological Records Centre, Greenspace Information for Greater London (GIGL).

**REASON:**

In order to: comply with the Biodiversity Net Gain requirements of the Environment Act 2021, measure the effectiveness of biodiversity mitigation and/or enhancement measures, ascertain whether the measures achieve the expected biodiversity benefits, and assist with biodiversity monitoring in the interests of helping to inform and refine the design of net gain/mitigation schemes to ensure effective measures are delivered in future developments, all in accordance with: the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening) and G6 (Biodiversity and Access to Nature) of the London Plan 2021; and Policies SP6 (Climate Emergency), P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

**33. TRAVEL PLAN AND TRANSPORT METHODS SURVEY**

a) Before the first occupation of any part of the relevant phase or building hereby consented, a Final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Final Travel Plan shall set out the measures to be taken to encourage the use of modes of transport other than the car by all users of the building, and shall give particular focus to active travel measures. The Final Travel Plan shall be based on the principles set out in the Draft Travel Plan, which comprises the following document(s):

- Framework Travel Plan - Dated June 2023 - Produced by Caneparo

b) At the start of the second year of operation of the approved Final Travel Plan, a detailed Transport Methods Survey showing:

- the methods of transport used by all those users of the development to and from the site;
  - how those results compares with the methods envisaged in the Final Travel Plan; and
  - any additional measures to be taken to encourage the use of public transport, walking and cycling to the site;
- shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out other in accordance with any such approval given.

**REASON:**

In order that the use of non-car based travel is encouraged in accordance with: the National Planning Policy Framework 2023; Policies GG3 (Creating a Healthy City), T4 (Assessing and Mitigating Transport Impacts) of the London Plan 2021, and; Policies P45 (Healthy Developments), P50 (Highways Impacts), P51 (Walking) and P53 (Cycling) of the Southwark Plan 2022.

34. **ELECTRIC VEHICLE CHARGING POINTS**

Before the first occupation of the relevant phase hereby consented, details of the installation (including location, type and commissioning certificate) of the electric vehicle charger points to serve the wheelchair parking spaces shall be submitted to and approved in writing by the Local Planning Authority.

The approved electric vehicle charger points shall be installed prior to occupation of any part of the development.

REASON:

To encourage more sustainable travel and minimise the effect of the development on local air quality within the designated Air Quality Management Area, as well as to encourage the uptake of electric and hybrid vehicles, in accordance with: the National Planning Policy Framework 2023; Policy T6 (Car Parking) of the London Plan 2021; and Policies P54 (Car Parking) and P70 (Energy) of the Southwark Plan 2022.

35. **URBAN GREENING CERTIFICATION**

a) Before the first occupation of any part of the development hereby consented, an interim report/letter (together with any supporting evidence) from a suitably qualified landscape specialist shall be submitted to and approved in writing by the Local Planning Authority. The report/letter shall confirm that sufficient progress has been made in terms of detailed design, procurement and construction to be reasonably well assured that the development hereby approved will, once completed, achieve the agreed UGF score of 0.43.

b) Within six months of first occupation of the final building hereby permitted, a post construction certificate prepared by a suitably qualified landscape specialist (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed UGF score of 0.43 has been met.

REASON:

To ensure the proposal complies delivers the agreed UGF score, in accordance with: the National Planning Policy Framework 2023; Policy G5 (Urban Greening) of the London Plan 2021; and Policies SP6 (Climate Emergency), P13 (Design of Places), P59 (Green Infrastructure), P60 (Biodiversity) and P65 (Improving Air Quality) of the Southwark Plan 2022.

36. **BREEAM CERTIFICATION**

a) Before the first occupation of the non-residential uses hereby consented, an interim report/letter (together with any supporting evidence) from the licensed BREEAM assessor shall be submitted to and approved in writing by the Local Planning Authority. The report/letter shall confirm that sufficient progress has been made in terms of detailed design, procurement and construction to be reasonably well assured that the commercial and PBSA elements of the development hereby approved will, once completed, achieve the agreed 'Excellent' BREEAM Standards.

b) Within six months of first occupation of the non-residential uses hereby permitted, a certified Post Construction Review (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed 'Excellent' BREEAM standards have been met.

REASON:

To ensure the proposal achieves high environmental standards and plays its role in reducing the extent of man-made climate change, in accordance with: the National Planning Policy Framework 2023; Policy SI2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021; and Policies SP6 (Climate Emergency) and P69 (Sustainability Standards) of the Southwark Plan 2022.

### 37. **FLOOD WARNING AND EVACUATION PLAN**

Before the first occupation of any part of the ground floor units hereby consented, a Flood Warning and Evacuation Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Flood Warning and Evacuation Plan shall:

- state how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services;
- state how occupants will be made aware of the plan itself;
- provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood;
- state the measures that will be implemented to provide appropriate refuge, as well as safe and efficient evacuation for occupiers, in a flood event; and
- provide details of any flood mitigation and resilience measures designed into the scheme post-permission additional to those secured at planning application approval stage.

The approved Flood Warning and Evacuation Plan shall be implemented on first occupation of the ground floor premises hereby approved and carried out in accordance with the approved details for the lifetime of the development.

REASON:

To ensure that a strategy is in place that will reduce the risk to occupiers in the event of a flood, given that part of the site is at risk of surface water flooring, in



accordance with: the National Planning Policy Framework 2023; Policy SI12 (Flood Risk Management) of the London Plan 2021; P68 (Reducing Flood Risk) of the Southwark Plan 2022; and Southwark's Strategic Flood Risk Assessment 2017.

38. **FINAL SURFACE WATER DRAINAGE VERIFICATION REPORT**

Before the first occupation of the relevant building hereby consented, a Final Surface Water Drainage Verification Report prepared by a suitably qualified engineer shall be submitted to and approved in writing by the Local Planning Authority for each building. The Verification Report shall:

- provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications (or detail any minor variations where relevant) as detailed in the Sustainable Drainage Report prepared by Pell Frischmann (Revision P03, dated 08/09/2023);
- include plans, photographs and national grid references of key components of the drainage network such as surface water attenuation structures, flow control devices and outfalls; and
- include details of the responsible management company.

REASON:

To ensure the surface water drainage complies with the approved Final Surface Water Drainage Strategy, in accordance with: the National Planning Policy Framework 2023; Policy SI 13 (Sustainable Drainage) of the London Plan 2021; Policy P68 (Reducing Flood Risk) of the Southwark Plan 2022; and Southwark's Strategic Flood Risk Assessment 2017.

39. **OFF-SITE POTABLE WATER INFRASTRUCTURE NETWORK CAPACITY UPGRADES**

Before the occupation of the 101st residential property, evidence to confirm that either:

- a) all water network upgrades, if required, to accommodate the additional potable water flows to serve the development have been completed; or
  - b) a Development and Infrastructure Phasing Plan has been agreed with Thames Water to enable the development to be occupied;
- shall be submitted to and approved in writing by the Local Planning Authority (in liaison with Thames Water).

Where a Development and Infrastructure Phasing Plan is required, occupation of the development shall not take place other than in accordance with the agreed Development and Infrastructure Phasing Plan.

REASON:

Additional demand will arise from the development hereby consented, which may result in low or no water pressures, and as such the provision of reinforcement works are anticipated to ensure there is sufficient capacity within the off-site water infrastructure network, in accordance with: the National Planning Policy Framework 2023; Policy SI5 (Water Infrastructure) of the

London Plan 2021; and Policy P67 (Reducing Water Use) of the Southwark Plan 2022.

40. **EXTRACTION AND VENTILATION SCHEME FOR COMMERCIAL KITCHEN USES**

Before commencement of any non-residential use involving the cooking of food, full particulars and details of a scheme for the extraction and ventilation of any commercial kitchen use shall be submitted to and approved by the Local Planning Authority for each non-residential unit, demonstrating that fumes and odours from the kitchen would not affect public health or residential amenity.

The Extraction and Ventilation Scheme for Commercial Kitchen Uses shall include:

- details of extraction rate and efflux velocity of extracted air;
- full details of grease, particle and odour abatement plant;
- the location and orientation of the extraction ductwork and discharge terminal; and
- a Management and Servicing Plan for maintenance of the extraction system.

Once approved, the scheme shall be implemented in full and permanently maintained thereafter.

REASON:

In order to ensure that that any installed ventilation, ducting and/or ancillary equipment will not cause amenity impacts such as odour, fume or noise nuisance and will not detract from the appearance of the building in accordance with: the National Planning Policy Framework 2023; Policies D4 (Delivering Good Design), D13 (Agent of Change) and SI 1 (Improving Air Quality) of the London Plan 2021; and Policies P13 (Design of Places), P14 (Design Quality), P56 (Protection of Amenity) and P65 (Improving Air Quality) of the Southwark Plan 2022.

41. **SIGNAGE STRATEGY**

Prior to occupation of the relevant building, a Signage Strategy detailing the design code(s) for the proposed frontages of the non-residential units at the base of Buildings B, C and D and the Community Hub unit at the base of Building A shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all installed signage (including any new/replacement signage) shall be implemented in accordance with the approved Signage Strategy.

The Signage Strategy design code(s) shall include details of:

- dimensions and locations of the advertisement zones;
- materials;
- awnings (if any);
- mode and level of any illumination; and
- any ways in which the proposed signage designs differ from those in the planning application stage drawings.

**REASON:**

To ensure that high quality, consistent and coordinated signage is installed across all non-residential frontages within the development hereby approved, in accordance with: the National Planning Policy Framework 2023; Policies D4 (Delivering Good Design), D8 (Public Realm) and D9 (Tall Buildings) of the London Plan 2021; and Policies P14 (Design Quality) and P43 (Outdoor Advertisements and Signage) of the Southwark Plan 2022.

**42. DRINKING WATER FOUNTAINS**

Prior to the first use of any part of the public realm in Phase 4, at least one accessible drinking water fountain vessel shall be provided, equipped with a constant supply of potable water and in a fully operational state.

24 hours a day 365 days a year and for the lifetime of the development, the drinking water fountains shall be:

- available free-of-charge to the general public continuously; and
- kept in a clean, safe, and well-maintained state.

In the interests of creating healthy, sustainable, inclusive and comfortable public realm in this town centre location, in accordance with the National Planning Policy Framework 2023; Policies D4 (Delivering Good Design), D8 (Public Realm) and D9 (Tall Buildings) of the London Plan 2021; and Policies P14 (Design Quality) and P35 (Town and local centres) of the Southwark Plan 2022.

**Permission is subject to the following Compliance Conditions:****43. CIL PHASING**

This planning permission is a phased planning permission for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended).

In order to be eligible for phased CIL payments, the development hereby permitted shall be commenced in a phased manner, in accordance with a CIL Phasing Plan to be submitted to and approved by the Local Planning Authority prior to commencement of the development.

**REASON:**

To assist with the identification of each chargeable development and the calculation of the amount of CIL payable in respect of each chargeable development, in accordance with: the Community Infrastructure Levy Regulations 2010 (as amended); and Policy IP3 'Community Infrastructure Levy (CIL) and Section 106 Planning Obligations' of the Southwark Plan 2022.

**44. INTERNAL NOISE LEVEL REQUIREMENTS FOR THE RESIDENTIAL**

**UNITS**

The residential units (Purpose-Built Student Accommodation Units and conventional Class C3 dwellings) hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

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

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

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

**REASON:**

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2022; and Policies P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

45. **RESISTANCE TO VERTICAL SOUND TRANSMISSION BETWEEN COMMERCIAL AND RESIDENTIAL USES**

Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of 60dB DnTw+Ctr. Prior to first occupation of any part of the development, the following shall be submitted to and approved in writing by the Local Planning Authority:

- results of testing of the separating partition for airborne sound insulation in accordance with the methodology of ISO 16283-1:2014; and
- details of the specification of the partition together with full results of the sound transmission testing.

Once approved the partition(s) shall be permanently maintained thereafter.

**REASON:**

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises in accordance with: the National Planning Policy Framework 2023; and Policies P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan 2022.

46. **CYCLE STORAGE COMPLIANCE**

The development hereby approved shall not be carried out other than in accordance with the cycle parking facilities (spaces, stand types, layout and

access arrangements) as shown on the drawings hereby approved.

Thereafter, such facilities shall be retained and maintained in perpetuity unless otherwise approved by the Local Planning Authority.

REASON:

To ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with: the National Planning Policy Framework 2023; Policy T5 (Cycling) of the London Plan 2021; and P53 (Cycling) of the Southwark Plan 2022.

47. **REFUSE STORAGE COMPLIANCE**

The development hereby approved shall not be carried out other than in accordance with the refuse storage facilities (individual bin stores, routes to bin stores, bin collection locations, levels and gradients to and from the store, bulky waste storage) as shown on the drawings hereby approved.

Thereafter, such facilities shall be retained and maintained unless otherwise approved by the Local Planning Authority.

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) and that it can be collected efficiently by collection service providers, in accordance with: the National Planning Policy Framework 2023; Policies SI7 (Reducing Waste and Supporting the Circular Economy) and T7 (Deliveries, Servicing and Construction) of the London Plan 2021; Policies P45 (Healthy Developments), P50 (Highways Impacts), P56 (Protection of Amenity) and P62 (Reducing Waste) of the Southwark Plan 2022; and the Council's Waste Management Strategy Extension 2022-2025.

48. **CAR FREE MARKETING**

The materials/details used to market all of the for sale and rental properties hereby consented shall clearly identify the development as car free (excluding the permitted designated blue badge spaces).

REASON:

To encourage more sustainable travel and minimise the effect of the development on local air quality within the designated Air Quality Management Area, in accordance with: the National Planning Policy Framework 2023; Policy T6 (Car Parking) of the London Plan 2021; and Policy P54 (Car Parking) of the Southwark Plan 2022.

49. **SERVICING HOURS**

Notwithstanding the details contained in any delivery and servicing plans or documents approved as part of any condition attached to this decision notice, all deliveries or collections to the non-residential parts of the development hereby approved shall only be between the following hours, unless otherwise approved by the Local Planning Authority:

- 07:00 to 20:00 Monday to Saturday; and
- 10:00 to 18:00 on Sundays and Bank Holidays.

REASON:

To ensure that the occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance, and to reduce vehicle movements on the local road network during peak times, in accordance with: the National Planning Policy Framework 2023; Policy T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policy P50 (Highways Impacts) of the Southwark Plan 2022.

50. **HOURS OF OPERATION: FLEXIBLE COMMERCIAL UNIT (IF OCCUPIED FOR ANY USE OTHER THAN OFFICE)**

In the event that the Building C commercial unit and/or the Building D commercial unit, for which consent is hereby granted for flexible Class E[a] to Class E[g] use, is occupied for any use other than Class E[g](i), the use of the premises shall not be carried on outside of the following hours:

- 07:00hrs to 23:00hrs on Mondays to Sundays (including Bank Holidays).

REASON:

Because Class E[a], [b], [c], [d], [e], [g](ii) and [g](iii) all have the potential to generate noise that could result in the occupiers of neighbouring premises suffering a loss of amenity during the night-time by reason of noise nuisance, and as such it is necessary to limit the hours of use for all these functions to day-time only, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2021; P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

51. **HOURS OF OPERATION: COMMUNITY HUB**

The Community Hub at Level 00 of Building A, for which consent is hereby granted for Class F2[b] use, shall not be carried on outside of the following hours:

- 07:00hrs to 23:00hrs on Mondays to Saturdays; and
- 09:00hrs to 22:00hrs on Sundays (including Bank Holidays).

REASON:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of night-time noise nuisance, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London

Plan 2021; P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

52. **HOURS OF OPERATION: CAFÉ**

The Café at Level 00 of Building B, for which consent is hereby granted for Class E[b] use within the wider Sui Generis use of the parent building, shall not be carried on outside of the following hours:

- 07:00hrs to 23:00hrs on Mondays to Saturdays; and
- 09:00hrs to 22:00hrs on Sundays (including Bank Holidays).

REASON:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of night-time noise nuisance, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2021; P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

53. **COMMERCIAL KITCHEN EXTRACT VENTILATION MAINTENANCE**

All components of any commercial kitchen extraction system shall be cleaned, serviced, maintained and replaced at sufficient intervals to prevent degradation in performance of the system's components affecting surrounding amenity, and fully in accordance with manufacturer's recommendations. Suitable documentary evidence shall be kept and made available to the Local Planning Authority upon request.

REASON:

To ensure that that any installed kitchen extraction system will not cause a loss of amenity by reason of odour or fume, in accordance with: The National Planning Policy Framework 2023; Policies D13 (Agent of Change) and SI 1 (Improving Air Quality) of the London Plan 2021; and Policies P56 (Protection of Amenity) and P65 (Improving Air Quality) of the Southwark Plan 2022.

54. **RESTRICTION: HIGHER SPECIFICATION FIT-OUT FOR ANY UNIT OCCUPIED FOR RESEARCH/DEVELOPMENT OR LIGHT INDUSTRIAL PURPOSES**

Prior to occupation of the Building C commercial unit and/or the Building D commercial unit for a Class E[g](ii) or Class E[g](iii) use, the building envelope sound insulation shall be adapted as necessary in order to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR40 when measured as an LAeq across any 5 minute period at any location 3 metres from the commercial facade.

REASON:

To ensure that the occupiers and users of the proposed development do not



suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the research/development and light industrial premises, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2021; P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

55. **RESTRICTION: NO INSTATEMENT OF APPURTENANCES**

No meter boxes, flues, vents or pipes (other than rainwater pipes) or other appurtenances not shown on the approved drawings shall be fixed or installed on the elevations of the buildings, unless otherwise approved by the Local Planning Authority.

REASON:

To ensure such works do not detract from the appearance of the buildings in accordance with: the National Planning Policy Framework 2023; Policy D4 (Delivering Good Design) of the London Plan 2023; and Policies P13 (Design of Places), P14 (Design Quality) and P56 (Protection of Amenity) of the Southwark Plan 2022.

56. **RESTRICTION: NO INSTATEMENT OF ROOF PLANT AND OTHER ROOF STRUCTURES**

No roof plant, equipment or other structures, other than as shown on the drawings hereby approved or discharged under an 'approval of details' application pursuant to this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure hereby permitted.

REASON:

To ensure no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area, in accordance with: the National Planning Policy Framework 2023; Policy D4 (Delivering Good Design) of the London Plan 2021; and Policies P13 (Design of Places), P14 (Design Quality) and P56 (Protection of Amenity) of the Southwark Plan 2022.

57. **RESTRICTION: NO INSTATEMENT OF TELECOMMUNICATIONS EQUIPMENT**

Notwithstanding the provisions of Schedule 2, Part 16 of the Town & Country Planning (General Permitted Development) (England) Order 2015 [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, unless otherwise approved by the Local Planning Authority.

**REASON:**

To ensure 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: the National Planning Policy Framework 2023; Policy D4 (Delivering Good Design) of the London Plan 2021; and Policies P13 (Design of Places), P14 (Design Quality) and P56 (Protection of Amenity) of the Southwark Plan 2022.

**58. BASEMENT IMPACT ASSESSMENT COMPLIANCE**

The development hereby approved shall be carried out in accordance with the recommendations and conclusions contained in the approved Basement Impact Assessment, which comprises the following document(s):

- 'Basement Impact Assessment' - Ref 106748-PEF-ZZ-XX-RP-GG-0003 - Rev P02 - Dated 02.06.2023 - Produced by Pell Frischmann

**REASON:**

To ensure the basement is designed safely in reference to ground movement, flood risk, sustainable urban drainage and archaeology, in accordance with: the National Planning Policy Framework 2023; Policy D10 (Basement Development) of the London Plan 2021; Policies P14 (Design Quality), P23 (Archaeology) and P68 (Reducing Flood Risk).

**59. FIRE SAFETY STRATEGY COMPLIANCE**

The development hereby approved shall not be carried out other than in accordance with the approved Fire Safety Strategy, which comprises the following documents:

- 'STAGE 2 FIRE STRATEGY' - Ref 10314.000 - Rev 3 - Dated 01.11.2023 - Produced by Introba Consulting Ltd;
- 'Fire statement form' [Gateway One form] - Dated 30.06.2023 - Produced by Introba Consulting Ltd.

**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 2023; and Policies D11 (Safety, Security and Resilience to Emergency) and D12 (Fire Safety) of the London Plan 2021.

**60. ECOLOGICAL APPRAISAL COMPLIANCE**

The development hereby approved shall not be carried out other than in accordance with the recommendations of the approved Preliminary Ecological Appraisal, which comprises the following document:

- 'Update Preliminary Ecological Appraisal' - Ref 8912 - Version 3.0 – Dated 20.06.2023 – Produced by Temple

**REASON:**

To ensure the protection of wildlife and habitats, and to secure opportunities for the enhancement of the nature conservation value of the site, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure), G5 (Urban Greening), G6 (Biodiversity and Access to Nature) and G7 (Trees and Woodlands) of the London Plan 2021; and Policies SP6 (Climate Emergency), P59 (Green Infrastructure) and P60 (Biodiversity) of the Southwark Plan 2022.

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**Permission is subject to the following Special Conditions:**

**61. PLAY EQUIPMENT DETAILS**

At least 6 months prior to the occupation of any residential unit, details of the play equipment to be installed shall be submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of the residential units, the play equipment shall be provided in accordance with the approved details.

Reason:

In order that the Council may be satisfied with the details of the play equipment, in accordance with: The National Planning Policy Framework 2021; Policy S4 (Play and Informal Recreation) of the London Plan 2021; and Policies SP2 (Southwark Together), P13 (Design of Places) and P15 (Residential Design) of the Southwark Plan 2022.

**62. SITE CONTAMINATION**

a) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed 'Remediation and/or Mitigation Strategy' including:

- all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements; and

- confirmation that, as a minimum, the site shall not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation; shall be submitted to and approved in writing by the Local Planning Authority.

The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.

b) Following the completion of the works and measures identified in the approved 'Remediation and/or Mitigation Strategy', a 'Verification Report' providing evidence that all required remediation works have been completed (together with any future monitoring or maintenance requirements), shall be submitted to and approved in writing by the Local Planning Authority.

c) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a 'Scheme of Investigation and Risk Assessment', a 'Remediation and/or Mitigation Strategy' and (if required) a 'Verification Report' shall be submitted to the Local Planning Authority for approval in writing.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with: the National Planning Policy Framework 2021; and Policy P64 (Contaminated Land and Hazardous Substances) of the Southwark Plan 2022.

63. **ARBORICULTURAL SCHEDULE OF SITE SUPERVISION AND MONITORING**

a) 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.

b) No later than 28 days after the date of completion of the development hereby approved, the completed Schedule of Site Supervision and Monitoring of the arboricultural protection measures (as approved in the separate Tree Protection Measures condition listed on this Decision Notice) shall be submitted for approval in writing by the Local Planning Authority.

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.

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'; and
- 'EAS 03:2022 (EN) - Tree Planting Standard'.

REASON:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with: Chapters 8, 11, 12, 15 and 16 of the National Planning Policy Framework 2023; Policies G1 (Green Infrastructure),

G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policies P13 (Design of Places), P56 (Protection of Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

64. **ARCHAEOLOGICAL REPORTING**

Within one year of the completion of any 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 a commitment to finance and resource these works to their completion.

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: the National Planning Policy Framework 2023; and Policy P23 (Archaeology) of the Southwark Plan 2022.

65. **PLANT NOISE DESK-BASED AND AS-BUILT ACOUSTIC REPORTING**

a) 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 plant Specific 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 in full accordance with the methodology of 'BS4142:2014 +A1:2019'. Suitable acoustic treatments shall be used to ensure compliance with the above standard.

b) Prior to the plant being commissioned, a desk-based acoustic report validating the design's compliance with the standards described in part a) of this condition shall be submitted to the Local Planning Authority for approval in writing.

c) Within six months of first occupation of the development hereby approved, an as-built acoustic report providing the results of a validation test and demonstrating compliance with the standards described in part a) of this condition shall be submitted to and approved in writing by the Local Planning Authority.

Once the as-built acoustic report has been approved, the plant and any acoustic treatments shall be permanently maintained thereafter.

REASON:

To ensure that occupiers of neighbouring premises do not suffer a loss of

amenity by reason of noise nuisance, and that the local environment does not suffer from noise creep due to plant and machinery, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2022; and Policies P56 (Protection of Amenity) and P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan 2022.

66. **POST-CONSTRUCTION WHOLE LIFE-CYCLE CARBON REPORTING**

Upon the completion of the as-built design and upon commencement of RIBA Stage 6, but prior to the building being occupied (or handed over to a new owner, if applicable), the legal owner(s) of the development shall submit the Post-Construction Whole Life-Cycle Carbon Assessment (Post-Construction WLCA) to the GLA.

The Post-Construction WLCA shall be submitted to ZeroCarbonPlanning@london.gov.uk. The owner should use the post construction tab of the GLA's WLC assessment template and this should be completed accurately and in its entirety, in line with the criteria set out in the GLA's Whole Life-Cycle Carbon Assessments LPG.

The Post-Construction WLCA should provide an update of the information submitted at planning stage (RIBA Stage 2/3), including the WLC carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. The assessment should be submitted along with any supporting evidence as per the GLA's Whole Life-Cycle Carbon Assessments LPG and should be received no later than three months post as-built design completion, unless otherwise agreed.

REASON:

To ensure whole life-cycle carbon is calculated and reduced, and to demonstrate compliance with: the National Planning Policy Framework 2023; and Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021; and Policy P70 (Energy) of the Southwark Plan 2022.

67. **POST-COMPLETION CIRCULAR ECONOMY REPORTING**

No later than three months following substantial completion of the development hereby consented:

a) a Post-Completion Circular Economy Report setting out the predicted and actual performance against all numerical targets in the Planning Stage Circular Economy Statement shall be submitted to the GLA at CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statements LPG; and

b) confirmation of submission of the Post-Completion Circular Economy Report shall be submitted to the Local Planning Authority for approval in writing.

REASON:

To ensure the Planning Stage Circular Economy Statement has been implemented in the construction and delivery of the development, and that all on-going operational measures and mechanisms have been satisfactorily implemented, in order to achieve Circular Economy goals and in accordance with: the National Planning Policy Framework 2023; and Policies GG6 (Increasing Efficiency and Resilience) and SI7 (Reducing Waste and Supporting the Circular Economy) of the London Plan 2021; and Policy P62 (Reducing Waste) of the Southwark Plan 2022.

## **Informatives**

### 1. **INFORMATIVE RELATING TO STOPPING-UP ORDER**

As part of the adopted highway will need to be stopped up in order to enable this development to proceed, a highway stopping-up order will need to be applied for under the provisions of the Town and Country Planning Act 1990. The applicant is, therefore, advised to contact the Council's Highways Development Management Team at their earliest convenience [HighwaysDM@Southwark.gov.uk](mailto:HighwaysDM@Southwark.gov.uk).

### 2. **INFORMATIVE FROM THAMES WATER REGARDING POTABLE WATER: MINIMUM PRESSURE AND FLOW RATE**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

### 3. **INFORMATIVE FROM THAMES WATER REGARDING WASTE WATER: WORKING NEAR OR DIVERTING PIPES**

Please read the Thames Water guide 'Working Near Our Assets' to ensure any works carried out will be in line with the necessary processes if working above or near Thames Water pipes or other structures. This can be accessed from: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

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



## APPENDIX 2

### Relevant planning policies

**Reference:** 23/AP/1862

**Proposal:** Phased mixed-use redevelopment of the site, comprising:

- Demolition of all existing buildings/structures, site clearance and excavation;
- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);
- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and
- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.

**Location:** 747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

### Adopted planning policy

#### National Planning Policy Framework (NPPF)

1. The revised National Planning Policy Framework ('NPPF'), updated in 2023, sets out the national planning policy and how this should be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. At its heart is a presumption in favour of sustainable development.
2. Paragraph 218 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
3. The relevant chapters of the NPPF are:
  - Chapter 2 - Achieving sustainable development
  - Chapter 4 - Decision-making
  - Chapter 5 - Delivering a sufficient supply of homes
  - Chapter 6 - Building a strong, competitive economy
  - Chapter 7 - Ensuring the vitality of town centres
  - Chapter 8 - Promoting healthy and safe communities
  - Chapter 9 - Promoting sustainable transport
  - Chapter 11 - Making effective use of land
  - Chapter 12 - Achieving well-designed places

- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 - Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment

### London Plan 2021

4. On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London.
5. The strategic objectives of the London Plan 2021 are to build strong and inclusive communities, make the best use of land, promote a healthy city, optimise housing delivery including affordable housing, conserve and enhance London's global competitiveness, and move towards a more resilient and sustainable city. Development proposals must comply with the various policies within the Plan and should follow the guidance set out within Supplementary Planning Documents, Guidance and Strategies.
6. The relevant policies of the London Plan 2021 are:
  - GG1 - Building strong and inclusive communities
  - GG2 - Making the best use of land
  - GG3 - Creating a healthy city
  - GG4 - Delivering the homes Londoners need
  - GG5 - Growing a good economy
  - GG6 - Increasing efficiency and resilience
  - Policy SD1 - Opportunity Areas
  - Policy SD6 - Town centres and high streets
  - Policy SD7 - Town centres: development principles and Development Plan Documents
  - Policy SD8 - Town centre network
  - Policy SD9 - Town centres: Local partnerships and implementation
  - Policy SD10 - Strategic and local regeneration
  - Policy D1 - London's form, character and capacity for growth
  - Policy D2 - Infrastructure requirements for sustainable densities
  - Policy D3 - Optimising site capacity through design-led approach
  - Policy D4 - Delivering good design
  - Policy D5 - Inclusive design
  - Policy D6 - Housing quality and standards
  - Policy D7 - Accessible housing
  - Policy D8 - Public realm
  - Policy D9 - Tall Buildings
  - Policy D10 - Basement development
  - Policy D11 - Safety, security and resilience to emergency
  - Policy D12 - Fire safety
  - Policy D13 - Agent of change

- Policy D14 - Noise
- Policy H1 - Increasing housing supply
- Policy H4 - Delivering affordable housing
- Policy H5 - Threshold approach to applications
- Policy H6 - Affordable housing tenure
- Policy H7 - Monitoring of affordable housing
- Policy H10 - Housing size mix
- Policy H15 - Purpose-built student accommodation
- Policy S1 - Developing London's social infrastructure
- Policy S2 - Health and social care facilities
- Policy S4 - Play and informal recreation
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E3 - Affordable workspace
- Policy E8 - Sector growth opportunities and clusters
- Policy E9 - Retail, markets and hot food takeaways
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth
- Policy HC3 - Strategic and local views
- Policy HC4 - London View Management Framework
- Policy G1 - Green infrastructure
- Policy G4 - Open space
- Policy G5 - Urban greening
- Policy G6 - Biodiversity and access to nature
- Policy G7 - Trees and woodlands
- Policy SI 1 - Improving air quality
- Policy SI 2 - Minimising greenhouse gas emissions
- Policy SI 3 - Energy infrastructure
- Policy SI 4 - Managing heat risk
- Policy SI 5 - Water infrastructure
- Policy SI 6 - Digital connectivity infrastructure
- Policy SI 7 - Reducing waste and supporting the circular economy
- Policy SI 8 - Waste capacity and net waste self-sufficiency
- Policy SI 12 - Flood risk management
- Policy SI 13 - Sustainable drainage
- Policy T1 - Strategic approach to transport
- Policy T2 - Healthy Streets
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling
- Policy T6 - Car parking
- Policy T6.1 - Residential parking
- Policy T6.2 - Office parking
- Policy T6.3 - Retail parking
- Policy T6.5 - Non-residential disabled persons parking
- Policy T7 - Deliveries, servicing and construction
- Policy T8 - Aviation

- Policy T9 - Funding transport infrastructure through planning
- Policy DF1 - Delivery of the Plan and planning obligations

### Relevant London-level Supplementary Planning Documents/ Guidance and Strategies

7. The relevant London-level supplementary planning documents and guidance documents are as follows:

- Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
- Mayor of London: Affordable Housing and Viability (SPG, 2017)
- Mayor of London: Air Quality Neutral (LPG, 2023)
- Mayor of London: All London Green Grid (SPG, 2011)
- Mayor of London: 'Be Seen' Energy Monitoring Guidance LPG (2022)
- Mayor of London: Circular Economy Statements (LPG, 2022)
- Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
- Mayor of London: Climate Change Adaptation Strategy (2011)
- Mayor of London: Crossrail Funding (SPG, 2016)
- Mayor of London: Environment Strategy (2018)
- Mayor of London: Equality, Diversity and Inclusion Strategy (2022)
- Mayor of London: Housing (SPG, 2016)
- Mayor of London: Housing Strategy (2018)
- Mayor of London: London View Management Framework (SPG, 2012)
- Mayor of London: Planning for Equality and Diversity in London (SPG, 2007)
- Mayor of London: Public London Charter (2012)
- Mayor of London: Play and Informal Recreation (SPG, 2012)
- Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
- Mayor of London: Social Infrastructure (SPG, 2015)
- Mayor of London: Sustainable transport, walking and cycling (LPG, 2022)
- Mayor of London: The Control of Dust and Emissions During Construction and Demolition (SPG, 2014)
- Mayor of London: Transport Strategy (2018)
- Mayor of London: Whole Life Carbon Assessments (LPG, 2022)

### Draft GLA guidance (emerging material considerations)

8. To support the London Plan 2021, the GLA has drafted further London Planning Guidance (LPG) on topic areas including:

- Mayor of London: Characterisation and growth strategy (draft)
- Mayor of London: Fire safety (draft)
- Mayor of London: Housing design standards (draft)

- Mayor of London: Optimising site capacity: a design-led approach (draft)
- Mayor of London: Urban greening factor (draft)

## Southwark Plan

9. The Southwark Plan 2022 includes Strategic Policies, Area Visions and Development Management Policies. The most relevant strategic policies are as follows:

- ST1 - Southwark's development targets
- ST2 - Southwark's places
- SP1 - Homes for all
- SP2 - Southwark together
- SP3 - A great start in life
- SP4 - Green and inclusive economy
- SP5 - Thriving and neighbourhoods and tackling health inequalities
- SP6 - Climate emergency
- AV.13 - Old Kent Road Area Vision
- Policy P1 - Social rented and intermediate housing
- Policy P2 - New family homes
- Policy P5 - Student homes
- Policy P8 - Wheelchair accessible and adaptable housing
- Policy P13 - Design of places
- Policy P14 - Design quality
- Policy P15 - Residential design
- Policy P16 - Designing out crime
- Policy P17 - Tall buildings
- Policy P18 - Efficient use of land
- Policy P21 - Conservation of the historic environment and natural heritage
- Policy P23 - Archaeology
- Policy P26 - Local list
- Policy P27 - Education places
- Policy P28 - Access to employment and training
- Policy P30 - Office and business development
- Policy P31 - Affordable workspace
- Policy P35 - Town and local centres
- Policy P33 - Business relocation
- Policy P39 - Shop fronts
- Policy P40 - Betting shops, pawnbrokers and pay day loan shops
- Policy P43 - Outdoor advertisements and signage
- Policy P44 - Broadband and digital infrastructure
- Policy P45 - Healthy developments
- Policy P47 - Community uses
- Policy P48 - Hot food takeaways
- Policy P49 - Public transport
- Policy P50 - Highway impacts
- Policy P51 - Walking

- Policy P53 - Cycling
- Policy P54 - Car parking
- Policy P55 - Parking standards for disabled people and the physically impaired
- Policy P56 - Protection of amenity
- Policy P57 - Open space
- Policy P59 - Green infrastructure
- Policy P60 - Biodiversity
- Policy P61 - Trees
- Policy P62 - Reducing waste
- Policy P64 - Contaminated land and hazardous substances
- Policy P65 - Improving air quality
- Policy P66 - Reducing noise pollution and enhancing soundscapes
- Policy P67 - Reducing water use
- Policy P68 - Reducing flood risk
- Policy P69 - Sustainability standards
- Policy P70 - Energy
- Policy IP1 - Infrastructure
- Policy IP2 - Transport infrastructure
- Policy IP3 - Community infrastructure levy (CIL) and Section 106 planning obligations
- Policy IP6 - Monitoring development
- Policy IP7 - Statement of community involvement

### Relevant Local-level Supplementary Planning Documents

10. The relevant supplementary planning documents and guidance documents from the local development plan are as follows:
  - 2015 Technical Update to the Residential Design Standards 2011 (SPD, 2015)
  - Affordable Housing (Draft SPD, 2011)
  - Design and Access Statements (SPD, 2007)
  - Development Viability (SPD, 2016)
  - Section 106 Planning Obligations and Community Infrastructure Levy (SPD, 2015 with 2017 Addendum)
  - Sustainability Assessment (SPD, 2009)
  - Sustainable Design and Construction (SPD, 2009)
  - Sustainable Transport (SPD, 2010)
  -

### Relevant draft Area Action Plans

11. The relevant draft Area Action Plan is
  - Old Kent Road (draft AAP, 2020 consultation version)

## APPENDIX 3

### Planning history

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

#### Application site

##### 1. **747-759 & 765-775 Old Kent Road and Land at Devonshire Grove**

Reference Number: 19/AP/1239

Application Type: Full and Outline Planning Permission

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

(Outline Proposals)

Outline planning permission (all matters reserved) for comprehensive mixed-use development for the following uses in four Buildings (B, C, D and E) and a basement level shared with Building A: Up to a maximum of 301 residential units (Class C3); employment workspace floorspace (Class B1a-c); flexible retail, financial and professional services, food and drink uses (Class A1/A2/A3/A4/A5), flexible non-



	<p>residential institutions (Class D1) and Assembly and leisure uses (Class D2); Storage, car and cycle parking; Energy centre; Substations; Formation of new pedestrian and vehicular access and means of access and circulation within the site together; and new private and communal open space.</p> <p>This Application is for a Phased Development for CIL purposes with details of the phasing to be secured by Condition.</p> <p>Decision: Granted with legal agreement Decision date: 17 February 2022</p>
2.	<p><b>747-759 &amp; 765-775 Old Kent Road and Land at Devonshire Grove</b></p> <p>Reference Number: 22/EQ/0205 Application Type: Pre-application Enquiry</p> <p>Pre-application enquiry for: redevelopment comprising student accommodation, affordable housing, commercial uses, highways reconfiguration and other associated works.</p> <p>Decision: Pre-application enquiry closed Decision date: 10 August 2023</p>
3.	<p><b>747-759 &amp; 765-775 Old Kent Road and Land at Devonshire Grove</b></p> <p>Reference Number: 23/AP/0693 Application Type: Scoping Opinion</p> <p>Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), for redevelopment comprising student accommodation, affordable housing, commercial uses, highways reconfiguration and other associated works.</p> <p>Decision: Granted with legal agreement Decision date: 29 May 2023</p>
<p><u>Other nearby sites</u></p>	
4.	<p><b>Daisy Business Park, 19-35 Sylvan Grove</b></p> <p>Reference Number: 19/AP/2307 Application Type: Full Planning Permission</p> <p>Redevelopment to provide a mixed use development comprising up to 219 residential dwellings (Use Class C3) and up to 2,986sqm (GIA) commercial workspace (Use Class B1) within two buildings of 5</p>

	<p>storeys and 32 storeys with associated car and cycle parking, landscaping, and public realm and highways improvements..</p> <p>Decision: Granted with legal agreement Decision date: 14 January 2022</p>
5.	<p><b>Daisy Business Park, 19-35 Sylvan Grove</b></p> <p>Reference Number: 23/AP/0582 Application Type: Full Planning Permission</p> <p>Redevelopment to provide a mixed-use development comprising student accommodation (Sui Generis), residential accommodation (Use Class C3), community floorspace (Use Class F2) and commercial workspace (Use Class E(g)) within two buildings of up to 7 storeys and 34 storeys with associated car and cycle parking, landscaping, public realm and highways improvements.</p> <p>Decision: Under consideration/assessment Decision date: Pending</p>

## APPENDIX 4

### Consultation Undertaken

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

#### Notices

**Site Notice:** Date of notice display: 20.07.2023      **Date of notice expiry:** 18.08.2023

**Press Notice:** Date of notice publication: 13.07.2023      **Date of notice expiry:** 12.08.2023

#### Consultation Letters to Neighbours and Local Groups

<b>Recipient Address:</b>	<b>Date Letter Sent:</b>
• Flat 27, 24 Sylvan Grove, London	07.07.2023
• Flat 20, 24 Sylvan Grove, London	07.07.2023
• 342 Commercial Way, London, Southwark	07.07.2023
• 2 Hillbeck Close, London, Southwark	07.07.2023
• 10 Hillbeck Close, London, Southwark	07.07.2023
• 20 Sylvan Grove, London, Southwark	07.07.2023
• 720A Old Kent Road, London, Southwark	07.07.2023
• Flat 7, 8 Sylvan Grove, London	07.07.2023
• Unit B, 6 Asylum Road, London	07.07.2023
• Flat 24, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 3, 719 - 721 Old Kent Road, London	07.07.2023
• Rear Flat, 724 Old Kent Road, London	07.07.2023
• Flat 1, Milestone Court, 1 Wales Close	07.07.2023
• Unit 5, 25 - 39 Devon Street, London	07.07.2023
• 721 Old Kent Road, London, Southwark	07.07.2023
• Flat 34, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 25, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Apartment R, 6 Asylum Road, London	07.07.2023
• Apartment O, 6 Asylum Road, London	07.07.2023

• Apartment G, 6 Asylum Road, London	07.07.2023
• 89 Caroline Gardens, Asylum Road, London	07.07.2023
• 85 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 8, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 5 Hillbeck Close, London, Southwark	07.07.2023
• 819 Old Kent Road, London, Southwark	07.07.2023
• 14A Sylvan Grove, London, Southwark	07.07.2023
• Flat 24, 24 Sylvan Grove, London	07.07.2023
• Flat 19, 24 Sylvan Grove, London	07.07.2023
• Flat 16, 24 Sylvan Grove, London	07.07.2023
• Flat 10, 24 Sylvan Grove, London	07.07.2023
• Flat 11, 18 Sylvan Grove, London	07.07.2023
• Flat 2, 18 Sylvan Grove, London	07.07.2023
• Flat 14, 8 Sylvan Grove, London	07.07.2023
• 720C Old Kent Road, London, Southwark	07.07.2023
• Unit 3, 25 - 39 Devon Street, London	07.07.2023
• Unit 15A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 22, Ullswater House, Hillbeck Close	07.07.2023
• Unit 10, Ullswater House, Hillbeck Close	07.07.2023
• Unit 2, Ullswater House, Hillbeck Close	07.07.2023
• Block A Room 6, Milestone Court, 1 Wales Close	07.07.2023
• Block A Room 1, Milestone Court, 1 Wales Close	07.07.2023
• Flat 7, 777 Old Kent Road, London	07.07.2023
• Flat 4, 777 Old Kent Road, London	07.07.2023
• Flat 4, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 79A Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 3, 721 Old Kent Road, London	07.07.2023
• 789 - 799 Old Kent Road, London, Southwark	07.07.2023
• Flat 17, 24 Sylvan Grove, London	07.07.2023
• Flat 17, 18 Sylvan Grove, London	07.07.2023
• 711 - 713 Old Kent Road, London, Southwark	07.07.2023
• Flat 10, 8 Sylvan Grove, London	07.07.2023
• Apartment K, 6 Asylum Road, London	07.07.2023
• 74 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 27, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 10, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Third Floor, 777 Old Kent Road, London	07.07.2023
• Unit 5 First Floor, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Room 3, 720 Old Kent Road, London	07.07.2023
• Flat 8, Milestone Court, 1 Wales Close	07.07.2023
• Flat 6, Milestone Court, 1 Wales Close	07.07.2023
• Flat 35, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 17, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 11 Gervase Street, London, Southwark	07.07.2023
• Unit F, 6 Asylum Road, London	07.07.2023
• 78 Caroline Gardens, Asylum Road, London	07.07.2023
• 25 Hillbeck Close, London, Southwark	07.07.2023
• 336 Commercial Way, London, Southwark	07.07.2023
• 11 Hillbeck Close, London, Southwark	07.07.2023
• 3 Sylvan Terrace, Sylvan Grove, London	07.07.2023
• 722B Old Kent Road, London, Southwark	07.07.2023
• Flat 18, 18 Sylvan Grove, London	07.07.2023
• 724A Old Kent Road, London, Southwark	07.07.2023

• Room 4, 720 Old Kent Road, London	07.07.2023
• Unit 21, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Units 1 And 2, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Unit 36, Ullswater House, Hillbeck Close	07.07.2023
• Unit 25, Ullswater House, Hillbeck Close	07.07.2023
• Unit 18, Ullswater House, Hillbeck Close	07.07.2023
• Unit 9, Ullswater House, Hillbeck Close	07.07.2023
• Unit 5, Ullswater House, Hillbeck Close	07.07.2023
• Block A Room 3, Milestone Court, 1 Wales Close	07.07.2023
• Flat 11, 777 Old Kent Road, London	07.07.2023
• 8 Asylum Road, London, Southwark	07.07.2023
• Flat 8, 18 Sylvan Grove, London	07.07.2023
• 23 Hillbeck Close, London, Southwark	07.07.2023
• Lower Gr. Floor, Gr.Floor and Part F.Floor, 735 Old Kent Road	07.07.2023
• Flat 13, 18 Sylvan Grove, London	07.07.2023
• 32 Hillbeck Close, London, Southwark	07.07.2023
• Unit 3, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Flat 2, 24 Sylvan Grove, London	07.07.2023
• Flat 20, 18 Sylvan Grove, London	07.07.2023
• Flat 4, 18 Sylvan Grove, London	07.07.2023
• Flat 1, 18 Sylvan Grove, London	07.07.2023
• Apartment I, 6 Asylum Road, London	07.07.2023
• 88 Caroline Gardens, Asylum Road, London	07.07.2023
• Apartment N, 6 Asylum Road, London	07.07.2023
• 104 Caroline Gardens, Asylum Road, London	07.07.2023
• Unit 5 Ground Floor, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Flat 6, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 3, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 26, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 16, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 13 Gervase Street, London, Southwark	07.07.2023
• 4A Asylum Road, London, Southwark	07.07.2023
• 82 Caroline Gardens, Asylum Road, London	07.07.2023
• 79 Caroline Gardens, Asylum Road, London	07.07.2023
• 108 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 15, 18 Sylvan Grove, London	07.07.2023
• Unit A, 45 Devon Street, London	07.07.2023
• First Floor, 777 Old Kent Road, London	07.07.2023
• Room 5, 720 Old Kent Road, London	07.07.2023
• Unit 11A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 32, Ullswater House, Hillbeck Close	07.07.2023
• Unit 30, Ullswater House, Hillbeck Close	07.07.2023
• Unit 26, Ullswater House, Hillbeck Close	07.07.2023
• Unit 24, Ullswater House, Hillbeck Close	07.07.2023
• Flat 10, 777 Old Kent Road, London	07.07.2023
• 735A Old Kent Road, London, Southwark	07.07.2023
• Flat 19, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 10A Sylvan Grove, London, Southwark	07.07.2023
• Flat 3, 24 Sylvan Grove, London	07.07.2023
• Flat 8, 8 Sylvan Grove, London	07.07.2023
• Flat, 723 Old Kent Road, London	07.07.2023
• Flat 13, 8 Sylvan Grove, London	07.07.2023

• 338 Commercial Way, London, Southwark	07.07.2023
• Flat 11, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 330 Commercial Way, London, Southwark	07.07.2023
• 1 Sylvan Terrace, Sylvan Grove, London	07.07.2023
• 803 Old Kent Road, London, Southwark	07.07.2023
• Flat 19, 8 Sylvan Grove, London	07.07.2023
• Flat 4, 8 Sylvan Grove, London	07.07.2023
• Apartment Q, 6 Asylum Road, London	07.07.2023
• 86 Caroline Gardens, Asylum Road, London	07.07.2023
• 110 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 3, Milestone Court, 1 Wales Close	07.07.2023
• Flat 5, Milestone Court, 1 Wales Close	07.07.2023
• 723 Old Kent Road, London, Southwark	07.07.2023
• Flat 23, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 21, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 14, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 12, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 1, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 4 Asylum Road, London, Southwark	07.07.2023
• Apartment J, 6 Asylum Road, London	07.07.2023
• 31 Hillbeck Close, London, Southwark	07.07.2023
• 21 Hillbeck Close, London, Southwark	07.07.2023
• 20 Hillbeck Close, London, Southwark	07.07.2023
• 5 Sylvan Terrace, Sylvan Grove, London	07.07.2023
• 346 Commercial Way, London, Southwark	07.07.2023
• 16 Sylvan Grove, London, Southwark	07.07.2023
• Flat 21, 24 Sylvan Grove, London	07.07.2023
• Flat 15, 24 Sylvan Grove, London	07.07.2023
• Flat 1, 24 Sylvan Grove, London	07.07.2023
• Flat 9, 18 Sylvan Grove, London	07.07.2023
• Flat 21, 8 Sylvan Grove, London	07.07.2023
• Flat 11, 8 Sylvan Grove, London	07.07.2023
• Unit 1040, 737 - 745 Old Kent Road, London	07.07.2023
• Land At, 2 - 20 Devon Street, London	07.07.2023
• Flat 2, 721 Old Kent Road, London	07.07.2023
• 767 - 775 Old Kent Road, London, Southwark	07.07.2023
• Dmc Healthcare Limited, 35 - 37 Sylvan Grove, London	07.07.2023
• Unit 60, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Unit 29A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 37, Ullswater House, Hillbeck Close	07.07.2023
• Unit 35, Ullswater House, Hillbeck Close	07.07.2023
• Unit 28, Ullswater House, Hillbeck Close	07.07.2023
• Unit 27, Ullswater House, Hillbeck Close	07.07.2023
• Unit 21, Ullswater House, Hillbeck Close	07.07.2023
• Unit 19, Ullswater House, Hillbeck Close	07.07.2023
• Unit 16, Ullswater House, Hillbeck Close	07.07.2023
• Unit 15, Ullswater House, Hillbeck Close	07.07.2023
• Unit 14, Ullswater House, Hillbeck Close	07.07.2023
• Unit 12, Ullswater House, Hillbeck Close	07.07.2023
• Unit 6, Ullswater House, Hillbeck Close	07.07.2023
• Unit 3, Ullswater House, Hillbeck Close	07.07.2023
• Flat 9, 777 Old Kent Road, London	07.07.2023
• Flat 8, 777 Old Kent Road, London	07.07.2023

• Flat 2, 777 Old Kent Road, London	07.07.2023
• 22 Hillbeck Close, London, Southwark	07.07.2023
• 87 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 17, 8 Sylvan Grove, London	07.07.2023
• Flat 4, 24 Sylvan Grove, London	07.07.2023
• 727 Old Kent Road, London, Southwark	07.07.2023
• 69 Caroline Gardens, Asylum Road, London	07.07.2023
• 6 Hillbeck Close, London, Southwark	07.07.2023
• 29 Hillbeck Close, London, Southwark	07.07.2023
• Flat 23, 24 Sylvan Grove, London	07.07.2023
• Flat 14, 24 Sylvan Grove, London	07.07.2023
• Flat 16, 8 Sylvan Grove, London	07.07.2023
• 107 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 31, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Room 9, 720 Old Kent Road, London	07.07.2023
• Flat 2, Milestone Court, 1 Wales Close	07.07.2023
• First Floor And Second Floor Flat, 722B Old Kent Road	07.07.2023
• First Floor And Second Floor Flat, 729 Old Kent Road	07.07.2023
• Milestone Court, 1 Wales Close, London	07.07.2023
• 84 Caroline Gardens, Asylum Road, London	07.07.2023
• 106 Caroline Gardens, Asylum Road, London	07.07.2023
• 815 Old Kent Road, London, Southwark	07.07.2023
• 8 Hillbeck Close, London, Southwark	07.07.2023
• 4 Hillbeck Close, London, Southwark	07.07.2023
• 28 Hillbeck Close, London, Southwark	07.07.2023
• 27 Hillbeck Close, London, Southwark	07.07.2023
• 24 Hillbeck Close, London, Southwark	07.07.2023
• 19 Hillbeck Close, London, Southwark	07.07.2023
• 18 Hillbeck Close, London, Southwark	07.07.2023
• 16 Hillbeck Close, London, Southwark	07.07.2023
• 13 Hillbeck Close, London, Southwark	07.07.2023
• 332 Commercial Way, London, Southwark	07.07.2023
• 344 Commercial Way, London, Southwark	07.07.2023
• 12B Sylvan Grove, London, Southwark	07.07.2023
• 22 Sylvan Grove, London, Southwark	07.07.2023
• Flat 28, 24 Sylvan Grove, London	07.07.2023
• Flat 26, 24 Sylvan Grove, London	07.07.2023
• Flat 25, 24 Sylvan Grove, London	07.07.2023
• Flat 12, 24 Sylvan Grove, London	07.07.2023
• Flat 14, 18 Sylvan Grove, London	07.07.2023
• Flat 15, 8 Sylvan Grove, London	07.07.2023
• Unit E, 45 Devon Street, London	07.07.2023
• Flat 6, 8 Sylvan Grove, London	07.07.2023
• Flat 2, 8 Sylvan Grove, London	07.07.2023
• Flat 1, 721 Old Kent Road, London	07.07.2023
• Flat 1, 719 - 721 Old Kent Road, London	07.07.2023
• Second Floor And Third Floor, 735 Old Kent Road, London	07.07.2023
• First Floor Flat, 720A Old Kent Road, London	07.07.2023
• Room 8, 720 Old Kent Road, London	07.07.2023
• Unit 4066, 737 - 745 Old Kent Road, London	07.07.2023
• Unit 10A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 33, Ullswater House, Hillbeck Close	07.07.2023
• Unit 29, Ullswater House, Hillbeck Close	07.07.2023



• Unit 4, Ullswater House, Hillbeck Close	07.07.2023
• Block A Room 4, Milestone Court, 1 Wales Close	07.07.2023
• Flat 13, 777 Old Kent Road, London	07.07.2023
• Flat 6, 777 Old Kent Road, London	07.07.2023
• Flat 1, 777 Old Kent Road, London	07.07.2023
• Flat 6, 18 Sylvan Grove, London	07.07.2023
• 801 Old Kent Road, London, Southwark	07.07.2023
• 15 Hillbeck Close, London, Southwark	07.07.2023
• 7 Hillbeck Close, London, Southwark	07.07.2023
• 101 Caroline Gardens, Asylum Road, London	07.07.2023
• Unit C, 45 Devon Street, London	07.07.2023
• 9 Hillbeck Close, London, Southwark	07.07.2023
• Flat 8, 24 Sylvan Grove, London	07.07.2023
• 809 Old Kent Road, London, Southwark	07.07.2023
• Flat 7, 18 Sylvan Grove, London	07.07.2023
• 10 Asylum Road, London, Southwark	07.07.2023
• 83 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 18, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 15, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Second Floor Flat, 720A Old Kent Road, London	07.07.2023
• Room 6, 720 Old Kent Road, London	07.07.2023
• Unit 4, 25 - 39 Devon Street, London	07.07.2023
• 2 - 20 Devon Street, London, Southwark	07.07.2023
• Flat 32, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 20, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Apartment P, 6 Asylum Road, London	07.07.2023
• 81 Caroline Gardens, Asylum Road, London	07.07.2023
• 76 Caroline Gardens, Asylum Road, London	07.07.2023
• 722A Old Kent Road, London, Southwark	07.07.2023
• 334 Commercial Way, London, Southwark	07.07.2023
• 12 Hillbeck Close, London, Southwark	07.07.2023
• 720 Old Kent Road, London, Southwark	07.07.2023
• Flat 1, 729 Old Kent Road, London	07.07.2023
• 817 Old Kent Road, London, Southwark	07.07.2023
• 340 Commercial Way, London, Southwark	07.07.2023
• Flat 9, 24 Sylvan Grove, London	07.07.2023
• Flat 7, 24 Sylvan Grove, London	07.07.2023
• Flat 5, 18 Sylvan Grove, London	07.07.2023
• Flat 20, 8 Sylvan Grove, London	07.07.2023
• Unit D, 45 Devon Street, London	07.07.2023
• Unit B, 45 Devon Street, London	07.07.2023
• Flat 5, 8 Sylvan Grove, London	07.07.2023
• Upper Ground Floor And First Floor, 735 Old Kent Road	07.07.2023
• Unit 1093, 737 - 745 Old Kent Road, London	07.07.2023
• 8 - 24 Sylvan Grove, London, Southwark	07.07.2023
• Apartment A, 6 Asylum Road, London	07.07.2023
• Unit 37A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 22A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 17A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 31, Ullswater House, Hillbeck Close	07.07.2023
• Unit 11, Ullswater House, Hillbeck Close	07.07.2023
• Unit 8, Ullswater House, Hillbeck Close	07.07.2023
• Unit 7, Ullswater House, Hillbeck Close	07.07.2023

• Block A Room 5, Milestone Court, 1 Wales Close	07.07.2023
• Flat 12, 777 Old Kent Road, London	07.07.2023
• Unit 1 And 2, 777 Old Kent Road, London	07.07.2023
• Flat 7, Milestone Court, 1 Wales Close	07.07.2023
• Flat 4, 721 Old Kent Road, London	07.07.2023
• 70 Caroline Gardens, Asylum Road, London	07.07.2023
• 6 Sylvan Terrace, Sylvan Grove, London	07.07.2023
• 805 - 807 Old Kent Road, London, Southwark	07.07.2023
• Flat 1, 8 Sylvan Grove, London	07.07.2023
• 14B Sylvan Grove, London, Southwark	07.07.2023
• 726 Old Kent Road, London, Southwark	07.07.2023
• Flat 9, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Unit F, 45 Devon Street, London	07.07.2023
• 4 Sylvan Terrace, Sylvan Grove, London	07.07.2023
• Flat 5, 24 Sylvan Grove, London	07.07.2023
• Flat 10, 18 Sylvan Grove, London	07.07.2023
• Flat 22, 8 Sylvan Grove, London	07.07.2023
• Flat 12, 8 Sylvan Grove, London	07.07.2023
• Flat 22, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 68 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 13, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Unit 20, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Second Floor, 777 Old Kent Road, London	07.07.2023
• 2A Asylum Road, London, Southwark	07.07.2023
• 2 Asylum Road, London, Southwark	07.07.2023
• Unit D, 6 Asylum Road, London	07.07.2023
• 72 Caroline Gardens, Asylum Road, London	07.07.2023
• 103 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 7, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 3 Hillbeck Close, London, Southwark	07.07.2023
• 724 Old Kent Road, London, Southwark	07.07.2023
• Southwark Integrated Waste Management Facility (SIWMF), 43 Devon Street	07.07.2023
• Flat 3, 18 Sylvan Grove, London	07.07.2023
• Flat 23, 8 Sylvan Grove, London	07.07.2023
• Flat 18, 8 Sylvan Grove, London	07.07.2023
• Unit 6, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• Ullswater House, Hillbeck Close, London	07.07.2023
• Room 1, 720 Old Kent Road, London	07.07.2023
• Unit 1051, 737 - 745 Old Kent Road, London	07.07.2023
• Unit 40, Ullswater House, Hillbeck Close	07.07.2023
• Unit 39, Ullswater House, Hillbeck Close	07.07.2023
• Unit 34, Ullswater House, Hillbeck Close	07.07.2023
• Unit 23, Ullswater House, Hillbeck Close	07.07.2023
• Unit 20, Ullswater House, Hillbeck Close	07.07.2023
• Unit 17, Ullswater House, Hillbeck Close	07.07.2023
• Unit 13, Ullswater House, Hillbeck Close	07.07.2023
• Block A Room 2, Milestone Court, 1 Wales Close	07.07.2023
• Flat 3, 777 Old Kent Road, London	07.07.2023
• Unit 7, 25 - 39 Devon Street, London	07.07.2023
• Flat 18, 24 Sylvan Grove, London	07.07.2023
• Flat 4, Milestone Court, 1 Wales Close	07.07.2023
• Apartment M, 6 Asylum Road, London	07.07.2023

• Flat 22, 24 Sylvan Grove, London	07.07.2023
• 30 Hillbeck Close, London, Southwark	07.07.2023
• Room 7, 720 Old Kent Road, London	07.07.2023
• Flat 33, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 30, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 75 Caroline Gardens, Asylum Road, London	07.07.2023
• 26 Hillbeck Close, London, Southwark	07.07.2023
• 17 Hillbeck Close, London, Southwark	07.07.2023
• 12A Sylvan Grove, London, Southwark	07.07.2023
• Flat 11, 24 Sylvan Grove, London	07.07.2023
• Unit 4, Daisy Business Park, 35 - 37 Sylvan Grove	07.07.2023
• 737 - 745 Old Kent Road, London, Southwark	07.07.2023
• 80 Caroline Gardens, Asylum Road, London	07.07.2023
• 77 Caroline Gardens, Asylum Road, London	07.07.2023
• Flat 5, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 36, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 29, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Flat 2, Harry Lamborn House, 9 Gervase Street	07.07.2023
• Unit 6, 25 - 39 Devon Street, London	07.07.2023
• Unit 2, 25 - 39 Devon Street, London	07.07.2023
• Flat 28, Harry Lamborn House, 9 Gervase Street	07.07.2023
• 90 Caroline Gardens, Asylum Road, London	07.07.2023
• Unit C, 6 Asylum Road, London	07.07.2023
• Apartment H, 6 Asylum Road, London	07.07.2023
• Apartment L, 6 Asylum Road, London	07.07.2023
• 73 Caroline Gardens, Asylum Road, London	07.07.2023
• 109 Caroline Gardens, Asylum Road, London	07.07.2023
• 105 Caroline Gardens, Asylum Road, London	07.07.2023
• 102 Caroline Gardens, Asylum Road, London	07.07.2023
• 813 Old Kent Road, London, Southwark	07.07.2023
• 760 Old Kent Road, London, Southwark	07.07.2023
• 811 Old Kent Road, London, Southwark	07.07.2023
• 10B Sylvan Grove, London, Southwark	07.07.2023
• Flat 13, 24 Sylvan Grove, London	07.07.2023
• Flat 6, 24 Sylvan Grove, London	07.07.2023
• Flat 19, 18 Sylvan Grove, London	07.07.2023
• Flat 16, 18 Sylvan Grove, London	07.07.2023
• Flat 12, 18 Sylvan Grove, London	07.07.2023
• Flat 9, 8 Sylvan Grove, London	07.07.2023
• Flat 3, 8 Sylvan Grove, London	07.07.2023
• Flat 4, 719 - 721 Old Kent Road, London	07.07.2023
• Flat 2, 719 - 721 Old Kent Road, London	07.07.2023
• Room 2, 720 Old Kent Road, London	07.07.2023
• 720B Old Kent Road, London, Southwark	07.07.2023
• Unit 31A, Ullswater House, Hillbeck Close	07.07.2023
• Unit 38, Ullswater House, Hillbeck Close	07.07.2023
• Flat 5, 777 Old Kent Road, London	07.07.2023
• 1 Hillbeck Close, London, Southwark	07.07.2023
• Rear Of, 731A Old Kent Road, London	07.07.2023
• 726A Old Kent Road, London, Southwark	07.07.2023
• Unit E, 6 Asylum Road, London	07.07.2023
• 71 Caroline Gardens, Asylum Road, London	07.07.2023
• 14 Hillbeck Close, London, Southwark	07.07.2023

<ul style="list-style-type: none"> <li>• 10A Asylum Road, London, Southwark</li> <li>• Unit 1, 25 - 39 Devon Street, London</li> <li>• 2 Sylvan Terrace, Sylvan Grove, London</li> </ul>	07.07.2023	
	07.07.2023	
	07.07.2023	
<b><u>Re-consultation Letters to Neighbours and Local Groups</u></b>		
No consultation was carried out with neighbours and/or local groups.		
<b><u>Consultation Letters to Internal Consultees</u></b>		
Initial consultation carried out with all internal consultees, on 07.07.2023.		
<b><u>Re-consultation Letters to Internal Consultees</u></b>		
<b>Name of Internal Consultee:</b>	<b>Date of most recent re-consultation:</b>	<b>Reply received?</b>
• Highways Development and Management	20.11.2023	<b>YES</b>
• Planning Policy (Energy)	05.11.2023	<b>YES</b>
• Flood Risk Management and Urban Drainage	12.09.2023	<b>YES</b>
• Urban Forester	05.11.2023	<b>YES</b>
• Transport Policy	05.11.2023	<b>YES</b>
• Waste Management	05.11.2023	<b>YES</b>
<b><u>Consultation Letters to External Consultees</u></b>		
Initial consultation carried out with all external consultees, on 07.07.2023.		
<b><u>Re-consultation Letters to External Consultees</u></b>		
<b>Name of External Consultee:</b>	<b>Date of most recent re-consultation:</b>	<b>Reply Received?</b>
• Great London Authority	11.08.2023	<b>YES</b>
• London Fire & Emergency Planning Authority	05.11.2023	<b>YES</b>
• Health and Safety Executive (Planning G1)	05.11.2023	<b>YES</b>
• TfL Spatial Planning	05.11.2023	<b>YES</b>

## APPENDIX 5

### Consultation responses received

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

#### Consultation Responses from Neighbours and Local Groups

<b>Contributor Address:</b>	<b>Date Received:</b>
• Conservation Area Advisory Group	15.07.2023
• Apartment 9, 1 Varcoe Road, Southwark, SE16 3FS	25.07.2023
• 14 Pencraig Way, London, SE15 1SH	01.08.2023
• Nexus Health Group, 2 Princess Street, London, SE1 6JP	14.08.2023
• Sylvan Grove TRA (c/o 12A Sylvan Grove London SE15 1AR)	17.08.2023
• Flat 29, Skenfrith House, Ledbury Estate, Commercial Way, London, Southwark SE15 1NE	01.09.2023
• Arbyte, 765-775 Old Kent Road	05.09.2023
• Motor Fuel Group, 747-759 Old Kent Road	05.09.2023
• Tustin Community Association	06.09.2023
• Business, 909 Old Kent Road	08.09.2023
• Business, SE15 AA	08.09.2023
• Business, SE1 5UE	08.09.2023
• Southwark Integrated Waste Management Facility (SIWMF)	16.10.2023

## APPENDIX 6

### Community Review Panel

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

### Feedback from Community Review Panel Round 1, 20 March 2023

#### Summary

1. The panel considers the proposals well thought through, with the potential to create a successful development, but requests development of aspects of the design, of ground floor uses, and of management arrangements. The panel is concerned that the building could become empty if the student rooms do not prove viable in the longterm. It also raises concerns over the way the student and residential elements will work alongside each other. Care will be needed to prevent students disturbing residents, through both design and high quality management. Thinking is also needed on how residents and students can mix, through ideas including a shared space such as a food hall.
2. The panel encourages bolder architecture to distinguish the building from other recent local developments, and act as a marker. Fenestration should add greater depth to façades, potentially using framing and different shapes to reflect local architectural heritage. Colour transitions in the brickwork should be less abrupt and more refined. The Block A crown should be revisited to ensure it does not increase the impression of height, or obscure views from the roof.
3. The panel asks for consideration of more adventurous uses than a supermarket, with more potential to activate the street frontage. Ideas include smaller units, and affordable workspace. A café within the development could help bring different

groups together. The community space should be larger if it is to be useable. More parking is needed for deliveries, trades and GP surgery. A new Old Kent Road pedestrian crossing is needed, and thought should be given to how local bus capacity can increase to serve new residents.

4. These comments are expanded below.

### Student accommodation

5. The panel understands that the 900-bed student accommodation capacity is determined by viability considerations. However, it emphasises the need to be sure that there is sufficient demand to keep these rooms filled in the long-term. The development must remain in full use and not become empty, if it is to make a positive contribution to the area.
6. The success of a large student development, especially alongside residential accommodation, will depend on very efficient and effective management. For example, it will be important for flats to be well-soundproofed, to mitigate against disturbance from students congregating in the outside spaces, and returning late at night.
7. It will also be particularly important to ensure the development is cleaned regularly, with litter cleared away and bins emptied every day.
8. The panel suggests that the design team considers 24 hours in the life of different people living on the site, to provide more detail on the way spaces will be used, and inform the overall design approach. It will be essential to create a place that works for everyone.

### Architecture

9. The panel supports many elements of the designs, which it thinks represent an improvement in comparison to the previous planning application. In particular, the decision to remove the podium between Blocks C and D is a very positive move.
10. The panel considers that the architectural approach could be braver and bolder, to add excitement and advertise the development beside one of the major routes into London. The development has the potential to deliver a 'hero building' that does not look like other new architecture in the area. The panel encourages further thinking on how this can be achieved, and suggests the reclad Tustin Estate towers as a positive local precedent.
11. The panel also thinks that the building would benefit from greater variety and depth, and a less uniform appearance. The brick façades could be broken up by framing windows, perhaps reflecting the combination of square and arched windows found in Victorian buildings on the Old Kent Road, and using a different material such as stone. Painting the window reveals could also add greater richness and detail.



12. The panel also feels that the brick palette for Blocks B, C and D would benefit from less colour gradation. The change from top to bottom seems a little harsh, and emphasises the verticality of the buildings. A more unified palette would work better, and stronger horizontal elements could also be considered.
13. The panel suggests that the Block A crown make an already tall tower seem even taller. It also points out that its structure could obscure views of the sky from the rooftop amenity space. This element could be revisited and refined to address these issues.

### Amenity space

14. The panel asks for more landscape design detail to show how the amenity spaces will provide facilities for different groups. In particular, the amenity spaces should be designed to be used successfully by both families with children and by students. More detailed thinking is needed to show how spaces will be provided that are suitable for both groups, avoiding conflict.
15. The panel also suggests that outdoor mirrors could be used in some areas to increase the sense of space, and potentially allow amenity space to be used for exercise or dance routines.
16. The panel also points out that the Southwark Recycling Centre is the source of unpleasant smells, which could have a negative impact for residents. It advises the applicant to investigate this further and consider whether mitigation is needed.

### Community space

17. The panel considers it important that the size of the community room is increased. The current design is too small to be used for gatherings, but there is a lack of community space in the area. A larger space would provide a valuable local resource.
18. The panel emphasises the importance of community building on the Old Kent Road, which presents a significant challenge in the context of major change. It asks for thinking about how the local community can be made to feel welcome, and people other than residents attracted to use its spaces. For example, local artists could be invited to paint a wall or contribute a sculpture to draw in visitors.
19. The panel is also keen to see integration across the development, between residents and students. For example, it suggests that a space such as a food hall could be included that would provide a natural place for both groups to mix. It asks for further thinking about how the social architecture of the development can promote integration.

### Uses

20. The panel questions whether a supermarket is the right use to occupy the ground floor retail unit. There are other supermarkets in the area already, and a different, more exciting use would deliver greater variety and value to residents.

21. The panel also thinks that a supermarket is unlikely to create active high street frontage on Old Kent Road, as their units usually include areas of blank frontage space. It asks whether other uses could be considered, including providing affordable workspace or dividing the ground floor up for smaller businesses.
22. The panel also notes that there are successful African restaurants on Old Kent Road that attract significant custom, and that a restaurant could also be considered as an option for the ground floor.
23. The panel suggests that a retail unit should be located within the development, close to amenity space. A coffee shop on the ground floor in the north-east corner of Block D could be used by parents while their children play, as well as by students. This would help to animate the development and provide all-weather communal space. It would also help to bring residents and students together naturally.

### Movement and parking

24. The panel is not convinced that the proposed provision of four spaces for deliveries and trades will be sufficient. They are likely to be heavily used by delivery vehicles, and the proposed surgery would create additional pressure with patients requiring pick-up and drop-off. The panel asks for further thinking on this aspect of the proposals.
25. The panel points out that it is difficult and dangerous for pedestrians to cross the Old Kent Road from the site. It is important that plans are implemented to improve road crossings to provide for the large number of new residents the scheme will bring.
26. The panel also notes that bus routes along the Old Kent Road are overcrowded especially at rush hour. It asks the applicant and Southwark officers to discuss how public transport provision can be improved to serve the increase in population.

## **Feedback from Community Review Panel Round 2, 22 May 2023**

### Summary

27. The panel is pleased to see that the proposals have developed positively since the previous review meeting, and that its comments have been taken into account. It thinks that the stepping added to the massing of the buildings creates a more varied townscape. It also supports changes made to the architecture since the last review, including elevation and crown detailing, although it suggests reconsidering the use of lighter colours at ground floor level. The panel also supports the addition of community space and a café, which it considers offer important community value.
28. The panel cautions against planting too many trees, resulting in an overly dense canopy. It asks for play space to be provided for adolescents as well as younger

children. If the roof is to be accessible, a shelter or canopy will be needed to mitigate wind effects. The panel also emphasises the importance of a safe public realm for all and asks detail on how this will be achieved, including a lighting plan.

29. Thought should be given to preventing conflict between pedestrians and cyclists, including using different surface treatments to prevent cycling through the site, and providing cycle racks and hire bike stations. Public realm designs should take account of the potential future cycle lane on Old Kent Road, and potentially include a drop-off bay for the surgery. The management of student arrivals and departures will be crucial, and details should be provided to council officers.
30. The panel finds the idea of a contemporary bandstand interesting, but suggests more thinking is needed on how this would be designed and used. It also suggests a barbecue area and tables for outdoor eating as options for the public space.

### Architecture and massing

31. The panel supports the changes made to the massing of the buildings, and to the architecture, since the previous review. It considers that the chamfered shoulder elements are successful in adding variety to the massing.
32. The panel considers the architecture is now more refined than at the last review. The detail added to elevations, including the recessed windows and stronger vertical elements, and the use of red metalwork are positive changes. The panel also supports the elegant designs for the crowns of the buildings.
33. The panel is not convinced that white material should be used at ground-floor level. It feels that positioning the palest colour at the base of the towers undermines the weakens the overall effect of colour progression across the full elevations.

### Community facilities

34. The panel is pleased to see the addition of a café and of bookable community space. The principle of providing space that is managed by the student accommodation operator, Homes for Students, but accessible to all is crucial to the provision of community benefit.

### Landscape and amenity space

35. The panel suggests that, while it supports tree planting on the site, there may be too many proposed. The number trees shown could lead to an overly dense canopy in a couple of decades' time. The panel notes the need to select the right species for the site which will not drop branches or create mess that is difficult to clear, and will have space to grow and mature over time without undermining the quality of public space.
36. The panel also asks whether play space can be provided for adolescents as well as younger children, an equally important requirement for residents.

37. The panel is intrigued by the idea of building a community bandstand, but asks for more thinking about how it would be used including how it would be used, who would play in it, and whether it would cause noise problems. It also questions whether planting a tree in the middle of the bandstand is a good idea, as it will open the space up to the weather. It also suggests that a temporary structure may be better place to meet changing needs by evolving over time.
38. Raised growing beds, allowing residents for example to cultivate vegetables, could provide significant social benefit while taking relatively limited space.
39. Outdoor picnic tables, which often prove popular in public spaces, could also be included. Barbecue areas are very popular in Burgess Park and, while there may be difficulties in accommodating them, they are also likely to prove a popular addition.
40. The panel notes that conditions in rooftop amenity spaces at the top of tall buildings can be wild and difficult to control. It asks for assurances that, if roofs are accessible, that a shelter will be provided to make the space useable.
41. The panel emphasises the importance of creating a safe environment, with a particular emphasis on the safety of women and girls. It would therefore like to see more information on the approach to pedestrian safety, in particular a lighting plan.

### Movement and traffic

42. The panel notes plans for shared pedestrian and cycle routes through the development. It supports design to exclude cars from the development and enable both modes cycling and walking, but emphasises the need to ensure that routes are safe. Other shared spaces in the area, for example Burgess Park, experience conflict on shared routes because of the number of people using the space. This development will bring many people to the site, so it is important that the public realm is designed to manage the competing demands for space.
43. The panel suggests that different surface treatments could be used to discourage cyclists from cycling into the development without dismounting, or to keep them to particular routes. It is important to create a pedestrian-friendly environment, and the panel considers measures should be taken to prevent conflict with cyclists.
44. Hire bicycles could also be located on Devonshire Grove at the western edge of the development, and cycle racks provided there to help encourage people to dismount.
45. The panel also notes the possibility that Transport for London will bring forward designs for a cycle lane along Old Kent Road, and an island bus stop at the entrance to the Devonshire Place development. Thinking is needed on how the development can connect cycle routes beyond its boundaries, especially to this future route. The panel suggests that a dropped kerb should be provided to

connect to Old Kent Road, and further consideration given to how a future cycle junction here can be made safe.

46. The island bus stop could also create problems in future for users of the development, not least those visiting the surgery. The panel suggests that a separate drop-off bay is needed to avoid patients arriving by car needing to cross the cycle lane to reach the surgery. This could be located on Old Kent Road at the corner with Sylvan Grove.
47. The panel notes that the applicant is developing a management plan to stagger student arrival and departure times and prevent vehicle congestion from drop-offs. However, with 950 students on site it emphasises the need for this to be completely effective. It asks for further details of booking systems to fully demonstrate how drop-offs will be managed, and safeguards against congestion operate. A short report should be submitted to council officers to explain the system that will be put in place to prevent traffic congestion.

## APPENDIX 7

### Design Review Panel

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

### Feedback from Design Review Panel, 13 March 2023

#### Summary

1. The Panel welcomed the opportunity to review this important scheme on the Old Kent Road by John Thompson Architects for student housing and affordable housing. It thanked the team for its clear presentation of the scheme, which had also been circulated to the Panel in advance, although the Panel would have welcomed more detailed information and townscape visuals on how the development sat within its existing and emerging urban context, and particularly in relation to Southwark's nearby waste management depot and its continued operation. It was pleased to review the proposals in what it considers to be an early stage of the design process.
2. As part of the design review, the Panel investigated further:
  - Site strategy - revised strategy for the site, following the exclusion of a large parcel of Council-owned land from the red line boundary of the proposed development.
  - Open space - how the applicant proposes to meet the scheme's requirement for public open space and play space.
  - Masterplanning - assumptions about the wider site along the Old Kent Road including development expectations for the adjacent Council-owned parcel of land.

- Massing and density - site coverage compared to the earlier consented scheme. In particular, the increase in density within the site, confirmation of floorspace, student bedspace figures and no workspace/offices.
- Layout/ massing – how the grid was arrived at, the ascending heights of the blocks, links within the site and with the adjacent contexts (existing and emerging).
- Landscape - the quality of the external spaces, the environmental performance of spaces between buildings and the positioning of playspace
- Arrival – how the development responds to the local movement network and main arrival points by public transport and the journeys for residents with mobility issues.
- Ground floor layout – clarification of the distribution of ground floor activities, the outcomes of bringing back-of-house services and student amenities to ground floor level, the extent of active frontages, and implications for character of Sylvan Grove
- Interaction – whether ground floor amenities are student-only or can be accessed by residents or wider public, and the impacts of sharing public open space on landscaping design and amenity.
- Cycle storage - provision and access for residents, students and visitors, and handling peak-hour arrival/departures.
- Servicing arrangements – number and distribution of service bays, particularly for students moving home, and impact of off-street spaces on public realm.

### Urban morphology

3. Regarding its feedback, the Panel acknowledged the efforts of the development team in trying to move forward with this brownfield site, but was drawn to make comparisons with the extant consented scheme. The panel was much more confident how the latter would mesh with the existing and emerging contexts within this part of the Old Kent Road than the current proposal.
4. The Panel considered there was too little analysis and consideration of context in the design development of the scheme and too little demonstration of how the proposal would sit in the existing and emerging context of the Old Kent Road to allow for meaningful feedback. Intuitively, the panel felt that given their experience of the Old Kent Road and what was generally known of schemes on nearby sites (e.g., Toys-R-Us), the current proposals felt too high back of pavement on the Old Kent Road.
5. It was therefore incumbent on the applicant to rigorously test the proposed massing (and possible alternative heights and massing) alongside the optimal development for the council-owned site and the outline proposals for the Toys-R-Us site (such as they are). The appropriateness of the proposal needed to be tested in a series of sequential townscape views up and down Old Kent Road and looking north up Asylum Road. The views also needed to be tested against the extant permission (which effectively forms the baseline by which any proposed development will be assessed) so that the impacts of the scheme can be fully appreciated.



6. The Panel remained to be convinced on the distribution of heights and massing across the site, and the size and arrangement of the public realm. The built form on the reduced site had become too evened out, with little sense of an urban hierarchy (see below), whilst there was little evidence of an environmental or energy strategy, which would influence orientation and spacing.
7. Alongside this, the panel considered it was important for the scheme to explore how the proposed built forms interact with one another at low and high-rise levels as a sculptural set-piece and bring a dynamic quality to the townscape when moving along the Old Kent Road. This dynamic quality was strongly embedded in Allies and Morrison's extant scheme, highlighting its very absence in the current proposals.
8. Regardless of where the additional height is located, the panel was not convinced by the distribution of the types of residential accommodation across the site. It felt uneasy that all the affordable housing (including many family homes) being brought to the front, adjacent to the Old Kent Road, with the student accommodation located towards the rear. The quality of life for residents and for families in particular, should be a key priority in masterplanning, whilst there is a reasonable argument to be made that students are not permanent occupants. The Panel's view was that the applicant should explore alternative arrangements that look at placing the student accommodation on the Old Kent Road and the permanent housing further back in the site.

### Human scale

9. The Panel expressed its concern with the levels of inactivity of the development's ground floor frontages. Those onto Sylvan Grove were particularly impacted by back-of-house and servicing, despite the public realm being shared with existing housing opposite. Key building corners and frontages within the development were not supported by active uses, whilst there was insufficient recognition that the adjoining development sites may remain hoarded for some considerable time or indeed that their active frontages/ public spaces may not prove forthcoming. This brought into question the quality and public safety of the scheme's public realm.
10. The scheme lacked sufficient legibility, with no strong sense of the buildings' fronts and backs or evident hierarchy of routes and spaces. As with the building heights, its spaces have become too even, and whilst there may have been a plan to promote the east-west movement across the site, this seemed contradicted by the servicing bays that blocked the route.
11. The condition of the ground floor frontages lacked sufficient awareness for the quality of pedestrian experience or creating a strong sense of place. A clearer vision needed developing for the co-ordination and synthesis of key external spaces supported by active frontages. It was also uncertain whether ground floor student amenities were open to the wider community, and it was noted that elements appeared windowless, hampering any engagement.

12. The panel expressed its concern with the quality of the internal accommodation. The flat layouts relied too much on deep floorplans and deeply recessed kitchens, where daylighting would be problematic. The proposed corner cut-away balconies (which can work well for one-bedroom flats) are less successful as a way of achieving meaningful dual-aspect homes for the larger, 3-bedroom flats.
13. The block positioning –with 12m separation distances between habitable rooms of opposing buildings– may well impact the quality of daylighting and extent of direct views, particularly for the single aspect student rooms. Any devices to restrict or direct outward views would only further limit daylight penetration.
14. There needed to be a better distribution of communal student spaces within the blocks, with more emphasis on locating communal rooms on more floors and thoughtfully positioning them in response to the architecture, but also to the amenity constraints. In addition, if the main facilities were to be limited to student-only access, consideration should be given to bringing these to first floor level, freeing up the ground floor for more publicly engaging uses.
15. The new community space was supported, although at 45 sqm the provision felt rather mean given the size of the local community and a larger space was encouraged, particularly if the development was to appeal to the wider community. Furthermore, its provision should look to dovetail with the landscaping, enhancing its offer with the opportunity of using adjacent outside space as a way of extending the versatility of the facility and providing a secure space for children and families to use both inside and outside spaces.
16. Regarding the landscaping, the proposals needed to better define what was general amenity and genuine playspace, as the ‘boundaries’ appeared blurred. It is important that the playspace is meaningful and not intermittent. The development should also acknowledge that, whilst there is no policy requirement for outdoor space in relation to student housing, the on-site need remains nonetheless; this only adds pressure to the limited public space generated by the scheme’s own housing provision.

### Architectural expression

17. The panel recognised that the scheme was in its early design stage, but wished to address the emerging architectural expression from a wider urban perspective, which it considered to be too corporate looking in its appearance. This comes largely from the proposed use of the angled fins for the student rooms, designed to restrict overlooking, but which the Panel also identified as unreasonably limiting their amenity (see above).
18. It was also concerned with how different architectural elements read against each other within and between the blocks. The efforts to alleviate the sense of scale within the development was unsuccessful; particularly on block D, where its facade composition was uncomfortable and its massing unconvincing when brought onto the same elevational plane. As referenced earlier, the buildings’ forms seemed unresponsive to each other or to the intervening spaces, with the one or two chamfered corners and edges feeling tokenistic rather than being part of a coherent architectural language. The architecture needed to develop a greater, more sculptural relationship, and bring the buildings and public realm together as a compositional whole. The extant scheme is more accomplished in this regard.

### Vision

19. The panel was not convinced the project had a clear enough sense of place, particularly for proposals with an ambition to accommodate approximately 1500 new residents and students, and that this needs to underpin any designs that comes forward.

### Conclusion

20. Overall, the new proposals are in their early stages, and whilst there is clear ambition to bring a development forward on a reduced site, the Panel was not convinced of the proposed height and massing or distribution of blocks and activities. The revised scheme had yet to develop a sense of place with an under-performing groundscape. There seemed to be an over-reliance on the public realm generated on adjoining development that may not come forward. The Panel urged further dialogue with the Council regarding the red-line boundary. Lastly, given the nature of the comments and the constrained condition of this Old Kent Road site, the scheme should be brought back to a subsequent DRP for its consideration, and certainly prior to any planning submission.

## APPENDIX 8

### Heads of Terms for Section 106 Agreement

<b>Reference:</b>	23/AP/1862
<b>Proposal:</b>	<p>Phased mixed-use redevelopment of the site, comprising:</p> <ul style="list-style-type: none"> <li>- Demolition of all existing buildings/structures, site clearance and excavation;</li> <li>- Construction of buildings to provide residential dwellings (Class C3) and flexible commercial, business and service space (Class E);</li> <li>- Construction of buildings to provide purpose built student accommodation including associated amenity and ancillary space, flexible commercial, business, service and community spaces within Classes E/F2(b) (Sui Generis); and</li> <li>- Provision of associated car and cycle parking, open space and landscaping, means of access and highway alterations, installation of plant and utilities and all other associated ancillary works incidental to the development.</li> </ul>
<b>Location:</b>	747-759 & 765-775 Old Kent Road and Land at Devonshire Grove, London, SE15 1NZ

	<u>Obligation</u>	<u>Mitigation / Terms</u>
<b>1.</b>	<b>Archaeology</b>	
	ARCHAEOLOGY: MONITORING CONTRIBUTION	<p>A sum of <b>£11,171</b> (RPI All Items index linked) by the developer towards monitoring and providing technical archaeological support during the works on and in the vicinity of the site.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<b>2.</b>	<b>Café: Delivery and public access</b>	
	DELIVERY	<p>The c. 86.0 square metre café within the ground floor communal internal student amenity space of Building B is to be completed to shell and core, and made available for occupation no later than 75% occupation of the student accommodation within the host building.</p> <p>Applicant's Position: <b>Agreed.</b></p>
	PUBLIC ACCESS	<p>Notwithstanding the ancillary-to-PBSA function of the wider room in which the café is located, free and unrestricted access for the general public into the café (including its associated dining area) shall be available at all times of café operation.</p>

3.

	Applicant's Position: <b>Agreed.</b>
<b>Community use unit</b>	
ELIGIBLE USERS AND RENTAL RATES	<p>Throughout its lifetime, the Community Use Unit shall be rented out on an hourly/slot basis at peppercorn rate to Community Use Unit Users.</p> <p>Eligible Community Use Unit Users shall be community groups, not for profit, cultural projects using the facility for non-profit making purposes, all local residents (e.g. so parents can use the space for children's parties), and for students when not in use by the community.</p> <p>The owner shall be responsible for absorbing all costs associated with the operation of the facility, including utilities and cleaning costs, and maintaining the facility in good running order internally and externally.</p>
	Applicant's Position: <b>Agreed.</b>
FIT-OUT	<p>No later than 12 months following commencement of works on Building A (or such later date as may be agreed in writing by the Council), the developer is to submit the Community Use Unit Specification to the Council for approval.</p> <p>The developer is to construct the Community Use Unit in accordance with the approved Specification and to the reasonable satisfaction of the Council.</p>
	Applicant's Position: <b>Agreed.</b>
DELIVERY	<p>The Community Use Unit is to be completed in accordance with the approved Specification, and made available for use no later than 75% occupation of Building A.</p>
	Applicant's Position: <b>Agreed.</b>
MANAGEMENT, MARKETING AND OPERATION	<p>No later than three months prior to the opening of the Community Use Unit, the developer shall submit a Community Use Unit Management Plan to the Council for its approval. This Plan shall include:</p> <ul style="list-style-type: none"> <li>- details of the persons appointed to manage and operate the Community Use Unit (only required if the space is not managed by the PBSA Building A operator);</li> <li>- details of the proposed uses and events that may take place at the Community Use Unit;</li> </ul>

	<ul style="list-style-type: none"> <li>- the minimum hours of operation and access for eligible Community Use Unit Users (which shall be no less than 6 hours per day each day of the week);</li> <li>- details of the booking system (who will responsible for managing it, how community and/or non profit-making status of customers will be verified, how popular or high value slots will be managed so as to prevent regular block booking etc.);</li> <li>- the platforms (local press, social media, within the Community Use Unit window, on the relevant community premises Council webpages etc.) through which the Community Use Unit would be marketed, together with details of the frequency/duration of marketing; and</li> <li>- such other matters as the Council and the developer may reasonably agree should be included in the Community Use Unit Management Plan.</li> </ul> <p>The developer shall implement and comply with the Community Use Unit Management Plan (or such revised plan as may be agreed between the parties in writing from time to time) for the duration that the Community Use Unit is retained.</p> <p>The shall developer shall maintain ongoing records of:</p> <ul style="list-style-type: none"> <li>- all bookings which have taken place, the names of the Community Use Unit Users, the date and time of the booking and the type of event held; and</li> <li>- any bookings by Community Use Unit Users cancelled by the owner, or any refusals to take bookings by the owner, including a record of the circumstances in which such cancellations and refusals occurred and the names of the Community Use Unit Users involved;</li> </ul> <p>and shall make these records available to the Council upon request.</p> <p>Applicant's Position: <b>Agreed.</b></p>
4.	<b>Design: Retention of architectural team</b>
ARCHITECT NOVATION	<p>Reasonable endeavours shall be made to ensure the original design team (i.e. John Thompson &amp; Partners LLP) continues to be employed as the project architect or design consultant to carry out the RIBA Stage 3 and 4 design work.</p> <p>Applicant's Position: <b>Agreed.</b></p>
5.	<b>Housing (conventional Class C3): Viability and affordable units</b>

<p><b>AFFORDABLE HOUSING DELIVERY</b></p>	<p>Provision of 200 Class C3 affordable housing units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> <li>- 125 units (39 x one-bedroom flats, 45 x two bedroom flats, 37 x three-bedroom flats, 4 x four bedroom flat) to be social rent tenure; and</li> <li>- 75 units (36 x one-bedroom flats, 39 x two bedroom flats) to be shared ownership tenure.</li> </ul> <p>The Agreement shall specify:</p> <ul style="list-style-type: none"> <li>- which of these units is to be provided within each of the tenures (with a supporting drawing);</li> <li>- income thresholds for the affordable tenures; and</li> <li>- eligibility criteria for the affordable tenures.</li> </ul> <p>Occupancy of the PBSA units shall be subject to staged restrictions to ensure early delivery of affordable housing units.</p> <hr/> <p>Applicant's Position: <b>Agreed.</b></p>
<p><b>ALL AFFORDABLE HOUSING UNITS: EARLY STAGE REVIEW</b></p>	<p>An Early Stage Review Mechanism is to be triggered if substantial implementation has not occurred within 30 months of planning permission being granted.</p> <p>If the Early Stage Review concludes that additional affordable housing can viably be provided, the developer shall submit an Additional Affordable Housing Scheme confirming:</p> <ul style="list-style-type: none"> <li>- which intermediate units are to be converted into social rent tenure (or agreement to a financial equivalent);</li> <li>- improvements to the tenure mix of affordable housing as far as possible until a compliant split between social rent and intermediate is achieved (or agreement to a financial equivalent); and</li> <li>- at least 10% of the units will be delivered as wheelchair accessible.</li> </ul> <p>Occupancy of the student accommodation shall be restricted until the Additional Affordable Housing Scheme has been approved by the Council.</p> <hr/> <p>Applicant's Position: <b>Agreed, subject to the following formula inputs being fixed and included:</b></p> <ul style="list-style-type: none"> <li>• <b>Application Stage Costs;</b></li> <li>• <b>Application Stage GDV;</b></li> <li>• <b>Profit %; and</b></li> <li>• <b>Deficit which must be overcome before any PIL.</b></li> </ul>



<p>SOCIAL RENT UNITS: TRANSFERRAL TO A REGISTERED PROVIDER</p>	<p>Within 3 months of commencing works on Buildings C and/or D, the developer is to submit to the Council the name of the chosen Registered Provider</p> <p>The affordable housing units are, upon their completion, to be handed over to the Registered Provider.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p>SOCIAL RENT UNITS: SERVICE CHARGES</p>	<p>The service charge for the social rent housing units shall be:</p> <ul style="list-style-type: none"> <li>- determined in accordance with the 'Direction for Rent Standard'; and</li> <li>- limited to an increase of CPI + 1% per annum or such other limit imposed by Government regulation and/or direction (whichever is less).</li> </ul> <p>Applicant's Position: <b>Agreed.</b></p>
<p>INTERMEDIATE UNITS: MARKETING AND DISPOSAL</p>	<p>Developer is to undertake suitable marketing of the intermediate units throughout the duration of the Intermediate Housing Marketing Period to households within Southwark's local income thresholds. The period shall:</p> <ul style="list-style-type: none"> <li>• commence at least two months immediately prior to the anticipated date of completion of the Intermediate Housing; and</li> <li>• continue for at least three months immediately following the completion of the Intermediate Housing</li> </ul> <p>Disposal of any of the intermediate units shall be permitted to higher London Plan income households only if at the end of the Marketing Period there has not been uptake. Evidence of no uptake is to be supplied to the Council before disposal to higher income households is permitted.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p>ALL AFFORDABLE HOUSING UNITS: MONITORING</p>	<p>Contribution of <b>£26,500</b> (RPI All Items index linked), based on 200 dwellings at £132.50 per dwelling, towards the Council's costs for monitoring affordable housing delivery.</p> <p>Developer is to complete the Council's Housing Delivery Monitoring Tables at approval, commencement, completion and any amendment stages.</p> <p>Developer is to complete the Affordable Housing Survey, and support it with evidence as necessary, within 28 days of receiving the survey from the Council.</p> <p>Applicant's Position: <b>Agreed.</b></p>

6.

<b>Housing (student accommodation): Operation and management</b>	
STUDENT MANAGEMENT PLAN	<p>Prior to occupation of the PBSA development, a Final Student Management Plan is to be submitted to and approved by the Council. The Final Student Management Plan shall be based on the principles established by the application-stage Student Management Plan and shall include details of:</p> <ul style="list-style-type: none"> <li>- the day to day operation of the student housing to ensure noise and disturbance is minimised during the day- and night-time (including codes of behaviour / conduct and other protocols for managing breaches of acceptable behaviour);</li> <li>- the logistics and coordination of the move-in and move-out arrangements to minimise disruption to the public highway (and shall include specified management measures in respect of both the move-in and move-out period, not just the former, including coordination of arrangements with other student residences in the area so as to avoid overload at peak times);</li> <li>- deliveries and servicing management;</li> <li>- security and surveillance measures;</li> <li>- strategies for establishing and managing relationships and lines of communication with local residents and other potentially affected parties;</li> <li>- a strategy specific to the summer lets period (covering all of the above-listed requirements as well as how coach and taxi arrivals would be discouraged and, where they do occur, how they would be managed).</li> </ul> <p>The approved Final Student Management Plan (as amended from time to time) shall be complied with throughout the lifetime of the development.</p> <p>The Final Student Management Plan shall be eligible for amendments from time-to-time, subject in each instance to the Local Planning Authority's approval.</p> <hr/> <p>Applicant's Position: <b>Agreed.</b></p>
USE OF PREMISES	<p>The PBSA development is:</p> <ul style="list-style-type: none"> <li>- not to be used and occupied for anything other than its authorised purpose as accommodation available for letting as student accommodation to students;</li> <li>- to be used at all times as a single planning unit, with no part of it to be rented, sold, sub-let, licensed or otherwise disposed of in any form as a separate planning unit; and</li> </ul>

	<p>- with respect to all parts of the basement and ground floor of the building, prohibited from being used in the future for sleeping accommodation</p> <p>The student accommodation may be let to non-students during the holiday period (which shall be a maximum of 11 weeks in any one year period running from September 1<sup>st</sup> to August 31<sup>st</sup>).</p>
	Applicant's Position: <b>Agreed.</b>

**7. Housing (conventional Class C3): Occupier facilities**

<p>WHEELCHAIR HOUSING DELIVERY</p>	<p>Provision of 25 Wheelchair Accessible housing units in accordance with the table below.</p>																																																																																																												
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	18	D-18-01	S. Rent	M4(3)(2)(b)	3B5P
	19	D-19-01	S. Rent	M4(3)(2)(b)	3B5P
	<i>Tenure split:</i>		<i>x13 Int w/c units and x 12 S.Rent w/c units</i>		
	Applicant's Position: <b>Agreed.</b>				
INTERMEDIATE UNITS: WHEELCHAIR HOUSING MARKETING	<p>Suitable marketing shall be carried out for the requisite period of:</p> <ul style="list-style-type: none"> <li>- 6 months prior to completion of such units; and</li> <li>- 6 months following completion of such units.</li> </ul> <p>No disposal of any of the wheelchair accessible unit to those not in need of wheelchair housing; if one or more units are not disposed of by the end of the marketing period, the unit(s) shall be used by the Council as local authority temporary accommodation until an eligible person in need of wheelchair housing has entered into an agreement for lease in respect of the relevant unit.</p>				
	Applicant's Position: <b>Agreed.</b>				
CHILDREN'S PLAY SPACE: IN-LIEU PAYMENT	<p>Prior to implementation of Building C or Building D, whichever is the earlier, the developer is to pay <b>£54,964.00</b> (BCIS index linked), based on 364 square metres of 12-and-overs play space not provided on site, at a rate of £151 per square metre of shortfall</p>				
	Applicant's Position: <b>Agreed.</b>				
COMMUNAL AMENITY SPACE AND CHILDREN'S PLAY SPACE: DELIVERY	<p>Prior to occupation of any of the Class C3 housing units, and with the exception of a small area of external amenity/play located between Buildings C and D, the children's play space and the communal amenity space shall be completed and available for use.</p> <p>The area of external amenity/play located between Buildings C and D shall be completed and available for use within a reasonable timeframe post-occupancy of the Class C3 housing units, with an appropriate back-stop preventing final occupation of Building A.</p>				
	Applicant's Position: <b>Agreed.</b>				

<p>COMMUNAL AMENITY SPACE AND CHILDREN'S PLAY SPACE: MANAGEMENT STRATEGY</p>	<p>Prior to occupation of any of the Class C3 housing units, the developer is to submit a Communal Amenity Space and Children's Play Space Management Strategy which shall include:</p> <ul style="list-style-type: none"> <li>- a strategy for providing, maintaining and cleaning the outdoor communal amenity space and the children's play space;</li> <li>- the access arrangements;</li> <li>- the hours of opening, which shall be (except during temporary maintenance work): <ul style="list-style-type: none"> <li>• between 08:00 and 22:00 or alternative hours set by the management company (in agreement with the residents) on all days of the week 365 days a year in respect of: <ul style="list-style-type: none"> <li>○ the space on Level 01 of Building C;</li> <li>○ the space at roof level on Building C;</li> <li>○ the space at Level 15 of Building D; and</li> <li>○ the space at roof level on Building D;</li> </ul> </li> <li>• 24 hours a day on all days of the week 365 days a year in respect of all other areas of play and communal space.</li> </ul> </li> <li>- a strategy to ensure all residents of the development have the ability to access all communal spaces and all children's play space on all levels of Blocks C and D, irrespective of the tenure of their dwelling and/or the building in which their dwelling is located, in a fair and equitable way; and</li> <li>- a methodology to ensure the outdoor communal amenity space and children's play space is provided free of charge to all residents of the development except for the payment of a reasonable service charge.</li> </ul> <p>Applicant's Position: <b>Agreed.</b></p>												
<p><b>8. Housing (PBSA): Occupier facilities</b></p>													
<p>WHEELCHAIR PBSA UNITS DELIVERY</p>	<p>Provision of 109 wheelchair PBSA units, in accordance with the table below:</p> <table border="1" data-bbox="561 1623 1453 1801"> <thead> <tr> <th><u>Building</u></th> <th><u>Levels</u></th> <th><u>Ref. no.</u></th> <th><u>Total no.</u></th> </tr> </thead> <tbody> <tr> <td>A</td> <td>04 to 32</td> <td>The two premium studios</td> <td>58</td> </tr> <tr> <td>B</td> <td>02 to 18</td> <td>The three premium studios</td> <td>51</td> </tr> </tbody> </table> <p>Applicant's Position: <b>Agreed.</b></p>	<u>Building</u>	<u>Levels</u>	<u>Ref. no.</u>	<u>Total no.</u>	A	04 to 32	The two premium studios	58	B	02 to 18	The three premium studios	51
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A	04 to 32	The two premium studios	58										
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WHEELCHAIR PBSA UNITS MARKETING	<p>Suitable marketing of the PBSA wheelchair units shall be carried out throughout the lifetime of the premises, with the non-wheelchair units to be let to non-disabled prospective tenants wherever possible (so that, up until the beginning of term, a maximised number of wheelchair units remain available for take up by those who require them).</p> <p>Applicant's Position: <b>Agreed.</b></p>
9.	<b>Local economy: Employment and training</b>
CONSTRUCTION PHASE JOBS/ CONTRIBUTIONS	<p>The development must:</p> <ul style="list-style-type: none"> <li>- deliver <b>108 sustained jobs</b> to unemployed Southwark residents;</li> <li>- deliver <b>108 short courses</b>; and</li> <li>- support <b>27 construction industry apprentices</b> during the construction phase.</li> </ul> <p>Or make the pro-rata Employment and Training Contribution which, at maximum, would be <b>£521,100</b> (RPI All Items index linked). This breaks down as:</p> <ul style="list-style-type: none"> <li>- <b>£464,000</b> against sustained jobs;</li> <li>- <b>£16,200</b> against short courses; and</li> <li>- <b>£40,500</b> against construction industry apprenticeships.</li> </ul> <p>Applicant's Position: <b>Agreed.</b></p>
CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS PLAN	<p>The Plan would be expected to detail:</p> <ul style="list-style-type: none"> <li>- methodology of training, skills, support etc.;</li> <li>- targets for construction skills and employment outputs;</li> <li>- methodology for delivering apprenticeships; and</li> </ul> <p>local supply chain activity methodology.</p> <p>Applicant's Position: <b>Agreed.</b></p>
LOCAL PROCUREMENT	<p>The applicant should allow local businesses to tender for the procurement of goods and services generated by the development both during and after construction.</p> <p>Applicant's Position: <b>Agreed.</b></p>
LONDON LIVING WAGE	<p>The developer shall use reasonable endeavours to pay those who work on site (except in relation to volunteers, apprentices and interns) no less than the LLW.</p> <p>Applicant's Position: <b>Agreed.</b></p>

10.

<b>Local economy: Affordable workspace (Scenario 1: occupation by surgery)</b>		
QUANTUM AND LOCATION	<p>The health surgery premises shall be the 249 square metre commercial unit on the ground floor level of Building C.</p> <p>All ancillary and servicing areas are to be available to the healthcare provider on the same terms/basis as the market rate occupiers, and at no cost additional cost to the capped rent level.</p>	
	<p>Applicant's Position: <b>Agreed.</b></p>	
MINIMUM SPECIFICATION OF UNIT	<p>The health surgery premises shall be fitted out to a specification appropriate for occupation without major internal changes required by the tenant to occupy the space as a health surgery.</p>	
	<p>Applicant's Position: <b>Agreed.</b></p>	
MARKETING TO HEALTHCARE PROVIDERS	<p>For a period of 18 months (beginning 9 months prior to commencement of Building C and ending 9 months following commencement of Building C), the 249 square metre commercial unit on the ground floor level of Building C shall be marketed to NHS GP Partnership healthcare providers as a Class E[e] commercial unit.</p> <p>If at the end of the 18 month period the applicant has either:</p> <ul style="list-style-type: none"> <li>- been unable to secure a healthcare provider for the premises; or</li> <li>- been unable to successfully progress/conclude negotiations with potential healthcare provider occupiers;</li> </ul> <p>the applicant shall be eligible to submit evidence of the marketing / negotiations to the Council for approval.</p> <p>If the evidence is approved by the Council, the premises will revert to Class E commercial space and the provisions set out in the part of this table entitled '<i>Local economy: Affordable workspace (Scenario 2: no surgery take-up)</i>' shall apply.</p>	
	<p>Applicant's Position: <b>Agreed.</b></p>	
KEY TERMS OF LEASE	<p>Lease agreements with each healthcare provider occupying the unit shall be subject to these conditions:</p>	
	<table border="1"> <tr> <td>Rent level and any inclusions/exclusions</td> <td>To be confirmed as part of ongoing negotiations between the applicant and the Council.</td> </tr> </table>	Rent level and any inclusions/exclusions
Rent level and any inclusions/exclusions	To be confirmed as part of ongoing negotiations between the applicant and the Council.	

	<p>(Council retains right to make rent level exclusive of any rates but inclusive of service and building management charges (Index Linked from date of Agreement)).</p>
Break clause	To be confirmed as part of ongoing negotiations between the applicant and the Council.
	The rental levels and break clauses referred to above are to be routinely offered to all new healthcare providers who take up occupancy throughout the lifetime of the health surgery, not just the initial occupier.
	Applicant's Position: <b>In abeyance pending receipt of proposed terms.</b>
DELIVERY AND LIFETIME	<p>The health surgery premises is to be completed and available for occupation by a healthcare provider before any of the market rate Class E commercial space is occupied.</p> <p>The health surgery premises shall be provided for a fixed term commencing upon first operation by a health surgery occupant and terminating no sooner than the requisite number of years (without unnecessary interruption) thereafter.</p>
	Applicant's Position: <b>Agreed.</b>
TENANT ELIGIBILITY	<p>Eligible tenants are to be an NHS GP Partnership (i.e. a public health service provider holding an NHS GP contract to run an NHS-commissioned practice).</p> <p>Prior to first occupation of the health surgery premises by the provider, evidence of the provider's eligibility shall be submitted to and approved by the Council.</p>
	Applicant's Position: <b>Agreed.</b>
<b>11.</b>	<b>Local economy: Affordable workspace (Scenario 2: no surgery take-up)</b>
MARKETING	<p>Upon the "Affordable workspace (Scenario 1)" obligation falling away, marketing is to be carried out in respect of an area of the Block C commercial premises comprising no less than 81.3 square metres (10% of the total employment floorspace of 813 square metres) as affordable workspace. The marketing period shall be 12 months.</p>
	Applicant's Position: <b>Agreed.</b>



<p>LIFETIME AND KEY TERMS OF LEASE</p>	<p>In the event that one or more tenants are secured, the affordable workspace shall be provided for a fixed term commencing upon first operation of the affordable workspace unit in question and terminating no sooner than 30 years (without unnecessary interruption) thereafter</p> <p>Lease agreements with all affordable workspace occupiers shall be subject to these conditions:</p> <table border="1" data-bbox="557 499 1453 1108"> <tr> <td data-bbox="557 499 857 877"> <p>Rent level and any inclusions/exclusions</p> </td> <td data-bbox="857 499 1453 877"> <ul style="list-style-type: none"> <li>- 0-11 months at <b>peppercorn rent</b>;</li> <li>- 12 months until the end of the affordable workspace lifetime at no more than <b>£15 per square foot net lettable area per annum</b>;</li> </ul> <p>all to be exclusive of any rates but inclusive of service and building management charges (Indexed Linked from date of Agreement).</p> </td> </tr> <tr> <td data-bbox="557 877 857 1108"> <p>Break clause</p> </td> <td data-bbox="857 877 1453 1108"> <p>For both the landlord and the tenant:</p> <ul style="list-style-type: none"> <li>- a 2 year break on a minimum 5 year lease;</li> <li>- a 1 year break on a minimum 2 year lease.</li> </ul> </td> </tr> </table> <p>The rental levels and break clauses referred to above are to be routinely offered to all new tenants throughout the lifetime of the affordable workspace, not just the initial tenant(s).</p> <p>Applicant's Position: <b>Agreed.</b></p>	<p>Rent level and any inclusions/exclusions</p>	<ul style="list-style-type: none"> <li>- 0-11 months at <b>peppercorn rent</b>;</li> <li>- 12 months until the end of the affordable workspace lifetime at no more than <b>£15 per square foot net lettable area per annum</b>;</li> </ul> <p>all to be exclusive of any rates but inclusive of service and building management charges (Indexed Linked from date of Agreement).</p>	<p>Break clause</p>	<p>For both the landlord and the tenant:</p> <ul style="list-style-type: none"> <li>- a 2 year break on a minimum 5 year lease;</li> <li>- a 1 year break on a minimum 2 year lease.</li> </ul>
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<p>Break clause</p>	<p>For both the landlord and the tenant:</p> <ul style="list-style-type: none"> <li>- a 2 year break on a minimum 5 year lease;</li> <li>- a 1 year break on a minimum 2 year lease.</li> </ul>				
<p>MINIMUM SPECIFICATION OF UNIT(S)</p>	<p>Prior to first occupation, the affordable workspace is to be provided to the Council's minimum specification. It prescribes the standards of:</p> <ul style="list-style-type: none"> <li>- Fit-out (floor, ceiling, windows, doors, power, lighting etc.) specification at point of occupancy</li> <li>- Telecommunications</li> <li>- Means of escape</li> <li>- Lifts</li> <li>- Delivery/servicing arrangements</li> <li>- Cycle Storage</li> <li>- Regulations (DDA etc.) compliance</li> </ul> <p>Applicant's Position: <b>Agreed.</b></p>				
<p>EXTENT OF FACILITIES TO BE</p>	<p>All ancillary and servicing areas are to be available to the relevant affordable workspace occupants on the same</p>				

MADE AVAILABLE TO TENANTS	<p>terms/basis as the market office occupiers, and at no cost additional cost to the capped rent level.</p> <hr/> <p>Applicant's Position: <b>Agreed.</b></p>
TENANT ELIGIBILITY	<p>Eligible tenants are to be, as per the definition given in the Southwark Plan 2022, from a specific sector that has a social, cultural or economic development purpose.</p> <p>Priority must be given to pre-existing organisations based within the borough.</p> <p>The Affordable Workspace Provider is to retain discretion over the selection of the eligible tenants that take leases within the affordable workspace areas.</p> <hr/> <p>Applicant's Position: <b>Agreed.</b></p>
AFFORDABLE WORKSPACE STRATEGY	<p>Prior to first occupation of any affordable workspace, an Affordable Workspace Strategy shall be submitted to and approved by the Council, setting out:</p> <ul style="list-style-type: none"> <li>- how the workspace is of a type, and has been designed to a specification, that meets local demand;</li> <li>- a marketing strategy that prioritises small and independent businesses from the local area with an identified need;</li> <li>- evidence of collaboration with partners and stakeholders to identify businesses nominated for occupation;</li> <li>- how various different occupiers and their needs could be accommodated;</li> <li>- lease/licence terms and details;</li> <li>- the facilities for the occupiers (to include at least kitchen, toilet and printing facilities, charging points and high speed internet);</li> <li>- any business incubation support that will be offered to start-ups;</li> <li>- other details as the Council may reasonably require.</li> </ul> <hr/> <p>Applicant's Position: <b>Agreed.</b></p>
AFFORDABLE WORKSPACE DEFAULT PAYMENT IN-LIEU	<p>In the event that, following the suitable marketing of the Block C commercial premises for the requisite 12 month period, no lease(s) has been signed with one or more suitable occupiers, the applicant shall pay an Affordable Workspace Default Payment-in-Lieu (sum to be calculated using the Council's Affordable Workspace PIL Calculator). Only upon receipt of these monies shall the Block C commercial unit revert to be market rate flexible Class E floorspace.</p>

	Applicant's Position: <b>Agreed.</b>	
<b>12.</b>	<b>Local economy: Marketing of Building D commercial premises</b>	
	RETAILER TARGETED MARKETING	The ground floor commercial unit within Block D shall be marketed only at retailers (Class E [a], [b] and [c] uses) for a period ending no earlier than nine months prior to practical completion.
		Applicant's Position: <b>Agreed.</b>
<b>13.</b>	<b>Local economy: Commercial unit use class restrictions</b>	
	RESTRICTION ON HOT FOOD TAKEAWAYS, BETTING SHOPS, PAWN BROKERS AND PAY DAY LOAN SHOPS	None of the six commercial units shall, notwithstanding any changes to the use classes order or alterations/ revocations to the Article 4 Direction that applies in this location, be used as a hot food takeaway, betting shop, pawn broker or pay day loan shop.
		Applicant's Position: <b>Agreed</b>
<b>14.</b>	<b>Landscape and public realm: Publicly-accessible on-site open space</b>	
	INTERIM BOUNDARY SCHEME	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit to and receive approval from the Council of a Scheme of Interim Site Boundary Treatments.</p> <p>This Scheme shall relate to the treatments proposed along the boundaries of the site abutting the 'Southwark-owned Devonshire Grove' land, to remain in place until such time that this land is brought forward for development.</p> <p>Prior to first occupation of any part of the development, the Interim Boundary Scheme shall have been completed. Thereafter, it shall be maintained in good order and replaced like-for-like as and when necessary.</p>
		Applicant's Position: <b>Agreed.</b>
	DETAILED DESIGN	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit a Publicly-accessible Open Space Specification for all areas of privately-owned publicly-accessible open space to the LPA (who shall liaise with the Highways Authority) and receive its approval in writing.</p> <p>The Specification shall comprise:</p> <ul style="list-style-type: none"> <li>- detailed drawings;</li> </ul>

	<ul style="list-style-type: none"> <li>- details of planting, furniture, external lighting, CCTV, any boundary enclosures and entry gates;</li> <li>- finishes schedules and samples of proposed materials;</li> <li>- demonstration that principles of Secured by Design have been incorporated; and</li> <li>- details of the phasing and timing for delivery.</li> </ul> <p>The Specification shall demonstrate that the publicly-accessible open space (PaOS) has been designed to an adoptable standard in accordance with the SSDM.</p> <p>Applicant's Position: <b>Agreed.</b></p>
DELIVERY AND SHORT-TERM MANAGEMENT	<p>Upon receipt of a Provisional Completion Certificate from the Council, the developer shall make the PaOS available to the public (in accordance with the access hours and permitted rights of closure).</p> <p>Any defects within the first 12 months of opening are to be rectified by the developer.</p> <p>At the end of the initial 12 month period, the developer is to seek and receive from the Council a Final Completion Certificate.</p> <p>Applicant's Position: <b>Agreed.</b></p>
LONG-TERM MANAGEMENT	<p>No part of the development shall be occupied until the developer has submitted to and received approval from the Council of an Estate Management Plan relating to all PaOS within the site. The Estate Management Plan shall:</p> <ul style="list-style-type: none"> <li>- detail the maintenance, cleaning and renewal arrangements of the PaOS in relation to <ul style="list-style-type: none"> <li>• all sustainable (SuDS) infrastructure (to include access and maintenance information);</li> <li>• soft and hard finishes;</li> <li>• furniture; and</li> <li>• lighting;</li> </ul> </li> <li>- set out a methodology to ensure the PaOS is kept free from obstruction as far as is practical during any maintenance and cleaning of all buildings and structures within/around the development, with details of how any unavoidable disruption/ obstruction will be minimised in impact and duration;</li> <li>- demonstrate accordance with the Public London Charter LPG; and</li> <li>- include the name of the person(s)/company responsible for ensuring the effective provision of the PaOS as</li> </ul>

	<p>public realm in the long term, along with indicative running costs and service charge.</p> <p>If there is to be any meanwhile uses of any part of the site for Publicly-accessible Open Space, these temporary areas should also be included in the Publicly-accessible Open Space Specification, and the Specification should address all the matters listed above.</p>
	<p>Applicant's Position: <b>Agreed.</b></p>
HOURS OF ACCESS	<p>The PaOS shall be open to the general public 24 hours a day every day of the week including Bank Holidays (with the exception of the rights of closure detailed below).</p>
	<p>Applicant's Position: <b>Agreed.</b></p>
RIGHTS OF CLOSURE	<p>The developer shall be entitled to close the PaOS (with prior notification to members of the public) for up to one day per year so as to prevent public rights of way being obtained.</p>
	<p>Applicant's Position: <b>Agreed</b></p>
<b>15.</b>	<b>Landscape and public realm: Off-site open space and trees</b>
OsOS INTERIM LANDSCAPING SCHEME: LAND WEST OF BUILDING A	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit to and receive approval from the Council of the Interim Devon Street Triangle Landscaping Scheme.</p> <p>This Scheme shall relate to the c.213 square metre area of land outside the red line boundary to the northwest of proposed Building A.</p> <p>Prior to first occupation of any part of the development, the approved Scheme shall have been completed (the applicant to have made appropriate contractual arrangements in advance with the landowner to ensure the delivery of the landscaping on time).</p> <p>The approved Scheme shall remain in place until such time that the 'Southwark-owned Devonshire Grove' land is brought forward for development.</p>
	<p>Applicant's Position: <b>Agreed.</b></p>
	<p>Develop to pay a contribution of up to <b>£181,435.00</b> (index linked) to mitigate the failure to deliver all of the public open</p>

PUBLIC OPEN SPACE: IN-LIEU PAYMENT	space requirement arising from the conventional (Class C3) and PBSA housing elements of the proposal.  Applicant's Position: <b>Not yet agreed.</b>
TREE LOSS PAYMENT	In the event that any of the 68 proposed trees cannot be delivered, the developer is to pay to a sum (subject to CAVAT indexation) per undelivered tree according to the stem girth and species of the tree.  Applicant's Position: <b>Agreed.</b>
16.	<b>Previous permission</b>
INOPERATION OF EXTANT PLANNING PERMISSION	Covenant requiring the owner to 'give up' the right to develop under the existing planning permission (ref. 19/AP/1239).  Applicant's Position: <b>Agreed.</b>
17.	<b>Transport: Construction phase mitigation</b>
CONSTRUCTION MANAGEMENT MONITORING	Prior to implementation, the developer is to contribute <b>£20,560</b> (RPI All Items index linked), based on £40 per C3 residential unit and £40 for every three PBSA units, to cover the cost incurred by the Council's Highways Network Management division in providing the following services: <ul style="list-style-type: none"> <li>- monitoring the construction-related activities associated with the development;</li> <li>- monitoring the cumulative impacts of those activities on the surrounding highways and local environment, together with the other construction activities on nearby sites; and</li> <li>- ensuring compliance with the approved CEMP throughout the duration of the build programme.</li> </ul> Applicant's Position: <b>Agreed.</b>
18.	<b>Transport: Development mitigation</b>
TfL CYCLE HIRE DOCKING STATION CONTRIBUTION	Prior to first occupation, the developer is to contribute <b>£25,700.00</b> (BCIS index linked) towards expansion of one or more TfL cycle docking stations in the vicinity of the site.  Applicant's Position: <b>Agreed.</b>
LONG-TERM PROVISION OF CYCLE LOCKERS	Prior to occupation of the PBSA, the 12 pre-loaded folding cycle lockers shall be installed and available for use, and thereafter for the lifetime of the PBSA the cycles shall remain free-of-

FREE-OF-CHARGE	<p>charge and for the exclusive use of students staying in the accommodation.</p> <p>Applicant's Position: <b>Agreed.</b></p>
DEVONSHIRE GROVE RECONFIGURATION	<p>Prior to implementing the Devonshire Grove Reconfiguration Works, the developer shall submit and receive approval from the Council of the Reconfiguration Works Specification.</p> <p>The works shall comprise at least the following (all of which shall be in accordance with the Southwark Streetscape Manual):</p> <ul style="list-style-type: none"> <li>- The creation a vehicular and pedestrian route to connecting Old Kent Road and Devon Street, which includes:</li> <li>- the widening of the carriageway;</li> <li>- the relaying of the carriageway;</li> <li>- the provision of new footway and a new inset loading bay on the eastern side of the carriageway;</li> <li>- the retention of the existing setback on the western side of the carriageway;</li> <li>- the removal of bollards;</li> <li>- the provision and replacement of drainage systems;</li> <li>- the provision of street trees; and</li> <li>- such other works as the Council may reasonably require.</li> </ul> <p>The works, once approved, shall be secured through the Section 278 Agreement.</p> <p>Applicant's Position: Agreed</p>
CAR CLUB MEMBERSHIP	<p>Prior to occupation of any of the conventional Class C3 housing units, a contract shall be entered into with a Car Club Operator that secures membership per eligible adult per Class C3 dwelling within the development (minimum duration of the membership is to be 3 years).</p> <p>Applicant's Position: <b>Agreed.</b></p>
DELIVERY AND SERVICING MONITORING PLAN	<p>Prior to occupation of any part of the development, a Delivery and Servicing Monitoring Plan is to be submitted to and approved by the Council. The Delivery and Servicing Monitoring Plan shall set out the method for monitoring and recording the number of servicing and delivery trips to and from the development.</p> <p>Applicant's Position: <b>Agreed.</b></p>

<p><b>DELIVERY AND SERVICING MANAGEMENT BOND</b></p>	<p>Prior to occupation of any part of the development, a Delivery and Servicing Bond is to be paid to the Council. The bond will be <b>£53,000</b>, comprising:</p> <ul style="list-style-type: none"> <li>- a cash deposit of <b>£51,400.00</b> (RPI All Items index linked), calculated on the basis of £100 per Class C3 dwelling and £100 per three PBSA bedspaces;</li> <li>- a monitoring fee of <b>£1,600.00</b> to cover the Council's costs of assessing the quarterly monitoring.</li> </ul> <p>For a period of two years from opening of the student accommodation scheme the daily vehicular servicing activity of the site is to be monitored (in accordance with the approved Delivery and Servicing Monitoring Plan) and returns made on a quarterly basis. If the site meets or betters its own baseline target the Delivery and Servicing Management Cash Deposit will be returned to the developer within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the cash deposit will be made available for the Council to utilise for sustainable transport and highways remediation projects in the ward of the development.</p> <p>Irrespective of whether the development meets or fails to meet its baseline target, the Council will retain the monitoring fee.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p><b>BUS SERVICES CONTRIBUTION</b></p>	<p>The developer is to contribute <b>£1,387,800.00</b> (BCIS index linked from 2019) towards TfL bus service improvements, and any necessary associated transport and public realm improvements, in the vicinity of the site. The sum shall be paid in two instalments at these trigger points:</p> <ul style="list-style-type: none"> <li>- One year prior to occupation of the residential dwellings; and</li> <li>- One year prior to occupation of the student accommodation.</li> </ul> <p>Applicant's Position: <b>Agreed.</b></p>
<p><b>EVCP PROVISION</b></p>	<p>All six Blue Badge bays in the Building C car park shall be able to access active Electric Vehicle Charging Points (EVCPs), and they shall be operational from the first occupation of Building C or Building D, whichever is the earlier.</p> <p>The one proposed on-street Car Club bay shall be able to access an active Electric Vehicle Charging Point (EVCP), and it shall be operational from the first use of the bay.</p>



	<p>The EVCPs shall be retained in full working order thereafter for the lifetime of the development.</p> <p>Applicant's Position: <b>Agreed.</b></p>
PARKING PERMIT ELIGIBILITY EXCLUSION	<p>All of the PBSA occupants, Class C3 housing occupants and tenants of the commercial space (excluding the staff of the GP Surgery) at the development shall be prohibited from being eligible for CPZ parking permits.</p> <p>Applicant's Position: <b>Agreed.</b></p>
PBSA WASTE MANAGEMENT	<p>For the lifetime of the PBSA premises, the owner shall ensure that a contract is in place with a commercial provider of refuse/recycling collection services.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<b>19. Transport: Highway impacts mitigation</b>	
BOROUGH ROAD NETWORK: SCOPE OF S278 WORKS	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit the Section 278 Highway Works Specification, detailed design and estimated costs to the LPA (who shall liaise with the Highways Authority) and receive its approval in writing.</p> <p>This Specification, detailed design and estimated costs shall comprise the following parcels of works, and all shall be constructed in accordance with SSDM standards:</p> <p><u>Devonshire Grove Works</u></p> <ul style="list-style-type: none"> <li>- widening of the carriageway;</li> <li>- relaying of the carriageway;</li> <li>- provision of new footway on the eastern side of the carriageway and the retention of the existing setback on the western side of the carriageway, along with a new inset loading bay;</li> <li>- removal of bollards;</li> <li>- provision and replacement of drainage systems;</li> <li>- provision of street trees; and</li> <li>- other such works as the Council may reasonably require</li> </ul> <p><u>Devon Street Roundabout Interim Works</u></p> <ul style="list-style-type: none"> <li>- creation of a widened two-way vehicular route on the Devon Street south western arm</li> <li>- relaying of the carriageway;</li> <li>- provision and replacement of drainage systems; and</li> </ul>

- other such works as the Council may reasonably require.

Devon Street Roundabout Permanent Works

- Creation of a new footway on the Devon Street south eastern arm of the roundabout;
- provision and replacement of drainage systems; and
- other such works as the Council may reasonably require.

Building A-B-C Section S38/278 Highway Works

- Re-paving of footway (including the provision of new kerbs) on the north western side of Sylvan Grove (adjacent to Building A, Building B and Building C);
- Construction of vehicle crossovers;
- Construction of a new inset loading bay;
- Dedication of any land within the control of the Developer (which shall also be paved) to the north western side of Sylvan Grove considered reasonably necessary by the Council to create a footway 2.4 metres wide;
- Provision/replacement of drainage systems, providing street trees and upgrading tree pits and the promotion of traffic regulation orders where necessary; and
- other works as the Council may reasonably require.

Building C-D Section S38/278 Highway Works

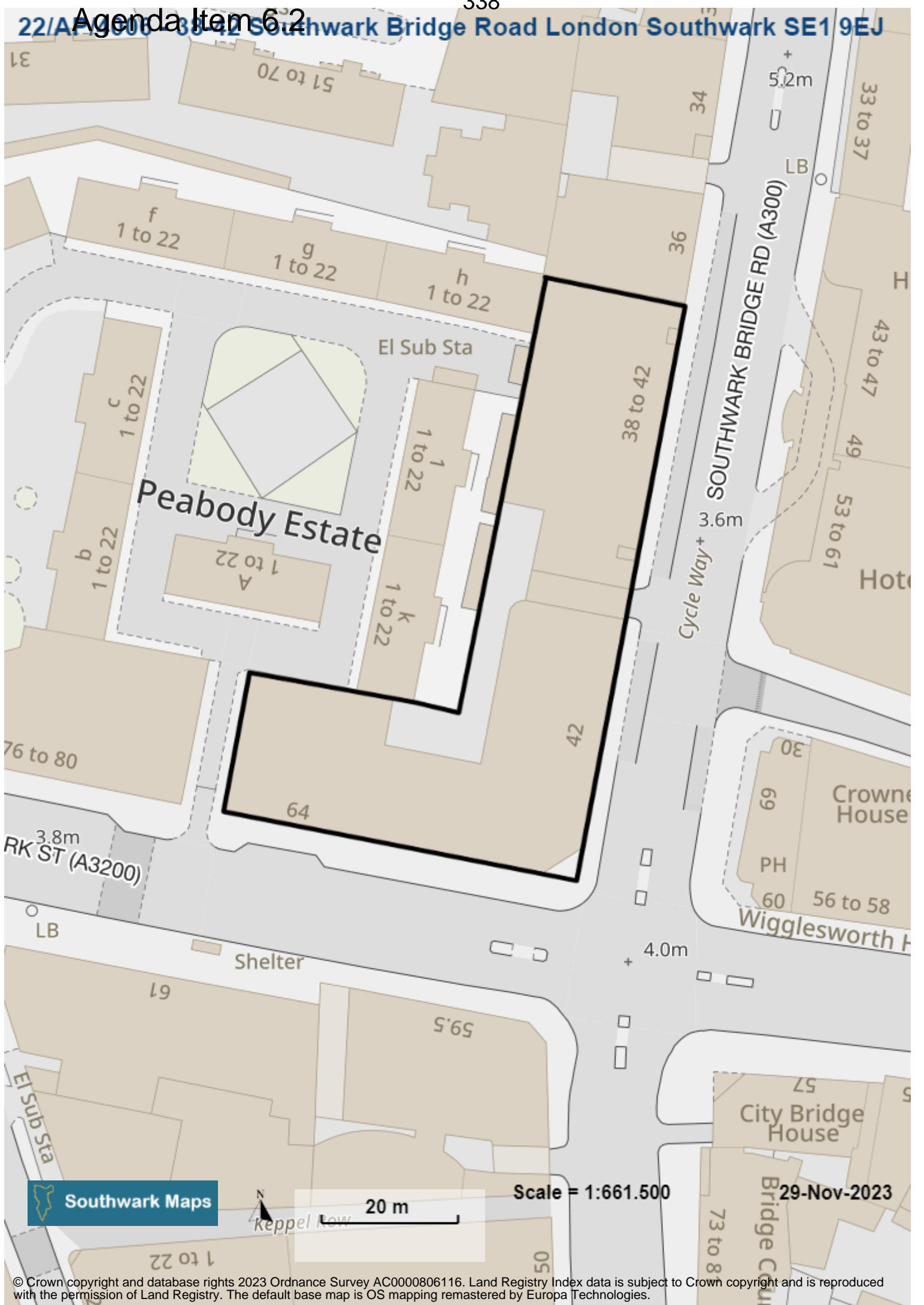
- Repaving of footway on Old Kent Road along the Development frontage;
- Construction of entry treatment across Devonshire Grove and Sylvan Grove at the junction with Old Kent Road;
- Provision of street trees and associated tree pits within the vicinity of the site as agreed with TfL;
- Provision of flush tree pit edging around all existing trees and levels as agreed with TfL;
- Upgrade of existing street lighting and installation of new street lighting if required;
- Installation gullies and connection pipes for street drainage where required;
- Cycle route provision through the area along Old Kent Road on the nearside development frontage if required;
- Resurfacing of the carriageway to support the changes as required;
- Reinstatement of or improvements to bus stopping and passenger facilities including shelters, post and flags if required.

	Applicant's Position: <b>Agreed.</b>
BOROUGH ROAD NETWORK: S278 AGREEMENT DEADLINE	<p>Prior to commencement of the agreed highway works, the developer is to enter into a Highway Agreement under Section 278 (and Section 38).</p> <p>Applicant's Position: <b>Agreed.</b></p>
BOROUGH ROAD NETWORK: S278 DETAILED DESIGN	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit the 'Highway Works Specification and Estimated Costs' for approval.</p> <p>Prior to Implementation, an Approval in Principle (AIP), relating specifically to the basement element of the proposed development, shall be submitted to and received approval from the LPA (who shall liaise with Council's Highways Structures Team).</p> <p>Applicant's Position: <b>Agreed.</b></p>
SYLVAN GROVE CONTRIBUTION	<p>Prior to occupation, the developer is to pay <b>£120,000</b> (BCIS index linked) towards the reconstruction of the Sylvan Grove carriageway.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<b>20. Sustainability</b>	
FUTURE-PROOFED CONNECTION TO DISTRICT HEAT NETWORK	<p>Prior to occupation, a DHN Energy Strategy must be approved setting out how the development will be designed and built so that all parts of it will be capable of connecting to any future DHN.</p> <p>Council to retain right to serve Connection Notice at regular intervals, with applicant to retain right to submit feasibility study in response.</p> <p>Applicant's Position: <b>Agreed.</b></p>
CARBON OFFSET PAYMENT 1	<p>The development as built is to achieve the carbon reduction set out in the submitted Application Stage Energy Strategy.</p> <p>Prior to implementation (excluding the Devonshire Grove works), with the exception of any site clearance/demolition and archaeological investigative works, the developer shall pay an off-site contribution of 50% of the total application stage predicted carbon shortfall (138.9 tonnes/CO2). This equates to 69.45 tonnes/CO2. Calculated applying the Council's current</p>

	<p>tariff rate of £95/tonne for 30 years, this is <b>£197,904.50</b> (RPI All Items index linked).</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p>CARBON OFFSET PAYMENT 2</p>	<p>No later than 4 weeks following occupation of the development, the owner shall submit an Occupation Stage Energy Review to the Council for approval.</p> <p>The Occupation Stage Energy Review shall demonstrate how the development will achieve the Agreed Carbon Targets in accordance with the principles contained in the Application Stage Energy Strategy.</p> <p>In the event that the Occupation Stage Energy Review demonstrates the application stage predicted savings have been met or exceeded, the applicant shall pay the Carbon Green Fund Contribution 2 (thereby fully offsetting the differential between on-site as-built carbon savings and net zero). Only following receipt of the Carbon Green Fund Contribution 2 will the Council issue its approval in writing.</p> <p>In the event that the Occupation Stage Energy Review demonstrates the as-built scheme falls short of the application stage predicted savings, the applicant shall accompany their submission with an Energy Strategy Addendum setting out additional energy efficiency proposals to achieve the Agreed Carbon Targets. If the Council agrees to the proposed additional measures, the owner shall implement all of the measures within twelve months of the Council's approval of the Addendum. If the Council and owner cannot come to an agreement on the proposed additional measures, the owner shall pay a further carbon offset contribution (to be calculated applying the Council's carbon offset tariff in place at that time) within 28 days of the Council issuing their request.</p> <p>The Occupation Stage Energy Review shall be complied with in completing and occupying the development.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p>BE SEEN MONITORING</p>	<p>Prior to implementation of the development (with the exception of Devonshire Grove works and demolition), the owner shall submit to the GLA and the Council accurate and verified estimates of the 'Be Seen' energy performance indicators.</p> <p>Prior to occupation of the development the owner shall provide to the GLA and the Council updated accurate and verified estimates of the 'Be Seen' energy performance indicators.</p>

	<p>On the first anniversary of occupation or following the end of the Defects Liability Period (whichever is the later) and at least for the following four years after that date, the Owner shall submit to the GLA accurate and verified annual in-use energy performance data for all relevant indicators.</p> <p>In the event that the 'in-use stage' evidence shows that the 'as-built stage' performance estimates have not been or are not being met, the owner shall identify the causes of underperformance and the potential mitigation measures. The owner shall submit to the GLA and the Council a Be Seen Mitigation Measures Plan comprising of measures that are reasonably practicable to implement, along with a proposed timescale for implementation. The measures shall be implemented in accordance with the approved Be Seen Mitigation Measures Plan.</p> <p>Applicant's Position: <b>Agreed.</b></p>
<p>21. <b>Administration</b></p>	
<p><b>Monitoring</b></p>	<p>Payment to cover the costs of monitoring these necessary planning obligations (with the exception of those that have monitoring contributions already factored-in), calculated as 2% of total sum but with reasonable cap applied).</p> <p>Applicant's Position: <b>Agreed.</b></p>

# 22/A/000038/2 Southwark Bridge Road London Southwark SE1 9EJ



## Peabody Estate

SOUTHWARK BRIDGE RD (A300)

3.8m  
RK ST (A3200)

Cycle Way+  
3.6m

Shelter

4.0m

Southwark Maps

20 m

Scale = 1:661.500

29-Nov-2023

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<b>Item No.</b> 6.2	<b>Classification:</b> OPEN	<b>Date:</b> 12 December 2023	<b>Meeting Name:</b> Planning Committee B (Major Applications)
<b>Report title:</b>	<b>Development Management planning application:</b> Application 22/AP/4006 for: Full Planning Application  <b>Address:</b> 38-42 SOUTHWARK BRIDGE ROAD SE1 9EJ  <b>Proposal:</b> Demolition of the existing redundant office building (Class E) and the construction of a replacement building to deliver additional office (Class E) floorspace along with other associated works.		
<b>Ward(s) or groups affected:</b>	Borough and Bankside		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date: 24/11/2022</b>		<b>PPA Expiry Date:</b>	
<b>Earliest Decision Date: 23/02/2022</b>			

## RECOMMENDATION

1. That planning permission is granted subject to conditions, the applicant entering into an appropriate legal agreement, and referral to the Mayor of London.
2. In the event that the requirements of paragraph 1 above are not met by 12th June 2024 the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 197.

## EXECUTIVE SUMMARY

3. This application proposes the demolition of an office building, retention of existing basement and construction of a part six, part eight-storey building with roof plant and lift overrun. The proposal includes new cycle parking facilities, internal delivery and servicing area accessed from Southwark Bridge Road, soft landscaping and new external amenity terraces. The proposal would deliver an uplift in employment floorspace.

4.	Use class	Existing sqm	Proposed sqm	Change +/-
	Use E (g)	13,675.4	16,917.0	+ 3,315.6
	Affordable workspace Use Class E (g)	0	1,308	+1,308
	Job creation	Previous use supported approx. 20 FTE jobs	855 FTE jobs	+835 FTE jobs

5. The existing building on the site is vacant. It was most recently used as a backup disaster recovery centre for businesses unable to use their usual office for safety reasons. However, it is understood that the building has not been in use for this purpose since the Covid-19 pandemic. It is five-storeys on Southwark Street with a setback sixth storey, and six-storeys on Southwark Bridge Road. To the rear of the site are five-storey residential blocks of the Peabody Estate. The surrounding areas of the south, west and north are predominately commercial buildings.
6. The principle of the proposed development in terms of land use is supported. The uplift in employment floor space including affordable workspace would contribute to meeting an identified growth opportunity in this location and importantly provide employment on a site, which has not been used for active employment since 2000. The proposal would also deliver benefits such as job creation and training opportunities for local residents.
7. The urban design and architecture is supported, providing a high standard of design and materials (subject to conditions). The elevations have a modern, engaging character that should bring a distinctive architecture to the wider street block. The additional height is comfortably scaled within the wider townscape. Its scale, stepped roof profile and detailed design of the ground floor combine well to form a suitably restrained landmark building within its local context, whilst the site layout and design of the colonnaded entrance provide for an improved public realm and with good activation and animation of the street scene.
8. Demolition and construction would be carefully managed and monitored to reduce impact on neighbouring residents, which are close to the site. There would be a reduction in daylight and sunlight for some of the residents of the Peabody flats to the west but their outlook would be improved because of the planting that is proposed on the building. This impact is considered acceptable, on balance. The soft landscaping proposals, high biodiversity net gain, high quality architectural design, and improved privacy controls, and hours of use controls would also provide some benefits to neighbouring residents in terms of outlook and privacy, comparative to the existing office building condition. These measures would be secured through planning conditions.
9. The development would have no impact on protected views and limited impact on the settings of heritage assets, generally due to the site's orientation and the intervening distance. There is harm to the setting of the Thrale Street CA caused by the visual intrusion of the distinctive lift overrun within the roofscape. However, the harm is less than substantial and of a distinctly minor order, and should be balanced by the planning benefits of the scheme.
10. The proposed development would not have an unacceptable impact on the public transport network or TLRN, subject to improvements to the walking and cycling environment, to be secured through the S106 and planning conditions.
11. The development would be car free and would deliver an uplift in cycle parking for future occupiers of the site and visitors. All servicing and delivery activities would take place within a dedicated service bay. The existing dropped kerb access onto site would be replaced with a new access further north along

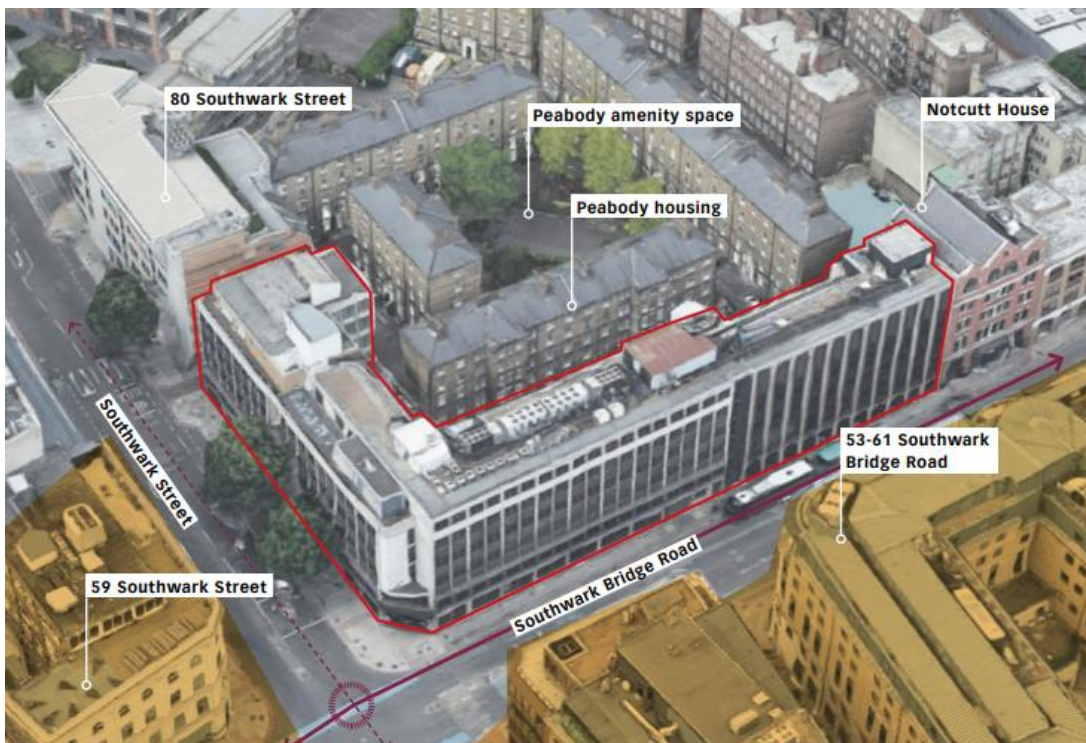
Southwark Bridge Road.

12. The development would achieve a 14% on-site reduction of carbon emissions against the 2021 Part L baseline through Be Lean and Be Green measures (equivalent to 50% onsite reduction against the previous 2013 Part L baseline). A financial contribution would be secured through the S106 to offset the remaining tonnes of carbon and deliver a net carbon zero development.
13. The proposal is informed by a Whole Life Cycle (WLC) Assessment and Circular Economy Statement (CES) that will assist in reducing the development's embodied carbon footprint and sustainable waste management. The development is targeting a BREEAM score of 85.28% that would achieve an 'Outstanding' rating, in addition to a high biodiversity net gain of over 10%, and an Urban Greening Factor of 0.3.

## BACKGROUND INFORMATION

### Site location and description

14. The site is an L-shaped plot on the north west corner of Southwark Street and Southwark Bridge Road junction. There is an office building on the site rising to five-storeys along Southwark Street with a setback sixth storey, and six-storeys along Southwark Bridge Road. The building is currently vacant but was most recently used as a backup disaster recovery centre for businesses unable to use their usual office for safety reasons. However, it is understood that the building has not been in use for this purpose since the Covid-19 pandemic.



*Image 1: Aerial view of the site (outlined in red) looking west. Thrale Street Conservation Area highlighted in yellow.*

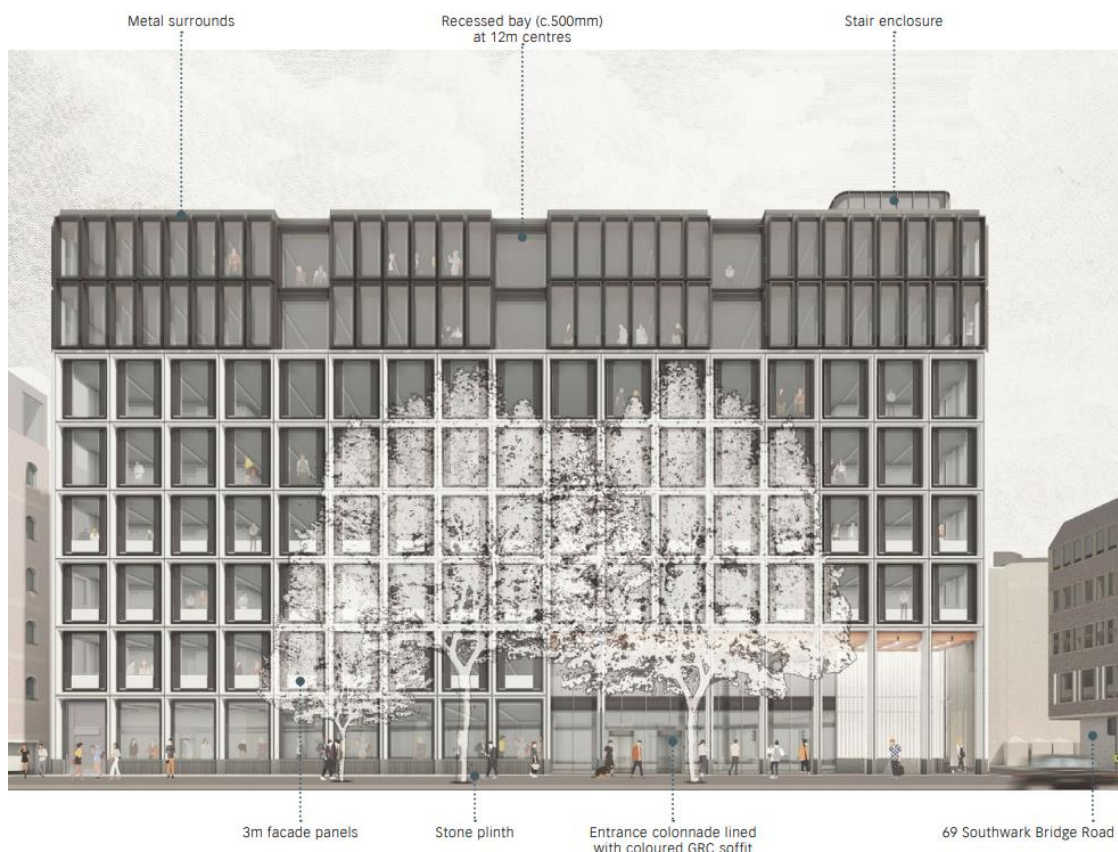
15. The site is surrounded by a mix of land uses with varied heights, characters and appearance. Immediately to the west of the site are 5-storey residential blocks

(Block A, I, K) within Southwark Street Peabody Estate. Also to the west of the site is a vacant commercial building with the planning permission granted for additional height. To the south of the site are commercial buildings, and to the east are hotels and commercial buildings.

16. The site is well connected and scores a high public transport accessibility level (PTAL) of 6b. London Bridge, and Southwark and Borough Underground stations are all within walking distance and there are various bus stops nearby, including on Southwark Street and Southwark Bridge Road. Cycle Superhighway 7 runs parallel to the site along Southwark Bridge Road. An existing vehicular access from Southbridge Road serves a loading bay and car park in the basement of the building.

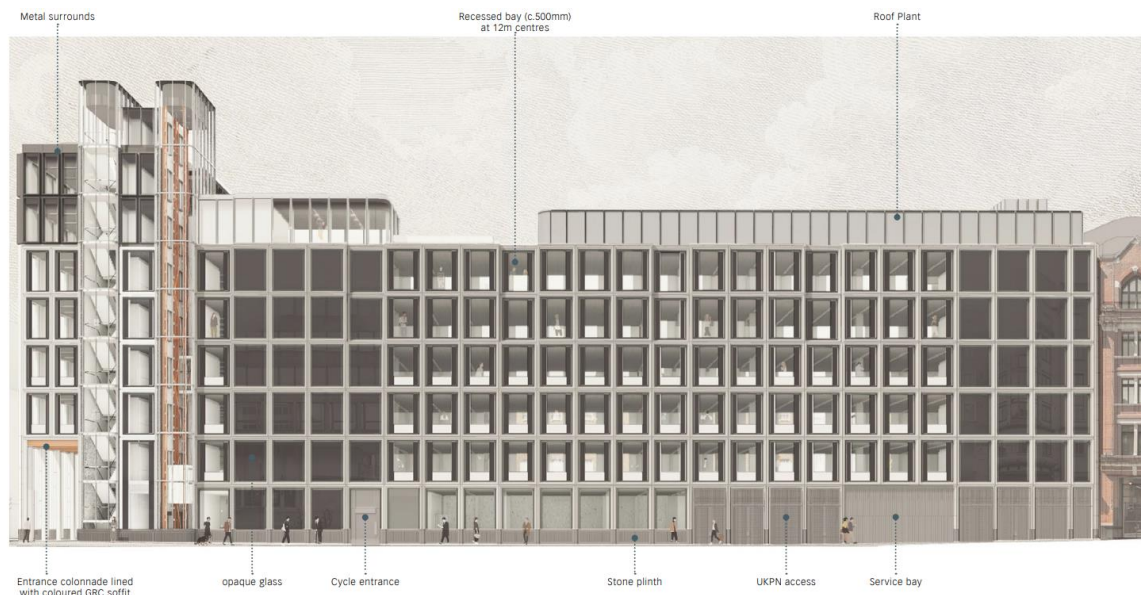
## Details of proposal

17. This application seeks planning permission for demolition of the existing building above ground and construction of a new part 8, part 6 office building with roof plant and lift overrun, cycle parking facilities, delivery and servicing area, external terraces and retention of the existing basement. The application would increase the total amount of commercial floorspace from 13,675.4 sqm GIA to 16,991 sqm GIA. The entire floorspace would be of Use Class E(g) use.



*Image 2: Illustrative view of Southwark Street elevation (proposed).*





*Image 3: Illustrative view of Southwark Bridge Road elevation (proposed).*



*Image 4: Illustrative view of corner junction with Southwark Street and Southwark Bridge Road (proposed).*

18. The tallest building elevation would front Southwark Street and would measure 35.120 metres (AOD) to the top of parapet, and 39.905 meters (AOD) to the top of the lift overrun on the corner of Southwark Street and Southwark Bridge Road. The elevation fronting Southwark Bridge Road would measure 31.370 metres (AOD) to the top of the parapet.

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

19. Any decisions that 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**

20. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use;
  - Environmental impact assessment
  - Urban design
  - Landscaping, urban greening and ecology;
  - Designing out crime;
  - Fire Safety;
  - Heritage;
  - Archaeology;
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
  - Transport and highways;
  - Environmental matters;
  - Energy and sustainability;
  - Planning obligations (S.106 undertaking or agreement)
  - Mayoral and borough community infrastructure levy (CIL)
  - Consultation responses and community engagement
  - Community impact, equalities assessment and human rights
21. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

22. 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.
23. 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

24. The statutory development plan for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2023 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 are provided in Appendix 2. Any policies, which are particularly relevant to the consideration of this application, are highlighted in the report.
25. The site is subject to the following policy designations:
- Archaeological Priority Area: North Southwark and Roman Roads (Tier 1)
  - Bankside and The Borough Area Vision
  - Central Activities Zone (CAZ)
  - London View Management Framework (Wider Setting Consultation Area) for Alexandra Palace viewing terrace to St Paul's Cathedral (1A)
  - South Bank, Bankside and London Bridge Specialist Cluster
  - The Bankside and Borough District Town Centre
  - The Borough and London Bridge Opportunity Area
26. The site is within Flood Zone 3 as identified by the Environment Agency flood map, which indicates a high probability of flooding however, it benefits from protection by the Thames Barrier.
27. The site is not part of a conservation area but is adjacent to and bounded by the Thrale Street Conservation Area to the east.

## ASSESSMENT

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

#### Re-provision and increase of Class E(g) employment floor space

28. Chapter 6 of the National Planning Policy Framework (NPPF) states that planning decisions should help to create conditions in which businesses can invest, expand and adapt. It states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
29. The application site sits within the Central Activities Zone (CAZ), which is an internationally renowned central London business district with high potential for commercial growth.
30. The Southwark Plan Strategic Policy SP4 sets a target of delivering 460,000sqm of new office floorspace between 2019 and 2036 (equating to c.35, 500 jobs). The policy sets out that 80% of new offices would be delivered in the CAZ and at least 10,000 new jobs would be provided in the Borough, Bankside London Bridge Opportunity Area. The Southwark Plan Policy P30 protects against the loss of existing employment floor space in the CAZ.

31. The London Plan Strategic Policy GG2 requires development to explore the potential for the intensification of the use of land, promoting higher density development, particularly in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. The London Plan Policy SD5 requires offices to be given greater weight relative to new residential development in the CAZ, with some exception including wholly residential streets or predominately-residential neighbourhoods. The London Plan Policy E1 supports improvements to the quality, flexibility and adaptability of office space through new office provision and refurbishment.
32. Therefore, the proposed increase in employment floor space on this site is supported in terms of land use. It would contribute to meeting an identified growth opportunity in accordance with Chapter 6 of the NPPF, London Plan Policies SD4, SD5 and E1, and Southwark Plan Policies SP4 and P30.

#### Job creation

33. The applicant has advised that the building's previous use as a backup disaster recovery centre generated approximately 20 jobs. The proposed development would generate 855 FTE jobs, which represents an uplift against the previous and potential use of the existing office building.
34. Southwark Plan Policy P28 requires development of this type to deliver training and job opportunities for local residents. 85 jobs would be secured for unemployed Southwark residents lasting a minimum of 26 weeks. Jobs would also be created during the construction process providing a minimum of 27 jobs for unemployed Southwark residents, 27 short courses and 6 construction industry apprenticeships during the construction phase of development. This would be secured through the S106 alongside a financial contribution to offset any shortfall in on site provision during construction and operational phases.

#### Affordable workspace

35. London Plan Policy E2 (D) requires proposals for new employment floorspace greater than 2,500sqm (GEA) to consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium sized enterprises. London Plan Policy E3 supports the use of planning obligations to secure affordable workspace for office use below market rates for development purpose such as:
- 1) for specific sectors that have social value such as charities, voluntary and community organisations or social enterprises
  - 2) for specific sectors that have cultural value such as creative and artists' workspace, rehearsal and performance space and makerspace
  - 3) for disadvantaged groups starting up in any sector.
  - 4) supporting educational outcomes through connections to schools, colleges or higher education
  - 5) supporting start-up and early stage businesses or regeneration.



36. The policy recognises that this need is particularly important in areas where cost pressures could lead to the loss of affordable workspace for micro, small and medium sized enterprises such as around the CAZ.
37. Southwark Plan Policy P31 requires developments proposing 500sqm GIA or more employment floorspace to:
- Deliver at least 10% of the proposed gross employment floorspace as affordable workspace on site at discount market rents; and
  - Secure the affordable workspace for at least 30 years;
  - Provide affordable workspace of a type and specification that meets current local demand; and
  - Prioritise affordable workspace for existing small and independent businesses occupying the site that are at risk of displacement. Where this is not feasible, affordable workspace must be targeted for small and independent businesses from the local area with an identified need; and
  - Collaborate with the council, local businesses, business association's relevant public sector stakeholders and workspace providers to identify the businesses that will be nominated for occupying affordable workspace.
38. The application proposes to deliver 1,308sqm of affordable office floorspace equating to 10% of the total floor area, excluding the existing basement floor area, which is to be retained. This approach complies with Policy P31, which applies to all new floorspace that would be created by the development. The affordable workspace would be located at the basement level 1, with provision of shared workspaces, offices and meeting rooms, and with equal access to utilities and ancillary services, shared with the market rent tenants on the upper levels. It is expected that by virtue of the size, the workspace would be suitable for one operator; however, it would be flexible for multiple users.
39. Details of the affordable workspace offer would be secured through the S106, in accordance with the requirements set out in Southwark Plan Policy P31 and London Plan Policies E2 and E3.
40. Principle of land use conclusion
41. For the reasons set out above, the proposal complies with the local development plan in relation to land use policy. The GLA are supportive of the proposed land use in their Stage 1 Report. This redevelopment of a vacant building would provide a higher quality office development that would better meet modern standards and accessibility requirements, provide affordable workspace and deliver jobs and training opportunities. Therefore, the principle of development in terms of land use is acceptable for this application.

## **Environmental impact assessment**

42. An Environmental Impact Assessment Screening Opinion was not requested prior to the submission of this application. Schedule 2 of the EIA regulations identifies urban development projects, which the proposed development could be described as. However, the proposal would not include more than 1 hectare

21 of urban development, it would not include more than 150 dwellings, and the overall area of the development would not exceed 5 hectares. The site is not located in a sensitive area as defined by the Regulations. In addition, it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. Therefore, it is concluded that an Environmental Impact Assessment is not required.

## Urban design

### Layout

43. The new building would repeat the current L-shaped layout, continuing to follow the urban grain of the existing context and bringing strong definition to the street edges in Southwark Street and Southwark Bridge Road. However, the new entrance would be much larger, pulled away from the corner junction and positioned further west along Southwark Street. The façade line at the entrance would be recessed 4.5metres from the pavement edge and set beneath a tall colonnade that runs half the length of the street frontage onto Southwark Street. The colonnade opens as one side onto Southwark Bridge Road. The layout provides a generous public realm around the building's main entrance onto Southwark Street, which is a busy pedestrian thoroughfare. The colonnaded design has a strong visual presence, reinforcing Southwark Street as the primary commercial street. The colonnade is visible to and accessible from Southwark Bridge Road, ensuring the entrance remains legible from this side of the street.
44. The colonnade would be closed off at its western end by the ground floor offices. It would be partly glazed at this point rather than infilled with a solid panel, which should be sufficient to ensure good informal surveillance of the return. The colonnade functions more as a generous entrance portico than as a pedestrian route, and such it is unnecessary that it runs the full length of the street frontage. There is opportunity for this return to accommodate a secondary entrance to the ground floor offices in the future, were they to come forward as a separate office unit or as a public entrance to a café ancillary to the main office use, which is a typical feature of modern offices. A condition confirming the treatment of the return façade is suggested to assist in exploring a better use of this part of the colonnade.
45. The proposed layout on Southwark Bridge Road acts as more of a secondary building frontage. This approach is largely unchanged from the current layout arrangements, with the off-street servicing bay positioned in a similar location, and a single pedestrian entrance giving access to the end-of-journey facilities. As above, there is opportunity here for another office entrance in the future for occupiers requiring a separate entrance.
46. At the rear, the layout again makes use of the full depth of the building's narrow plot, building up to the rear boundary wall onto the Peabody Estate at ground floor level. The proposed 1st to 3rd floor levels are widened and brought onto the same rear building line, with the uppermost floors above recessed. The designs

look to optimise the building footprint and ensure decent floorplates, which is welcome in general from a building design perspective, subject to massing and amenity.

### Scale, Height and Massing

47. The new building can be split into two primary volumes; an eight-storey volume onto Southwark Street, with a setback roof terrace above; and a six-storey volume onto Southwark Bridge Road, but with a setback rooftop plant enclosure and short 'pavilion' block. The building pivots around the main access core, which sits immediately behind the colonnade and visually separates the two volumes. The core is a part of the building's architecture, expressed as a distinct element that flanks onto Southwark Bridge Road and projects well above the main parapet lines on both street elevations.
48. The general built form is well-considered, providing regular floorplates and flexible accommodation within both volumes, with the core's massing designed to articulate the building's roof profile and provide a notable local landmark. The increase in building scale, both in terms of height and massing, is well-handled, aimed at delivering uplifts in the quality and quantum of modern office floorspace, balanced with responding to the local townscape and amenity constraints of the site. The design approach of focussing the increase in storeys onto Southwark Street is rational, whilst the increased massing within the Southwark Bridge Road volume is well-handled.
49. Looking at the existing and proposed heights in detail, whilst the existing building is generally six storeys in height (c.20m), it currently presents as five storeys (c.17m) onto Southwark Street, with an additional setback storey. The setback and breaks in massing of the top floor generally work well in nearby oblique views from the west, although the full extent of the building's six-storey height becomes evident when viewed at the junction with Southwark Bridge Road and in middle distance views. The building's primary scale of six storeys (20m) is read along the length of its Southwark Bridge frontage, including the later extension, and presents a uniform parapet line along the street and a coherent streetscape. Open rooftop plant and two overruns add c.3m to the overall building height, but are positioned well back from the parapet edge and cannot be seen from the public realm
50. In comparison, at eight full storeys onto Southwark Street the replacement building measures c.31m to parapet height; the increase in height comprising the improved floor/ceiling heights, as well as the two additional storeys. Above this, a setback balcony enclosures a rooftop amenity space that adds a further 1m to the height. The secondary core adds a further 3m at the building's west end, whilst the main access core and lift overruns at its east end takes the building to its maximum envelope height of c.36m above grade. At these heights, the building constitutes a tall building.
51. On Southwark Bridge Road, the scheme is generally for six replacement storeys, albeit of improved floor/ceiling heights, raising the general parapet height by 7m to c.24m compared to the current building. The proposed design maintains an

evident shoulder line along its street frontage. In this instance, a short rooftop pavilion adjacent to the main core and discreet rooftop plant enclosure (incl. secondary core) are visible above the parapet line, adding 3.5m and 2.5m, respectively, to the building's overall height along Southwark Bridge Road, although this part of the building remains below the tall building's threshold.

52. At eight full storeys onto Southwark Street, the building will read taller than its Victorian neighbour immediately opposite (no.56½ Southwark Street) which comprises 4 storeys with a setback 5th (c.21m), and taller than the building context to the south and east, which is generally characterised by buildings of five or six storeys (c.22-25m). However, the additional height (c.10m) is comfortable, particularly when seen from the wider public realm of the junction with Southwark Bridge Road (see model view, p.51, DAS). In addition, the change in colour tone for the final two storeys eases any strong sense of disparity, helping the uppermost massing to blend with the general roofscape. The additional height will be evident from within the nearby conservation areas to the east and south, although the impact will not be especially harmful.
53. Furthermore, the eight storeys responds to a step up in building heights that generally occurs westwards of the junction with Southwark Bridge Road. Beyond the site and no.56½ opposite, general building heights increase along Southwark Street, rising to between seven and eight storeys, albeit some with partial setbacks, and notably to 10 and 13 storeys on the north side of the street for the large office buildings of Bankside OneTwoThree and to the tall residential blocks of Neo-Bankside. Within this wider context, the proposed increase in height reads sufficiently moderate and not out of character.
54. For the most part on Southwark Bridge Road, the proposals present a uniform parapet height of six storeys along the west side of the street frontage. This is similar to the existing buildings in terms of the number of storeys, albeit c.4m taller than currently due to the revised floor/ceiling heights. The new parapet line broadly aligns with the lower outer gables of the neighbouring Notcutt House and c.2m below its taller central gable, maintaining a relatively coherent roofline along the street frontage, which is welcome. Furthermore, the development also remains reasonably well balanced in height with the terrace opposite, which is similarly mainly 6 storeys, albeit with a 5-storey cornice line and compressed floor/ceiling heights. Nonetheless, the proposed shoulder height will generally provide a consistent sense of enclosure to the street and, given the broad width of the street, maintain a coherent townscape, which is welcome.
55. In this instance, the detailed facade of the uppermost floors articulates in several places, softening the upper floor massing and parapet line without undermining the generally consistent height, which is welcome. The development will include rooftop plant which will be visible above this articulated parapet line. However, the plant enclosure is sufficiently set back and discreet in appearance to ensure the primacy of the building's six-storey shoulder height is expressed clearly. Whilst the plant enclosure will pop into view above Notcutt House when seen southwards along the main road, it is not especially disruptive, being more glimpsed in the oblique views. The rooftop pavilion block is more evident, but is sufficiently detailed to read as secondary, maintaining the primacy of the six-

storey shoulder height (see views #1.8 and #1.9).

56. A notable element of the development is the tall main access core, which sits immediately behind the large foyer onto Southwark Street and presents its flank onto Southwark Bridge Road. At 36m, it rises distinctly above the building's shoulder heights onto Southwark Street (c.31m) and onto Southwark Bridge Road (c.24m), articulating the building's profile. The core is deliberately expressed, with its discrete massing and overt appearance forming an architectural feature of the building. Its detailed appearance is softened by its round-cornered form and extensive use of glazing, which gives the structure an open, lightweight design.
57. This high-level core will be overtly seen in nearby views within the local context, but will read more incidental in form rather than adding extensive rooftop bulk, and will provide the building with a distinctive silhouette. In these views, its rooftop expression is engaging and reads as a brief, taller moment within the streetscape without becoming overly dominant or unduly disruptive to the contextual scale (see views #1.2, #1.8 and #1.9), although it will be visible from within nearby conservation areas (see below). It will also be visible in middle distance views where the views are direct, but will act as a local landmark helping to define the junction of Southwark Bridge Road with Southwark Street (see views #1.5 and #1.7). Its scale, however, is not so large as to impose on the wider townscape in general
58. Regarding longer distance views, the site sits within the extended background of the wider setting consultation area of the protected panoramic view of St Pauls from Alexandra Palace (LVMF 1A). However, at 36m, the height would not exceed the plane threshold of the protected vista and would remain below the background wider setting consultation area corridor height. Therefore, the scheme would not noticeably affect this view of St Paul's Cathedral in terms of its height and massing. In addition, the development would unlikely be seen in the protected river prospects, being set some 300m south of the Thames and given the intervening building context.
59. It would be visible from Southwark Bridge, although the protected views from the bridge are upstream and downstream (LVMF 12a and b) and not directly to the south. The submitted wireline view shows the uppermost part of the Southwark Street volume and the lift overrun would be evident on the skyline, with the overrun likely to form a local landmark feature on the west side of the main road. However, in this perspective, the proposed building would appear much lower than the re-clad FT building (under construction), no.22 Southwark Bridge Road and the Rose Building in the foreground and similar in height to Anchor Terrace in the middle distance.. Furthermore, it would be seen against the backdrop of the tall towers of Two-Fifty-One and Highpoint in Elephant and Castle in the far distance (view #1.7). The compact massing and lightweight appearance of the core would negate any harmful impact.
60. Regarding the proposed scale at the rear, the new building's height and massing are deliberately profiled to respond to the amenity of the neighbouring Peabody Estate. The massing of the Southwark Street volume has a regular form. The main impact is on the Southwark Bridge Road volume, where the footprint is

extended to make almost full use of the narrow site at ground floor and lower floors, with the massing cut back where necessary above 3rd floor level is a series of terraces, designed to ease the impact on nearby residents' amenity. Regarding the design, the massing is well-handled, with the cutbacks judiciously positioned and used to provide planting and occasionally outdoor office amenity space.

61. Overall, the development is for a moderately tall building that remains sufficiently comfortable within its immediate mid-rise context and responds to the taller context of Southwark Street west of its junction with Southwark Bridge Road. Its height and massing are well-considered and do not significantly alter the established local scale. The approach of a more articulated building form, with the pop-up core and rooftop pavilion, works well to relieve the visual impacts of the proposed increased massing. In conclusion, the proposed scale is generally supported, subject to the heritage considerations.

### Tall Buildings

62. At 36m above grade, the building is regarded as a tall building for the purposes of P.17 of the Southwark Plan and policy D2 of the London Plan. The proposed development is within the Central Activities Zone, which is considered generally suitable for tall buildings.
63. The site is at a point of local landmark significance, being at the junction of Southwark Street and Southwark Bridge Road; two important thoroughfares within the borough. As a moderately tall building, its height reflects the local significance of the location, being mainly visible within the adjoining streets and only marginally visible beyond. Similarly, it is not so tall as to contribute to London's skyline, although its profiled roofline will nevertheless be engaging at the local level; and the site itself is outside of all strategic and borough views.
64. As a tall building within Southwark Street, it would sit within a local area increasing characterised by large scale and tall buildings, and as such, is not out of character; whilst the contrast in height with its immediate mid-rise neighbours to the south and east is not uncomfortable.
65. In terms of contributing to the public realm, the opportunity for new public space is constrained by the site's geometry and relatively modest size. Nonetheless, the proposed colonnade would provide additional pavement space on a busy street corner and for half of the length of its frontage onto Southwark Street, which is welcome. The public do not have access to the top of the building, which is appropriate, given the building's moderate height as a tall building; the limited opportunity for communal outdoor space for the building's occupants; and the need to protect neighbouring residential amenity as set out later in the report.
66. Regarding its design, the moderately tall building is of high architectural quality in terms of its appearance and material finishes (subject to conditions), commensurate with its scale. The functional quality of the new office accommodation is commendable, given the site constraints.

67. The position, moderate scale and thoughtful detailing of the building does not generate an uncomfortable environmental impacts in the immediate area, whilst the arrangement of the ground floor colonnaded entrance, transparent design of the main lift core and large ground floor windows would ensure a positive relationship with the adjoining public realm. The energy efficiency of the building has been considered as set out later in the report.
68. The development would have a limited impact on the historic environment, being generally located a good distance away from most heritage assets; the exception being the intrusion of the lift core within the backdrop to part of the Thrale Street CA, although the harm is minor (see earlier). Overall, the architecture would make a positive contribution to the wider townscape, given its location and engaging design.
69. Remaining policy considerations relating to safety, transport capacity, servicing, employment and construction are assessed in the relevant sections of this report and are acceptable. Overall, the proposal therefore satisfies design requirements for a new tall building within the Bankside area of the Central Activities Zone.

### Architectural Quality

70. The building has a distinctly modern office aesthetic, comprising a strong, regular grid of mainly white pre-cast glass-reinforced concrete fins and large, vertically-proportioned metal-framed windows. The framework is sized and the elevations detailed to express a classical façade hierarchy of base, middle and top. The ground floor has a generous 5m ceiling height and equally tall window openings, and features a tall colonnaded entrance onto Southwark Street. The colonnade is partly finished in profiled pre-cast stone, whilst its soffit comprises GRC with an accent coloured pressed metal cladding, which deftly enhance the legibility of the main entrance. The precast framework is brought down to grade onto a profiled mid-grey granite plinth for robustness and a touch of elegance. The windows are anodised aluminium in a silver tone.
71. The middle section comprises five uniform floors with elevations comprising the same regular framework in pre-cast GRC and with the metal-framed windows, albeit on a 3m grid with the floor heights adjusted, and with a parapet finish. Above this, the framework for the top switches to a finer 1.5m grid and is detailed in black aluminium; the contrast giving the final two floors the appearance of a double 'attic storey'. This is further assisted by articulating the façade line by 0.5m, providing a short series of three pavilion bays. This articulation eases the detailed massing and softens the roofline's profile, which together with the tighter grid and material finishes, allows the final two storeys to read more as part of the wider roofscape within Southwark. Overall, the primary street façade designs is well-composed and engaging.
72. The same aesthetic for the base and middle are used for the Southwark Bridge Road frontage, ensuring a coherent design to the development. In this instance, however, the precast frame switches in colour to mid-grey rather than white, whilst the building's middle section forms the main shoulder height for much of the length of the street block, helping to differentiate the two main volumes and

principle street facades.

73. The facades of the 4th and 5th floors are recessed by 0.5m in a series of four shallow bays that subtly articulate the roofline and add visual interest to the building's elevation over its long stretch of street frontage. Above the 5th floor's shoulder height, a short rooftop pavilion blocks provides additional floorspace without compromising the design. The pavilion is finished in a contrasting white metalwork framework on the tighter 1.5m grid. The adjacent roof plant is set back from the edge and contained within a profiled zinc clad enclosure, minimising its appearance and ensuring that where it is visible its design is complementary. At grade, the Southwark Bridge Road street frontage includes the off-street loading bay and adjacent substation, which are finished in galvanised steel gates in patterned metalwork fins with perforated backing panels that also complement the façade's design.
74. A key feature of the architecture is the main access core, which flanks directly onto Southwark Bridge Road and is used as a design feature to both visually separate but interconnect the two main volumes, as well as give the building a distinctive vertical feature. The design is Hi-tech in its architectural style, featuring extensively glazed lobbies, glazed lift cars and visible lift-room plant. Its deliberately transparent appearance animates the tall, slender volume, and brings strong visual interest to the adjacent street scene. Its soft corner massing, deliberate design expression and clear projection above the roofline make for an appealing design and gives the structure a local landmark quality.
75. Finally, at the rear, the elevations are more restrained in their design. The ground floor is finished in stock brick to form the building's main plinth and to match in with the current boundary wall. The main building volume is set back behind a green roof along Southwark Bridge Road, above which the elevations are simply expressed with the 3m grid using white metalwork framing, featuring large windows that are fretted where required to resolve potential issues of overlooking. The upper floors tier back, creating planted terraces and occasional amenity terrace and inset balconies that are heavily planted. The rooftop plant enclosure is set further back and is finished in the profiled white zinc cladding, whilst the rooftop pavilion features the same white metal frames and 1.5m grid as the front elevation. The elevational designs are similar for the rear of the Southwark Street elevation, using the same regular 3m grid and metalwork framing, but with localised concrete panel infills to address overlooking
76. Regarding the functional quality, the designs are for flexible, open-plan accommodation with excellent amenities. The floorplates are continuous and on a 9m grid, and have decent internal ceiling heights of c.3m. Services are contained within raised floors, whilst the ceilings finished remain exposed, with lighting tracks. The windows are floor to ceiling high, incorporating fritting at desk level for modesty screening on the lower floors and solid infill panels where full privacy is required. With 40% of the façade glazed and moderate building depths, the extensive glazing provides for excellent natural daylight penetration and good outlook, albeit the outlook is carefully controlled to the rear for amenity reasons.
77. The building features a main core and two satellite cores with ample communal WC facilities, allowing the opportunity for sub-division on each floor, as well as



on a floor-by-floor basis. It also benefits from an off-street loading bay on the Southwark Bridge frontage, with internal servicing access throughout the building at basement level. The offices are mechanically ventilated, whilst the occupants have access to outside communal space. The users enjoy good office amenities, comprising end-of-journey facilities, a large entrance foyer, balconies on several floors and two rooftop terraces. Terrace planting and green roofs add to the building's amenities. Overall, the functional quality is high and is a vast improvement compared to the current office accommodation.

78. Overall, the proposed building is considered to be of high architectural quality. The elevational designs are well-composed, with a good sense of the base, middle and top to the building, and have a robust and engaging character that is convincing. The colonnaded entrance and expressed core present distinctive, welcome features that add legibility to the architecture and townscape, although their contribution will depend on the quality of detailing and material finishes, as will that of the scheme itself. The functional quality is similarly high. The designs respond well to the surrounding contexts and provide sufficient visual interest to the main elevations fronting the highways, but also at the rear providing additional soft landscaping and improved architectural design comparative to the existing office building.
79. It is recommended that a material schedule and sample panels to be presented on site be secured via planning condition to ensure that the building materials respond positively to the surrounding context and to achieve a high quality finish, and that detailed plans and sections through the elevations (incl. core) are similarly submitted by condition for confirmation. As such, the designs present a notable improvement in architectural quality compared to the existing building(s), and as such, is welcome, meeting the design requirements of policy P14.

### Urban design conclusion

80. The scheme is well conceived and its architecture is well composed, providing a high standard of design and materials (subject to conditions). The elevations have a modern, engaging character that should bring a distinctive architecture to the wider street block. The additional height proposed is evident and whilst it contrasts with the immediate mid-rise neighbours at the junction of Southwark Street/ Southwark bridge Road, it is comfortably scaled within the wider townscape; particularly given the backdrop of Bankside OneTwoThree and other large buildings further along Southwark Street to the west. Furthermore, it maintains the visual coherency of the townscape within Southwark Bridge Road. Its scale, stepped roof profile and detailed design of the ground floor combine well to form a suitably restrained landmark building within its local context, whilst the site layout and design of its colonnaded entrance provide for an improved public realm and with good activation and animation of the street scene.
81. The scheme has no impact on protected views and has limited impact on the settings of heritage assets, generally due to the site's orientation and the intervening distance. There is harm to the setting of the Thrale Street CA caused by the visual intrusion of the distinctive lift overrun within the roofscape. However,

the harm is less than substantial and of a distinctly minor order, and should be balanced by the planning benefits of the scheme.

82. Overall, the proposed design approach is welcome, satisfying the requirements for a high quality architecture and urban design and those for a tall building. Subject to detailed conditions, the application is supported on design grounds.

### **Landscaping, urban greening and biodiversity**

83. Policy G5 of London Plan requires major application proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design. Paragraph 8.5.2 of the policy emphasises the benefit of urban greening on amenity, particularly in the most densely developed parts of the city where traditional green space is limited.
84. The site, at present, is all hard surface and scores an Urban Greening Factor (UGF) of 0. Redevelopment of the site would offer an opportunity to enhance biodiversity and ecological resilience on site. The proposal would be in compliance with the policy target to achieve an UGF score of 0.3 through the following measures:
- Intensive green roofs with substrate minimum settled depth of 150mm;
  - Climbers rooted in soil on sixth floor; and
  - Permeable gravel and concrete paving on pedestals with a blue roof below.
85. The council's ecologist is satisfied that no further surveys are required. The application would achieve a minimum Biodiversity Net Gain (BNG) of 200%, which far exceeds the recommended 10% uplift. Habitat types that are proposed include green roof, planters and sustainable urban drainage features. The biodiversity mitigation strategy as set out in the BNG report, and monitoring would be secured through planning condition. This will assist in refining the net gain design and mitigation to ensure that effective measures are delivered for future development.
86. Planning conditions are also recommended to secure details of the green roofs, 12 swift bricks, 6 invertebrate habitats, and a landscape management plan for the vertical greening, roof terraces, landscaping and ecological features.
87. The application proposes to retain the existing street trees on Southwark Street that are managed by TfL. An Arboricultural Method Statement is recommended to be secured through planning condition for pruning requirements and to protect the trees during the demolition and construction phase of development, in accordance with London Plan Policy G7 and Southwark Plan Policy P61.

### **Designing out crime**

88. A Crime Prevention Statement has been submitted setting out the measures that have been incorporated for this development to create a safe and secure environment in accordance with Southwark Plan Policy P16 and London Plan

Policy D11. This includes measures such as on site security and operational management teams, good natural surveillance, CCTV, lighting, and intruder alarm systems. Access into the building would be controlled and there would be a dedicated cycle entrance and a service yard entrance. The Metropolitan Police Designing Out Crime Officer has reviewed the submission, confirming that there have been discussions with the applicant's team on design requirements and recommendations for this development. A planning condition is recommended to require Secured By Design security measures to be implemented and to seek accreditation for this.

## **Fire safety**

89. Policy D12 of the London Plan (2021) requires all major development to submit a Fire Statement, addressing all criteria outlined by the policy. 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.
90. A Fire Statement has been submitted which was prepared by a suitably qualified third-party assessor, Affinity Fire Engineering. The statement provides details relating to means of escape and evacuation strategy, features that reduce the risk to life, access for fire service personnel and equipment, and provision for fire appliances.
91. The applicant submitted an updated Fire Statement to also address the GLA Stage 1 report, which highlighted that the statement lacked detail in relation to building construction and ensuring that potential future building modifications would not compromise fire safety and protection measures. In addition, further assessment was requested for fire risk associated with green infrastructure to prevent the use of combustible materials on external elevations.

## **Heritage**

92. 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". The NPPF (2023) 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

goes on to advise taking into account the effect of a scheme on the significance of a non-designated heritage asset.

93. The site is not within a conservation area and there are no listed buildings within or adjoining this site. However, the east side of Southwark Bridge Road forms the boundary of the Thrale Street conservation Area (CA), which is centred on nearby Thrale Street and wraps southwards to include the corner buildings on the south side of Southwark Bridge Road opposite the site. The nearby railway bridge marks the northern boundary of the Union Street CA, which is 80m south of the site. Beyond these, the Borough High Street CA is 200m to the east and Bear Gardens CA is 170m to the north. The nearest listed buildings are c.100m from the site and include no.55-59 Thrale Street, 49 and 51-53 Southwark Street to the east; 52 Southwark Bridge Road to the south; and Anchor Terrace in Southwark Bridge Road to the north: All are statutory Grade II listed. Anchor Terrace is also notable for sitting above the original Globe Theatre, a scheduled monument.
94. The applicant has prepared a Heritage Statement to assess the impact on the proposed development on the surrounding heritage assets, in accordance with the NPPF, London Plan Policies HC1, D3 and DP, and Southwark Plan Policies P19, P20 and P21. This has been updated in response to the GLA Stage 1 report, in relation to assessing harm to the Thrale Street CA.
95. Overall, it is agreed that the proposed development would not harm the settings and significance of nearby listed buildings, and for the most part would preserve and enhance the character and appearance of the nearby conservation areas. In terms of the scheduled monument, the remains of the Globe are below ground and, whilst the proposals include basement excavation works, the application site is sufficiently remote from the monument to have no direct effect. Regarding the listed buildings, when looking directly at the heritage assets, the application building is located either at a sufficient distance or orientated away from the site not to intrude in the immediate backdrop to the listed building. Where visible, it is seen some way to one side of the heritage asset and its ordered architecture and neutral colours ensure that its appearance is not visually disruptive (e.g., views #1.2-1.3, #1.5-1.7).
96. Looking at the conservation areas, Bear Gardens CA and Borough High Street are sufficiently distant not to be unduly affected by the proposals, given the urban grain and mid-rise scale of the intervening building context. The main conservation area affected is the adjacent Thrale Street CA. Its significance is as a notable example of a 19th century townscape, characterised by grand industrial and commercial buildings of Southwark Street and Southwark Bridge Road, and contrasting simpler domestic character of 18th Century Thrale Street. The former features heavily articulated buildings typically of four to six storeys, with a consistent building line, which provides containment to the street and ensures a strong street frontage. This contrasts with the smaller scale and pared back domestic quality of the three storey 18th century terraced houses in Thrale Street, with their narrow frontages. The key views are the principal roads of Southwark Street and Southwark Bridge Road, and along Thrale Street.
97. The submission includes verified townscape views within each of the three street scenes, demonstrating how the development would sit within each. Views #1.8

and #1.9 along Southwark Bridge Road show the replacement of the outdated, generic office building with a building of higher architectural quality. Whilst the development is taller and includes the distinctive core popping up in the townscape, the street frontage provides a consistent façade line and overt shoulder height, maintaining a sufficiently balanced enclosure of the townscape. As such, the setting remains unaffected in these views and the character and appearance of the conservation area is preserved.

98. In view #1.3, looking west along Thrale Street, the period domestic building line both sides of the street, with the current building terminating the view. The current building sits relatively quietly, although its exposed rooftop plant clutters the roofscape and Blackfriars One is notable in the backdrop. Although taller, the replacement building nonetheless remains well-scaled in this view, its shoulder height aligning with those of the period properties in the foreground. Its elevations have a different, more modern office aesthetic that remain sufficiently calm and well-ordered, resulting in a coherent townscape. The rooftop plant is pushed to one side and enclosed, providing a tidier roofscape, with Blackfriars One slightly more evident. Although the improvements are welcome, the effects on the setting and heritage significance are marginal, preserving the character and appearance of the adjacent conservation area.
99. The main change is seen within Southwark Street, although more notably looking westwards out of the conservation area (views #1.1 and #1.2) rather than eastwards into the conservation area (view #1.4). In the westward views, the consistent building line and strong parapet line formed by the period properties on the north side of Southwark Street (nos.44/46-56/58) are evident, as are their decorative facades. The current building is glimpsed, below parapet level.
100. In view #1.1, the new development reads continuous with the building line of the historic context, whilst the building's 6-storey shoulder height with its light colour respond to the datum height set by the strongly expressed parapets of the period properties. The proposed uppermost (7th and 8th) storeys are evident above this, whilst the core overrun is also glimpsed, presenting an element of high-level massing, albeit its muted colour tones and finer-grained appearance help to ease the impact, blending to a degree within the current mansarded roof forms. Nonetheless, an element of rooftop bulk remains, intruding within the roofscape. Their presence is more pronounced closer-by (view #1.2), with the additional scale and stepped roof profile more evident at the end of the terrace. At this point, however, the stacked mansard roof form of Pentagon House (no.52-54) can be seen, as can the junction with Southwark Bridge Road, with the proposed development reading more as part of a separate street block. On balance, the high-level bulk remains, adding clutter and detracting from the roofscape, causing a degree of harm to the setting and this view of the conservation area. The harm is less than substantial and of distinctly low order, and can be weighed against the planning benefits of the scheme, including the building's improved architectural qualities.
101. Looking briefly at the Union Street CA, the development will be seen from its sub-area #5, in Southwark Bridge Road, south of the railway bridge. Its heritage significance is derived from the terraces of mid-19th century domestic houses that sit on the back edge of the pavement and follow the roadway as it bends; and the alignment of their roofline parapets, cornices and storey heights; and

their repetitive vertical fenestration. The view northwards along the main road is mainly contained by the railway bridge that closes the view, with the larger-scale context of Southwark Street and Southwark Bridge Road (north) seen beyond. In view #1.5, at Marshalsea Road, the wireline shows the building will appear beyond the railway bridge, but as part of the backdrop of buildings that includes Bridge Court (nos.73-81) Southwark Bridge Road) and No.1 America Street near the junction with Southwark Street, appearing similar in height in this perspective. The building's corner architecture and core overrun will be visible, providing something of a local landmark, although its lighter, more delicate appearance will not detract from the heavy cast-iron architecture of the railway bridge in the foreground. Further northwards, the building is largely obscured by the local context, with its distinctive overrun lost within the fretwork of the bridge itself (View #1.6). Overall, the development will have little impact on the setting, preserving the character and appearance of the conservation area.

102. In conclusion, despite the increase in scale, the development would have limited impact the historic environment, being outside the viewing corridors or below the general threshold levels of protected strategic and borough views, or sufficiently distant and distinct from the settings of the nearest listed buildings and wider conservation areas. However, it will be present in views from the adjacent Thrale Street conservation area, albeit for the most part its visibility will not affect the heritage setting. The exception is in Southwark Street, looking westwards, where it presents an element of high-level bulk that is marginally harmful. Overall, the development accords with heritage policies P.19 and P.21 of the Southwark Plan, but does not fully comply with policy P.21 and P13(2) in terms of its impact on the Thrale Street conservation area. The harm, however, is of low order and, in accordance with the NPPF, should be considered against the planning benefits of the scheme, including the highly architectural quality of the replacement building.

## **Archaeology**

103. The site is located within the North Southwark and Roman Roads Tier 1 Archaeological Priority Area (formerly known as Borough, Bermondsey and Rivers Archaeological Priority Zone), where is known, or strongly suspected, to contain heritage assets of national importance. A desk based assessment and supplementary deposit model has been submitted to enable consideration of the potential of the site. There are clear impacts upon buried archaeological remains from the present structure, which includes multiple basement depths. At the corner of Southwark Street there is potential for surviving archaeological materials and below Southwark Bridge Road block four truncated remains of roman channel management and the lower levels of land reclamation dumps and structures. In other areas of the site, geo archaeological material may also survive.
104. The Archaeologist has requested early consideration to determine how to investigate and record any archaeological remains that would be removed by the proposed development. They consider that these remains are likely to survive below the current basements and their evaluation and subsequent mitigation

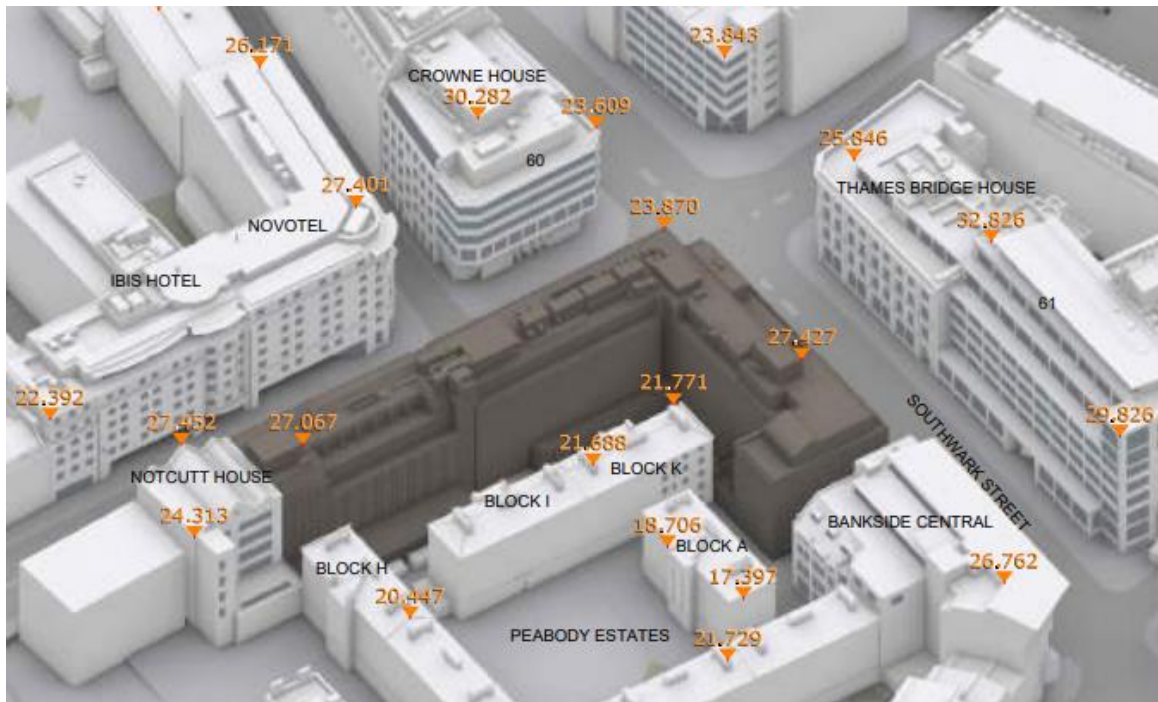
should be programmed in construction of the scheme. Therefore, planning conditions are recommended to carry out archaeological evaluation, mitigation and reporting. A financial contribution of £11,171 would also be sought through the S106 agreement to support the council's effective monitoring of archaeological matters.

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

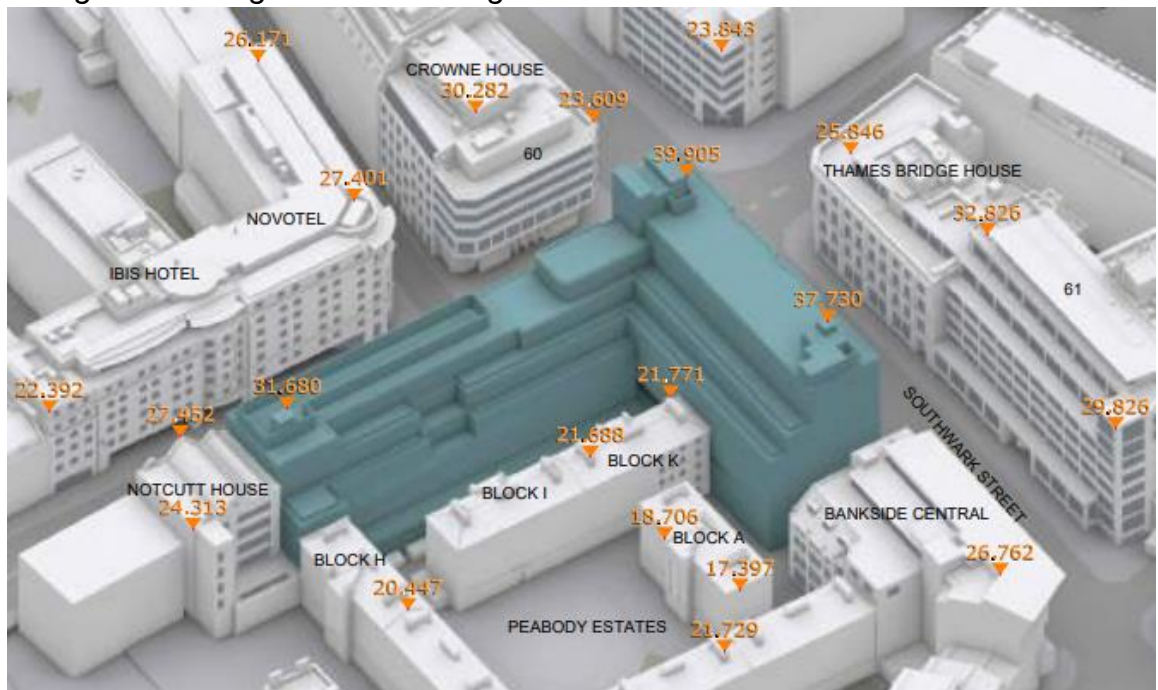
105. The Southwark Plan Policy P56 states that development should not be permitted where it would cause an unacceptable loss of amenity to existing or future occupiers. Amenity considerations to be taken into account include outlook, privacy, actual or sense of overlooking or enclosure, daylight and sunlight, nuisances such as smell, noise, vibration and lights, and the residential layout, context and design. These are assessed below and in the Environmental matters section of this report. Southwark's adopted 2015 technical Update to the Residential Design Standards SPD 2011 provides further guidance on protecting residential amenity.

#### Outlook and sense of enclosure

106. The existing building rises up ground plus five storeys onto Southwark Bridge Road and ground plus four storeys onto Southwark Street (with fifth storey set back). The proposed development would increase the maximum height on these elevations. The lift overrun on the corner junction of Southwark Bridge Road and Southwark Street would extend to 39.905 metres AOD at the tallest part. These building heights are similar to existing heights of surrounding buildings fronting Southwark Bridge Road and Southwark Street. Overall, the proposed height would not have an unacceptable impact on the amenity of these neighbouring buildings in terms of outlook and sense of enclosure.



*Image 5: Existing 3D View looking southeast.*



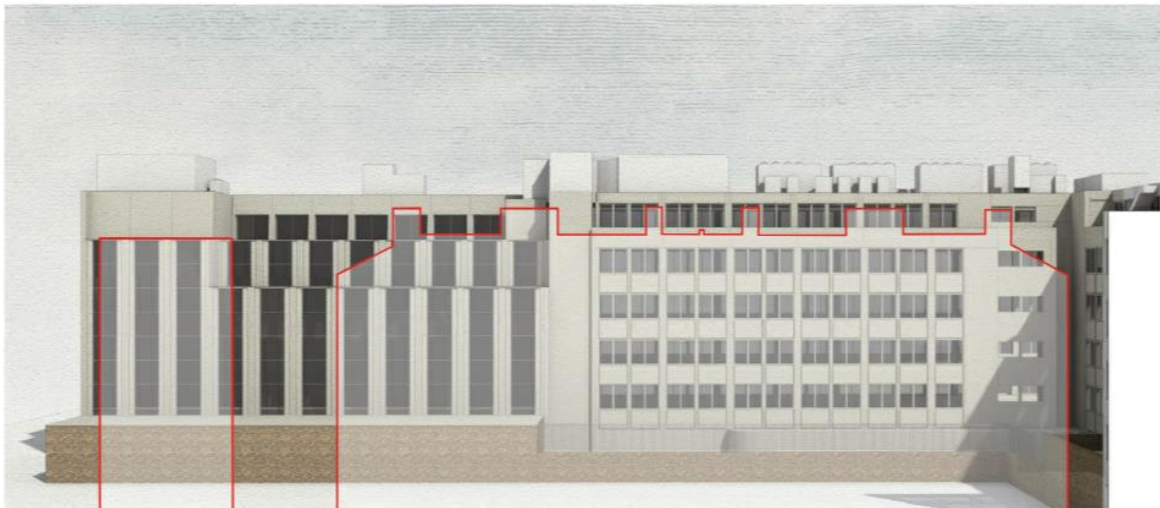
*Image 6: Proposed 3D View looking southeast.*

107. There is an existing close relationship with residential blocks in the Peabody Estate at the rear of the application site, in particular blocks A, H, I and K annotated on the image above. Residents have raised concern with the proposed development in relation to loss of privacy and increased overlooking and sense of enclosure.
108. To the rear of the Southwark Street arm, there would be no change to the building line of the existing building facing block A, maintaining a window-to-window distance of 7.5 metres. The additional height and massing on this elevation would change the outlook for these residents. This impact would be reduced by a set



back of the additional height at the upper-levels. Overall, it is considered that the proposed development would not have an unacceptable loss of the outlook or sense of enclosure for neighbouring residents for block A.

109. To the rear of the Southwark Bridge Road arm, the existing building is set back from the site boundary with no windows at ground floor and a window-to-window distance of approximately 13.75 metres between the upper floors and the neighbouring residential blocks. The new building would introduce additional height on this elevation. In addition, it would sit closer to these residential blocks at first, second and third floor by approximately 2.3 metres. The window-to-window distance here would be reduced to approximately 11.5 meters. At ground floor, this elevation is bounded by a 4-metre brick wall and railings that are to be retained. The ground floor of the main building would extend to this boundary wall and sit 1 metre higher than the existing wall. Overall, the additional height and reduced separation distance at first to third floors of this elevation would affect the sense of enclosure and outlook for existing neighbouring residents.



*Image 7: Illustrative drawing of the existing west elevation showing Blocks K and I (right), and Block H (left) in red outline.*

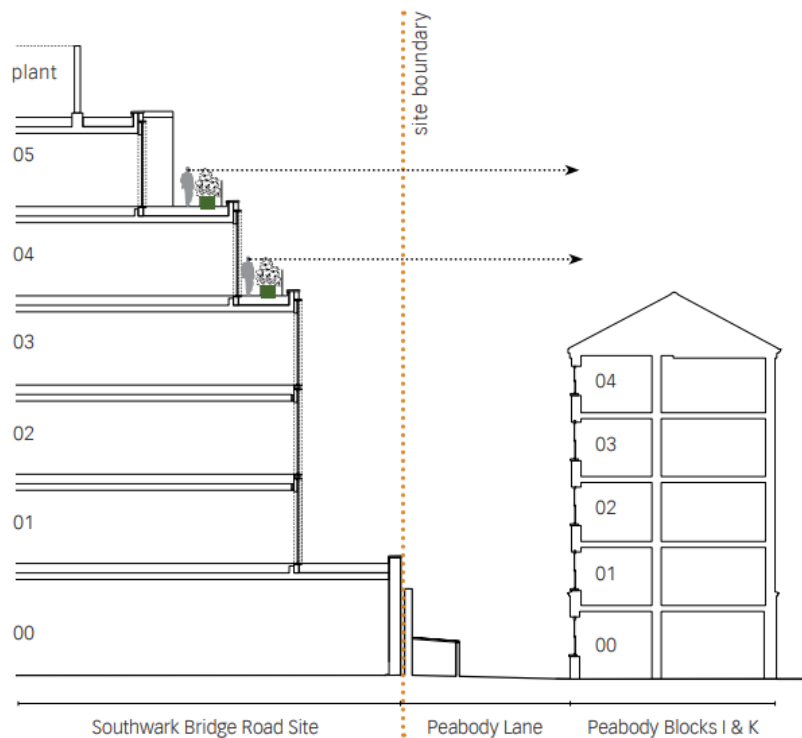


*Image 8: Illustrative drawing of the proposed west elevation showing Blocks K and I in red outline.*

110. This impact would be reduced by the soft planting and greening proposed on the rear elevations that would provide an improved outlook and design quality comparative to the existing building. The setback on the upper-levels from fourth to sixth floor would also reduce the sense of enclosure from additional height. Therefore, it is considered that the proposed development on would not have an unacceptable loss of the outlook or sense of enclosure for neighbouring residents for blocks K, I and H.

### Privacy and overlooking

111. The separation distance to buildings to the east (49-51 and 69 Southwark Bridge Road) and south (59 and 69 Southwark Street) of the proposed development exceed the minimum 12-metre requirement set out in the Residential Design Standards SPD, for buildings facing each other across a highway. Therefore, the proposed development would not result in an unacceptable loss of privacy or overlooking for these neighbouring developments on the opposite sides of Southwark Street and Southwark Bridge Road.
112. 76-80 Southwark Street sits immediately to the west of the proposed development. It currently has obscure windows on the side elevations that face the development with a 6-metre window-to-window separation. Planning permission has also been granted for 4 windows on this elevation to be re-opened up in the future. While there would be some overlooking impact here, the office use of these two building and their existing close relationship means that there would not be an unacceptable loss of privacy for 76-80 Southwark Street.
113. For Peabody blocks H, K, and I, the proposed development would not introduce any windows at ground level. As set out above, at first to third floors the window-to-window distance would be reduced to 11.5 meters, approximately 2.3 metres closer than the existing building elevation. This falls below the minimum 21-metre requirement set out in the Residential Design Standards SPD. Therefore, mitigation is required to reduce impacts of overlooking and loss of privacy for the existing residents. The application does not propose any accessible outdoor terraces at first to third floor and windows at this level would be translucent glass to prevent overlooking. The accessible terraces on the upper storeys would have linear planters along the edges to prevent overlooking as shown on the section drawing below.



*Figure 9: Proposed rear elevation fronting blocks I & K, showing amenity terraces at fourth floor upwards*

114. A planning condition is recommended restricting the use of terraces to be limited to between the hours of 09:00-20:00, from Monday to Friday excluding bank holidays, with no exceptions for special events or occasions. This would minimise disturbance and protect privacy for the neighbouring Peabody residents.
115. With these measures in place, it is considered that the development would not have an unacceptable impact in terms of loss of privacy and overlooking for the residents in blocks I, K and H. This is subject to planning conditions being applied to secure obscure glazing for windows, buffer planting and restricted operational hours of the accessible outdoor terraces.
116. For block A, there would be no change in the window-to-window distance of 7.5 metres comparative to the existing building. It is recommended that privacy should be maintained on this elevation through a planning condition to secure obscure windows for proposed windows facing block A.
117. Given the existing close relationship with the neighbouring residential blocks, and the site location in a high-density urban area; amenity impact on neighbouring residents is unavoidable for any re-development on this site that increases floor area. It is also considered that the proposed development would sufficiently mitigate against any unacceptable impact in terms of privacy and overlooking. The use of planning conditions to restrict hours of use and require obscure glazing and planting provides greater control of privacy comparative to the existing building, should this be re-occupied for office use in its current form.

## Daylight and sunlight

118. Local residents have objected to the loss of light resulting from the proposed development. They have also raised that the assessment is based on a number of assumptions and that kitchens should be included as habitable rooms in the assessment. An addendum daylight/sunlight letter has been submitted in response, setting out the steps taken by the applicant's consultant to assess daylight and sunlight, in accordance with BRE Guidance 2022. They confirmed that for the Peabody Estate blocks, room layouts were informed by historic plans alongside a survey of two flats that they were able to gain access to in Block J in June 2022
119. Overall, the proposed development would have some impact in terms of a noticeable loss of daylight for 57 windows and 49 rooms. Of these, 5 windows and 6 rooms would experience a major impact (more than a 40% reduction) in accordance with BRE Guidance. This impact is assessed in detail in the following section of this report.
120. The London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight to new and surrounding houses that is appropriate for its context. London Plan Policy D9 requires daylight and sunlight conditions around the building and surrounding area to be considered for developments proposing tall buildings. Southwark Plan Policy P14 sets out that development should provide adequate daylight and sunlight conditions for new and existing residents. Southwark Plan Policy P56 sets out that development should not be permitted where it causes is an unacceptable loss of amenity to occupiers, including daylight and sunlight.
121. The above policies do not include prescriptive standards to define unacceptable loss of daylight and sunlight. However, the BRE 'a guide to good practice' (updated 2022) is a widely accepted and used guidance document for advising on good sunlight and daylight in the United Kingdom. It is intended to be applied flexibility and does not set mandatory targets. The guide acknowledges that in a historic city centre or an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable, if new developments are to match the heights and proportion of existing buildings.
122. A daylight and sunlight report has been submitted to assess daylight and sunlight impact on existing neighbouring buildings, in accordance with the 2022 BRE guidance. The report considers impacts on residential blocks A, H, I and K of the Peabody Estate, the Ibis hotel and the Novotel hotel.

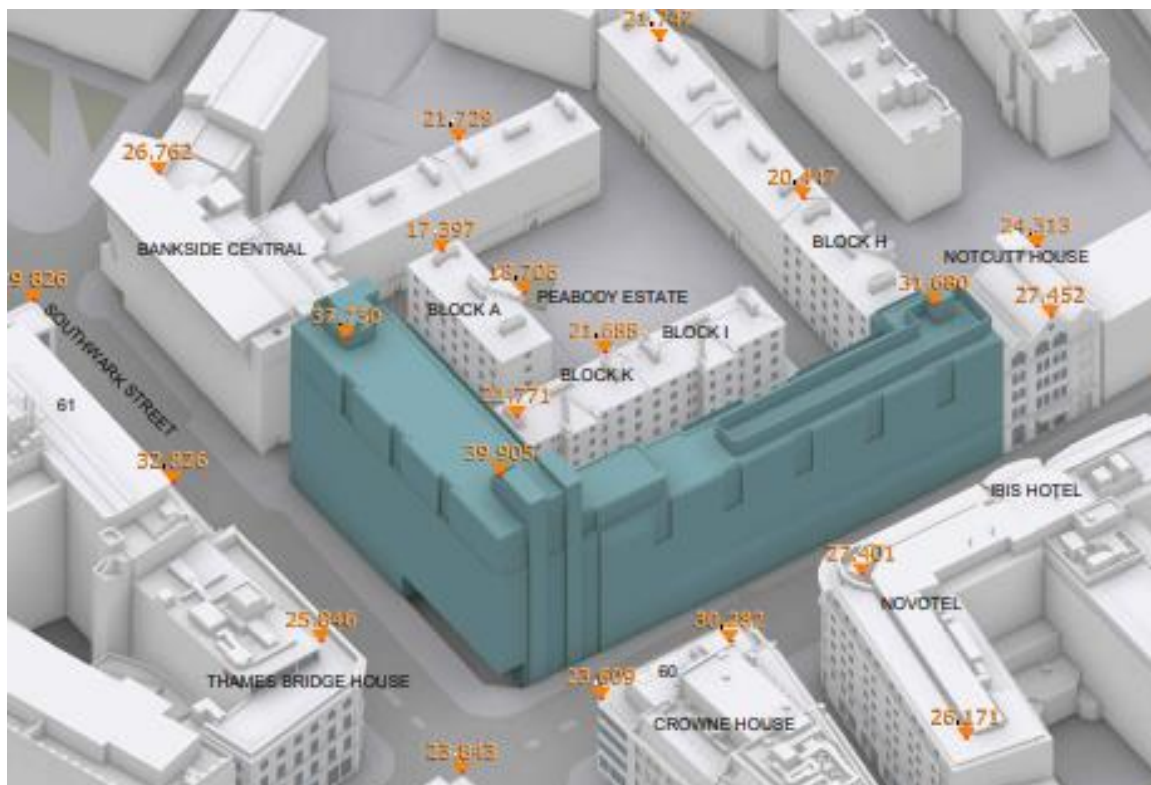


Image 10: Proposed development highlighted blue and surrounding properties.

123. The report applies the vertical skyline test (VSC) and the no skyline test (NSL) methodologies to assess the impact of the proposed development on daylight levels for these neighbouring properties. The annual probable sunlight hours (APSH) test is applied to assess the impact on sunlight levels.

### Daylight assessment

124. VSC is the most readily adopted methodology for assessing daylight levels. The test calculates the total amount of skylight at the centre of each main window on the neighbouring properties excluding windows for bathrooms, toilets, storeroom, circulation areas and garages. The target daylight level is recommended to be 27%, which is good level of daylight. The BRE guide recommends that reductions below this level should be kept to a minimum. If daylight levels are less than 27% and less the 0.8 times the former value prior to the new development, occupants of the existing building will notice a reduction for skylight with the new development in place.
125. Where room layouts are known, the NSL test can also be applied to assess daylight distribution in rooms of existing neighbouring buildings. This identifies areas in a room that can and cannot see the sky. Areas of a room where no skyline can be seen receive no direct daylight. The BRE guide recommends that if the area of a the room receiving direct daylight is reduced to less than 0.80 times its former value prior to the new development, occupants will notice a change in direct daylight and more of the room will appear poorly lit.
126. The assessment results are summarised in the tables below.

Address	Total windows assessed	Meet BRE guide (No noticeable change)	Below BRE criteria			Total windows affected
			20-29.9% reduction (Minor)	30-39.9% reduction (Moderate)	>40% reduction (Major)	
Ibis Hotel	75	68	7	0	0	7
Novotel	93	72	21	0	0	21
Peabody Block A	39	29	7	3	0	10
Peabody Block I	30	8	22	0	0	22
Peabody Block K	41	16	10	10	5	25
Peabody Block H	34	34	0	0	0	0

*Table 1: Summary of Vertical Sky Component calculations for the reduction in daylight to windows resulting from the proposed development*

Address	Total rooms assessed	Meet BRE guide	Below BRE criteria			Total affected rooms
			20-29.9% reduction (Minor)	30-39.9% reduction (Moderate)	>40% reduction (Major)	
Ibis Hotel	60	39	8	4	9	21
Novotel	80	50	5	10	15	30
Peabody Block A	30	22	3	4	1	8
Peabody Block I	25	2	12	8	3	23
Peabody Block K	35	17	10	6	2	18

*Table 2: Summary of Daylight Distribution (No Sky Line) calculations for the reduction in daylight to rooms resulting from the proposed development.*

127. **Ibis and Novotel hotels:** The Ibis and Novotel are commercial buildings to the east of the proposed development fronting Southwark Bridge Road and Thrale Street. The assessment results show a minor impact on daylight levels for a proportion of windows serving hotel rooms in addition to minor, moderate and major impacts on daylight distribution for just over a third of hotel rooms. This impact is less sensitive due to the intended use of hotels for temporary overnight accommodation; therefore, the expectation for daylight is less important than conventional residential buildings. Notwithstanding this, the impact of loss of daylight for these commercial hotel buildings must be balanced against the benefits of the proposed development.
128. **Peabody Block A:** This residential building faces towards the rear of the Southwark Street arm of the proposed development and there is an existing close 7.5-metre separation distance between the buildings. Currently only 3 of Block A's windows (W3, W4 and W8 on the fourth floor) exceed daylight level of more than 27%.



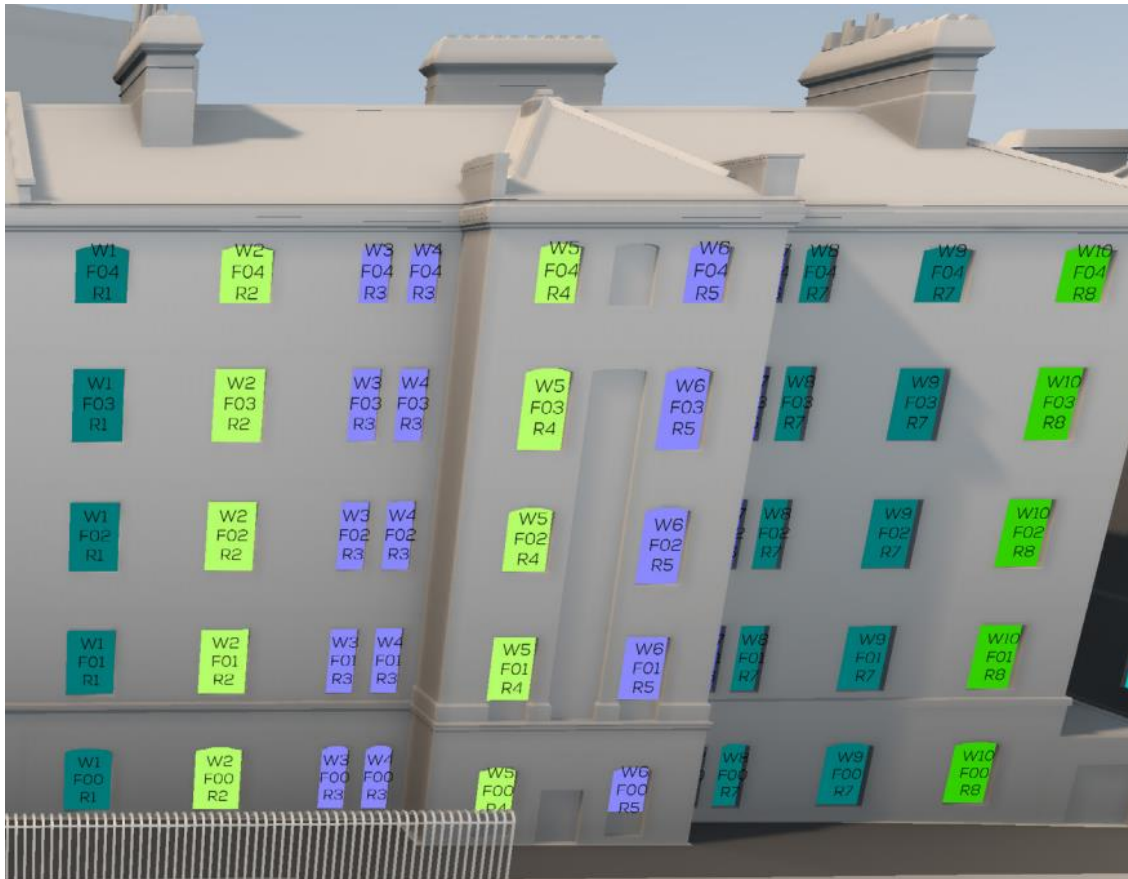


*Image 11: Block A windows facing south towards the Southwark Street arm of the proposed development.*

129. The VSC assessment shows that with the new development in place, the following windows would experience a noticeable loss of daylight:
- Ground floor W8 (minor reduction) serving a bedroom
  - First floor W7 (minor reduction) serving a bedroom
  - Second floor W6 (minor reduction) serving a kitchen
  - Second floor W7 (minor reduction) serving a bedroom
  - Third floor W6 (minor reduction) serving a kitchen
  - Third floor W7 (moderate reduction) serving a bedroom
  - Fourth Floor W4 (minor reduction) unknown floorplan
  - Fourth Floor W5 (minor reduction) unknown floorplan
  - Fourth Floor W6 (moderate reduction) serving a kitchen
  - Fourth Floor W7 (moderate reduction) serving a bedroom
130. Window W8 at ground floor is understood to be the only window that serves bedroom R7. The existing VSC and direct daylight coverage for this window and room is low. Therefore, daylight to this room is already limited. It is anticipated that the room would experience a minor noticeable loss daylight with the new development in place. Given the room is at ground floor level and enclosed by the application site to the south and block K to the east, an impact on daylight levels would be expected with any development of this site. This impact must be balanced against the benefits of the proposed development.
131. Windows W7 at first to fourth floor all serve bedrooms, which are BRE compliant for NSL. These rooms are also served by windows W8, which are BRE compliant for VSC. Therefore, the rooms should not experience a noticeable loss in daylight.
132. Windows W6 at second to fourth floor all serve kitchens. The kitchens at second

and third floor would experience a moderate loss of direct daylight NSL. The kitchen at fourth floor would experience a major loss of direct daylight NSL. These kitchens are therefore likely to experience a noticeable loss of daylight. The use of these rooms as kitchens and not the main living spaces reduces the sensitivity of this impact. Notwithstanding this, there is an impact in particular for the kitchen at fourth floor, likely due to the additional height proposed by the new development.

133. The room use for windows W4 and W5 at fourth floor is unknown; however, the room is served by both windows and is BRE compliant for NSL. Therefore the room should not experience a noticeable loss in daylight overall.
134. **Peabody Block I:** This residential building faces towards the Southwark Bridge Road arm of the development and there is existing close relationship between these buildings. Currently no windows exceed a daylight level of more than 27%. The new development would move approximately 2.3 metres closer to Block I at first to third floor. The building height would also increase, albeit the upper floors are set back away from Block I.



*Image 12: Block I windows facing west toward the Southwark Bridge Road arm of the proposed development.*

135. The VSC assessment shows that with the new development in place, the following windows would experience a noticeable loss of daylight:
- Ground Floor
- W1 (minor impact) serving a bedroom
  - W2 (minor impact) serving a kitchen
  - W5 (minor impact) serving a kitchen



- W8 (minor impact) serving a bedroom
- W9 (minor impact) serving a bedroom
- W10 (minor impact) serving a living room

#### First Floor

- W5 (minor impact) serving a kitchen
- W8 (minor impact) serving a bedroom
- W9 (minor impact) serving a bedroom
- W10 (minor impact) serving a living room

#### Second Floor

- W5 (minor impact) serving a kitchen
- W8 (minor impact) serving a bedroom
- W9 (minor impact) serving a bedroom
- W10 (minor impact) serving a living room

#### Third Floor

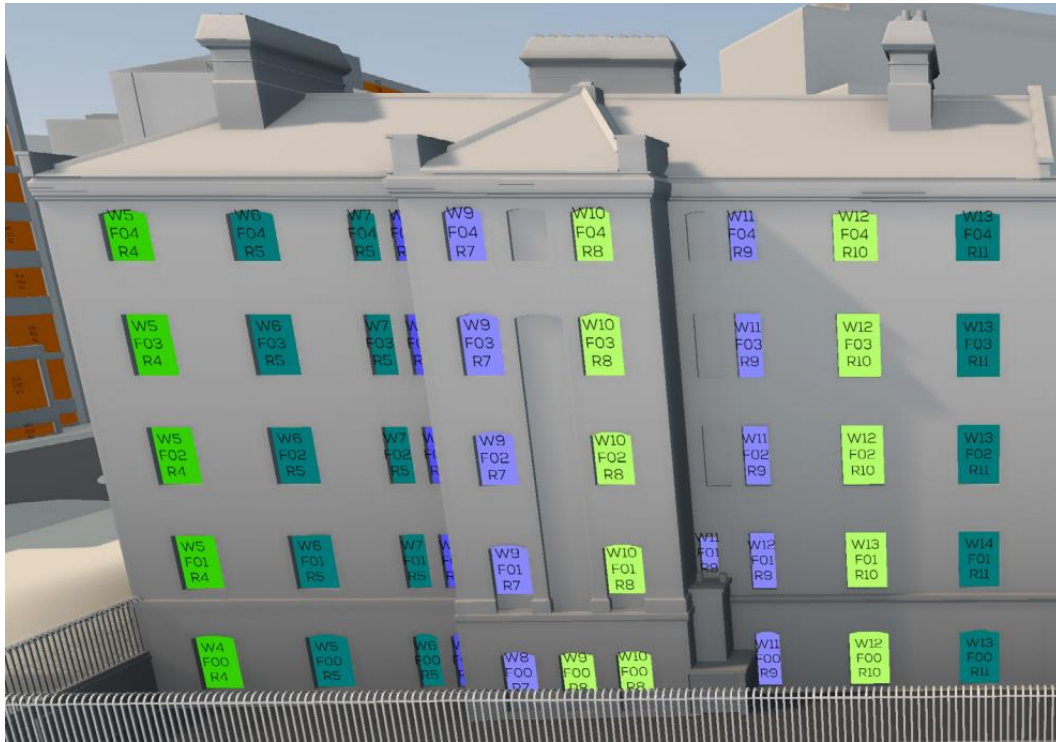
- W5 (minor impact) serving a kitchen
- W8 (minor impact) serving a bedroom
- W9 (minor impact) serving a bedroom
- W10 (minor impact) serving a living room

#### Fourth Floor

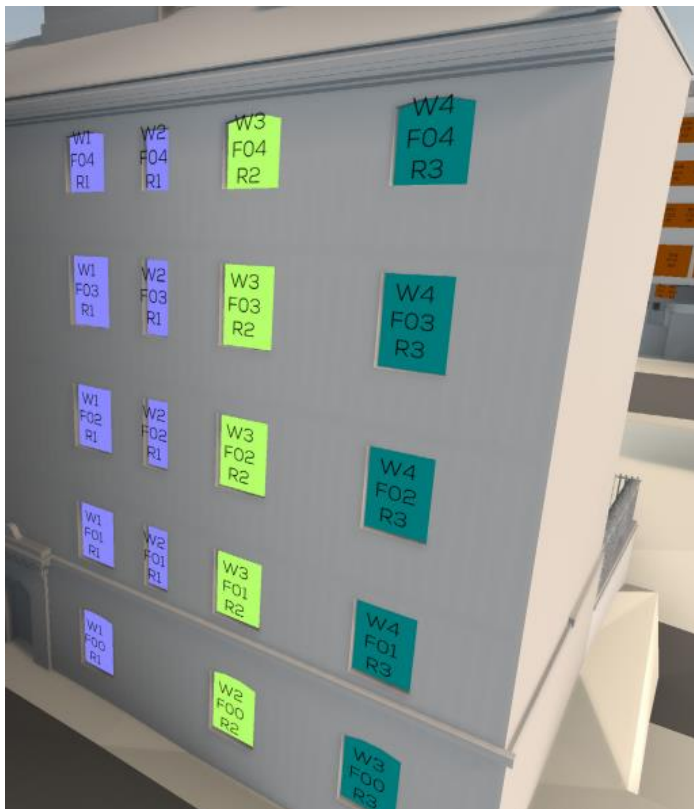
- W5 (minor impact) serving a kitchen
- W8 (minor impact) serving a bedroom
- W9 (minor impact) serving a bedroom
- W10 (minor impact) serving a living room

136. W1 and W2 at ground floor serve a bedroom and kitchen, which are both BRE compliant for NSL. Therefore, the rooms should not experience a noticeable loss of daylight overall.
137. Across all floors, windows W5 serve kitchens that would experience a minor (ground to second) or moderate (third and fourth) reduction in direct daylight for NSL. Across all floors, windows W8 and W9 serve bedrooms that experience a minor reduction in direct daylight (ground and second floor), a moderate reduction in daylight (first and third floor) and a major reduction in direct daylight (fourth floor) for NSL. Across all floors, windows W10 serve living rooms that also experience a moderate reduction in direct daylight (ground to second floor) and a major reduction in direct daylight (fourth floor) for NSL. Overall, these kitchens, bedrooms and living rooms would therefore experience a noticeable loss of daylight with the new development in place. The affected rooms (R4, R10, and R7) are not located adjacent to one another, therefore suggested that they do not serve living, kitchen and bedrooms of the same flats. Notwithstanding this, the impact is noticeable for the individual rooms in particular the rooms at fourth floor likely due to the additional height proposed by the new development. This must be balanced against the benefits of the proposed development.
138. Across all floors, bedrooms R1 would experience a minor or moderate loss of direct sunlight NSL however; windows W1 that serve these bedrooms are BRE compliant for VSC. Similarly, kitchens R2 at first floor and second floor are served by windows W2, which are BRE compliant for VSC.

139. **Peabody Block K:** This residential building adjoins the southern side of block I. It is enclosed by the proposed development to the south and east, and block A to the west. Currently no windows exceed a daylight level of more than 27%. As mentioned, the new development would move approximately 2.3 metres closer to Block K at first to third floor. The building height would also increase, albeit the upper floors are set back away from Block K.



*Image 13: Block K windows facing east towards the Southwark Bridge Road arm of the proposed development.*



*Image 14: Block K windows facing west towards Block A*

140. The VSC assessment shows that with the new development in place, the following windows would experience a noticeable loss of daylight:

#### Ground Floor

- W4 (major impact) serving a living room
- W5 (moderate impact) serving a bedroom
- W6 (moderate impact) serving a bedroom
- W9 (minor impact) serving a kitchen
- W10 (minor impact) serving a kitchen
- W12 (minor impact) serving a kitchen
- W13 (minor impact) serving a bedroom

#### First Floor

- W5 (major impact) serving a living room
- W6 (moderate impact) serving a bedroom
- W7 (moderate impact) serving a bedroom
- W10 (minor impact) serving a kitchen
- W13 (minor impact) serving a kitchen

#### Second Floor

- W5 (major impact) serving a living room
- W6 (moderate impact) serving a bedroom
- W7 (moderate impact) serving a bedroom
- W10 (minor impact) serving a kitchen

#### Third Floor

- W5 (major impact) serving a living room
- W6 (moderate impact) serving a bedroom

- W7 (moderate impact) serving a bedroom
- W10 (minor impact) serving a kitchen

#### Fourth Floor

- W4 (minor impact) serving a bedroom
- W5 (major impact) serving a living room
- W6 (moderate impact) serving a bedroom
- W7 (moderate impact) serving a bedroom
- W10 (minor impact) serving a kitchen

141. W4 at ground floor is the only window serving living room R4. This room would experience a moderate reduction in direct daylight levels for NSL. Window W5 and W6 at ground floor both serve bedroom R5. This room would experience a minor reduction in direct daylight levels for NSL. Windows W9 and W10 at ground floor both serve kitchen R8. This would experience a minor reduction in daylight levels for NSL. Given these rooms are at ground floor level and enclosed by the application site to the south and east, an impact on daylight levels is not unexpected in an urban context. This impact must be balanced against the benefits of the proposed development.
142. Window W5 at first to fourth floors serve living rooms R4. The rooms experience a moderate or major loss of direct daylight for NSL. Similarly, windows W6 and W7 across first to fourth floors serve bedrooms R5. The rooms experience a minor or moderate loss of direct daylight for NSL. Windows W10 and W13 at first floor each serve a kitchen. One of these kitchens is BRE compliant for NSL and the other would experience a minor loss in direct daylight for NSL (Room R10). Windows W10 at second to fourth floors serve kitchens R8 that would experience a minor or moderate loss of direct daylight for NSL. As set out above, the positioning of this block means that an impact is not unexpected and this must be balanced against the benefits of the proposed development.
143. Moreover, as set out in the earlier section of this report, the new development provides opportunity to improve outlook for residents comparative to the existing building. This is achieved through high quality architectural design and soft landscaping. This is visible in images 15 and 16 below.



*Image 15: Illustrative existing outward views from ground floor of block K.*



*Image 16: Illustrative proposed outward views from ground floor of block K.*

144. Window W4 at fourth floor serves a bedroom that is BRE compliant for NSL. Therefore, the rooms should not experience a noticeable loss of daylight overall. Similarly, windows W12 and W13 serve a kitchen and bedroom at ground floor. These rooms are both BRE compliant for NSL, therefore, occupiers should not

experience a noticeable loss of daylight overall

145. Room R10 at third and fourth floor and Room R11 at fourth floor are kitchens that would experience a minor loss of direct sunlight NSL however; the windows W12 and W13 that serve these kitchens are BRE compliant for VSC. Therefore, the rooms should not notice a noticeable loss of daylight overall.

### Sunlight conclusions

146. For assessing loss of sunlight, the APSH test can be applied to assess the long-term average of total number of hours during a year in which direct sunlight reached a room unobstructed. This test applies to living rooms of existing residential homes with a main window facing within 90° of due south. Sun lighting of these room would be affected by a new development where they receive less than 25% of annual probable sunlight hours and less than 0.80 times its former annual value; or less than 5% of annual probable sunlight hours between 21 September and 21 March and less than 0.80 times its former value during that period; - and also has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.
147. Of the 21 living rooms assessed across block A, I and K of the Peabody Estate, only 4 rooms would not experience a loss in direct sunlight. The most affected living rooms are located in block K that is enclosed by the application site to the south and east and closest to the tallest part of the proposed development. 4 of the living rooms at ground to third floor would experience a 100% reduction in APSH. The existing ASHP for these rooms is already low which means these rooms currently receive limited if no direct sunlight annually or during winter months. Therefore, any additional height is likely to have affected sunlight for these rooms. The affected rooms are annotated as W5 on figure 13 above for block K.
148. As set out above, there would be a noticeable daylight and sunlight impact on some neighbouring residential rooms in particular for a small number of rooms on block K, which sits closet to the application site and already experiences low levels of light. Overall, it is considered that this impact is acceptable when balanced against the benefit of the proposed development. This includes the provision of high quality employment floorspace in the CAZ, affordable workspace, and job and training opportunities and well benefits such as soft landscaping and biodiversity, high quality architectural design, and improved privacy controls, hours of use controls to be secured through planning conditions.

### **Transport and highways**

149. The site is located on the A2300 (Southwark Street) which forms part of the Transport for London Road Network, and Southwark Bridge Road which a well-used north-south route through central London and forms part of the borough highway. The site achieves a high Public Transport Accessibility Level (PTAL) score of 6b. London Bride Station, Southwark Underground station and Borough Underground station are all within walking distance of the site. The closest bus route is on Southwark Street, served by 4 TfL bus routes, in addition to a further 7 stops within walking distance. The Cycle Superhighway 7 runs along the Southwark Bridge Road frontage, in addition to a non-segregated cycle lane on

Southwark Street. There are two Santander Cycle Hire Docking Stations within walking distance, on Southwark Street and Lavington Street.

### Trip Generation and Mode Split

150. Multi-modal trip generation has been undertaken to assess the potential impact of the proposed development in terms of number of trips generated. The results show a net increase of 107 AM and 93 PM peak trips and an overall daily net increase of 672 trips because of the new development. It is estimated that nearly half of all trips would be via train. There would be a very low vehicle trip rate, which is to be expected given the development would be car free. This assessment has been reviewed in consultation with TfL and Southwark's Transport Policy and Highways Teams. Overall, the proposed development would not have an unacceptable impact on the public transport network or TLRN, subject to improvements to the walking and cycling environment as justified below.

### Healthy Streets

151. London Plan Policy T2 requires all development to support the Mayor's Healthy Streets approach. The proposed development would increase employment floorspace on site thereby increasing pedestrian footfall and cycle trips to and from the site. An active travel zone assessment (ATZ) has been submitted identifying a number of possible improvements to walking and cycling routes surrounding the site. Improvements would be secured through S278 works as part of the S106 agreement. The list of agreed works are set out later in the report in the Planning Obligations S106 summary table.
152. Other planning obligations include measures to support pedestrian and cycle wayfinding including a new Legible London sign on Southwark Bridge Road, in addition to map refreshes of nearby existing Legible London signage maps. A financial contribution of £16,000 is sought from the applicant towards these works, in accordance with London Plan Policies T2 and T3.

### Site access

153. There is an existing dropped kerb providing vehicular access onto the site from Southwark Bridge Road. The application proposes to replace this with a new access further north along Southwark Bridge Road, with improved sightlines to support the operation of CS7 and reduce potential conflict. Pedestrian sightlines of 1.5m x 1.5m would be required either side of the opening in the boundary for a vehicle access from the back edge of the public highway not within the opening and with no features higher than 0.6m within this area. This is to maintain highway and pedestrian safety in accordance with Southwark Plan Policy P50 and to support the objectives of promoting sustainable transport choices and maintaining pedestrian safety as per Southwark Plan Policy P51.
154. Gradients and spot level plans have also been provided for vehicle, pedestrian and cyclists access routes around the site demonstrating that the building could be accessed from the public highway without changes to existing levels. This includes access for disabled people at the main entrances and internal areas of buildings and routes to and from larger disabled cycling parking spaces, which

is convenient and to a high standard.

### Car parking

155. The proposed development would be car free in accordance with London Plan Policy T6, Southwark Plan Policy P54 and Southwark Movement Plan Actions 7 and 9. The proposed development would be restricted from obtaining parking permits for the existing or any future CPZ's. This would be secured through the S106 agreement.

### Cycle parking

156. The application proposes to deliver 328 cycle parking spaces, of which 274 spaces would be in two-tier rack form and 54 spaces would be from Sheffield stands including 3 larger spaces for cargo or disabled bicycle parking. 60 folding bicycles lockers are also to be provided. This provides cycle parking for both long stay and short stay visitors. The total provision meets the minimum standards required by the London Plan Policy T5. However, it falls short of the minimum requirement for 378 long-stay spaces and 68 spaces for visitors in accordance with Southwark Plan Policy P53.
157. The applicant has justified this shortfall due to site constraints; working within the space available within the retained basement areas. The proposal allocates most of the building services plant areas within the basement areas to avoid locating these at ground or roof levels for amenity and design reasons. Officers are satisfied that the quantum of cycle parking is acceptable in this instance.
158. For visitor cycle parking, it is anticipated that any visitors permitted into the building would be given access to the basement by future tenants. Alternatively, they would utilise existing cycle parking spaces on streets surrounding the site. It is also proposed that additional visitor cycle parking stands could be delivered on Southwark Street and Southwark Bridge Road (where footway widths allow). This is to be agreed as part of the S278 works in consultation with TfL and Southwark's Highways Development Team.
159. A cycle store plan (drawing ref: 1131\_P2601) details the proposed layout of cycle parking in the basement. This shows a minimum aisle width of 2.5 beyond the lowered frame of two-tier stands, required to allow bikes to be turned and loaded. Existing floor to ceiling heights fall only 0.1 meters below the recommended minimum of 2.7 metre height requirement. The proposed doorways comply with the minimum width of 1.2 metres. The ground floor access doors are from Southwark Bridge Road and would be fob activated. At basement level 02, the store would be isolated with dedicated fob access. The access strategy includes 1 dedicated cycle lift, 1 linear cycle stair core connected ground floor to basement level 02. A separate goods lift in the loading bay would be sized to be a back-up cycle lift, should the dedicated cycle lift fail. The traffic analysis for a total of 350 cyclists with a stair factor of 50% meets the BCO requirements for average waiting time and average time to destination. Overall, the design of the cycle store is considered acceptable. It would provide a significant improvement comparative to the existing building being occupied for office use in its current



form.

160. A compliance condition is recommended to secure the quantum and design of the basement cycle parking area, to ensure compliance with London Plan Policy T5, Southwark Plan Policy P53, the London Cycle Design Standards Chapter 8, DfT LTN/120, and Southwark Movement Plan Actions 4 and 9.

### Delivery and servicing

161. A draft delivery and servicing plan has been submitted setting out the proposed delivery and serving strategy. All delivery and servicing activities would be accommodated within the site itself from a vehicle access point from Southwark Bridge Road. The largest vehicle required to enter the service yard would be a 7.5 tonne box van and a swept path analysis has been provided to demonstrate that this can be accommodated.
162. A final DSMP would be secured through planning condition, in compliance with Southwark Plan Policy P50 and Southwark Movement Plan Action 14 and 18. This is to ensure safe and efficient delivery and servicing activities, minimising the number of motor vehicle journeys and requiring freight vehicles and their drivers to adhere to the highest possible standards in terms of safety, efficiency and emission reduction. It is also recommended that the access is restricted by hours of use and that other mitigation measures are agreed as part of the final Delivery and Servicing Management Plan (DSMP) in consultation with TfL and LBS Transport Policy and Highways Teams, prior to commencement of above ground works. This is to minimise impacts on the safety of cyclists and pedestrians from vehicles crossing the public footway and cycle superhighway.

### Travel Plan

163. A draft Travel Plan has been submitted setting out measures to be implemented to assist employees and visitors in making active travel choices. This includes the appointment of a Travel Plan Coordinator and Monitoring Group responsible for implementing the Plan. Welcome packs, events, and promotional content would be utilised to provide users of the site with information on active travel choices. The Travel Plan has been reviewed in consultation with TfL and is supported. It is recommended to secure a final Travel Plan through the S106 agreement.

### **Environmental matters**

#### Construction management

164. An Outline Construction Environmental Management Plan (CEMP) has been submitted. This sets out how the proposed development would mitigate the environmental impacts from demolition and construction phases of development. This includes controls for noise and vibration, surface and groundwater, ground conditions, transport, air quality and waste. The plan also sets out how the project will maintain contact with affected neighbours and local residents in addition to emergency incident communication, staff training, and health and safety requirements.

165. A planning condition is recommended to secure submission of a Final CEMP including Demolition Management Plan and Construction Logistics Plan (CLP), The final plan needs to give further consideration to the safety of cyclists on C7 and pedestrians, in consultation with TfL and Southwark's Transport Policy and Network Development teams.
166. A basement impact assessment has been submitted, setting out the potential impact of construction works on local hydrology, hydrogeology. It is anticipated that there would be limited ground movements during works and that risks to neighbouring properties, slopes and infrastructure are limited and can be mitigated. The appropriate construction means and methods would be implemented to mitigate potential damage to neighbouring buildings from works.

### Noise and vibration

167. A revised Acoustic, Noise and Vibration Assessment has been submitted. This was in response to comments from Southwark's Environmental Protection Team (EPT) who raised that the previous report had not suitably assessed operational use impact for neighbouring residents, including for use of the outdoor terraces. Further information was also requested from EPT in relation to the plant noise impact assessment, which was also not complete with expected further testing required when all plant is decommissioned.
168. Planning conditions are recommended to secure the appropriate level of sound insulation for the new building and to set a maximum rated sound level from plant noise, which must not be exceeded. This would be an improvement comparative to the sound insulation and plant on the existing building and would better protect the amenity of neighbouring residential blocks on the Peabody Estate, in accordance with Southwark Plan Policies P56 and P66.

### Waste management

169. A Sustainability Statement has been submitted, which summarises the approach to waste management during the construction and operational phases of development. This commits the development to reducing waste generation and diverting from landfill, in accordance with the waste hierarchy set out by Southwark Plan Policy P62 'Reducing waste'. A Waste Management Strategy is also included as part of the Delivery and Servicing Plan (DSP), setting out how waste would be stored and collected during operational phase of development. As set out earlier in the report, a planning condition is recommended to secure a final DSP.

### Water resources

170. The development proposes to minimise water demand through design measures to reduce usage and detect non-typical water usage or leakage, in accordance with Southwark Plan Policy P67 and London Plan Policy SI 5. The BREEAM pre-assessment is targeting to meet 7 of the 9 available credits for Water and at least a 40% reduction in water consumption comparative to a standard office building. A planning condition is recommended to secure these measures.

### Flood risk and Sustainable urban drainage

171. The application site is located in Flood Zone 3 and benefits from flood defences. A Flood Risk Assessment and SuDS Strategy document has been submitted setting out the risk of flooding including from the fluvial/tidal, surface water and ground water flows, sewers, and artificial sources. It is concluded in the report that the proposed development is at low risk of flooding from all of these sources. The SuDS Strategy set out the existing and proposed drainage arrangements including SuDS features in the form of green and blue roofs, planters and permeable paving for surface water attenuation, restricting the site discharge rate to 8.30l/s for the 1:100 year storm, equivalent to a betterment of 95% on existing rates. It is proposed to discharge this water to public combined sewers.
172. LBS Flood Risk Team reviewed the reports and initially objected to the proposed drainage strategy in relation to run off rate, attenuation volume and maintenance. A revised assessment has been submitted to address their comments. The proposed run off rate of 8.3l/s is agreed applying an appropriate climate change consideration. Planning conditions are recommended to secure the drainage strategy connections and maintenance tasks.
173. The Environment Agency have been consulted on the application and are supportive, finding that the FRA provides an accurate assessment for tidal and fluvial risks associated with the proposed development. Thames Water are also supportive in relation to the surface water drainage strategy, where it follows the sequential approach in accordance with London Plan Policy SI 13.

#### Land contamination

174. A Phase 1 Land Contamination Report has been submitted to identify potential contamination risks related to the application site, in accordance with Southwark Plan Policy P64. The Council's Environmental Protection Team have reviewed the report, noting that the historical use of the site and surroundings presents contamination risks. Therefore, a Phase 2 report is required prior to demolition works, further assess the risks, and show how any contamination would be remediated. This would be secured through planning condition.

#### Air quality

175. The application site is within the Borough's Air Quality Management Area. An Air Quality Assessment has been submitted with the application setting out the likely effects of the proposed development on air quality during the construction and operational phases of development. The assessment concludes that there would not be an unacceptable impact on future users of the site in terms of air quality, in compliance with London Plan Policy SI 1 and Southwark Plan Policy P65. It also concludes that there would be no significant effects from construction traffic emissions on air quality. It was concluded that the development would be Air Quality Neutral. The report includes an assessment of construction dust risks, carried out in accordance with GLA guidance. It is acknowledged that there is an emergency diesel backup generator on site, which is proposed for routine testing and maintenance only, therefore, emissions from this would not be significant. The flue for this will run to roof level in the north core riser furthest away from neighbouring residents.

176. Southwark's Environmental Protection Team and GLA are supportive of the information submitted. It is recommended that the relevant mitigation measures for construction dust risks along with a requirement for NRMM compliance with the Low Emissions Zone Standards in the CAZ are included as part of the CEMP planning condition, in accordance with London Plan Policy SI 1(D).

## **Energy and sustainability**

### Whole life cycle and carbon capture

177. A Whole Life Cycle (WLC) Assessment has been submitted with this application to capture the proposed development's embodied carbon footprint in accordance with London Plan Policy SI 2 and Southwark Plan Policy P70.
178. The GLA reviewed the assessment, which they consider to have been carried out in accordance with their relevant guidance documents. They highlight a number of points for clarification in relation to the estimated emissions and opportunities to reduce WLC emissions, as well as justification for demolition instead of building retention. The applicant has responded to the GLA WLC memo and provided an updated assessment accordingly.
179. It is estimated that the proposal would achieve a potential saving of 15% embodied carbon at practical completion and 12% over the building life cycle of 60 years. Further potential opportunities have been provided which could contribute further towards reducing emissions as the design progresses. A planning condition is recommended to secure a post-construction assessment that would report on the development's actual WLC emissions.

### Circular economy

180. A Circular Economy Statement (CES) has been submitted with this application setting out the approach to meeting circular economy targets in accordance with London Plan Policies D3 and SI7, Southwark Plan Policy P62 and GLA guidance.
181. The GLA reviewed the assessment, which they consider to have been carried out in accordance with their relevant guidance documents. They requested further information from the applicant on design approach, pre-demolition audit, bill of materials, waste management, and post-construction performance. The applicant has responded to the GLA CE memo and provided an updated assessment accordingly.
182. The report considers the opportunity to re-use the existing building as part of the pre-demolition audit and the WLC assessment, as set out above. Refurbishment was discounted due to the existing layout and condition being unsuitable for modern office standards, including long and irregular floorplate and poor quality building envelope with plant and servicing areas beyond its usable design life. The existing basement is to be retained and some materials from the existing building to be demolished will be repurposed. The proposal is aiming for 95% of non-hazardous waste materials from demolition, construction and excavation to be re-used or recycled. A planning condition is recommended to secure a post-construction report.

### Carbon emission reduction

183. An Energy Strategy and Sustainability Statement have been submitted setting out how the development aims to reduce operational carbon emissions against Part L 2021 to be net carbon zero, in accordance with the energy hierarchy set out by London Plan Policy London Plan Policy SI 2 and Southwark Plan Policy P70.
184. Through the measures outlined in the following paragraphs, the development is expected to reduce on site carbon emissions by 6.9 tonnes of carbon dioxide per annum. This equates to a 14% on-site reduction against the 2021 Part L baseline (50% onsite reduction against the 2013 Part L baseline). The development would therefore fall short of the 40% on site reduction required by Southwark Plan Policy P70, based on 2021 Part L baseline. The Energy Strategy justifies where the development would fall short at each stage of the energy hierarchy.
185. Therefore, to achieve net carbon zero the development would be required to offset 57.9 tonnes of carbon dioxide per annum, through a carbon-offset payment of £165,015 to the Council's Green Building Fund. This is based on a charge of £95 per tonne of carbon dioxide to be offset over 30 years, in accordance with Southwark's S106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (November 2020 Update).

### Be Lean (use less energy)

186. The development proposes to reduce energy demand through passive building fabric measures and active energy efficient systems, including mechanical heat recovery systems on each floor and an underfloor displacement system to maintain temperatures during a day. Overall, the development would achieve a 7% saving against Part L 2021 (4.4 tonnes carbon dioxide per annum) through Be Lean measures. This falls short of the minimum 15% reduction against Part L required by London Plan Policy SI 2.
187. The applicant has identified limitations to achieving a higher saving through Be Lean measures including restrictions to altering the building orientation and form due to site layout constraints and neighbouring amenity, and natural ventilation being unsuitable due to air quality on the major road networks that the site fronts onto, thereby limiting the ability to reduce active cooling.

### Be Clean (supply energy efficiently)

188. The application site is not located near to an existing or proposed heat network. Therefore, no savings would be achieved through Be Clean measures. The development would be futureproofed to connect to a heat network should one ever be developed in the area. This would be secured through the S106.

### Be Green (Use low or carbon zero energy)

189. The development proposes highly efficient four pipe energy recovery air source heat pumps that would supply hot water within the building in addition to a water source heat pump in the basement to boost central hot water generation. In addition, 150sqm of active photovoltaic (PV) panels are proposed on the

available roof space. Overall, the development would achieve a 7% saving against Part L 2021 (4.7 tonnes carbon dioxide per annum) through Be Green measures.

190. The applicant has demonstrated that renewable energy generation has been maximised through PV panels on available roof space, which is not shaded.

### Be Seen (Monitor and review)

191. The development's energy performance would be monitored, verified and reported on through to post construction in accordance with the GLA's Be Seen Monitoring platform. This monitoring would be secured through the S106.

### Overheating and cooling

192. The submitted Sustainability Statement sets out that overheating has been modelled and assessed in accordance with guidance, to ensure that summer and winter operative temperature ranges are achieved, in accordance with Southwark Plan Policy P69.

### BREEAM

193. The submitted Sustainability Statement sets out the BREEAM pre-assessment results, which show that the proposed development is targeting score of 85.28% that would achieve an 'Outstanding' rating. This exceeds the minimum requirement for BREEAM 'Excellent' rating set out in Southwark Plan Policy P69. A planning condition is recommended to secure a post-construction assessment demonstrating that the targeted BREEAM score has been achieved.

### **Planning obligations (S.106 agreement)**

194. London Plan Policy DF1 and Southwark Plan Policy IP3 advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. These policies are reinforced by the Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. The NPPF 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

195. Following the adoption of Southwark's Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

Planning Obligation	Mitigation	Applicant Position
Affordable Workspace	1308sqm GIA of affordable workspace	

	to be provided for a minimum of 30 year details to be agreed, and an Affordable Workspace Management Plan.	
Archaeological monitoring	£11,171 contribution based on 10,000 and more sqm of development to support the effective monitoring of archaeological matters.	
Employment and training: Construction phase	<p>27 sustained jobs to unemployed Southwark residents, 27 short courses, and take on 6 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution.</p> <p>The maximum Employment and Training Contribution is £129,150 (£116,100 against sustained jobs, £4,050 against short courses, and £6,000 against construction industry apprenticeships).</p> <p>An employment, skills and business support plan should be included in the S106 obligations. LET would expect this plan to include:</p> <ol style="list-style-type: none"> <li>1. Methodology for delivering the following: <ol style="list-style-type: none"> <li>a. Identified 'construction workplace coordinator' role(s) responsible for on-site job brokerage through the supply chain and coordination with local skills and employment agencies;</li> <li>b. Pre-employment information advice and guidance;</li> <li>c. Skills development, pre and post employment;</li> <li>d. Flexible financial support for training, personal</li> </ol> </li> </ol>	

	<p>protective equipment, travel costs etc;</p> <ul style="list-style-type: none"> <li>e. On-going support in the workplace;</li> <li>f. Facilitation of wider benefits, including schools engagement, work experience etc.</li> </ul> <ol style="list-style-type: none"> <li>2. Targets for construction skills and employment outputs, including apprenticeships, that meet the expected obligations;</li> <li>3. A mechanism for delivery of apprenticeships to be offered in the construction of the development;</li> <li>4. Local supply chain activity - we would expect methodologies with KPIs agreed to: <ul style="list-style-type: none"> <li>a. provide support to local SMEs to be fit to compete for supply chain opportunities;</li> <li>b. develop links between lead contractors, sub-contractors and local SMEs;</li> <li>c. work with lead contractors and sub-contractors to open up their supply chains, and exploration as to where contract packages can be broken up and promote suitable opportunities locally.</li> </ul> </li> </ol>	
<p>Employment and training: Operational phase</p>	<p>85 sustained jobs for unemployed Southwark Residents at the end phase, or meet any shortfall through the Employment in the End Use Shortfall Contribution.</p> <p>The maximum Employment in the End Use Shortfall Contribution is £365,500.00 (based on £4300 per job).</p>	



	<p>No later than six months prior to first occupation of the development, we would expect the developer to provide a skills and employment plan to the Council. This plan should identify suitable sustainable employment opportunities and apprenticeships for unemployed borough residents in the end use of the development.</p> <p>LET would expect this plan to include:</p> <ol style="list-style-type: none"> <li>1. a detailed mechanism through which the Sustainable Employment Opportunities and apprenticeships will be filled, including, but not limited to, the name of the lead organisation, details of its qualifications and experience in providing employment support and job brokerage for unemployed people, and the name of the point of contact who will co-ordinate implementation of the skills and employment plan and liaise with the Council;</li> <li>2. key milestones to be achieved and profiles for filling the sustainable employment opportunities and apprenticeships;</li> <li>3. Identified skills and training gaps required to gain sustained Employment in the completed development, including the need for pre-employment training;</li> <li>4. Methods to encourage applications from suitable unemployed Borough residents by liaising with the local Jobcentre Plus and employment service providers.</li> </ol>	
Travel Plan	<p>Submission of a final Travel Plan and monitoring to ensure compliance</p> <p>Secure memberships for TfL's cycle hire scheme for a minimum of 3 years, to be provided upon first occupation</p>	

	<p>for 10% of employees within each business.</p> <p>A requirement for employers to provide pool bikes for staff business travel.</p>	
Legible London signs	£16,000 contribution for new Legible London sign/s and to enhance map refresh of local existing Legible London signs.	
CPZ Parking Permit Restriction	Access to CPZ Parking Permits will not be permitted for any use classes within the site, within any area of the borough in any existing or future CPZs.	
Highways works / improvements	<p>Repave the footways, including new kerbing fronting the development on Southwark Bridge Road and Southwark Street using materials in accordance with Southwark's Streetscape Design Manual - SSDM (Yorkstone natural paving slabs with 300mm wide granite kerbs).</p> <p>Creation of a new vehicle crossover and reinstate redundant vehicle crossover on Southwark Bridge Road to full-height kerb footway;</p> <p>Undertake cycleway CS7 modification works including cycle lane separator island(s), road markings and signage. Relocate street lighting column outside proposed vehicle crossover on Southwark Bridge Road and upgrade it to current LBS standards.</p> <p>Repair any damage to the highway due to construction activities for the development including construction work and the movement of construction vehicles.</p> <p>Improved cycle lane/drainage on the proximate sections of Southwark Bridge Road and Southwark Street plus dedication of the sliver of land</p> <p>Provision of replacement and</p>	

	<p>additional visitor cycle parking at street level;</p> <p>Repave the Southwark Street frontage up to the Peabody access; Relocate the cabinet in the centre of the footway, and a raised-to-footway-level crossing across the Peabody access; and</p> <p>Improvements to the walk from the development on Southwark Street to London Bridge station where the route goes under the railway tracks along the A3 Borough High Street where there is a lack of natural lighting, especially at night.</p> <p>Renewal of the existing raised entry treatment and improvements to the tactile paving along at the junction on Summer Street along Southwark Bridge Road on the route to Cannon Street station where there would need to be maintenance to assist people from all walks of life.</p> <p>Improvements to the crossing at the junction of America Street with Southwark Bridge Road where there are bollards blocking the road and reducing the dropped pedestrian kerb.</p>	
Be Seen energy monitoring	Monitoring of carbon savings from design, construction to operation.	
Carbon offset contribution	£165,015 contribution based on 57.90 tonnes of carbon to be offset.	
Future-proofed connection to District Heat Network	Enabling a connection to a district heating network in the future.	

196. In the event that an agreement has not been completed by 12<sup>th</sup> June 2024, the committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

197. In the absence of a signed S106 agreement, there is no mechanism in place to mitigation against the adverse impacts of the development through contributions. It would therefore be contrary to London Plan (2021) Policies DF1, T9, T9 and E3, Southwark Plan (2022) Policies P23, P28, P31, P45, P50, P51 P54, P70, IP3 and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015), Paragraph 57 of the NPPF (2023).

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

198. 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.
199. The site is located within Southwark CIL Zone 1, and MCIL Central London Band 2 Zone. Based on information obtained from CIL form 1 dated 16 November 2022, the gross amount of CIL is approximately £884,511.99. It should be noted that this is an estimate, floor areas will be checked when related CIL Assumption of Liability form is submitted, after planning approval has been secured.

### **Community involvement and engagement**

200. In accordance with Southwark's Development Consultation Charter the applicant carried out their own consultation prior to the submission of this planning application; to engage with community and political stakeholders, residents, and neighbours from the area. Their approach to this is set out in their Statement of Community Involvement (SCI) document and the Engagement Summary document submitted with this application, and summarised in the table below.

201. **Consultation Undertaken by Applicant at Pre-application Stage: Summary Table**

<b>Date</b>	<b>Form of consultation</b>
April 2022	<ul style="list-style-type: none"> <li>• A consultation website, <a href="http://www.42southwarkbridgeroad.co.uk">www.42southwarkbridgeroad.co.uk</a>, with details on the site and the proposal was set up and 209 users were recorded viewing the website.</li> <li>• An online survey was launched, where consultees could comment on the early proposals and share their preferences for development.</li> <li>• Leaflets were sent to 138 addresses at the Peabody Estate, containing introductory information on the proposal, the consultation website and contact details of the consultation team.</li> <li>• 45 visits to the website and 5 completed surveys were generated. Discussion was held between Kanda Consulting team and residents from the Peabody Estate.</li> </ul>

August 2022	<ul style="list-style-type: none"> <li>• Letters were sent to 138 local residents of the Peabody Estate, containing consultation contact details and details of the scheme. Residents were invited to sign up for the 1<sup>st</sup> or 7<sup>th</sup> September 2022 online webinars.</li> <li>• An introductory email was sent to 5 local ward councillors and community stakeholders, containing details of the proposal and inviting them to the 1<sup>st</sup> or 7<sup>th</sup> September 2022 online webinars.</li> <li>• Personalised email reminders were sent to 4 local residents who had previously engaged with the consultation team, inviting them to the 1<sup>st</sup> or 7<sup>th</sup> September 2022 online webinars.</li> </ul>
September 2022	<ul style="list-style-type: none"> <li>• An online webinar was held on the evening of 1<sup>st</sup> September 2022. No consultees attended.</li> <li>• The webinar recording was uploaded to the project website and YouTube. 39 views recorded as of 28<sup>th</sup> October 2022.</li> </ul>
October 2022	<ul style="list-style-type: none"> <li>• A community newsletter was delivered to 1,208 local residents and businesses, containing updates on the proposals and inviting them to the public exhibition on 20<sup>th</sup> October 2022.</li> <li>• An email was sent to a total of 5 local political and community stakeholders, inviting them to the 20<sup>th</sup> October 2022 public exhibition.</li> <li>• Personalised email reminders were sent to 4 local residents who had previously engaged with the consultation team, inviting them to the 20<sup>th</sup> October 2022 public exhibition.</li> <li>• A public exhibition was held at The Bridge Café, 73-81 Southwark Bridge Road between 4pm to 8pm on the 20<sup>th</sup> October 2022. It was attended by 10 people.</li> </ul>

202. Their Engagement Summary sets out the feedback from the pre-planning public consultation, which included impacts on residential amenity and construction, design comments and the provision of affordable workspace.

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

203. For statutory consultation on this planning application, 588 consultation letters were sent to neighbours within 100-metre radius of the site, site notices were placed on Southwark Bridge Road and Southwark Street, and an advert was published in the Southwark News. In total, 5 comments were received back, comprising 4 objections and 1 neutral comment. This included a formal objection letter from the Peabody estate.
204. Summarised below are the planning matters raised by members of the public with an officer response. Further detail on these matters are set out within the relevant sections in the report.
205. Land use:
- No need for another office development in this location. Housing and

community uses are needed.

Officer response: The proposed land use is supported by planning policy for new development in the Central Activities Zone, District Town Centre, Opportunity Area and the Bankside and Borough Area Vision. The proposal would retain and increase the amount of employment floorspace on site and deliver benefits such as higher quality employment floorspace including affordable workspace, and the provision of jobs and training opportunities for Southwark residents.

206. Amenity impacts on neighbouring occupiers:

- Loss of light, privacy, overlooking impacts for Peabody Estate residents, from additional windows and outdoor terrace areas.
- Increased sense of enclosure for Peabody Estate residents.
- Daylight and sunlight report based on a number of assumptions.
- Noise and pollution affect Peabody residents during demolition and construction. Cumulative impact alongside other office development in the surrounding area.

Office response: There would be an impact on some neighbouring residents on the Peabody Estate in terms of daylight and sunlight, and sense of enclosure. On balance, this harm is outweighed by the benefits of the scheme in terms of employment floorspace including affordable workspace and job creation. The new building would provide some benefit in terms of outlook through soft landscaping and high quality architectural design, and improving privacy and hours of use controls to be secured through planning condition. The applicant has demonstrated that they have taken reasonable steps to inform the daylight and sunlight report in accordance with the BRE Guide recommendations. A Construction and Environmental Management Plan will be secured to minimise the impact of demolition and construction activities on neighbouring residents.

207. Design:

- Design is insensitive to 19<sup>th</sup> Century Peabody estate and buildings.

Officer response: Overall, the proposed design is considered an improvement on the existing building. The new development would enhance the architectural quality and appearance of the building. The elevations are modern and have an engaging character in keeping with its local context.

208. Transport and highways:

- Heavy traffic and insufficient footpath access.

Officer response: The application is required to be car-free during the operational phase of development therefore, is not expected to generate additional traffic. Active travel measures would be promoted as part of the operational Travel Plan and improvements to the existing pavements would be secured through S278 Highways works. The building line would be set back at the main building providing a more generous pavement width on Southwark Street.

209. Environment:

- Climate impact of demolition and rebuild.

Officer response: The Whole-life Cycle Assessment and Circular Economy Statement sets out the approach to reducing the climate impact of development.

The applicant has justified the reason for demolition and has committed to the re-use of existing materials and components, as far as practicable.

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

210. Summarised below are the planning matters raised by external and statutory consultees. Matters are addressed within the relevant sections in the Assessment section of this report.
211. Thames Water:
- Informatives recommended for a groundwater risk management permit and minimum water pressures and flow rates.
  - Planning condition recommended for a Piling Method Statement.
212. Environment Agency:
- No objection.
213. London Fire and Emergency Department:
- No further observations to make.
214. Metropolitan Police Design Out Crime Team:
- The use of tested and accredited products with certification in the name of the fabricator namely doorsets, windows, glazing, will all be necessary for this development. This coincides with the requirements for access control, CCTV, secure perimeter treatments, secure bin stores and cycle stores.
  - The development could achieve the security requirements of Secured by Design (SBD). Planning condition recommended securing SBD measures and certification.
215. Transport for London:
- Support for removal of Blue Badge bay given high PTAL location and step free nature of stations at Southwark and London Bridge, due to safety concerns with a Blue Badge space being located within the delivery and servicing yard.
  - Concern with re-location and increased width of vehicle access affecting the safety of cyclists and pedestrians. Request that the width be kept the same as the existing access, to ensure no additional impact on safety. Hours of use of the access should also be restricted.
  - Cycle parking design to be revised to meet the London Cycling Design Standards.
  - Confirmation sought on whether cycle parking spaces outside the site on Southwark Street are to be retained.
  - Potential improvements to key routes to and from the site in applicant's Active Travel Zone assessment. Funding and/or S278 works to be secured commensurate with the nature and scale of the development.
  - S106 contribution sought for new Legible London signs, cycle hire membership/pool bikes for a proportion of employees, and permit-free agreement.

- Full Travel Plan, Construction Environmental Management Plan, Construction Logistics Plan, and Delivery and Servicing Plan recommended to be secured through planning condition.
- Detailed Arboricultural Method statement recommended to be secured through condition to ensure TfL trees are suitably protected and considered during demolition and construction works.

216. Greater London Authority:

- Supportive of office use with affordable workspace in this location. Affordable workspace to be secured through S106.
- Daylight impact on neighbouring residents to be considered in relation to equality and any disproportionate impact on people with protected characteristics.
- Low level of less than substantial harm to Thrale Street Conservation Area to be weighed against public benefit of the scheme.
- No impact on protected views.
- Further detail required on urban design matters, transport matters, sustainable development and environment issues.

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

217. Summarised below are the planning matters raised by internal consultees. Matters are addressed within the relevant sections in the Assessment section of this report.

218. Highways Development Team:

- Visibility splays to be kept free of obstructions at the south-eastern corner of the development - ground floor plan to be revised.
- S278 works recommended.
- Informatives recommended for over sailing license and for detailed design and method statements (AIP) for foundations and basements structures retaining the highway (temporary and permanent), joint condition survey

219. Transport Policy Team:

- Advice on cycle parking quantum and design quality.
- Additional cycle parking stands should be sought as part of S278 works in discussions with TfL and Highways Development Teams.
- Support for removal of Blue Badge bay given high PTAL location and road safety concerns with crossing cycle lane and footway to reach the bay.
- Support for reduced width of vehicle crossover for servicing access, reducing potential conflict with cycle lane.
- Tracking drawings required to demonstrate larger vehicles could enter and leave the service yard in forward gear.
- Compliance condition recommended for detailed cycle store plans and delivery and servicing management plan (DSMP).
- S106 obligations recommended for cycle hire scheme, S278 works, parking permit restrictions, and DSMP monitoring fee.

220. Local Economy Team:



- Supportive of proposals including the affordable workspace offer of 10% of new floor space (excluding existing basement).
- S106 obligations recommended for employment and training requirements during construction and operational phases of development.

221. Environmental Protection Team:

- Planning conditions recommended for noise from amplified music from non-residential premises, plant noise, external terraces hours of use, servicing hours, external lighting, site contamination, and construction management.

222. Archaeologist:

- Potential for archaeological material at the corner of Southwark Street.
- Road truncated remains of roman channel management and land reclamation dumps and structures below 38-40 Southwark Bridge Road.
- Geo archaeological material may service in other areas of the site.
- Early consideration should be made to determine how to investigate and record any archaeological remains that will be removed by the permitted scheme. These remains are likely to survive below the current basements, their evaluation and subsequent mitigation should be programmed into the construction scheme.
- Planning conditions recommended for Archaeological Evaluation, Archaeological Mitigation and Archaeological Reporting,
- S106 obligation recommended for Southwark Council's effective monitoring of archaeological matters.

223. Ecologist:

- Supportive of ecological assessment, Urban Greening Factor (UGF) score, Biodiversity Net Gain (BNG) percentage and landscaping proposal.
- BNG reports are not clear and missing information.
- Planning conditions recommended AG13, AG03, AG14 – vertical greening, roof terraces and landscaping/ecology features, PC40 – 12 swift bricks, PC41 – as per BNG report, Ecological Monitoring, Invertebrate habitats (condition wording provided).

224. Flood Risk Management Team:

- Comments to be addresses on the drainage strategy, attenuation volume and maintenance.

225. Urban Forester:

- Three good quality TfL street trees retained. These require suitable pruning specification.
- Condition wording recommended.

## **Community impact and equalities assessment**

226. The council must not act in a way which is incompatible with rights contained

within the European Convention of Human Rights

227. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
228. 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.
229. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
230. This development would deliver job opportunities to local residents both during construction phase and once operational. The provision of local apprenticeship opportunities during construction should benefit young groups including black and ethnic minority communities. The provision of affordable workspace would benefit local and start-up businesses including black and ethnic minority businesses.
231. Inclusive measures have been incorporated into the design of the development to ensure that the building can be entered and used safely, easily and with dignity by all, with no barriers and allowing independent access without undue effort, separation or special treatment.
232. The daylight and sunlight impact on some of the neighbouring residential homes could affect groups with protected characteristics. This has been taken into consideration during the assessment and has informed design measures to reduce the amenity impact as far as possible and to improve outlook for some

residents comparative to the existing condition.

### **Human rights implications**

233. 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.
234. This application has the legitimate aim of *delivering employment floor area*. 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**

235. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
236. 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?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

### **CONCLUSION**

237. For the reasons set out in the Assessment section of this report, it is recommended that planning permission be granted, subject to conditions, the timely completion of a S106 Agreement and referral to the Mayor of London.

### **BACKGROUND INFORMATION**

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Southwark Local Development Framework and Development Plan Documents TP/1396-38	Environmental, 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: 0207 525 0254 Council website: www.southwark.gov.uk

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received.

**AUDIT TRAIL**

<b>Lead Officer</b>	Gemma Perry	
<b>Report Author</b>	Gemma Perry	
<b>Version</b>	2	
<b>Dated</b>	28/11/2023	
<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 of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		29 November 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.

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<b>Applicant</b>	CLI Dartriver	<b>Reg. Number</b>	22/AP/4006
<b>Application Type</b>	Major application		
<b>Recommendation</b>		<b>Case Number</b>	1396-38

### Draft of Decision Notice

#### for the following development:

Demolition of the existing redundant office building (Class E) and the construction of a replacement building to deliver additional office (Class E) floorspace along with other associated works.

38-42 Southwark Bridge Road London Southwark SE1 9EJ

In accordance with application received on 23 November 2022 and Applicant's Drawing Nos.:

#### Existing Plans

EXISTING NORTH ELEVATION: DEMOLITION EXTENT 1131\_D0164 received 23/11/2022

EXISTING WEST ELEVATION 1131\_D0163 received 23/11/2022

EXISTING SOUTHWARK BRIDGE ROAD ELEVATION 1131\_D0162 received 23/11/2022

DEMOLITION EXTENTS EXISTING SOUTHWARK STREET ELEVATION 1131\_D0161 received 23/11/2022

EXISTING SECTION AA & BB; DEMOLITION EXTENTS 1131\_D0151 received 23/11/2022

EXISTING ROOF PLAN; DEMOLITION EXTENTS 1131\_D0106 received 23/11/2022

EXISTING LEVEL 05 PLAN; DEMOLITION EXTENTS 1131\_D0105. received 23/11/2022

EXISTING LEVEL 04 PLAN; DEMOLITION EXTENTS 1131\_D0104 received 23/11/2022

EXISTING LEVEL 03 PLAN; DEMOLITION EXTENTS 1131\_D0103 received 23/11/2022

EXISTING LEVEL 02 PLAN; DEMOLITION EXTENTS 1131\_D0102 received 23/11/2022

EXISTING LEVEL 01 PLAN; DEMOLITION EXTENTS 1131\_D0101. received 23/11/2022

EXISTING LEVEL 00 PLAN; DEMOLITION EXTENTS 1131\_D0100 received 23/11/2022

EXISTING BASEMENT LEVEL B1 PLAN; 1131\_D0099 received 23/11/2022

EXISTING SUB-BASEMENT LEVEL B2 PLAN; DEMOLITION EXTENT 1131\_D0098 received 23/11/2022

#### Proposed Plans

PEABODY ESTATE ELEVATION - PROPOSED 1131\_P0161 received 23/11/2022

PEABODY ESTATE ELEVATION - PROPOSED 1131\_P0164\_ REV B received 14/08/2023

SOUTHWARK STREET ELEVATION - PROPOSED 1131\_P0162\_ REV A received 05/09/2023

SOUTHWARK BRIDGE ROAD ELEVATION - PROPOSED 1131\_P0163\_ REV A received 05/09/2023

PROPOSED SECTION BB 1131\_P0153 received 23/11/2022

PROPOSED SECTION AA 1131\_P0151 received 23/11/2022

PROPOSED ROOF PLAN 1131\_P0109 received 23/11/2022

PROPOSED ROOF TERRACE PLAN 1131\_P0108 received 23/11/2022

PROPOSED LEVEL 07 PLAN 1131\_P0107 received 23/11/2022

PROPOSED LEVEL 06 PLAN 1131\_P0106 received 23/11/2022

PROPOSED LEVEL 05 PLAN 1131\_P0105 received 23/11/2022

PROPOSED LEVEL 04 PLAN 1131\_P0104 received 23/11/2022

PROPOSED LEVEL 02 PLAN 1131\_P0102 received 23/11/2022

PROPOSED BASEMENT LEVEL B1 PLAN 1131\_P0099. received 23/11/2022

PROPOSED SITE CONTEXT PLAN 1131\_P0001 received 23/11/2022

PROPOSED SECTION BB 1131\_P0152\_ REV A received 14/08/2023

PROPOSED LEVEL 03 PLAN 1131\_P0103\_ REV A received 05/09/2023

PROPOSED LEVEL 00 PLAN 1131\_P0100\_ REV A received 05/09/2023

PROPOSED LEVEL 01 PLAN 1131\_P0101\_ REV A received 05/09/2023

PROPOSED SUB-BASEMENT LEVEL B2 1131\_P0098\_B received 20/09/2023

CYCLE STORE PLAN 1131\_P2601 received 20/09/2023

PROPOSED HIGHWAY LEVELS SOUTHWARK STREET 106475-PEF-XX-00-DR-D-0004-P03 received 20/09/2023

PROPOSED HIGHWAY LEVELS SOUTHWARK BRIDGE ROAD 106475-PEF-XX-00-DR-D-0003-P02 received 20/09/2023

GENERAL ARRANGEMENT SOUTHWARK STREET 106475-PEF-XX-00-DR-D-0003-P02  
received 20/09/2023

GENERAL ARRANGEMENT PLAN SOUTHWARK BRIDGE ROAD 106475-PEF-XX-00-DR-D-0001-P02 received 20/09/2023

TERRACES 1131\_DOC114\_TERRACES\_ REV B received 05/09/2023

REVISED ILLUSTRATIVE LANDSCAPE PROPOSAL received 05/09/2023

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

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

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

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

3. No development shall take place, including any works of demolition, until a written 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:
  - o A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
  - o Site perimeter continuous automated noise, dust and vibration monitoring;
  - o 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.;
  - o 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.)
  - o 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.;
  - o Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
  - o 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
  - o To follow current best construction practice, including the following

- o Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>
- o Section 61 of Control of Pollution Act 1974,
- o The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- o The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- o BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise',
- o BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration'
- o BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- o BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- o Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>

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.

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 National Planning Policy Framework (2023) and Policy P50 (Highway impacts), Policy P56 (Protection of amenity), Policy P62 (Reducing Waste), Policy P64 (Contaminated land and hazardous substances), Policy P65 (Improving air quality) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

4. No demolition or construction works shall begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site has been submitted to and approved by the Local Planning Authority. The Construction Logistics Plan shall identify all efficiency and sustainability measures that will be taken during construction of this development. The development shall not be carried out otherwise than in accordance Construction Logistics Plan or any amendments thereto.

Reason:

To ensure that construction works do not have an adverse impact on the transport network and to minimise the impact of construction activities on local air quality, in accordance with the National Planning Framework (2023), Policy T1 (Strategic Approach to Transport), Policy T4 (Assessing and Mitigating Transport Impacts), Policy T7 (Deliveries, Servicing and Construction) and Policy SI 1 (Improving Air



Quality) of the London Plan (2021) and Policy P56 (Protection of amenity) of the Southwark Plan (2022). Further information and guidance is available at <http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf>

5. Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.
  - a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.
  - b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.
  - c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; 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.

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

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2023; 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).

6. Before any work hereby authorised begins, (excluding demolition to slab level and site investigation works) the applicant shall secure the implementation of a programme of archaeological evaluation 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 applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with the National Planning Policy Framework (2023) and Policy P23 (Archaeology) of the Southwark Plan (2022).

7. 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 the National Planning Policy Framework (2023) and Policy P23 (Archaeology) of the Southwark Plan (2022).

8.
  - a) Prior to the commencement of any development, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment including a site walkover survey, identification of contaminants of the land and controlled waters and develop a conceptual model of the site with conclusion and recommendations whether a Phase 2 intrusive investigation is required. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.
  - b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.
  - c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not

be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.

d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.

e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework (2023); Policy P56 (Protection of amenity) and Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan (2022).

9. Prior to commencement of any works (with the exception of demolition to ground level and archaeological investigations), detailed plans shall be submitted to and approved in writing by the Local Planning Authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with the approved plans and maintained as such for the lifetime of the development.

Reason:

To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with the National Planning Policy Framework (2023); Policy SI 6 (Digital Connectivity Infrastructure) of the London Plan (2021) and Policy P44 (Broadband and digital infrastructure) of the Southwark Plan (2022).

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

10. 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.

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.

The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the 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.

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.

11. Prior to the commencement of any above grade works, samples of all external facing materials and full-scale (1:1) mock-ups of the typical façade details 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

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 (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022)

12. Prior to the commencement of any above ground works, the following details shall be submitted to the Local Planning Authority for its approval in writing: Section detail-drawings at a scale of at least 1:5 or 1:10 through:
- i- facades;
  - ii- lift cores;
  - iii- ground floor entrances on southwark street and southwark bridge road;
  - iv- colonnade;
  - v- roof edges;
  - vi- parapets;
  - vii- the junction with existing buildings;
  - viii- heads, cills and jambs of all openings;
  - ix - rooftop plant enclosure and terraces; and
  - x- rooftop pavilion

The development shall not be carried out otherwise than in accordance with any such

approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

13. a) The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development, in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground development and shall be implemented in accordance with the approved details prior to occupation
- b) Prior to first occupation of the development a satisfactory Secured by Design inspection must take place and the resulting Secured by Design certificate submitted to and approved in writing by the Local Planning Authority.

Reason:

In pursuance of the Local Planning Authority's duty under Section 17 of the Crime and Disorder Act (1998) to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with the National Planning Policy Framework (2023); Policy D11 (Safety Security and Resilience to Emergency) of the London Plan (2021); and Policy P16 (Designing out Crime) of the Southwark Plan (2022)."

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

14. The development hereby approved shall not be occupied until a drainage verification report prepared by a suitably qualified engineer has been submitted to and approved in writing by the Local Planning Authority. The report shall provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications (or detail any minor variations where relevant) as detailed in the Flood Risk and Assessment and SuDS Strategy prepared by Heyne Tillett Steel [rev: 02, dated [September 2023] and shall include plans, photographs and national grid references of key components of the drainage network such as surface water attenuation structures, flow control devices and outfalls. The report shall also include details of the responsible management company.

Reason:

To ensure the surface water drainage complies with the National Planning Policy Framework (2023); Policy SI 13 (Sustainable drainage) of the London Plan (2021); Southwark's Strategic Flood Risk Assessment (2017) and Policy P68 (Reducing flood risk) of the Southwark Plan (2022).

15. a) 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.

- b) Suitable acoustic treatments shall be used to ensure compliance with the above standard. Prior to first occupation a validation test shall be carried out and the results submitted to the Local Planning Authority for approval in writing to demonstrate compliance with the above standard.
- c) Once approved the plant and any acoustic treatments shall be permanently maintained thereafter.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework (2023); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

16. a) A scheme of sound insulation shall be installed to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90 5min at 1m from the facade of nearby residential premises at all third octave bands between 63Hz and 8kHz.
- b) Prior to the commencement of use of the commercial premises the proposed scheme of sound insulation shall be submitted to the Local Planning Authority for approval.
- c) The scheme of sound insulation shall be constructed and installed in accordance with the approval given and shall be permanently maintained thereafter.
- d) Following completion of the development and prior to the commencement of use of the commercial premises, a report demonstrating compliance with Parts (a), (b) and (c) above including a validation test shall be carried out. The report shall be submitted to the Local Planning Authority for approval in writing.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non-residential premises in accordance with the National Planning Policy Framework (2023); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

17. Prior to first occupation of the development hereby permitted a Delivery and Service Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved by the Local Planning Authority. The servicing of the development shall be carried out in accordance with the approval given and the Service Management Plan shall remain extant for as long as the development is occupied.

Reason:

To ensure compliance with the National Planning Policy Framework (2023); Policy P49 (Public transport); Policy P50 (Highways impacts); Policy P51 (Walking) of the

## Southwark Plan (2022)

18. Before the first occupation of the development hereby approved, the cycle facilities (including cycle storage, showers, changing rooms and lockers) as shown on the drawings references 1131\_P2601 'cycle store plan', 1131\_P0098\_B 'proposed sub-basement level B2 plan' and 1131\_P0100\_A 'proposed level 00 plan' hereby approved shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

## Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework (2023); Policy T5 (Cycling) of the London Plan (2021); and Policy P53 (Cycling) of the Southwark Plan (2022).

19. Prior to the occupation of the development,, a Post Construction Monitoring Report should be completed in line with the GLA's Circular Economy Statement Guidance. The Post Construction Monitoring Report shall be submitted to the GLA, currently via email at: [circulareconomystatements@london.gov.uk](mailto:circulareconomystatements@london.gov.uk), along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the Local Planning Authority, prior to occupation of the [INSERT development/ phase of development].

## Reason:

In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with Policy P62 (Reducing waste) of the Southwark Plan 2022

20. Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance.

The Post-Construction Assessment should be submitted to the GLA at: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the Local Planning Authority, prior to occupation of the development.

## Reason:

In the interests of sustainable development and to maximise on-site carbon dioxide savings in compliance with the National Planning Policy Framework (2023); Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021 and Policy P70 (Energy) of the Southwark Plan (2022).

21. (a) The development hereby approved shall achieve a BREEAM rating of 'Excellent' or higher, and shall achieve no less than the total credits for each of the Energy, Materials and Waste categories in the BREEAM Pre-Assessment hereby approved.

(b) Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed 'Excellent' standard as outlined within the submitted BREEAM pre-assessment have been met.

Reason:

To ensure the proposal complies with the National Planning Policy Framework (2023); Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan (2021) and Policy P69 (Sustainability standards) and (Policy P70 (Energy) of the Southwark Plan (2022).

22. Details of Swift nesting 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 12 nesting bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Swift nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest features have been installed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open water space, P59 Green infrastructure, P60 Biodiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

23. Prior to the commencement of development a Landscape Management Plan, including long - term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include the following elements: vertical greening, roof terraces, landscaping and ecological features

The Landscape Management Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority.



Reason:

To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site and to ensure the management of the public realm, in accordance with the National Planning Policy Framework (2023), Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature), and Policy D8 (Public realm) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

24. The measures for the mitigation of impact and enhancement of biodiversity set out in the Biodiversity Net Gain Assessment, prepared by Schofield Lothian (document ref: TEI057, dated October 2022) will be implemented in full prior to the new development being first brought into use / occupied, or in accordance with the timetable detailed in the approved scheme.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity as well as contributing to the Urban Greening Factor requirements of the London Plan (2021) with the aim of attaining a minimum score of 0.4 for residential developments and 0.3 for commercial developments in accordance with the National Planning Policy Framework (2023); Policy G1 (Green infrastructure), Policy G5 (Urban greening), Policy G6 (Biodiversity and access to nature), and Policy SI 13 (Sustainable drainage) of the London Plan (2021); Policy P59 (Green infrastructure) and P60 (Biodiversity) of the Southwark Plan (2022).

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

25. The development hereby permitted is limited to 16,917 sqm (GIA) of Class E floorspace, a maximum height of 35.12 metres AOD to the top of the parapet on Southwark Street, a maximum height of 39.9 metres AOD to the top of the lift overrun on the corner junction of Southwark Street and Southwark Bridge Road, and a maximum height of 31.37 metres AOD to the top of the parapet on Southwark Bridge Road.

Reason: This is in accordance with the application details and the approved plans.

26. The development hereby approved shall be carried out in accordance with the recommendations of the Fire Strategy Statement (document ref: AFF\_20790\_01\_Southwark Bridge Road\_FSS\_04, prepared by Affinity Fire Engineering, dated 24/08/2023) unless a revised Fire Statement is submitted to and approved in writing by the Local Planning Authority prior to the relevant works being carried out.

Reason: To ensure that the development incorporates the necessary fire safety measures in accordance with Policy D12 (Fire safety) of the London Plan (2021).

27. Any deliveries or collections to the commercial units shall only be between the following hours: 08:00 - 20:00 Monday to Fridays, 09:00 - 18:00 on Saturdays and 10:00 - 16:00 on Sundays and Bank Holidays.
28. The use of the external terraces shall not be permitted outside the hours of: 07:00 - 20:00 Monday to Friday and at no time on Saturdays, Sundays or Bank Holidays.

## Reason

To safeguard the amenity of neighbouring residential properties in accordance with the National Planning Policy Framework (2023); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

29. The privacy screening must be installed in full accordance with the details hereby approved (document ref: 1131\_DOC 114\_TERRACES\_REV B) prior to first use of the terraces and must be maintained in perpetuity.

Reason: To protect the privacy of neighbours in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

30. The windows on the elevations of the proposed building that face towards the Peabody Estate at ground to third floor level, shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason: In order to protect the privacy and amenity of the occupiers and users of the adjoining residential premises from undue overlooking in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022)

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

31. The landscaping and planting shown on the drawings hereby approved shall be carried out in the first appropriate planting season following the completion of the 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.

## Reason:

To ensure that the details of the scheme are 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 Southwark Plan (2022): P13 Design of places, P14 Design quality, P60 Biodiversity, P56 Protection of amenity, P577 Open space, P58 Open water space, P59 Green infrastructure, P66 Reducing noise pollution and enhancing soundscapes, P69 Sustainable standards, P19: Listed buildings and structures; P20: Conservation areas; P21: Conservation of the historic environment and natural heritage, P63 Land for waste management, P64 Contaminated land and hazardous substances, P65 Improving air quality of the Southwark Plan (2022).

32. 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.

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 the National Planning Policy Framework (2023) and Policy P23 (Archaeology) of the Southwark Plan (2022).

33. (a) 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) in compliance with the Institute of Lighting Professionals (ILE) Guidance Note 1 for the reduction of obtrusive light (2021), shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed  
(b) The development shall not be carried out otherwise than in accordance with any such approval given. Prior to the external lighting being used, a validation report shall be submitted to the Local Planning Authority for approval in writing.

Reason: In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with the National Planning Policy Framework (2023), London Plan (2021) Policy G6 (Biodiversity and access to nature) and Policy P56 (Protection of amenity) and P60 (Biodiversity) of the Southwark Plan (2022).

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

Reason: To ensure adequate protection of water utility infrastructure in accordance with Policy P67 (Reducing water use) of the Southwark Plan (2022). The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read the Thames Water guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

## **Informatives**

- 1 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3 The Highway Authority requires works to all existing and any proposed new streets and spaces (given for adoption or not) to be designed and constructed to adoptable standards.

Southwark Council's published adoptable standards as Highway Authority are contained in the Southwark Streetscape Design Manual (SSDM), <https://www.southwark.gov.uk/transport-and-roads/asset-management-and-streetscape-design/southwark-streetscape-design-manual-ssdm>
- 4 The applicant will be required to enter into an s278 agreement under the Highways Act 1980 for any works to existing adopted Highways.
- 5 Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact Hernan Castano, Highway Development Manager on 020 7525 4706 to arrange.
- 6 Surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980
- 7 Detailed design and method statements (AIP) for foundations and basements structures retaining the highway (temporary and permanent) in accordance with CG 300 'Technical Approval of Highway Structures' should be submitted and approved by the Highway Authority. The applicant is required to contact the Structures Manager Anthony Davis at [Anthony.Davis@southwark.gov.uk](mailto:Anthony.Davis@southwark.gov.uk).
- 8 An oversailing licence in accordance with S177 of the Highways Act 1980 must be secured from the Highway Authority should any part of the development be constructed over the adopted highway.

## **Appendix 2: Relevant Planning Policy**

### **National Planning Policy Framework (NPPF)**

The revised National Planning Policy Framework ('NPPF'), published September 2023, sets out the national planning policy and how this should be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. At its heart is a presumption in favour of sustainable development. The framework sets out a number of key principles, to help build a strong, responsive and competitive economy, to support strong, vibrant and healthy communities and to protect and enhance our natural, built and historic environment. Paragraph 2 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters of the NPPF are:

- Chapter 2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

### **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 SD1 Opportunity Areas
- Policy SD2 Collaboration in the Wider South East
- Policy SD3 Growth locations in the Wider South East and beyond
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, other strategic functions and residential development in the CAZ
- Policy SD10 Strategic and local regeneration
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D10 Basement development
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D13 Agent of Change

- Policy D14 Noise
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E3 Affordable workspace
- Policy E11 Skills and opportunities for all
- Policy HC1 Heritage conservation and growth
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy G1 Green infrastructure
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 6 Digital connectivity infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.2 Office Parking
- Policy T6.5 Non-residential disabled persons parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

## Southwark Plan 2022

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:

- SP2 Southwark Together
- SP4 A green and inclusive economy
- SP6 Climate emergency
- P13 Design of places
- P14 Design quality
- P16 Designing out crime
- P17 Tall buildings
- P18 Efficient use of land
- P19 Listed buildings and structures
- P20 Conservation areas

- P21 Conservation of the historic environment and natural heritage
- P22 Borough views
- P23 Archaeology
- P28 Access to employment and training
- P30 Office and business development
- P31 Affordable workspace
- P44 Broadband and digital infrastructure
- P45 Healthy developments
- P49 Public transport
- P50 Highways impacts
- P51 Walking
- P53 Cycling
- P54 Car Parking
- P55 Parking standards for disabled people and the physically impaired
- P56 Protection of amenity
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P62 Reducing waste
- P64 Contaminated land and hazardous substances
- P65 Improving air quality
- P66 Reducing noise pollution and enhancing soundscapes
- P67 Reducing water use
- P68 Reducing food risk
- P69 Sustainability standards
- P70 Energy

### **Appendix 3: Planning history of the site and nearby sites**

#### 38-42 Southwark Bridge Road (application site)

19/AP/1446 for Installation of seven signs displaying company name branding at the three entry points into the building. Granted June 2019.

17/AP/4035 for Removal of existing entry doors, canopy and windows along with 2No. bays of windows on Southwark Bridge Road and 1No. window bay on Southwark Street; Replacement of same with new double height port framed glass entry facade with sliding doors and three new window bays. Granted December 2017.

It is understood that the original building was constructed in the early 1960s on the site of a Victorian warehouse (no.42 Southwark Street) destroyed by wartime bombing. The offices were then extended on two distinct occasions; initially westward along Southwark Street during the mid-1970s, occupying no.64 Southwark Street; and later northwards along Southwark Bridge Road during the early 1980s, occupying no.38-42. The building's elevations were modified during the 1990s and again in 2017, partly unifying the building's overall appearance.

#### 76-80 Southwark Street (neighbouring building on Southwark Street (west))

20/AP/2196 for construction of an additional storey and rear extension alongside refurbishment of existing office building (Use Class B1a), including alterations to the building facade, creation of external amenity spaces, replacement plant and associated works.



## Appendix 4: Consultation undertaken

**Site notice date: 14.12.2022**

**Press notice date: 08.12.2022**

**Case officer site visit date: 14.12.2022**

**Neighbour consultation letters sent: 07.12.2022**

### Internal services consulted:

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

### Statutory and non-statutory organisations consulted:

Greater London Authority  
 London Fire & Emergency Planning Authority  
 Metropolitan Police Service  
 Transport for London  
 Thames Water  
 Environment Agency

### Neighbour and local groups consulted:

Stationery Cupboard Meeting Room Metal Box Factory Business Centre 30 Great Guildford Street  
 88 Sumner Buildings Sumner Street London  
 70 Sumner Buildings Sumner Street London  
 Cigar Box Meeting Room Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 7 And Unit 7A Metal Box Factory Business Centre 30 Great Guildford Street  
 Block B Flat 5 Peabody Estate Southwark Street  
 8 Gatehouse Square London Southwark  
 Block K Flat 16 Peabody Estate Southwark Street  
 Block H Flat 2 Peabody Estate Southwark Street  
 Block I Flat 7 Peabody Estate Southwark Street  
 Unit 202 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 322 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 318 Metal Box Factory Business Centre 30 Great Guildford Street  
 Fifty Nine And A Half Southwark Street London  
 Intel House 24 Southwark Bridge Road London  
 Block E Flat 5 Peabody Estate Southwark Street  
 Flat C 17 Southwark Bridge Road London  
 Block E Flat 2 Peabody Estate Southwark Street

Units 01 And 02 16-48 Great Guildford Street London  
 Unit 04 16-48 Great Guildford Street London  
 50A Southwark Bridge Road London Southwark  
 Carbon Re Metal Box Factory Business Centres 30 Great Guildford Street  
 Apteriors Ltd Metal Box Factory Business Centres 30 Great Guildford Street  
 First Floor 53 Southwark Street London  
 Block F Flat 9 Peabody Estate Southwark Street  
 Block K Flat 18 Peabody Estate Southwark Street  
 69 Sumner Buildings Sumner Street London  
 Block C Flat 12 Peabody Estate Southwark Street  
 Fifth And Sixth Floor The Harlequin Building 65 Southwark Street  
 Unit 216 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block K Flat 5 Peabody Estate Southwark Street  
 Unit 522 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block H Flat 6 Peabody Estate Southwark Street  
 Block H Flat 3 Peabody Estate Southwark Street  
 86 Sumner Buildings Sumner Street London  
 Flat 15 21 Great Guildford Street London  
 Second Floor Crowne House 56-58 Southwark Street  
 Block K Flat 1 Peabody Estate Southwark Street  
 Part Basement Room B7 16-48 Great Guildford Street London  
 40 Sumner Buildings Sumner Street London  
 78 Sumner Buildings Sumner Street London  
 56 Sumner Buildings Sumner Street London  
 Unit 410 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 405 16-48 Great Guildford Street London  
 Fifth Floor Intel House 24 Southwark Bridge Road  
 13 Keppel Row London Southwark  
 Seventh Floor 61 Southwark Street London  
 Unit 330 16-48 Great Guildford Street London  
 Units 309 And 310 16-48 Great Guildford Street London  
 Unit 218 Metal Box Factory Business Centres 30 Great Guildford Street  
 Units 203 And 204 16-48 Great Guildford Street London  
 Units 06 16-48 Great Guildford Street London  
 92 Sumner Buildings Sumner Street London  
 84 Sumner Buildings Sumner Street London  
 77 Sumner Buildings Sumner Street London  
 73 Sumner Buildings Sumner Street London  
 57 Sumner Buildings Sumner Street London  
 55 Sumner Buildings Sumner Street London  
 49 Sumner Buildings Sumner Street London  
 37 Sumner Buildings Sumner Street London  
 3 Gatehouse Square London Southwark  
 Flat B 17 Southwark Bridge Road London  
 Flat A 17 Southwark Bridge Road London  
 Flat C 33 Southwark Bridge Road London  
 Block A Flat 7 Peabody Estate Southwark Street  
 Block F Flat 14 Peabody Estate Southwark Street  
 Block F Flat 5 Peabody Estate Southwark Street  
 Block H Flat 14 Peabody Estate Southwark Street  
 Unit 224 A Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 421 Metal Box Factory Business Centre 30 Great Guildford Street

Unit G04 To Unit G13 Metal Box Factory Business Centre 30 Great Guildford Street  
 First Floor West The Harlequin Building 65 Southwark Street  
 Ground Floor 49 Southwark Bridge Road London  
 Unit 315 Metal Box Factory Business Centre 30 Great Guildford Street  
 Arch 2 America Street London  
 Unit 03 16-48 Great Guildford Street London  
 Workshop Peabody Buildings Southwark Street  
 7 Keppel Row London Southwark  
 Third Floor 50 Southwark Street London  
 Fifth Floor 50 Southwark Street London  
 Unit 409 16-48 Great Guildford Street London  
 First Floor Rear 61 Southwark Street London  
 Part Basement 61 Southwark Street London  
 Part Basement Rooms B1 To B2 16-48 Great Guildford Street London  
 Part Basement Room B6 16-48 Great Guildford Street London  
 Unit 428 Metal Box Factory Business Centre 30 Great Guildford Street  
 Rodeng Consulting Llp Metal Box Factory Business Centre 30 Great Guildford Street  
 First Floor 48 Southwark Street London  
 Unit 438 Metal Box Factory Business Centre 30 Great Guildford Street  
 Ground Floor Crowne House 56-58 Southwark Street  
 Block I Flat 10 Peabody Estate Southwark Street  
 Flat D 33 Southwark Bridge Road London  
 Unit 307 16-48 Great Guildford Street London  
 Unit 402 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block C Flat 8 Peabody Estate Southwark Street  
 Block F Flat 4 Peabody Estate Southwark Street  
 11 Gatehouse Square London Southwark  
 Block B Flat 13 Peabody Estate Southwark Street  
 Block B Flat 10 Peabody Estate Southwark Street  
 Unit 235 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 125 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 2 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block I Flat 3 Peabody Estate Southwark Street  
 Block A Flat 13 Peabody Estate Southwark Street  
 Unit 225 Metal Box Factory Business Centre 30 Great Guildford Street  
 Fourth Floor Crowne House 56-58 Southwark Street  
 Second Floor Pentagon House 52-54 Southwark Street  
 Unit 335 Metal Box Factory Business Centre 30 Great Guildford Street  
 Second Floor 49 Southwark Bridge Road London  
 Block F Flat 1 Peabody Estate Southwark Street  
 61 Sumner Buildings Sumner Street London  
 53 Sumner Buildings Sumner Street London  
 First Floor Front 61 Southwark Street London  
 Third Floor Pentagon House 52-54 Southwark Street  
 Flat G 37 Southwark Bridge Road London  
 Flat A 37 Southwark Bridge Road London  
 Unit 314 16-48 Great Guildford Street London  
 71 Sumner Buildings Sumner Street London  
 65 Sumner Buildings Sumner Street London  
 46 Sumner Buildings Sumner Street London  
 44 Sumner Buildings Sumner Street London  
 43 Sumner Buildings Sumner Street London

13 Gatehouse Square London Southwark  
 Flat G 33 Southwark Bridge Road London  
 Block G Flat 4 Peabody Estate Southwark Street  
 Block F Flat 12 Peabody Estate Southwark Street  
 Block B Flat 9 Peabody Estate Southwark Street  
 Block K Flat 14 Peabody Estate Southwark Street  
 Block I Flat 14 Peabody Estate Southwark Street  
 Block H Flat 17 Peabody Estate Southwark Street  
 Block H Flat 12 Peabody Estate Southwark Street  
 Block G Flat 12 Peabody Estate Southwark Street  
 Unit 427 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 419 Metal Box Factory Business Centre 30 Great Guildford Street  
 Basement And Part Ground Floor Saxon House 48 Southwark Street  
 First Floor 49 Southwark Bridge Road London  
 Arch 6 America Street London  
 19 Keppel Row London Southwark  
 8 Keppel Row London Southwark  
 Ground Floor 32 Southwark Bridge Road London  
 Block A Flat 9 Peabody Estate Southwark Street  
 Unit 4 23A Great Guildford Street London  
 Units 122 To 124 16-48 Great Guildford Street London  
 Unit 120 Metal Box Factory Business Centre 30 Great Guildford Street  
 Units 227 And 228 16-48 Great Guildford Street London  
 Units 331 To Unit 333 16-48 Great Guildford Street London  
 Block E Flat 18 Peabody Estate Southwark Street  
 58 Sumner Buildings Sumner Street London  
 Block E Flat 15 Peabody Estate Southwark Street  
 Flat 13 21 Great Guildford Street London  
 Sixth Floor Pentagon House 52-54 Southwark Street  
 Ground Floor The Harlequin Building 65 Southwark Street  
 Unit 530 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block I Flat 8 Peabody Estate Southwark Street  
 Block H Flat 11 Peabody Estate Southwark Street  
 Block G Flat 14 Peabody Estate Southwark Street  
 Block E Flat 14 Peabody Estate Southwark Street  
 Block A Flat 8 Peabody Estate Southwark Street  
 Unit 316 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 219 Metal Box Factory Business Centre 30 Great Guildford Street  
 Units 317 To 320 16-48 Great Guildford Street London  
 Part Basement Room B3 16-48 Great Guildford Street London  
 Part Basement Right 61 Southwark Street London  
 75 Sumner Buildings Sumner Street London  
 Fourth Floor Intel House 24 Southwark Bridge Road  
 First Floor Notcutt House 36 Southwark Bridge Road  
 6 Keppel Row London Southwark  
 Store Adjacent 1 Peabody Buildings Southwark Street  
 Unit 334 16-48 Great Guildford Street London  
 Unit 220 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 209 To Unit 211 Metal Box Factory Business Centre 30 Great Guildford Street  
 Flat 16 21 Great Guildford Street London  
 Flat 12 21 Great Guildford Street London  
 Flat 8 21 Great Guildford Street London

76 Sumner Buildings Sumner Street London  
 60 Sumner Buildings Sumner Street London  
 52 Sumner Buildings Sumner Street London  
 41 Sumner Buildings Sumner Street London  
 32 Sumner Buildings Sumner Street London  
 12 Gatehouse Square London Southwark  
 Block A Flat 14 Peabody Estate Southwark Street  
 Block A Flat 12 Peabody Estate Southwark Street  
 Block A Flat 10 Peabody Estate Southwark Street  
 Block G Flat 8 Peabody Estate Southwark Street  
 Block G Flat 3 Peabody Estate Southwark Street  
 Block F Flat 7 Peabody Estate Southwark Street  
 Block I Flat 9 Peabody Estate Southwark Street  
 Block B Flat 4 Peabody Estate Southwark Street  
 Block I Flat 4 Peabody Estate Southwark Street  
 Block H Flat 7 Peabody Estate Southwark Street  
 Block G Flat 13 Peabody Estate Southwark Street  
 53A Southwark Street London Southwark  
 Part Basement Store 61 Southwark Street London  
 Units 437 To 440 Metal Box Factory Business Centre 30 Great Guildford Street  
 18 Keppel Row London Southwark  
 16 Keppel Row London Southwark  
 12 Keppel Row London Southwark  
 5 Keppel Row London Southwark  
 1 Keppel Row London Southwark  
 Basement 50 Southwark Street London  
 Second Floor Rear 61 Southwark Street London  
 Units 05 16-48 Great Guildford Street London  
 53-61 Southwark Bridge Road London Southwark  
 The Fire Surgery Ltd Metal Box Factory Business Centre 30 Great Guildford Street  
 People Blueprint Ltd Metal Box Factory Business Centre 30 Great Guildford Street  
 Want Some Media Ltd Metal Box Factory 30 Great Guildford Street  
 Units 315 And 316 16-48 Great Guildford Street London  
 Unit 304 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block H Flat 1 Peabody Estate Southwark Street  
 Unit 232 Metal Box Factory Business Centre 30 Great Guildford Street  
 35 Sumner Buildings Sumner Street London  
 Block C Flat 10 Peabody Estate Southwark Street  
 Block F Flat 8 Peabody Estate Southwark Street  
 5 Gatehouse Square London Southwark  
 Unit 317 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block K Flat 12 Peabody Estate Southwark Street  
 Block K Flat 8 Peabody Estate Southwark Street  
 Block H Flat 16 Peabody Estate Southwark Street  
 Block A Flat 11 Peabody Estate Southwark Street  
 Second Floor 34 Southwark Bridge Road London  
 Units 132 To 134 Metal Box Factory 30 Great Guildford Street  
 Part Basement Room B5 16-48 Great Guildford Street London  
 20 Keppel Row London Southwark  
 Part Sixth Floor 61 Southwark Street London  
 Units 322 And 323 16-48 Great Guildford Street London  
 Unit 305 16-48 Great Guildford Street London

Unit 08 16-48 Great Guildford Street London  
 Units 105 And 106 16-48 Great Guildford Street London  
 Fourth Floor Wigglesworth House 69 Southwark Bridge Road  
 Flat 9 21 Great Guildford Street London  
 85 Sumner Buildings Sumner Street London  
 74 Sumner Buildings Sumner Street London  
 53 Thrale Street London Southwark  
 Flat 5 21 Great Guildford Street London  
 Block C Flat 13 Peabody Estate Southwark Street  
 55 Southwark Street London Southwark  
 Block E Flat 6 Peabody Estate Southwark Street  
 Block C Flat 14 Peabody Estate Southwark Street  
 Block C Flat 9 Peabody Estate Southwark Street  
 Block C Flat 2 Peabody Estate Southwark Street  
 Block B Flat 14 Peabody Estate Southwark Street  
 Block B Flat 12 Peabody Estate Southwark Street  
 Block K Flat 7 Peabody Estate Southwark Street  
 Block K Flat 4 Peabody Estate Southwark Street  
 Block K Flat 2 Peabody Estate Southwark Street  
 Block C Flat 1 Peabody Estate Southwark Street  
 Block I Flat 2 Peabody Estate Southwark Street  
 Unit 224 B Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 126 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 436 Metal Box Factory Business Centre 30 Great Guildford Street  
 First Floor Intel House 24 Southwark Bridge Road  
 Second Floor Front 32 Southwark Bridge Road London  
 Unit 420 Metal Box Factory Business Centre 30 Great Guildford Street  
 Suite L1 Second Floor Wigglesworth House 69 Southwark Bridge Road  
 Suite L3 Second Floor Wigglesworth House 69 Southwark Bridge Road  
 Unit 323 Metal Box Factory Business Centre 30 Great Guildford Street  
 Second Floor 76 - 80 Southwark Street London  
 Unit 437 Metal Box Factory Business Centre 30 Great Guildford Street  
 Reds Ten Uk Ltd Metal Box Factory Business Centres 30 Great Guildford Street  
 11-17 Great Guildford Street London Southwark  
 Unit 303 Metal Box Factory Business Centre 30 Great Guildford Street  
 Units 328 And 329 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 405 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block H Flat 9 Peabody Estate Southwark Street  
 Flat 11 21 Great Guildford Street London  
 Block C Flat 6 Peabody Estate Southwark Street  
 Unit 431 Metal Box Factory Business Centre 30 Great Guildford Street  
 Third Floor Saxon House 48 Southwark Street  
 Block F Flat 6 Peabody Estate Southwark Street  
 First Floor East The Harlequin Building 65 Southwark Street  
 Block B Flat 8 Peabody Estate Southwark Street  
 Block K Flat 17 Peabody Estate Southwark Street  
 Unit G01 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 524 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 509 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block K Flat 3 Peabody Estate Southwark Street  
 Block G Flat 5 Peabody Estate Southwark Street  
 97 Sumner Buildings Sumner Street London

Unit 214 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block E Flat 12 Peabody Estate Southwark Street  
 Flat 7 21 Great Guildford Street London  
 Flat 1 21 Great Guildford Street London  
 Unit 223 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit G03 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 207 To Unit 208 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 206 Metal Box Factory Business Centre 30 Great Guildford Street  
 64 Sumner Buildings Sumner Street London  
 100 Sumner Buildings Sumner Street London  
 Unit 217 Metal Box Factory Business Centre 30 Great Guildford Street  
 10 Keppel Row London Southwark  
 Third Floor 34 Southwark Bridge Road London  
 Flat B 37 Southwark Bridge Road London  
 Unit 09 16-48 Great Guildford Street London  
 Unit 324 Metal Box Factory Business Centre 30 Great Guildford Street  
 Flat 17 21 Great Guildford Street London  
 99 Sumner Buildings Sumner Street London  
 95 Sumner Buildings Sumner Street London  
 90 Sumner Buildings Sumner Street London  
 68 Sumner Buildings Sumner Street London  
 66 Sumner Buildings Sumner Street London  
 62 Sumner Buildings Sumner Street London  
 51 Sumner Buildings Sumner Street London  
 38 Sumner Buildings Sumner Street London  
 34 Sumner Buildings Sumner Street London  
 6 Gatehouse Square London Southwark  
 Flat E 17 Southwark Bridge Road London  
 Flat D 17 Southwark Bridge Road London  
 Flat 2 21 Great Guildford Street London  
 105 Sumner Street London Southwark  
 Fifth Floor Pentagon House 52-54 Southwark Street  
 Block G Flat 9 Peabody Estate Southwark Street  
 Block E Flat 8 Peabody Estate Southwark Street  
 Block A Flat 5 Peabody Estate Southwark Street  
 Block K Flat 9 Peabody Estate Southwark Street  
 Block E Flat 1 Peabody Estate Southwark Street  
 Block B Flat 1 Peabody Estate Southwark Street  
 Unit 224 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block I Flat 5 Peabody Estate Southwark Street  
 Block H Flat 15 Peabody Estate Southwark Street  
 Block H Flat 10 Peabody Estate Southwark Street  
 Block H Flat 4 Peabody Estate Southwark Street  
 Unit 432 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 422 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 515 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 507 Metal Box Factory Business Centre 30 Great Guildford Street  
 Third To Fifth Floors 49 Southwark Bridge Road London  
 Unit 503 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit G014 Metal Box Factory Business Centre 30 Great Guildford Street  
 Basement 61 Southwark Street London  
 Second Floor Rear 32 Southwark Bridge Road London

9 Keppel Row London Southwark  
 81 Southwark Bridge Road London Southwark  
 Unit 401 16-48 Great Guildford Street London  
 Unit 305 To 308 Metal Box Factory Business Centre 30 Great Guildford Street  
 Outset Studio Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 439 Metal Box Factory Business Centre 30 Great Guildford Street  
 Jsk News Ltd 23 Great Guildford Street London  
 Units 129 To 131 16-48 Great Guildford Street London  
 Block A Flat 4 Peabody Estate Southwark Street  
 39 Sumner Buildings Sumner Street London  
 First Floor 81 Southwark Bridge Road London  
 Flat D 37 Southwark Bridge Road London  
 Block F Flat 13 Peabody Estate Southwark Street  
 Unit 228 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 423 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 417 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block H Flat 13 Peabody Estate Southwark Street  
 Fourth Floor Front 61 Southwark Street London  
 Fourth Floor Pentagon House 52-54 Southwark Street  
 Second Floor Saxon House 48 Southwark Street  
 Letter Press Meeting Room Metal Box Factory Business Centre 30 Great Guildford Street  
 36 Sumner Buildings Sumner Street London  
 Sixth Floor Rear 61 Southwark Street London  
 Basement Intel House 24 Southwark Bridge Road  
 Fourth Floor 50 Southwark Street London  
 17 Keppel Row London Southwark  
 Third Floor Crowne House 56-58 Southwark Street  
 Fifth Floor 1 America Street London  
 Flat 14 21 Great Guildford Street London  
 59 Sumner Buildings Sumner Street London  
 54 Sumner Buildings Sumner Street London  
 47 Sumner Buildings Sumner Street London  
 22 Southwark Bridge Road London Southwark  
 Unit 230 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block E Flat 11 Peabody Estate Southwark Street  
 Block E Flat 3 Peabody Estate Southwark Street  
 Block A Flat 3 Peabody Estate Southwark Street  
 Block F Flat 3 Peabody Estate Southwark Street  
 Block B Flat 7 Peabody Estate Southwark Street  
 Block B Flat 6 Peabody Estate Southwark Street  
 Block I Flat 1 Peabody Estate Southwark Street  
 Unit 511 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block H Flat 5 Peabody Estate Southwark Street  
 Unit 414 To Unit 416 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 534 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit G02 Metal Box Factory Business Centre 30 Great Guildford Street  
 Car Park 53 Southwark Street London  
 Ground Floor 61 Southwark Street London  
 Arch 8 America Street London  
 Ground Floor West 61 Southwark Street London  
 49 Southwark Bridge Road London Southwark  
 4 Keppel Row London Southwark



Second Floor 50 Southwark Street London  
 43-47 Southwark Bridge Road London Southwark  
 Unit 409 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 440 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 135 To 136 Metal Box Factory Business Centre 30 Great Guildford Street  
 Units 213 To 216 16-48 Great Guildford Street London  
 9 Gatehouse Square London Southwark  
 Flat E 37 Southwark Bridge Road London  
 Ground Floor Intel House 24 Southwark Bridge Road  
 Ground Floor And Second Floor To Fifth Floor 76 - 80 Southwark Street London  
 Unit G015 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 325 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 109 To Unit 120 16-48 Great Guildford Street London  
 Block A Flat 2 Peabody Estate Southwark Street  
 First Floor 34 Southwark Bridge Road London  
 42 Sumner Buildings Sumner Street London  
 Block C Flat 5 Peabody Estate Southwark Street  
 Block C Flat 3 Peabody Estate Southwark Street  
 15 Gatehouse Square London Southwark  
 Unit 505 Metal Box Factory Business Centre 30 Great Guildford Street  
 Second And Third Floors The Harlequin Building 65 Southwark Street  
 Ground Floor Pentagon House 52-54 Southwark Street  
 Block F Flat 2 Peabody Estate Southwark Street  
 Block K Flat 15 Peabody Estate Southwark Street  
 Unit 513 Metal Box Factory Business Centre 30 Great Guildford Street  
 First Floor Wigglesworth House 69 Southwark Bridge Road  
 Block I Flat 11 Peabody Estate Southwark Street  
 Block H Flat 18 Peabody Estate Southwark Street  
 Block H Flat 8 Peabody Estate Southwark Street  
 Block E Flat 17 Peabody Estate Southwark Street  
 Flat 3 21 Great Guildford Street London  
 Block A Flat 6 Peabody Estate Southwark Street  
 Ground Floor 34 Southwark Bridge Road London  
 Fifth Floor Rear 61 Southwark Street London  
 Second Floor Right Wigglesworth House 69 Southwark Bridge Road  
 Second Floor And Third Floor And Mansard Floor Flat 55 Southwark Street London  
 Ground Floor 81 Southwark Bridge Road London  
 Block A Flat 1 Peabody Estate Southwark Street  
 Block G Flat 1 Peabody Estate Southwark Street  
 Arch 4 America Street London  
 Units 102 To 104 16-48 Great Guildford Street London  
 Second Floor Left Wigglesworth House 69 Southwark Bridge Road  
 Third Floor 32 Southwark Bridge Road London  
 Fourth Floor Rear 61 Southwark Street London  
 67 Sumner Buildings Sumner Street London  
 45 Sumner Buildings Sumner Street London  
 Second Floor Front 61 Southwark Street London  
 Basement 4 Emerson Street London  
 2 Keppel Row London Southwark  
 53 Southwark Street London Southwark  
 First Floor Crowne House 56-58 Southwark Street  
 Flat F 37 Southwark Bridge Road London

Unit 308 16-48 Great Guildford Street London  
 Units 311 And 312 16-48 Great Guildford Street London  
 Units 232 To 234 16-48 Great Guildford Street London  
 Unit 121 Metal Box Factory Business Centre 30 Great Guildford Street  
 96 Sumner Buildings Sumner Street London  
 93 Sumner Buildings Sumner Street London  
 87 Sumner Buildings Sumner Street London  
 82 Sumner Buildings Sumner Street London  
 79 Sumner Buildings Sumner Street London  
 31 Sumner Buildings Sumner Street London  
 35 Southwark Bridge Road London Southwark  
 10 Gatehouse Square London Southwark  
 Flat 4 21 Great Guildford Street London  
 Flat F 33 Southwark Bridge Road London  
 Flat A 33 Southwark Bridge Road London  
 52 Thrale Street London Southwark  
 William Shakespeare 60 Southwark Street London  
 Saxon House 48 Southwark Street London  
 Block G Flat 11 Peabody Estate Southwark Street  
 Block G Flat 6 Peabody Estate Southwark Street  
 Block E Flat 13 Peabody Estate Southwark Street  
 Block E Flat 4 Peabody Estate Southwark Street  
 Block C Flat 11 Peabody Estate Southwark Street  
 Block C Flat 4 Peabody Estate Southwark Street  
 Block B Flat 2 Peabody Estate Southwark Street  
 Block K Flat 11 Peabody Estate Southwark Street  
 Unit 215 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 523 Metal Box Factory Business Centre 30 Great Guildford Street  
 Fry Meeting Room Metal Box Factory Business Centre 30 Great Guildford Street  
 Ground Floor East 61 Southwark Street London  
 First Floor 76-80 Southwark Street London  
 Part Basement Room B4 16-48 Great Guildford Street London  
 Ground Floor Rear 50 Southwark Street London  
 Units 125 To 127 16-48 Great Guildford Street London  
 Jsk News Ltd 21 Great Guildford Street London  
 Websters International Metal Box Factory Business Centres 30 Great Guildford Street  
 Unit 222 Metal Box Factory Business Centre 30 Great Guildford Street  
 Flat C 37 Southwark Bridge Road London  
 Second Floor Intel House 24 Southwark Bridge Road  
 Unit 424 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 204 Metal Box Factory Business Centre 30 Great Guildford Street  
 63 Sumner Buildings Sumner Street London  
 83 Sumner Buildings Sumner Street London  
 Unit 3 23 Great Guildford Street London  
 Block G Flat 7 Peabody Estate Southwark Street  
 Unit 229 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block K Flat 10 Peabody Estate Southwark Street  
 Unit 127 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 319 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 435 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block I Flat 13 Peabody Estate Southwark Street  
 Block I Flat 6 Peabody Estate Southwark Street

Block G Flat 10 Peabody Estate Southwark Street  
 Block G Flat 2 Peabody Estate Southwark Street  
 94 Sumner Buildings Sumner Street London  
 91 Sumner Buildings Sumner Street London  
 Units 1 And 2 19-19A Great Guildford Street London  
 Unit 313 Metal Box Factory Business Centre 30 Great Guildford Street  
 33 Sumner Buildings Sumner Street London  
 72 Sumner Buildings Sumner Street London  
 48 Sumner Buildings Sumner Street London  
 Third Floor Intel House 24 Southwark Bridge Road  
 First Floor 50 Southwark Street London  
 Fifth Floor Front 61 Southwark Street London  
 Basement Pentagon House 52-54 Southwark Street  
 Unit 306 16-48 Great Guildford Street London  
 Unit 226 16-48 Great Guildford Street London  
 Flat 6 21 Great Guildford Street London  
 7 Gatehouse Square London Southwark  
 4 Gatehouse Square London Southwark  
 Block E Flat 16 Peabody Estate Southwark Street  
 Block E Flat 9 Peabody Estate Southwark Street  
 Block C Flat 7 Peabody Estate Southwark Street  
 Block F Flat 10 Peabody Estate Southwark Street  
 Block B Flat 11 Peabody Estate Southwark Street  
 Block K Flat 13 Peabody Estate Southwark Street  
 Block K Flat 6 Peabody Estate Southwark Street  
 Block I Flat 12 Peabody Estate Southwark Street  
 Unit 526 Metal Box Factory Business Centre 30 Great Guildford Street  
 Third Floor 61 Southwark Street London  
 Unit 415 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 221 Metal Box Factory Business Centre 30 Great Guildford Street  
 Third Floor South Wigglesworth House 69 Southwark Bridge Road  
 22 Keppel Row London Southwark  
 21 Keppel Row London Southwark  
 15 Keppel Row London Southwark  
 3 Keppel Row London Southwark  
 Second Floor Notcutt House 36 Southwark Bridge Road  
 Unit 231 Metal Box Factory 2 30 Great Guildford Street  
 Basement 32 Southwark Bridge Road London  
 Unit 205 Metal Box Factory Business Centre 30 Great Guildford Street  
 Basement 76 - 80 Southwark Street London  
 61 Southwark Street London Southwark  
 Unit 508 Metal Box Factory Business Centre 30 Great Guildford Street  
 Suite L2 Second Floor Wigglesworth House 69 Southwark Bridge Road  
 Unit 1 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 129 Metal Box Factory Business Centre 30 Great Guildford Street  
 16 Great Guildford Street London Southwark  
 Basement Crowne House 56-58 Southwark Street  
 Acker Uk Ltd Metal Box Factory Business Centres 30 Great Guildford Street  
 Flat E 33 Southwark Bridge Road London  
 Flat B 33 Southwark Bridge Road London  
 Basement And Ground Floor 50 Southwark Bridge Road London  
 Unit 309 And Unit 310 Metal Box Factory Business Centre 30 Great Guildford Street

Unit 412 To 413 Metal Box Factory Business Centre 30 Great Guildford Street  
 First Floor Pentagon House 52-54 Southwark Street  
 Basement The Harlequin Building 65 Southwark Street  
 Fourth Floor The Harlequin Building 65 Southwark Street  
 Block E Flat 7 Peabody Estate Southwark Street  
 Ground Floor Left Hand Side The Harlequin Building 65 Southwark Street  
 11 Keppel Row London Southwark  
 Unit 212 Metal Box Factory Business Centre 30 Great Guildford Street  
 Railway Bridge South Side Southwark Bridge Road London  
 Metal Box Cafe Metal Box Factory Business Centre 30 Great Guildford Street  
 Sixth Floor Intel House 24 Southwark Bridge Road  
 Third To Fifth Floor 81 Southwark Bridge Road London  
 Part Basement Part Ground Floor And First Floor To Fourth Floor 1 America Street London  
 Unit 320 Metal Box Factory Business Centre 30 Great Guildford Street  
 80 Sumner Buildings Sumner Street London  
 First Floor Metal Box Factory Business Centre 30 Great Guildford Street  
 16 Peabody Buildings Southwark Street London  
 Estate Workshop Sumner Buildings Sumner Street  
 9 Sumner Street London Southwark  
 Units 406 To 408 16-48 Great Guildford Street London  
 29 Great Guildford Street London Southwark  
 Basement And Ground Floor Metal Box Factory Business Centre 30 Great Guildford Street  
 Lower Ground And Mezzanine And Third Floor And Fourth Floor 36 Southwark Bridge Road  
 London  
 Unit 128 Metal Box Factory Business Centre 30 Great Guildford Street  
 Second Floor 81 Southwark Bridge Road London  
 Block E Flat 10 Peabody Estate Southwark Street  
 Flat 7 Peabody Buildings Southwark Street  
 Fifth Floor Crowne House 56-58 Southwark Street  
 Unit 327 16-48 Great Guildford Street London  
 Units 107 And 108 16-48 Great Guildford Street London  
 City Bridge House 57 Southwark Street London  
 4-6 America Street London Southwark  
 Basement And Ground Floor 55 Southwark Street London  
 98 Sumner Buildings Sumner Street London  
 50 Sumner Buildings Sumner Street London  
 81 Sumner Buildings Sumner Street London  
 Unit 101 Metal Box Factory Business Centre 30 Great Guildford Street  
 Units 207 And 208 16-48 Great Guildford Street London  
 Unit 201 Metal Box Factory Business Centre 30 Great Guildford Street  
 Block F Flat 11 Peabody Estate Southwark Street  
 The Harlequin Building 65 Southwark Street London  
 Block B Flat 3 Peabody Estate Southwark Street  
 Unit 313 16-48 Great Guildford Street London  
 First Floor 32 Southwark Bridge Road London  
 89 Sumner Buildings Sumner Street London  
 Unit 430 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 406 Metal Box Factory Business Centre 30 Great Guildford Street  
 Unit 401 Metal Box Factory Business Centre 30 Great Guildford Street  
 Flat 10 21 Great Guildford Street London  
 14 Gatehouse Square London Southwark

## **Appendix 5: Consultation responses received**

### **Internal services responded:**

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

### **Statutory and non-statutory organisations responded:**

Greater London Authority  
London Fire & Emergency Planning Authority  
Metropolitan Police Service  
Transport for London  
Thames Water  
Environment Agency

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**OPEN**

**MUNICIPAL YEAR 2023-24**

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

**NOTE:** Original held in Constitutional Team; all amendments/queries to Gregory Weaver, Constitutional Team, Tel: 020 7525 3667

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Helen Hayes MP, House of Commons, London, SW1A 0AA			
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