Open Agenda

Planning Committee (Major Applications) A

Wednesday 26 March 2025
6.30 pm
Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Membership	Reserves
Councillor Richard Livingstone (Chair)	Councillor Maggie Browning
Councillor Kath Whittam (Vice-Chair)	Councillor Ellie Cumbo
Councillor Gavin Edwards	Councillor Ketzia Harper
Councillor Esme Hicks	Councillor Jon Hartley
Councillor Nick Johnson	Councillor Michael Situ
Councillor Darren Merrill	Councillor Cleo Soanes
Councillor Reginald Popoola	Councillor Emily Tester

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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Access

The council is committed to making its meetings accessible. For details on building access, translation, provision of signers or any other requirements for this meeting, please contact the person below.

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

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Members of the committee are summoned to attend this meeting
Althea Loderick
Chief Executive
Date: 18 March 2025

PRINTED ON RECYCLED PAPER

Planning Committee (Major Applications) A

Wednesday 26 March 2025
6.30 pm
Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	**APOLOGIES** To receive any apologies for absence.	
2.	**CONFIRMATION OF VOTING MEMBERS** A representative of each political group will confirm the voting members of the committee.	
3.	**NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT** In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	**DISCLOSURE OF INTERESTS AND DISPENSATIONS** Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	**MINUTES** To approve as a correct record the minutes of the meeting held on 11 February 2025.	1 - 5
6.	**RELEASE OF £2,376,936.12 FROM S106 AGREEMENTS ACROSS THE BOROUGH TO SUPPORT THE DELIVERY OF AFFORDABLE HOUSING IN THE BOROUGH**	6 - 38
7.	**DEVELOPMENT MANAGEMENT**	38 - 43

Item No.	Title	Page No.
7.1.	**BOROUGH TRIANGLE SITE AT 18-54 NEWINGTON CAUSEWAY, 69 BOROUGH ROAD, 82-83 BOROUGH ROAD, LONDON**	43 - 388

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

EXCLUSION OF PRESS AND PUBLIC

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

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

Date: 18 March 2025

Planning Committee (Major Applications)

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

1. The reports are taken in the order of business on the agenda.

2. The officers present the report and recommendations and answer points raised by members of the committee.

3. The role of members of the planning committee (major applications) is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.

4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

   (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

   (b) The applicant or applicant's agent.

   (c) One representative for any supporters (who live within 100 metres of the development site).

   (d) Ward councillor (spokesperson) from where the proposal is located.

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

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

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair

will ask which objector(s) would like to speak at the point the actual item is being considered.

6. Speakers should lead the committee to subjects on which they would welcome further questioning.

7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants. **As meetings are usually livestreamed, speakers should not disclose any information they do not wish to be in the public domain.**

9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.

10. No smoking is allowed at committee.

11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

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

Contacts: General Enquiries
Planning Section
Resources
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Planning Committee Clerk, Constitutional Team
Governance and Assurance
Tel: 020 7525 7420

Agenda Item 5

Planning Committee (Major Applications) A

MINUTES of the Planning Committee (Major Applications) A held on Tuesday 11 February 2025 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

PRESENT:	Councillor Richard Livingstone (Chair) Councillor Gavin Edwards Councillor Esme Hicks Councillor Darren Merrill Councillor Reginald Popoola
OTHER MEMBERS PRESENT:	Councillor Margy Newens Councillor Andy Simmons
OFFICER SUPPORT:	Dipesh Patel (Manager Strategic Applications) Michael Feeney (External Legal Counsel, FTB Chambers) Michael Tsoukaris (Manager Design and Conservation) Liam Bullen (Senior Planner – Urban Forester) Nathaniel Young (Planning Team Leader) Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were apologies for absence from Councillors Nick Johnson and Kath Whittam (Vice-Chair).

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 main agenda pack and supplemental agenda pack No.1, as well as the members' pack and addendum report which had been circulated before the meeting.

The chair asked officers to submit planning items within the deadline for publication to avoid having to produce supplemental agendas.

The chair also informed the meeting that item 7. would be heard first, followed by items 6 and 8.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

1. That item 1 of the minutes for Planning Committee (Major Applications) A meeting held on the 26 November 2024 be amended to read "There were apologies for absence from Councillor Gavin Edwards." and

2. That these amended minutes be approved as a correct record and signed by the chair.

7. CONFIRMATION OF ARTICLE 4 DIRECTION FOR THE WITHDRAWAL OF PART 16 PERMITTED DEVELOPMENT RIGHTS (COMMUNICATIONS DEVELOPMENT) AT THE JUNCTION OF CROXTED ROAD AND NORWOOD ROAD, LONDON SE24 9DA

Report: see pages 87 to 120 of the main agenda pack and page 1 of the addendum report.

The officer introduced the report.

Councillor Margy Newens addressed the meeting in her capacity as a ward councillor.

Members of the committee put questions to the officers.

A motion to authorise the confirmation of the Article 4(1) direction was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That the confirmation of the Article 4 Direction (without immediate effect) to

withdraw the permitted development rights granted by Schedule 2, Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) ('the GPDO') for Communications Development be authorised.

2. That the arrangements for making the Article 4 Directions including compliance with the notification requirements under the GPDO be delegated to the director of planning and growth.

3. That it be noted that there have been no responses to the consultation at the date of this report.

6. CONFIRMATION OF ARTICLE 4(1) DIRECTION TO WITHDRAW PERMITTED DEVELOPMENT RIGHTS FOR OPERATIONS WITHIN PART OF THE DULWICH WOOD CONSERVATION AREA, WITHIN AND ADJACENT TO ANCIENT WOODLAND

Report: see pages 6 to 86 of the main agenda pack.

The officer introduced the report and informed the meeting that ward councillors had asked for a further FAQ document to be attached to the order.

Members of the committee put questions to the officers.

Councillor Andy Simmons addressed the committee in his capacity as a ward councillor. He requested officers come back to him and Councillor Catherine Rose regarding helicopter movements in their ward.

A motion to authorise the confirmation of the Article 4(1) direction was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That the confirmation of the Article 4(1) direction as set out in Appendix A to withdraw the permitted development right granted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), hereafter "GPDO", for operations within and adjacent to the Great North Wood, including to domestic and non-domestic properties identified in Appendix C, be authorised.

2. That the updated equalities impact and needs analysis of the proposed Article 4 Directions (Appendix D) be noted.

3. That the arrangements for confirming the Article 4 Direction including compliance with the notification requirements under the Town and Country Planning (General Permitted Development) Order 1995 be delegated to the director of planning and growth.

8. DEVELOPMENT MANAGEMENT

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the 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.

8.1 22-24 SOUTHWARK BRIDGE ROAD, LONDON SE1 9HB

Planning Application Number: 24/AP/2246

Report: see pages 1 to 82 of the supplemental agenda No.1 pack and pages 2 to 5 of the addendum report.

PROPOSAL:

Redevelopment of the site including demolition of 24 Southwark Bridge Road and partial demolition of 22 Southwark Bridge Road, to provide a mixed-use development comprising commercial floorspace Class E(g) and flexible Class E floorspace at ground floor level with commercial floorspace Class E(g) above, with access/ servicing, hard and soft landscaping, and other associated works.

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

There were no objectors present wishing to speak.

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

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

There were no ward councillors in attendance wishing to speak.

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

RESOLVED:

1. That planning permission be granted subject to:

    a. the conditions set out in the report and addendum report
    b. the applicant entering into an appropriate legal agreement, and
    c. referral to the Mayor of London.

2. That in the event that the requirements of paragraph 1 above are not met by 11 February 2026, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 144 of the report.

The meeting ended at 7.41pm.

CHAIR:

DATED:

Agenda Item 6

Meeting Name:	Planning Committee (Major Applications) A
Date:	26 March 2025
Report title:	Release of £2,376,936.12 from S106 agreements across the borough to support the delivery of affordable housing in the borough
Ward(s) or groups affected:	Dulwich Village, Goose Green, North Bermondsey , North Walworth, Nunhead & Queens Road, Peckham, Rotherhithe
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Director of Planning and Growth

RECOMMENDATIONS

1. That the planning committee agrees the release of funds totalling £2,376,936.12 of S106 affordable housing funding, received against the legal agreements set out in Appendix A, to the New Homes Programme to support the delivery of affordable housing in the borough.

2. That the Strategic Director of Resources be authorised to apply the funding released to individual projects within the New Homes Programme.

BACKGROUND INFORMATION

3. Planning obligations are used to mitigate the negative impacts caused by a development and contribute towards providing infrastructure and facilities necessary to achieve sustainable communities. In order to achieve this, the council enters into planning obligations with a developer whereby the developer agrees to provide planning contributions. These obligations may take the form of financial contributions, including towards affordable housing.

4. The council expects affordable housing to be provided by developers on-site. In exceptional circumstances where a developer has justified, in accordance with both the council's planning policy requirements and the London Plan, that the affordable housing cannot be built on-site, the affordable housing should be provided off-site. If this is not possible, then the council may allow a contribution

to be secured by way of an in-lieu payment. All in-lieu payments are held in an account for S106 Affordable Housing Contributions. At present, the New Homes Programme seeks the release of these funds annually from Planning Committee. If approved, these contributions are moved into the S106 Affordable Housing Fund where they are ring-fenced to aid in the delivery of the New Homes Programme.

5. Subject to Planning Committee approval, the release of these S106 receipts will enable them to be used to help fund the council's New Homes Programme. As set out in the Capital Programme Refresh report presented to Cabinet in January 2023, this programme aims to deliver new affordable homes and contribute towards the council's commitment to build 11,000 new council homes by 2043, as per the Council Plan 2018-22. 2,500 of these homes have been delivered or started on site before May 2022, and the current plan for 2022-26 includes 1,000 new council homes to start before May 2026.

6. S106 monies form a key part of the funding strategy to deliver the council's new homes, alongside grant from the GLA, Right to Buy Receipts, other capital receipts and borrowing. Use of all forms of funding, including S106 receipts is subject to conditions and restrictions and is set out in an annual financing statement incorporating all capital expenditure incurred by the council, which is subject to review by the council's external auditors as part of their annual audit of the council's accounts. It is particularly important that the council keeps its borrowing within prudential limits to ensure it is sustainable and affordable for the Housing Revenue Account. The application of S106 receipts helps to ensure the council remains within prudential borrowing, especially given the economic uncertainty and period of relatively high interest rates currently being experienced.

7. In March 2024, the council's Planning Committee approved a release report of S106 affordable housing funding for £2,376,936.12. The funds enabled the council to support the cost of delivering affordable homes included within the council's New Homes Programme. The schemes in this programme are at different stages in their delivery.

KEY ISSUES FOR CONSIDERATION

8. Subject to Planning Committee approval, the S106 affordable housing funding from the legal agreements set out in Appendix A will be added to the S106 Affordable Housing Fund and be used to help finance the council's New Homes Programme. The S106 sums released since July 2020 have contributed to the delivery of 305 new affordable homes. By way of an example as to the progress of the programme, the council has delivered or assisted with the delivery of the following:

Scheme	Delivery*	Completion and new homes
Alfred Fagon Apartment Terraces (Copeland Road Car Park)	DD	Completed in May 2022 providing 24 new council homes

Scheme	Delivery*	Completion and new homes
Harold Moody Court and Prout House (Goschen Estate)	DD	Completed in July 2022 providing 17 new council homes
John Gorsuch House (Daniels Road)	DD	Completed in September 2022 providing 19 new council homes
Leathermarket (Joyce Newman House)	DD	Completed in May 2022 providing 40 new council homes
Lilac House (Meeting House Lane)	DD	Completed in March 2022 providing 29 new council homes
Welsford Street Garages	DD	Completed in October 2021 providing 10 council homes
17-19 Wood Vale	DD	Completed in January 2024 providing 6 homes
18-19 Crimscott Street	DD	Completed in August 2023 providing 13 homes
Adrian & Dennis (39-44 Rutley Close)	DD	Completed in November 2023 providing 25 homes
Aylesbury (First Development Site A)	DD	Completed in July 2023 providing 229 homes
Bassano Street Garages	DD	Completed in May 2023 providing 4 homes
Breamore House	DD	Completed in September 2023 providing 1 home
Commercial Way	DD	Completed in July 2023 providing 74 homes:
Fenham Road	DD	Completed in April 2024 providing 5 homes:
Heaton House	DD	Completed in December 2023 providing 8 homes
Henslowe Road	DD	Completed in January 2024 providing 3 homes
Underhill Road	DD	Completed in August 2023 providing 3 homes
1-14 Cecily Dunn House (Haddonfield Garages)	DD	Completed in March 2024 providing 14 homes
7 Roberts Close (Canada Water Plot K1)	DA	Completed in March 2024 providing 60 homes
87 Grosvenor Park	DD	Completed in March 2024 providing 2 homes
Aylesbury (First Development Site B - Batch 1)	DD (for this package	Completed in June 2024 providing 69 homes
2 Linden Grove	DD	Completed in July 2024 providing 6 homes
TA-Contract 2: 76-78 Camberwell Rd; 75-77 Southampton Way Hostel; 225-227 Queens Road	DD	Completed in July 2024 providing 15 homes
TA-Contract 3: 25-27 and 46 Trafalgar Avenue; 93 Grove Lane (TA-Contract 3)	DD	Completed in September 2024 providing 10 homes

Scheme	Delivery*	Completion and new homes
TA-Contract 1: 134 Camberwell Road; 243 Queens Road; 93 Herne Hill	DD	Completed in September 2024 providing 12 homes
Folajimi Apartments (Cherry Gardens School)	DA	Completed in September 2024 providing 26 homes
Aylesbury (First Development Site B - Batch 2)	DD (for this package	Completed in September 2024 providing 114 homes
Regina & Columbia Point	DD	Completed in September 2024 providing 2 homes
35-41 Nunhead Lane	DD	Completed in October 2024 providing 12 homes
Aylesbury (First Development Site B - Batch 3)	DD (for this package	Completed in November 2024 providing 59 homes
Flaxyard (Robert Branford House; Anne Brewster House; George Roberts House)	DD	Completed in November 2024 providing 96 homes
Aylesbury (First Development Site B - Batches 4 and 5)	DD (for this package	Completed in December 2024 providing 40 homes
Lomond Grove (Milton Gayle Court)	DD	Completed in January 2025 providing 22 homes
Manor Place /Stopford Road	DA	Completed in January 2025 providing 30 homes
Aylesbury (First Development Site B - Batch 6)	DD (for this package	Completed in February 2025 providing 60 homes

* Development Agreement (DA) or Direct Delivery (DD)

9. The council's New Homes Programme, to which these S106 sums will be contributing, has a total of 998 homes on site, which includes 416 replacement homes.

10. To date the council's new homes programme has predominately adopted a direct delivery model whereby the council procures and appoints the professional services and main contractors to build out schemes on council owned land. In addition, the Southwark Construction programme currently has five schemes being delivered by development agreement and has also made some s106 acquisitions where it has been cost effective to do so. S106 monies for affordable housing is applied across the programme where additional council homes are being delivered.

11. Some schemes are being delivered by development agreement, an additional column has been added to the table below to clarify which of the schemes listed would be considered a development agreement (DA) or direct delivery (DD).

12. S106 monetary contributions for affordable housing are applied across the programme where additional council homes are being delivered and subject to eligibility as set out in individual s106 covenants.

13. Development agreements typically involve a developer partner procuring the construction works on behalf of the council for all or part of a site; typically, the council has a land interest as part of the arrangement and may have funded part of the development during the construction phase. Development partners may offer the council the option to acquire additional affordable units towards the end of construction (these would not be eligible for s106 funding). Those schemes with development partnership arrangements in place are indicated by DA below.

14. Most schemes are council-led, that is direct delivery and are indicated in the table below as 'DD'. For simplicity, we have extended this definition to include Leathermarket who were funded by the council to deliver new council homes.

15. The S106 sums will help contribute towards the funding of the schemes listed below and any other schemes that may come forward as part of the New Homes Programme. Following release of the funding, S106 monies will be applied to individual projects depending on the level of expenditure by the council on the projects in the New Homes Programme and the availability of other sources of funding as authorised by the Strategic Director of Resources.

Project	**Ward**	**No. of New Council Homes (New + Replacement)**	**No. of New Council Homes (New Only)**	**Delivery Route**
38 Mary Datchelor Close	Nunhead & Queens Road	13	13	DD
Aylesbury (First Development Site B - Batch 1)	Faraday	10	10	DD (for this package)
Cator Street Extra Care (Phase 2)	Peckham	58	58	DD
Comber House	Camberwell Green	6	6	DD
Fendall & Maltby	London Bridge & West Bermondsey	40	40	DD
Former Rotherhithe Civic Centre, Albion Street and Rear of Albion Primary School	Rotherhithe	39	39	DD
Ledbury Towers	Old Kent Road	260	47	DD
Penry Street	South Bermondsey	13	13	DD
Rennie Estate	South Bermondsey	49	49	DD
Rye Hill Park Garages	Peckham Rye	23	23	DD

Project	Ward	No. of New Council Homes (New + Replacement)	No. of New Council Homes (New Only)	Delivery Route
Salisbury Est Car Park (Balfour Street)	North Walworth	26	26	DD
Sedgemoor Place	St Giles	13	13	DD
Slippers Estate	North Bermondsey	18	18	DD
Tenda Road	South Bermondsey	12	12	DD
Tissington Silverlock Estate	Rotherhithe	35	35	DD
Tustin Regeneration	Old Kent Road	355	153	DA
66 Linden Grove	Peckham Rye	28	27	DD
Total on Site		***998***	***582***	
*Note all eligibility is checked before s106 receipts are applied.				

16. Resources from the S106 affordable housing contributions play an important part in the overall funding approach to the council's provision of new affordable homes. The schemes delivered by the council typically deliver a far higher proportion of new council homes than required by planning policy and hence the s106 contributions, along with grant, right to buy receipts and council borrowing, have enabled the council to take forward this programme of investment. It is for this reason that this report recommends that the Planning Committee release the sums described in Appendix A.

17. These projects directly contribute to the delivery of the Southwark 2030 goal to deliver *decent homes* for all by providing new homes for families so that our residents can access genuinely affordable housing that promotes good health, stability, and wellbeing.

Policy framework implications

18. Southwark is committed to maintaining one of the most ambitious council house building programme anywhere in Britain, aiming to deliver 11,000 new council homes by 2043 and remains committed to this objective through the Southwark 2030 strategy. The current Council Delivery Plan for 2022-26 aims to commit to 1,000 affordable homes.

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

Community impact statement

19. The 2019 Strategic Housing Market Assessment demonstrated a continuing need for affordable housing, with the borough experiencing very high house prices that are outside the reach of many of its residents. It has the highest

house prices in the housing sub-region (the average 2-bedroom flat being sold for £521,000 in December 2022). At the time of the 2011 census there were 18,547 overcrowded households in Southwark, a higher number, and a higher percentage (15.3%), than any of the other four boroughs in the sub-region. Over the period 1981- 2012, the population of Southwark increased by 34%, the fastest growth in the sub-region by some margin. The 2016 average growth assumption from the GLA was 2,094 each year.

20. This proposal to increase the supply of affordable homes in the borough will benefit households in housing need from all Southwark's communities with new homes allocated in line with the council's Housing Allocation Policy.

Equalities (including socio-economic) impact statement

21. The provision of this housing, which includes family homes and homes for older people, is in line with community needs and aims to foster stronger communities. This in turn will improve the quality of life of people in Southwark and encourage community cohesion.

22. It is not considered that the proposal has any negative impact on any particular people with protected characteristics.

23. The Public Sector Equality Duty requires public bodies to consider those with protected characteristics (which includes age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) when carrying out their day-to-day work, in shaping policy and delivering services. It applies to every aspect of local government decision making and requires decision makers to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. The council's consultation with residents on the New Homes Programme has been designed to be inclusive of all the borough's communities and provided a range of mechanisms to provide residents with the opportunity to engage.

24. The Southwark Construction team undertakes full equalities impact assessments for each project within the programme. This is to ensure that there is no disproportionate or discriminatory impact on groups with protected characteristics.

25. By providing a stronger link between the New Homes Programme and continuing the principles established as part of the Great Estates programme (empowering local communities and adopting initiatives to support clean, safe and cared for estates) as well as utilising social regeneration indicators linked to council plan objectives, the programme will help target those most in need to deliver community benefits.

26. New homes delivered by the council will work towards achieving carbon neutral and sustainability requirements in line with the council's 2030 carbon neutral policy. All projects will comply with Building Regulations Part L that addresses the conservation of fuel and power, and guarantees eco-friendly efficient

properties and minimises carbon emissions, as part of a drive towards a greener future.

Health impact statement

27. The provision of quality affordable housing benefits the health of residents in numerous ways. The effect of housing conditions on physical and mental health can be cause by overcrowding, risk of burglary, damp and mould, excess heat and cold and trip hazards. The provision of affordable housing units funded with S106 contributions is of a high quality with minimum room sizes, daylight and sunlight standards, ventilation, heating/insulation and consideration of amenity regarding noise and outdoor space. All these measures are intended benefit the health of the occupants.

Climate change implications

28. To satisfy requirements of planning permission, the New Homes Programme must demonstrate how the affordable housing developments comply with the climate emergency policies as outlined in the Southwark Plan (2022). There are a number of detailed policies including strategic policy SP6 Climate Emergency which requires consideration to making buildings as energy efficient as possible, making Southwark a place where walking, cycling and public transport are the first choice, protecting and creating green spaces and waterways to provide habitats and amenity spaces, improving air quality and reducing flood risk through urban greening. The New Homes Programme comply with the conditions and obligations within their planning permissions in order to ensure the delivery of affordable housing that responds positively to the climate emergency.

Resource Implications

29. The developments set out in Appendix A secured the sum of £2,376,936.12 towards the delivery of affordable housing. All the £2,376,936.12 is currently unallocated and available.

30. The proposed allocation accords with the individual S106 agreements and would provide appropriate mitigation for the impacts of the specific and future developments.

31. Subject to Planning Committee's approval, this sum of £2,376,936.12 will be allocated to the S106 Affordable Housing Fund, which will then in turn be released to facilitate the delivery of the New Homes Programme.

Consultation

32. Each site listed in this report has been subject to the usual planning consultation process and has been assessed as being acceptable, with planning permission being granted.

33. Consultation is a key part of the New Homes Programme and will be undertaken in respect of the stakeholders concerned with each housing development at multiple stages during the project lifecycle. Some of the New Homes Programme projects are not yet at the (post planning) consultation stage, but these will be subject to the same processes of consultation and community involvement.

34. Consultation on individual sites is being undertaken in line with the council's Charter of Principles and continues to provide mechanisms for current and prospective residents to engage with the development of new homes.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Planning and Growth

35. The proposed allocation accords with the agreements itemised in Appendix A and would provide appropriate mitigation for the impacts of the specific and future developments.

36. The affordable housing contributions received can only be used for new affordable housing beyond what is required by the donor site. The affordable housing requirements for the identified donor sites have been calculated and the proposed allocation will be to the additional affordable housing beyond what is required. These accord with the justification for the contribution and the legal agreement.

37. If approved, once drawn down, these funds will be moved to the S106 Affordable Housing Fund to be used towards the delivery of the New Homes Programme. Details of their monitoring and audit process are set out in this report.

38. The allocated funds itemised in Appendix A, which vary in amounts as outlined in the legal agreements, were collected through various methods and triggers. Each amount was gathered according to the terms and conditions specified in the agreements, ensuring proper allocation and adherence to the outlined procedures. The following funds were collected accordingly:

    - The planning application 08/AP/2403 required the developer to contribute an Affordable Housing Commuted Sum of £1,000,000.00, plus indexation. This sum was paid in two installments: £501,993.91 and £502,088.00. The contributions were drawn down as per the terms of the legal agreement. However, a remaining balance of £88.00 is still outstanding, which is detailed in this report (see Appendix A).

    - The original planning application (14/AP/3104) required an affordable housing contribution of £400,000, which was paid in two installments. The application was later revised through a S73 submission (21/AP/4229), increasing the required contribution to £2,391,470, plus indexation. The developer had already paid £479,320.99 (including indexation), leaving a

balance of £1,991,470, plus indexation. The total amount ultimately paid was £2,047,498.79, which includes the balance and indexation, as detailed in Appendix A of the report.

- Planning application 23/AP/1165 requires an affordable housing contribution of £820,000.00, which is indexed and to be paid in three installments. The first installment of £276,731.02, inclusive of indexation, has been received and is detailed in the report under Appendix A.

Assistant Chief Executive - Governance and Assurance

39. The council's constitution provides that it is the function of planning committee (major applications) to, amongst other things, consider the expenditure of funds over £100,000 of strategic importance secured through legal agreements under section 106 of the Town and Country Planning Act 1990.

40. The Equality Act 2010 introduced the public sector equality duty, which requires public authorities to have due regard to certain equality considerations when exercising their functions, like making decisions. It ensures that those organisations consider how their functions will affect people with different protected characteristics. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership. In summary those subject to the equality duty, which includes the council, must in the exercise of their functions: (i) have due regard to the need to eliminate unlawful discrimination, harassment and victimization; and (ii) foster good relations between people who share a protected characteristic and those who do not. The report considers equalities issues, and the report confirms the proposals are not expected to have a detrimental impact on any protected group under the Equality Act 2010.

41. The Human Rights Act 1998 imposed a duty on the Council as a public authority to apply the European Convention on Human Rights; as a result, the council must not act in a way which is incompatible with these rights. The most important rights for planning purposes are Article 8 (respect for homes); Article 6 (natural justice) and Article 1 of the First Protocol (peaceful enjoyment of property). The proposals are not expected to breach any of the provisions of the Human Rights Act 1998.

42. Council Assembly on 14 July 2021 approved a change to the council's Constitution to confirm that all decisions made by the council will consider the climate and equality (including socio-economic disadvantage and health inequality) consequences of taking that decision. This has been considered at paragraph 28 above.

Strategic Director of Resources

43. This report requests the Planning Committee to approve the release of £2,376,936.12 in section 106 affordable housing contributions from the agreements set out in Appendix A to the S106 Affordable Housing Fund and

which are in turn to be used towards the delivery of the New Homes Programme.

44. The strategic director of resources notes the resource implications at paragraphs 29-31, the supplementary advice at paragraphs 35-42 and confirms that the Council has received the related funds, and they are available for the purpose outlined in this report.

45. Staffing and any other costs associated with this recommendation are to be contained within existing budgets.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Copies of S106 All documents can be accessed online at the link below	160 Tooley Street London SE1 2QH	Neil Loubser 020 7525 5451 Neil.loubser@southwark.gov.uk
Link: https://www.southwark.gov.uk/planning-and-building-control/planning-applications/planning-register-search-view-and-comment-on-planning-applications		
Council Delivery Plan 2022-26	160 Tooley Street London SE1 2QH	Joseph Brown Email: joseph.brown@southwark.gov.uk
Link (please copy and paste into your browser): https://www.southwark.gov.uk/sites/default/files/2024-09/Fairer%2C%20Greener%2C%20Safer%20Delivery%20Plan%202022%20to%202026.pdf		
Policy And Resources: Capital Monitoring Report 2024-25 And Southwark 2030 Strategic Alignment	160 Tooley Street London SE1 2QH	Amarjit Uppal Email: Amarjit.Uppal@southwark.gov.uk
Link:https://moderngov.southwark.gov.uk/documents/g7983/Public%20reports%20pack%20Tuesday%2007-Jan-2025%2011.00%20Cabinet.pdf?T=10		

APPENDICES

No.	Title
Appendix A	S106 agreements delineated by funds available and intended purpose
Appendix B	Affordable Housing Projects

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Zoe Davies, Strategic Lead**,** Southwark Construction	
Version	Final	
Date	13 March 2025	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments Sought**	**Comments included**
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Strategic Director of Resources	Yes	Yes
Director of Planning and Growth	Yes	Yes
Cabinet Member	No	No
Date final report sent to Constitutional Team		13 March 2024

APPENDIX A

S106 agreements delineated by funds available and intended purpose

Profit Centre	App Ref	New Ward	Address:	Indexation /Late Payment interest	Total Available Balance
W03971	08/AP/2403	North Walworth	FORMER CASTLE INDUSTRIAL ESTATE, ELEPHANT ROAD, LONDON, SE17 1LA	£0	£88.00*
W08281	14/AP/3104 21/AP/4229 (DoV)	Dulwich Village	The Workshop Site Land Bounded by Gilkes Place, Gilkes Crescent and Calton Avenue to the Rear of 25 Dulwich Village, London, SE21 7BW	£56,028.79	£2,047,498.79
W09971	22/AP/2713	Nunhead & Queens Road	Land to rear of 16 St Marys Road, London SE15	£1,144.31	£43,540.31
W09991	23/AP/1165	Peckham	123 Fenham Road London SE15 1AE	£3,397.69	£276,731.02
W010091	24/AP/0413	Goose Green	Capital House 42-46 Weston Street London SE1 3QD	£0	£9,078.00
				£66,767.94	£2,376,936.12

*Minor remaining balancing sums

Source of funding by Ward:

Ward	S106 generated
Dulwich Village	£2,047,498.79
Peckham	£276,731.02
Nunhead & Queens Road	£43,540.31
Goose Green	£9,078.00
North Walworth	£88.00
	£2,376,936.12

Indexation and late payment interest:

Concerning the available balances above, of the £2,376,936.12 collected, £66,767.94 represents indexation.

APPENDIX B

Affordable Housing Projects



17-19 Wood Vale



18-19 Crimscott Street SE1



Breamore House



Rutley Close



Aylesbury FDS A



Bassano Street



Commercial Way



Fenham Road



Heaton House



Workshops, 42 Braganza Street SE17



Haddonfield Garages

K1 Canada Water



87 Grosvenor Park



Aylesbury FDS B



2 Linden Grove



TA Contract 2



TA Contract 3



TA Contract 1



Cherry Gardens School



Regina & Columbia Point



Nunhead Lane



Flaxyard



Manor Place



Agenda Item 7

Meeting Name:	Planning Committee (Major Applications) A
Date:	26 March 2025
Report title:	Development Management
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Proper Constitutional Officer

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.

2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.

3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committees. The matters reserved to the planning committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:

    a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Levelling Up, Housing and Communities and any directions made by the Mayor of London.

b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.

7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.

8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.

9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.

10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

12. A resolution to grant planning permission shall mean that the director of planning and growth is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the director of planning and growth shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.

13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the assistant chief executive – governance and assurance, and which is satisfactory to the director of planning and growth. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the assistant chief executive – governance and assurance. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission.

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.

16. The National Planning Policy Framework (NPPF), as amended in July 2021, is a relevant material consideration and should be taken into account in any decision-making.

17. Section 143 of the Localism Act 2011 provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.

18. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, provides that “a planning obligation may only constitute a reason for granting planning permission if the obligation is:

    a. necessary to make the development acceptable in planning terms;
    b. directly related to the development; and
    c. fairly and reasonably related to the scale and kind to the development.

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

19. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

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

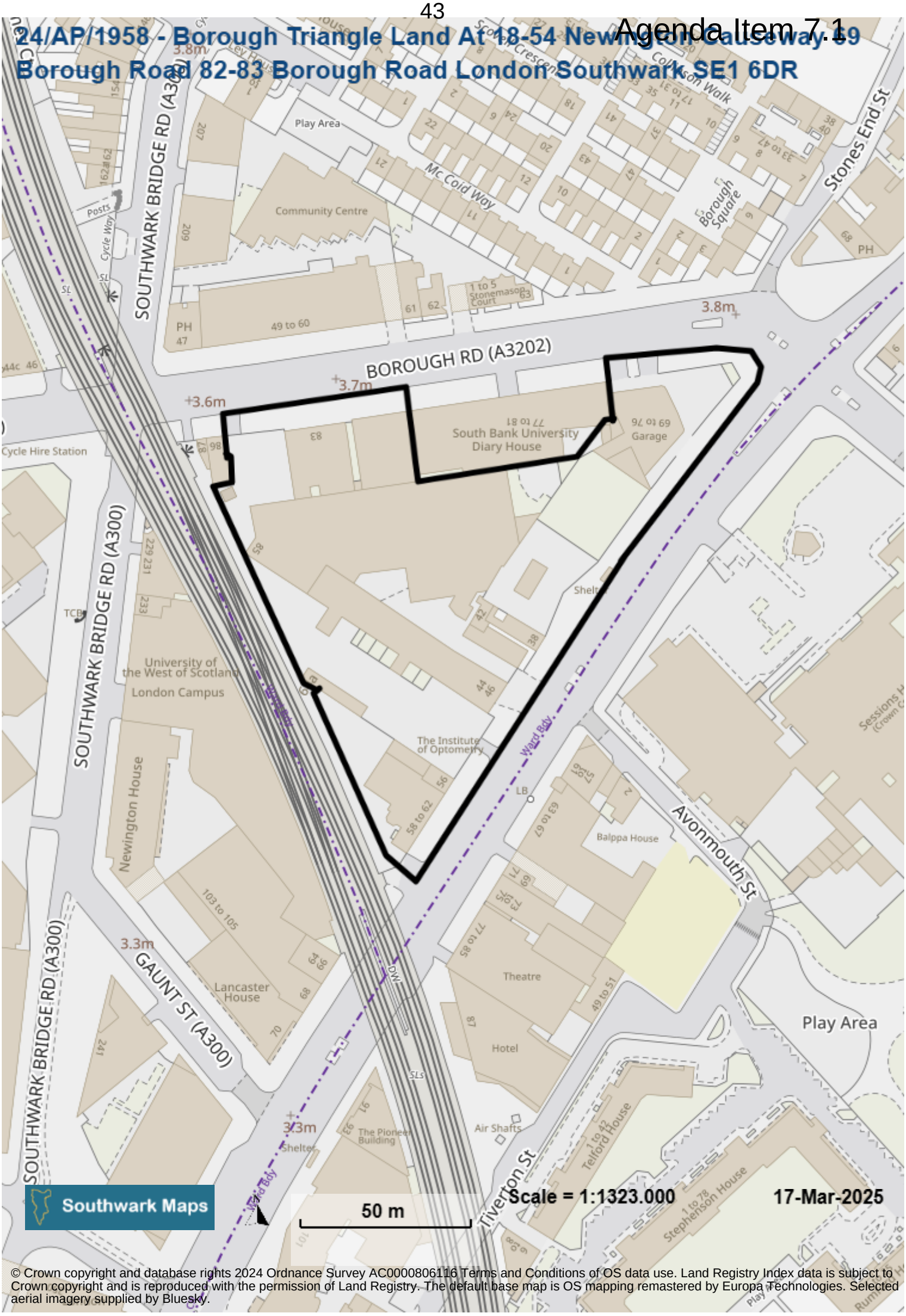
APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Alex Godinet, Lawyer, Finance and Governance Gerald Gohler, Constitutional Officer	
Version	Final	
Dated	17 March 2025	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments sought**	**Comments included**
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		17 March 2025

24/AP/1958 - Borough Triangle Land At 18-54 Newington Causeway 69 Borough Road 82-83 Borough Road London Southwark SE1 6DR



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Meeting Name:	Planning Committee (Major Applications) A
Date:	26 March 2025
Report title:	**Development Management planning application:** Application 24/AP/1958 for: Full Planning Application **Address:** Borough Triangle Site At 18-54 Newington Causeway 69 Borough Road 82-83 Borough Road, London **Proposal:** Phased mixed-use redevelopment of the site comprising: - Demolition of all existing buildings/structures and site clearance, except 82 and (part) 83 Borough Road which are to be retained, altered and refurbished for Flexible Commercial, Business and Service, and Learning and Non-Residential Institution Uses (Class E/F1 / F2(b)); - Construction of basement structure and vehicular access; - Construction of buildings to provide Dwellings (Class C3), Flexible Commercial, Business and Service and mixed food and drink and leisure uses (including drinking establishments with expanded food provision, hot food takeaways, live music performance venue and cinema) (Class E / Sui Generis) and public toilets; 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 The application is accompanied by an Environmental Statement (ES) in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
Ward(s) or groups affected:	Borough and Bankside
Classification:	Open
Reason for lateness (if applicable):	Not Applicable
From:	Director of Planning and Growth
Application Start Date: 08.07.2024	**PPA Expiry date as extended:** 15.04.2025
Earliest Decision Date: 02.03.2025	

RECOMMENDATIONS

1. That planning permission be granted subject to conditions and the completion of a s106 legal agreement; and

2. That the director of planning and growth be authorised under delegated authority to make any minor modifications to the proposed conditions arising out of detailed negotiations with the applicant, which may necessitate further modification and may include the variation, addition, or deletion of the conditions as drafted; and

3. That the 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

4. That the Planning Committee in making its decision has due regard to the potential equalities impacts that are outlined in this report; and

5. 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 Environmental Impact Assessment Regulations; and

6. 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 Environmental Impact Assessment 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

7. That in the event that the requirements of paragraph 1 above are not met by 26 July 2025, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 949.

EXECUTIVE SUMMARY

8. The 1.12-hectare site known as ‘Borough Triangle’ is a key regeneration site. It comprises almost all of the land falling within the NSP44 ‘Newington Triangle’ site allocation in the Southwark Plan (2022). The site is within the Elephant and Castle Opportunity Area and the Central Activities Zone, in an area of the highest transport accessibility. It does not sit within a conservation area, but does have 4 No. locally listed buildings on the site: 82 Borough Road (Baptist Church), 83 Borough Road, 38 Newington Causeway and 56-62 Newington Causeway (the Institute of Optometry). Part of the site is currently occupied by Mercato Metropolitano on a meanwhile basis.

9. The applicant (Berkeleys Homes) had submitted a planning application for residential-led mixed-used development at the site in 2022, but following feedback from officers, the applicant subsequently acquired the Institute of Optometry building and surrounding land, making the 2022 planning application site larger so it comprises the majority of site allocation NSP44. This provided the opportunity to

enhance the development proposals for the site. Following changes to the fire regulations, the scheme also had to be amended to provide two stair cores.

10. Having made those amendments, the applicant withdrew the 2022 application and resubmitted the application which is the subject of this report. The proposed changes increase the site area, reconfigure the heights of the buildings and site layout and increase the number of homes and provision of open space. The proposal would also increase the number of affordable homes to a policy compliant 35% by habitable room.

11. The development would be phased and would require demolition of all existing buildings/structures and site clearance, except for 82 and (part) 83 Borough Road. Sitting on a basement structure, there would be 4 new buildings (Buildings A to D) to provide housing, flexible commercial, and mixed food and drink and leisure uses. A total of 892 homes are proposed, with 230 being affordable (35.02% by habitable rooms) of which 153 would be for social rent. The social rent homes would include a higher proportion of three and four bed flats. The quantum of affordable housing has been tested by the council's own viability assessor and is considered to be the maximum that can be achieved on the site. This would be a significant benefit of the scheme.

12. In terms of built heritage No. 82 Borough Road which is a fine locally listed Baptist Chapel would be retained to provide workspace a positive aspect of the scheme as is the retention of the front elevation of the locally listed 83 Borough Road. There would be a new long-term sustainable space provided for the return of Mercato Metropolitan and the traders. A new community centre potentially for the Latin American community leased at peppercorn rent is also proposed. This would help deliver a key council plan commitment. The scheme would provide at least 1,780sqm of public open space, which would meet the requirements of the site allocation. With the exception of blue badge car parking spaces, this is a car-free scheme and vehicular access for servicing would be from Borough Road leading into a double-basement. In addition, a cycle hub would be provided on site.

13. Consultation on the application was undertaken at pre-application stage by the applicant, and by the council on receipt of the application. At least 330 objections have been received at the time of writing, including from the Southwark Law Centre. There have been 13 comments in support including comments from local businesses. Much of the objections relate to the height of the buildings and its impacts on the daylight and sunlight of neighbouring properties and overshadowing of local parks. The objections also raise the over-development of the site as the number of homes significantly exceed the site allocation minimum capacity and the level of affordable housing proposed. Objections were also received from traders within the Mercato Metropolitano (some of whom are local residents) about the threat to their businesses caused by disruption during development. These objections also raise equality issues as the existing traders (predominantly from minority ethnic groups including the Latin American community) would be impacted.There were heritage objections raised by local residents and Historic England, the Georgian Group, the Victorian Society and Historic Buildings and Places. The main report considers the impact of the development on local heritage assets and identifies harms in particular to the Trinity Square conservation area and listed buildings, but also to wider heritage assets. It concludes that these harms are outweighed by the

public benefits of the scheme.

14. In response to concerns raised by traders on the site the applicant has revised the scheme to include a temporary building on the site which should secure continuity of trading for many of the businesses (at no greater rent), but not all. The temporary space would be made available for occupation before the current space is redeveloped. The on-site provision will be prioritised for the smaller sole traders within Mercato. The developer has committed to a relocation package for the remaining traders. All of the current traders would be given a right of first application in respect of the new food hall space provided in the redevelopment on its completion. This is a significantly enhanced package of measures to address the justifiable concerns of the local business community.

15. In response to harms caused by the scheme a number of mitigations are proposed, following engagement of the applicant and officers with the local community. These include the use of carbon off set monies estimated to be £ 1,030,275 to fund replacement double glazing on the adjacent Scovell Estate and the use of open space S106 contributions and neighbourhood CIL to fund landscaping and environmental improvements to the estate. The developer has committed to helping the community make their application for neighbourhood CIL funding and has already engaged a landscape architect to develop and cost the proposals, having held a series of on site workshops.

16. The Environmental Statement (ES) has been updated by an ES addendum to consider the likely environmental effects. The conditions and obligations would secure the necessary mitigation measures and policy compliance for most assessment topics. However, harms have been identified to heritage assets and daylight and sunlight to neighbouring properties. Whilst mitigations as set out above and later in this report are being provided, these harms weigh against the scheme in the planning balance. The likely equalities impacts from the revised scheme have been considered and the applicant has shown how temporary measures for the existing traders would be provided in the Business Relocation Strategy.

17. The proposal includes important and significant benefits compared with the withdrawn 2022 scheme, especially the improved affordable housing and business relocation packages, the enhanced public realm and the mitigations that would be delivered through the use of s106 and CIL funding. The benefits of the scheme have to be weighed against the harms in the planning balance. As set out in the main report the benefits are considered to outweigh the harms.

18. Having given this application careful consideration, officers recommend the application for approval, subject to conditions and completion of a section 106 agreement.

Planning Summary Tables

19. **Unit Breakdown by Tenure**

Unit Mix	Social rented	Intermediate	Private	Total	Percentage %
1b1p	0	0	45	45	5

1b2p	5	22	283	310	34.8
2b3p	57	13	191	261	29.3
2b4p	34	41	83	158	17.7
3b4p	2	0	0	2	0.2
3b5p	46	1	52	99	11.1
3b6p	0	0	8	8	0.9
4b7p	9	0	0	9	1
Total	153	77	662		100

20.

Conventional housing								
Homes	**Private Homes**	**Private HR**	**Aff.SR Homes**	**Aff.SR HR**	**Aff.Int Homes**	**Aff.Int HR**	**Homes Total**	**HR Total**
	662	1733	153	669	77	265	892	2667

21.

Commercial			
Use class and description	**Existing GIA (sqm)**	**Proposed GIA (sqm)**	**Change +/- (sqm)**
E (Commercial, business and service) including ancillary areas	0	2,107	2,107
F1 (learning and non-residential institution)	1,289	0	-1,289
Sui Generis (Mercato, Institute of Optometry & Former Car Wash)	5,132	0	-5,132
Flexible E / F1 / F2(b)	0	480	+480
Flexible E / Sui Generis including ancillary areas	0	3,980.7	+3,980.7
TOTAL	6,421	6,567.7	+146.7
Employment	**Existing no.**	**Proposed no.**	**Change +/-**
Operational jobs (FTE)	423	585	+162

Parks and child play space			
	Existing area	**Proposed area (sqm)**	**Change +/- (sqm)**
Public Open Space	0	1,780	+1,780
Play Space	0	2,478	+2,478

22.

Carbon Savings and Trees			
Criterion	**Details**		
CO2 Savings	59% reduction against Part L 2021 target		
Trees Lost	0 x Category A	3 x Category B	2 x Category C
Trees Gained	98: 43 new 'woodland' trees at ground; 1 new street tree; 54 trees at terrace and podium levels.		

23.

Greening, Drainage and Sustainable Transport Infrastructure			
Criterion	**Existing**	**Proposed**	**Change +/-**
Urban Greening Factor	n/a	0.4	+0.4
Greenfield Run Off Rate	221 l/s	6.2 l/s	-214.8
Green/Brown Roof Coverage	0	1,295.7	+1,295.7
Electric Vehicle Charging Points	0	28	+28
Blue Badge Parking Spaces	0	28	+28
Cycle Parking Spaces	0	1,678 long stay 214 short stay	+1,892

24.

CIL and Section 106 (or Unilateral Undertaking)	
Criterion	**Total Contribution**
Total CIL (estimated)	£29,734,953.47 net
MCIL (estimated)	£5,938,255.47 net
Borough CIL (estimated)	£23,796,698 net
Section 106 Contribution	£2.24m

BACKGROUND INFORMATION

Site location and description



25. The site is bound by three roads and is almost triangular in footprint – it has been commonly referred to 'Borough triangle'. To the north is Borough Road, to the east is Newington Causeway and to the southwest is a railway viaduct and arches (accessed via Newington Court). The 1.12-hectare (Ha) site comprises a number of properties. These includes:

    1. Former print buildings and outdoor space which have been occupied by Mercato Metropolitano since 2016 on a temporary meanwhile basis;
    2. A former 'Car Point' Vehicle Hire at the corner of Borough Road & Newington Causeway (the site of a former petrol filling station);
    3. A former Baptist Chapel at 82 Borough Road (long term vacant);
    4. London School of Musical Theatre at 83 Borough Road and;
    5. Institute of Optometry at 56-62 Newington Causeway.

    It should be noted that there are two properties that fall outside of the site boundary. These are Diary House at 77, 79-81 Borough Road and 86 and 87 Borough Road.

26. The photographs below show the appearance of the site and buildings.



Image: View of the site and surroundings from the west



Photo: Front elevation 82 Borough Road (Former Baptist Church)



Photo: Front elevation 83 Borough Road (London School of Musical Theatre)



Photo: The Institute of Optometry, Nos. 56-62 Newington Causeway



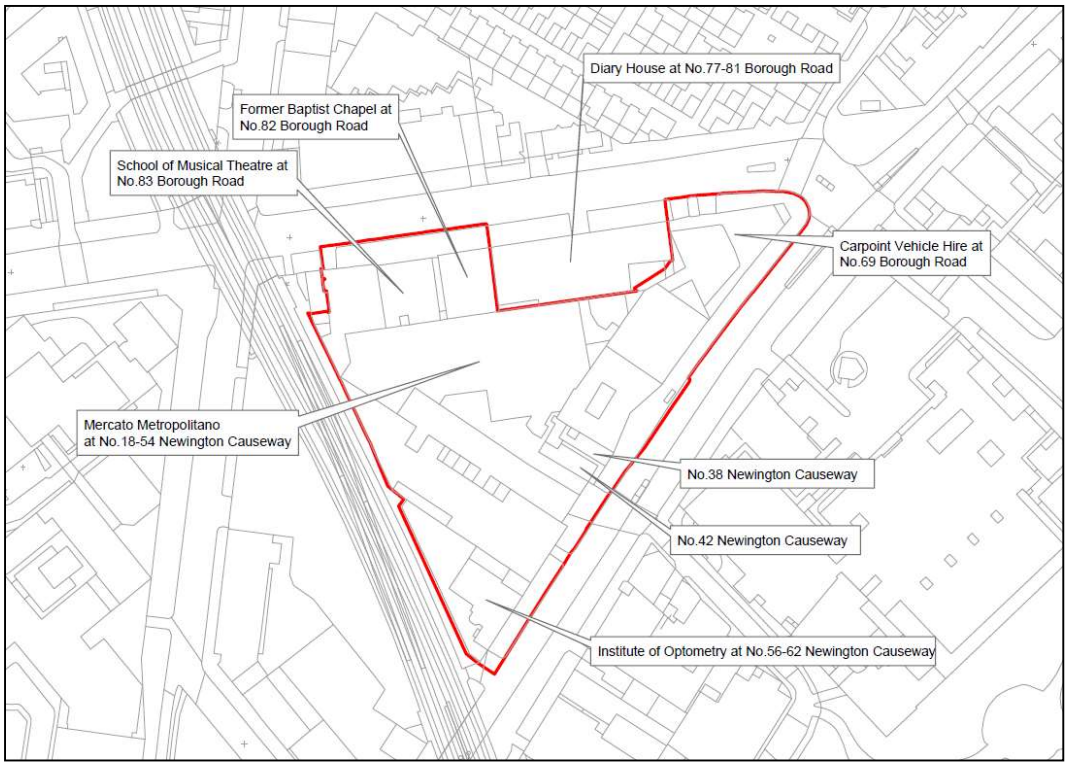
Photo: View north on Mercato Metropolitano yard on Newington Causeway



Photo: View of entrance to Mercato Metropolitano on Newington Causeway



Photo: View from junction of Borough Road and Newington Causeway



Map: Site and buildings on the site

27. The surrounding area is distinctly urban in character and comprises a mix of development densities and uses. To the north of the site on Borough Road is a mix of employment and mainly residential properties including the council's Scovell Estate, which are mainly one to two storey buildings. To the south and east of the site on Newington Causeway the uses are predominantly commercial and cultural including the Southwark Playhouse and the Inner London Crown Court. The site adjoins Newington Court which is a route along the railway line to the west, which comprises a number of railway arches that are currently in occupation under a variety of uses ranging from Class E to Class B2 (general industrial) and B8 (storage and distribution). To the west of the railway are mainly commercial buildings, the Ministry of Sound premises on Gaunt Street (leisure use) and a recent residential tall building, 251 Southwark Bridge Road (formerly known as Eileen House). To the west of this

are the educational premises of London Southbank University.

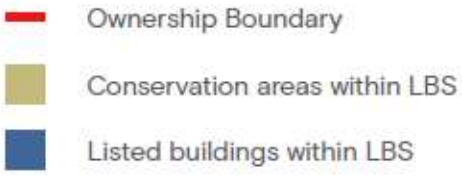
28. The site is within the Elephant and Castle Opportunity area and falls within NSP44: Newington Triangle site allocation. The Newington Triangle allocation is slightly larger than the application area as it includes Diary House and Nos. 86/87 Borough Road; as stated they are not included in the planning application boundary, as they are not within the applicant's control.

29. The site is very well connected, situated on a main bus route and between Elephant and Castle underground station and Borough underground station. It has a high public transport public accessibility rating (PTAL) of 6b, which is considered to be excellent.

30. The site is not within a conservation area. However, there are conservation areas within the vicinity. The King's Bench Conservation Area is approximately 70 metres (m) to the northwest of the site. Liberty of the Mint Conservation Area is also nearby and is 140m northeast from the site. Of a similar distance is the Trinity Church Square Conservation Area to the west. Other conservation areas within the vicinity are further afield, but within 500m of the site.

31. There are no statutorily listed buildings on the site, but four Grade II listed buildings are close by. This includes the Inner London Session Court on Newington Causeway, No. 62 Borough Road, the Duke of York Public House, and Hanover House which are all on Borough Road.





32. There are several locally listed buildings on the site, including: 82 Borough Road (Baptist Chapel), 83 Borough Road, 38 Newington Causeway and 56-62 Newington Causeway (the Institute of Optometry).

33. In terms of policy designation, the site is within the Central Activities Zone (CAZ), Elephant and Castle Opportunity Area and Elephant and Castle Town Centre and Strategic Cultural Quarter. As it is within the major town centre and opportunity area, this site is in an area that might expect to have tall buildings. It is also within the Hot food takeaway primary school exclusion zone.

34. The site is within an Archaeological Priority Area (North Southwark and Roman Roads). It is within Flood zone 3 and the Air Quality Management Area (AQMA).

35. No London View Management Framework (LVMF) view corridors cross the site, however the following corridors are identified in the wider area:
• 1A.2 Alexandra Palace viewing terrace to St Paul's Cathedral
• 23A.1 Centre of Bridge over the Serpentine to the Palace of Westminster.

A borough local view corridor, identified in the Southwark Plan annex 1, passes directly to the east of the site:
• View 3: The linear view of St Paul’s Cathedral along Camberwell Road.

36. The Southwark Plan area vision AV.09 for Elephant and Castle identifies the area as a very accessible important and historic town centre in central London with a wide range of large offices and small businesses, shops, cultural and community facilities. It also notes that it is an attractive destination for visitors with a strong daytime and night time economy which provides a range of cultural and entertainment spaces alongside a lively and diverse retail environment for local residents and in particular the area’s Latin American community.

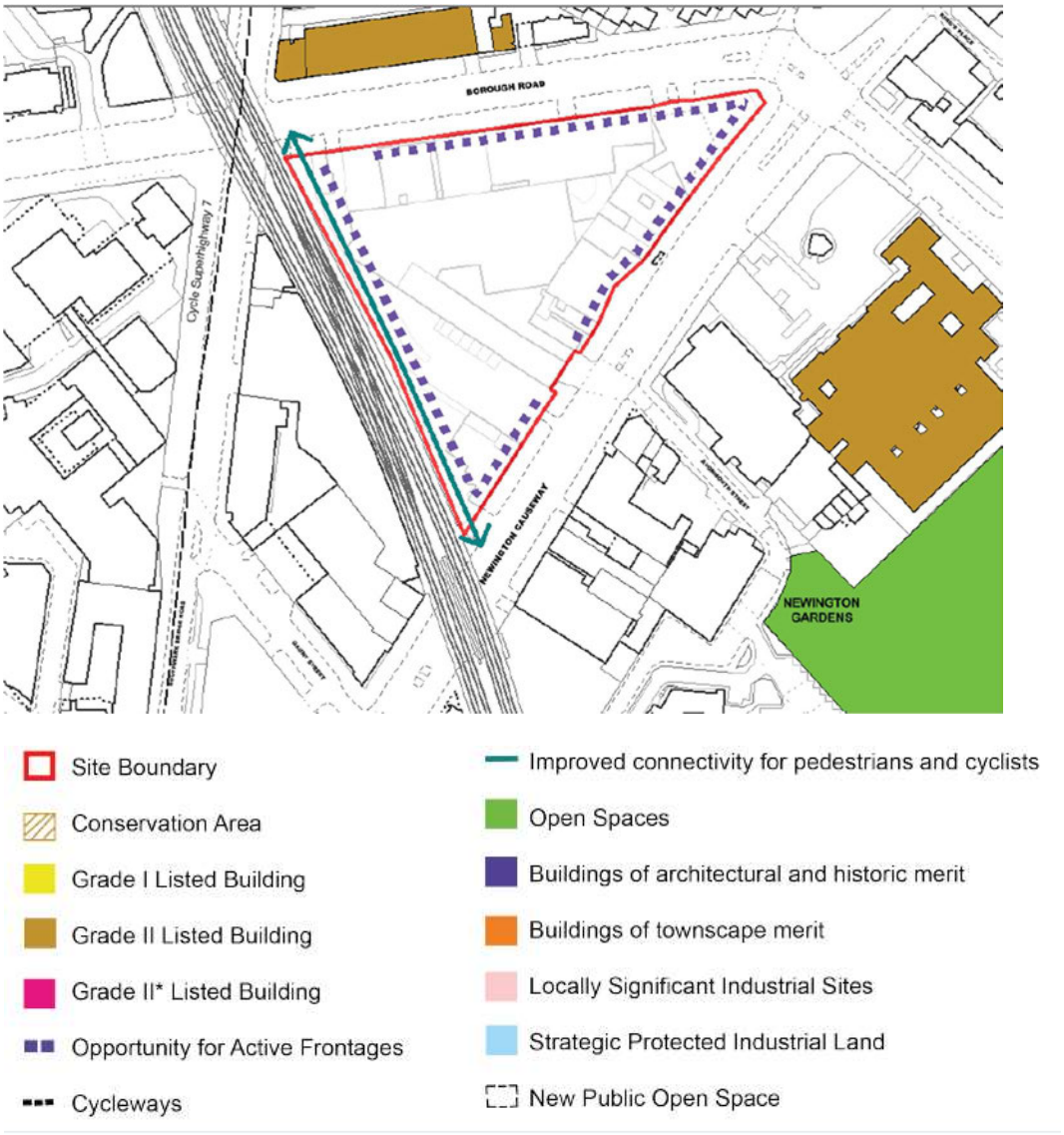
37. The site forms the site allocation NSP44 (Newington Triangle) in the Southwark Plan. The site vision states that redevelopment of the site must:

- Provide new open space of at least 15% of the site area- 1,640m2; and
- Support the Low Line walking route adjacent to the railway viaduct; and
- Provide retail, community or leisure uses (as defined in the glossary); and
- Provide active frontages at ground floor on Newington Causeway; and
- Provide new homes (C3); and
- Retain or increase the aggregate amount of employment generating floorspace (Class E(g)/sui generis) currently on the site (identified by the existing uses totaling 10,046.8m2 GEA).

38. It is important to highlight that an application was submitted in September 2022 (under planning reference 22/AP/3149), following the council’s and the GLA’s

feedback, the applicant subsequently acquired the Institute of Optometry building and surrounding land, making the 2022 planning application site larger. Whilst it excludes Diary House and Nos. 86 and 87 Borough Road, the site boundary now comprises the majority of site allocation NSP44. The planning application 22/AP/3149 (referred to as the '2022 application' in this report) was eventually withdrawn in July 2024. Further comparisons of the 2022 application and this application are provided in this report.

39.



Map: NSP Site allocation map

Details of proposal



Plan: Ground floor layout and uses

40. This application seeks full planning permission for the redevelopment of the site to provide residential flats and mixed uses including flexible commercial, business and service, food and drink, leisure and learning and non-residential Institution uses. There will be the provision of a new open space/piazza that would be open to members of the public and residents. It would involve the demolition of all existing buildings within the site except Nos. 82. 83 Borough will be partially demolished and the front elevation and part of the internal structure behind the front elevation retained. Four new buildings are proposed comprising:

41.
- Building A - located at the northwest corner fronting Borough Road and is 38 storeys at its maximum. It comprises a flexible Use Class E / F1/F2b unit in the part-retained 83 Borough Road (which is intended for community use), and a new Class E unit fronting the public piazza. The first floor features communal amenity space and the upper floors comprise new homes, additional internal amenity space and a roof garden.
- Building B - located at the southern corner of the site fronting Newington Causeway and is 44 storeys at its maximum. It comprises a new Class E unit (Commercial, Business and Service), on the ground floor and mezzanine, with new homes and internal amenity on the upper floors and a roof garden.
- Building C - located along the eastern elevation fronting Newington Causeway – rising from 10 to 14 storeys (Block C1 and C2 respectively). The ground and mezzanine floors consist of a flexible Class E / Sui Generis unit designed to provide a new, long-term sustainable foodhall, which could be for Mercato Metropolitano (MM) or other similar operators. The upper floors are residential

use with a large communal residential terrace at podium level and two roof gardens.

- Building D - located at the northeastern corner fronting both Newington Causeway and Borough Road and is arranged over 18 storeys. The ground floor comprises flexible Class E / Sui Generis floorspace with the upper floors comprising new homes.

42. No. 82 Borough Road will be retained, refurbished and enhanced and would provide a Class E space, intended as a bespoke office space, arranged over 3 storeys.

43. A total of 892 homes are proposed on the site. In summary, these flats are located in Buildings A, B, C and D. Building E would provide a workspace unit only.

Building	**No. of flats**
A	294
B	372
C	131
D	95
E	N/A

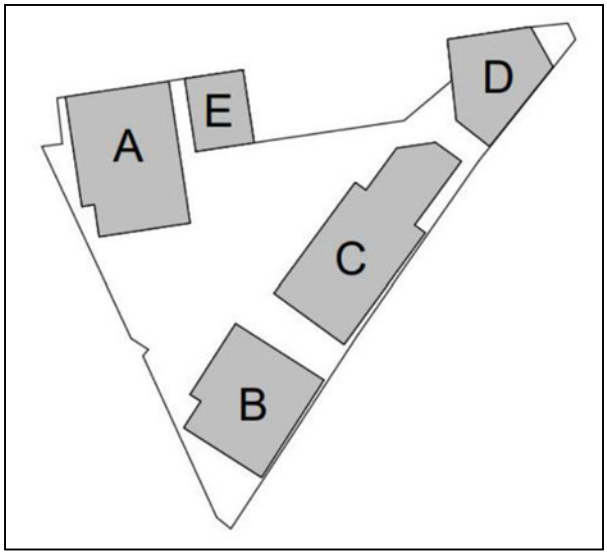


Diagram of blocks on the site

44. In terms of the total number of residential units and their unit size mix, the figures are set out in the table below:

Size	**Unit Count**	**Unit Mix (%)**
Studio	45	5
One bedroom	310	34.8
Two bedroom	419	47
Three bedroom	109	12.2
Four bedroom	9	1

Total	892	100

45. In terms of tenure mix, the proposed development will provide a 35.02% affordable housing, calculated on a habitable room basis. The tenure mix is illustrated in the table below:

Size	**Social rented**	**Intermediate**	**Market**
Studio	0	0	45
One bedroom	5	22	283
Two bedroom	91	54	274
Three bedroom	48	1	60
Four bedroom	9	0	0
Total	153	77	662

46. In terms of the percentage of affordable habitable rooms, there would be at least 35%.

Tenure	**Habitable room numbers**	**Percentage (%)**
Social rented	669	25.08
Intermediate	265	9.94
Market	1733	64.98
Total	2667	100

47. The social rent homes are located in Buildings C and D and the intermediate homes in Buildings B and D.

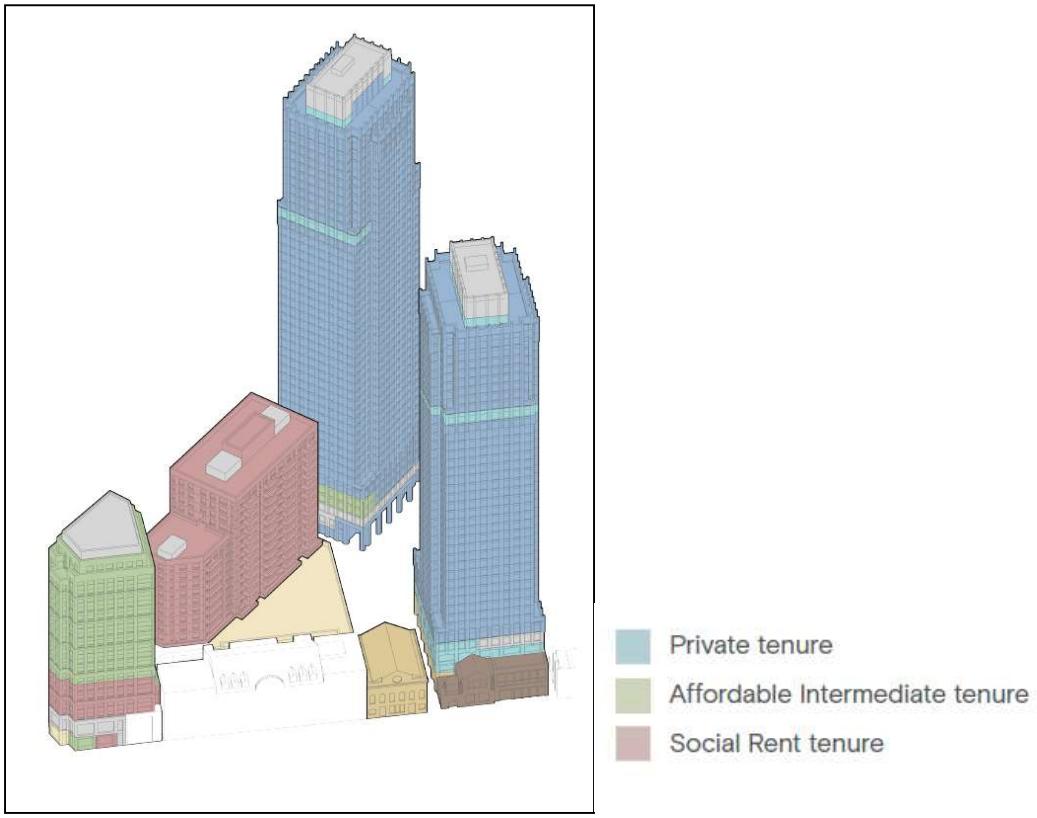


Image: Residential tenure distribution

Non-residential land uses and distribution

48. In terms of non-residential quantum and distribution, these are located on the ground, mezzanine and first floor levels. Each of the blocks would have a separate residential lobby leading to the flats above.

49. Building A
    - Partial retention of 83 Borough Road and provision of community use (flexible Class E, F and F2 b) on ground and first floor levels totalling 480sqm.
    - Use Class E retail/commercial unit totalling 343.8sqm.
    - Public toilets measuring 15.9sqm.

50. Building B
    - New Use Class E retail/commercial unit on the ground and mezzanine floors fronting Newington Causeway totalling 753.3sqm. (Including the non-residential ancillary spaces, this would come to 830.9sqm).

51. Building C
    - New Use Class E or Sui Generis unit on the ground and mezzanine levels, which would allow the MM to return. This totals 2,781sqm. (Including the non-residential ancillary spaces, this would come to 3,260.9sqm)

52. Building D
    - New Use Class E or Sui Generis retail/commercial on the ground floor fronting Newington Causeway, totalling 332sqm.

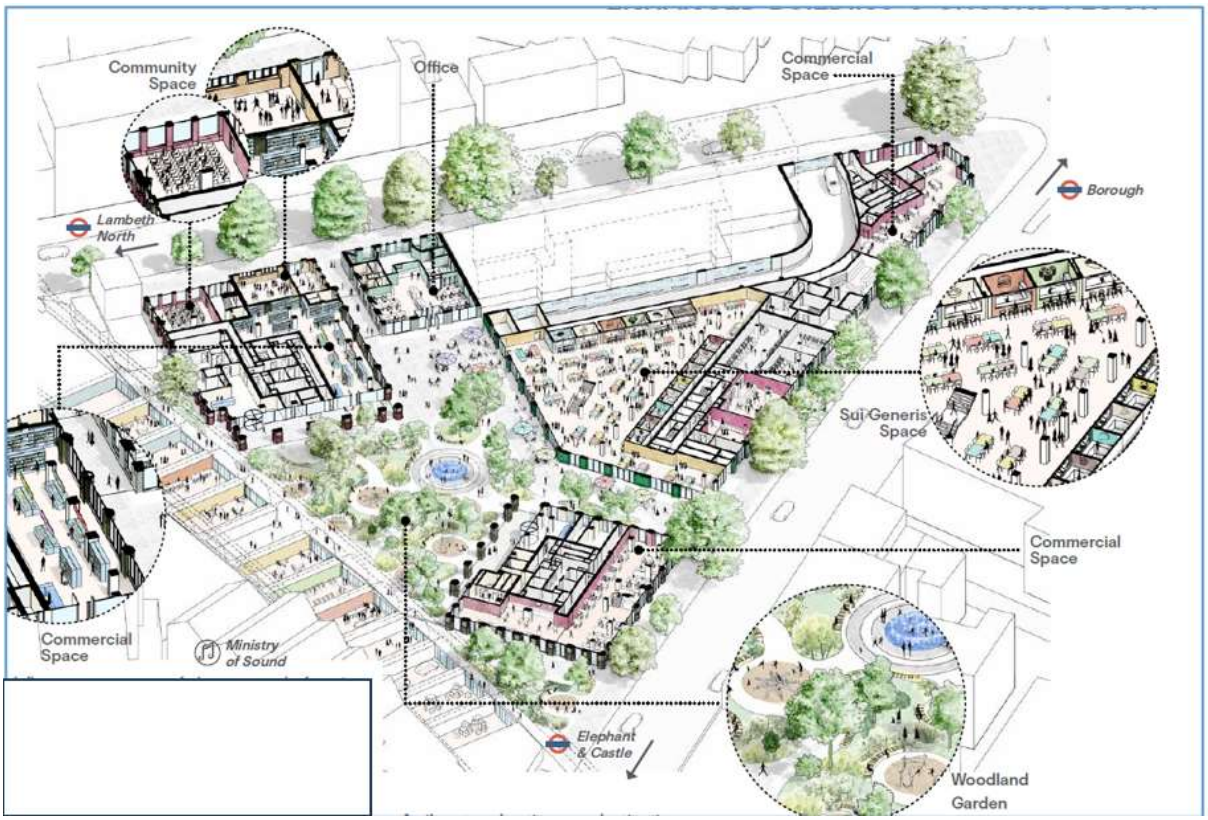
53. Building E

- Refurbishment to provide a Class E retail/commercial unit within the retained 82 Borough Road, totalling 946.8sqm.

54. The table summarises the uses.

Proposed use	**Above Ground – Non residential floorspace excluding ancillary space(sqm)**
Class E Commercial, Business and Service	2,107
Community Use Classes E/F/F2b	480
Class E retail or Sui Generis	3,129.8
Non-residential ancillary	557.1
	Below Ground – Non residential floorspace
Class E Commercial, Business and Service (refuse area)	79
Non-residential ancillary	293.8

Table: Proposed uses



Plan: Ground floor arrangement



Image: CGI of scheme looking south at the piazza, the foodhall and Building D

55. There is a further 8,908.8 sqm (GIA) of floorspace in the basement (3 levels of basement), some of which is allocated to specific uses e.g. residential disabled parking, cycle or refuse stores, plant rooms, or in the case of the service yard a shared space.

56. The site will be accessible to pedestrians via Newington Causeway and Borough Road, along the southeastern and northern boundaries. New pedestrian routes will be created through the site between these two important roads. Each residential building has a dedicated ground level entrance to an entrance lobby providing access to the stair and lift core. Buildings A and B are accessed from the central piazza, Building C from Newington Causeway and Building D from Borough Road.

57. The buildings range in height across the site. See below for the number of storeys and heights above ordnance datum (AOD). The heights of the buildings have been revised since the 2022 application and a comparison is given later in this report.

Building	Storeys	Height to top of the building (AOD)
Building A	38	142.55m
Building B	44	161.55m
Building C	10/14	61.75m
Building D	18	75.5m
Building E	2/3	20.5m

Table: Heights of buildings

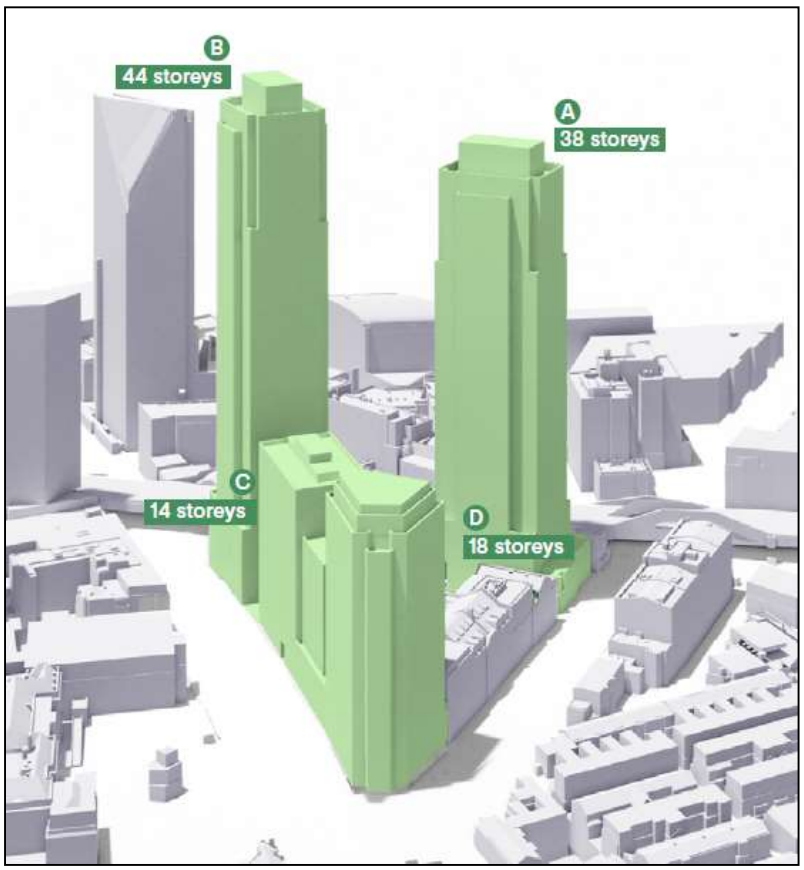


Diagram: Heights of buildings

Delivery and servicing

58. Delivery and servicing will take place in the basement with bays allocated. The basement access ramp will be located off Borough Road adjoining Building D and Diary House at an established vehicular entrance to the former petrol filling station. The ramp has been designed to accommodate transit-sized vehicles passing one another, with larger vehicles required to pass each other at the top or bottom of the ramp; there will be a traffic light system to manage movements with inbound movements prioritised.

59. Car parking

The scheme proposes a car-free development with the exception of 27 blue badge spaces for the residential units, and 1 blue badge space for the non-residential element, which are all provided at basement level.

60. Cycle parking is proposed for up to 1,678 bicycles with 1,610 spaces for residents and 68 spaces for non-residential use. The residential cycle parking will be provided in secure undercover rooms split across mezzanine, basement, and ground floor level across the buildings. The scheme will offer a total of 214 visitor cycle parking spaces, shared accordingly between residential and commercial uses. These would be provided within the external landscape in the form of Sheffield stands and a small proportion of two tier stands within the site boundary and on the public highway.

61. Cycle stores on buildings A and B located on basement mezzanine and upper floors are accessed via dedicated cycle lifts, sized at a minimum of 1.2m x 2.3m. Cycle stores in buildings C and D located on basement, ground and mezzanine floors are accessed directly from Newington Causeway or via the communal lifts. Mobility scooter storage facilities are provided on all buildings at ground level. All long stay non-residential cycle parking will be provided at basement mezzanine level, via goods lifts.

62. Waste storage for the proposed development will also be located within the basement. Separate refuse storage for 82 Borough Road is provided within this building's demise. Collection would occur on-street on Borough Road, on the day of arranged collection.

Open space

63. A fundamental part of this redevelopment would provide a new public open space in the middle of the site, which is accessible via new pedestrian routes from Borough Triangle to Newington Causeway. A total of 1,780sqm of accessible public open space would be proposed. This new public realm will combine playspace and commercial spill out areas. Excluding commercial spill out areas, this would be 1,386sqm.

64. Sitting in the centre of the site, it is a space that fronts Buildings A, B, C and E, allowing for spill out space from the large commercial unit in Building C. The landscape is split into several distinct character areas, which help to zone the landscape and provide space for both residential and commercial uses. Spaces are designed for play and active uses, as well as relaxation.

Public Realm Character Areas:
- The Woodland Garden
- Chapel Square
- Cart Wheel Fountain
- The Urban Edge
- Building D Arrival Space



Diagram: Character Areas



Plan: Illustrative landscape plan

65. The Woodland Garden will be the centrepiece of the public realm and would provide the majority of playspace for the scheme. It immediately adjoins the railway arches to

the west. With the development of the future Low Line the western edge of the garden will open up and become a green edge to the new north-south link through a green setting and play spaces for parents and children to use. It will feature natural play pockets/Woodland themed play, woodland planting and trees, sculptural landforms/mounds and informal social spaces and seats for relaxation.

66. Chapel Square is located to the south of Building E (No. 82 Borough Road), in between Buildings A and C. It is situated alongside the main north-south pedestrian route from Newington Causeway. It will offer a flexible hard space for a variety of activities. Along the southern edge of the site the greening of the Woodland Garden stretches north to meet the square, providing a green buffer and a seating space facing into the square. The square has the opportunity of further activation through play; a pair of table tennis tables are proposed to provide 12+ play provision on site.

67. The centrepiece of the new public realm will be Cart Wheel Fountain where this water feature will have programmable jets that rise and fall, move around in circles, and create enclosed rooms within the space. Beneath the jets a thin translucent scrim of water sits on top of the paving. The surface can be drained completely revealing the paving pattern beneath and providing another flexible space for events programming. Around the edges of the space a series of seats are set back within planting. The central feature will be complemented by feature lighting.



Image: CGI of proposed piazza looking at the fountain, the food hall and Buildings B and C

68. To the east of the Woodland Garden is the Urban Edge. This area would be the focus of much of the footfall into the site and immediately fronting the retail and commercial uses at the ground floor of Building C. This space will be primarily a spill-out and social area, where residents and visitors can socialise. The space will also serve as a secondary north-south movement corridor between Newington Causeway and Chapel Square.

69. The NSP allocation requires that any redevelopment of the site should support the

Low Line walking route adjacent to the railway viaduct. The proposed scheme would install temporary boundary treatment along the western edge of the Woodland Garden, with the aspiration to remove the boundary wall between the site and the arches, stitching the Woodland Gardens into the Low-Line when this project is complete.

70. The proposed development provides a total of 2,478sqm of play space. This comprises 1,383sqm for ages 0-4 and 1,046sqm for ages 5-11. As explained above, a 49 sqm play space for 12+ ages are provided in Chapel Square.

71. The playspace is part provided within the public realm areas at ground floor level and on the podium and roofs of Building C and Building D. The play strategy is for a mix of informal and formal play areas and routes.

72. External communal amenity space is provided on the podium of Building C and the roofs of every residential building. In addition, Buildings A and B (the private/market dwellings) would have internal communal amenity space.

73. All existing street trees are retained on Borough Road and Newington Causeway, with 98 new additional trees proposed to be planted on the site, ranging from large feature trees at ground floor, to small multi-stem trees on roof terraces.

74. The development will achieve a 59% improvement over Part L of the 2021 Building Regulations in respect of carbon dioxide emissions. It is aimed to reduce energy through a number of active and passive design measures and a fabric-first approach. The development will be supplied by a sustainable air source heat pump system (ASHP) together with photovoltaic panels for electricity generation. There will also be water source heat pumps in the energy centre in the basement level.

75. <u>Amendments to the application</u>

76. In response to officer comments, public comments and feedback from consultees changes were made to the detail of the proposed buildings to improve their design. Such changes included:

77. 1) Change in tenure, mix of units and wheelchair units.

- The affordable housing provision increases to 35.02% (from 34.97%).
- One 2 bedroom 4 person (2b4p) wheelchair home on Level 5 of Building D changes from affordable intermediate to social rented tenure.
- A 1b2p intermediate home on Level 17 of Building D becomes a 2b3p home (no change in tenure). Changes to the sizes of a small number of apartment types on Level 17 to achieve this.
- Conversion of 6 No. 3b5p social rent homes on Levels 4-9 in Building C to 4b7p homes. To enable this change, 6 No. 3b5p homes on these same Levels 4-9 will be converted to 2b4p homes.
- Conversion of 5no. 2b3p social rent homes on Levels 1-5 in Building D to 2b4p homes, achieved through improved efficiency of the core and services layout.

78. 2) Change to Building C lobby and introduction of cycle workshop.
- The lobby fronting Newington Causeway has increased in size from 33.1sqm to 51.7sqm.
- A new 92.5m² space for a Cycle Workshop/Hub has been added adjacent to the residential lobby and alterations to the layout of the cycle store in Building C.

79. 3) Changes to the wheelchair accessible units.
- Increase in the size of a number of the social rented wheelchair units to meet the standards.
- Change of the 3 bedroom social rented homes to 3b6p wheelchair homes.

80. 4) Sizes of the 86 flats in Buildings C revised.

81. 5) Enhancing internal daylight and sunlight
- Changes to the windows on the north-western façade of Building C to enhance daylight provision.
- Alterations to the flat layouts to improve daylight levels.
- A number of the projecting balconies on this façade have been reduced in depth to minimise shadowing effects on homes situated below.

82. 6) Fire Safety
- The second fire-fighting stair in Building C has been extended upwards to serve the roof terrace.
- To make space for the required additional fire stair, the plant layout to the Building C lift overrun has also been rationalised.

83. 7) Changes to the podium level in Building C and introduction of amenity space to roof of Building D
- The Building C podium has been set back by a further 3.6m away from Diary House, increasing the distance from 6.4m in the submitted application to 10m.
- The greater podium setback results in a 114sqm (GIA) reduction in non-residential floorspace, and a 120sqm reduction in the size of the Building C garden space.
- Proposed new residents roof garden in Building D measuring 125sqm.
- The rooftop plant arrangement to Building D changes accordingly, and the lift/stair core is raised (by 1.85m) to enable resident access to roof.
- The photovoltaic panel layout on Building D is also amended accordingly, with rationalization across the development roof areas to maintain the overall quantum.

84. 8) Highways
- The visibility splay to the basement access ramp has been improve.
- The accessible cycle storage in Building D for the shared ownership residents has been relocated to ground floor.
- An alternative layout has been provided for blue badge car park space 27 at basement level.
- A number of short stay cycle parking spaces have been relocated from the public highway around the site and into the land owned by the applicant.

9) Business Relocation Strategy
- Updated relocation package for traders.

10) Layout of PVs reconfigured and placed on Buildings C and E.

85. Following the submission of the amended plans and documents, re-consultation was carried out by way of letters, site notice and press notice in November 2024 and January 2025.

Comparison between the 2022 application and this current application.

86. As noted above, this application is a resubmission of the earlier 2022 application. The below paragraphs set out the key differences.

87.
- Increase in site area by acquiring the Institute of Optometry.
- Variation in building height across the site.
- Increase in number of homes from 838 to 892.
- Increase in social rented units to be policy compliant.
- Change in mix of housing.
- Increase in publicly accessible open space
- Change in layout and position of the buildings.

	2022 Application	**2024 Application**
Site area	0.86ha	1.12ha
Number of buildings	4	4
Building heights	A: 46 storeys B: 42 storeys C: 10 storeys D: 18 storeys	A: 38 storeys B: 44 storeys C: 14 storeys D: 18 storeys
Number of homes	838	892
Affordable homes	Social rent: 99 (17.5% hab rooms Intermediate: 123 (17.5% hab rooms) Total 222 (35% hab rooms)	Social rent: 153 (25.08% hab rooms Intermediate: 77 (9.94% hab rooms) Total 230 (35.02% hab rooms)
Housing mix	1 bed: 40% 2 bed: 44% 3 bed: 16%	1 bed: 39.8% 2 bed: 47% 3 bed: 12.2% 4 bed: 1 %

Table: Comparisons between the 2022 and this application

88. The below images show the key changes between the 2022 and 2024 application.



Map: Site location plan under the 2022 application



Image: Block Plan in the 2022 application without the Institute of Optometry site.

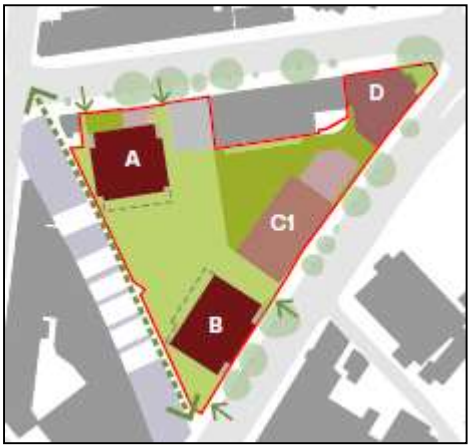
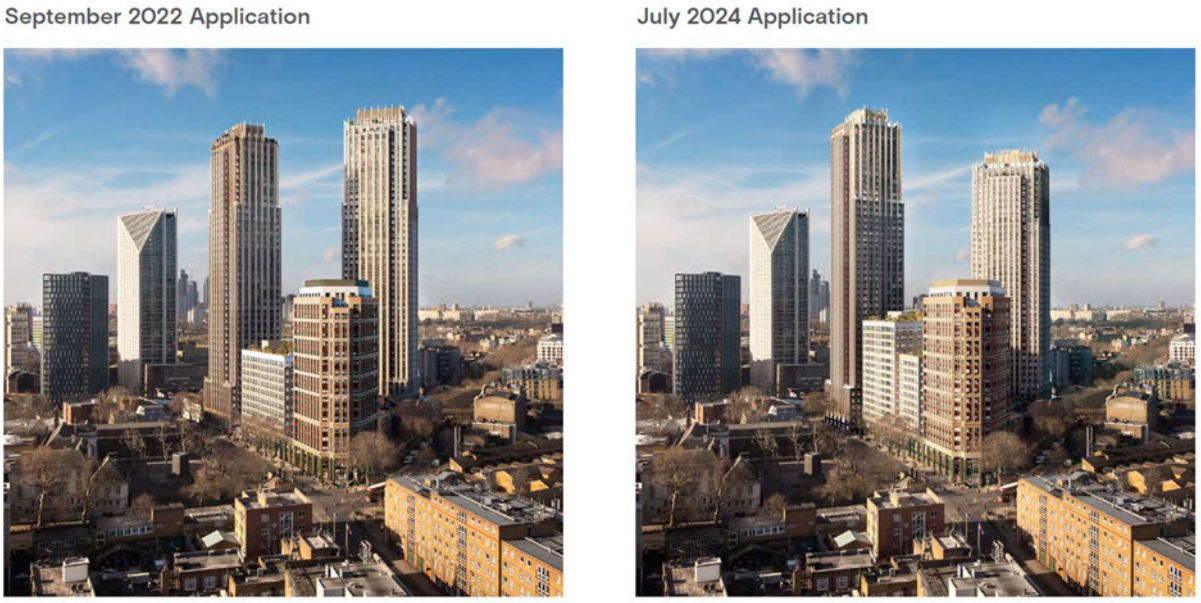


Image: Block Plan in the current (2024) application with the Institue of Optometry site.



CGI Comparison of the two schemes

Planning history of the site and adjoining or nearby sites.

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

90. There is extensive planning history on this site as it has long been a key regeneration site in the development plan. The most relevant planning history on this site is the application submitted in 2022 (ref 22/AP/3149) and has been discussed above. There have also been a number of temporary permissions over previous years to accommodate Mercato Metropolitano and its meanwhile operation. A number of requests for EIA Scoping Opinions have also been made relating to historic proposals for the redevelopment of the site.

91. The full description of planning application 22/AP/3149 reads:

Phased mixed-use redevelopment of the site comprising
- Demolition of all existing buildings/structures and site clearance, except 82 and (part) 83 Borough Road which are to be retained, altered and refurbished for flexible commercial, business, service and learning and non-residential institution uses (Class E / F1);
- Construction of basement structure and vehicular access;
- Construction of buildings to provide dwellings (Class C3), flexible commercial, business, service and mixed food/drink/leisure uses (including drinking establishments with expanded food provision, hot food takeaways, live music performance venue and cinema) (Class E / Sui Generis) and public toilets; 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.

92. The most relevant scoping opinion was submitted in February 2022 (ref 22/AP/0414). It was considered that the submitted report meets the statutory requirements for the preparation of Scoping Opinions, as set out in Article 15 of the Regulations. Subject to the detailed comments referenced and those points identified in the council's independent consultant technical review, it was considered likely that an Environmental Statement prepared in this manner will meet the necessary statutory requirements. It was also considered that the topic of 'Water resources and flood risk' should be scoped in.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Principle of the proposed development in terms of land use;
- Affordable workspace
- Environmental impact assessment
- Housing mix, density and residential quality
- Affordable housing and development viability
- Amenity space and children's play space
- Design, including layout, building heights, landscaping and ecology;
- Heritage considerations
- Archaeology
- Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
- Transport and highways, including servicing, car parking and cycle parking
- Environmental matters, including construction management, flooding and air quality
- Energy and sustainability, including carbon emission reduction
- Ecology and biodiversity
- 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

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

Legal context

94. 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.

95. 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

96. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2024) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

97. The site is located within the:
- Central Activities Zone (CAZ)
- Elephant and Castle Opportunity Area
- Elephant and Castle Town Centre
- Strategic Cultural Quarter
- Site allocation NSP44 (Newington Triangle)
- Hot food takeaway primary school exclusion zone
- Archaeological Priority Area (North Southwark and Roman Roads)
- Flood zone 3
- Air Quality Management Area (AQMA)

ASSESSMENT

Principle of the proposed development in terms of land use

Relevant policy designations

98. The National Planning Policy Framework (NPPF) was updated in 2024. 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.

99. The Good Growth chapter of the London Plan includes GG2 “Making the Best Use of Land” and GG5 “Growing a Good Economy”, which are relevant to the proposal. To create sustainable mixed-use places that make the best use of land, objective GG2 states that those involved in planning and development must enable the development of brownfield land, particularly in opportunity areas and town centres, and prioritise sites that are well connected by public transport. It also encourages exploration of land use intensification to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Objective GG5 states that to conserve and enhance London’s global economic competitiveness — and ensure that economic success is shared amongst all Londoners— those involved in planning and development must, among other things:

- promote the strength and potential of the wider city region;
- ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning;
- provide sufficient high-quality and affordable housing, as well as physical and social infrastructure;
- help London’s economy to diversify; and
- plan for sufficient employment space in the right locations to support economic development and regeneration.

100. In the economy chapter of the London Plan, policy E1 supports new office provision, refurbishments and mixed-use development. Policy E2 supports the provision of business space in a range of Class B uses in terms of type, use and size, at a range of rents, and policy E3 sets out the affordable workspace policy. The policies within the housing chapter of the London Plan seek to optimise the potential for housing delivery on all suitable and available brownfield sites, with a strategic target of 50% of new homes to be genuinely affordable.

101. The Southwark Plan in its strategic vision, ST1 “Southwark’s development targets” aims to achieve targets for 40,035 homes and 58,000 new jobs in the borough between 2019 and 2036, at least 460,000sqm of office floorspace between 2019 and 2036, 90,000sqm of additional employment floorspace outside the CAZ, and targets 76,670sqm net new retail floorspace. These targets feed into the policies SP1 “Homes for all” and SP4 “A green and inclusive economy,” and the area visions.

102. The Southwark Plan’s area vision AV.09 for Elephant and Castle states development should support the area’s function as a major town centre and as a central London location that attracts global business, research, teaching, shopping, flexible business spaces and cultural activities. It should also provide as many homes as possible at a

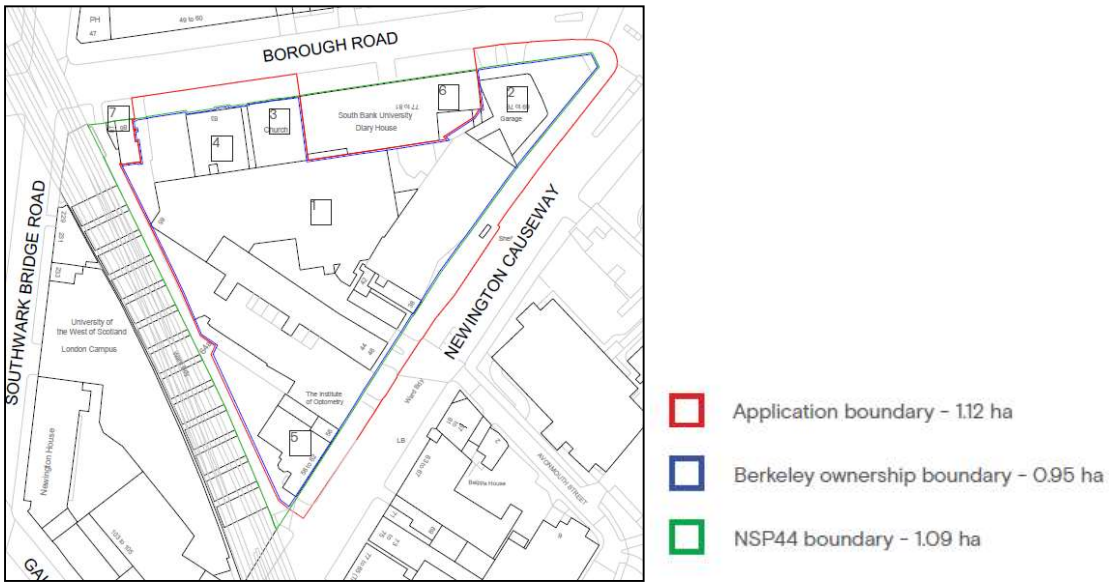
range of different tenures including social housing. It notes that developments should provide opportunities for existing small businesses, particularly those from minority ethnic groups, to relocate and continue trading.

103. The area vision also states that development *should "support the creation of a distinctive environment through a mix of innovative and enduring new architecture, heritage buildings, open spaces and quality public realm that provides greenery, safety, connectivity and reduces exposure to air pollution."* Developments should contribute towards the development of the Low Line, a new public realm corridor adjacent to historic railway arches.

104. Southwark Plan policy P30 "Office and business development" requires such proposals within the site allocations to retain or increase the amount of employment floorspace on the site, promotes the successful integration of homes and employment space and requires a marketing strategy for the proposed use to demonstrate how it will meet current market demand. It also states that conditions will be used to restrict changes of use within Class E.

105. In addition to the development management policies in both plans, site allocation NSP44 within the Southwark Plan is specific to the current application site and the adjacent railway arches. The site allocation sets out requirements for the redevelopment of the site to include new homes, active frontages with retail, community or leisure uses, new open space of at least 15% of the site area and support the Low Line walking route adjacent to the railway viaduct. It also requires development to retain or increase the aggregate amount of employment generating floorspace (Class E(g)/sui generis) currently on the site (identified by the existing uses totalling 10,046.8m2 GEA).

106. The proposed development would not cover the whole area allocated under policy NSP44 and this is evident in the following images:



Map: Site boundary, ownership boundary and NSP44 boundary

107. The overarching thrust of polices within the development plan is to optimise

and make effective use of land. The site is a long-standing and conspicuous gap in the urban fabric of the borough and presents a clear opportunity for optimisation.

108. The principle of redeveloping the application site for a housing-led development, providing conventional Class C3 dwellings alongside flexible Class E/F (retail/service/dining/community) premises, 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 site allocation NSP44. The acceptability of each of the individual uses is considered below.

109. Housing
The Southwark Plan sets out 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. These targets feed into the policies SP1 "Homes for all" and SP4 "A green and inclusive economy," and the area visions. AV.09 Elephant and Castle Area Vision in the Southwark Plan states that developments provide as many homes as possible at a range of different tenures including social housing.

110. Providing C3 homes is a requirement in the site allocation. By providing 892 homes, the development would exceed the minimum 438 capacity in the site allocation. It should be noted that the capacity set out in the NSP44 is a minimum only. The proposal would therefore make a significant contribution towards the borough housing targets in the Southwark Plan and London Plan.

111. The Southwark Plan in the Site Allocation introductory text highlights that:
"The key purpose of the minimum development capacities is to inform Southwark's strategic growth projections and ensure the Council has a high-level understanding of the strategic distribution of development expected to come forward across the borough over the course of the plan period for housing, employment, retail, leisure and community uses and open space."

112. It further states that where there is an ambition to further optimise development capacity by including more housing, residential capacity could be increased beyond the baseline number as part of the planning application through excellent design and careful consideration of the impact on character, amenity and local environment. This would include a consideration of any adverse or cumulative impacts within the local environment. These are all discussed in later sections of the report.

113. The proposed housing would create a mixed community in a well-connected inner London location, the PTAL rating of which is excellent. This is subject to the dwellings meeting the relevant policies concerned with unit sizes, quality of accommodation, 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.

Employment space and retail use

114. Relevant policies for a Class E employment space proposal include London Plan policies E1 and E2, and Southwark Plan policy P30, as well as area vision AV.09 and site allocation NSP44.

115. The first section of Policy P30 of the Southwark Plan 'Office and Business Development' states that:

"In the Central Activities Zone, town centres, opportunity areas and individual development plots within site allocations where employment re-provision is required, development must:
1. Retain or increase the amount of employment floorspace on site (Gross Internal Area (GIA) of E(g), B2, B8 class use or sui generis employment generating uses)"

116. The site allocation also requires that any development retains or increases the aggregate amount of employment-generating floorspace (Class E(g)/Sui Generis) currently on the site (identified by the existing uses totalling 10,046.8sqm GEA). The 10,046.8sqm listed in the site allocation is made up of these employment uses: 5,810sqm at Diary House, 129.1sqm car point vehicle hireand Mercato Metropolitano 4,107.7sqm, albeit the latter is identified as being in a temporary use. These figures in the NSP44 are Gross External Areas (GEA).

117. It should be highlighted that as the site excludes Diary House (offices), the employment generating uses within the site boundary that are class E(g) and Sui Generis would be the vehicle hire, and Metropolitan Mercato (MM). This would be an aggregate of 4,236.8sqm.

118. MM currently occupies the site as a 'meanwhile' use providing a food market and related uses. Previous to MM's occupation of the site, it had been a mix of uses in E(g)/B8 classes and predominantly used for printing purposes. MM has used the site as a food market on a temporary basis and granted several planning permissions since 2016. In July 2016 (ref 16/AP/1576) a temporary change of use was granted for a mixed use development comprising a food market to include the preparation and sale of hot and cold food and associated bar, co-working space, gym and barber, cinema and event space and works include erection of a temporary canopy. This temporary change of use was further extended by subsequent permissions 18/AP/2094, 19/AP/1802, 20/AP/0827, 21/AP/1635, 21/AP/2607, 22/AP/0283, 23/AP/1816 and, most recently, 24/AP/2214. Over this time the layout and temporary structures on the site have changed, and the area has expanded.

119. The latest temporary permission expires on 31 August 2025 and would comprise use Class E(a), (b), (d) and (g)i), and sui generis drinking establishment, cinema, event space uses, and other minor alterations incidental to the development.

120. The site allocation lists the IoO as an F1 use. In reality, the IoO is a mix of Class E (e) office and and F1(a) educational use. Whilst it partly operates as a clinic for patients and a centre for research, the building is also used as offices. A survey carried out recently by the applicant confirmed that the building comprised of reception and waiting areas, clinic, laboratories, offices and meeting rooms. It is considered that this is a mix of Class E and F1 use. As such, the IoO is therefore

considered to be an employment generating use.

121. The site (excluding Diary House and Nos. 86 and 87 Borough Road) currently has a total of 6,421sqm of non-residential floorspace (GIA) made up of F1 and sui generis uses. These are set out in the table below.

122.

Property	**Existing Floorspace**
London School of Musical Theatre (83 Borough Road)	556sqm (Class F1)
Former Baptist Chapel (82 Borough Road)	733sqm (Class F1)
Former Car Point Vehicle Hire (69 Borough Road)	109sqm (Sui Generis)
Mercato Metropolitano (18-54 Newington Causeway)	3,829sqm (Sui Generis)
Institute of Optometry (56-62 Newington Causeway)	1,194sqm (Sui Generis/F1)
Total Class F1	1,289sqm
Total Sui Generis	5,132sqm
Total across site	**6,421sqm**

123. The proposed development would provide flexible retail, commercial and leisure uses. It would also provide a community facility of 480sqm. By including the non-ancillary spaces on the ground and basement levels (which are essential to the operation and function of the uses) the total proposed non-residential floorspace for the whole site would be 6,567.7sqm. This exceeds the current floor area of 6,421sqm and is a net gain of 146.7sqm.

124. The proposed development will provide over 2,107sqm of Class E floorspace across Building A (ground floor fronting the piazza), Building B (ground floor and mezzanine) and in the retained 82 Borough Road over 3 floors (known as Building E). Whilst Class E maintains future flexibility to respond to market demand, it is envisaged that the units in Buildings A and B would likely be occupied by retail or restaurant/café tenants, with Building E being well suited to office/workspace use. The office in Building E would be 946.8sqm. Whilst the retail and restaurant use have lower employment densities than an office/workspace – it is still considered to be employment generating uses.

125. The proposed development would provide 3,260.9sqm of flexible Class E / Sui Generis floorspace in the ground and mezzanine floor of Building C and 332.5sqm ground floor of Building D. Including all the ancillary areas above ground and basement levels, the total is 3,964.8sqm. These spaces have been designed to facilitate future re-occupation by MM. The use class is therefore mixed Class E and sui generis, but in this instance the space that MM occupiers is considered to be employment generating as it employs a number of people. More importantly, the sub tenants of MM are individual traders and provide employment opportunities for them. There is also a public toilet provided within Building A, totalling 15.9sqm, which brings the overall total of mixed Class E / Sui Generis floorspace including all ancillary areas above ground and basement levels to 3,980.7sqm.

126. Excluding the community centre (480sqm), the aggregate amount of Class E and sui generis floorspace would therefore amount to 6,087.7sqm including the ancillary areas. As reported above, the existing employment generating uses would be the vehicle hire, IoO and MM is 5,132sqm. The proposed development would therefore provide an uplift of 955.7sqm of Class E/sui generis employment floorspace and meets the requirement of the site allocation.

127. In this instance, the principle of re-providing a food market with other leisure , retail and commercials uses on the site would be acceptable and is welcomed. It meets the requirements set out in the site allocation and are suitable uses in this major town centre.

128. Discussions with MM are still ongoing regarding their potential return to the site. The priority is to have a food hall on this site for both the MM use and the sole traders. However, should MM not return as the operators of the site , the traders could still do so. As such, the application proposes some flexibility for the non-residential uses in Building C and D, which includes drinking establishments with expanded food provision, hot food takeaways and a live music performance venue to allow for a number of potential alternative tenants including the traders.

129. Job creation

130. In total, the employment-generating floorspace on the existing site is estimated to support 423 full time equivalent (FTE) jobs. Once the development is completed, it is estimated to support 585 gross jobs on-site so there will be a large net gain. In addition, 326 jobs per year will be generated on average throughout the enabling works, demolition and construction stages of the development.

131. In terms of the s106 obligations, the Section 106 Planning Obligations and Community Infrastructure Levy (CIL); Supplementary Planning Document (SPD) expects this development to deliver 237 sustained jobs to unemployed Southwark residents, 237 short courses, and take on 59 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution. The maximum Employment and Training Contribution is £1,143,150 (£1,019,100.00 against sustained jobs, £35,550.00 against short courses, and £88,500.00 against construction industry apprenticeships).

132. The Local Economy Team (LET) has reviewed the application and has recommended an employment, skills and business support plan should be included in the S106 obligations.

133. A development of this size would be expected to deliver up to 65 sustained jobs for unemployed Southwark Residents at the end phase, or meet any shortfall through the Employment in the End Use Shortfall Contribution (£279,500, based on £4300 per job). It should be noted that this is an estimate, based on the maximum end use space figures. It is likely the final number will be lower as the final class uses for building A (Flexible Class E / F1/F2b) and buildings C and D (Flexible Class E / Sui Generis) are confirmed and built out. Officers in the LET is content that as these are end use jobs, and the exact quanta of class use and corresponding employment obligations can be agreed in the s106.

134. An obligation will also require the submission of a skills and employment plan no later than 6 months prior to first occupation of the scheme. This plan should identify suitable sustainable employment opportunities and apprenticeships for unemployed borough residents in the end use of the development.

135. P32 'Small shops' states that *"Developments proposing 2,500 sqm GIA or more of retail space shall provide at least 10% of this space as small shops."*
There are no small shops proposed in the development. Whilst the scheme exceeds 2,500sqm of Class E floorspace, it is hoped that the MM use and the traders would return to occupy the development. The MM use is an important and successful space for the local community and is visited by others outside of the borough, generating income for the local area. It is a unique resource and it is evident from the public consultation that this facility is important to the community as is the return of its use and the associated traders. Furthermore, the Equality Impacts Assessment (EQIA) demonstrates that workforce at MM comprises several individuals with "protected characteristics". Just under half come from a Black, Asian and Minority Ethnic ('BAME') community (including Latin American).

136. The return of the MM use and the associated traders would mean that the small shops requirement under Policy P32 should not be triggered in this instance.

137. <u>Business relocation</u>

138. Policy P33 'Business Relocation' in the Southwark Plan states that *"Where existing small or independent businesses or small shops may be displaced by development a business relocation strategy, written in consultation with afected businesses, must be provided. The business relocation strategy must set out viable relocation options."*

139. The existing tenants on the site are set out below.

Unit / Tenant	**Sector**	**Estimated Existing Employees**	**Lease Terms**
London School of Musical Theatre	Education	10	Lease expiring 30/06/24 (outside the '54 Act)
JM Holdings London Ltd	Service	5	Lease expiring 02/08/26 (outside the '54 Act)
Mercato Metropolitano	Leisure/Hospitality	383	Lease expiring 01/10/25 (outside the '54 Act)
Institute of Optometry	Education/Medical	25	Lease expiring 15/09/25 (outside the '54 Act)

140. The applicant had submitted a Business Relocation Strategy (BRS) in June 2024 which included the relocation strategy for the applicant's direct tenants on the site (but did not set out a relocation strategy for MM's subtenants - the individual/sole traders). It is important to highlight that the current premises comprise former print buildings (and outdoor space) that MM occupy will not meet the Energy Performance Criteria rating required for non-domestic buildings by 2030, meaning

without significant investment before this date the market will no longer be able to operate.

141. The food market use is permitted temporarily under permission 23/AP/1816. Since the applicant's acquisition of the application site they had continued to engage with MM on the redevelopment proposals. The applicant has designed the non-residential units within proposed buildings C and D in collaboration with MM. The June BRS confirmed that the applicant was in the process of discussing commercial terms with a view to exchanging an agreement for lease with MM for them to return to the completed development. On this basis relocation support had not been offered. Since the submission of this planning application, the applicant has continued to have discussions with MM regarding their plans for when the site will be vacated and their return to the site in the future. MM had confirmed to the applicant that they do not yet have a replacement site identified for the temporary period after the site's vacation.

142. As stated above, the June BRS did not set out a relocation strategy for MM's sub-tenants (the traders). Furthermore, it is already noted that almost a majority of the traders are from a BAME background - and the impact of the development on them is further discussed under the Equality section of this report. It is therefore important that further support is given to the traders.

143. The applicant had carried out engagement with the traders at pre-application stage. The BRS was planned to be a 'live' document and following that original submission and consultation and Officer's feedback, further engagement with traders was undertaken. Officers also visited a number of traders to understand their concerns.

144. The applicant had carried our further one-to-one meetings to further understand the traders' operations. This included their requirements on logistics, equipment and utilities and the constraints they would consider with regards to relocation. The traders had agreed that relocation aid would be welcomed and supported some of the form of support that is outlined in the BRS Addendum submitted in November 2024.

145. Following submission of the BRS November Addendum, the applicant continued consultation with traders and the council and subsequently submitted a second and third addendum (referred here as the BRS January Addendum 2 and BRS February Addendum 2A) to respond to comments received. The BRS Addendum 2A sets out in further detail the mechanisms and processes by which businesses trading on the site will be supported to relocate.

146. The applicant has since agreed to increase the Business Support Package to the following:

- A contribution of £40,000 to fund an Independent Business Advisor to help with the practical process of future steps for the traders. This will be retained and procured by the Council to assist and facilitate the Traders' relocation and provide business support services;
- A Relocation Fund of £137,000 from the applicant and administered by the Independent Business Advisor, which will be allocated to eligible applicants. This fund will support the reasonable costs of relocation for those to whom it is

allocated. The Independent Business Advisor can support traders to apply for that fund. The BRS February Addendum 2A sets out the Relocation Fund heads of claim. The fund could be put towards the cost of professional services such as solicitors and surveyors, removal costs and new equipment if deemed necessary and reasonable. The BRS has suggested the appointment of Tree Shepherd as the Independent Business Advisor - this will need to be agreed by the council as part of the s106 obligations.

147. The BRS notes that the Trader Steering Group is anticipated to meet monthly from its establishment, until 3 months after vacation of the site for the purpose of the construction of the development. Given that the BRS is a live document, this will be reviewed throughout the construction period.

148. Further, the applicant has discussed with traders and the council the retention of a temporary food market on-site, for a select number of traders, for the period between demolition of the existing food market and handover of the proposed Building C commercial unit. This temporary market will allow space for a maximum of 12 traders to operate. It would comprise space for shared seating and the sale of beverages. It is anticipated that the stalls would be allocated no later than 4 months prior to vacation of MM and a right of first refusal to rent those stalls for the existing traders currently trading in MM. The selection process will be agreed between the applicant, the council, the Independent Business Advisor and the Trader Steering Group.

149. The BRS February Addendum 2A provides an initial feasibility study on the location and size of the temporary food market. This would be located in the southeastern corner of the site, adjacent to the proposed Building B and the railway arches. This two storey temporary building has an irregular triangular shaped footprint, measuring a maximum of 16.1m wide and a maximum depth of 22.3m.

The temporary food market will be subject to a separate planning permission and a clause in the s106 agreement will require the submission of a planning application within 12 months of the date of planning permission (once it is free of legal challenge) and this will be prior to commencement of development. The obligation will state that no food trader tenants can be removed until the temporary food market is complete. A further obligation would require the temporary provision to be made ready for occupation in advance of the closure of the current site to minimise disruption for the traders relocating to the new site. An obligation in the s106 agreement would also be included to ensure that the rents being charged in the temporary food market shall be no higher than what the traders currently pay to MM.

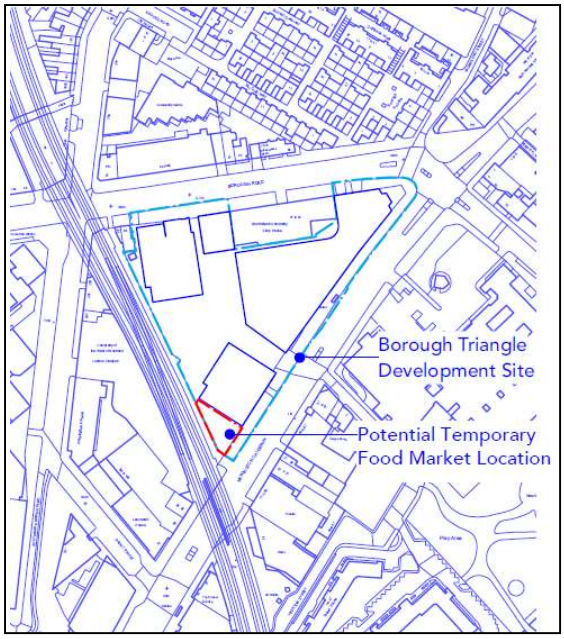
150. The BRS February Addendum 2A also sets out how the developer (applicant) will share details of any vacant local retail units within the Elephant and Castle Opportunity Area, the wider Borough, and beyond; for a period of one year following vacant possession of the site. The Independent Business Advisor will also be provided with details of any vacant premises to help businesses if they need assistance.

151. The BRS also confirms that the existing traders would get the first opportunity to apply to go back into the new development in Building C. There would also be a condition in the lease for the proposed sui generis area, stipulating that the future

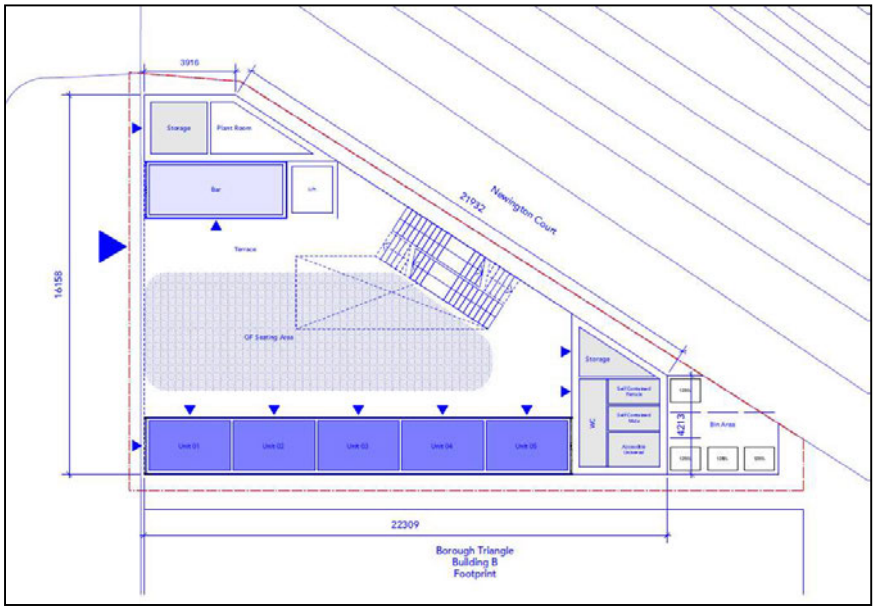
leaseholder must review applications for space made by traders operating within the current MM at the time that planning permission is granted for the development before applications from other businesses are reviewed.

152. Those traders located within the application red-line will be eligible to apply for the funds. However, consideration will be given to the length of time in occupation and the type of business as to the amount of funds paid to each specific business. This process will be overseen by the Trader Steering Group. Its membership shall be approved by the council, and they will represent the traders, liaising with the council and the Independent Business Advisor on their behalf and hold an advisory, monitoring and governance role during the implementation of the relocation strategy

153.



Site plan: Proposed temporary food market on site



Plan: Feasibilty Plan of Ground floor of temporary food market

Other existing tenants on the site

154. The applicant's lease with the existing occupiers were made outside the Landlord and Tenant Act 1954. This means that that tenants do not have an automatic right to renew the lease at the end of the term.

155. Berkeley Homes are aware that the LSMT will need to find a new location when their tenancy ends and will offer to assist in its search, and will continue to do so under the BRS commitment (which was set out in the June BRS and to be secured in the s106 agreement).

156. As for the IoO, the applicant had discussed with the occupiers the possibility to re-provide space on the redeveloped site, as there had been with Peabody, the former owners of the site. However, it was agreed that the IoO would relocate and would not be seeking space in the future redeveloped site. The applicant has previously offered to assist in its search for new premises and will continue to do so under this BRS commitment.

157. The applicant entered into a temporary lease with JM Holdings London Ltd in 2023 for them to use the former Car Point Vehicle Hire land and buildings as an office and yard. JM Holdings entered into this with full knowledge of the landlord's (Berkeleys) intent to redevelop the site and no further right of occupation was to be offered post expiry of the lease. They are a temporary meanwhile occupier who took the space after the applicant acquired the site, in the full knowledge that a planning application was being progressed for its redevelopment. The applicant was advised by JM Holdings that they do not employ anyone on-site and will continue their business operations from alternative premises.

158. In conclusion, the applicant has provided a sufficient relocation package for the tenants, minimising the disruptions of their operations. It is considered to comply with Policy P33.

Community use

159. Southwark Plan policy P46 supports the provision of new leisure, arts and cultural uses, and policy P47 supports new community facilities that are accessible for all members of the community. Site allocation NSP44 states that developments should provide retail, community or leisure uses.

160. The site currently has a total of 1,289qm of class F uses made up of spaces within Nos 82 and 83. It is proposed that the 480 sqm of community use floorspace provided in the base of Building A, within the retained 83 Borough Road and new build elements, is used for community purposes. There would be a net loss of community floorspace.



Plan: Proposed ground and first floor of Building A. Community centre in brown

161. 82 Borough Road which houses the former Baptist Church has been vacant for 12 years (since 2013). It was occupied by a local radio station in 2022 as a meanwhile use but was only for a short period. It is not a space that is optimised for class F uses. Policy P47 allows such uses to be replaced by another use where they are deemed surplus to requirements. The applicant has not carried out a marketing exercise to let the space for community use as they considered that it would fetter the ability to comprehensively develop the site in accordance with its site allocation. The LSMT currently in No. 83 will also be vacating the site and would not be returning.

162. Whilst Policy P47 states that development retain community facilities, it does not explicitly state that it needs to re-provide the existing floor areas. The site allocation also does not specify a minimum floorspace for the community use.

163. The proposal would provide for a community facility that would be of an improved quality and more attractive to future occupants. The access to and inside the proposed community building would also be improved. The new facility would be designed in line with the principles of Approved Document 2015 M Volume 2, BS 8300 2018, the London Cycling Design Guide and other associated inclusive design guidance and planning policy. The re-use of No. 82 Borough Road as high quality office/workspace is considered to be a benefit of the scheme. The re-provision for a community space at a lower quantum, but with qualitative improvement is considered acceptable in this instance.

164. Policy 47 also states that development will be permitted where new community facilities are provided that are accessible for all members of the community. During the assessment of this application, officers have been in discussion with the applicant about the potential use of this facility for the Latin American Cultural

Community (LACC).

165. The Council's Delivery Plan 2022-2026 sets out the priorities and commitments to its residents. Under the theme 'Investing in Communities', the plan sets out the commitment to improve facilities for Southwark's diverse communities by working with the community to establish a Latin American cultural space, run by and for the community it serves. Officers have been working with the local Latin American community to establish a group that would have some form of legal entity to secure the use of the new community space. This process is still ongoing.

166. The intention is that the developer would offer first refusal to a community operator from the LACC, subject to the fulfilment of occupation criteria. If the community operator from the LACC is unable to meet any one of the agreed occupation criteria within an agreed timeframe the community centre will be marketed to alternative community operators for the uptake of a lease.

167. In the event that the community operator is the LACC, the Council will be the main leaseholder of the community centre at peppercorn rent and would then be sub-leased to the LACC. In this event, Berkeley will be required to provide the community centre to Turn-key Fit Out as well as appointing a Latin American architect to have input into the design of the façade with regards to the selection of the external materials and the expression of the design. The cost of the fit out and any cost over the standard façade design would be funded by the Council.

168. Should an operator from the LACC not be forthcoming pursuant to the right of first refusal, then the council will not be the main leaseholder of the community centre, and the arrangements of the lease will be directly between the developer and alternative community operator. This will also be at peppercorn rent and be fitted out to 'white box' standard.

169. Given the Council Plan's commitment to provide a Latin American cultural space this facility is considered to be in a very good location for this provision. A management plan to ensure that this community centre is open to all members of the public will be required post-permission and will form part of any lease arrangements. A community use agreement to show how the community centre would be used for other members of the public at affordable rates is also required. The above will be secured via the S106 agreement.

Loss of educational uses

170. P27 'Education Places' states that development *"should not lead to the loss of existing educational facilities unless there is re-provision in an area of identified need or they are surplus to requirements as demonstrated by pupil or student projections."*

171. The application site is occupied by educational uses. The LSMT provides a vocational training route into the UK theatre profession, and they have occupied the building for the past two decades.

172. The applicant had been in discussions with LSMT and whilst LSMT had considered a temporary relocation away from the site, it was not considered viable. It was felt that to move to a new location temporality would require a lot of investment by LSMT and

the construction activity might be disruptive on their operations.

173. It should also be noted that Policy P27 refers mainly to educational facilities that are shared with local residents and all members of the community. The way LSMT operate is that they attract student from across the country more widely and the company operate as a professional company in rehearsal rather than that of an educational institution. It is not open to local residents or members of the community. As such, whilst it is technically an F1(a) educational class use, it does not operate as a conventional school.

174. In conclusion, whilst there is a loss of F1 floorspace, there would be a qualitative improvement in the provision of community space.

Affordable Workspace

175. Policy P31 'Affordable workspace' includes a requirement for development proposing over 500sqm of employment space to include 10% of the proposed gross new employment floor space as affordable workspace on site. The affordable workspace should be secured for at least 30 years, respond to local demand and prioritise existing businesses. Policy P31(5) notes: 'In exceptional circumstances affordable retail, affordable cultural uses, or public health services which provide a range of affordable access options for local residents, may be provided as an alternative to affordable workspace (employment uses). This will only be acceptable if there is a demonstrated need for the affordable use proposed and with a named occupier' .

176. The proposed new community space is offered at peppercorn rent, i.e. a significantly lower rent than would be charged for affordable workspace which would be discount market rent. There is a need for the provision of a Latin American cultural space as demonstrated by the Southwark Council Delivery Plan objective. This provision of the community space at peppercorn rent to deliver Southwark's corporate plan objective is welcomed and is an exceptional circumstance.

177. Consequently officers have taken the view that rather than provide this space the temporary relocation facilities for traders should be prioritised on this site at a rental that is no greater than their existing rental levels. This will be secured in the s106 agreement.

Open space

178. One of the requirements of the site allocation is the provision of new open space of at least 15% of the site area or 1,640sqm. The proposed scheme would create 1,780sqm of public realm in the centre of the site. This exceeds the policy requirement and is a public benefit of the scheme. Further assessment on the landscape and design is discussed in later sections of this report.

Hot Food Takeaway

179. P48 of the Southwark Plan explains that in the interests of the health of residents, particularly children, as well as ensuring a mix of different uses in shopping frontages, the numbers of hot food takeaways uses need to be carefully controlled. The policy then set out a list of criteria for whether new hot food takeaway premises

would be allowed. The site is within the Hot food takeaway primary school exclusion zone - exclusionary zone set at a radius of 400 metres from the boundary of both primary and secondary schools. The site is c.275m from Charles Dickens Primary School, hence does not comply with the strict criteria in P48.

180. MM's current operation is that most food and drink is sold for consumption on the premises, but the nature of a food market and some of the traders businesses means that the 'hot food takeaway' use would explicitly allow local residents, employees or visitors to buy food on their way through the site and take it with them. The applicant did not want a situation whereby in future MM or one of the traders was being enforced against for breaching permitted use classes.

181. In light of MM's existing operation and future requirements, and the fact this site is within a defined town centre, it is considered acceptable in this instance. This would ensure that MM or future traders would not be limited in their operation.

182. Agent of Change

183. 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.

184. The site is currently a mix of commercial uses, and the adjoining properties are established noise generating uses, which includes:

- Diary House to the north – predominantly office building providing co-working spaces, café, on-site restaurant, gym and a bar/club.
- No. 86 Borough Road – Hot food takeaway (Topps Pizza)
- No. 87 Borough Road – Hot food takeaway
- The Ministry of Sound to the west on Gaunt Street – Nightclub
- Railway arches to the west on Newington Court– a mix of Class E, B2 and B8 uses
- Railway line to the west.

185. The introduction of residential would be a sensitive use, particularly to Diary House, the adjoining arches and the Ministry of Sound and would need to be designed to mitigate and manage any impacts from existing sources. The relationship of the proposed development with the noise and vibration from the busy railway viaduct is considered in the residential quality section of the assessment. The occupied arches in question are under the leasehold interest of Arch Company, with Network Rail being the freeholder. Arch Company (Arch Co) had submitted a comment and highlighted that the arches' lawful occupation includes general industrial use, which is often associated with noise, air and dust emissions and there should be conditions attached to any permission to ensure the development would be attenuated from those emissions.

186. The Ministry of Sound on Gaunt Street is a night club and typically operates during the night time hours. Diary House is predominantly a workspace premises (also owned by the Ministry), but it also includes a café, restaurant, bar and club. It also contains some outdoor amenity at the back of the building. It can also be hired out for events. The licence for both of the above premises allow for entertainment and music. A noise impact assessment was undertaken to assess whether the site would be suitable for residential development. All practicable design solutions in response to the existing acoustic conditions at the site, which would otherwise impact upon any residential redevelopment, have been taken to ensure these uses remains viable without unreasonable restrictions being placed on them, in accordance with the Agent of Change principle. This is discussed in further detail in the noise section of the report. Other mitigation measures such as alternative ventilation for all habitable rooms and higher than standard specification glazing have been recommended by the applicants. The council's Environmental Protection Team (EPT) officer and an independent acoustic consultant reviewed the submissions and considers that with the mitigation measures proposed the noise levels experienced by the new residents should not be so severe that they would result in unreasonable restrictions placed on those adjoining uses.

187. In terms of dust or air emissions from the arches, it is noted that the current occupiers of those premises are mainly offices and light industrial in Class E use, storage and distribution B8 class and a small number of workshops in B2 use class. There are two vacant arches.

188. The applicant's air quality assessments and associated addendum and appendix concludes that emissions from businesses along Newington Court have been included within the air quality assessments and that industrial emissions form only a very small proportion of pollutant concentrations, and therefore ongoing operation of the businesses located within the railway arches would not be expected to have additional emissions limits imposed due to the introduction of additional sensitive receptors on the application site, as there was no potential effect identified through the assessment of background air quality data.

189. Due to the limited size of the units present within the arches it is unlikely that any change in tenants or processes, within the permitted planning use classes, would result in a change in type or scale of emissions which would affect future occupants of the development site.

Conclusion on land use

190. The scheme would deliver major regeneration benefits, including a contribution to the borough's housing targets (including affordable housing), employment targets, improved community facility and public open space. The proposed land uses accord with the site requirements stated as "musts" in the site allocation NSP44 and are supported in principle.

191. The town centre uses would support the cultural and visitor functions of the area. The proposed development would provide a mix of uses that are appropriate for the site's location within the CAZ, Opportunity Area, Strategic Cultural Area and is in line with the Southwark Plans ambition and supports the overall transformation within the Elephant and Castle area. It is therefore considered that the proposed land use

contributes significantly to the positive development of this area in line with the land use policies of the Southwark Plan and London Plan.

Environmental impact assessment

192. The proposed development constitutes an urban development project within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The EIA Regulations preclude the granting of planning permission unless the Council has first taken the 'environmental information' into consideration. The 'environmental information' means an Environmental Statement, including any further information, any representations made by consultation bodies and any other person, about the environmental effects of the development. In accordance with the EIA Regulations, an Environmental Statement (ES) comprising a Non-Technical Summary, Environmental Statement and Technical Appendices have been submitted.

193. Prior to the submission of the application the applicant requested a formal 'Scoping Opinion' under Regulation 13 of the EIA Regulations, to ascertain what information the Local Planning Authority (LPA) considered should be included within the ES (application reference 22/AP/0414).

194. The submitted ES and ES addendum details the results of the EIA and provides a detailed verification of the potential beneficial and adverse environmental impacts in relation to the proposed development, including the following areas of impact:

- Demolition and Construction;
- Air Quality;
- Archaeology and Historic Landscapes;
- Climate Change;
- Daylight, Sunlight, Overshadowing and Solar Glare;
- Noise and Vibration;
- Socio-Economics;
- Traffic and Transport;
- Water Resources and Flood Risk;
- Wind Microclimate;
- Effect Interactions;
- Residual Effects;
- Townscape, Built Heritage and Visual Impact Assessment (TBHVIA)

195. The EIA scoping process identified a number of technical topics that were unlikely to result in likely significant effects. Where assessments and studies have been undertaken to accompany the planning application, this is stated below:

- Aviation;
- Ecology and Biodiversity;
- Ground Conditions;
- Telecommunications;
- Waste and Recycling; and
- Major accidents and hazards.

The council's Scoping Opinion agreed that it is appropriate to exclude these from

consideration in this ES.

196. In assessing the likely environmental effects of a scheme, the ES identifies the existing (baseline) environmental conditions prevailing at the site, and the likely environmental impacts (including magnitude, duration, and significance) taking account of potential sensitive receptors. It also identifies the potential impacts of the development from the demolition and construction phase, and on completion and occupation. It further identifies measures to mitigate any adverse impacts, and a summary of potential positive and negative residual effects remaining after mitigation measures is included.

197. Additional environmental information or 'Further Information' was received during the course of the application and in accordance with Regulation 22 of the EIA Regulations all statutory consultees and neighbours were re-consulted in writing. The council instructed external consultants, Land Use Consultants (LUC) to provide a critical review of the ES. LUC's review has considered the original ES and the additional Information that has been submitted within the ES addendum (November 2024 and January 2025) in response to queries and following the amendments to the proposal. LUC's assessment is reflected in the relevant chapters of this officer report and informs the detailed wording of planning conditions where appropriate. LUC had confirmed that all their comments and queries had been resolved.

198. The assessment of the ES and the conclusions reached regarding the environmental effects of the proposed development as well as mitigation measures (where required), are set out in the relevant section of this report, although cumulative impacts are considered below. In addition, amendments to the scheme made as a result of consultation responses and negotiation with the council has necessitated changes to the ES. These changes are captured in the ES addendum November 2024 and January 2025.

199. Updated environmental testing were carried out on acoustic design, daylight, sunlight and overshadowing, townscape and visual impact and wind and reported in the addendum.

Alternatives

200. The Regulations require that through the ES process, alternatives are explored with a view to reducing the significance of the environmental effects. Alternatives and Design Evolution of the ES presents the alternatives to the proposed development, which have been considered by the applicant. These include:
    - The 'No development' scenario: The consequences of no redevelopment taking place on the site (a scenario of leaving the site in its current state) would result in a range of negative effects, namely being a lost opportunity to fulfilling the site's housing and employment generating potential and a lost opportunity in assisting the achievement of the ambition for the Elephant and Castle Opportunity Area. This would also not deliver the applicant's objectives and has therefore been rejected by the applicant, with the reasoning for this considered appropriate.
    - The alternative site option: As the site lies within the ownership of the applicant and is allocated for development, which the proposed development is consistent with and reflecting the applicant's objectives, no other alternative

sites have been considered.
- Alternative design: alternative designs that have been considered for this site, namely those submitted by previous applicants and the previous 2022 planning application and these have been compared against the proposed development . It also considered the consultation inputs and environmental effects.

201. The conclusion was that the design on the site would deliver the objectives of the applicant and the requirements of the site allocation and the development plan.

Cumulative Impacts

202. Each chapter in the ES assesses the cumulative effects of the proposed development and other surrounding proposals and these are discussed in more detail where relevant in the report.

203. During the construction phase, it has been assessed that there would be a moderate beneficial (significant) effect on construction employment. Aside from this, there are no other significant cumulative effects since it is assumed all developments would implement their own construction phase environmental mitigation such that effects are not significant. If required, consultation between contractors could take place to manage the effects of deliveries on local roads.

204. Once the scheme is completed and occupied it has been assessed that there are no significant cumulative effects on the following areas:
• Air Quality;
• Daylight, Sunlight, Overshadowing and Solar Glare;
• Noise and Vibration;
• Traffic and Transport;
• Water Resources and Flood Risk; and
• Wind Microclimate.

205. In terms of socio-economics, the following significant cumulative effects have been identified:
• A permanent moderate beneficial (significant) cumulative effect on the local economy due to spending by new residents;
• A permanent major beneficial (significant) cumulative effect on housing provision in the borough.

206. In terms of the townscape, built heritage and visual impact, it was concluded that the cumulative schemes would not result in any change to the effects on heritage assets, compared to the effect of the proposed development considered on its own. However, the cumulative schemes and the proposed development together would increase the scale of effect in some views.

207. Since the submission of the ES and ES addendum, the applicant had issued a letter assessing the additional Cumulative Schemes which have been submitted to the LPA, to identify any new or additional combined effects of the proposed development when considered in combination with nearby cumulative developments since submission of the application in July 2024.

208. Of the applications the applicant's EIA consultant has listed, only Skipton House (ref 24/AP/3432) and 63-67Newington Causeway (Cobourg House, ref 24/AP/3621) are shortlisted for further assessment as a Cumulative Scheme. This review determined that there are no additional combined significant effects when considering additional cumulative schemes in relation to the Borough Triangle scheme. The combined cumulative effects remain as reported within the July 2024 ES and November 2024 ES Addendum.

209. Residual Effects

Where significant effects are still likely to occur, additional measures are proposed to reduce effects where practicable. Any effects that remain, once these measures are taken into account, are reported as 'residual effects'. Chapter 17 of the ES summarises the residual effects and concludes that the proposed development has significant adverse effects on archaeological assets, non-designated heritage assets and in respect of Daylight, sunlight, overshadowing and solar glare receptors, however, it also results in significant beneficial effects on a number of townscape, visual and socio-economic receptors.

210. Conclusions of the EIA and ES

LUC concluded that the ES meets the relevant legislative requirements, that the nature and magnitude of impacts are clear and that appropriate mitigation measures have been set out. The ES concludes that the proposed development has significant adverse effects on the above-mentioned areas however, also results in significant beneficial effects on a number of townscape, visual and socio-economic receptors. In terms of the other environmental areas, the proposed development will have no significant effects.

211. However, the adverse impacts must be weighed in the balance with the benefits arising from the application, and this is set out in the remainder of this report and summarised in the conclusion to the report.

Affordable housing and development viability

212. The NPPF requires affordable housing as part of major residential developments. Policy H4 (Delivering affordable housing) of the London Plan sets out the strategic target that 50% of all new homes delivered across London are to be genuinely affordable. Policy P1 of the Southwark Plan 'Social rented and intermediate housing' requires development that creates 10 or more homes to provide the maximum amount of social rented and intermediate homes and the minimum amount should be 35% subject to viability.

Tenure	**Habitable rooms**		**Homes**	
Social rented	669	25.1%	153	17.2%
Intermediate	265	9.9%	77	8.6%
Private	1733	65%	662	74.2%
Total	2667	200%	892	100%

213. P1 sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided, calculated by habitable rooms. In total, the development would provide 892 homes and 2667 habitable rooms. The development would provide 153 social rented homes (669 habitable rooms), 77 intermediate homes (265 habitable rooms) and 662 private (market) homes (1733 habitable rooms).

214. This would equate to 25.1% of social rented habitable rooms and 9.9% of intermediate habitable rooms. Whilst the intermediate tenure does not meet the 10%, this is only very marginally below. Furthermore, the proportion is weighted towards the social rented, where it is the most acute affordable housing need in the borough to meet the needs of homeless households living in unsuitable temporary accommodation. It is therefore acceptable and would accord with Policy P1. The development would provide a total of 934 affordable habitable rooms, which would equate to an overall provision of 35.02%. The level of provision is therefore policy compliant and is considered to be a significant benefit of the proposed development, especially in the current economic climate.

215. The affordable housing would predominantly be provided in buildings C and D. Building C would provide 131 social rented homes. Building D would provide 22 social rented homes (levels 1 to 5) and 73 intermediate homes (levels 5 to 17). Building B would have 4 intermediate homes on levels 1 and 2.

216. The S106 legal agreement would secure the delivery of these units, including clauses to prevent the occupation of more than 55.6% of the private homes until the affordable homes are completed. There are 294 private homes in Building A and 368 private homes in Building B. It is likely that Building A would be delivered in the first phase. However, in the event of unforeseen circumstances during site preparation whereby it is found that Building A cannot come forward in the first phase, then Building B would be constructed first. As there are 372 units in Building B, this would still be within the 55.6% limit.

217. As mentioned above, London Plan Policy H4 sets a strategic target of 50% affordable housing onsite. The policy sets out parameters for fast track routes that will not require a viability assessment and stipulates that fast track applications will be subject to review mechanisms if development is not commenced within two years. The fast track approach is also reflected in the Southwark Plan where development provides 40% social rented and intermediate housing, with a policy compliant tenure mix, with no grant subsidy.

218. Given that this scheme provides less than 40% affordable housing, it does not follow the fast track route. This application is therefore accompanied by a Financial Viability Assessment (FVA) which was reviewed by independent consultants on behalf of the Council. This was amended during the course of the application given that the level of affordable housing was revised upwards since it was submitted in July 2024.

219. Following discussions over the assumptions, the applicant has submitted an updated viability appraisal. The submitted FVA addendum (November 2024) concluded that taking into account other expected planning obligations and CIL, the proposed

affordable housing is more than the maximum reasonable provision.

220. The FVA was scrutinised on behalf of the council by expert valuers BPS. They conclude that the proposed scheme would generate a deficit and on that basis cannot provide any additional affordable housing contribution.

221. There were a number of areas where the assumptions and inputs were not agreed. One of the key differences is the Benchmark Land Value of £3.36m. BPS's own calculations show the development would be in a substantial deficit position, albeit at a reduced level of deficit compared to the applicants assessment. The deficit calculated by BPS is -£123.8m **(**-15.20% on GDV) compared to the applicant's -£280.8m (-35.97% on GDV). It can be seen that regardless of the differing assumptions and inputs it is still a very large deficit and in conclusion it is clear that the scheme cannot support any additional affordable housing.

222. BPS undertook sensitivity analysis to test the impact of changes to the sales revenue and construction costs to the scheme's viability. Even with 5% increase in sales revenue and a 5% drop in the construction costs, the scheme remains in a deficit position.

223. The applicant's originally submitted FVA had assumed shared ownership units in the intermediate tenure. Since then, it is proposed that the intermediate would consist of either shared ownership or discount market sale units. BPS was instructed to review how this might affect the viability position. It was concluded that the provision of DMS at 70% of their market value would see the level of deficit is slightly reduced in comparison to the shared ownership scenario, nevertheless it is still a substantial deficit.

224. Officers have questioned how the scheme is deliverable if proceeding with the scheme would generate a negative financial outcome. The blended site-wide profit target of 18.8% has been considered, which is reasonable. Whilst there is a viability gap on a present-day basis, the applicant has confidence in its own ability as an urban regeneration specialist to bring value growth and a placemaking premium to the development given it highly accessible central London location to ensure that the scheme is deliverable.

225. It should be noted that the FVA is calculated on present day values. If build cost and residential sale value growth is applied across the 10-11yr (approximately) programme, then the profitability of the development improves.

226. The delivery of social rent and intermediate units is a very positive aspect of the proposals, given this current economic climate, which has seen increased build costs and interest rates and slow sales growth and volumes preventing developments coming forward in the Borough as well as London-wide. To ensure the applicant fully intends to build out the permissions, the requirement for an Early Stage Viability Review will be triggered if an agreed level of progress on implementation is not made. This review is triggered if substantial implementation has not occurred within 24 months from the date of the grant of Building Control Gateway 2 Approval. A long-stop date is to be agreed at 36 months. This trigger is set out under the s106 part of this report.

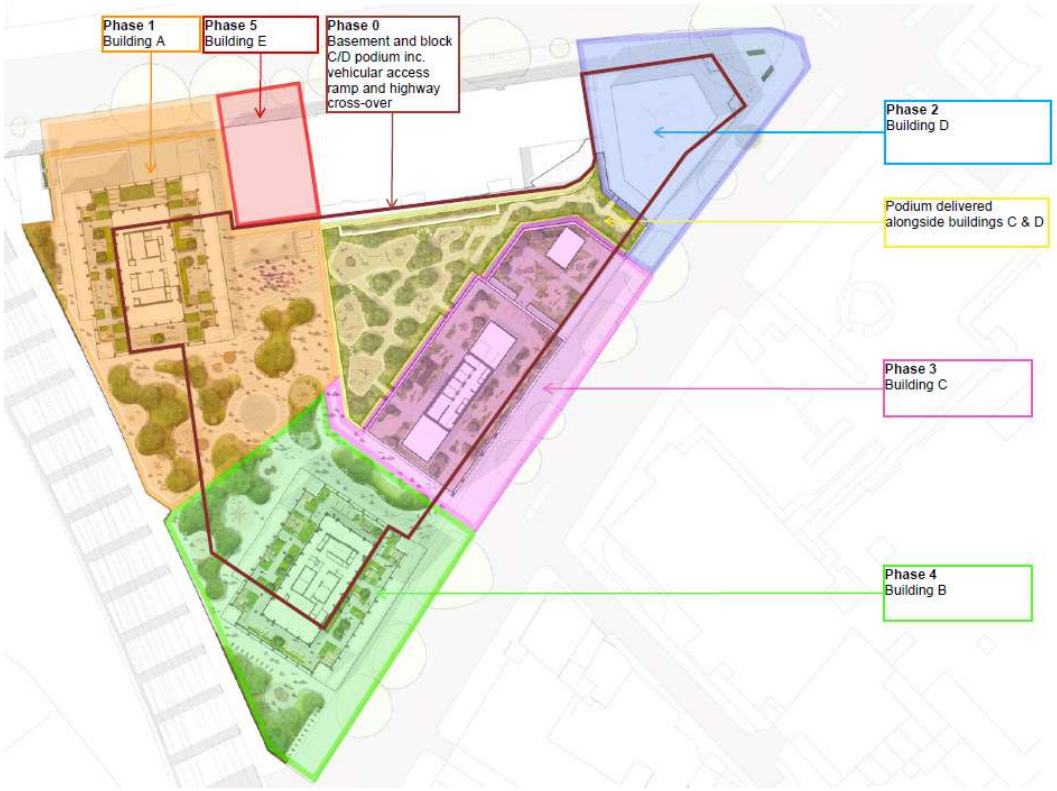
227. A viability assessment was also carried out under the 2022 application and BPS was also commissioned to review this. Under that 2022 scheme, it was concluded that the development was generating a deficit of c 7.32% on GDV profit target.

Phased delivery

228. The indicative phasing is as follows:

1. Demolition / remediation
2. Basement
3. Block A
4. Block D
5. Block C
6. Block B
7. Block E

229. There will be the delivery of public realm allocated to those phases to ensure that there would be sufficient amenity and play for those occupants. A condition phasing plan is proposed this will help 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.



Indicative phasing and delivery of public realm

230. 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.

Conclusion on Affordable Housing

231. The revised affordable housing mix with the increased provision of social rent accords with current policy. The s106 agreement would contain obligations relating to the provision of the affordable housing, service charges, viability reviews, and delivery of any further affordable housing from these reviews. Subject to these planning obligations, the proposal is considered to have addressed the requirements of policies P1 and H4 of the London Plan. As set out later in the planning balance section, the revised affordable housing offer is a key public benefit of this application.

Housing mix, density and residential quality

232. The Southwark Plan does not contain specific density matrices and ranges for different areas of the borough. Instead, it sets out a range of criteria relating to good design and appropriate density in the context of a site-specific approach, including in policies P13 Design of places, P14 Design quality, P15 Residential design and P18 Efficient use of land. Criteria across these policies require among other things that:

- Development's height, scale, massing and arrangement responds positively to the existing townscape, character and context;
- Buildings, public spaces and routes are positioned according to their function, importance and use within the townscape;
- Adequate daylight, sunlight, outlook and a comfortable microclimate is accommodated for future and existing occupiers;
- Development provides a high standard of residential design quality;
- Development optimises the use of land and does not unreasonably compromise development potential on neighbouring sites.

233. This approach is consistent with the London Plan, within which policy D3 refers to optimising site capacity through a design led approach. D3 emphasises that developments should make the best use of land following a design led approach that optimises the capacity of sites, including site allocations, and that higher density developments should be promoted in locations that are well connected to jobs, services, infrastructure and amenities by sustainable transport modes. The site being within an Opportunity Area and Major Town Centre and so close to Elephant and Castle underground and train station and Borough underground station is very well connected. As previously explained, the vision for Elephant & Castle (AV.09) set out in the Southwark Plan states that development should deliver as many homes as possible.

234. Whilst the proposed buildings would be tall, they would be set within a generous public landscaped area. The quality of the proposed units, the acceptability of the height and massing, the architecture, the townscape impacts, the neighbour amenity impacts and transport implications are set out in detail in the relevant sections of this report.

Mix of Units

235. Southwark Plan Policy P2 'New Family Homes' seeks to ensure that a minimum of 20% of family homes with three or more bedrooms are provided in the CAZ, which would apply to this site. The policy also requires a minimum of 60% of homes with two or more bedrooms. The policy then requires two bedroom homes as a mix of two bedroom 3 person and two bedroom 4 person homes.

236. The mix of units was reported earlier in this report, but for convenience this is set out below.

Size	**Unit Count**	**Unit Mix (%)**
Studio	45	5
One bedroom	310	34.8
Two bedroom	419	47
Three bedroom	109	12.2
Four bedroom	9	1
Total	**892**	**100**

237. The table below breaks it down further into the different tenures and sizes.

Unit Mix	**Social rented**	**Intermediate**	**Private**	**Total**	**Percentage %**
1b1p	0	0	45	45	5
1b2p	5	22	283	310	34.8
2b3p	57	13	191	261	29.3
2b4p	34	41	83	158	17.7
3b4p	2	0	0	2	0.2
3b5p	46	1	52	99	11.1
3b6p	0	0	8	8	0.9
4b7p	9	0	0	9	1
Total	153	77	662		100

238. The scheme provides 5% 1b1p flats (studios), which complies with Policy P2, which sets the maximum at 5%. There would be 60.2% of two or more bedroom properties, again complying with the policy. Within the two bedroom flats, these would be a mix of 2b3p and 2b4p homes, which is considered to be a good mix.

239. It is acknowledged that the proportion of three bedroom homes at 13.2% would fall below the policy requirement of 20%. For the affordable housing however, the mix is much above the policy position with 58 units (25.2%) having three bedrooms or more. In the social rented tenure alone, this would be 57 units (37%). Following amendments to the scheme, the applicant has increased the number of 4 bedroom 7 person homes to a total of 9, which is considered to be a significant benefit of the

scheme given the need for larger family homes.

240. Given that the site's location within the CAZ and Town Centre and being very well connected with a PTAL rating of 6b, it is considered that the proportion of three bedroom homes is appropriate in this case. The proportion of larger sized family units have been weighted towards the affordable social rent tenure to respond to local needs. Whilst the proposal would not meet the minimum 20% across the whole scheme, the mix has been optimised given the viability position and the need to prioritise larger units in the social rent tenure. This balance is considered to be acceptable.

Wheelchair housing

241. Policy D7 of the London Plan 'Accessible housing' requires residential development to provide at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and for the remaining dwellings to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'. Policy 8 'Wheelchair Accessible and Adaptable Housing' of the Southwark Plan requires the 10% to be based on habitable rooms rather than unit numbers. It also states that where those homes are affordable wheelchair user homes, 10% of the social rented homes must meet Building Regulations M4(3)(2)(b) standard (wheelchair accessible dwellings). It sets out larger minimum floor areas which wheelchair accessible dwellings must meet and requires a mix of dwelling sizes and tenures that meet the above standards, including family homes.

242. The table below give the number of wheelchair units in size and tenure.

Unit type	Social rented	Intermediate	Private
1b2p	1	0	34
2b3p	0	11	28
2b4p	16	1	0
3b4p	2	0	0
Total	19	12	62

243. The table below give the number of wheelchair habitable rooms in size and tenure.

Unit type	Social rented	Intermediate	Private
1b2p	3	0	68
2b3p	0	44	84
2b4p	64	4	0
3b4p	10	0	0
Total	77	48	152

244. This application includes 93 wheelchair user dwellings to M4(3) standard which would equate to 277 habitable rooms. As there are 2667 habitable rooms in the whole development, this would represent 10.4%, which would be in compliance with the above policy. With regards to affordable homes, a total of 125 habitable rooms would be wheelchair user dwellings. In the social rented tenure, there would be 77 habitable rooms and these would meet Building Regulation M4(3)(2b). This would equate to 27.8% and is therefore exceeds the policy requirement. A condition will be applied requiring these to meet the relevant Building Regulation standards.

245. Following feedback from officers, 9 No. social rent 2b4p homes on Levels 1-9 of Building C have increased in size to 85sqm, which would meet the minimum required under P8. All of the wheelchair units would meet the minimum sizes. The amendments made to the scheme has also resulted in a marginal uplift in wheelchair habitable rooms.

246. Subject to the inclusion of the wheelchair clauses in the s106 agreement, the wheelchair housing mix would be in accordance the relevant policies.

Tenure integration

247. London Plan policy D6 requires housing developments to maximise tenure integration in the interests of achieving mixed communities. It states that all affordable housing units should have the same external appearance as private housing, and that all entrances should be indistinguishable from each other. Policy SP2 “Southwark Together” of the Southwark Plan echoes these objectives, requiring residential schemes to achieve equitable design and avoid segregation of tenures.

248. The proposal has a tenure blind design, with the dedicated social rent buildings of the same design quality as the private housing buildings. They have been arranged so that private and social rent units have separate circulation and cores for ease of separating service charges. There will be a s106 obligation capping the extent to which service charges can increase for the social rented affordable units. Officers had requested changes be made to the residential entrance and lobby area to Building C and the applicant had responded by enlarging this lobby from 33.1sqm to 51.7sqm.



July Application



Proposed

Residential Lobby and Cycle Workshop

Plan: Comparison of the lobby within Building C and inclusion of cycle workshop

249. The other lobbies and the area per unit ratio is shown in the table below.

Building	Lobby Area	Units	Area/Unit
Building A	93	294	0.32
Building B	62.6	372	0.17
Building C	51.7	131	0.39
Building D	64.5	95	0.68

250. As can be seen from the above, the area per unit for the affordable lobbies (Buildings C and D) are greater than those of the private lobbies. All of the lobbies across the site (including Building C) are double height, with an approximately 4m clear floor to ceiling height. Building C lobby and the cycle workshop benefits from a prominent location as it fronts Newington Causeway. As discussed in the design sections of this report, all the buildings would be designed to high quality (to be secured by conditions) and it would not be possible to distinguish between the private or affordable blocks.

Residential design quality

251. Policy D6 of the London Plan sets out housing quality standards. Quantitative metrics include the setting the minimum size of dwellings, rooms and outdoor spaces. Qualitatively, the policy seeks to maximise dual aspect and naturally-lit layouts, make tenures imperceptible from each other, and ensure robust maintenance and management strategies are in place. Southwark Plan policy P15 requires an exemplary standard of residential design and sets out 17 criteria that inform the quality of accommodation.

252. The Residential Design Standards SPD (2015) provides further information on indicators of exemplary design. Tall buildings policy P17 in part 3.1 requires the design of tall buildings to be of exemplary architectural design and residential quality.

Dwelling Sizes

253. During the assessment of the application, Officers had requested improvements to the dwelling sizes and built-in storage for some of the units so that that they are more useable and practical. The proposed dwellings would meet the minimum flat and room sizes (specified in the council's Residential Design Standards SPD and the Nationally Described Space Standards) and the table provides a summary of the requirement and compliance (this excludes wheelchair units). In some flats these would significantly exceed the minimum space requirements.

Number of bedrooms	Number of bedspaces	Min size requirement sqm)	Proposed size (sqm)
1b	1	39	42.3
	2	50	50 -58.3
2b	3	61	64.8 – 73.7
	4	70	71.1 – 86.2
3b	5	86	86.5 – 103.4
	6	95	125.3 - 130
4	7	108	110.6

Privacy

254. The council's Residential Design Standards SPD recommends a minimum of 21m between the rear elevation of properties, and a 12m separation distance between properties which face one another across a highway or public realm.

255. The buildings that are closest to each other are Buildings B, C and D. The distances between buildings B and C varies from 12.2m to 13.4m, and the distance between buildings C & D varies from 9.0m to 9.4m.

256. Whilst this falls below the 12m, the primary living spaces (Living/kitchen/dining) are dual aspect corner rooms and would have uninterrupted views. This is an inner London location, within a CAZ and a site allocation where higher density

development is expected. Only these homes on the flank elevations are affected and it is not the majority which is considered to be acceptable.

257. There would be windows in a very small number of homes in Building C (levels 1 and 2) (are these private? If so can you state that please) that would have a direct view onto Diary House at approximately 16.5m. There would also be residential dwellings in Building D that would be perpendicular to Diary House within close proximity. However, Diary House is a 6 storey commercial building that is not in residential use. The communal roof garden on the podium would also have landscaping, which could provide sufficient screening for the future residents in the relevant flat in Building C. A condition to secure landscaping details including boundary treatment on the podium is recommended.

258. The remaining homes would have oblique views into Diary House and are further away. The rest of the buildings would have adequate privacy distances from adjoining properties.

Dual Aspect

259. Southwark Plan policy P15 in part 2.8 seeks development to be predominantly dual aspect and allow for natural cross ventilation.

260. The scheme has been designed to maximise the number of dual aspect homes whilst trying to balance other policy and design requirements such as communal amenity space, privacy distances and larger family dwellings.

261. In terms of tenure, 53.5% of the affordable homes are dual aspect, which performs better than the private sale homes (44.4% excluding the enhanced single aspect homes). Officers had discussed this with the applicant to try to explore maximising the proportion of dual aspect units. Given the need to provide a second core for fire safety purposes, this has made it difficult to achieve a higher proportion. The second stair core will affect the building's efficiency as it will increase the circulation space. More apartments will be required per floor to improve efficiency as a result. The GLA and council's own policy also require no more than 8 flats per core per floor. This further constrains the layout, whilst trying to ensure that the building does not increase in size that would have a further impact on the neighbouring properties or increase the footprint and reducing the size of the public realm. Other factors in Building C's form has been guided by the principles of providing a formal streetscape along Newington Causeway and preserving the amenity of Diary House and optimising the number of affordable homes including affordable family homes.

262. Nevertheless, by including those flats that have the single window return, which are considered to be an "enhanced single aspect" this proportion of dual and enhanced single aspect across the whole site is 73%. All of the large family sized dwellings (three bed plus) would either have dual aspect or have this enhanced single aspect layout. In some flats, the large family dwellings are corner flats, which would have a very good outlook. Some of the single aspect units would also have views over the new public realm. There are no physical obstructions immediately in front of the single aspect units. None of the single aspect units are north facing (they have a more north-westerly view). Whilst there would be single aspect homes to the Ministry

of Sound (MOS) and the railway, these are studios in private tenure and will be attenuated for acoustics. This is further discussed below.



Plan: Podium level single aspect flats in red (affordable housing located in blocks A and B)

263. It is considered that whilst the proportion of dual aspect units by the council's definition is lower than 50%, the scheme does provide for 'enhanced single aspect' units with good outlook. On balance, whilst the relatively low proportion of dual aspect units is a less positive feature of the scheme, it is considered that it does not significantly harm the overall quality of the accommodation.

264. Policy P15 states that *"In circumstances where due to site constraints it is impossible or impractical to provide dual aspect dwellings it must be demonstrated how overheating and ventilation will be mitigated. Single aspect dwellings will not be acceptable if they have three or more bedrooms, or are north facing or where the façade is exposed to high noise levels".*

265. The enhanced single aspect are considered to improve the residential quality of the flats which aren't 'true' dual aspect. Given that the affordable homes have a higher proportion of dual aspect the proposed flat layouts are considered to be acceptable due to the other aspects of design quality including flat sizes and outlook. There would be no north facing single aspect units and appropriate acoustic mitigation is proposed for hose single aspect units as set out later in this report.

266. Policy P15 requires developments to have no more than eight dwellings accessed from a single core per floor. Building C and D would have less than 8 units per core per floor. Building A and B (the private blocks) would have 11 units per core on most of the floors. However, whilst this exceeds 8, the corridor design has been carefully

considered in relation to the core and flat entrances, to avoid overly long corridors as seen in the diagram above and this is not considered to diminish the quality of accommodation.

267. In summary, the development is considered to have good quality of accommodation. Whilst there are some aspects that are not fully achieved (dual aspect, privacy distances, units per core per floor), careful consideration has been given by the designers to maximising residential quality in a relatively dense central London location..

Noise

268. The NPPF in paragraph 180 seeks to prevent new development from being adversely affected by unacceptable levels of noise pollution. London Plan policy D13 on the Agent of Change puts responsibility for mitigating impacts from existing noise generating activities on the proposed new noise-sensitive development. Policy D14 looks to manage noise by mitigating and minimising the adverse impacts of noise on new development. Southwark Plan policy P66 requires development to avoid significant adverse impacts on health and quality of life, mitigate any adverse impacts caused by noise, and mitigate and manage noise by separating noise sensitive development from major noise sources (by distances, screening or internal layouts, in preference to sound insulation).

269. The site is affected by road noise and railway noise from the railway viaduct along the south western edge of the site, and noise from nearby businesses including the MoS. The ES addendum considers noise and vibration as one of its topic chapters. Noise and vibration in relation to this section falls into two related categories:

    a) the quality of living conditions with respect to environmental noise (rail, road and aircraft noise) and
    b) The quality of living conditions with respect to activities from commercial premises nearby and potential of the development to cause licensing restrictions or the threat of closure those premises

270. An environmental noise and vibration survey was undertaken at a number of locations consisting of three long term noise monitoring positions, eight attended short term noise measurement locations and three short term attended vibration monitoring locations.

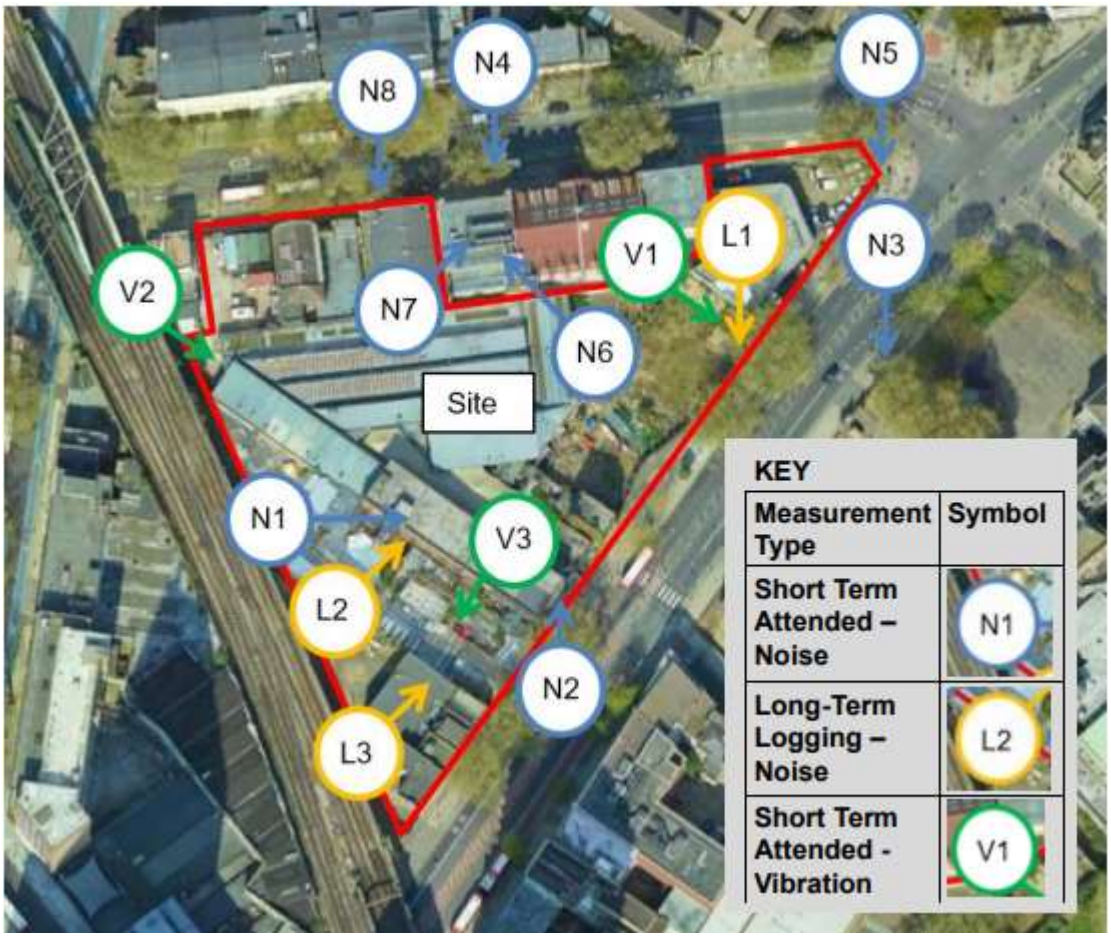


Photo of the location of the vibration monitoring

271. Vibration monitoring was undertaken at locations V1, V2 and V3; calculated vibration dose values were 0.05, 0.04 and 0.09 respectively and confirmtably below the level that adverse comment may occur which is 0.1.

272. Locations L2 and L3 were affected by break out noise from the Ministry of Sound for which further measurements were taken (see below). As expected on a site surrounded by arterial roads and a railway viaduct, ambient noise levels are high at about 66dB $L_{Aeq,\ 16hr}$ and 65dB $L_{Aeq,\ 8hr}$ for daytime and night time levels respectively, with L_{AFmax} typically around 82dB at night. Usually for development sites, noise from roads, rail and even aircraft dictate the sound insulation needed for dwellings to provide suitable internal sound levels for sleeping and resting; for large parts of this site, the controlling factor is break out noise from the Ministry of Sound night club. With the level of sound insulation recommended to deal with noise from MoS, noise from environmental sources would be sufficiently mitigated to ensure that the internal resting and sleeping levels in the dwellings proposed.

Agent of change

273. Policy D13 Agent of Change of the London Plan places the responsibility for mitigating impacts from existing noise and other nuisance generating activities or uses on the new noise sensitive development and says that development should be designed to ensure that established noise and other nuisance generating activities

remain viable and can continue to grow without unreasonable restrictions being placed on them.

274. The NPPF (paragraph 200) says that existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established, and where a significant adverse impact on new development from existing businesses could occur, the applicant should be required to provide suitable mitigation before the development has been completed.

275. There are three types of businesses that could be affected by this development with respect to the agent of change: the Ministry of Sound night club; the workspace at Diary House (occupied by the Ministry of Sound) and the businesses in the railway arches immediately to the west of the site.

Ministry of Sound Nightclub

276. The Ministry of Sound (MoS) nightclub is an internationally renowned cultural venue and has been operating on Gaunt Street since 1991. During the that time, the area has seen significant change, including the introduction of housing close to the club. While the club has a well insulated dance area, the roof of the bar area is lightweight and there is significant break out noise from this part of the premises.

277. While the initial noise survey included noise from MoS, it was agreed during the application process to conduct a further, more bespoke measurement of break out noise form the club. The council engaged a specialist acoustic consultant to advise on noise matters- RBA Acoustics. They, along with Cass Allen, working for the applicant and Suono, working for MoS agreed a measurement methodology to supplement the information already gathered; the supplemental survey was conducted in October 2024

278. A three minute loop consisting of three one minute excepts from sonically different music tracks typical of the range of music commonly played was used at maximum sound levels in MoS. These excerpts were played at as close to the typical maximum sound levels through the MoS sound systems in each of the key rooms inside MoS and measured externally as shown on the image below.

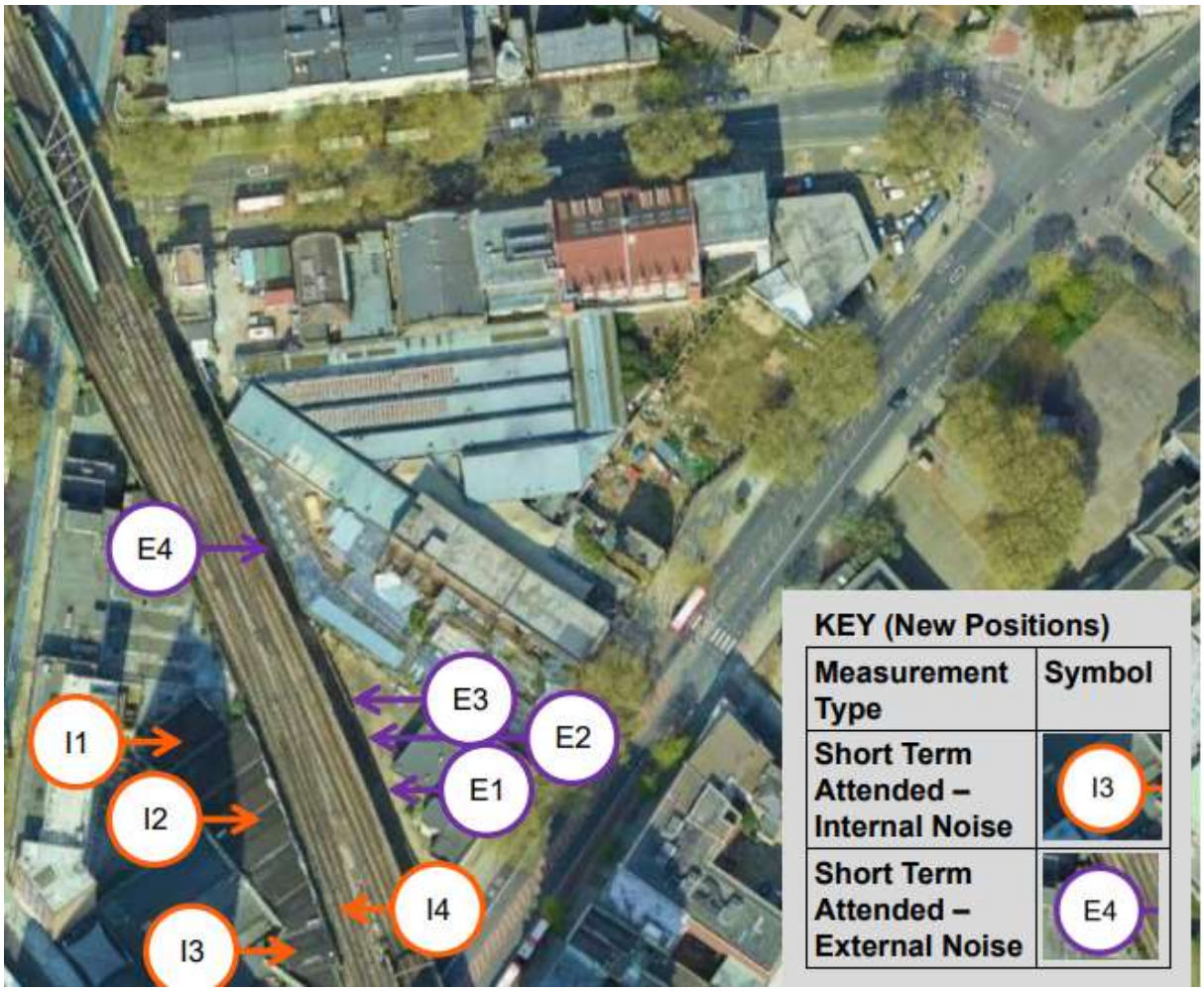


Photo of Ministry of Sound testing

279. I1- Within the Box
I2- Within 103 room
I3- Within the loft room

280. Receiver locations (E1-E4) were used to measure break out sound from the club and were taken on a scissor lift with a microphone extension pole at a height of 19m to provide a clear line of site to the roofs of the three source rooms.

281. Noise in the lower (bass) frequencies dominated the break out from MoS, as expected with measured levels in the ranges shown below ($L_{eq,\ 3min}$):

282.

Position	**63Hz**	**125Hz**	**250Hz**	**Broadband (A weighted)**
E1	85	80	66	68
E2	85	79	67	68
E3	84	77	64	67
E4	82	72	61	64

283. Measurements using the L_{Smax} metric (which is the basis of the façade design) were:

284.

Position	63Hz	125Hz	250Hz
E1	89	86	73
E2	89	85	75
E3	87	83	83
E4	84	76	67

285. Background sound measurements (without music playing within MoS) were taken at each measurement positions so a correction could be made to the music sound level to remove the effect of background sound.

286. Sound levels at the facade of the new development, without any mitigation would not allow for acceptable living conditions and would cause significant disturbance, particularly at night. This has the potential to affect the operation of MoS.

287. The applicant investigated the potential of enhanced insulation for MoS which was considered for the Eileen House planning application. Such works would have required closure of the railway line, closure of the club for a period and would be disruptive to ongoing operations of MoS. Other design solutions such as distance separation or noise barriers would not be possible because of the character of the sound from MoS (low frequency). That leaves the same solution as was used on Eileen House: enhanced façade insulation to provide acceptable internal living conditions to mitigate noise from MoS

288. The measured sound levels within MoS (corrected to remove background sound) rooms were used, together with the sound levels at the receiver locations to predict the sound levels at the façade of dwellings proposed and to inform the façade design.

289. The design criteria for the façade design to mitigate against from MoS is based on achieving certain internal sound levels within the home with a more stringent criterion for bedrooms as below:

L_{Smax} in bedrooms								
31.5Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
60	47	38	26	19	15	12	9	7
In other habitable rooms: 27dB, $L_{Aeq, 5min}$								

290. The spectrum shown for bedrooms is the same as that used for internal sound levels at Eileen House/251 Southwark Bridge Road when a similar testing and mitigation exercise was conducted. It is widely acknowledged in the acoustic community that this spectrum is a robust criterion which would allow for good sleeping conditions and one that has allowed MoS to continue operating without unreasonable restrictions being placed on it. The 27dB, L_{Aeq} criterion would ensure suitable internal sound levels in other habitable rooms.

Dairy House

291. This workspace, also known as The Ministry and occupied by the Ministry of Sound, has a premises licence that allows recorded music and entertainment indoors. There is a courtyard facing the site, but no licensable activities are permitted there, so music can only be played at background level. The applicant's acoustic consultant

has modelled the potential impact of activities, including background music and the effect of people speaking to a source level of 65dB, $L_{Aeq, T}$. Modelled sound levels at the façade of blocks C and D, which are the closest to Diary House are shown below, in comparison to music from the Ministry of Sound club:

292. Predicted music noise level in worst case rooms of Blocks C and D ($L_{Aeq, T}$)

	63Hz	**125Hz**	**250Hz**	**500Hz**
Diary House	34	37	46	47
Ministry of Sound (night club)	48	49	44	46
Diary House and Ministry of Sound (nightclub) combined	48	49	47	49

293. The condition detailed above in relation to noise from MoS (night club) would be effective in mitigating noise from Diary House.

Arches

294. The Arch Co. who own the arches in the railway viaduct next to the site have submitted a letter of representation and have asked that relevant conditions be imposed to mitigate any noise, dust or air emissions impact.

295. Most of the arches are occupied by the Ministry of Sound and the activities there are not expected to give rise to significant impact, particularly with the mitigation needed to deal with noise from the MoS night club.

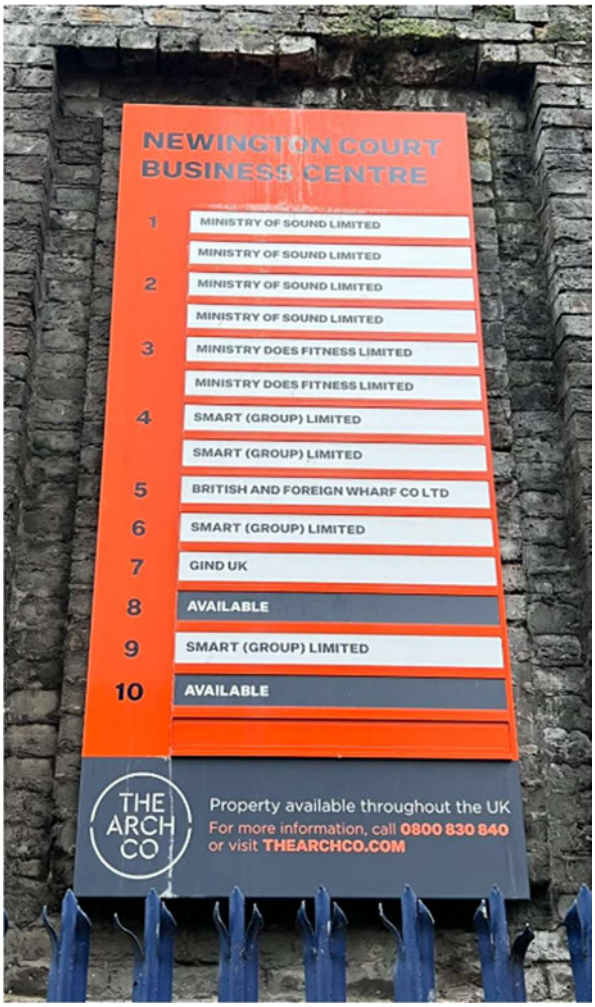


Photo of the Arches occupiers

296. Other uses could give rise to odour or other impacts, particularly considering the potential for industrial uses in the arches which may be lawful. Blocks A and B would, as part of the mitigation for noise from MoS, need to have non-openable windows. The sound insulation and lack of exposure to outside air would provide adequate mitigation from legitimate activities in the arches.

297. To conclude on noise and living conditions, the driving factor for sound insulation for the homes is noise from the Ministry of Sound night club and the façade. A comprehensive assessment of noise from the club has informed a façade design to meet an established internal sound level within dwellings, sufficient to protect the Ministry of Sound from unreasonable restrictions on their operation.

Impact on Neighbours

Noise and Vibration

298. Concerns have been raised by neighbouring residents regarding noise and disturbance during demolition and construction works, and from the completed development. This matter is considered within chapter 10 of the ES addendum which assesses noise and vibration impacts

299. An assessment of the likely significant effects of noise and vibration as a result of the development is reported in the ES

Construction Impacts

300. The ES has defined significance of the impact of noise demolition and construction as follows, using the criteria in BS5228 Code of practice for noise and vibration control on construction and open sites:

Noise level, dB $L_{Aeq, T}$ (Magnitude of impact)	Significance of impact
>75dB (high magnitude of impact)	Major adverse
70-75dB (medium magnitude of impact.	Moderate adverse
65/70dB (low magnitude of impact)	Minor adverse
<65dB (low magnitude of impact)	Negligible

301. Two scenarios were modelled, the first using the highest noise generating construction phase affecting existing receptors with the second including partial occupation of buildings A and B. The noise sensitive uses modelled are shown on the image below.



Photo of the noise senstive uses

302. The most significant impacts would be seen on commercial uses, including Diary House where predicted sound levels show an significant adverse impacts on nearest properties, which are mostly commercial on Newington Causeway, Borough Road and Gaunt Street.

303. Residential properties most affected would be those facing the site on Borough Road and Newington Triangle where major adverse impacts are predicted for homes on Borough Square and Balppa House. Other homes facing the site on Borough Road, (including the Scovell Estate) and Newington Crescent would see a moderate adverse impact while those to negligible impact.

304. With respect to vibration, moderate adverse impacts are predicted to 86A Borough Road (residential) and Diary House (commercial) because of the proximity of these properties to the construction activity. Impacts on other properties from vibration would be negligible.

305. During peak construction activity, 55 additional HGV movements are expected on Borough High Street, Newington Causeway, Newington Butts and Great Dover Street. These are against an existing background between 9,000 and 27,000 movements which means there would be no change to the noise environment over the 18 hour assessment period.

306. These impacts from construction are predicted on a worst-case scenario and without mitigation; they would be of a short to medium duration. Mitigation is identified to reduce these impacts such as the use of screening, hoarding and selecting electric equipment where possible. Some impact from development can be expected but it can be suitable managed for that impact to be minimised through contractors adhering to any approved demolition and construction management plan. These would be secured through condition/planning obligation and subject to review by the Council's Environmental Protection Team who regulate noise and vibration from construction.

Impacts from the development once completed and occupied (operational phase)

Changes in road traffic noise

307. The development would be car free so the only additional movements would be from servicing of the site. Set against the relatively high number of vehicle movements, there would be no change in noise from road traffic noise.

Noise from plant and commercial operations.

308. An assessment of background sound levels was undertaken which showed that measured night time background sound level was 50dB, LA90 across the site. While detailed plant design has not been completed, the Rating Noise Level from plant will be expected to be 10dB below the background to ensure there would be no impact on existing receptors and indeed those within the development itself. A condition is recommended to this effect which means that there would be no change and a negligible impact effect from plant noise.

309. There will be additional activity associated with the new commercial uses and new homes, a level of activity that would be expected in a town centre location such as this. Noise from licenced premises, including the new food market would be controlled through the licensing process and being a bespoke building, can be expected to be better designed to reduce impacts, notwithstanding that residents in the new development would be closer to the operation than existing residents are to the existing facility.

310. The impacts on existing residents and commercial occupiers from the proposed development would be mostly negligible with little change from the existing situation when considering the operational development. There would significant adverse impacts from the noise of construction to some occupiers, including residents of Borough Square and Balppa House in a worst-case scenario but this would be temporary and mitigated through controlled construction management.

Daylight and sunlight

311. 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 the proposed tall building(s) and neighbourhood must be carefully considered. Southwark Plan policy P15 requires acceptable levels of natural daylight to a window in every habitable room.

312. The Building Research Establishment's (BRE) daylight and sunlight guidance was updated in 2022. This BRE guidance provides advice, but also clearly states that it *"is not mandatory and the guide should not be seen as an instrument of planning policy."* The guidance also acknowledges in its introduction that *"Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout. In special circumstances the developer or planning authority may wish to use different target values. For example, in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings".*

313. The new BRE guidance covers four subjects: daylighting, views, sunlight access and glare. Daylighting and sunlight are considered here. The BRE guidance no longer uses the Average Daylight Factor test for new residential developments, and instead uses two methods for assessing the daylight quality within new developments: the illuminance method; and the daylight factor method.

314. Internal daylight to proposed dwellings
The submitted assessment uses the recently introduced Climate Based Daylight Modelling (CBDM) methodology. The CBDM methodology is based on target illuminances from daylight over half the area of the room (measured on a reference plane at table-top level) for at least half of the daylight hours in a typical year. The recommendations are that the following median illuminances should be achieved over 50% of the assessment grid for at least half of the daylight hours:
• 100 lux in bedrooms;
• 150 lux in living rooms; and
• 200 lux in kitchens.

315. Where a room has a shared use, the highest illuminance target should apply. As such, an illuminance of 200 lux should be targeted in the Living/Kitchen/Diners (LKDs).

316. In relation to daylight, the overall performance of the scheme is good and 1867 (78%) of the 2405 rooms assessed will achieve the minimum levels of Median Daylight Illuminance (MDI) recommended within the UK National Annex for residential buildings. This figure considers the higher recommendation of 200 lux for large combined L/K/Ds and studios but it would increase to 2006 (83%) should 150 lux (suggested for living rooms) be considered acceptable as has been historically common in urban high-density developments.

317. Officers consider the use of 150 lux in this inner London location to be acceptable. Officers also consider that lower levels of daylight to the bedrooms is accepted in

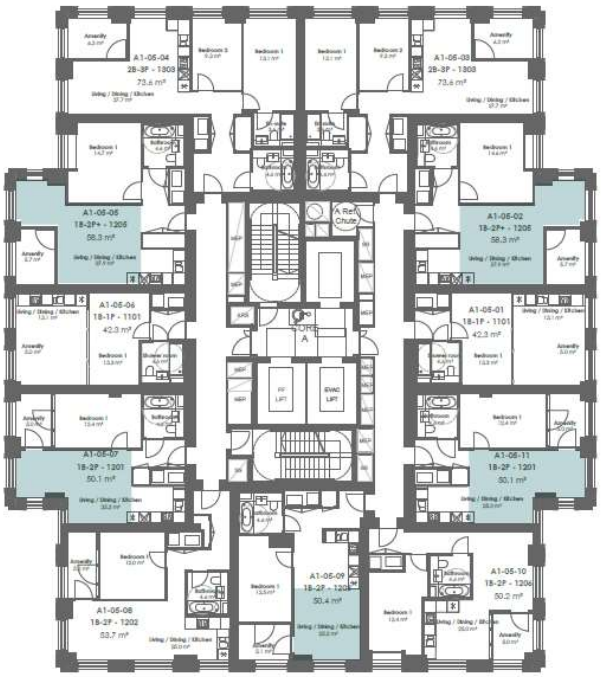
such a dense central London location. Whilst the large majority of the units would exceed the 150 lux level, it is noted that some of the rooms would fall below this. Officers sought amendments from the applicant to improve the internal daylight levels to the habitable rooms.

318. Various changes have been made to windows on the north-western façade of Building C to enhance daylight provision. A number of the projecting balconies on this façade have been reduced in depth to minimise shadowing effects on homes situated below. The balconies all still comply with relevant size standards. Amendments have also been made to the LKDs in a number of apartments in Building C to benefit from better overall daylight. A number of the 3b5p homes in Building D has also had its bedrooms and living space relocated to enhance daylight levels.

319. In relation to daylight, the overall performance of the revised scheme has improved with 1938 (81%) of the 2403 rooms assessed will achieve the minimum levels of MDI. This has improved by 3% when compared to the originally submitted application, which achieved 78%. This figure considers the higher recommendation of 200 lux for large combined LKDs and studios, but it would increase to 2091 (87%) should 150 lux (suggested for living rooms).

320. Officers therefore requested a supplementary analysis of the scheme showing daylight levels for LKDs with the kitchen area separated to see how this might affect the results. This is because kitchens could theoretically be split and separated from the living rooms and be designed without a window. The applicant points out that the MDI is calculated across the entire room and therefore would decrease as the room size increases. Consequently, when testing open plan LKDs compared to separate living rooms, a lower MDI is typically recorded. At the same time, it is noted that the daylight target increases from 150 lux suggested for living spaces to 200 lux for rooms which include a kitchen.

Supplementary assessment
Typical Building A floor plan (assessment area with the kitchen removed shown in blue)



Building C (assessment area with the kitchen removed shown in blue)



321. Overall, 847 LKDs have been assessed within the scheme:

• 577 (68.1%) L/K/Ds meet the 200 lux target;
• a further 137 (16.2%) (84.3% cumulative) L/K/Ds meet the 150 lux target. The applicant carried out further supplementary assessment on the remaining LKDs that do not meet the 150 lux. These remaining 133 (15.7%) rooms have been further assessed to understand the light level within the living area only. 9 rooms have a dual aspect layout and/or a kitchen arrangement that was not suitable to undertake the additional assessment.

322. The results are shown in the table below.

Number of rooms	Percentage	Lux levels
91	10.7%	Meet the 150 lux target

16	1.9%	Marginally short of target – light levels of 130 lux or higher
12	1.4%	Above 100 lux
5	0.6%	Between 69-96 lux

323. From the results above, it can be seen that only a small number would have levels under 100 lux, which is the BRE's suggested level for bedrooms. Officers consider that there are factors that should be taken into account for these levels.

324. In order to provide sufficient mitigation from noise, it has proven necessary to introduce a secondary layer of glazing. This is a site-specific requirement owing to the prevailing noise conditions. The daylight simulations accounted for both glazing layers. Residents may choose to keep open the inner glazing during the day, when mitigation from noise is not required, leading to substantially improved levels of light within their rooms. When modelled with the inner glazing in the open state, the light ingress would increase substantially. The table below provides the lux levels when taking an open secondary layer of glazing into account.

Number of rooms	**Percentage**	**Lux levels**
831	98.1%	Above the 150 lux target
4	0.5%	Marginally short of target – light levels of 130 lux or higher
3	0.4%	Above 100 lux

325. Furthermore balconies and wintergardens, while providing a number of additional benefits, further reduce the light ingress. In responding to the above therefore, significant work has been undertaken during the design process to ensure that acceptable levels of daylight are achieved, whilst maintaining the density of the site, providing private amenity, and mitigation from external noise and allowing for a variety of living typologies to be provided throughout the development. The applicant has attempted to balance the different design requirements within a dense environment.

Sunlight

326. In summary, the BRE guidance is not prescriptive. In built-up locations, it is unlikely that all of its advice can be met due to site circumstances, such as proximity of built structures.

327. In terms of sunlight, the new BRE guidance states *"In general, a dwelling or non-domestic building which has a particular requirement for sunlight, will appear reasonably sunlit provided that:*
    - *at least one main window faces within 90 degrees of due south, and*
    - *a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March".*

328. The 892 proposed dwellings have also been assessed for sunlight. 95% (844) have at least one window with a southerly aspect and 92% (820) would meet or exceed BRE's recommendation for solar exposure, seeing at least one and a half hours of

sunlight on the equinox. This is an improvement of 1% with the revised design enhancements.

329. The vast majority of these units (818 out of 820, 99%) achieve the recommended sunlight exposure within the main living space, which is considered preferable by the BRE. This is considered to be an excellent achievement in this central London location.

330. Many of the rooms that have a southerly aspect and not achieving the 1.5 hours of sunlight on the equinox are bedrooms on the lower levels, which naturally may not be used during the day and is therefore less crucial.

331. Where units do not have a southerly aspect this is due to the orientation of the building. It is necessary to provide an active frontage on Newington Causeway and Borough Road and it is inevitable that there would be some units with northernly aspect. Those units would therefore inherently receive less sunlight into rooms. However, it should be noted that these rooms (such as that in Building C) would have a pleasant outlook onto the podium communal amenity space.

Overshadowing

332. In terms of overshadowing of amenity spaces, the BRE guidance states *"It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area that can receive two hours of sun on 21 March is less than 0.80 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March."*

333. The overshadowing assessments undertaken for the public piazza have shown it to exceed the levels of sunlight recommended by BRE with 80% seeing at least two hours of sunlight on the equinox (against a target of 50%). The sunlight exposure assessments also show that during the summer, a large proportion of the space will see over six hours of sunlight. The proposed public piazza would therefore be considered well lit.

334. Buildings A and B are provided with rooftop amenity areas. They both well exceed BRE's recommendations, with 86% and 88% of their area seeing two or more hours of direct sunlight on the equinox. Rooftop amenity space is also proposed on the roofs of Buildings C and D. These 3 areas would be in excess of the 50% recommended (80%, 83% and 99% respectively). The analysis in the overshadowing report indicates between 2.5-3.5 hours for the majority of the podium. It can be concluded that the amenity areas of the development would be well lit for the use of residents and visitors.

Amenity space

335. London Plan D6 requires new homes to have private external amenity space. Southwark Plan policy P15 requires the provision of 10sqm for 3-bedroom units in flatted developments, and states that for smaller units 10sqm should be provided (at

a minimum balcony size of 5sqm to be counted towards private amenity space).

336. The fact box in policy P15 provides more detail on the requirements (which is repeated in the Residential Design Standards SPD), which are set out below:

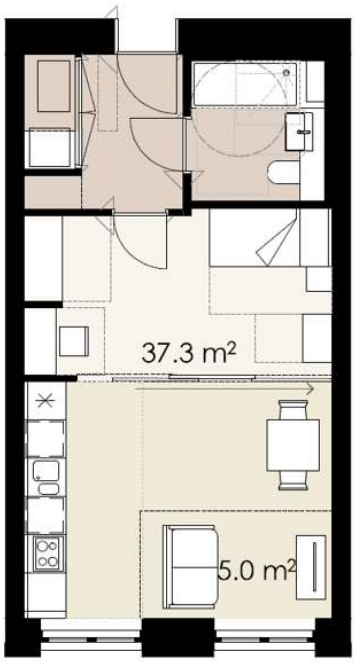
Communal amenity space - Flatted development must provide 50sqm of communal amenity space per residential block.

Flatted developments must provide 10 sqm of private amenity space for units containing three or more bedrooms, For units containing two or less bedrooms, 10 sqm of private amenity space should be provided. Where this is not possible, as much space as possible should be provided as private amenity space, and the shortfall added to the communal amenity space requirement.

Balcony space – an outside area must be a minimum of 5sqm and 1.5m deep to count towards private amenity space.

337. With the exception of studio flats in the private Buildings of A and B, every unit in the proposed development would have a private balcony either in the form of inset balconies, projecting balconies or wintergardens. These are at least 5sqm and the larger 3 bedroom flats would have at least 10sqm. The studio flats would be designed with an internal amenity space of at least 5sqm. The flats would have a secondary acoustic screen between the bedroom and the living space, which would provide the additional noise mitigation. The flats are therefore larger in size.

338. Where no private balcony is proposed, all living spaces in the studio flats would exceed the minimum floor space required. This is proposed as at least 42sqm, exceeding the minimum 37sqm required. This approach has been design-led, and the omittance of a balcony was agreed as it results in the studio flats having a larger internal floor area and only occurs in the 45 studios (5%) which are all for private sale.



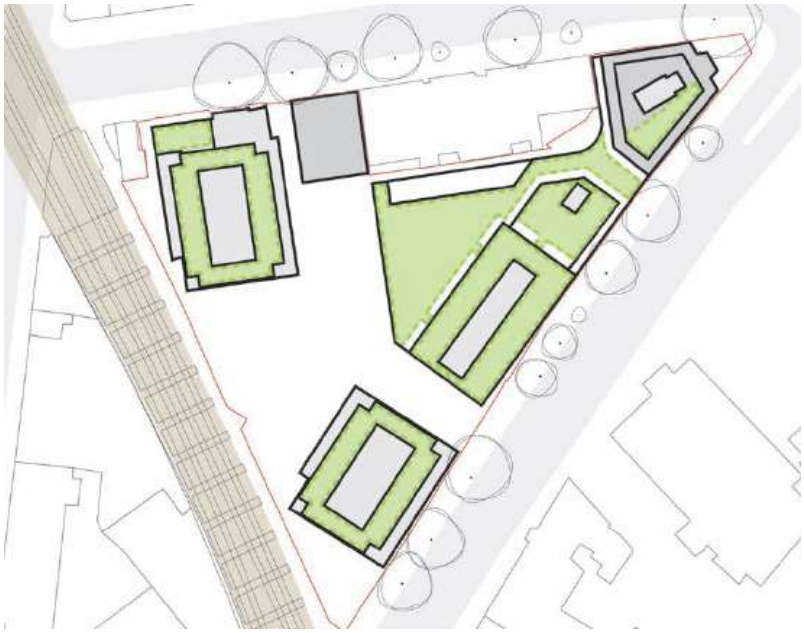
Plan: Studio flat with internal amenity space

Communal amenity space

339. Where the provision of 10sqm per residential home has not been provided, on 1 and 2 bed room flats the shortfall has been added to the communal requirement. In this instance, there is a shortfall of 2,920sqm (not including those that exceed 10sqm). There is a requirement of 50sqm of communal amenity space per block (total of 200sqm for 4 blocks), which therefore means a total of 3,120sqm of communal amenity space is required.

340. A total of 1,485sqm of communal amenity space is proposed across the whole site. This includes the following:

- 37th floor Builing A roof terrace
- 43rd floor Building B roof terrace
- 10th floor Building C roof terrace
- 14th floor Building C roof terrace
- First floor Building C and D podium



Plan: Communal amenity space provision across the site – on roof terraces and podiums

341. The applicant has proposed internalised communal amenity space in Buildings A and B which is welcome as policy P15 14. Also seeks to deliver communal facilities including community rooms. But thisshould be in addition to the external community space. Given that the requirement is 3,120sqm and the scheme only provides 1,485sqm this means that there is a shortfall of 1,635sqm across the whole site. The scheme cannot provide anymore external communal amenity space because of the site constraints and the requirement to provide public realm. Any shortfall in the required provision of amenity space will be charged at £205 per square metre as required by the council's S106 SPD. This would equate to £335,175, which could go

towards the improvement to local parks and open spaces.

342. As well as the size of the communal outdoor spaces, consideration is given to their quality. The submitted information indicates a high quality finish, with tree planting and soft landscaping, seating and tables, and the creation of different areas including play space on the larger podium. They would all have good levels of sunlight. The large podium would be shielded from the noise on both Newington Causeway and Borough Road and is some distance from the railway and MoS. This space would therefore be a good quality space for the residents in Buildings C and D.

Children's play space

343. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the June 2019 calculator) the development would be required to provide 3,126sqm of children's play space.

344. The Mayor's SPG sets out the intended strategic approach to delivering new and enhanced play space both on and off-site in new developments. It explains that 'doorstep' play (Under 5s) should usually be provided on-site, unless there is existing provision within 100 metres. For 5-11 year olds and children over 12 years old, it recommends that off-site provision is acceptable, if there is existing provision within 100- 400 metres and 400-800 metres respectively. This is summarised in table of the SPG, reproduced below.

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

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

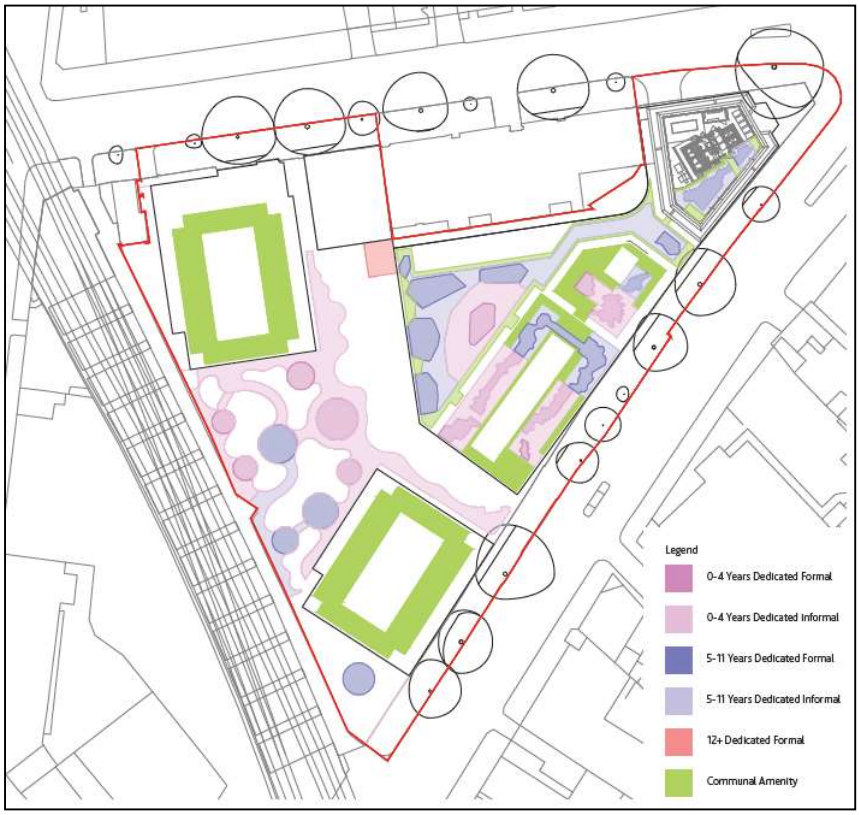
345. A total of 2,478sqm of playspace is provided on site. This is proposed on the ground level, which is publicly accessible and on the podium and roofs of Buildings C and D, which is only accessible to those tenants residing in those blocks.

346. The table below summarises the areas required and proposed.

Play by Age Group	Required (sqm)	Provided (sqm)	Shortfall (sqm)
0-4 years (Formal and Informal)	1375	1383	0

5-11 years (Formal and Informal)	1044	1046	0
12+	708	49	659

347. Following discussions with the applicant the play areas (0-4+ informal play) on the ground have been amended to allow for more useable space. This is updated in the Landscape Strategy Addendum 2 January 2025. The image below gives an indication of the allocation of the formal and informal play areas.



Plan: Distribution of playspace across the site

348. The playspace is a mix of formal and informal play, is dispersed throughout the publicly accessible ground floor areas and the podium and roof terraces in Buildings C and D. Following clarification and feedback between officers and the applicant, the amount proposed for informal and formal is considered acceptable. The applicant highlighted that the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG notes that designated play and informal play should be provided at a benchmark of 0.25 and 0.55 ha per 1000 people respectively. As a percentage split this equates to:

31.25% - Designated Playing Space
68.75% - Informal Playing Space

349. The split of play within the application is 33% Designated to 67% Informal, which is broadly in line with the above proportions. It is considered to be an appropriate provision given the large area of public space proposed on the site.

350. Whilst the informal play areas include some of the routes next to the Buildings A and B and the Woodland garden area, they are designed to provide sufficient space for both children's play and pedestrians. Some of the play strategy encompasses 'Play on the way', whereby all routes adjacent to planting will have frequent play features, allowing children to hop off the route and climb on boulders, balance on stepping stones, or jump over obstacles. In this way the entire route around the Woodland Garden becomes a connected play trail.

351. It is also proposed that the paving could include playful features with an interactive and playful banding feature, leading users through the site. Ideas include a form of alternating bands of colour or include different shapes, patterns and inlays; which could change across the site. This approach would include the hard landscape spaces outside Buildings A and B, as well as the route between A & E, allowing these spaces to become a meaningful part of the play offer. Officers consider that use of these would be acceptable as informal play space and further details of this would be secured by condition.

352. Some precedents are shown in the images below.





Images: Playful paving in other schemes

353. This approach creates a landscape where all these elements become a playful trail through the space, offering imaginative opportunities for play. These routes would also lead to the Cartwheel fountain, the centre piece of the public space and an informal play feature.

354. The playspace would be welcoming for children and young people, but also for parents and carers as well as any resident of the development. This publicly available and accessible space would provide opportunities for 'doorstep' social encounters and contribute to a sense of community through shared amenity spaces. The playspace would be overlooked by the commercial uses on the ground floor of the new buildings, providing passive surveillance. The Woodland Garden would be

designed with planted areas mounded up, giving more soil depth for trees and creating a series of sculptural landforms, adding to the feeling of immersion. These mounds and tree stem heights are not at a height that would create hidden spots, allowing views across the site and providing a sense of security and safety. Condition securing further details for approval is recommended.



Image: CGI of Woodland Garden

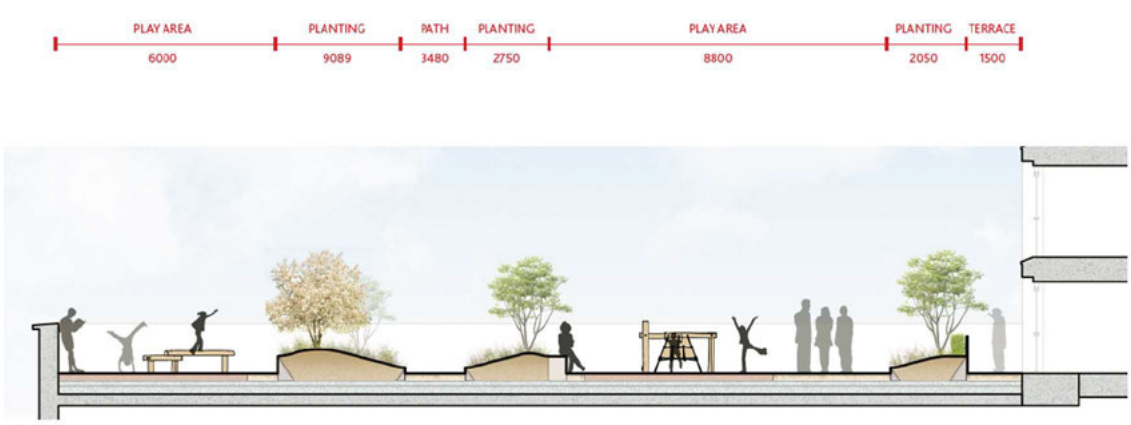


Section of the Woodland Garden

355. In terms of the playspace for ages 0-11 proposed on the roof terraces of Buildings C and D, there are different areas of play. A primary circulation route is provided, allowing users to explore and cross the terrace without having to pass through the dedicated play spaces. This is combined with pocket social spaces, and seating within each play space; providing communal amenity for residents. There would be primary and secondary play pockets as well as informal play with natural play features. Buffer planting would be required along the private terraces to ensure privacy is maintained for those resident occupants on this level.



Image: CGI of podium communal and playspace



Drawing: A section of the podium roof terrace

356. In terms of the play space provision for ages 12+, there would be a play zone in the Chapel Square. Examples shown in the submission documentation comprise table tennis tables, as well as some space around for spectators to watch and socialise. An area of 49sqm has been identified in one corner of the proposed Chapel Square and it is recommended that this be conditioned as well as further details of the equipment and design of this space be submitted and approved. Whilst Chapel Square is intended to be a flexible hard space for a variety of activities such as outdoor cinemas, markets or performances, it is important that this playspace is secured for the use of existing and future residents and remain permanent on the

site.



Plan: Chapel Square to the south of 82 Borough Road





Images: Examples of the possible flexible uses and play on the hard-surfaced Chapel Square

357. Given that the requirement for 12+ play space is 708sqm, there is a shortfall of

659sqm. The council's S106 SPD states that mitigation will be sought where schemes do not meet the on-site children's play space provision standards. Any shortfall in the required amount of child play space will be charged at £151 per sqm. This £151 per sqm is an average cost in Southwark for improving play space, which includes all costs including fees and construction costs. The total £99,509 would go to the council's Parks and Leisure department and would go towards improving local open spaces and parks in the vicinity.

358. Conclusions on residential quality, outdoor amenity space and children's play space

359. The development would have adequate daylight and sunlight in their main living spaces, satisfactory privacy for almost all of the units and would meet the minimum dwelling sizes. The acoustic mitigation measures would ensure that the future residents woud have a good quality of living accommodation. The proposed development is designed to maximise provision of private amenity, communal amenity and children play space requirements. Given the policy requirement to provide public open space on this site, it is not possible to provide all of the children playspace on site. Where it cannot be provided, a contribution would be secured in compliance with local planning policies.

Design

360. Chapter 12 of the NPPF is the key national policy for design. It 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.

361. 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.

362. 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, exceed the 30 metre threshold. It thus engages Policy D9.

363. 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.

364. 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 publicly accessible space near or at the top of
- the building where appropriate.

365. 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.

Site context

366. Much of the site context had already been given at the start of this report. The site is not within a conservation area and does not contain any statutory listed buildings. However, there are conservation areas within the vicinity and there are Grade II listed buildings nearby. The locally listed buildings on the site are: 82 Borough Road, 83 Borough Road, 38 Newington Causeway and 56-62 Newington Causeway (IoO).

367. With the exception of the locally listed buildings, the existing buildings on the site are not of any architectural merit. When viewed from Newington Causeway, the car hire and Mercato site does not contribute to the streetscape.

368. There are existing tall buildings within the vicinity of the site. The Strata Tower completed 43-storey residential building at the northern end of Walworth Road. There is the 44 storey residential tower on Newington Butts, which was completed in 2018 and is now known as Highpoint. To the south is One the Elephant, a 37 storey residential tower and the replacement leisure centre. Further to the north is the 41 storey redevelopment of Eileen House, now known as Two Fifty One (251 Southwark Bridge Road or '251' in this design section of the report). Opposite two further tall buildings located to either side of the viaduct, the Kite and the Pioneer Building have now also been completed. There is also Elephant Park further south, with the majority of the plots now complete and occupied. The Elephant and Castle Shopping Centre, which includes tall buildings is also currently being constructed.

There are also many low and medium rise buildings in the vicinity including the Scovell Estate. The latter comprises single storey bungalows and 2 and 3 storey storey houses. In many respects the scale shifts within the immediate context are typical of the character of this part of Southwark. Nonetheless the schemes design has sought to respond to these changes in scale, whilst delivering the aspirations of the Southwark Plan and its site allocation as set out in more detail below.

Site layout

369. The development culminates with two new residential towers – one on Newington Causeway and the other set-back slightly from the Borough Road frontage which bookend the central landscape garden. The scheme would create a new active frontage along the full extent of the site's two boundary (and the corner of Borough Road and Newington Causeway by Building D). There are breaks in between the buildings to allow views and access into the open space. The routes through are designed with adequate pedestrian comfort levels, and high quality hard and soft landscaping and public realm. Amended plans were received to incorporate a cycle workshop on the ground floor of Building C, which would be of a more active frontage.

370. The buildings would have adequate distance and spacing between each other, allowing sunlight into the public areas. The arrangement of the affordable blocks would allow views out either onto the podium terrace or the public realm. The residential entrances of Buildings A and B would face onto the new open space and the ground floor commercial use in Building C with the external seating would activate this central space.

371. At the points where the routes go through to the site from Borough Road, there would be visibility and strong visual link through into the central piazza and Woodland Garden drawing people through. There would also be ground floor active uses fronting these routes ensuring sufficient passive surveillance and activation.

372. The site allocation suggests that there is an opportunity to activate all the frontages along Newington Causeway, Borough Road and along the edge fronting the railway arches (essentially the shape of a triangle). This development does not propose any buildings fronting the south-western edge onto the arches, but the public realm/Woodland Garden would provide an active border, allowing views, visibility and activity across this part of the site and through to the arches.

373. The spill out area along the edge of Building C would be sufficient and would further activate this area while still accommodating pedestrians effectively. This has meant that the residential lobby to Building C would be from Newington Causeway.

374. The applicant has amended the podium of Building C to step back 3.6m further away from Diary House, which would improve the relationship between them. As discussed in the privacy section of the report, the landscaping on the podium and the oblique views of the residential units in Building C would mean that the proposed

scheme would not prejudice any future potential development of Diary House should that ever come forward.

Height scale and massing

375. The application has gone through extensive pre-application and application discussions and amendments have been made since the withdrawal of the 2022 application. This has led to a reconfigured height strategy.

376. The site is within an area where it is expected to have tall buildings (within CAZ, Major Town Centre and Opportunity Area). The site allocation notes that *"comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape."*

377. The proposal seeks to re-invent this key site within the wider Elephant & Castle Opportunity Area. The Elephant and Castle SPD (2012), which has been superseded and incorporated into the Southwark Plan formed an important part of the policy backdrop for this area and is supported by area characterisation and tall buildings background studies which follow Historic England (formerly English Heritage) guidance to establish a policy framework for tall buildings in the area, define its wider morphology and criteria for its design. The application site is at the edges of the defined core area and is located at an important gateway in the final approach along Newington Causeway adjacent to the railway viaduct.

378. It is therefore expected that higher density tall buildings would be proposed and broadly acceptable in principle on this site to optimise residential and non- residential uses, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives.

379. The Newington Causeway frontage is made up of one tower and two new brick-clad buildings. Each is designed as a separate block broadly echoing the plot widths of this street. The new buildings range in height from 12 storeys – immediately adjacent to the towers – to 18 storeys in height at the corner with Borough Road. Each building uses a distinctive gridded design with inset windows, balconies and terraces to give the facades a deep layered expression. The 'shoulder' height at 12 storeys reflects the prevailing scale and massing of the street.

380. The Borough Road frontage has a number of existing buildings on the site which are of merit in their own right. Building A and Building D would front this road. Building D on the corner would be at a lower height. The taller tower of Building A is set back from the street edge behind the locally listed No. 83 Borough Road. A 3-storey 'in-fill' building completes the Borough Road frontage and gives the site a continuous and active edge and complements the settings of the nearby Grade II listed buildings. By setting back the tower deliberately – behind No. 83 the height is layered behind the tree-line and the lower historic buildings on Borough Road.



Elevation: South east elevation to Newington Causeway



Elevation: North elevation to Borough Road



View: CGI view of proposed development from the north on Newington Causeway

381. The towers of Building A and B are designed as articulated square extrusions. They rise to 38 and 44 storeys respectively and are located at either end of the large triangular shaped public space at the centre of the site. They share a common design predominantly brick-clad language with a large rectangular base stepping in at the corners to define a broad cruciform middle and stepped in again at the top to complete the 'crown' of the buildings. This optimal arrangement not only responds to the triangular nature of the site defining the public space at its centre but also means the two buildings will appear as an informal picturesque grouping when viewed from the surrounding streets.

382. London Plan Policy D9 states that development proposals for tall buildings should address their visual, functional, environmental and cumulative impacts. Southwark Plan Policy P17 also sets out the criteria that developments must meet. These are considered below.

383. *Visual Impact*
In terms of visual impact, the scheme needs to be considered in long range views, mid-range and immediate close views. These have been shown in the submitted Townscape Visual and Built Heritage Assessment (TVBHA) (ES Vol II) and the views selected were agreed with Officers. As discussed in detail in the architectural design section of this report, it is considered that architectural quality and materials would be of an exemplary standard. It is also clear from the submitted energy and sustainability strategies that the proposals would incorporate high quality sustainable design. As discussed in the heritage and views sections of this report, there would be a level of harm to a small number of sensitive locations which need to be

considered in the planning balance, and it is considered that the development demonstrates the public benefits outweigh the harm caused.

384. The development would be designed to avoid adverse reflected glare and conditions would be secured to control internal and external light, minimising potential light pollution.

385. *Functional Impacts*
In terms of functional impacts, the building's internal and external design ensures the safety of all occupants, and their servicing, maintenance and management have been carefully considered. As discussed in the fire safety section of this report, it has been designed to ensure the occupants are safe. Servicing will be managed by the estate team via the dedicated basement area meaning the public realm is free from scheduled servicing activity. The large entrances to buildings and various access routes through to the central open space have been arranged to ensure there is no unacceptable overcrowding or isolation. There would also be ample space between the site edge and the Low Line. Policy D9 also emphasises that capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building. As discussed in the transport section of this report, the proposed development would not lead to a detrimental impact on public transport. Cycle parking is proposed and complies with London Plan standards. The scheme would maximise the jobs and economic activity and this has informed the design and layout. There would be an uplift in employment generating space and in jobs including a much-improved community centre space.

386. The submitted Telecoms Electronic Interference report and Aviation Safeguarding report both confirm that the buildings will not adversely interfere with aviation, navigation or telecommunications in the majority and no objections have been raised from consultees.

387. *Environmental Impacts*
In terms of the environmental impacts that Policy D9 refers to (wind, daylight, sunlight penetration and temperature conditions, air movement and dispersion of pollutants and noise around the buildings) these have been assessed under the various ES chapters and are discussed in the relevant sections of this report. It can be concluded that whilst there would be loss of light to neighbouring buildings, some of the retained levels are commensurate with the central London location. The mitigation measures for wind, noise and air quality would ensure that there would not be significant adverse impacts. The environmental impacts are therefore considered to be acceptable.

388. *Cumulative Impacts*
Policy D9 requires development to consider the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered. These cumulative impacts have been considered as part of the ES, in accordance with approach agreed through the EIA Scoping process. Any required mitigation measures have been identified and designed into the proposed development or will be secured by planning condition as may be considered necessary.

389. Finally, Policy D9 emphasises how free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate. The scheme does provide a large publicly accessible piazza and play areas that is well connected. 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 significant benefit of the scheme. The landscaping and public realm not only create a setting for the towers, allowing them to 'land' appropriately but also an opportunity for such a development to demonstrate the benefits that can flow from expanding vertically in this way freeing up more space at grade in a congested part of the city such as this.

390. This scheme starts with that premise. It establishes a landscaped court at the centre of the site by creating an appropriately scaled perimeter to the site. Once established, this perimeter reinforces the established pattern of development on the surrounding streets, Newington Causeway and Borough Road. Height is then introduced at the centre of the site set well back from the main street frontages and in a direct relationship with the landscaped core. The involvement of the landscape architects from the outset has resulted in a development that prioritises landscape and seeks to maximise its quality.

391. As highlighted above, Southwark Plan Policy P17 sets out the criteria that tall buildings should comply with, which have broadly similar themes as the London Plan. These are considered below.

- The location to be within a major town centre, an opportunity area and/or
- The CAZ, where tall buildings are appropriate – the site is within those three policy designations and is within a site allocation that envisaged tall buildings.

- The location to be at an area of landmark significance – it is a site that can mark as a northern gateway to the Elephant and Castle Opportunity Area. The site is at the convergence of primary routes: Borough Road, Southwark Bridge Road, Borough High Street and Newington Causeway. The strategic pedestrian route of the Low-Line is also noted as a location that would potentially be a destination in the future.

- Have a height that is proportionate to the significance of the proposed location and the size of the site – this is a large site in comparison to others at the northern end of Elephant and Castle. This site also marks the potential to connect with the Low Line. Furthermore, the well-articulated composition of towers (in particular buildings A and B) would improve legibility to mark and define the new public realm proposed and serving an important landmark role identifying the entrance and the location of a new public open space.

- Make a positive contribution to the London skyline and landscape, taking into account the cumulative effect of existing tall buildings and emerging proposals for tall buildings – Building B would be just above the current tall building datum at Elephant and Castle (such as 251 Southwark Bridge Road and the Strata Tower). Building A, which is 38 storeys is subordinate in height to the current upper datum of buildings at Elephant and Castle. In urban design terms the scheme reinforces the concentration of activity around the Elephant and Castle core area and creates a focus of local and wider views. It is

commensurate with the height of the cluster of tall buildings in the Elephant and Castle town centre that form a 'dished' profile (lower in the middle with taller edges). The cumulative impact has been assessed as part of the applicant's TVBHA. By reason of the proposal's careful massing and engaging architectural treatment, the proposed towers would make a positive contribution to the existing and emerging skyline.

- Proposals to respond positively to local character and townscape – the character of the local townscape of Elephant and Castle is one of contrasts between modern and post-war tall buildings, highways infrastructure, low and mid-rise 20th century residential estates including the Scovell Estate and isolated surviving pockets of historic townscape. The buildings would be designed to respond to the local and wider context in which they are located as it includes existing large scale modern development and tall buildings. The proposed development would reinforce the existing emerging taller character of its local area along a primary approach to Elephant and Castle junction, reinstate and repair street frontages and mark a gateway destination to Elephant and Castle with a scheme of high architectural quality. Building D, at the apex of the site, is similar in height to the approved Kings Place scheme on the opposite corner of the Borough Road / Newington Causeway junction. The proposed development would make a positive contribution to the townscape through the optimisation of a vacant site with limited townscape merit, and the delivery of a building of exemplary design quality. In addition, the materials palette, which is predominantly brick, is reflective of the urban vernacular of the local area.

- The lower heights of Building C would also provide breaks in the overall massing. The development has also had to respond to the lower scale of the Scovell Estate to the north on Borough Road. This is largely achieved by the retained buildings of 82 and part retained 83 Borough Road having a scale that relates to the lower context of this part of Borough Road on which the Scovell Estate is located. The main part of Building A would be set back from Borough Road behind a lower shoulder of two to three storeys which would form part of the frontage to Borough Road and integrates the partly retained No.83 Borough Road. Whilst the tall buildings are of a clearly different scale to those of the Scovell Estate the proposed tall buildings would relate well to their surroundings, particularly at street level, with active frontages, increased connectivity and permeability and a new public open space.

- Not cause a harmful impact on strategic views, as set out in the London View Management Framework (LVMF), or to the council's Borough views – there would be a degree of harm to the LVMF View 23 from the Serpentine Bridge, but the wider public benefits outweigh the harm and this is discussed further below.

- Proposals to provide a functional public space – the scheme would provide a large public area of open space and play areas. This meets the site allocation requirements. The public space has been discussed in other sections of this report.

- Provide a new publicly accessible space at or near to the top of the building and communal facilities for users and residents where appropriate – The roof terraces would provide communal facilities for residents. As it is a residential building, it is not appropriate to provide publicly accessible space at the top of the buildings.

392. With regard specifically to massing, the buildings would possess a strong urban character and streetscene confidence, with principal frontages set close to the line of the footway. The configuration of the buildings with its opening and the podium terrace is effective in breaking down the mass and bulk of development, helping it to read as a sequence of tall and more slender elements. The tall buildings have been arranged to allow for as much space between them as possible with breaks interspersed, ensuring that they would not appear to coalesce when viewed from a distance. The relative heights and the way in which they would be distributed across the site would result in a well articulated composition of towers defining the new public realm proposed.

393. The design of the tall buildings submitted in detail would be exemplary (further discussed below), with careful consideration of their impact on the skyline. They would all have clear vertical emphasis; well defined bases, middles and tops; and well considered fenestration and detailing and detailing that would lengthen the buildings as they get higher to both reduce the perception of scale and ensure the buildings lighten towards the top.

394. The specific impact of the proposed development on the townscape of the area is assessed in more detail below, where the submitted TVBHA is considered.

Architectural design and materials

395. As pointed out above, there is a varied urban character along Borough Road and Newington Causeway. The buildings along Borough Road are low to mid-rise in height. There are buildings that have a more civic character such as Diary House, 82 and 83 Borough Road. There is also the Scovell Estate to the north, which are much lower in scale. These buildings are predominantly brick, varying tones of yellow, red, purple and pink. There are also the nearby Grade II listed buildings on Borough Road and Newington Causeway.

396. The family of four distinct buildings would be related through materiality and colour palette. This approach would result in a harmonious identity across the development, whilst allowing each different building to feel unique. The entrances to the buildings would all be clearly visible, and easily identified as either residential or commercial, and integrates within the architecture of the building above. The bases (of almost two storeys) would ground the buildings and express the more public uses at street level. Steps in the massing and changes in colour or dominant material would create natural tops to the buildings.

397. The paragraphs below assess the design of the individual buildings.

Building A and B

Buildings A and B would follow the same architectural principles and read as a pair but would not be treated identically. Both tall buildings have been designed with a

distinct base middle and top expressed through subtle steps in the massing and changes in materiality. Vertical emphasis is created with the incorporation of primary projecting layer of brick piers and a secondary layer of metal spandrels and window frames. This is further elaborated with contrasting colours between the layers and the reveal detail of hit and miss brickwork. The base extends over 5 floors, which provides a good proportion for the height of these two buildings and would also incorporate glazed brick, providing that rich detail and visual interest at ground level views.

398. The base would have large expanse of glazing to reveal its function of the non-residential uses as well as activating these elevations. The two buildings essentially follow a cruciform plan form in the middle sections where the corners of the massing step in. Both buildings have two 'thinner' elevations and 'wider' elevations, which are treated differently.

399. The projecting piers with its white hit-and-miss reveal bricks would contrast with the darker secondary layer, consisting of metal windows and decorative metal spandrels. The rich detail, use of varied high quality materials and depth add to the articulation and richness of the design. It is considered that the articulation organizes the building into clear, distinct parts, allowing the viewer to understand its structure and form.

400. The main body of the building transitions to the top by overlapping the front metal profile of the top piers over the brickwork pier of the middle section over two level creating a smooth transition. The metal piers would be profiled to play with light and shadow to create a slender vertical expression.





Images: CGI of the crown of the taller towers

401. <u>Building C</u>
This building is divided into two volumes (C1 and C2). Both front Newington Causeway with C1 at 14 storeys looking over the central piazza and C2 at 10 storeys. It follows a base, middle and top strategy. The building takes on a grid

design given its scale and massing. The primary material is brick with white detailing around the windows and metal balustrades creating the horizontal elements.

402. The base of Building C would have floor to floor height large openings creating a grand base announcing the future commercial uses behind and ensuring maximum active frontage to both Newington Causeway and the piazza. There would be brickwork frames in dark green glazed brickwork and articulated glazed brickwork spandrels. The residential entrance on Newington Causeway is treated differently with white glazed brickwork architrave. This along with the set back canopy would create the visual interest along this frontage as well as announcing the entrance to this affordable block.

403. The middle of Building C would be a regular grid façade with equal spaced openings and consistent pier widths. The use of a lighter tone (sand) brick brings variety to the development and the quality would be secured by conditions. Articulation is created with recessed white brickwork around the façade openings and lattice balustrade screens. The balustrades pattern would relate to the detailed spandrel panels of Buildings A and B.

404. There is a distinguished top with the use of an all white brickwork. This is then finished with corbelled solider course and white cornice, creating a lighter crown. It is considered that the elevational detail and the use of materials would ensure that the social rented block would be equally high quality and the design remains tenure blind.



Image: CGI of base of Building C fronting Newinton Causeway and towards the piazza

405. <u>Building D</u>
This building is connected to Building C at ground and mezzanine floor levels so that it provides a sense of continuity along Newington Causeway. The use of predominant red tone brick with a blend of light yellow would complement the existing context where Diary House and 82 Borough Road are of similar colour palette.

406. The main body of Building D would comprise of sections of triple and double floors with consistent pier widths and spandrel sizes to create the regular grid pattern. The horizontal element is created with reconstituted stone bands running across the floors. Window surrounds would have projecting brick reveals in a yellow tone brick and reconstituted stone lintels. A dark red glazed brick spandrel would add further detail and articulation and linked to Buildings A and B. The top of the building is to be set back and finished in white brick to create a distinguished top. The details of this top would be of similar design to Building C.

407. The apex elevation on the junction with Borough Road is considered to be well-designed, ensuring this corner flows seamlessly from one side to another and approach that would have a fluid and cohesive architectural form. It is also an appropriate design to address such a prominent junction.

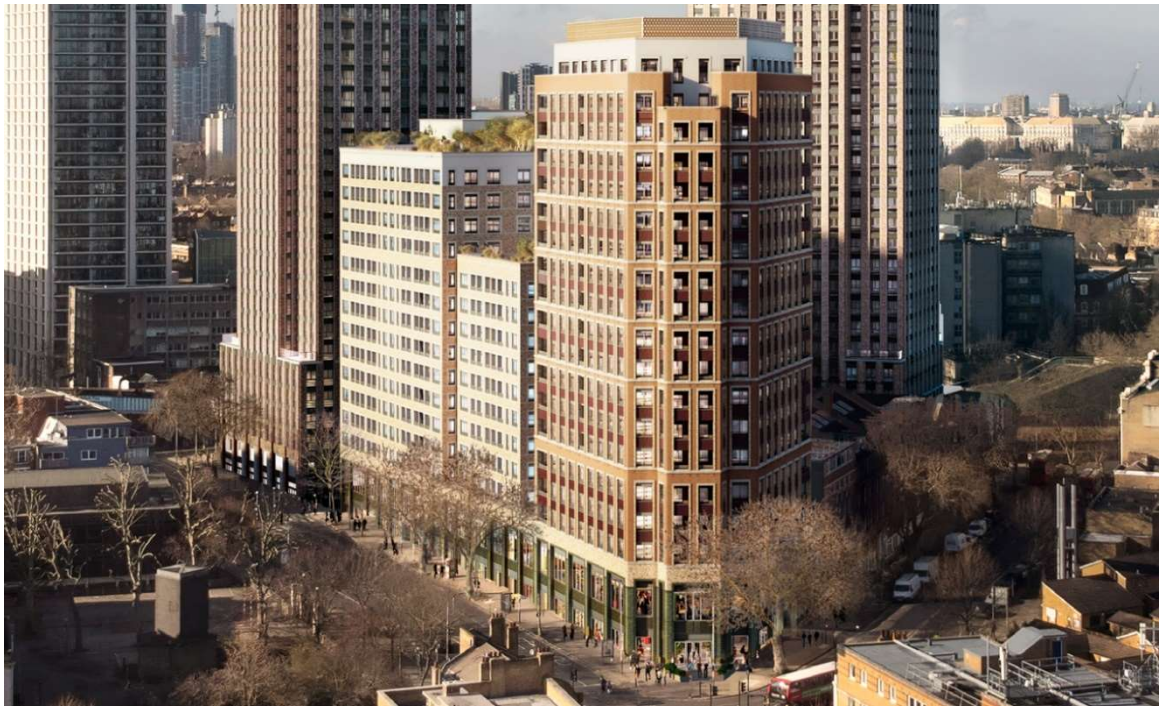
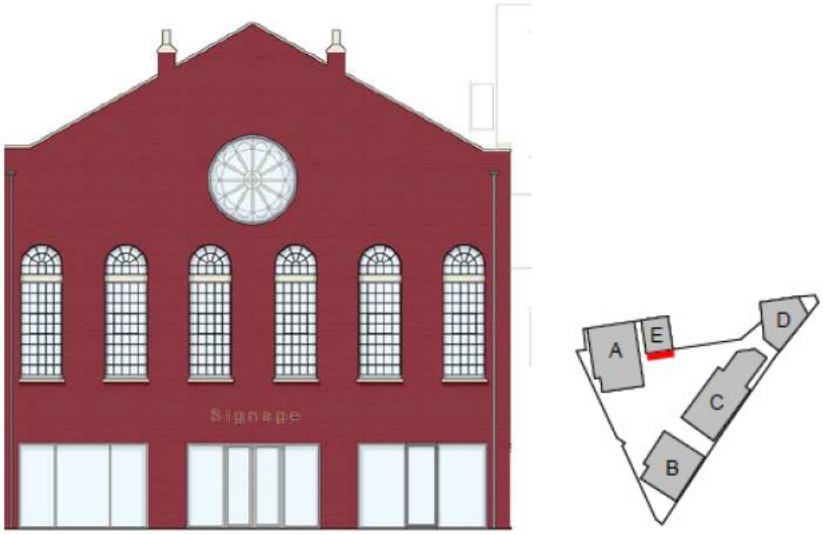


Image: CGI of appearance of buildings C and D

408. <u>Building E</u>
The existing No. 82 Borough Road (Building E) would be repainted to address current bad patches and reconfigured to provide a workspace building. The front north elevation would remain as it is with new openings provided on the south elevation to allow for access and connection to the piazza. There would be new large windows on the west elevation facing the passage between this building and Building A. This would allow for light into the building and surveillance along this pedestrian passage. These openings differ in style to the existing building, but these rectangular windows are an appropriate simple design approach without competing with or detracting from the historical character of the building and complements them subtly.



Elevation: 82 Borough Road facing piazza



Image: CGI of 82 Borough Road from Piazza

409. <u>83 Borough Road</u>
Part of the locally listed building would be removed to create a passageway to the piazza and a new flank wall would connect the retained building to the base of Building A. It is proposed to use a white glazed brick to contrast with the existing grey stonework. The turrets and the existing gable front elevation would remain and would still stand out. A new simple addition would be proposed to the right of the chapel and would be of similar scale to the existing building at No. 86 Borough (not in the application boundary). This new addition does not dominate the front elevation,

allowing No. 83 to maintain its prominence. The heritage impact to this building is discussed in later section of this report.



Elevations: 83 Borough Road existing front elevation and side elevation

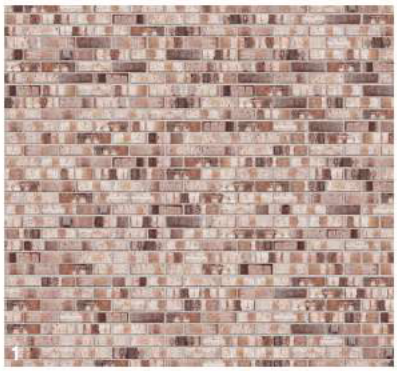


Elevation: 83 Borough Road an base of Building A

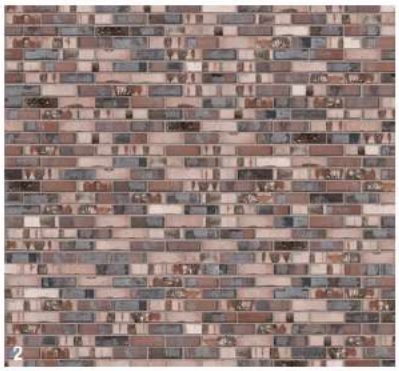


Image: CGI of 83 Borough Road and proposed passage way

410. A very high quality material palette is proposed across the development. The predominantly masonry texture proposed would respond well to the existing buildings in the area, including those to be retained on the site. Whilst each building would differ in the ways described above, there would also be a strong sense of commonality between them, largely derived from the materials proposed.



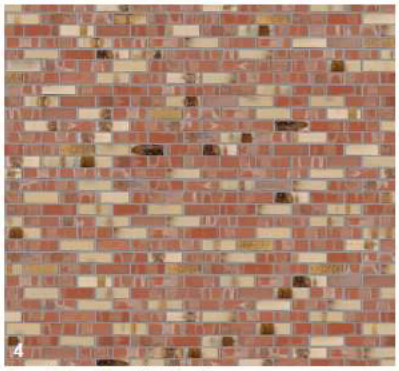
Facing brickwork Type 1 (Building A)



Facing brickwork Type 2 (Building B)



Facing brickwork Type 3 (Building C)



Facing brickwork Type 4 (Building D)

Image: Materials palette Brickwork

411. In order to secure this design quality, planning condition requiring detailed drawings, material samples and full scale mock ups are recommended. The S106 Agreement would also include a clause requiring the current architect (Macreanor Lavington) to be retained to complete the detailed design and construction phases of the project unless otherwise agreed in writing.

Heritage and Townscape

Impact on the Setting of Listed Buildings, Conservation Areas and Townscape

412. Chapter 16 of the NPPF sets out the national guidance on conserving and enhancing the historic environment. The heritage polices set out in chapter 7 of the London Plan assert that development affecting heritage assets and their settings should conserve their significance by being sympathetic in their form, scale, materials and architectural details. London Plan policy D9 in part C.d) requires tall building proposals to take account of the significance of London's heritage assets and their settings, and part C.e) requires proposals to preserve and not harm the Outstanding Universal Value of a World Heritage Site. In the Southwark Plan, policies P19, P20, P22 and P24 seek to protect listed buildings, conservation areas, borough views and World Heritage Sites. 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.

413. The council has a statutory duty with regard to heritage. 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". In this context "preserving" means doing no harm.

414. The NPPF provides guidance on how these tests are applied, referring 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. Paragraph 216 addresses non-designated heritage assets and the effect an application may have on its significance, directly or indirectly. It advises on the need for a balanced judgement, *"having regard to the scale of any harm or loss and the significance of the heritage asset."*

415. The TVBHA considers the effects on built heritage assets in proportion to the value of each heritage asset, and the degree and nature of the effects on their heritage significance, or the ability to appreciate that significance. 23 of the verified views have been individually assessed in the visual assessment. All viewing positions were selected and agreed in 2022 and 2024 following consultation with Officers. This report will not list every view that has been assessed, but will provide an analysis and

comment on those views that are most sensitive, have high heritage and townscape significance or prominence.

416. Since there were minor amendments to the scheme, further testing on the verified views had been carried out where there would be the potential to increase the visibility of the proposed development. These include the top of Building D and a minor increase in massing to the stair access onto the roof of Building C but it does not increase in height and is within the perimeter of the plant screen.
The updated views demonstrate that, because the changes to the plant enclosure at the top of Building D are very minor and the increase in height by 1.85m of the stair and lift access to the roof has been pushed well back from the footprint of Building D, the proposed amendments would be barely discernible. The effects on townscape, visual amenity and the setting of built heritage assets would remain as assessed in ES Volume II: TVBHA of the July 2024 ES.

417. In terms of the impact on heritage assets offsite in the surrounding area, the proposals impacts to be considered in the following paragraphs are:
    - Protected views;
    - The Palace of Westminster and Westminster Abbey,
    - Conservation Areas – Elliot's Row Conservation Area, Borough High Street Conservation Area , King's Bench Conservation Area, Liberty of the Mint Conservation Area, St. George's Circus Conservation Area, Trinity Church Square Conservation Area, Union Street Conservation Area and West Square Conservation Area;
    - Listed buildings and structures; and
    - Other heritage assets including locally listed buildings.

418. Where listed buildings are within the conservation areas, these will be assessed under the relevant paragraphs under those conservation areas.

Impacts on Protected Views

419. The LVMF seeks to protect and manage 27 views across London and some of its major landmarks. The LVMF SPG (published in 2012) provides clarity and detail that deal with the management of important London views. The LVMF SPG includes 13 Protected Vistas - of St Paul's Cathedral, the Palace of Westminster and the Tower of London. The Protected Vistas are included within views from a total of 27 Viewing Places identified in the LVMF SPG. The views are separated into four categories: 'London Panoramas', 'River Prospects', 'Townscape Views' and 'Linear Views'.

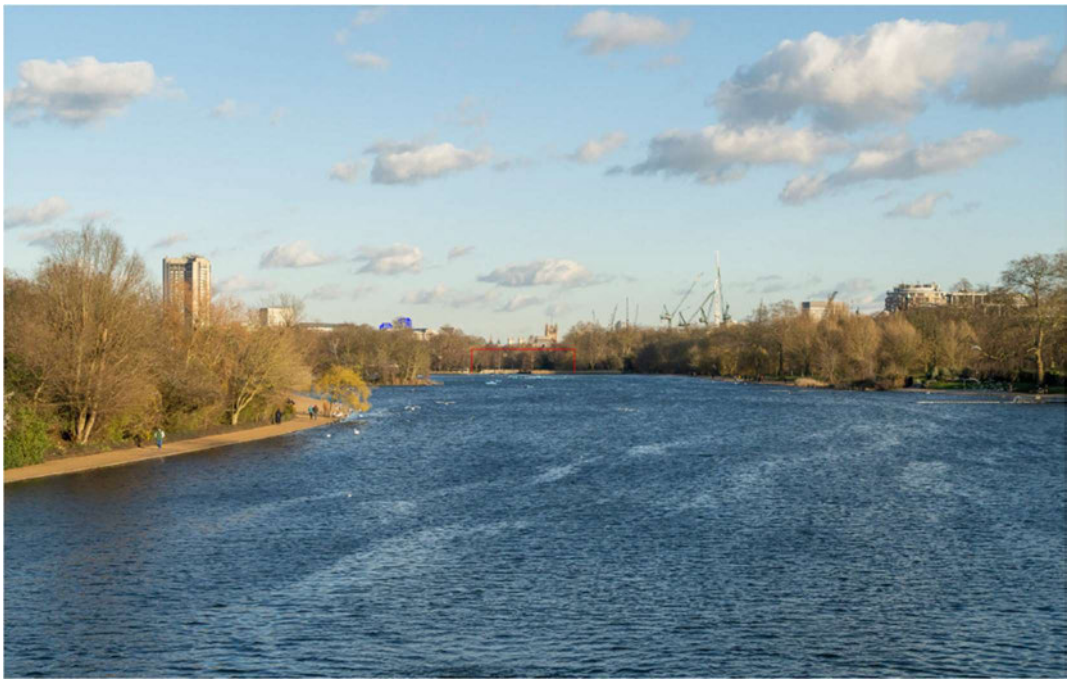
420. The proposed development would be visible but outside the Protected Vista to St Paul's Cathedral (where it is applied) in LVMF SPG London Panoramas from Alexandra Place (Assessment Points 1A.1 and 1A.2). The proposed development would be potentially visible but outside the Protected Vista of the Palace of Westminster in the Townscape View from the Bridge over the Serpentine, Hyde Park (Assessment Point 23A.1). The proposed development would be visible but outside the Protected Silhouette of the Westminster World Heritage Site (WHS) in the Townscape View from Parliament Square (Assessment Point 27B.1). The views from Assessment Points 1A.2 and 23A.1 are included in the visual assessment.

421. View 1 LVMF London Panorama from Alexandra Palace to St Paul's Cathedral (Assessment Point 1A.2)
This view is the panorama from Assessment Point 1A.2, directed towards St Paul's Cathedral, which is set within a Protected Vista. The proposed development would be visible more than 10km away from the viewing position as part of the backdrop of taller buildings in the background of the view, well to the right of St Paul's Cathedral, defining the left hand edge of the Elephant and Castle tall building cluster. Buildings A and B would be visibly distant and would not appear as a noticeable new element on the skyline seen with the naked eye at this distance. They would rise slightly above the distant ridge line in the backdrop of the view but would not project above the general scale of the tall buildings in north Southwark visible to the right of St Paul's in this view. The buildings would be outside the Wider Setting Consultation Area (WSCA) of the Protected Vista of St Paul's Cathedral and would have no impact on the viewer's ability to recognise and appreciate the strategic landmark in this view, both in isolation or cumulatively.

422. View 2 LVMF Townscape View from bridge over the Serpentine to Westminster (Assessment Point 23A.1)
The Palace of Westminster is a heritage asset of the highest order. It is Grade I statutory listed and is recognised internationally as a certified World Heritage Site (WHS) of Outstanding Universal Value (OUV). Visual impacts on the Westminster WHS are primarily on the LVMF view 23A.1 from the Serpentine Bridge. The assessment point is located on the eastern footway at the centre of the Serpentine Bridge in Hyde Park looking eastward towards the far end of the lake and the Westminster WHS beyond, framed by the foreground trees, which is set within a Protected Vista.



Existing view



Proposed view

423. The LVMF SPG for the background of the view states that *"Development in the background of the view should not undermine the relationship between the predominantly parkland landscape composition in the foreground and the landmark buildings at the focus of the view in the middle ground (including the Palace of Westminster and Westminster Abbey). New buildings in the background of the view must be subordinate to the World Heritage Site."*

424. The guidance also goes on to state *"Buildings that exceed the threshold plane of the Wider Setting Consultation Area in the background should preserve or enhance the viewer's ability to recognise and appreciate the Palace of Westminster."*

425. Officers have assessed the information submitted and it demonstrates that, at 44 storeys in height the taller tower Building B is substantially taller than 251 Southwark Bridge Road in this Strategic View. It will appear above the treeline and substantially taller than the Victoria Tower of the WHS. At the proposed height it is considered that the Building B on Newington Causeway is not subordinate to the WHS. It is overly dominant when compared with Victoria Tower introducing a degree of harm to the OUV of the WHS and contrary to the London Plan and the guidance in the LVMF.

426. Nevertheless, it is also noted that the development would appear well to the left, outside the background WSCA of the LVMF Protected Vista, and further to left of the WHS than existing development at 251 Southwark Bridge Road. Although the proposed development appears taller than 251 it is more peripheral to the WHS and the design of its crown is more recessive than that of 251.

427. In this instance, it is considered that there would be 'less than substantial harm' (to the lower end). Where the scale of harm would be 'less than substantial' this is further assessed on a spectrum of low to high, with low being a very slight degree of harm and high being close to but lower than the almost total loss of significance

consistent with 'substantial harm', at its upper end. The NPPF notes that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

428. Planning Practice Guidance [PPG] 'Effective Use of Land' released on 27 February 2025 states: *"Paragraph 125(c) of the NPPF states planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. When determining such proposals, decision makers will need to take account of this policy alongside other policies within the Framework taken as a whole. As an example, where a proposal would cause less than substantial harm to the significance of a designated heritage asset, paragraph 215 (which requires the public benefits of the proposals to be weighed against the less than substantial harm) would still need to be applied. Where relevant, decision makers will need to provide a clear articulation of how paragraph 125(c) has been demonstrably considered and applied alongside other policies."*

429. As identified elsewhere in this report, there would be a wide range of public benefits that would outweigh this harm.

Conservation Areas

430. The building is within the vicinity of a number of conservation areas, and the following paragraphs will discuss the impact on them.

Trinity Square Conservation Area and listed buildings

431. Starting with the Trinity Church Square Conservation Area, this largely intact Georgian square, is the formal centrepiece of the conservation area, which also incorporates the adjacent narrower Merrick Square (built later than Trinity Church Square) and contemporary houses to parts of some other surrounding streets. The development would have the potential to have a significant impact on its character. All the houses enclosing the square are Grade II listed. The focus of the square is the Grade II listed Henry Wood Hall, formerly the Church of the Holy Trinity. There is also a Grade II listed statue in the square. It is a very complete composition and has a formal, set-piece quality but is surrounded by post-war townscape, and the tops of tall buildings at Elephant and Castle and London Bridge are visible from some locations in the square.

432. The following Grade II listed buildings are within this part of the square are:

- Nos. 1-15 and attached railings, Trinity Church Square;
- Nos. 16-22 and attached railings, Trinity Church Square;
- Nos. 23-29 and attached railings, Trinity Church Square;
- Nos. 30-44 and attached railings, Trinity Church Square;
- Nos. 45-68 Trinity Church Square and attached railings.
- The Henry Wood Hall including gate piers and railings.
- Statue in centre of Trinity Church Square

433. There are other Grade II listed buildings outside of this part of the square include those in Merrick Square and close by.

434. As the listed terraces in Trinity square form a planned group, the physical and visual relationships of the individual listed terraces to each other to form a coherent garden square, and to the central garden and church, are a fundamental aspect of the setting and significance of each individual listed terrace.

435. The applicant has provided a number of views of the development from this square. An important view (View 9) is of the development from the northern edge of Trinity Church Square, on its central axis with the Henry Wood Hall. From this view, post-war redevelopment, which includes tall buildings can be seen from within the square. This view is a well composed characterising view from within the conservation area and is considered therefore to be of medium value. Other supplementary verified views from within the conservation area (Views A10, A11 and A12 in the TVBHA) were also provided.

436. Buildings A and B would appear prominently above the roofline of the square to the west, and are visible to a greater or lesser extent from the majority of the square. The tops of Building C and Building D would also be visible in longer views.



View: Trinity Church Square with Buildigs A and B visible

437. The ability to appreciate the uniformity of Trinity Church Square, would be potentially eroded by the visibility of tall buildings beyond due to the scale and proximity of the intrusion by the proposed development above the roofline of the terraces. Whilst the scale of the tower is lower than the Henry Wood Hall it would appear adjacent to the tower, with less screening from mature trees and there would be an element of competition between them. This would result in an impact on the ability to appreciate the heritage significance of the square, which would be adverse in nature and would equate to a degree of harm in NPPF terms. Historic England in their comments under the 2022 application (and remain unchanged in this application) objected to the scheme. Their comments are set out in detailed in the consultation part of this report. They considered that these proposals would cause a medium level of less than substantial harm to the significance of the conservation area through development within its setting, and cumulative harm when taking account of existing and consented developments in these views.

438. Officers do consider that the taller tower will have an enduring impact on the character and appearance of the Trinity Church Conservation Area giving rise to harm to it and the setting of the listed buildings. The Trinity Church Conservation

Area is not only locally designated but is also largely made up of Grade II listed buildings that contribute to its significance. At the centre is the Henry Wood Hall (former church) itself – the centre-piece of the conservation area. The information submitted with the application demonstrate that the tallest tower will be visible from all sides of the churchand along the southern edge of the square will overwhelm the spire of the church. The views demonstrate therefore that the development will have a significant and permanent impact on the character and appearance of the Trinity Church Conservation Area giving rise to harm to this locally designated heritage asset.

439. Whilst taller buildings are visible in the distant backdrop these are fleeting views of the modern city and in large parts of the conservation area they disappear from view. It is considered that the harm caused to the highly significant and statutory listed townscape is 'less than substantial at the upper end of the scale. This level of harm needs to be convincingly justified and will need to be considered in the planning balance by the decision-makerat . Where harm to a heritage asset has been identified decision-makers are advised to place great weight on the desirability to conserve or enhance the heritage asset and its significance and avoid the harm. In these cases the NPPF (in para 215) requires decision makers to consider the level of harm identified and the significance of the heritage asset in the balance against the public benefits arising from the development and to seek convincing justification for that harm. Public benefits can include public realm and landscaping, affordable housing and/or affordable workspace, heritage and community benefits.

440. In response to Officers comments, the applicant has argued that the height of the development would relate comfortably to the scale of existing tall buildings at Elephant and Castle and is on a site allocated for tall building development. Officers agree that the visual impacts of the proposed development on the setting of Trinity Church Square are due to its relative proximity in comparison to other tall development at Elephant and Castle. In all views, including View A10 from the north-east corner of the square where the perceived scale of the proposed development would be at its greatest, the proposed development would remain lower that the spire of the Grade II listed former church. The approaches to the square from Borough Road or Brockham Street would not be affected and the panoramic views from the north-west corner or the western or southern edges of the square would not be affected.

441. The applicant highlights that the redistribution of massing between the tallest elements Buildings A and B in this current application would slightly increase the perceived height of the proposed development when seen from Trinity Church Square but would result in a more distinct difference in height between Buildings A and B that would consequently reduce the prominence of the proposed development as a whole from the square. Officers agree that the juxtaposition of historic and modern is already appreciated from the square -- there is an established clearly visible modern setting to the square to north and south --and is characteristic of the townscape of Elephant and Castle more widely. As discussed previously, the architectural quality of the proposed buildings would be extremely high, mitigating the potential for an adverse effect. Impacts on the appreciation of those aspects of setting that contribute to significance would not be uniformly affected across the square or seasonally. The proposed development would recede in scale moving across the square.

442. Notwithstanding the above, it is considered that the harm caused to the highly significant and statutory listed townscape is at the upper end of 'less than substantial harm'. This level of harm should be convincingly justified. During the negotiations with the applicant, Officers had sought mitigation by a reduction in height of the tallest tower. Nevertheless, the applicant has had to contend with the viability challenges of the scheme, which has already proven unviable. Since the introduction of the new fire safety regulations for second staircases, this has had a major impact on the viability. Whilst suggestions from the consultation comments that these buildings could be lower and wider, the scheme must also provide the site allocation requirements of providing a minimum percentage of public open space. Those policy requirements have restricted the size of the building footprints and therefore have had to extend upwards to achieve a scheme that would be viable. In this circumstance, the public benefits would outweigh this degree of 'less than substantial' harm.

443. In terms of the cumulative impact, the very top of the consented redevelopment of the Elephant and Castle Shopping Centre would be just visible above the roofline of the listed terraces on the south side of the square to the right of the Henry Wood Hall but the cumulative effect would not alter in comparison to the effect of the proposed development in isolation.

King's Bench Conservation Area

444. This conservation area is located to the northwest of the site, approximately 70m away. However, it is largely physically separated from the site by the 19th century railway viaduct. The setting of the conservation area is very mixed in its character. There are a group of listed buildings that fall within this conservation area, which are Grade II listed:

- Merrow House
- Ripley House
- Chadwick House and attached railings
- The Drapers Almshouses, Nos.1-5 Glasshill Street

445. The applicant has given a view of Rushworth Street (View 19). This view is taken from a position on the northern pavement on Pocock Street and provides channelled views south eastwards along Rushworth Street. The left-hand side of the street is within the King's Bench Conservation Area.

446. The majority of the existing buildings date from the late 19th and early 20th centuries. Of these Ripley House, late 19th century social housing and Chadwick House a convent and chapel, now in use as offices, and on the left side of the street, is Grade II listed. The view is terminated by the railway viaduct to the south and the rear of the Grade II listed Hanover House on Borough Road, opposite the site, rising beyond the conservation area. The conservation area has a setting of taller modern development.

447. Building A would be visible at a distance of just over 400m and terminates the axis of Rushworth Street – on the edge of the conservation area. Building B would be visible to a small extent behind. The proposed development would create a noticeable new focal point, which would have a high magnitude of impact. The scale of the effect

would be major.

448. It is considered that some less than substantial harm is arising to the conservation area due to the substantial scale and overly dominant form of the towers in these views. Officers have therefore considered the tests sets out in the NPPF. These are already identified in other sections of the report. It is also noted that the characteristic juxtaposition of pockets of pre-20th century townscape and tall modern buildings in the Opportunity Area is something that is already well established and understood by visual receptors in this local area.

449. The cumulative scheme at 94 Southwark Bridge Road would be to the north of this conservation area, There would be limited visibility of this scheme, and no visibility of cumulative schemes in example view 19.

450. Notwithstanding the less than substantial harm identified above in View 19, in terms of the impact of the development on King's Bench Conservation area overall, it is considered to have a limited visual impact. Where visible it would be consistent with the established taller modern character of the areas around the conservation area and would be understood to lie distinct and separate from it.



View: Existing view 19 Rushworth Street



View: Proposed view 19 Rushworth Street

West Square Conservation Area

451. The West Square Conservation Area lies approximately 330m from the site and is considered to be of special significance as a representative area of high quality late Georgian and mid-19th century townscape. The Grade II listed Imperial War Museum is the main landmark building in the conservation area and is visible in long views across its former grounds, now known as the Geraldine Mary Harmsworth Park. The local setting of the conservation area is characterised by tall buildings to the east and north-east of the conservation Area. This visibility is particularly apparent from open spaces within the conservation area, such as West Square and Geraldine Mary Harmsworth Park.

452. The appearance of Buildings A and B in the middle distance in views from this conservation area, seen in the same general direction as 251, would be consistent with the existing character of such views. It is considered to have a minor visual impact on the conservation area overall. Where visible it would be consistent with the established taller modern character of the area to the east and north-east of the conservation area and would be understood to lie distinct and separate from the conservation area. The cumulative schemes would be consistent with the character of the local and wider setting of this conservation area.

453. View 15 in the TVBHA is taken from the Geraldine Mary Harmsworth Park close to the entrance from Lambeth Road; the Imperial War Museum large mature trees within the park obscure views out of the park to the east. Taller buildings within the Elephant and Castle Opportunity Area are visible beyond the historic townscape of the conservation area and similarly would be largely concealed by foliage in summer. These taller buildings all form part of the established setting of the West Square Conservation Area more widely, marking Elephant and Castle town centre to the west, approximately 600m away from the viewing position.

454. From this viewing position the proposed development would be visible through the gap in the mature trees lining the park. The magnitude of impact on the composition of the view would be medium and the effect would be moderate in scale. As the scale of Buildings A and B would remain below the height of the treeline, from other positions on this path to the entrance of the museum, the proposed development would be screened by the trees on the eastern edge of the park in winter and concealed in summer reducing its impact on the park and the visual setting of the Imperial War Museum.

455. It is judged that the potential for an adverse effect on the viewer would be mitigated by the high quality of the design proposal and the established setting of tall buildings: the nature of the effect would be neutral.

456. The Grade II listed buildings in this part of the conservation area include:
- Nos.6-19 and attached railings, West Square;
- Nos.20-24 and attached railings, West Square;
- Nos.25-28 and attached railings, West Square;
- Nos.29-45 and attached railings, West Square
- No.1 and attached railings Orient Street
- Nos. 3, 5 and 7 Orient Street and attached railings
- Nos. 63-83 St George's Road
- Charlotte Sharman School, block fronting Geraldine Street.

457. In terms of the impact on the listed buildings, the tall buildings of Elephant and Castle form part of the local context in which this group including the buildings around West Square is experienced. In View 16 (West Square, Central Garden), existing tall buildings appear prominently in views from West Square and along St. George's Road, rising above the listed buildings. The proposed development would be located approximately 475m from the group at its closest point.

458. The appearance of the development in views from West Square would be consistent with the existing character of such views which include existing tall modern buildings, including in closer proximity to the listed buildings than the proposed development. It would appear in the middle distance, beyond post-war apartment blocks in some views, and there would be a clear sense of separation from the listed buildings and their immediate setting.

459. The proposed development would have no impact or effect on the heritage significance of these listed buildings or the appreciation of that significance. In the cumulative scenario, the Elephant and Castle Shopping Centre and that at 80 London Road, would be located in the local area around these listed buildings, and considerably closer to them than the proposed development. The proposed development would appear further in the distance in such views than these cumulative schemes. Together the proposed development and the cumulative schemes would appear as a separate layer of development in the near and middle distance, distinct from the listed buildings in the foreground.

460. On the north eastern side of the West Square Conservation Area is the "Albert Triangle", which is bounded by St. George's Road and London Road. Within the Albert Triangle the terraces of Gladstone Street and Colnbrook Street are listed:
- Nos. 3-11 and attached railings Gladstone Street

- Nos.13-35 and attached railings Gladstone Street
- Albert Terrace and railings, Nos. 4-48 Gladstone Street
- Nos. 2-18 Colnbrook Street and attached railings
- Colnbrook Street Schools,
- Former Church of St Jude

461. View 17 (Gladstone Street) in the TVBHA is a view taken from a position at the western end of Gladstone Street. The row of listed buildings are noted for their strong, positive group value. The view is a well composed view from within the West Square Conservation Area and is considered therefore to be of medium value. Buildings A and B would be visible at a distance of approximately 450m. They would terminate the aligned street view with an immediately noticeable new focal point of an equivalent height to 251, which would have a high magnitude of impact. The scale of the effect would be major. The applicant's own assessment note that the high level of contrast in scale and form with the small-scale historic townscape in the view's foreground has the potential to produce an adverse nature of effect on a viewer. However, this would be mitigated by the high quality of the design proposal and the established setting of tall buildings and therefore the nature of the effect would be neutral. None of the cumulative development would be visible in the view and the cumulative effect would not alter in comparison to the effect of the proposed development in isolation.



View: View 17 - Gladstone Street in the West Square CA

Liberty of the Mint Conservation Area

462. The Liberty of the Mint Conservation Area is located approximately 130m to the north east of the site, Overall, the character of the conservation area is informed by its urbanity and cohesive sense as being a distinct townscape.

These Grade II listed buildings are within this conservation area:

- Gable Cottages and Garden Railings (9-12 Sudrey Street, 14 and 15 Sudrey Street, 17- 21 Sudrey Street, 24-28 Sudrey Street).

These are small scale cottages, set round a garden square facing the narrow street

463. The proposed buildings would be visible in some views from the conservation area, particularly those along streets aligned north-south. While Buildings A and B would appear somewhat taller than 251 in these views, they could be understood as adding to an established area of tall modern development beyond the conservation area. The development would have a limited visual impact on the conservation area overall in the proposed and cumulative condition. Where visible it would be consistent with the established taller modern character of the areas around the conservation area, including to its south.

464. The listed Gable Cottages is around 200m from the development, and the presence of intervening post-war and modern development, is such that the proposed development would appear clearly distinct and separate from the listed buildings and their immediate setting, and its appearance would be consistent with the wider context in which the listed buildings are located. It is not considered that the proposal would harm their heritage significance.

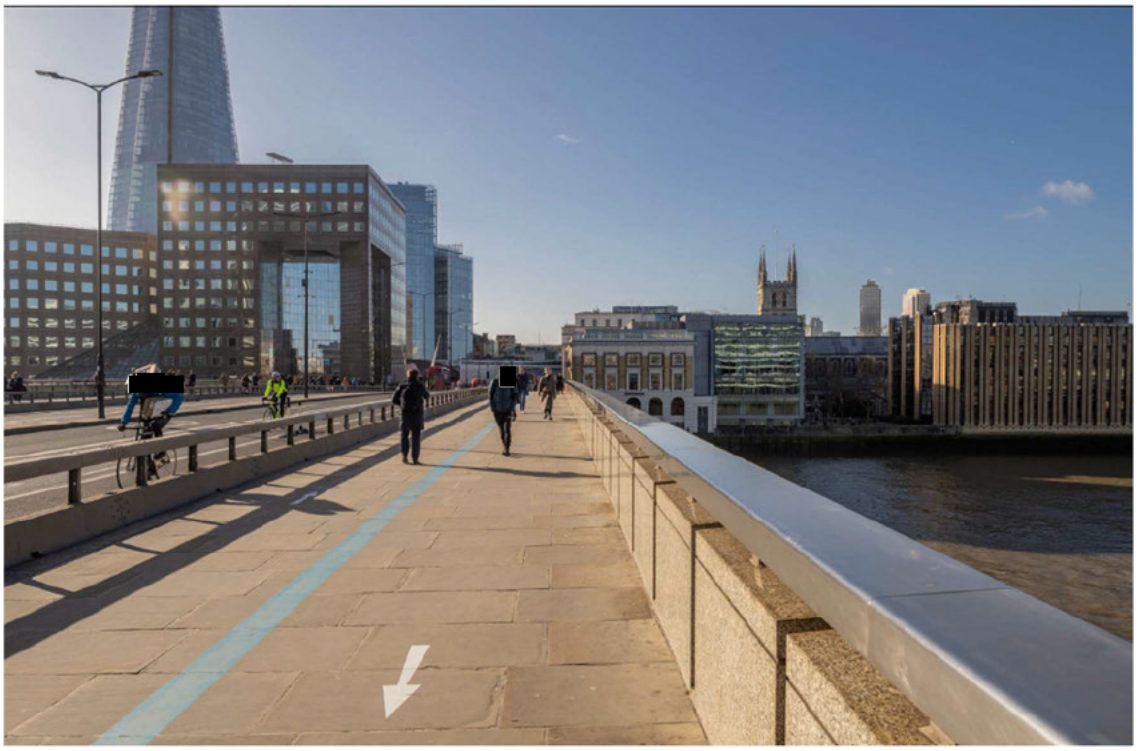
Borough High Street Conservation Area

465. The Borough High Street Conservation Area to the north east of the site includes over 60 listed buildings and street artefacts. Of these there are two Grade I listed buildings: the Southwark Cathedral and the George Inn. The Church of St. George the Martyr at the southern end of Borough High Street is Grade II* listed and an important local landmark. In common with tall buildings to the south of the conservation area, the proposed development would be visible in some views, particularly from the southern part of the conservation area. The submitted assessment demonstrates that there would be no visibility from much of the conservation area to the east and west of Borough High Street, and along a central section of Borough High Street.

466. The TVBHA provides a view (View 6: London Bridge to Southwark Cathedral) looking southwards, from a position halfway across London Bridge and views of the Grade I listed Southwark cathedral are from the west side. This view has a medium value due to the well composed representative view looking into the Borough High Street Conservation Area. Historic England had in their comments stated that the proposed development would rise significantly above and to the right of the cathedral, reducing the ability to appreciate the cathedral's architectural features and landmark presence in these river views.

467. The view demonstrates that both towers appear over the ridgeline of Grade I Listed Southwark Cathedral from this approach affecting its setting and its relationship to the River. In this location the Cathedral and its relationship with the River is the most significant feature, heightened by the gap at Minerva House which offers a clear view of the tower and the ridgeline. The view demonstrates that this gap will be filled with an emerging cluster of tall buildings with the Borough Triangle buildings being the largest and most dominant. Officers asked for a dynamic assessment showing exactly how these buildings interact with the profile of the Cathedral and for how long

along this western pavement of London Bridge. A dynamic assessment of this view demonstrates that these buildings will interact with the profile of the Cathedral for around 100m along this western pavement of London Bridge. It is considered that the harm caused to this view of the Cathedral is 'less than substantial' of a median order. This is due to the fleeting and distant nature of this view. Notwithstanding that, given the significance of Southwark Cathedral being Grade I Listed, the level of harm needs to be justified and considered in the planning balance .



View: Proposed view with the two towers visible to the right of Southwark Cathedral

468. Other views have been provided from other positions from within the Borough High Street Conservation Area and the analysis shows that there would not be a significant impact on the listed Church of St George the Martyr or the setting of the conservation area and listed buildings would be preserved.



View: View 08 from the Borough High Street Conservation Area looking south

St George's Circus Conservation Area

469. The St George's Circus Conservation Area, which is located approximately 250m to the west of the site at its closest is an example of Georgian town planning. There are a number of Grade II listed buildings in the conservation area and the Grade II* listed obelisk provides important focal point at the end of terminating views into the circus from the radiating roads.

470. Those Grade II listed buildings are:
- Nos. 2-14 and Nos. 123-131 London Road
- The Duke of Clarence Public House
- Nos.109-112 Borough Road (The former Presbyterian Chapel)
- Nos. 113-119 Borough Road
- St George the Martyr Library

The terraced houses form part of this notable piece of late Georgian town planning and have strong group value with the obelisk in St George's Circus.

471. View 18 in the TVBHA gives a view taken from the north-west edge of St George's Circus on the edge of the St George's Circus Conservation Area. The focus of the view is the obelisk at the centre of the Circus. The proposed development would terminate the street view along Borough Road to the left, with Buildings A and B appearing equivalent in height to 251 and the circus building of the new Blackfriars Circus development and remaining lower than the listed obelisk in the foreground. The development would be seen in the middle distance in views in a similar manner to existing tall modern buildings such as 251, and appearing separate and distinct from the conservation area further in the foreground. There would be a clear sense of separation between the development and the listed buildings and their immediate setting in relation to each other and the street layout of St. George's Circus. The

development would have no impact or effect on the heritage significance of these listed buildings or the appreciation of that significance.

Other nearby conservation areas

472. Turning to the other conservation areas (Union Street Conservation Area and Elliot's Row Conservation Area), these are further afield. While the proposed buildings would be visible it would appear separate and distinct from the conservation area in the foreground (as seen in Views 20 and 22). The proposed development would have a limited visual impact on these two conservation areas overall.

Listed Buildings and Structures

473. The listed buildings within conservation areas and the development's impact on them have been discussed above. The closest statutorily listed buildings are those opposite the site on Borough Road – the Grade II listed the Duke of York Public House, Hanover House, and No. 62 Borough Road.

474. *Borough Road*
These listed buildings on Borough Road can be considered together given their location adjacent to each other and similar relationship to the site. They are located in an area which is varied in nature and includes tall modern development. Existing tall buildings, such as 251, appear in some views towards them.

475. The applicant has provided a view of Borough Road, junction with Southwark Bridge Road in the TVBHA (View 22). The view is taken outside the Grade II listed Duke of York Public House at the junction of Borough Road with Southwark Bridge Road. The view eastwards along Borough Road include several locally listed buildings lining the south side of Borough Road including those within the site.

476. The proposed development would be visible within and beyond the southern frontage to Borough Road. Building D would terminate the view east at the northern apex of the site marking the junction of Borough Road with Borough High Street and Newington Causeway. Building C would be visible at a lower scale beyond Diary House. Part of the frontage of No.83 Borough Road would be removed to create a new entrance into the heart of the site between Nos.82 and 83 Borough Road. The lower shoulder of Building A would infill the streetscape between Nos.83 and 86 Borough Road with a building of a scale that would echo that of both existing buildings. The proposed development would be an immediately noticeable dominant new feature of this close view that would become its focal point. The magnitude of impact would be high and the scale of the effect would be major.

477. As discussed in the architectural design section of this report, white hit-and-miss bricks to the reveals would enhance the verticality and legibility of the façade modulation by amplifying the contrast between the brickwork piers and the darker secondary layer of metal windows and decorative metal spandrels. It is considered that the base, Borough Road shoulder and middle section of Building A would all have well-modulated façades that would appear robust and provide human scale and texture.

478. The proposed buildings would be seen in relation to the existing tall buildings on Newington Causeway and Southwark Bridge Road. It would also enhance the continuity of the streetscape to the south side of Borough Road and create or enhance public routes through the site. Although parts of the existing No.83 Borough Road would be lost, the majority of the distinctive façade to Borough Road would be retained and, with No.82, would be integrated within the proposed development. The nature of the effect would be beneficial.



View: View 22 Borough Road, junction with Southwark Bridge Road in the TVBHA

479. *Inner Sessions Court*
The development would be located on the opposite side of Newington Causeway to the Grade II listed Inner Sessions Court. The Inner London Sessions Court is already seen in the context of the tall buildings at 251 and the Kite building in relatively close proximity, including to some extent in views looking directly east towards its main frontage (not in the direction of the site).

480. View 23 (Borough Road, junction with Borough High Street) gives a view looking from the entrance to Stones End Street at the junction of Newington Causeway, Borough Road and Borough High Street. To the left is the Grade II listed Inner London Sessions Court. The townscape quality of the view is ordinary: despite the presence of a number of historic buildings the townscape is fragmented, incoherent and lacks distinctiveness or a strong sense of place.



View: View 23 Borough Road, junction with Borough High Street

481. Building D at the northern apex of the site, and beyond it the taller Building A, would be visible at the centre of the view and would be an immediately noticeable new feature of this close view that would become its focal point. The magnitude of impact would be high and the of the effect would be major. However, in the foreground Building D would repair the lost definition and continuity of the streetscape at corner and replace the low quality garage forecourt and canopy with a new high quality well activated streetscape that would define the confluence of the three primary roads.

482. At ground floor, the scale of the openings in the base of Building D would ensure maximum active frontage and create an appropriately grand base to the building. Building D would conceal the exposed flank of Diary House better integrating the existing building within the streetscape.

483. Whilst the development would be at a much greater scale than the neighbouring buildings, it is a site allocated for tall buildings. The proposed development would comprise buildings of a form, scale and appearance that would be broadly comparable with those of other developments within the local and wider setting of the Court, albeit at a somewhat larger overall scale than others in the immediate vicinity. The principal direct views towards the main frontage of the listed building, at relatively close range and looking east, would not be affected to any significant extent by the proposed development and would be seen in more oblique views of the listed building's main frontage.

484. The consented scheme for the Elephant and Castle Shopping Centre, 19-23 Harper Road and Avonmouth House would be visible. The cumulative development would not alter the effect of the proposed development considered in isolation. The cumulative developments more generally would be consistent with the varied wider urban context in which the listed building is set.

485. Another Grade II listed building fairly close to the site is Nos. 2-12 Trinity Street, which sits just outside Trinity Church Square Conservation Area.

486. The appearance of the development in the near to middle distance in some views including these listed buildings would be consistent with the existing character of their local and wider setting. The proposed development would have no visual presence in many of the short range views in which the listed buildings are best appreciated and therefore their heritage significance is preserved.

487. Other listed buildings outside of the conservation areas are further away from the development.
    - Star and Cross Church, Falmouth Road
    - Metro Central Heights (formerly Alexander Fleming House)
    - Michael Faraday Memorial, Elephant and Castle Roundabout
    - Metropolitan Tabernacle
    - Albury House, Boyfield Street Estate
    - Clandon House, Boyfield Street Estate
    - Southwark Fire Station
    - Winchester House and attached railings
    - The Borough Welsh Congregational Chapel

488. The analysis shows that the cumulative schemes and the proposed development together would have no effect on the heritage significance of this listed building or the appreciation of that significance.

489. The three listed buildings at Elephant and Castle (Metro Central Heights, Michael Faraday Memorial and the Metropolitan Tabernacle are considered below. This is seen in View 12 (Elephant and Castle junction, south). This view is located on the western side of the Elephant and Castle junction, to the south of the Grade II listed Metropolitan Tabernacle. The Grade II listed Michael Faraday memorial on the northern island is just visible through the traffic. This view is very much highway dominated with significant urban redevelopment. This includes the Elephant and Castle Shopping Centre, which has since been demolished.

490. Building B of the proposed development would be seen beyond the northern end of the junction. Its visibility would strengthen the tall building enclosure to the junction and consolidate the northern half of the tall building cluster at Elephant and Castle. Building A would be almost entirely concealed behind 251. The proposed development would make an immediately noticeable but not dominant change to the composition of the view and it would not change the established taller modern character of Elephant and Castle town centre. Officers agree that this would complement the emerging cluster of high-quality tall buildings at Elephant and Castle with a beneficial nature of effect.

491. The consented scheme for the Elephant and Castle Shopping Centre would be prominently visible on the right, as the new focal point of the views, while the scheme at 80 London Road would be located to their north (Michael Faraday Memorial) or west (Metro Heights). These cumulative developments would be closer to the listed buildings than the development, and they would be consistent with the character of the local setting of these listed buildings. The cumulative development would increase the effect of the proposed development considered in isolation but the nature of the effect would be beneficial.

492. The location of the proposed development to the north of the Tabernacle is such that it would not have any meaningful visual presence in direct views towards the main frontage of the listed building (looking west) and would appear in views looking north which include the main frontage in an oblique manner.

493. The proposed development's distance from Boyfield Estate listed building, (which is also separated from them by the railway viaduct and the presence of intervening post-war and modern development), is such that it would appear clearly distinct and separate from the listed buildings and their immediate setting, and its appearance would be consistent with the wider context in which the listed buildings are located.

494. The final three Grade II listed buildings can be considered together due to their proximity to each other and similar relationship to the site. Views south in the direction of the site (View 21: Southwark Bridge Road, junction with Great Suffolk Street) take in the main frontages of the Fire Station and Winchester House in an oblique manner; the proposed development would not have any meaningful visual presence in views looking directly west at the main frontages. The Chapel is best appreciated in views looking north (the opposite direction to view 21 in the TVBHA). There would be a clear sense of separation between the development and the listed

buildings in views. It can be concluded that the proposed development would not harm the setting of the nearby listed buildings.

495. Other designated Grade II listed buildings within the 500m study area were scoped out as it was considered clear that development would have no effect on their heritage significance. The applicant points out that this was informed by consideration of the reasons for the significance of those heritage assets and the contribution of setting to their heritage significance; the location of the site relative to the assets and any potential for the site to contribute to their heritage significance; and the potential visibility of the proposed development in relation to the assets and their existing settings.

Other heritage assets

496. The applicant has provided views outside the borough and it can be concluded that the nature of the effects would not be significant.

Locally Listed Buildings

There are a number of buildings on the site and within the vicinity of the site that are recognised by the council as locally listed. Policy P26 'Local List' of the Southwark Plan is therefore relevant.

497. Nos. 82 and 83 Borough Road, 38 Newington Causeway and Nos. 56-62 Newington Causeway (the IoO) are locally listed buildings and Policy P26 states that *"Development must take into account locally listed buildings and structures that positively contribute to local character and amenity."*
Whilst the protection offered is not the same level as given by statutory listing, there will be a general presumption against demolition. Any harm caused to a local list entry by demolition or loss of a large proportion of a locally listed building as part of a proposed development would have to be justified and outweighed by the benefits created as a result of the development.

498. Assessing the loss of the IoO in the first instance, this building has also been noted by Historic England and Conservation Area Advisory Group as being of worthy of heritage merit in its own right. Along the Newington Causeway frontage little of the historic townscape remains and this is the last surviving fragment. The IoO is a building that is well beyond its operational viability and the Institute have agreed to re-locate elsewhere.

499. The NPPF states that *"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"*

500. While this would result in the total loss of the building, that heritage significance is limited, given the much-changed nature of its built fabric and its much-altered immediate setting. Furthermore, the building is within a site allocation, envisaged for comprehensive redevelopment. The original 2022 scheme did not include the IoO site and it was following discussions and feedback with Officers that the applicant had acquired the site to allow for a better layout, increasing the spaces between buildings, provide the public open space and better relationship with the Low-Line. Opening up the Low Line and offering a generous and attractive access to the public

space at the centre of the site are some of the most important features of the scheme. It is considered that the wider public benefits of the re-development of the site, delivering new housing, opening up and extending the Low-Line across the site and contributing to the large public space at the centre of the site and providing a temporary location for the Mercato traders, the loss of this undesignated heritage asset can be balanced against the benefits resulting from the loss of this locally listed building.

501. No. 38 Newington Causeway would also be demolished as this sits in the middle of the Newington Causeway frontage. This isolated mid-terrace building dates from the 1820s and is the only survivor of the longer terrace which formerly lined this part of Newington Causeway and has some local value in recording the 19th century development of the Bridge House Estate. The demolition of the buildings on either side of the building have left the mid-terrace house isolated from its original setting and have exposed its side elevation, which has weakened its historical connection. The analysis shows that despite the well-proportioned composition of the original terrace elevations the isolated nature and dilapidated condition of the building renders its aesthetic value now low. The heritage value of No.38 Newington Causeway is medium: it is an unlisted building and it does not contribute to a designated conservation area. The loss is not judged to cause 'substantial' or 'less than substantial' harm. Given that this site was envisaged to be comprehensively redeveloped in the site allocation, the demolition is considered acceptable in this instance.

502. This application does not propose to completely demolish the buildings Nos. 82 and 83 Borough Road, but instead re-purpose them in a sensitive manner to be reused, which has already been discussed earlier.

503. No. 82 dates from the mid-19th century and while of simple and elegant design the Chapel is not of outstanding architectural quality it is considered to have some aesthetic value and the exterior remains as a modest example of Victorian chapel architecture.

504. The building is retained with alterations to its fabric that would address and activate the new central Piazza and the new route from Borough Road to the Piazza. There would be internal reconfiguration to provide commercial floorspace. It is considered that potentially enabling public access to the interior of the chapel will be of some heritage benefit. The proposed alternations to the external fabric of the building would not change the appearance of the building seen from Borough Road. It is therefore considered that the proposal would have no significant effect on the limited architectural and historic value of the existing building and its primary aesthetic contribution which is to the streetscape of Borough Road.

505. It is noted that Building A fronting Borough Road would rise prominently, but the resulting visual impact on the setting of No.82 would be mitigated by Building A being set back behind the retained and extended street frontage to Borough Road.

506. Turning to No. 83 Borough Road, this was constructed between 1906 and 1907 with a new building for the South London Institute for the Blind (now occupied by LSMT). The front elevation of the building appears to have only had minor alterations, but a

greater level of change has occurred to the rear (with the filling in of the courtyard and the addition of a new staircase block; the southernmost bay also appears to have been reconstructed). Despite the many alterations and additions, the character of the original building remains evident throughout. An objection was raised a number of amenity groups and statutory consultees on the loss of this building. They argue that the building is architecturally interesting, with well-preserved interior spaces and overall it makes a positive contribution to the area.

507. No.83 Borough Road was initially considered for listing in 1993 as part of a major Urban Lost Review by English Heritage (now Historic England). At that time it was not recommended for listing. It was reassessed in 2002, following a spot listing application from a member of the public, which was unsuccessful. English Heritage at the time believed that it has been too altered in the later 20th century to recommend for statutory listing.

508. There would be some loss of the original fabric and of the architectural integrity of the existing building. However, the proposal would retain the most distinctive and attractive element of the existing building's principal façade to Borough Road (including the three distinctive turrets and the front part of the large hall spaces behind) and some built fabric behind it. As such, it is considered there would be little impact on the limited architectural and historic value of the existing building. The loss of the eastern part of No.83 would enhance permeability through the site, which is a benefit.

509. The setting of the retained part of the main frontage on Borough Road would be enhanced by the way Buildings A and D would repair the continuity of the street frontage. Whilst there would be a significant change in scale along the street frontage to Borough Road, there is a slight setback from that retained part of No. 83 Borough Road. It is not considered that the visibility of additional tall buildings would inherently harm the setting of No. 83 Borough Road.

510. As such, Officers are of the opinion that there would be moderate adverse effect on the heritage significance but retention of the principal features of the building and the benefits the proposal would bring would be acceptable.

511. Diary House (Nos. 77-81 Borough Road) is also locally listed, but sits outside the site. It was developed in three phases and was initially constructed in the early 20th century and extended to the west in the 1930s to amalgamate all the diary manufacturing under one roof and to the east in the 1950s. No. 77 and Nos. 78-80 of Diary House have some architectural and aesthetic value, as handsome well-proportioned industrial buildings which are typical of their period. The immediate setting of Diary House is varied in character. In respect of Borough Road, the existing car hire use immediately to the east means that the locally listed building does not have a coherent street frontage to which to relate in this direction, and its blank eastern flank wall is revealed.

512. New Buildings D and the lower part of Building A would be located on the same Borough Road frontage. The retention, in part or whole, of the main frontages of Nos. 82 and 83 Borough Road would maintain its positive contribution to the immediate townscape setting of Diary House. The manner in which the new Buildings D and

lower part of Building A would repair the street frontage to Borough Road to either side of Diary House would improve the quality of its townscape setting.

513. The proposal would introduce large scale and tall modern development immediately adjacent or close to this non-designated heritage asset. It is considered that the proposal interacts naturally with this established townscape transitioning to a mid-rise tower at the corner. In this way the historic tree-line townscape of Borough Road is preserved and enhanced. The architectural and heritage value and interest of the non-designated heritage asset would not be altered by the location of large scale and tall buildings closer to it than at present. It is not considered that the development would have a harmful effect on the heritage significance of Diary House.

514. The Rail Bridge on Southwark Bridge Road is also locally listed and is to the west of the site, visible from Borough Road. The proposed development would improve the street frontage along Borough Road to the east of the bridge and would retain, in whole or large part, the existing elements on site of 19th or early 20th century origin along this road. The proposal's introduction of new tall modern buildings on the site, would be consistent with the character of the wider area around the bridge and would have no impact on appreciation of this robust piece of transport infrastructure.

Borough local views

515. The applicant also provided supplementary views, where one of these is the Borough View of St Paul's from Camberwell Road, which passes close to the east of the site. It is considered that there would be no significant impacts on the Borough Views.

Design Review Panel

516. 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. During the pre-application stage and prior to submission of the 2022 application the applicant presented their proposals to the Design Review Panel (DRP). Following the feedback and the decision to revise the proposals, the applicant went through another round of pre-application with council officers and a scheme was presented to the DRP (the 'Panel') in January 2024. The Panel reviewed and commented on a number aspects and their comments and officer's responses are summarised below.

517. They had questioned whether the CGIs and shadows indicated were realistic and noted the daylight and sunlight impacts from nearby sites. As noted in the daylight and sunlight section of the report and the ES review, the methodology has been considered to be appropriate and the living standards of residents would be adequate. The Panel had investigated the interface between the podium and the Diary House. Officers had discussed this aspect above.

518. The Panel generally supported the changes from the earlier proposal (2022) and highlighted areas where further design development was necessary. They recognised the landmark ambition of the proposal.

519. In terms of public realm, they agreed that for such a significant number of homes being planned on the site, the landscape would need to work very hard to deliver the

spaces that residents need. The quality of design and sense of place will rely to a great degree on the quality of the public realm, mature planting and landscape design.

520. Whilst the Panel noted the creation of a Woodland Garden as the main centrepiece of the public realm would work well, they were also careful to note that these spaces needs to be large enough to play this role and is designed to work in the long term. They highlighted that the mature trees would need the right soil conditions to survive. They also suggested that a woodland scheme should include shorter planting types and to retain the woodland vision across seasons. The maintenance of the landscape as well as a vision for the fountain were considered important to ensure that it is delivered to the expected standard and sustainable.

521. The applicants have taken on board the above by proposing different species of trees of various heights and the council's Urban Forester is supportive of this. The applicant has proposed mounds to ensure adequate soil volumes. The maintenance of the landscaping would be secured by conditions.

522. The Panel noted some concerns over the triangular space near the railway and narrow route along the flank of No. 86 Borough Road and proposed Building A and would benefit from further refinement. Other key pinch-points in the public realm and at the main pedestrian entrances into the site needed more consideration to ensure it would encourage people to use them. In response to this, the applicant worked on these points and routes to ensure maximum activity and of sufficient width to encourage use and activity. Officers have considered the frontages to these pinch-points and edges and feel that these would work well to support the range of uses envisaged.

523. In terms of access, the Panel noted that all the cycle and wheelchair parking provision was in the double-basement. Details had not been presented to them at the time about how this was to be accessed or used which they raised as a concern and highlighted as they felt that it was a critical aspect of any development and particularly for one of this density and scale.

524. The Panel had encouraged the applicants to develop this aspect of the design and to carefully consider and communicate each element of the journey experienced by cyclists and wheelchair users in each block from the street to the place of storage and up to the homes. In response, the applicant reviewed the cycle parking strategy and some of the cycle parking has been moved up to the ground floor level, which is a positive move.

525. In terms of the layout and arrangement of the blocks, the Panel had generally endorsed the arrangement and the improvement to the design arising from the acquisition of the IoO site. They felt that the public realm would work better with the enlarged central court, the increased separation between the towers and the removal of the acute site extent. The removal of the 'dog-leg' to Block C from the 2022 application would improve outlook and podium amenity space.

526. The Panel stressed that there were challenges however, in particular the double loaded central corridor within the affordable block Building C, which would serve up to 11 new homes on each floor. This resulted in more single aspect units. As

discussed under the fire safety and residential design quality section of this report, Building C is split into two fire-fighting cores resulting in a maximum of 7 flats per floor in one core and 4 flats per floor in the other. The single aspect of the flats have also been discussed elsewhere in this report and overall, the provision of 'enhanced single aspect' units with good outlook is considered satisfactory.

527. Turning to the heights and architectural design, the Panel pointed out that they would not be able to conclude on the proposed heights, but noted the changes since the 2022 application. They did note at the time that they did not agree with the heights. They wanted to stress that this development should be tenure blind and that the quality of design should not be diminished whether it is for an affordable housing block or a private tower. As already discussed above, the buildings would be of equally high quality design and it would not be possible to distinguish between the different tenures. All tenures would have private and communal amenity space, equal access to the play areas on the ground and meeting minimum space standards. Conditions regarding materials, finishes, section drawings showing depth of reveals will ensure that all buildings would be of equitable design.

528. When the Panel considered the towers they noted that these were deliberately different. They are not twin-towers of equal height but two towers with one being deliberately lower in height which gave the cluster a picturesque quality in the round.

529. The Panel had challenged the applicants to consider how these towers will be designed in detail. They questioned whether they would be designed to be replica towers or designed as 'siblings' such as sharing a common architectural framing but with a slightly varied detailed expression or brick cladding.

530. As explained above, the taller towers Buildings A and B would follow the same architectural principles and read as a pair but would not be treated identically. The design of the tops of these buildings are distinct and the use of metal and stepping back of the massing would create a more slender form, amplify the vertical expression and articulated with pinnacles to give the building a dynamic presence in the skyline.

Inclusive Design

531. Policy D5 of the London Plan states that development proposal should achieve the highest standards of accessible and inclusive design. Southwark Plan Policy P14 states that development should provide accessible and inclusive design for all.

532. The principles of TfL's Healthy Streets and active travel is considered to be at the heart of the proposed development and this is discussed in more detail in the Transport section of the report. Amongst other best practice and Building Regulations Approved document M, the various inclusive access measures within the proposal would include:

- Threshold treatments will signal the entrances to the site and provide a focal point to draw people into the piazza;
- Pedestrian footways and associated surfaces take into account roughness and slip resistance to ensure a comfortable and safe walking experience;
- All paved surfaces will be gently graded or level;

- Carefully located seating with a proportion having arms and backs to aid ease of use for residents of different ages and abilities;
- The wayfinding and signage strategy will be developed using good practice;
- The landscape proposal meets both the existing levels at Newington Causeway and Borough Road and level or gently undulating with no major level changes;
- Paving will be inclusive in terms of colour contrast and offer accessible surfaces for wheelchair users and other disabled people as well as being cost effective to maintain;
- Finished floor levels are met flush at building entrances;
- Weather protected communal entrances will stand out from and be distinguishable on the façade so as to be easily identifiable, especially to visually and cognitively impaired people; and
- Accessible refuse and cycle storage in basement, ground and mezzanine levels.

533. 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.

534. The Metropolitan Police was consulted on this application. The Met Police had met with the applicant's design team to discuss Secured by Design principles. They note that the design of the development has considered opportunity for natural surveillance, incorporates excellent lines of sight and the development should 'activate' this area, which are all excellent crime prevention measures.

535. There would be no secluded areas or alcoves at ground level and is a positive measure for crime prevention. The Met Police also stressed that there would need to be compartmentation of the residential buildings for security purposes (restricting access to only selected parts of a building by having floor to floor entry controls). The Police has recommended that a 'smart lift' form of compartmentalisation is employed as this is the simplest method of achieving what is required on this building.

536. The Met Police commented that planting within the public realm is maintained to appropriate heights to keeping clear lines of sight and good levels of lighting should conform to BS 5489:2020 and would prevent offences of violence particularly against women and girls. These would be controlled by conditions.

537. The Met Police has recommended a number of measures including management strategy to deal with times of opening and rule setting around activities that can and cannot take place in the communal terraces of this development, CCTV, appropriate doors to the cycle storage areas.

538. They conclude that with continued consultation with a Designing Out Crime Officer, and the use of correctly accredited and third party certificated products that this development should be able to achieve a Secured by Design award. The Met Police recommends a two-part condition that includes requiring a Secured by Design certificate to be submitted for approval.

Fire Safety

539. The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021 establishes that any relevant building is subject to Gateway 1 requirements. Relevant buildings are that which satisfy the 'height condition' and contain two or more dwellings or educational accommodation. The height condition is that (a) the building is 18 metres or more in height; or (b) the building contains 7 or more storeys. The Gateway 1 requirements outline that schemes which feature a relevant building must submit a fire safety statement form and the HSE must be consulted. The council consulted HSE on the application. Pre-application meetings also took place between the HSE and the applicant's design team prior to submission.

540. Policy D12 (B) of the London Plan requires that all major developments must submit a fire statement. The fire statement should demonstrate how the proposals respond to and contain information on the requirements of both parts A and B of the London Plan policy D12 on fire safety. This must be completed by a third-party, independent, suitably qualified person. 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 applicant has submitted a Stage 2 Fire Strategy (including Gateway 1 Fire Statement Form and Qualitative Design Review) compiled and reviewed by suitably qualified assessors.

541. It should be noted that when the 2022 application was submitted, it did not provide two stair cores as this was not required at the time. Changes to the fire regulations midway through the 2022 application had meant it would require changes to the design of the buildings to incorporate a second stair core, which this scheme would provide.

542. The Fire Strategy outlines the building construction method, products and materials, evacuation measures, travel distances, passive and active fire safety measures, access and facilities for the fire and rescue service.

Among other things, the Fire Strategy confirms that:

- The residential apartments and ancillary accommodations will evacuate independently of one another. The residential apartments will implement a stay-put policy, whilst the ancillary accommodations on site will adopt independent simultaneous evacuation approaches;
- One lift suitable for evacuation purposes will be provided alongside the firefighting lift (where provided) to assist disabled occupants;
- automatic fire alarm and detection system in the flats;
- mechanical smoke ventilation system in the residential common corridors at the upper levels;
- Sprinkler coverage is provided to all the residential apartments, ancillary areas and car park.
- Areas enclosed in fire rated construction;
- Wet riser inlet and hydrants;

- Emergency lighting and escape signage;
- Fire resistant compartment walls.

543. The design allows for all residential buildings to benefit from two stair cores. All travel distances to the residential cores are appropriate whilst using a mechanical smoke extraction system, and structures will achieve 120 minutes fire resistance for Buildings A, B, C and D, and 60 minutes to Building E (the retained 82 Borough Road which is to be used for non-residential uses).

544. Fire vehicle access will be provided to 15% of the perimeter of the non-residential units, or 45m of every point within these spaces.

545. The building management forms an integral part of the design and on-going functionality of the building after occupation. The building will have a management team whose responsibilities will include ensuring the fire safety strategy is adopted and enforced.

546. Both the HSE and the Met Police had pointed out that it is advisable to consider the risk to fire safety due to the presence of electric vehicles (EV) as they contain lithium-ion batteries and to ensure that the necessary fire suppression measures have been considered and specified. This will need to be addressed at later regulatory stages.

547. The London Fire Brigade did not object to this application. The HSE had initially provided comments as well as identifying some matters that the applicant should try to address, in advance of later regulatory stages. The applicant had responded and HSE was further consulted. In HSE's response, they confirmed that they welcomed the clarifications and it will be for the applicant to demonstrate compliance at later regulatory stages.

548. These fire safety details need to be considered in the Building Regulations stage as well. Overall, the proposal would comply with London Plan 12. The proposal also complies with London Plan policy D9, section C.2)a) and D5 on inclusive design by providing at least one fire evacuation lift to each residential building. A condition is proposed to require compliance with the submitted statement to ensure compliance with London Plan policy D12.

549. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer. The fire statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.

Conclusion on design, heritage, townscape considerations

550. When considering the sites existing context parts of it have limited townscape merit and the this would be replaced with buildings that would have active frontages along all the edges which would beneficial. Given that the buildings would be of significant height and density they would need an exemplary standard of design. An additional consideration is that the application site is situated within an opportunity area and a town centre a location where tall buildings are considered to be appropriate. The visual, functional, environmental and cumulative impacts have been considered. The

architectural quality and materials are considered exemplary, and the development will incorporate high-quality sustainable design.

551. The proposed development seeks to create a new piece of the city at this prominent location. It keeps some of the best historic buildings around the site and complements them with a series of new buildings, commercial and residential in character. These establish a new and active, predominantly brick faced perimeter along Newington Causeway and Borough Road.

552. While there would be 'less than substantial' harm to a few sensitive locations including some at the upper end of the scale of harm, the development presents public benefits that on balance outweigh this harm. It has also been highlighted that the wider settings of many of the assets do already include varied built form, including tall buildings, which are often seen in the context of and in contrast to low rise buildings such as those on the Scovell Estate and so the proposed development will not appear wholly incongruous in this densely developed urban area.

553. A number of the existing historic buildings are preserved and integrated into the development. Where they cannot be retained, they are replaced by new buildings and where possible occupants retained and relocated into new, bespoke facilities. Whilst there would be the loss of the locally listed IoO and No. 38 Newington Causeway, it was acknowledged that the heritage significance is limited and it is necessary to realise the comprehensive redevelopment of the site.

554. The layout is well conceived with the buildings set within new high quality public realm sized commensurate to the scale of the buildings. The introduction of new routes and public spaces within the site would bring activity and the tall buildings would be a landmark for this destination. In conclusion, the overall height and massing strategy are supported. The site is located in an opportunity area and forms the gateway to Elephant and Castle, where tall buildings are an established part of the areas character.

Landscaping, trees and urban greening

555. An important part of the development is the provision of public realm within and around the site. The layout of the space is discussed in preceding sections of this report. 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.

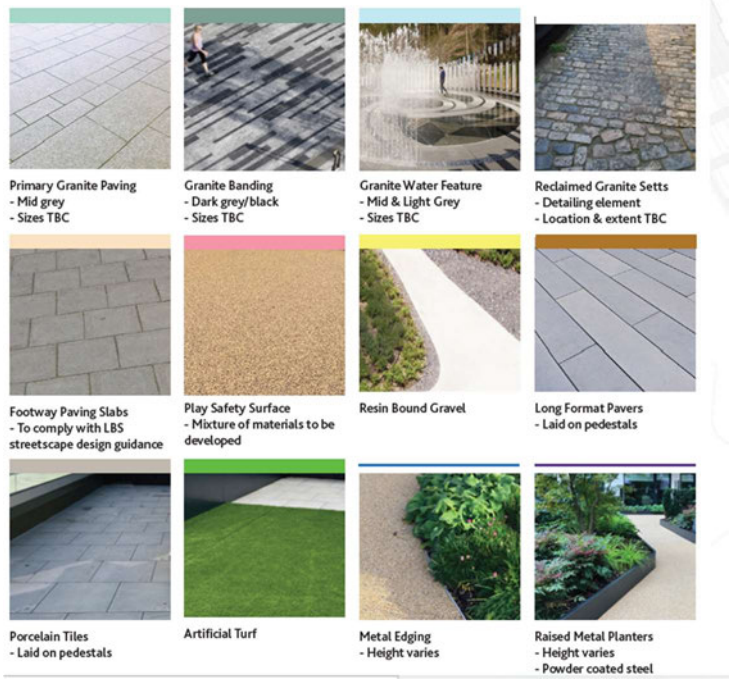
556. The current site does not have any open space that is open to the public. MM does have areas for seating and limited planting and trees. The proposed development with its various character areas is welcomed. It has already been established and discussed how these public open spaces would function, which would include play space. The public realm and landscape design have successfully incorporated the elements that Officers had recommended at pre-application stage to provide a well-

proportioned and welcoming central green amenity. The wooded area is an organic, mounded form with a serpentine path to enable better access, habitat value and incidental play. This has improved overall permeability across the site to enhance dwelling time and use.

557. The design of the central cart wheel fountain has been informed by the site's industrial history and activates the space with a variety of water and lighting effects as a dynamic centrepiece of public realm. Its circular form sits well within the surrounding planting areas and will provide a significant cooling effect and use as play space or events programming.

558. The fully accessible public realm would respond well to the activities planned for the ground floor of the proposed development and meets the aspirations of the site allocation. The communal terraces have also been designed using principles of accessibility and include design. There are also no shared pedestrian/cycle paths included in the design to ensure the safety of residents and visitors. The routes will be hard-surfaced and is sufficiently wide to allow for walking and play or for spill-out space where relevant. Around the edges of the space a series of seats are set back within planting, offering opportunity to relax, or for parents to sit while their children play in the fountain.

559. In terms of the hard surfaced material strategy, it is proposed that a single granite paving type will unify the ground plane. Subtle changes in unit size or finish, while keeping the same colour stone, will be used for subtle detailing and marking different areas. Feature banding will also be used along main routes to reinforce the urban grid of the buildings and aid wayfinding through the site. Play spaces will be a mixture of materials and surfaces to maximise play potential, including resin bound, timber and stone. Existing footway on Newington Causeway and Borough High Street will be upgraded in line with Southwark's Design Guide standards, through agreed S278 works.



560. The entrance to Building D at the apex of the site is predominantly hard surfaced with limited planting. Some of this space is used for short stay cycle parking (on-site). It

is considered acceptable given that there is an existing large London Plane tree on this junction, softening this important visible corner.

561. Much of the soft landscaping would be within the Woodland garden of the site and on the communal roof terraces, which would be planting of biodiverse, species rich area. The soil volumes have been increased and optimised to ensure sufficient build-up above the basement slab as advised by the council's tree officer.

562. The Planting Strategy diagram is colour coded and relates to the following palette of plants for each area / planting zone shown.



Plan: Planting Strategy

563. At ground floor a single palette is proposed, to focus on and emphasise the impact of the Urban Woodland idea. The composition of this will vary across the site; at the centre of the site between Buildings A&B the main woodland area will feature more ferns and understory species; while the towards the edges of the site this will transition to species more characteristic of a woodland edge.

564. Different palettes are given at roof terrace levels A and B to create their own character. Building C terrace will have the same typology as A, but with different species that have a more semi-wild character, where play trails and areas are immersed in nature. Instead of raised, formal containerized planting beds around play areas, an assortment of amenity spaces and play pockets and naturalistic, planted habitats will be introduced. There would also semi-intensive planting typologies, such as drought-tolerant gravel gardens, are proposed in key areas. Block D will have the same planting typology as Building B.

565. The lower terrace on the northern facade of Building C will include a raised planter, to provide a visual amenity for users of the first floor commercial area, while also

providing some privacy for Diary house. Planting will be a reduced mix similar to building C podium, utilising highly shade tolerant species.

566. It is considered that the indicative planting strategy to be locally specific and mindful of climate change. The planting palette has been developed which responds to the needs of each character area and the scale of each space. A mixture of native and adapted plants are proposed. Each planting palette is made up of a layer of perennials, grasses and groundcover; with structure provided through larger accent shrubs and bulbs to add seasonal interest. It is considered that this combination of plant types will ensure that each planting mix provides a variety of colour, texture, seasonal interest and biodiversity value.

567. Through planning conditions, the applicant will be required to install the soft landscaping to the agreed specification and maintain it in the long-term. This would ensure the positive contribution to the greening of the site can be ensured.

568. There will be 12 basement vents located in the planting beds of the Woodland Garden. 8 are freestanding sculptural elements and the remaining 4 vents are located in pairs and integrated into the seating. Vents within the planting beds will not have an impact on play areas, and those integrated into seating at playspaces will be done sensitively so that they can enhance the spaces. A condition securing detailed design of these vents are recommended to ensure they would be integrated into the landscape.

Trees

569. The applicant has submitted an Arboricultural Impact Assessment (AIA). The tree survey identified a total of 19 No. tree features within and immediately adjacent to the site with a further 5 No. smaller tree features located in the MM seating area. These are predominantly early mature to mature London plane located in the public footway along Newington Causeway to the east of the site and along Borough Road to the north. Within the site itself, there are areas of planting within containers or in raised planters within the southern extent of the existing MM site. The trees recorded in this area are not visible from public areas outside of the site and provide only limited amenity value to the MM outdoor seating area.

570. In total, there are 6 No. Category A (high quality) trees, 11 No. Category B (moderate quality) trees and 7 No. Category C (low quality) trees. As a result of the development, 5 low stature individual trees are to be removed. This includes 3 No. Category B trees and 2 No. Category C trees.

571. Southwark Policy P61 states that development must retain and protect significant existing trees including trees that have a high amenity value. The loss of those Category B and C trees are considered acceptable as these trees are all located within the site and were introduced by MM, which does not currently offer significant amenity value being not highly visible from outside the site.

572. Policy P61 also states that *"Where trees are removed to facilitate development, they should be replaced by new trees which result in no net loss of amenity, taking into account canopy cover as measured by stem girth."* If this is within the development,

then the valuation may be calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology.

573. Tree loss will be mitigated with a high-quality scheme of new tree planting. A total of 98 trees will be planted. There will be 43 new 'woodland' trees and one new street tree at ground level. Additional planting is proposed at terrace and podium levels (this will include an additional 54 tree plantings giving 98 new trees in total). Despite the provision of new trees to mitigate the loss, this is not sufficient as an immediate measure to offset loss. The northern part of the borough is most deficient in canopy cover and in light of Southwark's climate strategy with the need for resilience at the earliest opportunity. As such, a financial contribution is to be secured.



Plan: Proposed and retained trees

574. Trees that would require pruning to facilitate the development comprise 5 Category A and 5 Category B trees. These are located on both Newington Causeway and Borough Road footway. This will require crown reduction works to provide a lateral clearance of the proposed façade of circa 2m. This level of pruning will not have a significant negative impact on the health or amenity value of the tree. The council's Urban Forester has reviewed this and highlighted that there would be a significant loss of canopy over of Borough Road Category A Plane T1. The accepted tree loss (as mentioned above) and the T1 works would require a S106 contribution of £45,700 to improve borough tree planting located according to 'right tree right place' principles and to mitigate harm as set out in P61.4.

575. Given that the amount of pruning is limited and the mitigation measures to be secured for the loss of the canopy of T1, this is considered an acceptable aspect of the scheme, which would bring the site to more optimised use.

576. The proposal would also see a total of 18 trees which may require some incursion into their construction exclusion zone (consisting of 6 Category A, 8 Category B and 4 Category C trees). Acceptable tree protection measures during construction stage are proposed to retain the historic avenues of Plane trees on both Newington Causeway and Borough Road and a condition will be secured to ensure that there would be adequate protection in line with the relevant British Standards.

577. The new trees have been selected to help balance the scale of the development, while also working with build-up constraints on podium. The species selected are a mixture of UK native and adapted species, which are known to be hardy and climate resilient. These will range from large feature trees at ground floor to small multi-stems on the roof terraces. Primarily single stem trees will create a clear, open character below the canopy level so views are maintained. Multi-stem trees will be introduced where appropriate around the edges of the site. At roof terrace and podium level smaller multi-stem trees are used to provide more natural shelter. Building A terraces and Block C podium will use a mixture of deciduous flowering trees. Block B features a mixture of multi & single stemmed evergreen pines, to help give the two terraces their own distinct character. Block D roof terrace is smaller in size and therefore does not contain any trees.

578. As discussed previously, the sunlight and overshadowing analysis shows there would be adequate sunlight over the public landscaped spaces and roof terraces. This would ensure the plants and trees their health and longevity.

Boundary treatment

579. The Low Line falls outside the site boundary and therefore the applicant has no control over it. For this reason, the focus of the landscape along this boundary is to not prejudice future development within the arches and to provide an appropriate boundary relative to the Low- Lines use status. In the event the Low-Line remains in its current use (primarily industrial related uses), a temporary boundary will be provided. These are shown in the images below. The height and design of the interim boundary are illustrative at this stage – there will likely be a temporary hoarding line during demolition & construction, then the interim boundary treatment

installed pre-occupation of any buildings (which will be designed much nearer the time). The interim boundary design will be discussed with officers and adjoining landowner before being submitted for approval pursuant to planning condition. It is considered that with some 'windows' put in to any interim boundary, this would create a safer route with passive surveillance.

580. In the event the arches are developed to retail/ commercial spaces the temporary separation will be removed providing a 3.5 to 5.5m metre wide promenade. It is considered that this would support the future Low-line should it come forward.





Image boundary treatment for two scenarios. Left: interim boundary treatment, Right: boundary removed once Low-line comes forward



Image: Artist's view of the future Low Line experience

581. The furniture strategy will use a limited selection of items to create a cohesive and robust scheme. The landscape condition will also secure further details of the furniture across the site.

582. There will be a combination of on-site and on-street cycle parking, which is further discussed in the transport section of the report. Those that are provided within the site is considered to be conveniently located and does not distract the main open space/play areas.

Ecology and biodiversity

583. Ecology
Policies P59 (Green infrastructure) of the Southwark Plan states that developments should provide multiple benefits for the health of people and wildlife, and to integrate with the wider green infrastructure network and townscape / landscape, increasing access for people and habitat connectivity and P60 (Biodiversity) of the Southwark Plan states that development must contribute to net gains in biodiversity through, amongst other things: Include features such as green and brown roofs, green walls, soft landscaping, nest boxes, habitat restoration and expansion, improved green links and buffering of existing habitats.

584. An ecological appraisal has been submitted providing the baseline conditions relevant to the development and the assessment of potential impacts of the proposed development on biodiversity. The desk study determined that there were no sites designated for their national biodiversity value within 1 km of the site. There are a number of Sites of Importance to Nature Conservation (SINCs) within the vicinity of the site. Nevertheless, the site itself is not within a SINC. There are unlikely to be any negative impacts on the SINCs as there are a lack of functional pathways between the proposed development and the identified sites, with large areas of intervening development. Any potential impacts on non-statutory sites will be avoided through the implementation of a Construction and Environmental Management Plan (CEMP), which would detail measures to control dust deposition, pollution/spillage, noise, vibration or lighting pollution during demolition and construction phases of the proposed development.

585. The site is covered predominantly by hardstanding and buildings and as identified above, there are small number of trees and shrubs in planters within the MM part of the site and large trees along the site boundaries. There were no notable existing habitats and no habitats on site associated with the local BAP (Southwark Nature Action Plan).

586. In terms of the Schedule 1 birds, there was a record of black redstart 900m north of the site from 2013. However, following more recent surveys, there is no evidence of black redstart being present within or adjacent to the Survey Area was recorded. They are therefore assessed as likely to be absent from the site due to more suitable habitats being available within adjacent areas.

587. Records of notable breeding birds were recorded and a total of 20 bird species were recorded with 18 species showing evidence of breeding either within or adjacent to the Survey Area. Four species have a conservation status of at least notable.

588. A bat survey report took place in 2024 following surveys undertaken in 2021 for the 2022 application. A roost was found in 82 Borough Road during surveys in 2021. Two common pipistrelle *Pipistrellus pipistrellus* bats were recorded emerging from the top of the northern elevation at dusk in 2021. During the 2024 surveys, there were two common pipistrelle bats seen emerging from the same location. A roost was found in No. 38 Newington Causeway, during surveys in 2021. No roosts were recorded during the surveys in 2024. However, the building is still considered a confirmed roost due to its presence in 2021. During the 2024 surveys of the remaining buildings on site, no bat roosts were recorded and they retain their low to moderate suitability for roosting bats. Other buildings were surveyed externally and found not to have suitability for roosting bats. As a result, a European Protected Species Licence will be required to cover the works to the two confirmed roosts.

589. The Woodland Garden and roof terraces will comprise areas of diverse planting that will be an ecological enhancement. Natural England has not raised any concerns with this application. The Council's Ecologist has reviewed the proposal and is satisfied with the ecological appraisal submitted in support of the scheme and has recommended the imposition of a number of conditions to cover the roof, native planting, bat boxes, control of lighting for bats; bird bricks; further details of the biodiverse roof; and invertebrate habitats (bee bricks/invertebrate hotels). The site in its current condition is of little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.

Biodiversity Net Gain

590. In England, Biodiversity Net Gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

591. 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.

592. *Biodiversity Gain Hierarchy*
Planning authorities must take into account how the Biodiversity Gain Hierarchy (set out in set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015) has been applied and, if it has not been applied, the reason or absence of a reason when determining the application.

593. The Biodiversity Gain hierarchy sets out a list of priority actions:

- first, in relation to onsite habitats which have a medium, high and very high distinctiveness, the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects; and
- then, in relation to all onsite habitats which are adversely affected by the development, the effect should be compensated by prioritizing the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.

594. Planning regulations require an assessment of whether the proposed habitat works to deliver biodiversity net gain onsite will deliver a significant increase in the biodiversity value of the site, compared to the pre-development biodiversity value. The distinctiveness, condition and size of the biodiversity habitat to be delivered are all considerations which must be balanced.

595. Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development's biodiversity value.

596. The BNG to be provided as part of this development is considered to be significant. Government guidance (PPG Biodiversity, 2024) on determining whether BNG to be delivered on a development site is 'significant' sets out five factors. These are set out below.

Government Guidance on <u>Significance</u>; **Does the proposed habitat delivered contain;**	**Assessment**
Habitats of medium or higher distinctiveness in the biodiversity metric.	The following area based habitats are being created which have a distinctiveness of medium: -Biodiverse green roof 0.1 units -Urban tree 0.55 units
Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development.	The low distinctiveness Intensive green roof proposes to deliver 0.4 units. Low distinctiveness introduced shrub proposes to deliver 0.21 units.
Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development.	N/A

Areas of habitat creation or enhancement which are significant in area relative to the size of the development .	Introduced shrub and intensive green roof each account for 0.1 ha of a baseline area of 1.12 ha.
Enhancements to habitat condition e.g. from poor or moderate to good.	N/A

597. The data above has been taken from the documents Biodiversity Net Gain Metric and Biodiversity Gain Plan submitted with the application. The baseline value of onsite habitats was calculated to be 2.1 biodiversity units. The on-site measures propose to deliver an increase of 1.18 area based biodiversity units to 3.29, which equates to a net percentage change of +56.13%. The development therefore exceeds the national BNG target of 10% BNG achieving the requirements of London Plan policy G6 part D and Southwark Plan policy P60.

598. Habitats would need to be monitored to ensure correct establishment and growth, and remedial action would need to be taken if this does not proceed as expected, otherwise the target conditions used in the calculations may not be met and the predicted biodiversity units might not be achieved. A S106 legal agreement will therefore be required to secure the biodiversity gain for 30 years. A monitoring fee will be required as part of the S106 agreement to cover the cost of periodic monitoring over 30 years. A Habitat and Management and Monitoring Plan will be required post-approval to set out the management arrangements.

599. 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.

600. The scheme would achieve a UGF score of 0.40 through a combination of trees, semi-natural vegetation, green roofs , flower-rich perennial planting, hedges, water features and permeable paving. This would meet the policy requirements 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 0.40 UGF.

601. The council's Ecologist and Urban Forester have reviewed the application information and deemed the proposal to be satisfactory. The greening and biodiversity improvement of the revised scheme are supported. Subject to the proposed conditions, the proposal would comply with policies G1, G5, G6 and G7 of the London Plan and policies P59, P60 and P61 of the Southwark Plan.

Archaeology

602. The site is located within the North Southwark and Roman Roads Archaeological Priority Area (APA1), which is classified as a Tier One APA, which indicates high archaeological potential. The applicants have considered archaeology within the ES, provided the relevant chapter, a desk-based assessment, details of correspondence and a borehole survey of a particular feature within the site. Previous applications for this site have undertaken archaeological evaluation work within the site. The applicant's archaeologists have built on these earlier works with some targeted

boreholes. Due to the present uses of the site, and the requirements for access servicing and safety, only a limited programme of evaluation works were undertaken for this application, however it is considered to provide an adequate background, together with the desk based assessment and complies with the requirements of Policy P23 Archaeology

603. It was noted in the ES that the following receptors would result in significant effects:

- The potential Civil War ditch is considered to be of medium value, and the construction of the proposed basements would result in a medium magnitude impact to this asset. The construction of the basements and piling would result in moderate adverse residual (significant) effect.
- Previously unrecorded Roman inhumations are considered to be of medium value and the construction of the basements and piling would result in a high magnitude of impact to them, resulting in a major adverse (significant) effect.
- Previously unrecorded post-medieval remains associated with the Civil War ditch would be considered of medium value. The construction of the basements would result in a medium magnitude of impact, resulting in a moderate adverse (significant) effect.

604. The council's archaeologist has stated that, prior to commencing any work (excluding demolition to slab level and site investigation), an archaeological evaluation must be conducted. Additionally, the conditions that have been agreed between the applicants and the Councils archaeologist require securing a programme for archaeological building recording, implementing archaeological mitigation measures, and establishing an Archaeological Public Engagement Programme.

605. The mitigation works, as outlined in the agreed conditions, can be secured through a legal agreement with a contribution of £11,171. With these conditions in place, the scheme would have an acceptable impact and comply with Policy 23 of the Southwark Plan.

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

607. Policy D6 of the London Plan requires developments to be designed to ensure there would be sufficient daylight and sunlight to new and surrounding houses that is appropriate for its context. Policy D9 states that daylight and sunlight conditions around a proposed tall building(s) and neighbourhood must be carefully considered. Policy P56 of the Southwark Plan "Protection of amenity" states that development will not be permitted where it causes an unacceptable loss of amenity to present or future occupiers or users, taking into account the impacts on privacy, outlook, sense of enclosure, odour, lighting, daylight, sunlight and microclimate. The adopted 2015 Technical Update Residential Design Standards SPD 2011 expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Outlook and privacy

608. With regard specifically to preventing harmful overlooking of dwellings, as outlined previously, the Residential Design Standards SPD 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.

609. The quality of accommodation section of this report had previously discussed the privacy distances between the proposed buildings and Diary House and were found acceptable with adequate mitigation measures. Building A is to the north-western end of the site and does not overlook Scovell Estate properties. The distance between residential windows in the development and any residential property on Borough Road and Newington Causeway and would exceed 12m across a highway, complying with the above standard.

610. There is a residential flat above No. 86 Borough Road (Topps Pizza), but there are no flank windows facing Building A. Overall, it is not considered that there would be any overlooking issues on existing neighbouring occupiers.

611. In terms of outlook, the view from the existing neighbouring residential properties will inevitably change. Nevertheless, the change in the view in this dense town centre location and opportunity area does not mean a loss of outlook. Loss of outlook occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment for existing and future residents. Given the separation distances, it is not considered that the proposed development would adversely impact on the outlook of the existing residential properties. There will be impacts in the daylight and sunlight to the nearby properties, which is discussed below.

Daylight and Sunlight

612. 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 (as long as the resulting scheme would provide acceptable living standards)".* The intention of this guidance is to ensure that a proportionate approach is taken to applying the BRE guidance in urban areas. Southwark Plan policies identify the need to properly consider the impact of daylight/sunlight.

613. The daylight tests used are based on BRE guidance on daylight and sunlight. The BRE guidance sets out the rationale for testing the daylight impacts of new development through various tests. Although the BRE guidance was updated in June 2022, the assessments for the impacts upon neighbouring properties remain the same as the earlier BRE guidance.

614. The ES reports the findings of an assessment of the likely significant effects of daylight, sunlight, overshadowing and solar glare as a result of the proposed development. From the review of the surrounding context, a 3D computer model was developed for the existing surrounding properties and amenity areas, as well as the existing conditions. An independent daylight consultant was commissioned by the council to advise on the suitability of its scope, method of assessment, criteria used,

results produced, and conclusions reached therein to assist the Council in understanding the potential effects of the proposed development, so it may make an informed judgement as to their acceptability.

615. The independent daylight consultant concluded that the assessment is comprehensive and has been undertaken in accordance with the published guidelines. Appropriate assessment criteria have been used. There were a number of clarifications that were raised to which the applicant had responded to. Subsequently, the ES addendum was submitted and reviewed by the same third party consultant and was found to be satisfactory.

616. Owing to the evolving and changing nature of construction activities, the assessment of potential effects during demolition and construction of the proposed development on daylight, sunlight, overshadowing and solar glare to surrounding receptors has not been modelled. The greatest impacts would occur upon completion of the proposed development. It is therefore considered that the completed development represents the worst-case assessment in terms of likely daylight, sunlight and overshadowing effects.

617. The following scenarios have been assessed and are reported within this chapter of the ES and are discussed further below.

- Baseline;
- Proposed Development;
- Cumulative; and
- Future Baseline.

618. The assessment utilised the following methodologies outlined below.

VSC

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619. The Vertical Sky Component assessment (VSC) is a test that 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. Only those surrounding properties that have windows facing towards the site were included in the assessment. If a nearby property has no windows facing the site, these properties would not be affected by the proposed development in terms of daylight.

No Sky Line

620. 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% (ratio of 0.8) in the area of sky visibility, daylight may be affected.

Supplementary MDF assessment

621. The MDF method of assessment is typically used to determine the internal daylight amenity for proposed accommodation, it is also helpful in determining whether a new development materially affects the levels of MDF in newly constructed or proposed surrounding residential receptors. Therefore, the MDF metric has been used as a supplementary assessment in addition to VSC and NSL to determine whether future occupants are left with acceptable levels of daylight.

622. The ES applies the BRE standard numerical guidelines for daylight and sunlight to existing surrounding buildings and sunlight to amenity spaces. In addition to the BRE criteria, professional judgement has been used to determine the nature and scale of effect to the sensitive receptors. The numerical criteria for determining the category of effect for VSC, NSL and overshadowing (sun on ground) is based on percentage reductions from the baseline. The ES categorised the daylight and sunlight impacts as set out in the table below.

Scale of Effect	**Daylight, Sunlight and Overshadowing Criteria**
Negligible	0 – 19.9% alteration
Minor	20- 29.9% alteration
Moderate	30 – 39.9% alteration
Major	≥ 40% alteration

623. If the retained VSC levels are ≥27% and the NSL levels are >80%, the effects are considered negligible, regardless of the alteration from the baseline.

624. In terms of the significance of an effect, the following criteria is applied:
- ‘Moderate’ or ‘Major’ effects (beneficial or adverse) are deemed to be ‘significant’; and
- ‘Minor’ or ‘Negligible’ effects (beneficial or adverse) are considered ‘not significant’.

625. The above is slightly different from the guidance within the BRE guide, which deems any impact outside of the guidelines to be ‘significant’, however it is a common approach adopted within EIAs and acceptable for the purposes of reporting on impacts for an application of this scale.

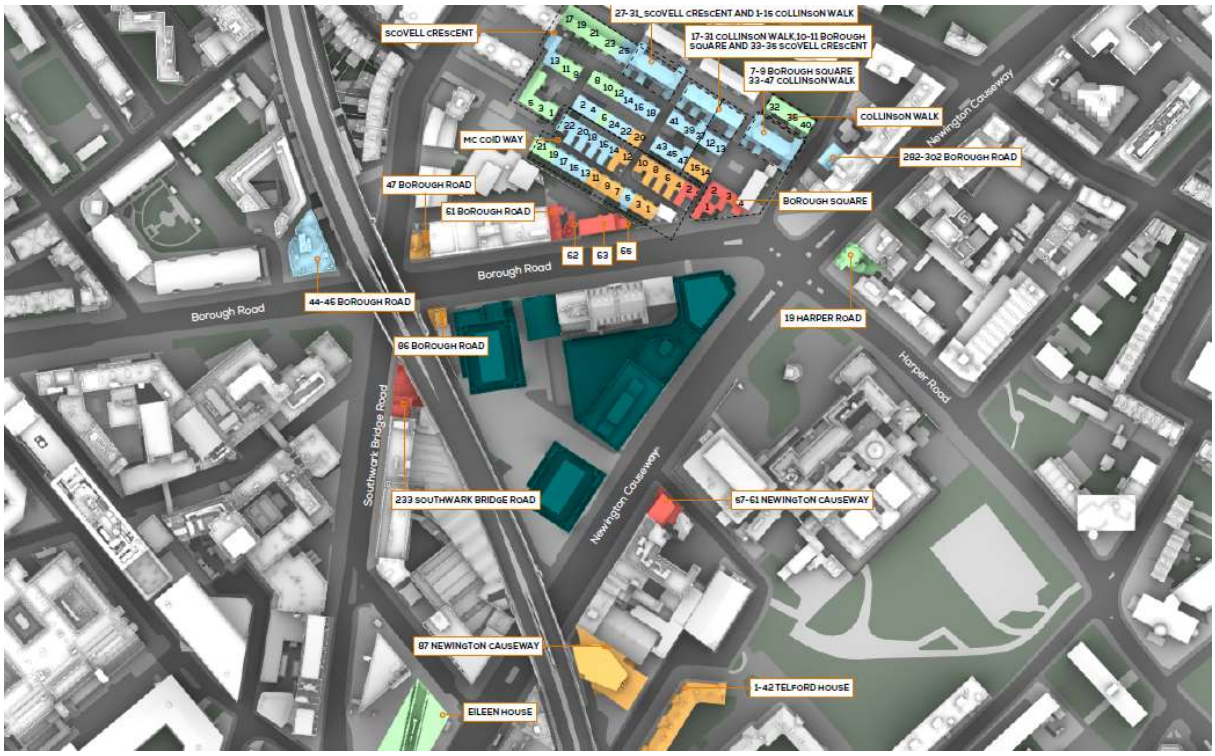
626. In terms of sensitivity, existing surrounding residential properties (i.e. receptors) are considered highly sensitive to daylight and sunlight levels, and specifically habitable rooms within the properties such as living rooms, kitchens and bedrooms, in accordance with BRE Guidelines. All existing residential receptors assessed within this ES Chapter are considered highly sensitive due to the expectation of natural light and are given equal weighting, and therefore each individual residential receptor is treated as highly sensitive.

627. The 86 surrounding properties sensitive to daylight and sunlight are listed and shown below:

Road	**Nos.**
Borough Road	44-46, 47, 61, 62, 63, 65, 86, 282-302
Borough Square	1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15
Collinson Walk	32, 36, 40 (1-15 Collinson Walk 17-31 Collinson Walk 33-47 Collinson Walk) – please see comment in the proceeding paragraph.
Harper Road	19
McCoid Way	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22,
Newington Causeway	57-61, 87
Scovell Crescent	1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27-31, 33, 35, 37, 39, 41, 43, 45, 47
Southwark Bridge Road	233
Telford House	1 – 42
Eileen House (251 Southwark Bridge Road)	

628. Addresses 1-15 Collinson Walk, 17-31 Collinson Walk and 33-47 Collinson Walk were identified as being located within buildings which have been included within the assessment. The applicant's consultant was not able to obtain layouts for these properties to ascertain whether they have site facing windows. As this division is not known, these flats have been grouped together per block for the purposes of the assessment, considering the impact onto all site facing windows to the building as a whole; an acceptable approach because the impacts on windows are clearly identified.

629. In addition, the consented Kings Place (23/AP/0479) and Avonmouth House (23/AP/0958) cumulative schemes which comprise sensitive student accommodation (and keyworker housing in the case of Kings Place) are tested as future sensitive receptors to changes in daylight and sunlight from the proposed development.



Map: Daylight sensitive receptors

630. A detailed commentary of the daylight and sunlight effects to each group is given in the ES, including the number of windows or rooms affected in that group and the magnitude of effect. The ES then ascribes an overall significance. Some of the addresses are grouped together for ease as the conclusion for those properties have the same overall significance to the effects on daylight and sunlight. These are summarised below:

Address	**Significance of daylight effects**	**Significance of sunlight effects**
282-302 Borough Road	Minor Adverse	Minor Adverse
44-46 Borough Road	Minor Adverse	Negligible
47, 86 Borough Road	Moderate Adverse	Negligible
61, 63, 65 Borough Road	Major Adverse	Minor Adverse
62 Borough Road	Major Adverse	Moderate Adverse
1, 2, 3 Borough Square	Major Adverse	Major Adverse
4 Borough Square	Major Adverse	Negligible
7-9 Borough Square (with 33-47 Collinson Walk also located within this building) 10-11 Borough Square and 33-35 Scovell Crescent (with 17-31 Collinson Walk also located within this building)	Minor Adverse	Minor Adverse

32, 36, 40 Collinson Walk	Negligible	Negligible
1, 11, 12 McCoid Way	Moderate Adverse	Minor Adverse
2 McCoid Way	Major Adverse	Moderate Adverse
3, 7, 8, 9, 10 McCoid Way	Moderate Adverse	Moderate Adverse
4, 6 McCoid Way	Moderate Adverse	Major Adverse
5, 13, 14, 15, 16, 17, 18, 22 McCoid Way	Minor Adverse	Minor Adverse
19, 21 McCoid Way	Negligible	Minor Adverse
20 McCoid Way	Minor Adverse	Negligible
1-5 (odds), 8, 9, 11, 12, 17-23 (odds) Scovell Crescent	Negligible	Negligible
2, 4, 6, 13, 14, 16, 18, 22, 24, 31, 37, 39,41, 43, 45, 47 Scovell Crescent, 12 and 13 Borough Square	Minor Adverse	Negligible
10, 25 Scovell Crescent	Negligible	Minor Adverse
20 Scovell Crescent	Moderate Adverse	Negligible
14 and 15 Borough Square	Moderate Adverse	Negligible
27 – 31 Scovell Crescent and (with 1-15 Collinson Walk also located within this building)	Minor Adverse	Minor Adverse
57 – 61 Newington Causeway	Major Adverse	Negligible
87 Newington Causeway	Moderate Adverse	Negligible
233 Southwark Bridge Road	Major Adverse	Major Adverse
1 – 42 Telford House	Minor Adverse	N/A
Eileen House (251 Southwark Bridge Road)	Negligible	Negligible
19 Harper Road	Negligible	N/A

631. Overall and in summary, in terms of daylight, for VSC,1391 of the 1962 (70.9%) windows assessed meet the BRE Guidelines criteria; and for NSL, 785 of the 847 (92.7%) rooms assessed meet the BRE Guidelines criteria.

632. Where a group of properties would see negligible effect from the development on their daylight and sunlight, these will not be discussed in the more detailed commentary below.
The remaining properties listed below would experience a degree of harm in excess of the BRE guidelines. Where the windows or rooms are affected and very marginally exceed BRE guidance, the overall effect to the properties have been ascribed negligible and this is discussed below.

633. The tables below summarise the VSC and NSL impacts to surrounding properties as a result of the proposed development being built-out in the present day context. Their significance is discussed in more details further below.

VSC and NSL (Minor Adverse)										
Address	VSC					NSL				
	Total No. windows tested	Windows that pass	20-29.9% loss	30% - 39.9% loss	≥ 40% loss	Total No. rooms tested	Rooms that pass	20-29.9% loss	30% - 39.9% loss	≥ 40% loss
17-31 Collinson Walk, 10, 11 Borough Square, 33-35 Scovell Crescent	32	19	5	2	6	20	20	0	0	0
27-31_Scovell_Crescent_1-15 Collinson Walk	28	16	10	0	2	20	20	0	0	0
7-9_Borough Square_33-47 Collinson Walk	28	20	2	4	2	20	17	1	1	1
Borough Road 282-302	12	7	5	0	0	12	9	2	1	0
Borough Road 44-46	69	53	16	0	0	42	42	0	0	0
Borough Square 12	4	1	3	0	0	4	4	0	0	0
Borough Square 13	4	0	4	0	0	4	4	0	0	0
Mccoid Way 05	5	3	0	2	0	3	3	0	0	0

Mccoid Way 13	4	0	3	1	0	4	3	1	0	0
Mccoid Way 14	5	3	1	1	0	3	3	0	0	0
Mccoid Way 15	4	1	3	0	0	4	4	0	0	0
Mccoid Way 16	5	4	0	1	0	3	3	0	0	0
Mccoid Way 17	4	1	3	0	0	4	4	0	0	0
Mccoid Way 18	5	4	1	0	0	3	3	0	0	0
Mccoid Way 20	5	4	1	0	0	3	3	0	0	0
Mccoid Way 22	5	3	0	1	1	2	2	0	0	0
Scovell Crescent 02	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 04	4	1	3	0	0	4	4	0	0	0
Scovell Crescent 06	2	1	1	0	0	2	0	0	0	0
Scovell Crescent 13	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 14	4	3	1	0	0	4	4	0	0	0
Scovell Crescent 16	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 18	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 22	4	0	4	0	0	4	4	0	0	0
Scovell Crescent 24	2	0	2	0	0	2	2	0	0	0
Scovell Crescent 25	5	5	0	0	0	5	5	0	0	0

Scovell Crescent 37	2	1	1	0	0	2	2	0	0	0
Scovell Crescent 39	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 41	4	2	2	0	0	4	4	0	0	0
Scovell Crescent 43	4	0	2	2	0	4	4	0	0	0
Scovell Crescent 45	4	0	2	2	0	4	4	0	0	0
Scovell Crescent 47	2	0	1	1	0	2	2	0	0	0

VSC and NSL (Moderate Adverse)										
Address	**VSC**					**NSL**				
	Total No. windows tested	**Windows that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**	**Total No. rooms tested**	**Rooms that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
Borough Road 47	19	9	0	9	1	6	6	0	0	0
Borough Road 86	3	0	0	0	3	3	2	1	0	0
Borough Square 14	4	0	0	4	0	4	3	1	0	0
Borough Square 15	4	0	0	4	0	4	3	1	0	0
Mccoid Way 01	4	0	0	2	2	4	3	1	0	0
Mccoid Way 03	4	0	0	3	1	4	2	1	1	0
Mccoid Way 04	5	1	3	0	1	3	3	0	0	0
Mccoid Way 06	5	1	3	0	1	3	3	0	0	0
Mccoid	4	1	1	2	0	4	4	0	0	0

Way 07										
Mccoid Way 08	5	1	3	0	1	3	3	0	0	0
Mccoid Way 09	4	0	1	3	0	4	2	0	1	1
Mccoid Way 10	5	0	2	1	2	2	2	0	0	0
Mccoid Way 11	4	0	1	3	0	4	1	1	1	1
Mccoid Way 12	5	2	1	1	1	3	3	0	0	0
Newington Causeway 87	625	431	10	74	110	80	80	0	0	0
Scovell Crescent 20	4	0	1	3	0	4	4	0	0	0
Telford House 01-42	130	20	40	14	56	130	125	4	1	0

VSC and NSL (Major Adverse)										
Address	**VSC**					**NSL**				
	Total No. windows tested	**Windows that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**	**Total No. rooms tested**	**Rooms that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
Borough Road 61	9	0	0	0	9	7	2	5	0	0
Borough Road 62	15	4	0	3	8	2	1	1	0	0
Borough Road 63	17	0	0	0	17	12	3	5	4	0
Borough Road 65	4	0	0	0	4	3	0	0	3	0
Borough Square 01	7	0	2	2	3	4	3	0	1	0
Borough Square 02	6	1	2	1	2	4	2	2	0	0
Borough Square 03	6	2	1	0	3	4	2	1	1	0
Borough Square 04	5	2	0	0	3	2	2	0	0	0

Mccoid Way 02	5	1	1	1	2	3	2	1	0	0
Newington Causeway 57-61	23	6	2	0	15	15	5	1	1	8
Southwark Bridge Road 233	7	0	0	0	7	7	2	0	5	0

282-302 Borough Road

634. This residential building is located northeast of the site and four storeys have been considered for assessment. A total of 12 windows serving 12 rooms were assessed for daylight within this building.

635. For VSC, 7 of the 12 windows assessed would meet BRE's criteria. Of the five affected windows, all would experience an reductionreduction in VSC between 20-29.9%, which is considered a minor adverse effect.

636. For NSL, there would be 3 affected rooms, with one experiencing an reductionreduction of 31.5%, which is considered a moderate adverse effect. It is noted that these rooms are situated in corners which see a greater level of obstruction and it has been assumed that these are bedrooms.

44 – 46 Borough Road

637. This residential building is located northwest of the site and six storeys have been considered for assessment. A total of 69 windows serving 42 rooms were assessed for daylight within this building.

638. For VSC, 53 of the 69 windows assessed would meet BRE's criteria. Of the 16 affected windows, all would experience an reduction in VSC of 20.1-24.3%, which is only marginally above what is considered to be a noticeable change as per BRE Guidelines. These 16 windows retain 15.1-26.1% VSC and are therefore considered to remain well daylit for a central London location.

639. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

47 Borough Road

640. This residential building is situated above the Duke of York Public House. For VSC, 9 of the 19 windows assessed would meet BRE's criteria.

641. Of the 10 affected windows, 9 would experience an reduction between 30-39.9%, whilst one would see an reduction greater than 40. It is noted however, these 10 affected windows retain 16.6-21.5% VSC, which is generally considered good for a central London location.

642. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

643. 61 Borough Road
Located north of the site, a total of 9 windows serving 7 rooms were assessed for daylight within this building.

For VSC, all 9 windows assessed see losses greater than 40%. One affected window is at basement level. 3 of the 4 affected windows at ground level would retain very low VSC levels, but these are panes of a door, which has been assessed as a worst case as the room use is not known. In most likely cases, this might serve a non-habitable room and would normally be omitted from assessment.

The 4 remaining windows at second and third storey are able to retain VSC levels of 14.9-16%, which are commensurate with a central London location.

For NSL, 5 rooms out of the 7 would see reductions between 20-29.9%, which is considered a minor adverse effect.

Overall, it is considered that reasonable levels of daylight can still be enjoyed within the rooms, as evidenced by the NSL levels being not significantly impacted.

62 Borough Road

644. A total of 15 windows serving 2 rooms were assessed for daylight within this building.

645. For VSC, 4 of the 15 windows assessed would meet BRE's criteria. Of the 11 affected windows, 3 would experience an reduction between 30-39.9%. The remaining 8 windows would experience an reduction in excess of 40%.

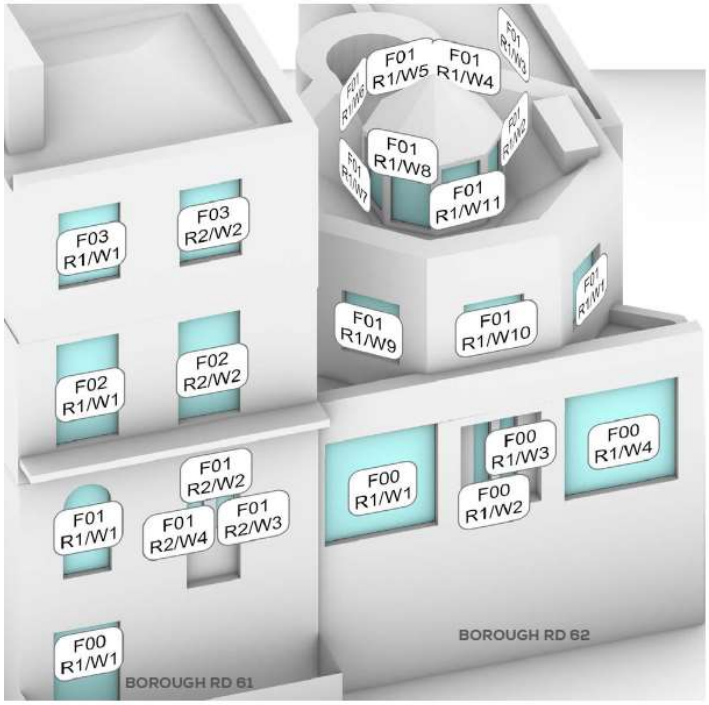
646. At ground level, the four windows seeing VSC reductions serve a room which retains a weighted average of 13.4% VSC. It is noted that the losses to the first storey living room windows would see losses of up to 60.9%, which is significant. However, this room is also served by several windows that surround a dome on the roof, which creates a second layer of windows within this room. The irregular shape of the building means that some of the windows are orientated towards the neighbouring wall, resulting in comparatively lower baseline values and disproportionate percentage reductions.

647. An objection has been received from the public that the 3D representation in the daylight assessment for 62 Borough Road is out of proportion and, additionally, displaying the wrong number of windows. The 3D massing model used for the context was supplied by Vu.City who use high resolution photogrammetry to capture the existing conditions, quoting an accuracy of 150mm.

648. It is accepted that every model of a building will have a certain level of tolerance but the tolerance is considered sufficient for the assessment of daylight, sunlight and overshadowing owing to the simplicity of the test.

649. reduction

For NSL, 1 of the 2 affected rooms would experience an reduction in NSL of 26.9%. Whilst the two living rooms would see daylight reductions, the retained levels may be considered acceptable, given the proximity to the site in this part of central London.



Representation of 62 Borough Road and window mapping

63 Borough Road

650. A total of 17 windows serving 12 rooms were assessed for daylight within this building. For VSC, all 17 windows assessed see losses greater than recommended by BRE at more than 40%. These windows would retain levels between 14.1% to 16.1% VSC and the retained levels in a dense central London location is considered to be acceptable.

651. For NSL, 3 of the 12 rooms assessed would meet BRE's criteria. Of the remaining 9 rooms, 5 affected rooms would experience reductions in NSL between 20-29.9% and 4 would experience a loss of 30-39.9%. However, the analysis demonstrates that each of the affected rooms would retain NSL in over half of their area.

652. Whilst VSC reductions would occur at greater than 40%, the retained levels of VSC and NSL are considered acceptable, given the proximity to the site in an opportunity area which is allocated for tall development.

65 Borough Road

653. A total of 4 windows serving 3 rooms were assessed for daylight. For VSC, all 4 windows assessed see losses between 45.8% to 47.7%.

654. The affected windows would retain VSC levels in the mid-teens, which is commensurate with this London location.

655. For NSL, all 3 rooms would experience an reduction in NSL between 30-39.9%, which is considered a moderate adverse effect.

86 Borough Road

656. This building is located immediately west of the site, facing Building A. The areas tested is the flat above Topps Pizza. A total of 3 windows serving 3 rooms were assessed for daylight within this building.

657. For VSC, all 3 windows assessed see losses greater 40%, up to 44.2%, but, these 3 windows would retain 17.9-18.7% VSC, which is good for a central London location.

658. For NSL, one of the rooms would exceed BRE guidelines. The affected room would experience an reduction in NSL of 20.3%, retaining 78% NSL based upon the assumed layout. Therefore, the daylight received at the window serving this room would be well distributed within the room based on the indicative layout.

1, 2 and 3 Borough Square

659. These three properties in the Scovell Estate are considered together below. In total, 19 windows and 12 rooms were tested with a total of 3 windows and 7 rooms passing the BRE guidance.

660. For VSC, 5 would experience an reduction in VSC between 20-29.9% and 3 would experience an reduction between 30-39.9%. The remaining 8 windows would experience an reduction in excess of 40%. The worst window would have a percentage loss of 59.2 % from the baseline VSC in 1 Borough Square.

661. The windows looking directly towards Building D and gable end window retain good level of VSC with the development in place and this shows that levels of VSC reaching the boundary wall of Scovell Estate are good and the lower values seen elsewhere within the Scovell Estate are partially due to their own architectural design

662. These windows seeing lower levels of VSC are located in the L shape corner courtyard, where daylight is already restructed. In part, the reductions in VSC are because of these existing restrictions.

663. For NSL, 7 out of the 12 rooms would pass the BRE guidance. 3 rooms would experience an reduction in NSL of 20-29.9% and 2 rooms with a loss of see a loss greater than 30% but less than 40%. Nevertheless, the retained NSL values are greater than 50%.

664. It is considered that whilst the effect is considered major adverse (significant), the magnitude of change is in part because of the limited daylight experienced by the dwellings presently; any reasonable development on the Borough Triangle site would likely have a similar impact.Retained VSC levels at the unobstructed Scovell Estate boundary wall would be good an highlight the effect of the existing restruction.



Image showing window mapping of 1, 2, 3 and 4 Borough Square

4 Borough Square

665. A total of 5 windows serving 2 rooms were assessed for daylight within this building. For VSC, 2 of the 5 windows assessed would meet BRE's criteria. Of the 3 affected windows, all would experience a reduction in VSC greater than 40%, (up to 43.6%).

666. These 3 windows seeing reductions are located within the corner so does not have unobstructed daylight from all directions. As discussed above, the large proportionate reduction is in part because of the layout of the this home and those around it.

667. Reduction
For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

668. 7-9 Borough Square (with 33-47 Collinson Walk also located within this building)

10-11 Borough Square and 33-35 Scovell Crescent (with 17-31 Collinson Walk also located within this building)
These addresses within these two buildings are considered together below. The properties are located in the north east of the site in the Scovell Estate, which are have overhanging access decks. In total, 60 windows and 40 rooms were tested with a total of 39 windows and 37 rooms passing the BRE guidance.

For VSC, 7 would experience an reduction in VSC between 20-29.9% and 6 would experience an reduction between 30-39.9%. The remaining 8 windows would experience an reduction in excess of 40%, which is considered a major adverse effect. Those windows losing more than 40% would mainly be on the ground floor levels.

For NSL, 37 of the 40 rooms would pass the BRE guidance. Those rooms exceeding 20% BRE guidance occurs at 7 and 8 Borough Square. These three rooms would see losses between 20-29.9%, 30-39.9% and above 40 respectively. Nevertheless,

it should be noted that these affected windows/rooms are already obstructed by the overhanging access deck. As such, the baseline levels of VSC and NSL are comparatively lower and below BRE recommendations. reduction

Overall, due to the VSC and NSL reductions occurring at ground level which already has limited daylight availability due to overhanging obstructions, and the retained levels of VSC at first and second storey, the effect is considered minor adverse.

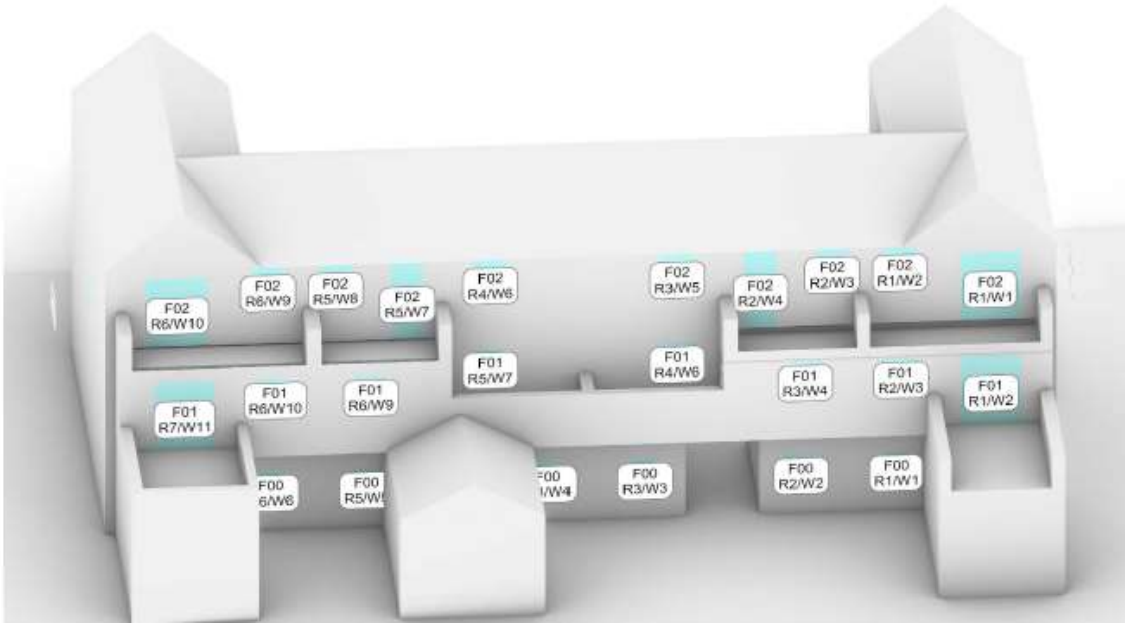


Image showing windows to 7, 8 and 9 Collinson Walk and the deck access.

1, 11 and 12 McCoid Way

669. These 3 properties are grouped together as they share the same significance effects to daylight and sunlight. They are located to the north of the development site and is within the Scovell Estate. They are part of the terrace that is the closest to the site. A total of 13 windows and 11 rooms were tested.

670. As for VSC, a total of 2 windows would pass the guidance with 2 windows experiencing a loss of 20-29.9%, 6 experiencing reduction of 30-39.9%. The remaining 3 windows would experience a loss of more than 40%. This occurs to 2 bedroom windows at first floor level at 1 McCoid Way and 1 (unknown) window at 12 McCoid Way.

671. Those affected bedroom windows at 1 McCoid Way would retain absolute VSC levels of 16.3-16.4%, which is considered to be relatively good in this central London location. As for 12 McCoid Way, it should be noted that the lower values are seen in windows which are obstructed by the L shaped design of the building at 12 McCoid Way, resulting in lower retained values than comparable windows.

672. For NSL, of the 11 rooms tested, 7 rooms would pass the BRE guidance. 2 of the rooms would experience an reduction of 20-29.9%, 1 room would experience 30-39.9% and 1 room at 45.3% which is on the ground floor of 11 McCoid Way.

However, it should be noted that this affected room would retain NSL in more than half of the room.

673. Overall, given that the retained VSC and the NSL levels are relatively good, the effect is moderate adverse.

2 McCoid Way

674. This one storey, L shaped residential building is located within the Scovell Estate to the north of the site. A total of 5 windows serving 3 rooms were assessed based on assumed room uses and divisions.

675. For VSC, 4 of the windows would exceed the BRE criteria. Of the four affected windows, one would experience an reduction in VSC of 26.3% and one would experience an reduction of 31.4%. The remaining two windows would experience an reduction of 48.2% and 52.7%.

676. The lower values seen here are a function of the architecture of this building itself (L shape footprint), which restrict daylight availability.

677. For NSL, one room out of 3 would see a technical change of 20.4% which is only marginally above the negligible threshold.

678. Overall, the effect is considered major adverse but the retained absolute VSC levels are commensurate with this London location.

3, 7, 8, 9, 10 McCoid Way

679. These 5 properties are within the Scovell Estate. A total of 22 windows and 17 rooms were tested.

680. For VSC, out of the 22 windows, 7 would experience an reduction of over 20-29.9% and 9 windows exceeding a loss of 30-39.9% from the baseline. 4 windows would experience a loss of greater than 40%. The greatest loss would be at Nos. 3, 8 and 10 McCoid Way. These four most affected windows would retain a VSC value ranging from 7.3- 16.1 %. The window affected at 3 McCoid Way is a bedroom and the use of the rooms served by the other 3 windows affected by by a major impact are not known

681. It is noted however, that this row of terraced houses are L shaped and there is an ‘extension’ that juts out next to the affected windows. The existing building’s form therefore affects existing daylight, so the effects seen are partly a function of this.

682. For the NSL, 13 of the 17 rooms would pass the BRE criteria. 1 of the windows would experience a loss of more than 40%, which is a major adverse effect. This occurs at the ground floor of 9 McCoid Way. However, the windows to this room would see retained VSC levels of mid to high teens, which is commensurate with this inner London location. Overall, the effect is considered moderate adverse.

4 and 6 McCoid Way

683. A total of 10 windows and 6 rooms were tested. 6 of the 10 windows would experience an reduction in VSC between 20-29.9%, and 2 experiences an reduction in excess of 40% (maximum 46.1%). Again, these buildings have an extension projecting outwards, which restricts daylight availability.

684. For NSL, all of the 6 rooms tested would meet the BRE guidance. Overall, with only two windows seeing a major adverse impact and taking into account the retained values and NSL compliance, the effect is considered moderate adverse.

5, 13, 14, 15, 16, 17, 18, 22 McCoid Way

685. These 8 properties have been groupd together as they are on the same estate and experience minor adverse effects. A total of 37 windows and 26 rooms were tested based on assumed room layouts and divisions. 19 of the windows would pass the VSC criteria set out in the BRE guidance.

686. For the VSC of the other windows, 11 of these would experience an reduction of 20-29% considered a minor adverse effect. 6 windows would see a loss of 30-39.9% and 1 window would see a reduction of more than 40%. The window that experiences this loss is 22 McCoid Way at 41%. The retained VSC level is 7.2% which is low. However, when considering the NSL, there would be negligble loss to this room that the window serves. It would have a retained NSL level of 90.9%.

687. When the NSL is considered, 25 of the rooms out of the 26 would meet the BRE guidelines. The one room that exceeds the criteria is the ground floor assumed kitchen at 13 McCoid Way, experiencing an alteation of 21.4, which is margially above the BRE threshold.

688. Overall, due to the retained levels of VSC and NSL compliance the effect is not considered significant.

19 and 21 McCoid Way

689. The rear of this building faces towards the site and two storeys are considered for assessment. A total of 8 windows and 8 rooms were tested based on assumed room layouts and divisions.

690. For the VSC, 7 out of the 8 windows would meet the BRE criteria. The one window that exceeed this is to 19 McCoid Way and only VSC loss of 20.2%, very slightly above the BRE threshold.

691. For NSL, all rooms assessed would meet BRE's criteria. Overall, due to the only technical minor adverse impact occurring to an assumed bedroom and taking into consideration their retained VSC value and the NSL compliance, the effect is considered negligible.

20 McCoid Way

692. A total of 5 windows and 3 rooms were tested. For VSC, 4 windows would pass the BRE guidance and 1 window experiencing an reduction of 20-29.9%, which is a minor adverse effect.

693. For NSL, all of the rooms would pass the BRE criteria. The overall effect is therefore minor adverse.

2, 4, 6, 13, 14, 16, 18, 22, 24, 37, 39, 41, 43, 45, 47 Scovell Crescent, 12 and 13 Borough Square

694. A total of 60 windows and 60 rooms were tested with the room layouts and divisions assumed.

695. For VSC, 19 windows out of the 60 would pass the BRE guidance. 36 affected windows would experience an reduction of 20-29.9% which is a minor adverse effect. The rest of the affected 5 windows would experience an reduction of 30-39.9%. These windows belong to 43, 35 and 47 Scovell Crescent. It should be noted however, the retained VSC figures are all above 20% which are good retained levels.

696. For NSL, all of the rooms would pass the BRE criteria.

697. Overall, the effect to these properties is considered minor adverse (not significant).

20, Scovell Crescent and 14 and 15 Borough Square

698. These 3 properties are located within the Scovell Estate, behind McCoid Way. A total of 12 windows and 12 rooms were tested based on assumed layouts and divisions.

699. For the VSC, all of the 12 windows would not meet the BRE criteria with 1 window experiencing a loss of 20-29.9% and the remaining 11 windows experiencing a loss of 30-39.9%.

700. As for 20 Scovell Crescent, the assumed kitchen window on the ground floor would retain 15.3% VSC whilst the assumed living room window seeing a moderate adverse reduction, would retain 6.8% VSC. This living room window has comparatively lower baseline levels due to its location next to a rear extension, resulting in the greater magnitude of change and lower retained values. The other affected window is an assumed bedroom with lower expectations for daylight.

701. The other windows with moderate adverse reduction (at 14 and 15 Borough Square would retain VSC values between 19.5% - 20.4%, which is considered to be well lit within this central London location.

702. For the NSL, 10 of the rooms would pass the BRE guidance criteria. The other 2 rooms would experience an reduction of 20-29.9%, which is a minor adverse effect. The 2 rooms would also retain NSL in more than half of the room.

703. Overall the effect to these properties is considered moderate adverse (significant).

27 – 31 Scovell Crescent and (with 1-15 Collinson Walk also located within this building)

704. These properies are located further north in the Scovell Estate. A total of 28 windows and 20 rooms were tested based on assumed room layouts and divisions.

705. Out of the 28 windows, 16 windows would pass the BRE guidance. There would be 10 windows experiencing an reduction of 20-29.9% and 2 windows seeing a loss of greater than 40% (up to 49.4%).

706. At ground level, the affected windows are obstructed by overhangs, resulting in disproportionate changes which is unlikely to result in a noticeable change. One of the windows affected (at more than 40%) at 27 Scovell Estate is also recessed from a flank wall.

707. For NSL, all rooms assessed would meet BRE's criteria and so are considered to experience a negligible effect.

708. Overall, given the fairly good retained levels of VSC and significant reductions being disproportionate to what the occupants would experience as a result of low baseline values, with no NSL reductions beyond the BRE criteria occurring, the effect is considered minor adverse.

57 – 61 Newington Causeway

709. This four storey residential building is located south east of the Site opposite Building B. The façade is defined by cantilevered balconies wrapping around the north west facing elevation. A total of 23 windows serving 15 rooms were assessed for daylight within this building.

710. For VSC 6 of the 23 windows assessed would meet BRE's criteria. Of the 17 affected windows, two would experience an reduction in VSC between 20-29.9, whilst 15 would experience an reduction greater than 40%. The effects would be significant, reaching up to reductions of 92.6%.

711. Some of the affected windows serve assumed LKDs situated beneath balconies and retaining values ranging from 4-8.7% VSC. However, these are through rooms served by a second window to the rear of the building. The other windows affected serve unknown use and assumed bedrooms which would retain 6.3-7.8% VSC. It should be noted that bedrooms may be considered less sensitive to daylight reductions as their primary use is for sleeping.

712. The remaining windows are situated beneath balconies serving corner rooms that have dual aspect or beneath an overhang.

713. For NSL, 10 of the 15 (66.7%) rooms assessed would meet BRE's criteria. Of the 5 affected rooms, 2 would experience an reduction in NSL between 20-29.9%, whilst 3 would experience an reduction greater than 40%.

714. Overall, the effect is considered major adverse.

87 Newington Causeway

715. This 24-storey building to the south of the site is part hotel and part residential. The assessment focusses on the residential component (12th to 23rd storey). The façade design comprising vertical features between the windows limits daylight availability within the rooms. A total of 625 windows serving 80 rooms were assessed for daylight within this building.

716. For VSC, 431 of the 625 windows assessed would meet BRE's criteria. Of the 194 affected windows, 10 would experience an reduction in VSC between 20-29.9% and 74 would experience an reduction between 30-39.9%, which is considered a moderate adverse effect. The remaining 110 windows would experience an reduction in excess of 40% which is considered a major adverse effect. A total of 92 of the windows seeing VSC reductions serve 45 bedrooms, which may be considered less sensitive to daylight reductions as their primary use is for sleeping.

717. The MDF has been used as a supplementary assessment to determine whether the levels of MDF which would have been consented if MDF assessments in use at the time are materially affected by the Development. It is primarily a test for new dwellings, but it can be a useful supplementary test to help understand the adequacy of retained daylight levels, provided appropriate window and room parameters are used in the calculations. The BRE guideline is that the minimum recommended MDF levels for dwellings are 1.4% for kitchens, 1.1% for living rooms and 0.7% for bedrooms. The layouts for this recently constructed building have been obtained and therefore an assessment MDF has been undertaken to show whether the rooms within this building retain levels of daylight in line with BRE’s criteria. These 45 bedrooms retain levels of MDF in line with BRE Guidance recommendation.

718. The remaining 102 windows seeing VSC reductions serve 23 LKDs. Each of these LKDs are served by multiple windows and therefore the MDF has been calculated to determine whether these rooms are left with level of daylight in line with BRE’s recommendations.

719. The MDF assessment demonstrates that of those LKDs not meeting BRE’s criteria for VSC, two do not pass the target for kitchens, receiving 1.3% MDF, which fall marginally below the target of 1.4% MDF. If the alternative target of 1.1% is applied, both would pass. All remaining LKDs would see no change in the MDF levels or are not altered by the proposed development below recommendation.

720. For NSL, all 80 rooms assessed would meet BRE's criteria. Overall, whilst there would be significant reductions in VSC, when looking at the MDF levels retained, all bedrooms meet BRE’s criteria. Those two LKDs falling slightly short of the 1.4% MDF criterion, would pass for the alternative criteria in line with the recommendation for living rooms. The council’s third party consultant has agreed to the use of this method. There would also be no reduction beyond recommendation would occur to the NSL. As such, the effect is considered moderate adverse.

233 Southwark Bridge Road

721. This residential building is located west of the site on the other side of the railway and three storeys are considered for assessment. The rear site facing elevation is set back from the adjacent office block and therefore relies on daylight from across the site. A total of 7 windows serving 7 rooms were assessed for daylight within this building and the room layout and uses have been assumed.

722. For VSC, all 7 windows would experience an reduction in VSC greater than 40%, which is considered a major adverse effect. Some of the losses are considered to be significant.

723. These windows serving rooms of unknown use would retain 6.1-13.3% VSC. The lower levels occur at those windows set back from the adjacent office building, which is therefore a meaningful factor in the magnitude of impacts seen.

724. For NSL, 2 of the 7 rooms assessed would meet BRE's criteria. The 5 affected rooms would experience an reduction in NSL between 30-39.9%. These rooms retain NSL in over half of the room. Overall, the effect is considered major adverse (significant). It should be noted however, the existing adjacent building does have an effect on the magnitude of impact.

1-42 Telford House

725. This building is located within the Rockingham Estate, to the south east of the site. A total of 130 windows serving 130 rooms were assessed.

726. For VSC, out of the 130 windows, 110 windows would be affected. Of the 110 affected windows, 40 would experience a reduction in VSC between 20-29.9%, 14 would experience a reduction between 30-39.9%. The remaining 56 windows would experience a reduction in excess of 40% which is considered a major adverse effect.

727. Each of these windows are understood to serve bedrooms, bathrooms, circulation spaces and kitchens, as the main living rooms are likely to face away from the site based on the typical layout obtained. Of the affected windows, those which see significant reductions are already obstructed due to their location beneath access decks.

728. For NSL, 5 out of the 130 rooms assessed would breach the BRE's criteria and would experience a reduction in NSL between 20-29.9%, which is considered a minor adverse effect and these are bathrooms.

729. Overall, the reductions are mainly due to the existing access-decks. Therefore, the effect is considered minor adverse

Sunlight

730. The BRE guidance recommends that sunlight is tested on the basis of Annual Probable Sunlight Hours (APSH). It should be considered for all windows facing within 90 degrees of due south (windows outside of this orientation do not receive direct sunlight). The guidance advises that windows should receive at least 25%

APSH, with 5% of this total being enjoyed during the winter months. If a window receives:

- less than 25% of the APSH or less than 5% of the APSH during winter, and
- is reduced to less than 0.8 times its former value during either period and
- has a reduction in sunlight received over the whole year of greater than 4% then sunlight to the building may be adversely affected.

731. Of the 84 existing buildings assessed for sunlight, 38 buildings would experience little to no impact (less than 20% reduction) in APSH and WPSH to each window assessed and are therefore considered to experience a permanent, direct, long term and negligible effect.



Map: Sunlight sensitive receptors

732. The tables below summarise the APSH impacts to surrounding properties as a result of the proposed development being built-out in the present day context.

Negligible								
Address	**Total No. windows tested**	**Windows that pass**	**APSH**			**WPSH**		
			20-29.9% loss	**30% - 39.9% loss**	**≥ 40% loss**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
Borough Road 44-46	45	45	0	0	0	0	0	0

Borough Road 47	12	12	0	0	0	0	0	0
Borough Road 86	3	3	0	0	0	0	0	0
Borough Square 04	5	5	0	0	0	0	0	0
Borough Square 12	4	4	0	0	0	0	0	0
Borough Square 13	4	4	0	0	0	0	0	0
Borough Square 14	4	4	0	0	0	0	0	0
Borough Square 15	4	4	0	0	0	0	0	0
Collinson Walk 32-40	13	12	0	0	0	0	0	1
Eileen Tower	180	180	0	0	0	0	0	0
Mccoid Way 20	4	4	0	0	0	0	0	0
Newington Causeway 57-61	3	3	0	0	0	0	0	0
Newington Causeway 87	206	206	0	0	0	0	0	0
Scovell Crescent 01	4	4	0	0	0	0	0	0
Scovell Crescent 02	4	4	0	0	0	0	0	0
Scovell Crescent 03	4	4	0	0	0	0	0	0
Scovell Crescent 04	4	4	0	0	0	0	0	0
Scovell Crescent 05	3	3	0	0	0	0	0	0
Scovell Crescent 06	2	2	0	0	0	0	0	0
Scovell Crescent 08	4	4	0	0	0	0	0	0
Scovell Crescent 09	4	4	0	0	0	0	0	0
Scovell Crescent 11	4	4	0	0	0	0	0	0
Scovell Crescent 12	4	4	0	0	0	0	0	0
Scovell Crescent 13	4	4	0	0	0	0	0	0
Scovell	4	4	0	0	0	0	0	0

Crescent 14								
Scovell Crescent 16	4	3	0	0	0	0	0	1
Scovell Crescent 17	5	5	0	0	0	0	0	0
Scovell Crescent 18	4	3	0	0	0	0	0	1
Scovell Crescent 19	5	5	0	0	0	0	0	0
Scovell Crescent 20	4	3	1	0	0	0	0	1
Scovell Crescent 21	5	5	0	0	0	0	0	0
Scovell Crescent 22	4	3	0	0	0	0	0	1
Scovell Crescent 23	5	4	0	0	0	0	0	1
Scovell Crescent 24	2	2	0	0	0	0	0	0
Scovell Crescent 37	2	2	0	0	0	0	0	0
Scovell Crescent 39	4	4	0	0	0	0	0	0
Scovell Crescent 41	4	4	0	0	0	0	0	0
Scovell Crescent 43	4	4	0	0	0	0	0	0
Scovell Crescent 45	4	4	0	0	0	0	0	0
Scovell Crescent 47	2	2	0	0	0	0	0	0

Minor Adverse								
Address	**Total No. windows tested**	**Windows that pass**	**APSH**			**WPSH**		
			20-29.9% loss	**30% - 39.9% loss**	**≥ 40% loss**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
17-31 Collinson Walk, 10, 11 Borough Square, 33-35 Scovell Crescent	30	25	0	1	4	0	0	4
27-31_Scovell_Crescent_1-15 Collinson Walk	26	22	1	1	2	0	0	3

7-9_Borough Square _33-47 Collinson Walk	26	21	3	1	1	0	1	2
Borough Road 282-302	12	3	2	0	0	0	0	9
Borough Road 61	9	2	0	0	2	0	0	7
Borough Road 65	4	0	0	0	0	0	0	4
Mccoid Way 01	4	0	0	0	0	0	0	4
Mccoid Way 05	5	2	0	0	0	0	0	3
Mccoid Way 11	4	3	0	0	0	0	0	1
Mccoid Way 12	4	2	0	0	1	0	0	2
Mccoid Way 13	4	3	0	1	0	0	0	1
Mccoid Way 14	4	0	0	0	1	0	0	4
Mccoid Way 15	4	2	0	0	0	0	0	2
Mccoid Way 16	4	0	0	0	1	0	0	4
Mccoid Way 17	4	3	0	0	0	0	0	1
Mccoid Way 18	4	1	0	0	0	0	0	3
Mccoid Way 19	4	3	0	0	0	0	0	1
Mccoid Way 21	4	3	0	0	0	0	0	1
Mccoid Way 22	5	3	2	0	0	0	0	1
Scovell Crescent 10	4	2	0	0	0	0	0	2
Scovell Crescent 25	5	3	0	0	0	0	0	2

Moderate Adverse								
Address	**Total No. windows tested**	**Windows that pass**	**APSH**			**WPSH**		
			20-29.9% loss	**30% - 39.9% loss**	**≥ 40% loss**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
Borough Road 62	11	0	0	0	7	0	0	11
Borough Road 63	17	5	0	0	0	0	0	12
Mccoid Way 03	4	0	0	0	2	0	0	4
Mccoid Way 07	4	0	0	1	1	0	0	3
Mccoid Way 08	4	2	1	0	0	0	0	2
Mccoid Way 09	4	1	0	1	0	0	0	3
Mccoid Way 10	5	1	1	1	1	0	0	2

Major Adverse								
Address	**Total No. windows tested**	**Windows that pass**	**APSH**			**WPSH**		
			20-29.9% loss	**30% - 39.9% loss**	**≥ 40% loss**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**
Borough Square 01	7	3	0	0	3	0	0	1
Borough Square 02	6	0	0	0	5	0	0	5
Borough Square 03	6	4	0	0	2	0	0	2
Mccoid Way 02	4	2	0	0	2	0	0	0
Mccoid Way 04	4	0	0	1	2	0	0	4
Mccoid Way 06	4	0	0	2	1	0	0	4
Southwark Bridge Road 233	7	0	0	1	6	0	0	2

282 – 302 Borough Road

733. A total of 12 windows were assessed for sunlight within this building of which 3 would meet the BRE's criteria for both Annual and Winter PSH. For APSH, 10 of the 12 windows assessed would meet BRE's criteria. The remaining two see losses of 20%, which is only just above the threshold of a negligible effect.

734. For WPSH, 3 of the 12 windows assessed would meet BRE's criteria. The remaining 9 see losses greater than 40%. The absolute reductions in WPSH for these 9 windows sit at 3-4% which is a small reduction. Overall, the levels of sunlight retained here would be considered good for an urban environment as shown by the high level of APSH compliance and retained levels and so the effect is considered minor adverse.

61 Borough Road

735. A total of 9 windows were assessed for sunlight within this building of which 2 would meet the BRE's criteria for both APSH and WPSH. For APSH, 2 of the 9 windows would see an reduction in APSH greater than 40%. For one of the windows affected, due to a mitigating window which remains well sunlit, the rooms which these affected window serves remains compliant annually. This second window would retain 24% APSH which is only marginally below the recommended 25%.

736. For WPSH, 7 of the 9 windows assessed would see losses greater than 40%. Overall, given the Annual PSH compliance with only very small absolute changes occurring in winter, the effect is considered minor adverse.

62 Borough Road

737. 7 out of 11 windows serving 2 living rooms would see an reduction in APSH greater than 40%. These windows would retain between 19% and 24% APSH and is considered that the rooms would remain very well sunlit annually.

738. For WPSH, all 11 windows sees losses greater than 40%, but due to additional windows which remain well sunlit in winter, one living room would be complaint overall, and the second would only fall marginally short of the 5% recommended in winter.

739. Overall, as significant impacts can be seen to occur, but with both rooms remaining well sunlit overall by virtue of additional windows; the effect is considered moderate adverse.

63 Borough Road

740. A total of 17 windows were assessed for sunlight within this building. For APSH, all 17 windows assessed would meet BRE's criteria.

741. For WPSH, 5 of the 17 windows assessed would meet BRE's criteria. The remaining 12 see losses greater than 40%, but these would continue to see between 3% and 4% WPSH, which is only slightly below the target value of 5% set out by BRE. There is one assumed kitchen which retain 2% WPSH, which is low, but given the APSH compliance, the effect is minor adverse.

65 Borough Road

742. A total of 4 windows were assessed. For APSH, all 4 windows assessed would meet BRE's criteria and so are considered to experience a negligible effect. For WPSH, all 4 windows would see losses greater than 40%, however all 4 windows retain 4% WPSH, which is only marginally below the recommended value.

743. Overall, given the high level of compliance annually as well as the retained winter sunlight levels being only marginally below the recommended value, the effect is considered minor adverse.

1, 2 and 3 Borough Square

744. A total of 19 windows were tested. For APSH, 10 would experience a loss of more than 40%. Those windows seeing lower levels are located in the corner of the buildings, facing into the courtyard, and so are partially shaded by the architecture of the building itself in the baseline condition.

745. For WPSH, 8 windows would see losses greater than 40%. For two of the worst affected windows, this falls to 0% and 1% WPSH at 2 Borough Square. However,

these are those windows within the corner of the buildings looking into their own courtyard, significantly limting the potential winter sunlight this property can receive.

746. Whilst the overall effect is major adverse, the retained APSH at between 14-24% APSH is generally accepted to be good levels in this London location.

7-9 Borough Square (with 33-47 Collinson Walk also located within this building)

10-11 Borough Square and 33-35 Scovell Crescent (with 17-31 Collinson Walk also located within this building)

747. A total of 56 windows were tested within these two buildings. A total of 46 would pass.

748. For APSH, 3 windows would would experience an reduction of 20-29.9%, 2 windows losing 30-39.9% and the remaining 5 windows experiencing a loss of more than 40%.

749. For WPSH, 1 of the windows would see a loss of 30-39.9% and 6 windows at greater than 40%. At its worst, the WPSH is between 0 and 1%. Nevertheless, it should be noted that these affected ground floor windows/rooms are already obstructed by the overhanging access deck, thereby exacerbating the reduction.

750. Overall, the effect is minor adverse.

32, 36 and 40 Collinson Walk

751. The 8 windows tested at Nos. 32 and 40 all will comply with the BRE guidance for both APSH and WPSH. At 36 Collinson Walk, 1 of the windows would see a loss greater than 40% in WPSH. This is mainly to its shaded location at ground floor, receiving an existing 3% WPSH, resulting in a disproportionate percentage change to what the occupant is likely to experience.

752. All windows receive good levels of sunlight annually with the Proposed Development in place and with the exception of the above window, would retain 7-19% WPSH. Therefore, the reduction to the window discussed above can be attributed to the ground floor location and existing shading. Overall, the effect is considered negligible.

1, 11 and 12 McCoid Way

753. A total 12 windows were tested. For APSH, one of the windows (at No. 12) would see a loss of greater than 40%. Despite the reduction, this window retains 24% Annual PSH which is only marginally below the 25% recommended and is therefore considered to remain well sunlit for a central London location. For WPSH, 2 of the 4 windows assessed (at No. 12) would meet BRE's criteria. The remaining two windows would see reductions greater than 40% , but would continue to receive 4% WPSH which is only slightly below the BRE recommended value. Overall, due to the retained levels of the affected the effect is considered minor adverse.

2 McCoid Way

754. A total of 4 windows were assessed for sunlight. For APSH, 2 windows assessed would meet BRE's criteria. The remaining 2 windows would see a loss greater than 40%, but would retain 19% and -24% APSH, which is considered reasonable for a central London location.
For Winter PSH, all window assessed would meet BRE's criteria.

3, 7, 8, 9, 10 McCoid Way

755. A total of 21 windows were tested. For APSH, 2 of the windows would experience an reduction of 20-29.9% and 3 would see a loss of 30-39.9%. 4 of the windows would see a loss greater than 40%. Nevertheless, these retained APSH would be between 19-24%, which is considered to be good and not far off the BRE criteria of 25%. For WPSH, 14 out of the 21 windows would see a loss of more than 40%, which is a major adverse effect – and in some instances over 80%. Those affected retain WPSH varying between 1% to 4%. However, although significant reductions occur, taking the retained APSH levels into consideration, the effect is considered to be moderate adverse.

4 and 6 McCoid Way

756. A total of 8 windows were tested. For APSH, 3 of those windows would experience an reduction of 30-39.9% and 3 windows seeing a loss of more than 40%. However, these retain APSH of between 15-23% which may be considered reasonable in a central London location.

757. For the WPSH, 8 of the windows would experience an reduction of more than 40%. Whilst the overall effect is major adverse. The assumed layouts suggest that there are additional windows that might serve one room and therefore would retain relatively good levels of sunlight within the rooms as a whole. This is seen in the overall retained APSH.

5, 13, 14, 15, 16, 17, 18, 20, 22 McCoid Way

758. A total of 38 wndows were tested. For APSH, 5 of the windows would experience a loss. 2 windows would experience an reduction of 20-29.9%, 1 window at 30-39.9% and 2 windows at more than 40%. However, the retained APSH is between 22% and 24%, which is considered good.

759. For WPSH, 19 windows would experience a loss of more than 40%, which is a major adverse effect. However, it should be noted that many of the very low retained WPSH (1-2%) have a baseline value that is already very low reductionmeaning that a small absolute reduction causes a large proportional change.

760. Reduction
The assessment also looked at the room averages, based on the assumed layouts and the retained WPSH is relatively good. Whilst the WPSH are significantly reduced the high level of annual compliance should be a factor when considering the losses to the WPSH. Overall, the effects to these properties is minor adverse.

19 and 21 McCoid Way

761. A total of 8 windows were tested and they all meet the BRE critera for the APSH. For WPSH, 6 of the windows pass the BRE criteria 2 of the windows would experience a loss of over 40%. They are both ground floor windows and would retain between 3% and 4% WPSH. Given the good levels of sunlight annually, the transgression occuring to WPSH is not considered to be significant and is a minor adverse effect.

762. 1-5 (odds), 8, 9, 11, 12, 17-23 (odds) Scovell Crescent

763. A total of 47 windows were tested at 11 properties. All of the windows except one comply with the BRE criteria for both APSH and WPSH. This occurs to a window at 23 Scovell Crescent. This would experience an reduction of more than 40%. The percentage loss is 71.4%. Whilst this window meets BRE's target value for winter, it is in a partially shaded location, as shown by its comparatively lower baseline value than other windows at this property. The single affected window would retain 2% Winter PSH but would be very well sunlit annually.

764. Overall, given the level of compliance annually, and the one window affected in winter a result of its comparatively lower baseline value, the effect to these group of buildings is considered negligible.

2, 4, 6, 13, 14, 16, 18, 22, 24, 31-47 (odds) Scovell Crescent

765. A total of 60 windows were tested. All of the windows except 3 comply with the BRE criteria for both APSH and WPSH. This occurs to a window at Nos. 16, 18 and 22 Scovell Crescent. Each property has one window that would experience an reduction of more than 40%.

766. Two of the windows would have retained levels of 4% WPSH, where it is marginally below the 5% threshold and is therefore generally acceptable for this location. The window at 22 Scovell Crescent would retain 3% WPSH due to its shaded location in the baseline condition. Given the level of compliance annually, and the moderate level of WPSH retained, the effect to these group of buildings is considered negligible.

10 and 25 Scovell Estate

767. A total of 9 windows were tested and 5 of those windows would pass both APSH and WPSH test.

768. The remaining 4 windows in these two properties would see a loss of more than 40%. These ground floor windows already have low baseline WPSH due to it being in a partially shaded location and therefore results in a disproportionate relative change. The windows would still be well light annually. Overall, given the 100% compliance annually, and the affected windows affected in winter being a result of their comparatively lower baseline values, the effect is considered minor adverse.

20, Scovell Crescent

769. A total of 4 windows were tested. All but 1 window would meet the BRE criteria for APSH. This one window at 20 Scovell Crescent would see a loss of 25.94%, which is considered a minor adverse effect. This window retains 20% Annual PSH, which is considered reasonable for a central London location. For WPSH, 1 window would a loss greater than 40%, but this window would retain 4% Winter PSH, which is only marginally below the recommendation of 5%.

770. Overall, given the level of compliance and the level of retained annual and winter PSH for the affected window, the effect is considered negligible.

233 Southwark Bridge Road

771. A total of 7 windows were assessed for sunlight. All 7 windows would be affected annually, 1 would experience an reduction in APSH of 37.5%. The remaining 6 windows would experience an reduction in excess of 40%.
The 5 windows located next to the adjacent office block and set back into the elevation retain far lower levels of APSH (3-11%) than the two furthest away windows, which retain 20% and 21% APSH respectively. It should be reminded that the rear site facing elevation is set back from the adjacent office block and therefore relies on daylight from across the site.

772. For WPSH, 5 of the 7 windows assessed would meet BRE's criteria. Both affected windows would experience an reduction in excess of 40%. The two windows affected are already shaded in the baseline location as shown by their comparatively lower WPSH values than other windows at this property. Overall, given the magnitude of impact, the effect is considered major adverse. It should be acknowledged that where this building is not already shaded by its own form and neighbouring buildings, good levels of sunlight are retained, which should be taken into consideration when evaluating the effects.

Overshadowing

773. The following methodologies are used to assess overshadowing:
- Transient Overshadowing; and
- Sun Hours on Ground.

774. Both transient overshadowing and Sun Hours on Ground assessments determine the extent of overshadowing on surrounding public and private amenity areas. Transient Overshadowing is initially used as a screening exercise to determine the approximate hours of the day an amenity area is cast in shadow from the proposed development. Where significant effects are expected to occur on an amenity area with distinct boundaries, a Sun Hours on Ground assessment is undertaken to quantify the hours of any additional overshadowing owing to the Proposed Development.

775. The BRE Guidelines suggest that ‘sun hours on ground’ assessment should be undertaken on the Equinox (21st March and 21st September) and recommends that at least half (50%) of an amenity area should receive at least 2 hours of sunlight on March 21st or the area which receives 2 hours of direct sunlight should not be reduced to less than 0.8 times its former value (i.e. there should be no more than a 20% reduction).

776. The BRE Guidelines recommend overshadowing studies are conducted on the equinox (21st March) and provide guidance for this date, as it represents an average scenario for spaces that are used year-round. Supplementary assessments in June and December can also be provided to provide a more rounded understanding of the yearly performance.

777. For Overshadowing, all public areas of open space such as parks and squares, neighbouring communal amenity areas and private gardens are considered highly sensitive. The surrounding amenity areas sensitive to overshadowing are shown below.



Map: Overshadowing receptors

778. In addition, the roof terrace of the consented Kings Place (on Harper Road) cumulative scheme (23/AP/0479) is considered as a future sensitive receptor for overshadowing. Due to the location of Avonmouth House south of the Site, it would not be shaded by the proposed development and is therefore not a relevant sensitive receptor to overshadowing due to the proposed development.

779. The assessment demonstrates that 74 (57.4%%) of the 129 amenity spaces tested would meet the recommended guidelines. A further 6 spaces would experience an effect that is deemed to be negligible, on the basis that they would experience absolute reductions that would not be perceptible. These 6 spaces experience very low levels of sunlight in the existing baseline condition, with only between 1-4% of their area seeing at least two hours of sun. Of the 49 remaining spaces, 8 would experience a minor adverse effect. The remaining 38 amenity spaces, all of which are located within the Scovell Estate, are discussed below.

780. 7 of the 38 amenity spaces would experience a moderate adverse effect, experiencing reductions of between 30-39.9% from the baseline condition. The

remaining 31 amenity spaces experience major adverse effects, however 17 of these are can be deemed to experience a moderate adverse effect owing to low existing sunlight levels on the test date of March 21st (less than 20% of their area seeing at least two hours of sun) which magnifies the percentage reductions. The remaining 14 amenity spaces would experience major adverse effects.

781. Negligible effect
The 74 amenity spaces that would meet the recommended guidelines are listed below. There are a mix of terraces and gardens and in some of the addresses having multiple amenity spaces. Where it is not identified after the address, all of their amenity space(s) would meet the guidelines. The details are set out in ES Volume III Appendix 9-B.

- 1 – 13 (odds) Belvedere Building
- 146, 148, 150 (garden), 152 , 154 (terrace), 156, 158 (terrace), 160 (terrace), 162 (terrace) – 162 Southwark Bridge Road
- 5, 7, 14, 16 McCoid Way
- 1, 8, 10, 11, 15, 17, 19, 20, 21, 23, 27 (terraces), 29 (terraces), 31 (terraces), 33, 37 Scovell Crescent
- 7, 8 (terraces), 9 (terraces), 10 (terraces), 11, 33 (terraces), 32, 35, 36, 40 Collinson Walk
- 1 – 72 Collinson Court
- Greenspace between McCoid Way and Borough Road
- 65 Borough Road North amenity space
- 65 Borough Road East amenity space
- Public Realm by the Ship Pub
- Swan Street Dog Park

782. The further 6 amenity spaces that would experience a loss of that is deemed to be negligible, on the basis that they would experience absolute reductions that would not be perceptible are listed below.

- Southwark Bridge Road 150 (terrace)
- 6 McCoid Way
- 9 McCoid Way
- 18 McCoid Way
- 19 McCoid Way
- 33 Collinson Walk (garden)

783. These 6 spaces would experience 100% loss (from baseline to proposed scenario). Nevertheless, it is important to note that those 6 spaces currently experience very low levels of sunlight in the existing baseline condition, with only between 1-4% of their area seeing at least two hours of sun. Further analysis showing the sun exposure images on March 21st and June 21st confirm that there would be no significant loss of sunlight, as the quantum of sunlight which is reduced equates to a very short period on a very small portion of the gardens. Therefore, the absolute reduction would not affect how these two amenity areas are used. The third party assessor agrees with the above assessment and effect.

Amenity space Minor Adverse effects

784. A further 8 private amenity areas see a reduction of 20-29.9% in the total area which received at least 2 hours of sun. It should be noted that none of these areas met BRE's recommendation in the baseline condition (less than 50%).

- 9 Scovell Crescent
- 14 Scovell Crescent
- 16 Scovell Crescent
- 29 Scovell Crescent (garden no. 2)
- 35 Scovel Crescent
- 41 Scovell Crescent
- 49 Scovell Crescent
- Collinson Walk 8 (garden)

Amenity space Moderate Adverse effects

785. 7 amenity areas would see reductions between 30-39.9% which is considered to be a moderate adverse (significant) effect. These 7 areas also have baseline values below BRE recommendation and so are susceptible to percentage changes.

- 3 Scovell Crescent
- 5 Scovell Crescent
- 12 Scovell Crescent
- 13 Scovell Crescent
- 18 Scovell Crescent
- 25 Scovell Crescent
- 47 Scovell Crescent

Amenity space Major Adverse effects

786. The remaining 31 areas would experience reductions than 40% in the total area which received more 2 hours of sun on 21 March. The ES has categorised some of the amenity spaces as moderate adverse effect based on the assessor's own professional judgement. However, in this instance, officers deem all the spaces experiencing more than 40% to be major adverse and these are listed below.

- 1, 2, 3, 4, 8, 10, 11, 12, 13, 15, 17, 20, 21, 22, McCoid Way
- 1, 2, 3 Borough Square
- 2, 4, 6, 7, 22, 24, 29 (two gardens), 39, 43, 45
- 9 (garden), 10 (garden), Collinson Walk
- 15 Borough Square

	% Area seeing 2+ hrs of sunlight on 21st March		
Address	**Base (%)**	**Proposed (%)**	**Base Vs Proposed % Loss**
1 McCoid Way	30	10	66
2 McCoid Way	50	0	100
3 McCoid Way	16	0	99
4 McCoid Way	8	0	100

8 McCoid Way	7	0	100
10 McCoid Way	25	0	100
11 McCoid Way	8	1	86
12 McCoid Way	15	0	97
13 McCoid Way	9	2	76
15 McCoid Way	9	1	88
17 McCoid Way	7	0	100
20 McCoid Way	7	0	100
21 McCoid Way	9	0	100
22 McCoid Way	21	0	100
1 Borough Square	17	3	80
2 Borough Square	6	0	100
3 Borough Square	53	11	79
15 Borough Square	14	8	46
2 Scovell Crescent	27	15	46
4 Scovell Crescent	30	17	43
6 Scovell Crescent	13	3	79
7 Scovell Crescent	27	3	89
22 Scovell Crescent	20	7	63
24 Scovell Crescent	14	3	77
29 Scovell Crescent (garden No. 1)	25	11	55
29 Scovell Crescent (garden No. 3)	35	19	46
39 Scovell Crescent	18	7	59
43 Scovell Crescent	22	10	57
45 Scovell Crescent	21	12	43
9 Collinson Walk (garden)	44	12	74
10 Collinson Walk (garden)	10	1	92



Sun on ground- existing situation (blue under 2 hours of sun on; 21 March yellow more than 2 hours of sun



Sun on ground- proposed situation (blue under 2 hours of sun on; 21 March yellow more than 2 hours of sun

787. In some instances, some of the above gardens would experience a loss of 100% of the total area which received more 2 hours of sun on March 21st. The ES notes that the percentage reductions on March 21st are significantly exacerbated by the boundary walls causing low levels of sunlight in the existing condition at this time of year. These courtyards receive the great majority of their sunlight over the summer months, when the sun is higher in the sky and able to reach the courtyard's floor over the houses themselves and the boundary walls. The applicant has shown in the transient overshadowing plots on June 21st that the proposed development does not cast additional shadow on the summer solstice, representative of the summer period when the sun is highest in the sky. The assessment show that some of the above amenity spaces would see no reduction in sunlight on June 21st. It should be borne in mind that the June 21st represents the best case of minimum shadow.

788. The assessment notes that two of the above gardens would see noticeable and significant loss in sunlight, 1 McCoid Way and 3 Borough Square. These two areas are impacted to a greater extent owing to their proximity to the Proposed Development but would continue to enjoy up to four hours of sunlight on June 21st.

789. Residents have raised concerns over the accuracy of the assessment and that obstructions such as boundary walls are not correct and misrepresented in the ES chapter. A 3D model for this analysis was generated using photogrammetry, a widely recognized and reliable method for capturing spatial data. The assessor's base model inherently includes a tolerance range of 15–30 cm due to factors such as image resolution and alignment precision. Although this method is not as precise as a measured survey, its accuracy aligns with industry standards and considered appropriate for daylight and sunlight assessments. In relation to the height of the garden walls, these are modelled from the top down by measuring the distance from the top of the wall to the eaves, as dictated by the photogrammetric base model. To validate the model's accuracy, the applicant also conducted on-site measurements at key locations using a DISTO laser measurer to assess the vertical relationships between boundary walls, fences, and adjacent building features. These measurements confirm that these variations are consistent with the inherent assumptions and simplifications of the modelling process. Whilst minor discrepancies can be seen in places, this is to be expected and would not affect the conclusions of the daylight and sunlight analysis.

790. Overall, therefore the effects are considered permanent, direct, long term and major adverse (significant) for these amenity areas, but sunlight can still be enjoyed in the summer months, the time of year when the great majority of sunlight reaches these courtyards' floors and would be used.

Scovell Playground

791. The ES did not give a commentary on the impact on the Scovell Playground, which is situated to the north of the development site and within the estate. It is a small playground outside the Queensborough community centre and comprises children's play equipment. The applicant has since submitted a letter and provided an analysis. It can be seen from the shadows cast on the area by the proposal (visible in the Transient Overshadowing assessment) that there is potential for brief periods of shadow at 09:00 GMT and 12:00 GMT upon this playground area. However, the playground will retain well above the suggested levels of sunlight (2 hours of direct sunlight across 50% or more of its area on 21st March) so remains fully in line with the BRE Guidelines, offering good levels of sunlight for its users. The overall effect would be considered negligible.

Mint Street Park and Charles Dickens Primary School

792. A number of comments have been received noting that the overshadowing assessment did not include Mint Street Park and Charles Dickens Primary School and Nursery.

793. The Transient Overshadowing Assessment prepared by GIA and appended to the ES Chapter confirms that shadows from the Proposed Development would not reach Mint Street Park or the school grounds in March. Based on BRE criteria, the

overshadowing effect is therefore classified as Negligible. Nevertheless, the shadow plots illustrate that in December, due to the low sun angle, shadows extend significantly, as is to be expected, occasionally reaching the areas in question. It is important to note the BRE guidance does however, recognise that *"if winter shadows (e.g. 21 December) are plotted, even low buildings will cast long shadows. In a built-up area, it is common for large areas of the ground to be in shadow in December."*

794. The applicant has prepared a separate note and assessment on these two public spaces. A number of locations within the park were tested. In a couple of the tested points, no additional overshadowing occurs at any point throughout the year. The other tested locations experience up to circa 30-40 minutes of additional overshadowing. In most instances the longest additional overshadowing is experienced on the winter solstice (21st December), and approximately 1 hour 20 minutes to 3 hours 30 minutes of sunlight is retained. Shadows from the Proposed Development only reach the tested locations approximately between mid-November and late January. The park remains free of additional overshadowing for the great majority of the year. Whilst Mint Street Park and the school would be shadows in December, given the short daylight hours and the prevailing urban context, these instances are limited.

795. For the school, which is located approximately 300m north of site there would be no additional overshadowing occurring their various outdoor spaces in mid-seasons and summer. In December the proposed development would introduce a small additional reduction in some areas. The results indicate that 2 out of 6 tested areas would experience overshadowing from mid-October to late-February. The most significant reduction is seen in early November (and early February). The additional shadowing in early November and early February to these two areas is between 34 minutes to just under an hour. This occurs to a roof terrace play area and the Multi-Use Games Area (MUGA) and occurs between 13:00 and 15:00 GMT. The school remains free of additional overshadowing for most of the year.

796. These areas are located some distance from the site and the impact on sunlight availability is therefore limited and mainly occurs in the winter month, when shadows are long and the sunlight probability is low. It should also be noted that the additional shadowing is only for a short period of time. Development on overshadowing is fully BRE compliant and does not significantly affect these spaces.

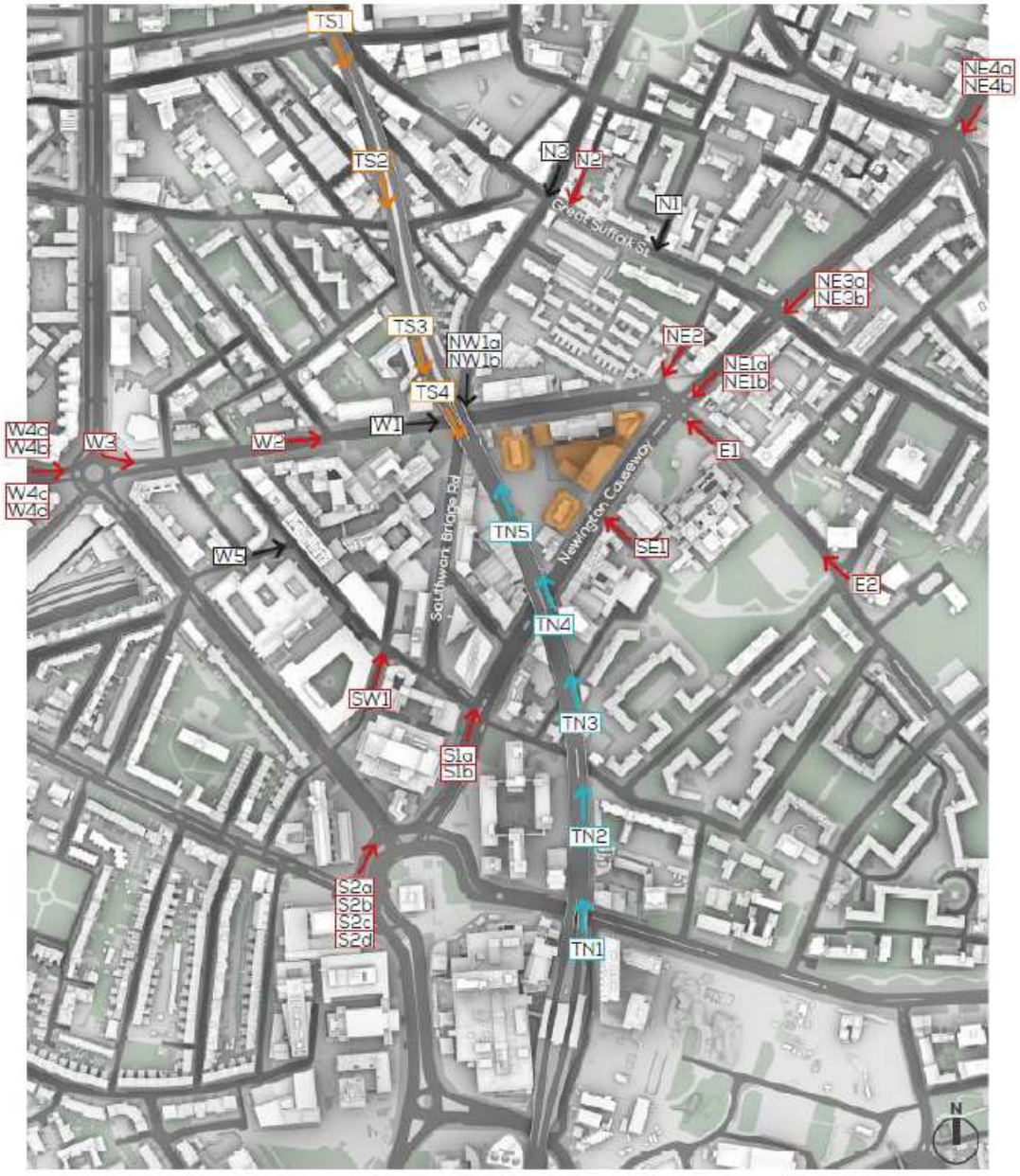
797. Solar Glare is not a comparative assessment; the fact it may occur in the baseline does not necessarily justify its occurrence as a result of a Proposed Development. Therefore, the assessment considers the effect of the Proposed Development in absolute terms and not against a baseline condition. There are no quantitative criteria within BRE Guidelines or elsewhere regarding acceptable levels of solar glare.

798. Professional judgement has therefore been applied to assign the significance of solar glare arising from the Proposed Development and to determine the criteria for assessing the scale and nature of solar glare effects.

Scale of Effect	**Solar Glare Criteria**
Negligible	No reflections are visible or if visible all occur at angles greater than 30° from the driver's line of sight

Minor	Solar reflections are visible within 30° to 10° or between 10° to 5° of the driver's line of sight for a short period of time
Moderate	Solar reflections are visible within 10° and 5° of the driver's line of sight occurring for a long period of time
Major	Solar reflections are visible within 5° of a driver's line of sight

799. The area of the assessment extends to a distance of approximately 500m around the Site in all directions. The assessment has been undertaken from road junctions and trainlines nearby which are considered sensitive in terms of solar glare.
These viewpoints represent locations where reflected solar glare may cause adverse impacts to those travelling towards the Proposed Development. Location references are denoted by direction of travel (N, NE, NW etc).


TS1
TS2
TS3
TS4
NW1a
NW1b
N1
N2
N2
NE4a
NE4b
NE3a
NE3b
NE2
NE1a
NE1b
E1
E2
W1
W2
W3
W4c
W4d
W4c
W4d
W5
TN5
TN4
TN3
TN2
TN1
SE1
SW1
S1a
S1b
S2a
S2b
S2c
S2d
Great Suffolk St
Southwark Bridge Rd
Newington Causeway
N
Street viewpoints
Track Southbound
Track Northbound
Building NOT visible from the viewpoint

Solar Glare Receptor	Description`
N1- N3	Road Viewpoint
NE1-NE4	Road Viewpoint
E1-E2	Road Viewpoint
SE1	Road Viewpoint
S1-S2	Road Viewpoint
SW1	Road Viewpoint
W1-W5	Road Viewpoint
TN1-TN5	Railway Viewpoint
TS1-TS5	Railway Viewpoint

800. The ES states that four road test points (N1, N3, NW1 and W1) would not have a view of the proposed development within 30° of the driver's line of sight and therefore no impact would occur.

The table below summarises the significance of effects of the other viewpoints.

Scale of Effect	**Viewpoints**
Negligible	NE1a N2 NE4 (a and b) S2 (a to d) SW1 W3
Minor	E1 E2 NE1 b NE2 NE3a NE3b S1a SE1 W2 W4b W4c W4d TS1-4 TN1-5
Moderate	S1b W4a
Major	None

801. In summary, whilst there is potential for reflections within a road user's line of sight, these reflections would be broken up by solid elements of the façade and at times would occur for a short duration. Given that the significance levels, it is unlikely to affect road user's responsiveness.

802. Although there are viewpoints which may experience solar glare effects at a worst-case scenario, no additional mitigation is deemed necessary. This is due to the short duration of effects, as well as considering the sunlight probability at the time and month of solar reflection occurring. Taking these factors into consideration, the effects are not likely to affect a driver's responsiveness overall.

803. Cumulative Scenario once development is completed

This scenario consists of the proposed development in conjunction with the following relevant consented cumulative schemes in the context of the surrounding environment:
- Kings Place (23/AP/0479)
- Avonmouth House (23/AP/0958)

This scenario assesses the potential cumulative daylight, sunlight and overshadowing on the surrounding residential receptors and amenity spaces.
Due to their planning status, scale and/or distance from the site, no other cumulative schemes have been identified to be likely to generate additional daylight, sunlight and overshadowing effects to sensitive receptors in combination with the Proposed Development.

Cumulative impact on daylight

804. Of the 86 existing buildings assessed, there would be isolated instances of additional VSC and NSL impacts caused by Kings Place and Avonmouth House coming forward together with the proposed development. However, these would not meaningfully alter the magnitude of impact and so the overall significance of effect would not change from the proposed development scenario for all daylight receptors. Those additional impacts which occur in the Cumulative Scenario are described below.

Address	**Proposed Scenario effect**	**Change in effects (No. of windows and test)**	**Overall Cumulative scenario**
63 Borough Road	Major Adverse	3 additional rooms NSL effects	Major Adverse
1 Borough Square	Major Adverse	1 window VSC effect	Major Adverse
3 Borough Square	Major Adverse	1 window VSC effect	Major Adverse
9 Collinson Walk	Minor Adverse	1 window VSC effect	Minor Adverse
2 McCoid Way	Major Adverse	1 window VSC effect	Major Adverse
57-61 Newington Causeway	Major Adverse	4 windows VSC impacts 2 rooms NSL impacts	Major Adverse
1-42 Telford House	Minor Adverse	37 windows change to VSC impacts. 30 windows change	Moderate Adverse

		to NSL impacts.	

Cumulative impact on sunlight

805. Of the 84 existing buildings assessed, there would be isolated instances of additional WPSH impacts caused by Kings Place and Avonmouth House coming forward together with the proposed development. However, again this would not meaningfully alter the magnitude of impact and so the overall significance of effect would not change from the Proposed Development scenario.

Address	**Proposed Scenario effect**	**Change in effects (No. of windows and test)**	**Overall Cumulative scenario**
1 Borough Square	Major Adverse	1 window effect to WPSH	Major Adverse
3 Borough Square	Major Adverse	1 window effect to APSH	Major Adverse
8 Collinson Walk	Minor Adverse	1 window effect to APSH	Minor Adverse
2 McCoid Way	Moderate Adverse	2 window effect to WPSH	Moderate Adverse
12 McCoid Way	Minor Adverse	1 window effect to WPSH	Minor Adverse
57-61 Newington Causeway	Negligible	3 windows effect to APSH and WPSH	Negligible

806. In terms of overshadowing, only the Public Realm by the Ship Pub has been assessed cumulatively and it can be seen that there would be no reduction to the area that would receive at least two hours of sun on March 21st. Therefore, the effect does not change from the Proposed Development scenario and remains negligible for this public realm. The third party assessor has agreed that other amenity spaces do not need to be assessed given the location and distance of the two other schemes to the other neighbouring properties.

For the solar glare assessment, the proposed development is considered to represent the worst-case scenario, as the addition of significant massing in the surrounding context may serve to shield instances of solar reflection. Therefore, this assessment does not consider solar glare in the Cumulative scenario.

Future baseline assessment

807. In addition, the consented Kings Place and Avonmouth House cumulative schemes which comprise sensitive student accommodation are tested as future sensitive receptors to changes in daylight and sunlight from the proposed development.

Avonmouth House comprises future residential accommodation, which are potentially sensitive to changes as a result of the Proposed Development.

Daylight
In terms of daylight, 189 windows serving 155 rooms face the Proposed Development Site

have been assessed.

VSC Reduction						
Address	**Total No. windows tested**	**Windows that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**	**Total of windows below BRE criteria**
Avonmouth House	189	122	28	39	0	67
King's Place	262	180	57	21	4	82

NSL Reduction						
Address	**Total No. rooms tested**	**Rooms that pass**	**20-29.9% loss**	**30% - 39.9% loss**	**≥ 40% loss**	**Total of rooms below BRE criteria**
Avonmouth House	155	134	11	7	3	21
King's Place	227	222	3	2	0	5

At Avonmouth House, the vast majority of windows and rooms would remain well daylit (values in excess of 20% VSC and 80% NSL). At King's Place, the vast majority of windows and rooms which are located on the main elevations closest to the development would remain well daylit (values in excess of 15% VSC and 80% NSL). Overall, given the retained levels of light levels of daylight and therefore the effect is considered minor.

Sunlight
All windows at Avonmouth House would meet BRE's criteria and therefore, the overall effect is considered negligible.

At King's Place in terms of sunlight, 262 windows serving 227 rooms were assessed. Of the 163 windows assessed, 148 (90.8%) would meet BRE's criteria for Annual and Winter PSH.

For APSH, 15 windows would be affected but would retain between 15% and 24% APSH and so are considered to remain reasonably well sunlit.
For WPSH, all of the 11 windows affected would see reductions greater than 40% , but it is noted that these windows either already fall below BRE's recommendation, or just meet the target in the baseline condition and therefore the absolute reduction of 1-2% WPSH is disproportionate due to the lower levels of sunlight seen in winter.

Overall, the retained levels of sunlight overall are considered to be reasonably good for a central London location and therefore the effect is considered minor.

Kings Place has a roof terrace which is relevant for overshadowing. The proposed development would not reach the roof of Kings Place on March 21st. Therefore, the overshadowing effect is considered negligible.

The council's independent assessor noticed that the shadow would begin to be cast from the proposed development towards Kings Place from about 3pm until the end of the day. However, most shadow that is cast onto the amenity spaces is from the building itself rather than from the proposed development. The only additional shadow cast by the proposed development would be to the pocket park fronting Harper Road, although as this space would be relatively free of shadow between approximately 11am to 3pm it is agreed that the effect would be negligible.

808. Conclusion on daylight and sunlight

It can be concluded that there will be moderate and major adverse effects to neighbouring properties.

Overshadowing to amenity spaces will be negligible or minor adverse to 85 spaces. The remaining 38 amenity spaces, all of which are located within the Scovell Estate, have been ascribed moderate or major adverse effects. The supplementary assessment on June 21st appears to demonstrate that the amenity spaces would generally receive good levels of sunlight in the summer months however, when the spaces are more likely to be used. These neighbouring properties are located close to the development site, which is planned for tall buildings.

Solar glare effects will be negligible or minor adverse to all but two receptors. The others have been ascribed moderate adverse effects.

The cumulative effects assessment appears to demonstrate that generally, whilst there would be increased impacts in daylight and sunlight the overall significance of effect would not alter for the receptors assessed.

The future receptors within the consented Avonmouth House and Kings Place would generally continue to receive good levels of daylight and sunlight with the proposed development in place.

In relation to daylight, sunlight and overshadowing, Members should note that these BRE guidelines are not a rigid set of rules but are advisory and need to be applied flexibly according to the specific context of a site. It is also important to note that the existing scale of development on the application site is low for an urban location. As a result, reductions would be expected to result from any development here.

809. Of the 86 properties assessed for daylight, 59 would experience negligible or minor adverse effects. 27 properties would experience significant daylight effects (16 moderate and 11 major adverse.

810. Of the 84 properties assessed for sunlight, 71 would experience negligible or minor adverse effects. 13 properties would experience significant sunlight effects (7 moderate or 6 major adverse).

811. Overshadowing to amenity spaces will be negligible or minor adverse to 85 spaces. The remaining 38 amenity spaces, all of which are located within the Scovell Estate, have been ascribed moderate or major adverse effects. The supplementary assessment on June 21st appears to demonstrate that the amenity spaces would generally receive good levels of sunlight in the summer months however, when the spaces are more likely to be used. These neighbouring properties are located close to the development site, which is planned for tall buildings.

812. Solar glare effects will be negligible or minor adverse to all but two receptors. The others have been ascribed moderate adverse effects.

813. The cumulative effects assessment appears to demonstrate that generally, whilst there would be increased impacts in daylight and sunlight the overall significance of effect would not alter for the receptors assessed.

814. The future receptors within the consented Avonmouth House and Kings Place would generally continue to receive good levels of daylight and sunlight with the proposed development in place.

815. In relation to daylight, sunlight and overshadowing, Members should note that these BRE guidelines are not a rigid set of rules but are advisory and need to be applied flexibly according to the specific context of a site. It is also important to note that the existing scale of development on the application site is low for an urban location. As a result, reductions would be expected to result from any development here.

816. Notwithstanding the above, it is noted that there will be adverse effects on the neighbouring residents in terms of daylight, sunlight and overshadowing. However taken in the balance as set out above, and considering the sites context the impacts are overall considered to be acceptable.

817. As one of the action plans set out in the ‘Tackling the Climate Emergency Together. Our strategy for a carbon neutral Southwark by 2030’, there is a priority to repurpose existing buildings that are no longer fit for purpose or need modernising where possible. Southwark’s Green Buildings Fund (GBF) uses S106 carbon offset payments from developers to fund retrofit and low carbon technologies in council buildings. All carbon offset funds are held in the council GBF account. S106 monies form a key part of the funding strategy to deliver the Council’s Climate Action Plan Green Investment, alongside other capital funding streams and grant funding.

818. The carbon off-set payment (discussed further under the Energy section of this report) is circa £1.03m. It is proposed that this goes towards installing new double glazing to all existing properties within the Scovell Estate and that this is secured in the s106 agreement. Initial costing carried out by the applicant indicates that the above amount would be sufficient to undertake the works including the glazing and labour for the installation. This proposal using the carbon off-set payment would be justified in this instance given that it is a mitigation measure for the broader harms

caused to the Scovell Estate by this development although it is acknowledged that it wouldn't in itself reduce the daylight, sunlight and overshadowing impacts set out above. Nonetheless the installation of double glazing to existing properties which are in close proximity to this redevelopment and are consequently are impacted by it is considered a legitimate use of s106 funding and would meet the relevant Regulation 122 tests for that funding. They would improve energy efficiency delivering costs savings to residents and would also improve their security. Further detail is provided in the energy section of this report.

819. There would be a separate approval process from Planning Committee to release and transfer the carbon offsetting funds to the Housing department to spend on the installation of glazing.

Transport and highways

820. London Plan policy T1 seeks to achieve a strategic target of 80% of all trips in London to be made by foot, cycle or public transport by 2041, and policy T2 requires developments to deliver improvements to support the ten Healthy Streets indicators, reduce the dominance of vehicles and be permeable by foot and cycle. Further policies in the London Plan set out cycle parking and car parking standards, and the management of safe deliveries and servicing. Southwark Plan policy P50 seeks to minimise highways impacts and maintain safety, while policies P49, P51, P52, P53, P54 and P55 set out further requirement on different aspects of transport. Southwark Plan policy P52 supports the implementation of the Low Line route alongside the railway viaduct and new routes through arches, including across this site.

821. Traffic and transport is one of the topics considered in the ES. Other accompanying documents include Transport Assessment (TA), Construction Management Plan (CMP), Delivery Management Plan, Parking Management Plan and Travel Plans.

822. The ES considered the baseline year (2024) and a number of future baseline years:
• 2030 as a Future Baseline without and with construction activity;
• 2035 as a Future Baseline without and with the Proposed Development; and
• 2040 as a Future Baseline 5 years post completion without and with the Proposed Development.

Site layout

823. There are footways of varying widths adjacent to Borough Road and Newington Causeway along the site frontage, with pedestrian crossing facilities at the Borough Road / Newington Causeway signalised junction and a zebra crossing over Newington Causeway to the north of Avonmouth Street.

824. There are no existing routes through the site with pedestrians required to walk around the perimeter along Borough Road and Newington Causeway, or adjacent to the railway arches to the south-west of the site. The proposal would provide pedestrian connections into the public space and through the site allowing for improved connectivity from Borough Road to Newington Causeway.

825. As noted in the earlier parts of this report, the scheme has been designed to allow for

the future Low-line to come forward. Sufficient space is allowed for between the proposed open space and the arches.

Trip generation

Construction traffic

826. The greatest number of HGV movements is likely to occur during 2030 (Year 4) of the construction process when there would be activity associated with the construction of all of the blocks on the site. It is estimated that there could be up to 122 HGV two-way movements per day and with 140 LGV two-way movements per day at the peak, with lesser movements at other times. It is anticipated that all of the HGV movements would be controlled through the implementation of a Construction Management Plan Routing Agreement in the Construction Logistics Plan (CLP).

827. The submitted TA includes a multi-modal trip generation assessment of the proposed development and includes an assessment of the potential impact on various modes of transport. The total person trips associated with the proposed development have been calculated using the TRICS trip rate database. The resulting peak hour and daily trip rates appear to be broadly acceptable for the proposed development, and alternative trip generation assessments yield similar results. As such, the trip rates are considered appropriate.

828. The methodology presented for the modal split of the residential and non-residential land uses at the site are also considered appropriate and are considered to reflect the excellent accessibility and central location of the site which has a PTAL rating of 6b (the highest rating). One of the key considerations in terms of trip generation for a development of this scale and location is the potential impact on local bus and London Underground services.

829. There will be an additional 136 London Underground (LU) trips in the AM peak and 157 LU trips in the PM peak (residential trips). Transport for London (TfL) was consulted and they had commented that the Elephant and Castle LU Northern Line and Bakerloo Line stations both have capacity issues and despite the station improvements planned, an increase in trips from this development would exacerbate existing problems by the additional demands. The GLA in their Stage 1 report highlights the current funding shortall to enable these improvements be brought into use. TfL therefore requested a contribution towards the Northern Line/Future Bakerloo Line Extension (BLE) ticket hall be provided to help enable works necessary to bring the new station into use to serve this development amongst others and mitigate this impact in line with Policy T4.

TfL also highlighted that Network Rail's Elephant and Castle station does not have step free access and has a constrained ticket hall and a contribution to improvements at this station was requested. Network Rail was consulted but did not raise any issues.

830. The applicant responded to this request by pointing out that the ES identified that *"The greatest change in the number of underground trips would be 380 daily movements on the Northern Line between Borough and London Bridge."* This would result in a circa 0.5% increase. The applicant has therefore not agreed to the funding

request. Officers agree that given the number of trains per hour and across the day, this level of increase would not result in any changes in levels of service for existing passengers and as such considered to have a negligible impact on rail services. The overall conclusion was that there would not be a significant effect on public transport services. In addition, its also noted that the council has already made CIL contributions to TfL for the construction of the Northern Line/Future Bakerloo Line ticket hall construction, is part funding the BLE station detailed design study and has committed 50% of its strategic CIL to the BLE.

831. In terms of bus trips, 5 additional peak hour trips would be made from the office use and 150 additional bus trips in the AM and PM peak hours from the residential use. TfL has requested a contribution towards bus stop improvements (e.g. accessible kerbing, Countdown and new shelters), noting that the southbound stop on Newington Causeway serving the site does not have a shelter currently is required to align with Policy T3. Following further discussions and negotiations with the applicant, the principle of a contribution of £78,000 towards bus stop improvements have been agreed.

832. It is envisaged that the construction process could involve the suspension/relocation of the bus stop on Newington Causeway. As this would be a phased development, those locations could change and only if needed. It is considered appropriate to require details to be provided in consultation with the council and TfL so that the impacts on pedestrians, cyclists and public transport users are minimised. This will be secured in the CEMP and the s106 agreement.

833. The proposals provide public toilets, which can be used by the bus drivers. Plans have been amended following TfL feedback on its layout to provide separate entrances for male and females with the joint lobby removed. The toilet facilities will be maintained by the applicant and a clause in the s106 to ensure it will be available 24 hours a day.

834. The scheme only provides blue badge parking spaces and it is anticipated that a total of 21 car trips would be made in the AM and PM peak times. In terms of servicing and delivery trips, there could be in the region of 160- 180 deliveries per day to the site, the majority of which would be by transit type vans. It is not considered that the scheme would generate an adverse impact on the local highway network together with the other mitigation secured such as the initiatives in the Travel Plan. The Travel Plan Coordinator will update the Travel Plan annually following the Travel Surveys and will review progress towards meeting the targets. They will be responsible for implementing the measures and initiatives in the report to encourage residents to travel by sustainable modes of transport such as walking, cycling and public transport. A s106 contribution of £2,790 per phase will be secured for the monitoring of the Travel Plan.

Healthy Streets

835. 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.

836. A day and night-time Active Travel Zone assessment has been completed, but no improvements to the identified routes have been proposed. It does conclude that whilst enhancements would benefit users, they are not deemed necessary to make the development acceptable. Works to improve cycle routes and paving on Newington Causeway and the route to London Bridge have been suggested by TfL. TfL also sought funding toward off site Healthy Streets improvements additional to the works mentioned above.

837. The applicant has not agreed to the above works or a financial contribution. The proposed development includes repaving the footways adjacent to the site with the removal of a number of vehicular crossovers which along with providing cycle parking in accordance with the London Plan and significant improvements to the public realm and the car-free nature of the scheme will assist to promote active travel. These works will form part of the S278 works. The work will also include rationalizing of street furniture with the scope to be finalised through the S278 process.

838. It is not considered that the requests from TfL for those improvements are necessary to make the development acceptable in highways terms and as such compliant with the Regulation 122 tests.

839. There is a committed highways scheme along Borough Road to the immediate north of the site, comprising a segregated bi-directional cycleway (Cycle superhighway CS7) running on the southern side of Borough Road immediately adjacent to the site. Its delivery wil not be prejudiced by this development.

Servicing and deliveries

840. London Plan Policy T7 relates to servicing and delivery arrangement during construction and end use. The policy requires provision of adequate space for servicing, storage and deliveries to be made off-street, with on-street loading bays only used where this is not possible.

841. Delivery and servicing activity along with refuse collection will take place on-site within the proposed basement area which includes 7 servicing bays comprising the following:
- 4 bays suitable for vehicles up to 8m;
- 2 bays suitable for vehicles up to 10m (refuse lorries);
- 1 bay suitable a Light Goods Vehicle and delivery scooter parking.

842. The Delivery and Servicing Management Plan (DSMP) sets out the anticipated number of deliveries and how these will be managed in order to ensure the successful operation of servicing at the proposed Development. The residential element is expected to receive approximately 80 – 90 deliveries per day by LGV plus an additional 80 – 90 by motorcycle or scooter. The data from MM suggests that they receive between 8 and 15 deliveries per day (other than Sunday) all of which take place using a transit or similar sized vehicle. The total maximum number of servicing trips would therefore be 195 (note this is not updated in the submitted DSMP).

843. It is estimated that the 7 loading bays would cater for up to 336 deliveries across a 12hr day based on an average 15minute dwell time for each delivery, with the capacity for more considering the evening. In terms of commercial deliveries, it is envisaged that MM would require the use of 1 - 2 bays across a typical morning based on 15 deliveries and an average dwell of 30 minutes. Officers initially raised concerns that the number of bays proposed were insufficient to serve the likely demand of the development.The applicant was therefore asked to provide additional justification that the proposed provision is sufficient, which has been provided. The scheme would also have a dedicated parcel room in the basement in close proximity to the delivery bays, with the basement managed to ensure an efficient operation. The proposed approach is considered to be acceptable.

844. A detailed DSMP will be required and will be secured in the s106 agreement. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the Council is recommending that applicants provide a DSP monitoring fee of £2,790.



Plan: Basement Lower level showing servicing bays

845. The traffic signal at the top of the ramp will display a green aspect as default and the signal in the car park and service area will display a red aspect as default. There will be a series of detectors on the ramp. There will be a gate at ground level, set back within the site which will allow vehicles (including the Council refuse vehicle) to wait off the public highway before being given permission to enter the ramp. It is expected there will be 24-hour security at the site. The scheme has been amended to ensure the visibility splays would be met. The building columns /transfer structure have been amended to enable a larger clear span space at grade.

846. The principal of a vehicle access in this location is acceptable, subject to the proposed access meeting the requirements of the council's Highways authority and the design standards of the SSDM and DS132.

Refuse storage arrangements

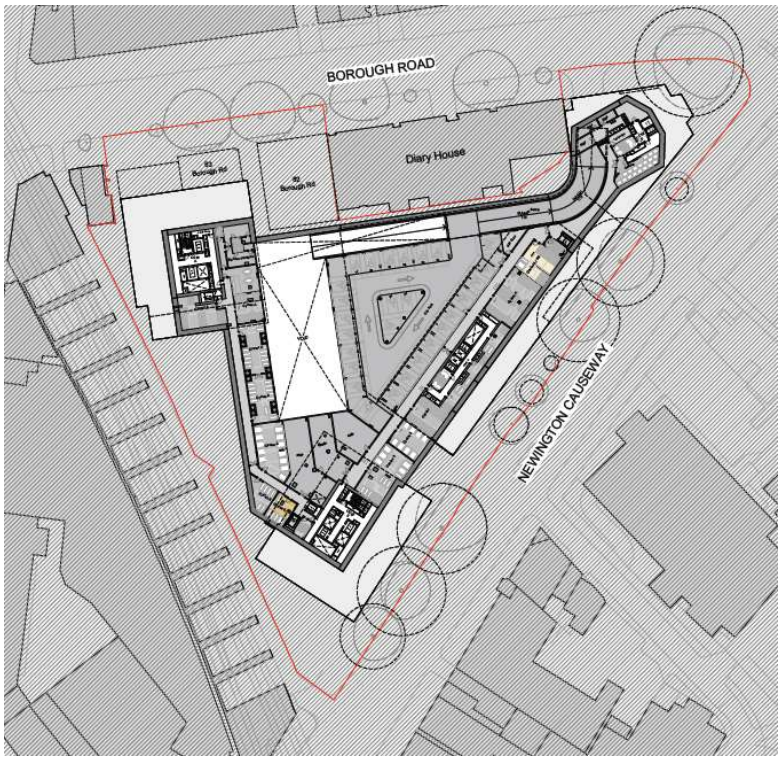
847. Refuse vehicles will enter and exit the development in forward gear, utilising the ramp into the basement. The TA includes swept path analysis of vehicles accessing/egressing the basement service yard, including the movements of a Southwark-specification 10.7m long refuse vehicle. Access to the refuse vehicle bays would require complex and multiple manoeuvres of the vehicle within the service yard and the council's Waste Management team had initially raised concerns around the turning area. Consequently a waste management plan will be required to be agreed to ensure residents safety as well as managing the council's refuse trucks.

848. Each of the residential units will be provided with a segregated waste bin to enable the separation of recycling waste from refuse. There will be an on-site management team presence in the completed development, who will be responsible for monitoring and managing the communal bin stores which will be accessible to residents.

849. The commercial refuse store is also contained within the basement level and the collection of non-residential / commercial waste will be undertaken via a private waste management contractor via the loading bay. A condition is recommended to secure the refuse storage prior to occupation of the units.

Car parking

850. London Plan Policy T6.1, states that residential development proposals delivering ten or more units must, as a minimum, ensure that for 3% of dwellings, at least one designated disabled persons parking bay per dwelling is available from the outset. Furthermore, applicants should demonstrate how an additional 7% of dwellings could be provided with one designated disabled person's parking space per dwelling in future. A total of 27 blue badge residential spaces are proposed at mezzanine level, which equates to 3% of the 892 residential units proposed. Given the excellent accessibility of the site, this is considered adequate to serve the potential future needs of the development, and the additional 7% blue badge provision can be waived in this instance. The layout of the residential blue badge parking at mezzanine level inacceptable.



Plan: Basement car parking

851. An additional disabled bay is proposed at basement level and is intended to serve the non-residential land uses proposed. Details of this will be subject to condition. A draft Car Parking Management Plan has been submitted and a final version shall be secured by condition.

852. Electric Vehicle Charging Points (EVCPs) are required to London Plan standards. The applicant has confirmed that all of the spaces will have active provision.

853. The site is within a controlled parking zone (CPZ). 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. This will be secured in the s106 agreement.

854. Southwark Plan policy P54 states that development must *"Provide a minimum of three years free membership, per eligible adult who is the primary occupier of the development, to a car club if a car club bay is located within 850m of the development; and / or contribute towards the provision of new car club bays proportionate to the size and scale of the development if it creates 80 units or more."*

855. In this instance the applicant is proposing a cycle hub in Building C, which would be open to all residents in the development for free. It would also be accessible to members of the public. This would therefore encourage more sustainable modes of transport. The request for car club membership is therefore not sought in this instance.

Cycle parking and cycling facilities

856. 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.

857. Long stay cycle parking is proposed for up to 1,678 bicycles with 1,610 spaces for residents and 68 spaces for non-residential use. This level of cycle parking provision is in accordance with the London Plan Standards. If the Southwark Plan Policy P53 standards were applied, a minimum of 2,447 spaces would be required. Given the significant number of spaces proposed, the application of London Plan Policy T5 standards is considered acceptable in this instance, particularly when considered in conjunction with the provision of a cycle hub and 3 years free membership of a cycle hire scheme referenced later in this report. Taken together these should meet the aims of both London Plan an Southwark Plan policies in encouraging sustainable modes of transport.

858. Cycle parking for the non-residential and commercial land uses is also proposed in accordance with Policy T5. Further information was requested regarding the land uses and standards applied and the applicant has confirmed that the long and short stay non-residential parking has been calculated based on 1 space per 75sqm and the Retail (formerly Class A2 – A5) cycle parking calculated at 1 space per 175sqm, with an allocation of 2 spaces for the community (circa 500sqm). This standard is accepted.

859. The long stay cycle parking will comprise 25% Sheffield stands (of which 5% will be able to accommodate non-standard/accessible stands), with the remaining stands (75%) comprising two-tier racks. Whilst the quantum of total cycle parking and the proportion of stand types is acceptable in principle, the information submitted as part of the application did not initially provide sufficient detail of the design and layout of individual cycle stores.

860. TfL also had concerns that the accessible stands will be taken by standard cycles as these are more easily accessible and has recommended that the store are managed such that only those who have a proven need for an accessible stand can use these spaces similar to the arrangements for Blue Badge holders with locks to prevent others accessing.

861. Consequently detailed plans of the proposed cycle stores to ensure that good quality, usable and accessible cycle parking can be provided in accordance with LCDS will be required along with a management plan through a condition. The applicant will also include provision for basic cycle repairs (puncture repair kit and pumps) for staff, with further details to be provided in the Travel Plan.

862. The layout of the Building C second cycle store has been amended to provide an additional access to address TfL's concern over safety with cycle accessed via the public realm. All of the cycle stores will be provided with CCTV coverage and panic / links to the on-site security / concierge. This will need to be included in the car parking/cycle parking management plan.

863. In terms of short-stay cycle parking provision, a total of 214 visitor cycle parking spaces are proposed predominantly as Sheffield stands, with one 48 space two-tier stands to the west of Building A. Again, London Plan Policy T5 standards have been used. This is based on Class E (Employment) at 1 space per 500sqm and the Retail

at 1 space per 20sqm, with 1 space per 100sqm. This is below the local policy standards, but is considered to be acceptable given the presence of a proposed Cycle Hire docking station within the immediate vicinity of the site. Cargo bike parking spaces are located at key access points to the site and are all within the site boundary.

864. Policy T5 states *"Where it is not possible to provide suitable short-stay cycle parking off the public highway, the borough should work with stakeholders to identify an appropriate on-street location for the required provision".*

865. Concerns were initially raised by officersthat a significant proportion of the short stay cycle stands would be on-street (both Newington Causeway and Borough Road).

866. Following review, the applicant has revised the plans resulting in 144 (67%) of the short stay cycle parking spaces being located on-site. The on-street cycle stands offer benefits in terms of being immediately visually prominent for passing cyclists and have been located in accordance with LCDS on-street cycle parking recommendations. It is noted that the footway widths along Newington Causeway and Borough Road are generous, so even with the stands in place, there is typically a 3.2 – 4m wide clear footway route.

867. Officers consider that by placing more cycle stands within the site this would reduce the play areas and useable space within the new public piazza, the approach taken is therefore considered to be acceptable. .



868. The applicant had initially proposed to provide a 16-space Cycle Hire docking station and indicated that it could be placed on the public highway. TfL had requested a

provision for a 27-space docking station and a location to be identified. The applicant has since provided an updated drawing identifying a suitable location for a 27-dock scheme on Newington Causeway underneath the railway bridge. This would be on the council's highway. This is considered an appropriate location. The contribution of £250,000 towards Cycle Hire provision and final location is to be secured in the s106 agreement.

869. Free membership to the Cycle Hire scheme for a minimum of 3 years, is to be provided upon first occupation of any residential unit or room and this will be secured in the s106 agreement.

870. The applicant will implement an Operational Management Plan (estate management plan) for the site which will cover, amongst many other things, how the public space will be managed. In this regard, the initial approach would be to manage cycling within the site through signage with the aim of reviewing the approach**,** if necessary**,** on an ongoing basis.

871. 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 S106 agreement.

Environmental matters

Construction management

872. The applicant has submitted an Outline CEMP explaining how construction activities will be managed to minimise neighbour amenity, environmental and highway network impacts. The ES chapter 5 'Demolition and Construction' outlines the environmental management measures committed to by the applicant to manage the potential environmental effects associated with the demolition and construction activities (collectively referred to as 'demolition and construction phase' effects). A CLP also proposes measures to the construction logistics to reduce environmental impact, road risk, congestion and cost. This document has been reviewed and it is considered to be a satisfactory framework document.

873. For the purpose of the EIA, the demolition will commence in Q1 2026 and will conclude in Q4 2034. The construction programme is indicative subject to planning permission being granted and detailed construction planning. For the purposes of this ES, it has been assumed that early phases of the development may be fully occupied during the construction of latter phases and therefore a qualitative assessment of the effects on early occupants has been undertaken and included within the technical chapters. The effects on early occupants would not change if the order of phasing varied.

874. The council's Environmental Protection Team (EPT) has commented that due to the extensive demolition and construction programme, the measures outlined in submitted documents would need to be carried over to forthcoming DEMP/CEMPs and this will be secured in the s106 agreement.

875. The applicant has also agreed to pay a sum of £35,680 towards the compliance and monitoring of all demolition & construction works. Regular communications with the local neighbourhood organisations and residents will take place during the works, to ensure they are kept fully updated of the various construction stages, abnormal deliveries or activities, etc. As with other major schemes officers will attend meetings with residents groups as required to ensure compliance with the DEMP/CEMP and to deal with any issues that arise. The Principal Contractor will be responsible for managing all community-related activities. An informative on the decision notice will suggest that a regular local liaison group is established during the construction period to which ward councillors, officers and residents are invited.

Water resources

Flood risk

876. The NPPF 2024 states that planning decisions must take into account the current and long-term implications for flood risk in order to minimise the vulnerability of communities and improve resilience. Where development is necessary in higher risk areas, development should be made safe for its lifetime without increasing flood risk elsewhere. Certain steps need to be followed when reaching a planning decision on development in higher risk areas, with risks managed through suitable adaptation measures. The advice of flood risk management authorities also needs to be taken into account.

877. The Environment Agency (EA) have been consulted and requested conditions that relate to additional groundwater monitoring. The Southwark Flood Risk Team have reviewed the submission and recommends that the proposal would be acceptable overall, subject to conditions. The GLA have requested a Flood Evacuation Plan, SuDs and further mitigation measures to be secured.

Site Context

878. The development site is located in Flood Zone 3a as identified by the Environment Agency flood map. Zone 3a is highest risk, which indicates a high probability of flooding. Paragraph 165 of the NPPF advises that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future).

879. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. In line with the NPPF, the council has a Strategic Flood Risk Assessment which acknowledges that development within Flood Zone 3 is required and is allowed with the application of the Exception Test set out the NPPF.

880. Sequential Test

The NPPF states that where a development proposal is in accordance with an allocation made in the Southwark Plan's Strategic Flood Risk Assessment (which set out the Sequential and Exception Tests), it is not necessary to repeat the Exception Test. This applies provided;

- the proposed development is consistent with the use for which it was allocated
- there have been no significant changes to the known level of flood risk to the site, now or in the future which would have affected the outcome of the test.

The site was assessed as part of the Council's Strategic Flood Risk Assessment (2017) and sequential test. The proposed development is consistent with the use fro which it was allocated and there have been no significant changes to known flood risk. No further sequential test is therefore required.

881. The scheme does propose a basement and the basement impact assessment demonstrates that it would have a negligible impact on groundwater flooding risk, surface water flow and flooding. All habitable rooms and more vulnerable uses would be above ground floor level. Flood warning, resilience and resistance are discussed in the Flood Risk Assessment (ES Volume III Appendix 13-A) though a formal Flood Warning and Evacuation Plan and a Flood Resistance and Resilience Report have not yet been prepared. These documents can be prepared as a condition of the planning approval and would be produced in due course.

882. Exception Test

NPPF paragraph 177 states that the need for the Exception Test will depend on the vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification in Annex 3 of the NPPF.

Developments for buildings used for dwelling houses, student halls of residence, drinking establishments are considered 'More Vulnerable' uses within Annex 3 of the NPPF. 'More Vulnerable' developments are considered to be appropriate within Flood Zone 3a providing it meets the Exception Test.

For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, and that a site-specific flood risk assessment must demonstrate that no adverse impacts would occur.

The site has been allocated within the local plan for the reuse of suitable land as part of a local regeneration scheme, the site is required to meet the shortfall in affordable and market housing in the area. The proposed design is capable of providing good quality housing and a range of social infrastructure. The Flood Risk Assessment demonstrates the proposal would have a suitably managed risk of flooding from any source that would not increase the probability of flooding elsewhere. Further to this, all residential units are 300mm above the breach flood level and above ground floor.

The applicant has also submitted a Drainage Strategy Report. This demonstrates that the drainage hierarchy has been followed leading to three discharge points to combined sewers. Sustainable drainage systems (SuDS) would be utilised to manage surface water discharge through blue roofs, rainwater harvesting, green roofs, permeable paving and an attenuation tank. The applicant has proven that the

discharge rates are proposed to be restricted to a rate equivalent to greenfield run off at 6.2l/s. This has been deemed satisfactory by the Council's Flood Risk Management Team.

Land contamination

883. In 2021 and 2024, the applicant had completed a desk based review and completed a site inspection to understand potential sources of contamination from current uses. Further ground investigations were carried out on site and focused on the area of the former petrol filling station where impacts to soil and groundwater contamination were identified previously.

The applicant has therefore submitted a Phase 2 report and a remediation Statement. It had identified contamination in the soils and groundwater. It concludes that the development will largely mitigate potential ground contamination risks by removing most of the ground contamination and creating a horizontal barrier to prevent future site users from being exposed to residual contamination that may remain Industry standard and well known remediation measures should be appropriate for managing contamination during construction. The council's EPT officer has not raised any significant concerns and has recommended a condition to take into account the Phase 2 report already completed & remediation statement submitted.

Basement-related impacts

884. A Basement Impact Assessment (BIA) was submitted with the application. It is concluded that the proposed basement has a negligible impact on groundwater flooding risk, surface water flow and flooding. A ground movement assessment and building damage assessment have been carried out. Generally, impact to neighbouring structures is negligible to 'very slight'. This is generally deemed acceptable.

885. Given this, and that all other results are below the assessment criteria, risk to the Northern Line and Network Rail's viaduct and tracks is considered low. London Underground /DLR Infrastructure Protection has not raised any objections.

886. It is recommended that conditions surveys are undertaken on the Network Rail viaduct, Thames Water sewers and London Underground tunnels prior to commencement of works. There shall also be detailed consultation between the applicant, Thames Water, Network Rail and London Underground with respect to potential movement, settlement, stress, monitoring requirements and thresholds and mitigation requirements for all sensitive assets.

887. A compliance condition is recommended to ensure a monitoring strategy would be prepared, in line with CIRIA report 185 as recommended by the report. This shall observe and control ground movements during construction. A condition relating to an Approval in Principle (AIP), due to the proximity of the basement to the public highway, is also recommended.

Air quality

888. An Air Quality Assessment (Chapter 6 in the ES) was submitted with the application, which considers the air quality impacts from the construction and operational use of the development, taking into account all relevant local and national guidance and regulations.

889. During the construction phase, the risk of dust soiling is high resulting in a medium risk to human health based on background PM10 concentrations being within legal limits and a negligible risk of exceedance. The proposed measures are set out in the outline CEMP to mitigate this risk and warrant the impact 'negligible'. This includes damping down site works, wheel washing upon exiting the site, sweepers on site, designated cutting areas and for skips and bins to be covered at all times. The assessment of impacts from air pollution attributable to heavy goods vehicles during construction was assessed quantitatively as 'negligible (non-significant)'. Both the dust and heavy good pollution would be temporary effects.

890. The overall predicted effect from road traffic emissions during the operational phase of the development on sensitive receptors is considered to be not significant, and no additional mitigation is required.

891. The site is to be powered by Air Source Heat Pumps and PV Panels. An oil-fired boiler plant is included within the proposed development which is only to be used in emergencies. To this end, there will be no increase in NOx emissions from energy generation.

892. An Air Quality Positive Statement was submitted and EPT officers had raise a few issues. Subsequently an ES addendum (dated November 2024) clarifies those concerns, demonstrating the adopted measures specified in the CEMP that will minimise exposure to poor air quality on site. The ES addendum also provides additional mitigation requirements for the emergency generator and associated flue.

893. The Air Quality Assessment concludes that, subject to the proposed mitigation measures, the effects on air quality during construction and operation are considered negligible. EPT finds the proposals satisfactory and compliant with London Policy SI 1 and Southwark Plan Policy P65.

Wind

894. 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.

895. The applicant's Wind Microclimate chapter in the ES and ES addendum (and associated appendix) submitted in support of the application considers the following scenarios:

- Scenario 1 – Existing site condition - The existing site with the existing

surrounding buildings (baseline condition)
- Scenario 2 – Proposed with existing surrounds - with mitigation
- Scenario 3 – Proposed with future surrounds - development with the cumulative schemes with mitigation

896. A 1:400 scale model of the site, with radius of 500 m from the centre of the site was fabricated and used in wind tunnel studies. Wind conditions have been categorised using the Lawson Comfort Criteria and the predicated wind conditions compared against the intended pedestrian uses. Specifically, the City of London Lawson Comfort Criteria, developed following the London Docklands Development Corporation (LDDC) criteria were used. This is an appropriate set of assessment criteria for the given site and confirmed by the council's independent advisor.

897. The LDDC Lawson Criteria set out four pedestrian activities and reflect the fact that less active pursuits require more benign wind conditions. The four categories are frequent sitting, occasional sitting, standing, and walking, in ascending order of activity level, with a fifth category for conditions that are uncomfortable for all uses. In other words, the wind conditions in an area for sitting need to be calmer than a location that people merely walk past. If the measured wind conditions exceed the threshold wind speed for more than 5% of the time, then they are unacceptable for the stated pedestrian activity and the expectation is that there may be complaints of nuisance or people will not use the area for its intended purpose.

898. A total of 131 study point locations on the ground and elevated areas were used for measuring the wind speed within and around the site, across the scenarios and a 'Safety Assessment' and 'Comfort Assessment' have been carried out.

899. A number of clarifications were sought on those study points by Officers and the third-party reviewer LUC to which the applicant had adequately responded with an ES addendum report. No additional wind mitigation measures would be required during the construction phase given that the site would be enclosed from public and appropriate health and safety measures would be implemented for the construction workers.

900. In Scenario 2, wind conditions at ground level do not exceed the safety criterion within the site and surrounds. The wind conditions are rated as safe for pedestrians and cyclists use throughout the year. In terms of the comfort assessment, almost all of the wind conditions are suitable for pedestrian and cyclist use throughout the year (negligible effect). For the cumulative condition, it is noted that the conditions remain the same as those in Scenario 2.

901. Multiple moderate adverse comfort exceedances are noted at a very small number of terrace locations in Scenario 2. One balcony location in Building D was also noted to exceed a comfort criteria. Nevertheless, the assessment demonstrated these areas to be suitable and the applicant commits to a condition to test the suitability of these areas via further wind tunnel or CFD testing, for the areas where the wind conditions were shown to be uncomfortable. Indicative mitigation measures such as balustrades, screening and landscaping has been shown. Any exceedances will be designed out through landscaping and additional mitigation measures as part of detailed design.

902. There were some comments from the consultation that questioned why 'Frequent sitting' was not tested. Instead, the category 'Occasional sitting' has been tested, for example during Summer months outside MM or under the colonnades. There is no permanent seating shown on the landscape plan outside of the intended Mercato demise. It is anticipated that MM or future foodhall operator would design and install any temporary seating/tables for this area and would use the area when conditions are appropriate. A planning condition requiring details of external seating/tables to be submitted for approval prior to installation is recommended including for these to be tested from a wind perspective, and if mitigation is needed this can be designed-in at that time.

903. In conclusion, the overall effect is negligible to moderate adverse. Nevertheless, with the mitigation measures it is considered that London Plan Policy D9 and Southwark Plan Policies P14, P17 and P56 would be met.

Other socio-economics considerations

904. The socio-economic chapter ES considers other sensitive receptors such as local employment, local economy, local housing and local affordable housing, education places, healthcare provision, open space and play space and Ministry of Sound. Many of these have already been discussed in other sections of this report. The addition of new dwellings will create additional demand for primary and secondary school places within the borough and the local area. The baseline assessment identified capacity for both primary and secondary schools. These existing schools would be able to absorb the additional demand. The effect on education provision is therefore negligible. In terms of impact on health provision the council are seeking to deliver a major health hub in the area with the NHS within the final phase of the Elephant Park masterplan at Plot H1. This should address any additional demand in the area created by the new residents.

Light pollution

905. Policies at the national regional and local level seeks to ensure that development would limit the impact of light pollution from artificial light on local amenity. The sub text to London Plan Policy D8 "Public Realm" states that, *"the lighting of the public realm needs careful consideration to ensure it is appropriate to address safety and security issues, and make night-time activity areas and access routes welcoming and safe, while also minimising light pollution."*

906. The applicant has submitted an External Lighting Strategy. The document details the various lighting arrangements for the new buildings and spaces. 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. Lighting is incorporated at the right scale and locations to be part of these visual experiences.

907. The proposal focuses on minimising glare and intrusive light by strategically positioning light fittings and orienting beams, while also using optics and accessories for further control. Lighting control systems will regulate light levels throughout the evening and night, ensuring optimal illumination at all times. The scheme reduces sky-glow by using discreet lighting for pedestrian routes, employing luminaires with optical control to avoid wasted light. Facade lighting is carefully directed with specific

optics and timed controls, dimming in late hours. Appropriate lighting is also proposed within the public realm to ensure the routes are safe and wayfinding.

908. EPT has reviewed the document and concludes that the dimming strategy is agreed with and as long as the levels within the Institution of Lighting Engineers guidance are adhered to then this will prevent negative impact on surrounding amenity.

909. In summary, the proposal does not raise light pollution concerns. The final external lighting proposals 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.

Energy and sustainability

910. Chapter 8 of the ES (Climate Change) ES reports the findings of an assessment of the likely significant effects on climate and of future climate change impacts on the resilience of the proposed development, during construction and operation. Applicable measures for the reduction of energy and carbon emissions during the construction phase will be included within the CEMP. This will include measures such as sourcing building materials locally wherever practical to reduce transportation pollution and using low-carbon materials and/or recycled materials where possible. Climate change mitigation and adaptation measures have been embedded into the design and include provision of a flood barrier across the basement car park access, inclusion of blue roofs on buildings to promote sustainable drainage, specifying native and relatively drought tolerant plant species in the landscape scheme and installation of Mechanical Ventilation with Heat Recovery (MVHR) systems for all apartments to aid temperature regulation and reduce energy requirements for heating or cooling.

911. An Energy Strategy (and subsequently revised in March 2025), has been submitted in accordance with the Mayor's energy hierarchy (Be Lean, Be Clean, Be Green, Be Seen). The submission aims to meet the energy and sustainability policy requirements outlined in the London Plan and the Southwark Plan, while also considering the updated Building Regulations, specifically Part L (conservation of fuel and power) and the Part O overheating).

Carbon emission reduction

Be Lean (use less energy)

912. The ‘be lean’ tier of the hierarchy requires development to reduce energy demand through passive design and energy efficient measures to improve the energy performance of the development.

913. The energy strategy demonstrates that the development incorporates energy-saving measures through passive design elements. These include enhanced air permeability and ventilation, the use of building materials with improved thermal mass and insulation, increased air tightness, and optimized site layout. Additionally, energy-efficient lighting and advanced lighting controls will be implemented. The design also carefully considers orientation and site layout to minimize cooling

demands during periods of high solar gain.

914. Overall, through 'be-lean' measures, the scheme achieves a 12% reduction in CO2 emissions for residential spaces and 15% for non-residential spaces. These reductions exceed the requirements required by the London Plan policy S12, which is 10% residential emissions reduction and 15% non-residential emissions reduction.

Be Clean (supply energy efficiently)

915. London Plan policy SI 3, part D, sets out that major development proposals within Heat Network Priority Areas should have a communal low-temperate heating system. Southwark Plan policy P70, part 7, sets out that major development must be designed to incorporate decentralised energy in accordance with the following hierarchy outlined below:

1. Connect to an existing or planned decentralised energy network; then
2. Be future-proofed to connect to a planned decentralised energy network; or
3. Implement a site-wide low carbon communal heating system; and
4. Explore and evaluate the potential to oversize the communal heating system for connection and supply to adjacent sites and, where feasible be implemented.

916. The application site is located in a heat network priority area (HNPA) and is located approximately 620m to the north of the existing Elephant Park District Heat Network (DHN). There are currently no new planned district heating systems or planned extensions to the Elephant Park DHN.

917. The applicant has engaged proactively with E.ON City Energy Solutions who operate the Elephant Park DHN, to explore the possibility of connecting to this network. The energy statement concludes that, due to the cooling requirements of the proposed scheme which cannot be met by the DHN and require the installation of Air Source Heat Pumps on-site, using on-site heat pumps for both heating and cooling would be more efficient than connecting to the DHN. The Elephant Park DHN currently operates a gas-fired boiler/Combined Heat and Power (CHP) system, meaning that, in combination with the necessary on-site air source heat pumps for cooling needs, connecting to the DHN would result in a higher carbon factor and increased carbon emissions for the development. The applicant has also engaged with the London Bridge DHN regarding potential connection; however, this network will not be operational until 2035, after the expected completion date of the development, meaning the scheme cannot guarantee a connection to this network.

918. Therefore, it is not currently proposed for the scheme to connect to any local district heat network. However, provision for a future connection to a viable heat network will be secured. The design will include a soft punch point to facilitate a future connection, along with allocated space and a safeguarded route for a future connection. The basement plan layout shows a location and route for a future district heat network centre.

919. The proposed energy system for the site will consist of a cascaded setup combining air source and water source heat pumps to serve both residential and non-residential spaces. The air source heat pumps will be installed on the rooftops while the water source heat pumps will be housed in the Energy Centre, located in the lower

basement of the development.

Noting the above, there are no savings through 'be-clean measures' onsite. A s106 obligation has been agreed with the applicant to secure a DHN Energy Strategy to demonstrate how the development will be designed and built so that all parts of it will be capable of connecting to any future DHN. This meets the requirements of Policy SI 3 of the London Plan.

Be Green (Use low or carbon zero energy)

920. The 'be green' tier of the hierarchy requires development to maximise opportunities for renewable energy by producing, storing and using renewable energy on-site. With respect to the 'be green' tier of the hierarchy, the applicant has proposed the following technologies:

- Air Source Heat and Water Pumps for active cooling and back up energy source and,
- Photovoltaic (PV) panels at roof level across the buildings.

The 'be green measures' would reduce carbon emissions by 51% for the residential part of the development and 12% for the non-residential part of the development. The applicant has demonstrated that opportunities for renewable energy by producing, storing and using renewable energy on-site have been maximised.

Summary

921. London Plan policy S12 requires a minimum on-site reduction of at least 35% beyond Building Regulations for major development. Residential developments should achieve 10% and non-residential development should achieve 15% of this reduction from energy efficient measure. The Southwark Plan policy P70, part 4 & 5, requires major residential proposals to achieve a 100% reduction (i.e. net zero) and major non-residential development to achieve a minimum 40% on site savings, beyond the Part L baseline. Where it is demonstrated this cannot be fully achieved on-site, any shortfall should be provided through a cash in lieu contribution or offsite.

922. Through the measures outlined above, in accordance with the energy hierarchy set out by Policies SI 2 and P70, the proposed development will achieve a regulated carbon saving of 63% (12% be lean, 0% be clean, 51% be green) over Part L (2021) for the residential portion of the development. For the non-residential part of the development, a 25% regulated carbon reduction will be achieved (15% be lean, 0% be clean, 10% be green). The development would achieve an overall on-site reduction of 59% of carbon emissions on site.

923. This development meets the overall minimum on site reductions required by the London Plan but falls short of the Southwark Plan requirements for residential and non-residential development. As set out in P70, the shortfall in on-site reduction of carbon emissions to meet net zero will be met by an off-site payment in-lieu, calculated on the basis of the remaining emissions per annum totalled across a 30-year period. This has been calculated at £1,030,275 which will be secured via a planning obligation within the Section 106 Agreement.

Given that the adjacent Scovell Estate was built some time ago with single glazed windows that have never been replaced, officers requested that the developer investigate the cost of replacing those windows on the estate to see if it could be covered by the carbon offset payment. This would have the advantage a directly mitigating the poor carbon performance of the councils existing stock through retrofitting to the benefit of residents. As noted above Policy P70 states that where there is a shortfall of on site, this must be secured off site through planning obligations or through as a financial contribution. The applicant has confirmed that the carbon offset funding could cover the cost of installing double glazing to the estate. It is consequently recommended that a mechanism to do this is secured in the s106 agreement. This would to a degree also provide some positive mitigation to offset some of the harms caused to residents in the Scovell Estate identified in the Daylight-Sunlight section of this report.

Be Seen (Monitor and review)

924. Introduced as part of the London Plan 2021, 'be seen' requires developments to predict, monitor, verify and improve their energy performance during end-use operation. The GLA's "be seen" reporting spreadsheet has been provided with the application and updated in response to GLA's comments.

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 agreement.

Whole life cycle and carbon capture

925. London Plan policy SI 2, part F, states that *"Development proposals referable to the Mayor should calculate whole life cycle carbon emissions through a nationally recognised whole life-cycle carbon assessment and demonstrate actions taken to reduce life-cycle carbon emissions".* Whole life-cycle carbon assessment assess the embodied and operational emissions associated with redevelopment. Policy P70 reinforces the need to calculate whole life cycle carbon emissions through a nationally recognised assessment and demonstrate the actions taken to reduce life cycle carbon emissions.

926. Whole life cycle carbon (WLC) assessments are monitored at the pre-application, submission and post-construction stages.

The submitted whole life carbon assessment for the planning application evaluates both the operational and embodied carbon of the proposal throughout its life cycle, including construction, use, and deconstruction.

927. The assessment demonstrates that the proposed development has been calculated to be 15% lower than the GLA target for the upfront carbon and 9% lower than the benchmark for carbon over life emissions. Therefore, the WLC intensity of the Proposed Development is 13% lower than the GLA benchmark of 1200 kgCO2e/m2. A condition requiring the applicant to submit a post-construction assessment to report on the development's actual WLC emissions has been imposed.

Circular economy

928. London Plan Policy SI 7 (Reducing waste and supporting the circular economy) part B states that "Referable applications should promote circular economy outcomes and aim to be net zero-waste. In addition, Southwark Plan policy P62 states that a Circular Economy Statement should accompany planning applications referable to the Mayor.

929. A detailed Circular Economy Statement has been submitted with the application, which sets out strategic approaches, specific commitments and the overall implementation approach. The statement sets out that the circular economy decision tree from the GLA's Circular Economy Statements LPG (2022) has been followed to determine the approaches for existing buildings on site.

The table below sets out the approach to the existing buildings on site:

Circular Economy Approach	**Existing building / structure**	
Refurbish	82 Borough Road	This building (former Baptist Chapel) is proposed to be retained in full and to be refurbished
Repurpose	83 Borough Road	This building (London School of Musical Theatre) is proposed to be retained in part, including façade and part of the existing floorplate
Disassemble / Deconstruct and Reuse	18-54 Newington Causeway, 56-62 Newington Causeway & 69 Borough Road	It is proposed that these buildings are demolished.

Taken from BS EN 15978, shows the life cycle stages and modules for a building

930. In terms of the buildings at 18-54 Newington Causeway, 56-62 Newington Causeway & 69 Borough Road, the 'Pre-demolition Audit' sets out the condition of materials for reuse and options for recycling or another disposal. It is confirmed that the residual value of the existing onsite materials will be maximised, including the reuse of existing materials either on or off-site, in line with the Waste Hierarchy.

931. Specific targets committed to by the applicant (in line with the circular economy principles, and London Plan policy S17) include:
- diverting at least 95% of the demolition waste from going into landfill;
- making beneficial use of at least 95% of excavation waste;
- diverting at least 95% of the construction waste from landfill;
- ensuring that a minimum of 20% of the total value of the selected products and materials include recycled and/or reused content

932. 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-construction

reporting.

Overheating

933. London Plan policy SI 4 and Policy P69 of the Southwark Plan set out the cooling hierarchy that should be followed when developing a cooling strategy for new buildings. The six-step hierarchy is as follows:

I. Minimise internal heat generation through energy efficient design; then
II. Reduce the amount of heat entering the building through the orientation, shading, albedo, fenestration, insulation and green roofs and walls; then
III. Manage the heat within the building through exposed internal thermal mass and high ceilings; then
IV. Use passive ventilation; then
V. Use mechanical ventilation; then
VI. Use active cooling systems (ensuring they are the lowest carbon options).

An overheating assessment was submitted for the residential dwellings and associated communal spaces. The following paragraphs explain how the development has been designed, following the six-step process outlined above and in policy.

Minimise internal heat generation
Whilst the orientations of the buildings have been primarily determined by characteristics of the site; aspects of the form have been designed with benefits to thermal comfort in mind. The balconies for building C have been thoughtfully placed to provide shading to internal living spaces, particularly on northwestern side to help reduce solar gains. Buildings A and D are equipped with winter garden balconies around the perimeter of each floor. In addition, the size of windows and glazing type have been considered for each block to reduce solar gain. Core ventilation has been included within the scheme design to remove heat gain generated by heating pipework

Reduce heat entering the building
Internal gains will be minimized through the use of low U-value fabric and BREEAM-compliant energy-efficient fixtures and fittings, including LED lighting with daylight management and low G-value glazing to reduce summer solar gains.

Manage the heat within the building

Good floor-to-ceiling heights are proposed in both the residential and non-residential parts of the proposed development. High efficiency building fabric has been chosen where possible to manage heat as effectively as possible.

Use passive ventilation
As set out in London Plan policy S1 4, passive ventilation should be prioritised, taking into account external noise and air quality in determining the most appropriate solution. Typical residential floors have been modelled to demonstrate whether the provision of natural ventilation will allow the dwellings to meet the thermal comfort requirements. The overheating assessment sets out a number of scenarios tested to determine the best approach to achieve thermal comfort. Buildings A, B, C, D have

been modelled to assess the thermal comfort conditions achieved with natural ventilation (windows open), however this modelling shows the buildings would fall short of 100% compliance. Additionally, due to nearby noise constraints, as detailed in the submitted noise assessment, windows are modelled as closed in Scenarios 2-5 of the Thermal Comfort report to maintain acceptable internal noise levels. To meet the relevant thermal performance criteria, mechanical ventilation will be used at all times to fulfil the building's cooling needs. A condition is therefore proposed to secure further passive ventilation study, together with a supplementary TM59 assessment for Buildings A and B.

Regarding the non-residential areas of the development, due to the varied nature and occupancy levels of the commercial units, mechanical ventilation is necessary, and cooling will be required for certain spaces, such as retail areas. Efficient lighting and controls have been optimized to minimize internal heat gain and mitigate these effects as much as possible.

Use active cooling systems (low carbon)
As outlined above, mechanical ventilation is required for the development to meet thermal conform criteria. This system will provide continuous background ventilation, ensuring a constant supply of fresh air. It will minimize heat losses during winter through a heat recovery system and maintain a good air change rate in occupied spaces, helping to reduce internal temperatures during the summer. To summaries, thermal comfort analysis has determined the lowest cooling output option for each building to achieve compliant thermal comfort.

Summary
The project has adhered to the cooling hierarchy and aimed to minimize the use of energy-intensive cooling systems. The energy demands of the proposed cooling measures have been incorporated into the energy assessment, with the resulting carbon emissions summarized above. Subject to the proposed conditions and obligations related to the energy aspects, the issue of overheating would be adequately addressed.

BREEAM

934. Southwark Plan policy P69 requires developments to achieve a BREEAM rating of 'Excellent' for non-residential development and non-self-contained residential development over 500sqm. A preliminary BREEAM assessment for the Proposed Development was undertaken which demonstrates that 'Excellent' (minimum 70%) can be achieved for all the proposed uses:

- 78.26% for buildings A,B,C,D
- 78.68% for building E

A planning condition is recommended to secure this.

Digital Connectivity Infrastructure

935. 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.

London Plan policy SI6 on digital connectivity infrastructure requires the provision of sufficient ducting for full fibre connectivity to all end users in new developments. Southwark Plan policy P44 requires delivery of fibre to the premises broadband or equivalent technology for future occupants and users. The applicant has confirmed provision for full fibre connectivity to ensure all community and residential end users can benefit. A compliance condition is attached to ensure each building has fibre connection in line with the submitted information.

TV, radio and telecoms networks

936. An Electronic Magnetic Interference assessment has been produced to investigate the possibility of telecommunications interference. Consequently, impacts to the reception of mobile phone, radio services have been assessed and confirms no significant impacts. The development may cause some highly localised disruption to the reception of digital terrestrial television and digital satellite television services in areas adjacent to the site, in a northerly direction. Should interference occur, antenna betterment and moving satellite dishes to new locations out of any signal shadows should restore reception conditions. Impacts to the operations of fixed point-to-point radio links have also been investigated. The applicant also engaged with Arqiva before the submission of the application. Arqiva was consulted as a statutory consultee and raised no objections.

CCTV

937. The council's CCTV department has assessed the application and the scheme may compromise CCTV in the vicinity. However, this could be mitigated by the requirement to have a point of presence on roof space on the development for CCTV radio transmission kit. They would also require a portion of roofspace which the applicant has agreed to be provided. With this addressed through the s106 agreement, this would have an acceptable impact. The CCTV team has also stressed that with an increase of footfall in the public realm and proposed new ingress/egress routes to the development camera coverage will need to be increased in the interest of public safety. Existing CCTV cameras in the area of the the site on Newington Causeway will be imapcted and require relocation to alternative locations on Newington Causeway. Financial contributions have been requested and the applicant has agreed to this.

Utilities

938. The submitted Utilities Strategy sets out the existing utilities that service the site (electricity, potable water, gas and telecommunications), 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.

In terms of electricity, UKPN has provided some comments, but has not raised any objections. UKPN had also wanted to confirm that access to the substations will not be affected by the building works/alterations, as they require access 24/7. Power On would install 2no. temporary substations to supply the site during the construction phase. The sub-stations would be located outside of the proposed new buildings, giving UKPN 24hr access. In terms of sub-stations in the development, there would be 6no. new substations to serve the new development, which would also have 24hr access via the loading bay.

With regards to water Thames Water has not raised any objections but has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such they have requested a condition preventing any properties being occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water.

Aviation

939. 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. London Policy D9 requires that buildings, including their construction, should not interfere with aviation, navigation or telecommunication. The applicant has submitted an Aviation Safeguarded Assessment. The maximum finished building height of the tallest block would be 161.6m. The site lies approximately 9.8m to the west of London City Airport.

940. NATS considered the proposal does not conflict with its safeguarding criteria for air traffic. Heathrow Safeguarding did not object to the proposals. London City Airport responded to the consultation and have also confirmed that the proposal does not conflict with London City Airport's safeguarding criteria. There has been no request from London City Airport for the fitting of aviation warning lights. The Council also notified the Civil Aviation Authority, but no response has been received.

Health Impacts

941. The applicant has prepared a Health Impact Assessment (HIA) as an appendix to the Socio-economics chapter. The HIA also concludes other positive aspects of the development including provision of housing of various sizes and tenures to meet the needs of the lower income parts of the community and improvement to the environment and open space provision in the local area. The scheme would also improve accessibility and connectivity through the site and would be designed to encourage social interaction and cohesion.

The HIA highlights that there would be a moderate adverse primary healthcare provision locally. The applicant had consulted the NHS South East London Integrated Care Board (SEL ICB) on primary healthcare provision as part of the preparation of this Socio-economic Assessment. The focus was to understand the existing GP provision in Southwark in terms of capacity and any plans for future provision.

942. The site is located within the SEL ICB area which, as of January 2024 has 193 General Practitioner (GP) practices, a total of around 2m registered patients, and 1,018 full time equivalent general practitioners (FTE GPs). There are five GP surgeries within a 1km radius of the site, giving a recorded Patient ratio of 1:3,142, which would suggest the provision of GPs in the area is worse than the recommended/target provision and the average within the ICB. The additional residents estimated to reside at the completed development will place additional demand upon the local health facilities. The HIA looked at the 'worst-case scenario' in which all new residents register with local GP practices, the additional residents would increase the overall practice list size and increase the average patients per GP above the 1,800 target set by the Royal College of General Practitioners.

    In terms of mitigation, the scheme does not provide any healthcare facility. However, as discussed above it should be noted that the ICB is planning to increase primary healthcare provision in the area and is currently in discussion with developers to meet future demand. This would involve delivering a new Health Hub in Southwark at Plot H1 Elephant Park and this is within the site's catchment area. The new facility would enable the consolidation of existing practises that are not fit-for-purpose and provide additional space that is required to support the rapidly growing population.

943. A response was received from the NHS, prepared by the Healthy Urban Development Unit (HUDU) in consultation with the SEL ICB. They recognised some of the benefits of the development, but also emphasised that to meet the health needs of the new residents of the proposed schemes, and to limit adverse impacts on existing residents, developments need to provide financial contributions for the expansion of health infrastructure serving the locality. They note that additional funding will be required for the eventual fit out of the Elephant and Castle health hub.

944. The NHS has requested a capital cost of mitigation of £105,513 for primary care services via a S106 contribution. The council adopted and draft s106 SPD does not require contributions for NHS services as these are assumed to be delivered from the council strategic CIL funds. Consequently , the significant CIL receipts from this development would contribute to funding either the Health Hub or other initiatives and the use of CIL is the correct mechanism in this case.

945. It is noted in the ES and ES addendum that cumulative impact on healthcare services is likely to be permanent moderate adverse (significant). However, it is likely that other residential schemes will make CIL contributions to contribute towards increased capacity to deal with the demand for primary healthcare. Assuming mitigation is secured through CIL contributions a negligible (not significant) cumulative effect on primary healthcare is expected.

Planning obligations (S.106 agreement)

946. IP Policy 3 of the Southwark Plan and Policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. IP Policy 3 of the Southwark Plan is reinforced by the Section 106 Planning Obligations SPD 2015, which sets out in detail the type of development that qualifies for planning obligations. The NPPF emphasises 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

947. The following heads of terms would be secured in planning obligations to ensure the revised proposal complies with planning policies, and to secure the mitigation needed to minimise the adverse effects of the development.

948.

Planning Obligation	Mitigation	Applicant Position
Archaeology a		
Archaeology	Contribution of £11,171 on signing the S106 agreement towards monitoring and providing the technical archaeological support during the works on and within the vicinity of the site.	Agreed
Housing		
Affordable Housing	To secure the provision of at least 35.02% provision of affordable housing, including the known social rent and intermediate homes: <u>Social rent:</u> 5 x 1 bed 91 x 2 bed 48 x 3 bed 9 x 4 bed Total Habitable rooms 669 <u>Intermediate:</u> 22 x 1 bed 54 x 2 bed 1 x 3 bed Total habitable rooms 265 Submission of drawing showing the units within each tenure.	Agreed

	To make the affordable units available before 55.6% of the private units can be occupied. Early-stage viability review – earl Delivery of enhanced affordable housing if viability review(s) show more is viable. Cap the maximum affordable housing at 50%. Discount Market Sale units definition, suitable marketing of the intermediate units. First sale is provided to Eligible Persons for an amount that is not more than 70% of Market Value and which on first sale meets the requirements for Intermediate Affordability. The discount to be applied in resales, assessment of eligibility	
Social rented units	Associated definitions on income caps, service charge cap on all affordable homes, eligibility for the affordable housing, use of social rent terminology. Within an agreed timeframe, the developer is to submit to the Council the name of the chosen Registered Provider. The affordable housing units are, upon their completion, to be handed over to the Registered Provider.	Agreed
Affordable housing monitoring fee	Contribution of £30,440,50 (£132.35 per affordable property, 230 x 132.35) towards the council's cost for monitoring affordable housing delivery.	Agreed
Wheelchair housing	To secure marketing of the wheelchair units and to prevent occupation of wheelchair units by non-wheelchair users until the marketing has been demonstrated to approved. Level of fit out for the social rent wheelchair units to be secured. Not to occupy, a phase of the development until the Blue Badge Parking Spaces for	Agreed

	that phase have been constructed and laid out in accordance with good practice guidance and be provided with fully connected and operational electric or hybrid vehicle charging points.	
Local Economy and jobs		
Business relocation strategy	Not to remove any tenants from the site until the Business Relocation Strategy has been submitted to the Council and the Council has approved the strategy. Not to remove any trader tenants until the temporary food market is complete. Not to remove any tenants until the planning permission is free of legal challenge. As a minimum, a contribution of £40,000 to fund an Independent Business Advisor and a Relocation Fund of £137,000 to be paid by the Applicant, and administered by the Independent Business Advisor. Provision of a temporary food market on-site from the period lasting between the start of demolition of the existing food market to handover of the proposed Building C commercial unit. Submission of planning application for the temporary food market before the earlier of 12 months following the date that the Planning Permission is free of legal challenge or Substantial Implementation.	Agreed
Construction phase jobs and training	To require the submission of an employment, skills and business support plan to detail the methodology, targets, mechanism and local supply chain activity . This development to deliver: - 237 sustained jobs to unemployed Southwark residents - 237 short courses	Agreed

	- 59 construction industry apprentices during the construction phase. Or meet the Employment and Training Contribution which, at maximum would be The maximum Employment and Training Contribution is £1,143,150 - £1,019,100.00 against sustained jobs - £35,550.00 against short course - £88,500.00 against construction industry apprenticeships.	
End jobs and training	To require a skills and employment plan, identifying suitable sustainable employment opportunities and apprenticeships for unemployed borough residents in the end use of the development, the mechanism, key milestones, identifying training gaps, and methods to encourage applications from unemployment residents. To have a workplace co-ordinator. With the range of flexible uses proposed and the outline element, the exact quanta of each use class and corresponding employment obligations to be agreed. Financial contribution of up to £279,500 (based on £4300 per job and up to 65 sustained jobs).	Agreed
Community centre	Delivery of the community centre to 'White Box' prior to occupation of 50% of the private units in Block A. The developer would offer first refusal to a community operator from the LACC, subject to the fulfilment of (occupation) criteria. The council will be the main leaseholder of the Community Centre at peppercorn rent and would then be sub-leased to the LACC. In the event the operator is the LACC, this will be Turn-key Fit Out as well as appointing a Latin American architect to have input into the design of the façade.	Agreed

	If the community operator is not the LACC, the Community Centre will be marketed to alternative community operators for uptake of a lease. The community centre will be leased out at peppercorn rent in both scenarios and this use is to be secured in perpetuity. Submission of a management plan to demonstrate how this community centre will be open to all members of the public. Submission of community use agreement to show how the community centre would be used for other members of the public at affordable rates.	
Landscape and open space		
Public realm	Submit a delivery strategy for approval to set out the phased delivery of the public realm across the site. Prior to occupation of the housing units, the communal amenity space, children's playspace and public realm within that phase shall be completed and made available for use. Submission of public realm specifications for approval by the council. Provision of public access to the public realm 24 hours, 365 days of the year. Limited closures to the public (not exceeding two days in any calendar year). On-going management and maintenance obligations.	Agreed
Equal access	Equal access for all residents, irrespective of the tenure of their dwelling, to all external spaces. Outdoor amenity space and children's playspace is provided free of charge to all residents of the development except for the payment of a reasonable service charge.	Agreed

Estate management plan	Submission of an Estate Management Plan which shall set out the ongoing Maintenance and management of all private, non-adopted roads, unadopted shared surfaces and pedestrian and/or cycle routes, within the development. Management and maintenance of SUDs and public toilets. It shall demonstrate accordance with the Public London Charter.	Agreed
Children's playspace contribution	Contribution of £99,509 before implementation towards providing new or maintaining existing play space within the vicinity of the development.	Agreed
Communal amenity space contribution	Contribution of £335,175 towards providing new or improving existing public open space or play space provision within the vicinity of the development.	Agreed
Trees	Contribution of £45,700 to improve borough tree planting.	Agreed
Greenfield runoff rates	£366 per cubic metre in the event that greenfield run off rates (6.2l/s) are not met on site.	Agreed
Biodiversity net gain	A monitoring fee of £6,942 to cover the cost of periodic monitoring over 30 years. A Habitat and Management and Monitoring Plan will be required post-approval to set out the management arrangements.	Agreed
Design		
Architect design team	Securing of Macreanor Lavington Architects to deliver detailed design unless otherwise agreed in writing.	Agreed
Energy		
Carbon offset payment and energy	Require a feasibility study for its connection to the district heating network. Carbon Offset Contribution of £1,030,275 before implementation or such recalculated sum at a price of £95 per tonne of carbon	Agreed

	in the event that a revised Energy Statement is submitted prior to Implementation. The carbon offset fund shall be used to fund replacement glazing on the Scovell Estate.	
Be Seen monitoring	Post-construction monitoring and reporting of each block.	Agreed
Highway works and transport contributions		
CPZ Permit	CPZ parking permit restriction for residential units and commercial floorspace (unless a blue badge holder).	Agreed
TfL Cycle hire docking station	Contribution of £250,000 to be paid to the council and to be given by the Council to TfL to enable TfL to provide, extend and/or maintain (as appropriate) the TfL Cycle Hire Docking Station. To provide annual membership to the cycle hire scheme for every residential unit for 2 years from first occupation of that unit.	Agreed
Legible London Signage	Contribution of £30,000 to be paid to the Council and to be given by the Council to TfL to enable TfL to provide, install and maintain Legible London wayfinding signage at or within the vicinity of the Development.	Agreed
Cycle Hub	Cycle hub within Building C to be completed and provided for free for all residents in the development. It shall be completed prior to occupation of 55.6% of the private units. To be available for all members of the public.	Agreed
Bus stops	Bus stop contribution - £78,000 (indexed) for works to improve the bus shelters adjacent to the site. CEMP to include details on the suspension/relocation of the bus stop on Newington Causeway and in consultation with the council and TfL.	Agreed

Public toilet facilities	To provide public toilet facilities prior to first occupation of Building A and be available for use for members of public and TfL bus drivers at all times. Maintenance of the public toilets by the developer.	Agreed
Delivery and servicing plan, monitoring and bond	Delivery and servicing plan – to submit delivery and servicing plan prior to occupation, to secure a monitoring plan, monitoring fee of £2,790, and comply with that for the monitoring period.	Agreed
Demolition and construction management plan	Not to carry out any work of demolition until the Demolition Environmental Management Plan has been submitted to the Council and the Council has approved the management plan (in consultation with TfL). Not to implement the development until the Construction Environmental Management Plan (CEMP) has been submitted to the Council and the Council has approved the management plan (in consultation with TfL). The applicant has also agreed to pay a sum of £35,680 to the Council's EPT/Highways Network Management to fund their work in monitoring adherence to the CEMP through the demolition and construction phases.	Agreed
Travel Plan monitoring	A contribution of £2,790 towards the monitoring of the travel plan per phase.	Agreed
S278 Highway works	Not to implement the development until the S278 Highway Works Specification has been submitted and approved by the council. Not to commence the highway works until entering into the S278 Highway Agreement has been entered into with the Council. Not to occupy the development until the S278 Highway Works approved have been	Agreed

	completed to the reasonable satisfaction of the council. Works to include: - Repave the footway contiguous with the site on Borough Road and Newington Causeway using materials in accordance with Southwark's Streetscape Design Manual (granite natural stone paving slabs and granite kerbs); - tree pit opening around mature trees contiguous with the site on Borough Road and Newington Causeway with flexi pave material; - reinstate redundant vehicle crossovers on Borough Road and Newington Causeway as footway; - vehicle crossover on Borough Road to be constructed to the relevant SSDM standards; - Upgrade street lighting within the vicinity of the development site to current standards; - repair any damage to the highway due to be identified by a condition survey of any damage caused by construction activities for the development including construction work and the movement of construction vehicles; - remove all bollards currently cluttering the footway contiguous with the site on Borough Road and Newington Causeway. - Other works to existing street furniture to be agreed.	
CCTV	Chargeable surveys to establish alternative viable options. Costs to be determined. Contribution of £46,682.93 towards provision of two new links on new NPRMs and associated roof infrastructure. The requirement to have agreement for a point of presence on roof space on the development for CCTV radio transmission. Contribution of £17,300 towards installation of new CCTV cameras. Contribution	Agreed

	towards recording per camera (pro rata £650 per camera per annum). Contribution of £15,000 towards relocation of existing CCTV cameras on Newington Causeway. TfL Load testing charges £2,500 per lighting column. 7% consultant fee added for the redesign and project management of all works carried out.	
Total		£2.24m
Administration		
Monitoring fee	Administration fee to cover costs of monitoring the obligations (with the exception of those that have monitoring contributions already factored in), calculated as 2% of total sum.	£42,800

949. In the event that an agreement has not been completed by 26 July 2025, the committee is asked to authorise the director of planning and growth to refuse 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 2021; 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 levy (CIL)

950. 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.

The site is located within Southwark CIL Zone 2, MCIL2 Band 2 Zone. Based on the Gross Internal Area (GIA) obtained from CIL Form 1 dated 11-Nov-2024 and ABOVE

GROUND GEA AND GIA SCHEDULE Rev PL1 dated 11-Nov-2024, the gross amount of CIL is £38,302,740.10 (pre-relief). Subject to the correct CIL Forms being submitted on time, CIL Social Housing Relief of approximately £8,567,786.63 can be claimed for a number of types of affordable housing. Thus, the resulting CIL amount is estimated to be £29,734,953.47 (net of relief). It should be noted that this is an estimate, floor area will be measured when related CIL Assumption of Liability is submitted after planning approval has been secured.

951. The development is phased as it would have a long construction programme and because of cashflow reasons. The regulations allow for both detailed and outline permissions to be treated as phased developments for the purposes of the levy. Regulation 9(4) of the CIL regulations 2010 (as amended) provides that each phase of a phased planning permission is a separate chargeable development for CIL purposes and therefore would be liable for separate payments for each phase, and each phased may benefit from any instalment policy that may be in force.

952. 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 by the applicant. Accordingly, the applicant’s phasing plan will be listed on the decision notice as an approved plan. Any change in sequence or boundaries in the CIL phasing must first be approved by the LPA prior to the commencement of the related phases and cannot be retrospective.

Other matters

953. As part of the consultation exercise, comments have been submitted noting that the Competition and Markets Authority (CMA) are investigating a potential breach of the relevant competition legislation by house builders including Berkeley Homes. That investigation has yet to reach any conclusion and no time frame has been set for it doing so. Given that this investigation is ongoing under the terms of a separate legislative framework it is not considered a relevant material planning consideration for the determination of this application.

954. Many of the objections received highlighted that the homes are likely to be unaffordable for local residents and would instead be purchased by overseas investors and the homes are then left empty. This does not meet the local housing need. Planning law and policy control the use of land and property, but not who owns it. The LPA therefore has no legal basis on which to restrict home ownership. The LPA in its control of land use through the s106 obligations can secure the use of affordable homes and as set out in this report those homes will address local need.

Community involvement and engagement

Development Consultation Charter

955. The applicant provided a Statement of Community Involvement, and the completed Development Consultation Charter’s (DCC) engagement summary to explain the ways in which the applicant has engaged with the community and stakeholders ahead of submitting this application.

956. Prior to the submission of this current application, the applicant had carried out extensive pre-application consultation exercises with key stakeholders and residents in 2021 and 2022 for the 2022 application.

Following the submission of the 2022 application and officers' feedback, the applicant had also undertaken numerous public consultation activities during the development process of the current (2024) application. These are detailed in the accompanying Statement of Community Involvement (SCI).

957. In summary, the document confirms that since November 2023 and up to May 2024 there were:
- 5 public drop-in events;
- 2 pop-up sessions;
- 3 door-knocking sessions (189 Scovell Estate residents);
- 3 public meetings attended by local councillors and residents,
- One-to-one meetings with MM traders.
- 3 printed newsletters/flyers sent to c. 8,691 addresses in the surrounding area (the area being more than 100m radius). It included events, as well as details of the dedicated consultation website. Contact details for the project team.
- Letters promoting the consultation issued to near neighbours of the site.
- Rockingham TRA Meeting
- Consultation adverts in Southwark News and on social media.
- A consultation website, which received over 5,204 visitors throughout the consultation process
- Multi-Ward Forum with ward councillors and senior council officers.

958. The applicant has also set out the responses to the consultation feedback using the 'You Said, We did' template in the DCC. It outlines some of the changes (if any) of the scheme following the pre-application consultation with members of the public and stakeholders.

959. Following submission of the planning application, the applicant continued engagement activities post-submission including a further drop-in event during October 2024 to provide a full summary of the proposals, further one-to-one meetings with the traders and continued and ongoing correspondence with local Stakeholders, businesses and Scovell Estate residents. The applicant has therefore made acceptable efforts to engage with those affected by the proposals.

960. *Scovell Estate residents workshops post-submission*
The applicant has also explored ways to understand some of the issues that Scovell residents currently face including a walk-about in October 2024 with residents. From this, officers and the applicant were able to understand the issues and improvements that the estate could secure. The development is expected to be liable for a significant MCIL and Borough CIL contribution and 25% of receipts (Neighbourhood CIL) from these could potentially go towards carrying out of these works. The initial findings included potential improvements:
- Increased greening
- Introduction of planters
- Potential for seating
- Improved security

- Improved pedestrian flow

961. Following that, a series of focussed workshops with the Scovell residents were held in December 2024 and January 2025 (a total of 3 workshops) which were also attended by officers. This included fact-finding exercises to understand key issues, opportunities and priorities of residents and mapping of issues to identify priority areas for improvement. Questionnaire responses and feedback were requested at the first workshop and the feedback was analysed to understand priorities and inform design response.

The applicant was able to conclude the most commonly raised concerns and represent opportunities for meaningful implementation of neighbourhood CIL funding across the Scovell Estate. These include measures such as additional seating, gating to improve security, planters for greening, mirrors for blind corners, new seating around the courtyard, new external lighting, improvements to the existing play area within the estate. Neighbourhood CIL is intended to mitigate the impact of development at a very local level by addressing locally identified needs and the neighbourhood portion of CIL can be spent in the ward or locality in which it has been collected, to ensure that the effects of development are mitigated where development has taken place.

Allocations should also be in line with the Southwark 2030 guiding principles. Ward members are responsible for suggesting the priorities for project funding within their wards which can subsequently be assessed before being considered by the Cabinet Member for New Homes and Sustainable Development.

In this instance, the applicant has agreed and committed to support Scovell Estate residents in preparing an application for local CIL, to be submitted by residents and to be considered and determined by the council. The applicant would support them with design services including cost estimation of the works. It should be noted that these works are not part of this planning application, but the applicants support for any CIL application and their extensive engagement with the local community is a welcome aspect of their community engagement.

962. Across the applicant's pre-submission consultation, a total of 112 responses were received throughout the consultation process to the various consultation surveys. The key themes raised during the community engagement exercise (feedback survey and verbally) are summarised below.

- Height and massing. The majority opposed the proposed heights, raising concerns regarding potential impacts on neighbouring buildings and access to daylight/sunlight, impacts on views and loss of privacy. A few respondents sought clarification on visual impacts on the Trinity Church Square Conservation Area. A few did support the height as it would interact well with the Elephant and Castle cluster of tall buildings.
- There was broad support for the principle of providing new open spaces on site and that open space should be usable for people of all ages. The safety of the spaces should be well considered and ensuring it would be adequately maintained. There should be sufficient sunlight for the plans within the new open space to grow.
- The impact of an influx of new residents on local infrastructure and services and how this would be mitigated.

- Generally supportive of the increased affordable housing, but concerns over the delivery and homes being sold to overseas investors instead of local people.
- The proposed materiality and architectural facade responded well to the local context, but would want to be assured that the design reflect the diverse character and history of the local area.
- General support for the proposed community space, but appears too small and questioned who would occupy the space and the logistics of managing it.
- Questions were raised regarding the types of commercial spaces planned and the future of MM.

963. As well as the public consultation events, the applicant engaged in the pre-application advice service with officers for both the 2022 and this application. Since the feedback from council officers and the GLA on the 2022 application, additional pre-application discussions was engaged since June 2023. This looked at the proposed changes including site layout, massing, landscape and appearance of the proposals. The scheme has evolved and been further refined in consultation with planning officers and key stakeholders. The applicant also engaged in the GLA's pre-application process, and presented the scheme to the council's Design Review Panel.

Officers' key pre-application feedback can be summarised below:

- Support the inclusion of the IoO land and support the increased distance between Buildings A and B. The acquisition of the additional land has meant an increased size of the open space and the removal of the previous 'dogleg' C2 building and the increased size of the podium above.
- The IoO building is locally listed and that its proposed demolition would need to be robustly justified in the planning balance.
- Officers noted that the building heights were an important issue for stakeholders, and that any harm caused would need to be considered as part of the overall planning balance, including in the context of viability and delivery of new homes on an allocated site.
- Officers emphasized the importance of further engagement with local residents/businesses, ward councillors and other stakeholders.
- Questioned the acoustic mitigations.
- Officers noted that the scheme would result in the reduction of 'community' space, so the potential community space in No. 83 could address this concern.
- Questioned the loss of education facilities and further need to understand why this is happening and clear justification for doing so.
- Required further discussions around the servicing strategy and potentially for this to be informed by a servicing study for the proposed use (accumulation of deliveries vs. capacity of on-street loading bays or dwell time on street).
- The council's cycle parking policy requirements is the starting point, but that could accept GLA cycle parking policy requirements with a higher than usual financial contribution to TfL cycle hire provision. Concerns over the short-stay cycle spaces on the highway and its impact on pedestrians and users.
- Officers queried the size of proposed basement underneath the landscape area, specifically noting soil depth volume requirements.
- Questioned play space on the roof and fire safety. Officers queried whether

there was an opportunity to provide play/activity space for 12+ age group within Chapel Square.
- Officers expressed positivity with the design intent for landscape and proposed approach to increase greening but questioned whether the UGF target would be met.
- Concerns over the quality of accommodation and dual aspect units in Building C.

Council's consultation and engagement

964. In terms of the community engagement by the council, once the application had been submitted and was valid, those who had commented by email on the 2022 application were contacted with the summary document of the changes. Neighbour letters were posted in July 2024 with an extra sheet that summarised the proposed changes to the approved scheme. A press notice was also published and consultation letters sent to internal council teams and external consultees. As the application includes environmental information, the consultation period ran for at least 30 days.

965. Since the initial consultation, officers carried out two rounds of re-consultation (November 2024 and January 2025). This followed amendments to the scheme. The January re-consultation extended the radius of the consultation area. It had extended 400m radius south of the site and 800m to the northern half of the site at the request of residents, to take into account overshadowing effects of the tall buildings. A public meeting for residents and ward members was held on 25th September 2025 to outline the proposals and officers answered the questions that were raised. Officers also attended some of the walk-about and workshops with residents alongside the applicant post-submission.

966. Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process.

Consultation responses from members of the public and local groups

967. At the time of writing, a total of 331 objections and 14 support had been received. This is a combination of the three rounds of consultations and therefore could include more than one response from the same address. Due to the large volume of responses, this is an approximate number as there have also been duplicate responses received.

968. **Objecting comments**
The objections received from the public raised the following summarised topics in the objection comments.

969. Overdevelopment of the Site
- The proposal includes 892 units, more than double the indicative capacity of 438, representing over-intensification of the site.
- Excessive height—out of scale with the surrounding area.
- Contrary to previous refusals, including 6 Avonmouth Street (21/AP/4297), which was rejected on height grounds.

Strain on Local Infrastructure & Services

- Increased pressure on already overstretched GP and policing services.
- Increased demand on public transport, worsening overcrowding. Additional traffic and congestion on surrounding roads.
- Reduction in available public and community space, impacting local residents.

Loss of Light & Overshadowing

- Significant overshadowing of schools: Charles Dickens Primary School and St Joseph's will experience a substantial loss of natural light.
- Impact on residential buildings (daylight and sunlight). In particular, Scovell Estate and Collinson Court—the latter was excluded from the developer's assessment despite impacts.
- Overshadowing diminishes well-being by restricting natural daylight.
- Loss of light to green spaces, affecting public parks including: Mint Street Park, Charles Dickens Play Area, Geraldine Mary Harmsworth Park, Little Dorrit Park, and Redcross Gardens. Mint Street Park is not shown in the assessment. The applicant failed to provide complete illustrative image of the shading.

Loss of Privacy

- Increased overlooking into existing residential properties, reducing privacy for residents.

Housing Concerns

- Failure to meet local housing needs: Insufficient social and affordable housing provision. Too many studio and small flats—a lack of family-sized homes. The mix does not reflect local demand.
- Housing should be prioritised for local residents and not marketed overseas in the first year. The social housing should be delivered at the early stages of the development.
- Social housing segregation: Social housing is physically separated into a distinct block, fostering division and stigma. Poor residential quality in social housing blocks—north-facing, single-aspect flats with reduced daylight.
- Overconcentration of social housing and student accommodation could raise security issues.
- The construction costs for building very tall buildings could reduce the delivery of affordable housing.

Community Impacts

- Loss of vital community space—reducing local engagement opportunities. Riskthat the community use would be conveted to commercial use.
- High-density transient population undermines community cohesion.
- Misleading claims on F1 use: The applicant claims there is "no demand" for community space, yet no marketing effort was made to assess interest.
- Concern over potential late-night noise disturbances from the proposed music venue.
- The community centre should be a multi-use sports hall and should be for the residents and the wider community.

Commercial uses

- No affordable workspace is proposed.

Mercato Metropolitano

- The development threatens the livelihoods of independent traders.
- Impact on diverse businesses as many traders are from BAME and lower socio-economic backgrounds. There are equalities issues.
- Mercato is a well-loved community asset, yet no provisions have been made to protect it.
- No protection or relocation plan for affected businesses/ traders Questions ow traders will continue during construction.
- The proposed new Mercato is too small to accommodate existing demand, jeopardising its viability. It would need more outdoor space to serve the new food hall.
- LGBTQ+ safe space: Mercato is an important inclusive space, yet no safeguards have been proposed.

Design & Heritage

- Excessive height: The development is out of scale—within 500m of the site, most buildings are under four storeys. Heights should decrease northward from 251 Elephant & Castle towards Borough.
- The proposal lacks architectural interest and fails to respect the area's identity. The towers project a vision of alienating and overcrowding. The design is oppressive.
- Heritage impact: Overshadows and negatively affects Trinity Church Square and 83 Borough Road.
- The IoO should be retained and refurbished instead of being demolished.
- Block C does not have sufficient active frontage. The landscaping does not enhance Newington Causeway's public realm.
- The proposed units are of poor residential quality – the dual aspect is not genuine and some are north facing.

Consultation Process

- No meaningful/ material changes have been made in response to the previous consultation process.
- Lack of transparency: The applicant failed to disclose overshadowing impacts on local parks during consultation. Insufficient heritage assessment of nearby listed buildings and construction impact.

Public Space & Greening

- Shortfall of public space and inadequate greening measures. Relies on overstretched green spaces in Dickens Square, Little Dorrit Park and Stoke Newington Gardens.
- Unclear impact on children's play space: More details are needed on Little Dorrit Park and effects on nearby schools. Insufficient playspace being proposed.
- Pocket parks encourage anti-social behaviour and are not safe. The public spaces are poorly planned only to meet minimum requirements and not fostering a genuine sense of community.
- Little provision for teenagers (12-17 years)—a crucial age group in need of recreation space.
- No private outdoor space provided for the flat occupiers.

- The basement ventilation locations in the wooded area are not shown on the plans.

Environmental & Sustainability Issues

- The development restricts airflow, worsening air quality for surrounding properties.
- Demolition will disturb pollutants, impacting public health.
- Wind tunnel effects: Developer's assessment admits that there will be no areas for "frequent sitting" and few for "occasional sitting" in winter. Pavements surrounding the site will have dangerous wind conditions beyond recommended safety levels.
- Overshadowing leads to damp & mould growth that can exacerbate health risks.
- Construction & operational noise: Prolonged construction noise will impact residents and home-based workers for over 12 months. Increased late-night noise from commercial activities.
- There would be the cumulative effects of Ministry of Sound and the railway noise – this will bounce off the new buildings and reflect elsewhere.
- The inclusion of a large water fountain contradicts current environmental priorities.
- The circular economy statement lacks concrete design solutions, as the project is only at RIBA Stage 1/2. Further detail is needed at RIBA Stage 3 to confirm material reuse feasibility.
- There would be impacts on climate and biodiversity. The scheme requires cooling units due to overhearing.
- There would be substantial costs to remove contamination from the site.

Construction Impacts

- Prolonged construction may exacerbate vulnerabilities in surrounding buildings.
- Unclear timeline for different phases of the project.

Transport Issues

- The proposed cycle storage is inadequate for expected demand.
- Buses are already overstretched.
- There would be an increase in traffic.

Fire Safety

- Fire safety concerns: Play space for 0-11-year-olds is located on higher levels, raising evacuation risks. Potential continued use of combustible cladding. Fire doors should be recessed and should not open inwards—current design raises safety concerns.

Overprovision of Hot Food Takeaways

- Too many takeaway units

Other issues

- There is no information of phasing.
- The developer is under investigation for the breach of competition law.

970. **Supporting comments**
Those in support of the application raised the following summarised topics:

Housing Provision
- The development will contribute to housing supply, improving affordability in the area.

Design
- The scheme features a high standard of design.
- The proposed scale and massing are appropriate and well-integrated into the surrounding context.

Transport
- The site is well-located with access to multiple public transport options.

Food Market
- The plans include a dedicated space for a food market, an improvement from the original scheme.

Local Regeneration
- The development will support the regeneration of the area, attracting new residents and businesses while contributing to the local economy.

971. **2022 application comments**
Responses had been received under the withdrawn 2022 application. There were a total of 185 comments received with a total of 175 objections. The objections are summarised as follows:

972. Affordable Housing
- Only 35% affordable housing, with scepticism about how affordable they will be.
- Question over the affordable houses and the mixed-use definition.

Building Design and Height
- Proposed heights of 40+ storeys are overbearing and do not relate to the surrounding area.
- The two buildings are served by a single staircase, which is a fire hazard.
- Block C has many single aspect two-bedroom flats with no through ventilation, symptomatic of overdevelopment.
- The major part of Block C above the podium would benefit from moving back to allow projecting balconies.
- The four-storey podium element creates an uncomfortable relationship with the Lett's Diary House building.
- The roof garden for residents of building D will be overlooked by residents of buildings A and B.
- Loss of the stair tower is regrettable.
- Quality of building materials is questionable.

Policy Implications
- Contravenes policy that building heights should diminish moving northwards along Newington Causeway.

- The local plan was based on an "indicative capacity" for 438 homes, but the development proposes 838.

Environmental Impacts

- Air quality concerns from building site pollution.
- Wind tunnel problem.
- The wind conditions during the summer exceed the comfort criterion for playing and sitting.
- The carbon footprint during construction contradicts the council's promotion of sustainable living.
- Concern for the local fox population and roosting bats.

Health Impacts

- Disabled car and bicycle storage is below ground, with large parts of the ground and first floors given over to commercial use.
- Sound pollution from construction and a live music venue; proposed servicing entrance would increase noise disturbance in the early morning.

Impact to Surrounding Occupier Amenity

- Impact on daylight, particularly around Scovell Crescent, McCoid Way, Borough Road, and Newington Causeway.
- Loss of privacy and views.
- Increase in waste generation, which is already unmanageable.

Social and Community Impacts

- Additional pressure on overstretched public services (GPs, rubbish collection, council maintenance, public transport, school spaces).
- Separate access for social housing facilitates social division.
- Loss of a community gathering space (Mercato Metropolitano) and potential impact on Ministry of Sound.
- Meaningful loss of community and impact on minorities.
- No play space for children.
- Not suitable for the elderly.
- No relocation strategy for local vendors.

Biodiversity Impacts

- Loss of a landmark tree on Borough Triangle.
- Loss of outdoor green space and lack of public space and biodiversity.
- Provision of open green space is not relative to the amount of occupiers of the site.

Consultation Impacts

- Inadequate consultation with the public; concerns not meaningfully addressed regarding not disclosing "indicative capacity" for 438 homes
- The survey questions were asked in such a way that downplays community feedback on building height and tries to steer material objections into other areas (e.g., asking questions about views rather than height and massing).
- The information was not provided in an accessible way.

Heritage Impacts

- Loss of sight of historic buildings, impacting the Liberty of the Mint CA and Trinity Church Square CA.
- Poor treatment of 83 Borough Road.
- Object to the demolition of buildings and trees along Borough Road.

Infrastructure and Services

- Borough and Elephant and Castle tube will be strained.
- Increase in congestion; current road infrastructure not provisioned for nearly double the "indicative capacity."
- Large amount of office space in the development.
- The density of occupation is detrimental to residents' wellbeing and causes major local resource problems.
- The developer's claim that the site is only viable for 838 homes is disputed.

973. **Supporting comments 2022**
There were 9 comments of support from the 2022 application:

Design

- The proposal demonstrates a high standard of design.
- The tall element integrates well within the surrounding context.

Transport

The site benefits from strong public transport connections.

Housing

- Provides much-needed housing in London.
- Contributes to housing supply, helping to ease pressure on rising prices and improve affordability in the area.

Economic Benefits

- Supports the local economy by encouraging investment and activity.

Mercato Metropolitano

- The existing permission is temporary.
- Primarily attracts visitors from outside the area rather than serving local residents.

Local groups and businesses

974. Southwark Law Centre – on behalf of Save Borough Triangle - informal community campaign group made up of neighbouring residents and independent food traders on the site. These comments were made prior to the amendments received –

- Application proposes over twice the number of homes than the indicative minimum residential capacity in the site allocation, generating significant negative impacts in terms of visual amenity, overshadowing and loss of daylight/sunlight.
- Affordable housing and family homes: The scheme falls short on social rented housing by two habitable rooms and lacks sufficient family-sized homes (only 3 No. four-bedroom units). It does not comply with local planning policy on housing mix. Social rented homes are assumed to be delivered last, which raises concerns. The council should require that the affordable housing is delivered at the start of development and secure this in the s106 heads of terms.
- Viability: Error in the viability calculation (5 million shortfall). Application assumes a returns of 15% GDV for the commercial space. A large proportion

of the commercial space is intended for MM and so that target return should be nominal. A *full* viability assessment should be made public as soon as possible.

- Housing for Local People: Must be a S106 obligation to market all the homes to UK residents for an initial period (1 year).
- Traders & Equalities Impact: The application fails to protect traders who are predominantly from a minority ethnic background and lower socioeconomic groups, breaching the Public Sector Equality Duty (PSED). No relocation support or consultation with traders and the BRS only refers to MM and not the individual traders. The application fails to identify traders as 'small shops' for the purposes of Southwark Plan policy P32. The EQIA is inadequate, underestimating business displacement and job losses. The Environmental Statement also omits trader impacts, despite the requirement to assess them. The harm to the displaced traders can only be mitigated through the protection of those same traders.
- Community & Health Infrastructure: The loss of 1,289 sqm of community space is unjustified. No market testing was done, and office space cannot replace it. Impact on GP capacity -health service mitigation should be secured through s106 planning obligations, not CIL.
- Affordable workspace: The application fails to provide any affordable workspace and fails to justify exceptional circumstances.

Southwark Law Centre subsequently submitted a second letter raising the following concerns:

- There have been multiple updates to the application, including the positive (albeit minor) increase in social rent housing and the business protections. However, there are still areas of concerns and areas that have not been addressed.
- The application still fails to deliver 20% of homes with 3+ bedrooms, in breach of Southwark Plan policy P2.
- There is nothing to prevent the homes being sold as investment vehicles that remain empty, or used as second homes or short-term lettings. Any homes sold as such will not address the housing crisis and will instead continue the process of commodification of housing and soaring prices.
- The errors and failures to comply with the GLA's draft viability LPG.
- Welcome the offer of a £177k Relocation Fund and temporary space for 12 traders. However, this package is not sufficient to ensure retention and relocation of all Mercato traders and to meet the requirements of policies P32 (small shops) and P33 (business relocation). This view is informed by the experiences of displaced traders at the Elephant Castle Shopping Centre.
- Disagree with applicant's assessment that P32 (small shops) does not apply. The Mercato traders clearly meet the definition of market stalls measuring less than 80sqm GIA (excluding storage).
- For retention to be meaningful, it must include temporary relocation space during construction for all the traders, not just 12, and a promise of return following development.
- There must be stronger guarantees that traders will be prioritised for space on the redevelopment site.
- The current proposals lack sufficient detail to enable traders to make an informed decision, leaving them in a precarious position. Lists a number of heads of terms to be included in the S106 agreement.

- Peckham ABC and Temple of Art and Music (TAM) are vital cultural and community uses that are not considered in the relocation.

- A significant loss of community facilities and leisure/arts/cultural uses, in breach Southwark Plan policies P47 and P46 and London Plan policy HC5.
- No offer of affordable workspace.
- Extensive loss of light to neighbouring properties. Application exceeds the site allocation, greatly exacerbating daylight and sunlight impacts.
- The objections from statutory consultees make clear that there is a significant harm to Trinity Church Conservation Area, the Grade I listed Southwark Cathedral, the Grade II listed Holy Trinity Church, and further adverse heritage and broader visual impacts. Therefore, the application must only be approved if there is clear and convincing justification demonstrating clear public benefits that outweigh this harm. Lists and refute the purported benefits. Points out the public harm.
- The applicant's approach to consultation has demonstrated a reluctance to truly engage with the community or translate its concerns into substantive changes.

975. The Arch Company (Arch Co)- comments as the neighbouring landowner of the railway arches. -

- generally supportive of the desire to bring forward the site for residential-led development but wish to comment on certain aspects of the proposals, primarily relating to the future route through currently occupied arches and the Agent of Change principle.
- The location of the future connection through the arches has been illustratively drawn in the Design and Access Statement. The Arches in question are under the leasehold interest of Arch Co, with Network Rail being the freeholder and are currently occupied on long leases to tenants. Therefore, at this present time there is no desire for the use of these arches to be altered as they all include long-term tenants, and Arch Co does not plan to sell the land. Anything which would compromise the use of the arches should be a material consideration for the proposed development.
- The applicant has not consulted with Arch Co on this matter and therefore the Planning Statement is seen as a disingenuous statement.
- The lack of consultation from the applicant on the application and the lack of any proposals being shared on how this future connection could work mean it is assessed this element of the proposals should be removed from the application. If this element of the proposals is not removed from the application, then Arch Co will object to the application.
- The arches adjacent to the development site are currently in occupation under a variety of uses ranging from Class E to Class B2 (general industrial). The use and occupation of the arches needs to be considered when assessing whether the residential units within the development have been designed to mitigate against existing conditions, in accordance with the Agent of Change principles.
- The submitted Noise & Vibration chapter assessment has not assessed the noise levels against the arches. Arch Co would like clarification provided that the use and occupation of the arches has been considered and mitigated against.

- The arches lawful occupation includes general industrial use, which is often associated with noise, air and dust emissions. Would like relevant conditions to be attached to any future permission which would ensure that the proposed development is attenuated from noise, dust and air emissions to ensure that there is no impact from arches current and future occupation within their lawful uses.

976. Mercato Metropolitan - Generally support the proposal.
- Although the site redevelopment and the temporary market closure will impact the business operations, the engagement with Berkeley Homes has been collaborative and positive.
- The development will re-provide the long-term presence a sustainable food market and shows the appreciation of its vital role in the community.
- The applicant has taken steps to engage with traders and make provisions to minimise disruptions.

977. German Kraft Brewery - German Kraft Brewery exist as the largest trader on the site. The redevelopment and subsequent temporary closure will have an impact on the business operations, employees and patrons alike. Understand that the intention is to bring Mercato back into the new site; and discussions have been opened up with traders about the interim period (during construction) in an attempt to understand the impacts on traders' operations and their plans for the future. Berkeleys have worked closely with German Kraft Brewery to understand the individual requirements in an effort to source alternative locations within Southwark that enable it to continue running the business effectively and minimise the impact of the closure of Mercato. They have provided support by way of initiating contact with agents and other developers who may have suitable vacant units and leading visits on potential sites.

978. The Skills Centre – Support the proposals. Has worked with the applicant for a number of years to deliver jobs and apprenticeships during construction phase and on-going jobs. The Borough Triangle development is likely to bring about many more jobs. The scheme will deliver many benefits.

979. Hollybrook Homes – Owner of Diary House on Borough Road and supports the scheme. Had fully expected the application site to be developed and potential impacts. Following collaborative engagement with the applicant, the scheme has been revised to reduce the impacts and preserved the amenity.

Consultation responses from external and statutory consultees

980. Arqiva - It is of imperative importance to Arqiva to be able to accurately plot the location of proposed buildings. Arqiva requested coordinates of the building and following receipt they did not have any further comments to make.

***Officer response*:** Noted.

981. Conservation Area Advisory Group (CAAG) – This went to CAAG in September and the below is a brief outline of the conversation.

- Not satisfied to endorse the loss of the IoO and regretted the evisceration of the London School of Music (No. 83 Borough Road).
- some on CAG fundamentally opposed to tall living like this. They felt these buildings should be retained in full and the towers moved back behind them allowing 'air' around the heritage assets.
- highlighted the impact of the towers on the surrounding CAs including including Borough High Street and Trinity Church Square.
- raised detailed concerns about the openings at the rear of the Methodist Chapel and did not support it being painted.
- CAAG members had attended consultation events and commented that the IoO and the last remaining Georgian building on Newington Causeway were worthy of retaining and incorporating into the scheme.
- Wanted to encourage the development of the Low Line.
- They asked for a VuCity Integrated 3D model of Southwark.
- Concluded that it should be refused.

Officer response: There would be the loss of locally listed buildings and impacts on the local heritage assets, and these have been discussed in the design section of the report. Whilst officers note the objections raised and the existing buildings have some historic and architectural merit, the site is in a site allocation and the loss or partial loss of these buildings are to make way for significant delivery of housing and employment uses.

982. Civil Aviation Authority - No comments received.

983. City of London - raises no objection to the proposal. From the information submitted, it is understood that the proposed development is not considered to significantly impact the recognition and appreciation of St Paul's Cathedral from Alexandra Palace.

Officer response: Noted.

984. City Airport – As the proposed development exceeds 91.4m Southwark Council are required to notify Civil Aviation Authority. Where the building or crane is 100m or higher developers and crane operators are advised to notify the CAA.

Officer response: Noted. Officers had consulted CAA, but received no response.

985. EDF Energy – No comments received.

986. Environment Agency – No objections to the application subject to conditions relating to contamination and piling methods and informatives. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures such as flood defences, flood warnings and property level resilience. It is for the local planning authority, to decide whether the sequential test has been satisfied, but the applicant should demonstrate to you, with evidence, what area of search has been used. Strongly recommend the use of flood resistance and resilience measures.

Officer response: Noted and conditions will be merged with the council's own contamination conditions.

987. Heathrow Safeguarding - No objections. Note the requirements in terms of crane lighting and notification to the CAA if cranes over 100m are to be used.

988. London Fire Brigade - no further observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.

Officer response: Noted.

989. The Georgian Group- Objection due to the harm caused to the Trinity Church Conservation Area and 38 Newington Causeway. The Georgian Group were consulted on the previous iteration of the scheme in 2022 and had highlighted the harm caused to the Trinity Church Conservation Area and no. 38 Newington Causeway. The previous concerns have still not been addressed and the proposed plans would cause harm to the Trinity Church Conservation Area and no. 38 Newington Causeway. The Group maintains its objection to the proposed plans.

Officer response: This is noted. The design and heritage section notes that there will be 'less than substantial' harm to those heritage assets. Officers acknowledge the significant height of the Newington Causeway tower (Building B) and its impact on the Trinity Church Conservation Area. Despite seeking a height reduction for mitigation, the scheme's viability challenges make it unfeasible. In this exceptional case, the public benefits are considered to outweigh the 'less than substantial' harm to the heritage asset.

990. The Gardens Trust – No comments received.

991. GLA –

- Land use principles: Land use principles: The redevelopment of this brownfield site within a Town Centre, the CAZ and Elephant and Castle Opportunity Area for a residential-led mixed use development is strongly supported. The provision of commercial floorspace is in line with the site allocation and London Plan Policies SD5 and SD6 which direct commercial activity towards town centres.

Officer response: This is noted and officers agree with the uses proposed.

- The applicant has stated that the community floorspace will be provided as an alternative to affordable workspace. The LPA should satisfy themselves of this approach to delivering appropriate land uses on the site.

Officer response: The community centre will be secured in perpetuity at peppercorn rent and this is an exceptional circumstance where the viability shows the scheme would be in significant deficit.

992. - The development would result in reduction of floorspace in the community use of the site. The Business Relocation Strategy should identify support for LSMT the support to relocate off-site. The applicant is encouraged to work with Southwark to identify suitable community groups for the proposed space and ensure that the proposals would meet the needs of community groups. Whilst the reduction in

the floorspace of approximately 800 sq.m is generally resisted, the development would result in a qualitative improvement to the community floorspace. The legal agreement should secure the community space and a Community Use Agreement.

Officer response: The justification for the reduction in floorspace has been justified and it is noted that there would be a qualitative improvement to the community floorspace. The LACC will get first priority to run the centre, but the community use agreement/management plan will ensure that it would also be open to all members of the public.

993. • The proposal would deliver 892 new homes. The residential-led optimisation of this brownfield site within the CAZ contributes to the Southwark housing targets and the Elephant and Castle opportunity area and is strongly supported. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%. The development proposes 230 affordable homes and would meet the Fast Track Route requirements in accordance with policy H5 and is strongly supported. The quantum, affordability and an early-stage viability review must be appropriately secured in the S106. This mix prioritises family sized units within the affordable tenures and is supported in strategic terms. The overall quality of accommodation is acceptable.

Officer response: This is noted and supported by the LPA.

994. • The development would fall short of policy playspace requirements by 653 sqm. The applicant has identified Little Dorritt Park which is located 650m from the site as a potential opportunity for off-site mitigation and is therefore proposed a contribution to mitigate the shortfall in playspace. The LPA should secure an appropriate contribution and agree the approach to an off-site contribution towards playspace.

Officer response: The applicant has agreed to pay a s106 financial contribution towards improvement of local parks and open spaces.

995. • The EQIA identifies reasonable mitigation measures for the impacts on employees and businesses, with a BRS. The BRS must be appropriately secured. The development once completed would lead to beneficial impacts of long term employment opportunities, homes and public realm. The EQIA does not identify the short or long term impacts of the loss of the dance school or the IoO on people with protected characteristics. This should be addressed within the EQIA.

Officer response: The applicant has since amended the EQIA and this is discussed under the Equality section of the report.

996. • Overall, supportive of the masterplan principles and site layout. The public access routes across the site are critical and the relocation of Building B allows for greater legibility of the public realm at the centre of the site. The development would create active frontages to public spaces in the scheme. The overall height and massing strategy are supported. Given the height of the development, the proposals would impact the setting of several heritage assets and would be

visible in LVMF. The proposed reduction in heights of the buildings have had a positive impact on the visibility of the massing within view 23A.1 from the Serpentine Bridge, however, Buildings A and B would still protrude above the treeline within the wider panorama of the view undermining the parkland buffer. The changes to the massing would reduce the scale of harm to heritage assets, however the development would still result in less than substantial harm to heritage assets. The demolition and part retention of existing buildings on site results in a degree of harm to non-designated heritage assets and locally listed buildings. As such, Southwark should satisfy themselves that the harm to these is outweighed by public benefits. The overall less than substantial harm identified must be outweighed by public benefits of the proposals. The public benefits package must be secured prior to the Mayors decision making stage, however, subject to the public benefits being appropriately secured, which include the delivery of homes, affordable homes, public realm and community space, the benefits are likely to outweigh the harm.

Officer response: These are discussed under the heritage sections of the report and Officers agree that the public benefits would outweigh the harm.

997. • Generally, the proposed towers make a positive contribution to the existing and emerging skyline. The architectural quality and materials proposed are of a high quality and will ensure the appearance of the building will be maintained throughout its lifespan. Each building reads as a separate element, but they also appear to be of the same family and read as a coherent cluster in the townscape.

Officer response: Officers agree with the above comments.

998. • A Fire Statement accompanies the application which has written by a suitably qualified assessor. The statement includes a declaration of compliance with the aforementioned policies. All residential buildings over 18m would be provided with two staircases.

Officer response: This is noted.

999. • The applicant has proposed enhanced acoustic performance to act as mitigation between bedrooms and amenity space and noise from the site surrounds including the Ministry of Sound nightclub and Newington Causeway. Further justification should be set out to demonstrate that the overall quality of the accommodation would be acceptable and that mitigation measures have been maximised. The proposed mitigation measures must be robustly secured.

Officer response: The mitigation measures will be secured by conditions.

1000. • A number of transport matters have been outlined.

Officer response: The comments are a repeat of TfL's comments and this discussed under TfL section.

1001. • An energy statement has been submitted with the application. 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. The development falls short of the net zero-carbon target in Policy SI2, although it meets the minimum 35% reduction on site required by policy. As such, a carbon offset payment is required to be secured. Further information is required on modelling methodology, the estimated WLC emissions, material assumptions and all life-cycle modules and Circular Economy.

Officer response: This is discussed under the energy section of this report and further discussions with the GLA's technical experts will be ongoing prior to Stage 2.

1002. • The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.4, which meets the target. The proposed development would achieve a Biodiversity Net Gain of 56.13% and would satisfy London Plan Policy. Further flood mitigation measures have been proposed and these should be appropriately secured. A Flood Evacuation Plan should also be secured. The SUDS must be appropriately secured. Water efficiency targets for residential and non-residential uses must be appropriately secured. The proposed development would not be expected to lead to adverse impacts on local air quality and conditions for future occupiers. An Air Quality Neutral Assessment was undertaken. The Proposed Development is therefore considered to be air quality neutral regarding transport emissions and building emissions. The use of the backup generator being restricted to emergency use and operational testing (less than 50 hours per year) must be appropriately secured.

Officer response: This is noted and will be secured.

1003. Historic Building and Places (HBAP) –

- While it supports the principle of sensitive urban renewal, HBAP object to the proposal in its current form due to the substantial demolition and thus harmful impact to the former South London Institute for the Blind (83 Borough Road). HBAP have raised the same objection to previous versions of this scheme.

- The building is included on Southwark's 2023 Local Heritage List. The main elevation to Borough Road has considerable streetscape and architectural merit. Accept the redevelopment of the rear portion of No. 83, however, the application has again failed to fully justify why the entire street facing elevation of No. 83 cannot be retained in full. The stair tower portion that is to be demolished is an important part of the overall architectural composition and its removal harms its proportions and design. The design of the proposed side return to the new laneway is also poorly considered and should better respond to the architecture of the front elevation.

- Given the size of the site, there are ample opportunities to provide access that would avoid the loss of this heritage asset. It would be preferable to locate this pedestrian access to the west of Building A along the railway viaduct, which would also have the benefit of helping to facilitate the future activation of the spaces under the arches, further contributing to the local economy and community offer.

Office response: As noted in the design section of the report, Officers noted that

English Heritage at the time believed that it has been too altered in the later 20th century to recommend for statutory listing. The proposal would retain the most distinctive and attractive element of the existing building's principal façade to Borough Road. The loss of the eastern part of No.83 would enhance permeability through the site, which is a benefit. There is already a pedestrian route proposed to the west of Building A.

1004. Historic England –

- Maintain the concerns set out in the consultation response to planning application 22/AP/3149. The following comments are therefore from the 2022 application. It was recognised that the Council's Local Plan identifies the site as potentially suitable for tall building development (NSP44, Newington Triangle) and therefore did not raise any in principle objection to buildings of increased height in this location. However, there are concerns that the very large scale of these proposals would have a significant and harmful impact on the historic environment across a wide area. It was also recommended that the scheme should retain 38 Newington Causeway, and more than just the frontage of 83 Borough Road, both of which are locally listed buildings.

- On the Trinity Church Square Conservation Area - The TVIA demonstrates that the Conservation Area would continue to be harmed due to the visual encroachment of the proposal. In these views the two tall buildings of the scheme would rise significantly above the roofline of the listed terraces to a substantially greater extent than any other approved development in the Elephant and Castle area. The tall buildings would significantly undermine the tranquil nature and inward focus of the conservation area, and the architectural uniformity of the listed terraces and their consistent roofscape – all of which are key elements of the conservation area's significance. Furthermore, the proposed tall buildings would visually compete with the tower of the Grade II listed Holy Trinity Church as the centrepiece of the conservation area. These proposals would cause a medium level of less than substantial harm to the significance of the conservation area through development within its setting, and cumulative harm when taking account of existing and consented developments in these views.

- On the Southwark Cathedral (View 06) - The proposed development would rise significantly above and to the right of the cathedral, reducing the ability to appreciate the cathedral's architectural features and landmark presence in these river views. Consider that the proposals would cause some harm, of a cumulative nature, to the significance of Southwark Cathedral.

- On the Palace of Westminster - The submitted views demonstrates that the proposed tall buildings would appear above the tree canopy to the far left of the Protected Vista and outside the Wider Setting Consultation Area. Although on the periphery of this view, it is considered that the proposals, by breaking the treeline, would further reduce the positive contribution that the tree canopy makes to the wider setting of the Palace of Westminster and therefore would cause a small degree of harm. The TVIA also assesses LVMF View 27B. From this viewpoint, the proposals are almost entirely screened by modern development to the left of the Elizabeth Tower of the Palace of Westminster. However, it is possible that the proposals would become more visually

prominent in kinetic views.

- Council should weigh the harm identified against the public benefits of the scheme in accordance with the NPPF. The harm to non-designated heritage assets should also be taken account of as part of the decision-making process in accordance with NPPF.

- It is noted that the applicant has also not explored the opportunity to offer 82 Borough Road to Mercato Metropolitano which appears well suited to the business model of the food market and could provide meaningful heritage benefits that could help to mitigate some of the harm identified and contribute to the sense of place and character of this historic and central London site.

Officer response: All the above is noted. The considerations are addressed more extensively in the design and heritage section of this report. It is acknowledged that there would be 'less than substantial harm; on the heritage assets and Trinity Church Square Conservation Area, but the buildings are exemplary in design and the significant public benefits have been considered in accordandance with the NPPF.

1005. Health and Safety Executive (HSE) - HSE is satisfied with the fire strategy design in planning terms but has identified some issues to address before regulatory stages, which includes:
- Confirm access to the firefighting shaft in Building A.
- Confirm bin chutes comply with Section 3.5 of ABD Volume 1.
- Confirm means of escape from the communal roof garden.
- Confirm means of escape from open-plan residential apartments with open-plan kitchens.

Officer response: The second fire-fighting stair in Building C has been extended upwards to serve the roof terrace. These are comments from re-consultation as the applicant has responded and amended to previous comments from HSE. This response confirms that HSE is satisfied in planning terms and it is the applicants responsibility to demonstrate compliance at later regulatory stages.

1006. London Borough of Lambeth - Raises no objection but advised that there are local views that may be impacted upon by the development and no views have been provided that would enable LB Lambeth to make an assessment of the above views and heritage assets. It encouraged the LPA in this case to consider these local views and conservation areas fully.

Officer response: Noted. A comprehensive review of protected views has been included with the TVBHA.

1007. London Underground Infrastructure Protection - No objection in principle to the planning application, but there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of TfL Infrastructure Protection engineers that the development will not have any detrimental effect on the tunnels and structures. Request that the grant of planning permission be subject to conditions.

Officer response: Noted and the recommended conditions will be imposed.

1008. Natural England – No objections.

1009. National Air Traffic Safeguarding Office - The proposed development has been examined from a technical safeguarding aspect and does not conflict with the safeguarding criteria. Accordingly, NATS has no safeguarding objection to the proposal.

Officer response: Noted.

1010. National Grid UK Transmission – No comments received.

1011. Network Rail – No comments received.

1012. NHS London Healthy Urban Development Unit (in consultation with the South East London Integrated Care Board – request a total S106 contribution is £105,513, solely for mitigating the development's impact on primary care services. A new health facility is planned within the Elephant and Castle development to support the growing population. If the new facility isn't secured or delivered, existing facilities will need significant investment and remodelling. The NHS prefers mitigation under a S106 agreement rather than CIL for better security and direct relation to the development site.

Officer response: The significant CIL receipts would contribute to funding either the Health Hub or other initiatives and the use of CIL is the correct mechanism in this case.

1013. Metropolitan Police Service (Designing Out Crime) –

- The ground floor has no alcoves or secluded areas, aiding crime prevention.
- Security compartmentation can be achieved with a smart lift; consider visitor access.
- Maintain shrubs and bushes below 1m and tree canopies above 2m.
- A management strategy for opening times is needed; access control should log fob entries.
- CCTV is required in communal areas and the cycle store.
- Fit tamper-proof covers on any green break glass.
- Inform Responsible Persons, Fire and Rescue Service, and Building Control about lithium-ion powered vehicles in cycle storage.
- The development can achieve Secure by Design accreditation with SBD Measures and Certification conditions.

Officer response: The permission will impose conditions to ensure that the development achieves SBD accreditation to include these outlines measures.

1014. Metropolitan Police – A separate comment has been received from the Met Police. The impacts of the development are such that they cannot be met without additional staff deployed at a level consistent with the current Policing of the locality of the

development. The proposed development will increase the permanent population of this settlement by c2,700 people due to the increase of dwellings on site and will bring additional policing demands. Request s106 contribution of £236,015.50 to mitigate the impacts and towards a number of infrastructure for policing activities in London.

Officer response: It is not considered that s106 contribution towards these capital or revenue requests would meet the planning tests. No contribution would be sought in this instance.

1015. TfL – Several rounds of correspondence had taken place and TfL raised a number of concerns and request for financial contributions. The applicant had made amendments in response, and this is a summary below.

- A day and night-time Active Travel Zone assessment has been completed, but no improvements to the identified routes have been proposed. A contribution towards active travel improvements would benefit the site, through making the walking and cycling environment more attractive and suitable for 'pedestrians from all walks of life', facilitating a better experience for residents and users of the site.

Office response: Overall, the local area is considered to be conducive to encouraging people to walk and cycle, and it is not considered necessary to make any further contributions in relation to the Healthy Streets assessment to make the scheme acceptable in highways terms. Other s278 works proposed would include repaving of the footways adjacent to the site. In this regard, whereas it is acknowledged that improvements further afield would benefit users of the site and others passing along the streets, it is not necessary to make the development acceptable in highways terms and as such compliant with the Regulation 122 tests.

- Improvements for wayfinding should be secured to align with Policy T3: a contribution towards installation and refreshing of Legible London signage should be secured.

Officer response: £30,000 will be secured towards Legible London signage in the vicinity of the site.

- Policy T5 also requires cycle parking to meet the London Cycle Design Standards (LCDS). Design amendments will be required to align with Policy T5, whilst still at least meeting the minimum quantum standard. Areas of non-compliance were listed. Buildings C and D do not have LCDS compliant lifts to the upper floor cycle store. Whilst welcoming that all of the accessible cycle stands are on the ground floor and thus won't need lift access, the concern is that the accessible stands will be taken by standard cycles, as these are more easily accessible. To address this, it was recommended that the stores are managed such that only those who have a proven need for an accessible stand can use these spaces similar to the arrangements for Blue Badge holders with locks to prevent others accessing.

Officer response: The applicant will manage the cycle parking to ensure that the accessible stands are available for those most in need. The applicant had

demonstrated that the lifts to the cycle stores would be adequate.

- There is a concern regarding safety with cycle store access via the public realm. The second cycle store in Building C has no way of escape if a cyclist is tailgated into the store.

Officer response: The applicant has amended the layout of the Building C second cycle store to provide an additional access. All of the cycle stores will be provided with CCTV coverage and panic / links to the on-site security / concierge.

- Not all the short-stay parking is proposed on borough highway, and not provided on-site. This will result in more obstructions on the footway and potentially there being insufficient space for other necessary street furniture and works. Consider that there is sufficient space to accommodate more short-stay cycle stands within the site without having to use precious public footway space. The location spaces must not impact upon sufficient provision of the Cycle Hire Docking Station nor e scooter and bike bay(s).

Officer response: Following review, the November 2024 addendum located a further 22 spaces within the site, resulting in 67% of the short stay cycle parking spaces being located on-site. The on-street cycle stands offer benefits in terms of being immediately visually prominent for passing cyclists and have been located in accordance with LCDS on-street cycle parking recommendations. The footway widths along Newington Causeway and Borough Road are generous, so even with the stands in place, there is typically a 3 – 4m wide clear footway route maintained.

- Welcome the Cycle Hire Docking Station been proposed on Newington Causeway, with a contribution of £250 000 being secured. However, the 16 docking points noted is not sufficient for a standalone station, 27 would be a minimum requirement in this location. A more suitable location for this docking station should be sought and secured prior to determination.

Officer response: The applicant has explored locating a 27 docking station beneath the railway bridge on Newington Causeway to the southeast of the site. Following this, TfL had commented that insufficient information has been provided to determine whether the docking station will be able to fit within this location. Therefore, considering this, TfL consider that the £250,000 contribution is secured with S106 wording that does not denote a specific location for the docking station. The final location will be subject to underground stat surveys.

- TfL welcomes that the development is planned to be car-free with the exception of disabled bays. Welcome that there will be a permit-free agreement, other than for disabled people. TfL notes that 20 per cent of disabled persons' parking spaces will have active electric vehicle charging points (EVCP) but would encourage for all spaces to have active EVCPs from the outset.

Officer response: The applicant has since confirmed that all the car parking bays will have active charging points.

- Policy T6 requires for the applicant to demonstrate that an additional seven per cent of dwellings of disabled persons' parking can be accommodated on-site.

Noting the site's location, and the contributions towards step-free access requested, TfL agree with the applicant's position that 'if there was future demand it would need to be met on-street'. As the surrounding highway is Council highway, this approach will need to be agreed with Southwark Highways. A Parking Design and Management Plan should be secured by condition in any permission. It should, inter alia, ensure only Blue badge holder use of the car parking.

Officer response: This is noted.

- Elephant and Castle London Underground and Northern Line and Bakerloo Line stations both have capacity issues and an increase in trips from this development would exacerbate existing problems. Station improvements are planned to address this capacity issue. New developments coming forward would place demands on the station capacity in excess of that which can be accommodated safely and effectively. Therefore, TfL request that a contribution towards the Northern Line/Future BLE ticket hall is provided to help enable works necessary to bring the new station into use to serve this development amongst others and mitigate this impact. Also request contribution to improve the stations to provide step free access and improve the constrained ticket hall.

Officer response: This is discussed in the Transport section of this report. The overall conclusion was reached that there would not be a significant effect on public transport services in connection with the proposed development. The development will still be required to make a substantial CIL payment, which is to be used to fund the delivery of supporting infrastructure.

- Note that bus drivers will be allowed access to the toilets in Block A. However, to assess the suitability of this proposal further information is required including its demonstration that it would meet their criteria. TfL cannot take on the maintenance and servicing responsibility for a shared facility that TfL does not own. The preference for operational reasons and others e.g. safeguarding is dedicated toilets for use only by bus drivers and relevant TfL staff and contractors. Request keypad entry lock to allow the drivers access when closed to the public is provided.

Officer response: The proposals provide public toilets, which can be used by the bus drivers, and should be considered a significant benefit. The facilities will be maintained by the applicant. Following further discussions with TfL and the applicant, the arrangement of the toilets has been amended to provide separate entrances for male and females with the joint lobby removed. The toilets would be open 24/7.

- A contribution towards bus stop improvements, shelter and countdown should be secured in the S106.

Office response: The cost of bus infrastructure improvements in the vicinity of the site would be £78,000 and is agreed by the applicant.

- Mitigation is needed for traffic, plant or commercially generated noise. However, TfL has concerns about potential implications of noise from the bus stands on Borough Road on residents in Blocks A and E, and the risk of complaints.

Officer response: Mitigation measures to attenuate noise is proposed.

- TfL welcomes that all deliveries are proposed to be on-site within the basement to align with Policy. However, concerns that the seven proposed loading bays will not be able to accommodate the estimated over 130 deliveries per day, leading to blocking back onto the highway and loading/unloading on the roads and bus stops and stands. Therefore, the applicant should demonstrate prior to determination how all deliveries of this number will be accommodated on-site.

Officer response: The applicant has provided additional justification for the dwell times and the council's own Transport planning team are satisfied with the evidence submitted.

- consider that the location for the temporary bus stop relocation should be provided prior to determination, rather than pre-commencement.

Officer response: Given that this is a phased scheme, this detail can be formalised through the CEMP when demolition/construction logistics are better known. Furthermore, it is envisaged that the construction process could involve a number of locations for the temporary bus stop as the development is built out in phases, with the site having the benefit of relatively long frontages along Borough Road and Newington Causeway. This process will need to be dealt with in consultation with TfL.

- A CLP and travel plan should be secured by condition.

Officer response: This will be secured.

1016. Thames Water - No objection to combined wastewater network capacity.
- Install a positive pumped device to prevent sewage flooding during storms.
- Groundwater discharge to the local network requires a Groundwater Risk Management Permit from Thames Water.
- No objection to surface water disposal if the sequential approach is followed; approval needed for discharge into a public sewer.
- Informative recommended: 15 meters from underground wastewater assets and Flow Rate.
- Condition recommended: No occupancy until water network upgrades are completed or a phasing plan is agreed with Thames Water.
- No building over or within 3 meters of water mains.

Officer response: Noted, the informative and condition will be included onto the permission.

1017. UK Power Networks –
- If proposed works are located within 6m of the substation then they are notifiable under Party Wall Act 1996
- Maintain a 7m distance between buildings and substations.
- Keep new building footings separate from substation structures.
- High-occupancy rooms should have windows opening over the substation.

- Developer bears the cost of any necessary noise attenuation methods.
- UK Power Networks require 24 hour vehicular access to their substations.

Officer response: This is all noted. It is the applicant's responsibility to ensure they comply with the Party Wall Act. It is also confirmed that UKPN will have 24 hours access. In terms of sub-stations in the proposed development, there would be 6no. new sub-stations to serve the new development, which would also have 24hr access via the loading bay.

1018. The Victorian Society – Object to the development.
While the site is within the Elephant and Castle Opportunity Area it is at the extreme boundary and therefore not suitable for buildings of the height proposed. The height of the proposed development would harm the historic character of the areas and the setting of the nearby listed buildings and non-designated heritage assets, overwhelming them and resulting in an inability to read their scale in any meaningful way. The former Baptist Chapel (No. 82 Borough Road) would have multiple openings created in its exterior and the loss of features such as the balcony in the main chapel space. Greatest harm to the former Institute for the Blind (No. 83). The building is architecturally interesting, with well-preserved interior spaces, overall it makes a positive contribution to the area. Considering the size of the site and scale of proposed development it is unclear why the existing building cannot be retained entirely, and its significance preserved.

Officer response: Officers requested that the height of the scheme be reduced however the scheme's viability challenges make it unfeasible. Ultimately, the public benefits are considered to outweigh the 'less than substantial' harm to the heritage asset. Allowing public access to the Baptist Chapel's interior offers heritage benefits. External alterations will not affect its appearance from Borough Road, preserving its architectural and historic value. For No. 83 Borough Road, some original fabric and architectural integrity will be lost. However, the proposal retains the distinctive façade elements, minimizing impact on its value. The loss of the eastern part of No.83 enhances site permeability, which is beneficial.

1019. City of Westminster – does not wish to comment on the application.

Officer response: Noted.

1020. London Borough of Haringey – No comments received.

1021. London Borough of Islington – No comments received.

1022. Planning Casework Unit – No comments received.

Consultation responses from internal consultees

1023. Environmental Protection Team - Conditions required to mitigate for odour, lighting, land contamination and construction management. Had requested additional information on the air quality assessment. Since then, EPT considered that the Air Quality Assessment, alongside the Environmental Statement Addendum (November 2024), is satisfactory.

It is stated to be an active site for 9+ years for demolition & construction works. The site will likely cause significant disturbance to surrounding residents for a long period of time. EPT request the DEMP & CEMP conditions within the s106. A contribution towards compliance and monitoring of all demolition & construction works is a necessity for EPT as the impact of this site on workload is expected to be significant.

Officer response: Noted, the relevant conditions will be imposed on the permission and the s106 financial contribution will be secured.

1024. Flood Risk Management Team -

- The application proposes to manage rainwater via blue roofs, rainwater harvesting, green roofs, permeable paving and an attenuation tank and no objections arerasied. More information was requested relating to the drainage calculations, runoff rates and who will own the maintenance tasks.

- Since submission of further information from the applicant, it is noted that the combined runoff rate from the drainage strategy drawing (excluding Block E) is now within greenfield runoff rate. Conditions relating to SuDs and drainage strategy verification report was recommended.

Officer response: The S106 agreement will include an offset obligation in the event that the finalised drainage system fails to achieve greenfield rates. Conditions will also be imposed as recommended.

1025. Waste Management Team – The concerns lie with the turning circle as it looks very complicated and tight. The refuse collection vehicle in the basement appears to impact a structure during its turn on the plans.

Officer response: The applicant has not make any amendments, but officers consider that a condition requiring a waste management plan should ensure safety of residents and that the refuse trucks can use the basement more effectively.

1026. LBS CCTV - Public Space Surveillance **–**

- Works will require two new links on new NPRMs and associated roof infrastructure (Equipment rack with power, switch, cabling and containment) £46,682.93. Increase of CCTV camera. Budget cost per camera on new pole including UMS, Switch and wireless link - £17,300. Recording per camera - pro rata £650 per camera per/annum. It is uncertain as to how many camera will need to be relocated, the location of the proposed application will impact the transmission path of 14 cameras between Perronet House and Redman House. Until it can be established where the radio network will be relocated we will not know how many cameras need to be relocated to achieve line of sight.

- Existing cameras on Newington Causeway need to be moved to achieve line of sight to a radio node. Budget cost per camera - £15,000. TfL Load testing charges £2,500 per lighting column. There will be a 7% consultant fee added for the redesign and project management of all works carried out.

Officer response: This is noted and a s106 obligation will be secured.

Community impact and equalities assessment

1027. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

1028. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

1029. 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.

1030. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

1031. The PSED requires public authorities to have due regard to the aims of the duty when making decisions and setting policies. As set out in the council's Development Consultation Charter (DCC), the PSED does not apply to developers however, to be compliant with the DCC, the council require developers to support the council in meeting and discharging this important duty by providing a proportionate Equalities Impact Assessment (EQA) of the impacts of the development. The EQIA must illustrate how the proposal will remove or minimise disadvantages suffered by people due to their protected characteristics, what steps have been taken to meet the needs of people from protected groups where these are different from the needs of other people, and detail positive equalities impacts.

1032. The applicant has completed the council's EQIA template and has provided an EQIA and an EQIA Addendum. The data provided in the EQIA is from accurate and reputable sources and the data provided is thorough and identifies all protected characteristics and their representation in the area.

1033. The EQIA focuses on the local impact area ('LIA') surrounding the proposed development to establish the baseline demogaphic and socio-economic profile and identify the priority groups, which consists of the following five wards – Borough and Bankside, St George's, Chaucer, London Bridge and West Bermondsey, and North Walworth. The potential impacts on the groups during both construction and operational phases used defined significance criteria on a matrix basis from major adverse to major beneficial, representing the scale of impacts over and above the baseline position.

Potentially affected groups

1034. Through the analysis of the baseline position the following five priority groups with "protected characteristics" have been identified as potentially experiencing the greatest impact from the proposed development. This is due to their over and/or under-representation within the LIA:

Priority group 1 – BAME community, especially Black/Black British and Asian/Asian British and Latin American residents;
•
Priority group 2 – people requiring access to social rented housing;
•
Priority group 3 – people on low income or unemployed;
•
Priority group 4 – people with long-term health and disability issues, as well as older residents; and
•
Priority group 5 – women and residents who identify as LGBTQ+.

1035. Having considered the above information alongside the characteristics of the proposed development, it is anticipated that equalities impacts might arise in terms of the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Race
- Sexual orientation

1036. The paragraphs below will look and the potential impacts the scheme may have.

1037. Impacts on existing operators and users

Census data shows that 43.1% of residents within the LIA have a BAME background and a survey of MM tenants (traders) established that:

- just under half (i.e. 46%) of employees come from a BAME community.
- Around 18% identify as LGBTQ+;
- 25% live in social housing; and

- Around 26% were previously unemployed and claimed Jobseekers Allowance ('JSA').

Construction phase
The EQIA concludes that during construction the proposed development will generate an overall minor beneficial impact due to it supporting job opportunities, in particular people on low incomes or currently unemployed. However there will be a minor adverse impact on existing businesses, organisations and employees due to relocation in particular on traders, both in terms of their operations and their workforce. A third of traders indicated they would cease operations and another third planning to seek alternative locations. Additionally, a third of traders foresee redundancies for their employees whilst the majority indicated that they would seek to redeploy staff members at other locations. It should be noted that the majority of traders who suggested that they would make employees redundant operate from multiple locations within MM businesses.

1038. Without appropriate mitigation, this has potential to result in a disproportionate impact on traders and employees coming from a BAME community in addition to other groups with protected characteristics (albeit not considered to be significant within the local context).

1039. As discussed in the employment section of this report, the BRS would mitigate the impact of construction activity on traders and is offering a Business support package as well as a temporary food hall on site, which would manage the impact of relocation and reduces the disruption to businesses during the construction phase.

1040. In instances of redundancy, current labour market conditions suggest that unemployment would be temporary, resulting in an overall minor adverse impact on this protected characteristic. Furthermore and already discussed significant investment would be needed to the existing MM buildings to align with new environmental performance rating requirements by 2030. This would be costly and may necessitate MM traders vacating the site for essential works to be carried out in any case.

1041. The submitted EQIA notes that LSMT works with the wider UK theatre profession and aspires to increase representation of the BAME community within the UK theatre profession. LSMT has also suggested that the UK theatre profession is particularly representative of the LGBTQ+ community. Whilst the proposal has the potential to adversely impact individuals from these backgrounds, the applicant points out that LSMT agree that this will not be disproportionate to specific groups within the LIA, due to the LSMT's UK-wide catchment.

1042. The equality impact of the proposed development on operations at the IoO is anticipated to be neutral on the general population and most of the priority groups. The only exception is likely to be residents with a long-term health and/or disability issue, as well as older residents. This priority group encompasses various health conditions, many of which are not treated at the IoO and it is assumed that the number of residents impacted within the LIA will therefore be limited. As a result, the overall equality impact on this priority groups is anticipated to be minor adverse.

1043. As noted earlier, demolition and construction activity associated with the proposed development will generate employment opportunities in construction and related sectors across the economy and would therefore generate an overall minor beneficial impact on the general population. For those on low income/unemployed residents this impact would be moderate beneficial. The equalities impact on individuals with a long-term health issue and/or disability as well as older residents is assessed as negligible as they may face constraints in taking jobs in construction work.

1044. *Operational Phase*
The proposed development would provide within Building C a greater quantum of flexible, sui generis / Class E floorspace that is suitable for a foodhall and it is the applicant's intention that MM would return to operate there. Whilst these discussions with MM are still ongoing, the BRS includes support for the existing traders. As such, given that the proposed development will safeguard the long-term future of commercial activity on-site, the equality impact of the proposed development on businesses, organisations and employees is therefore judged as minor beneficial.

1045. Once the development is completed there would be net additional jobs that would provide people, including residents from across all priority groups considered, with the opportunity to access new jobs, potentially increasing income levels and improving their overall quality of life, whilst also lowering local inequality. A range of types and sizes of retail units would be provided to attract a mix of retailers. Given the scale of net additional employment supported, the equality impact of the proposed development is therefore judged as minor beneficial on the general population and the priority groups.

1046. The proposed development will comprise 892 net additional new homes of mixed sizes and tenure representing an increase of 3.2% over the current baseline within the LIA. It would also increase the provision of affordable housing. The equality impact of the proposed development on residents who require access to social housing and residents on low income and/or who are unemployed is therefore judged as minor beneficial. The proposed development includes a variety of housing options, including family homes would benefit different age groups.

1047. The various aspects considered as part of the EIA have identified several (embedded) mitigation measures aimed at reducing adverse impacts by the proposed development. The BRS is a live document and continued discussions will be had to ensure that disruption to the existing businesses during the construction phase is minimised.

1048. It should also be highlighted that the Strategic Housing Market Assessment (SHMA) prepared on behalf of a number of South East London boroughs states that Southwark, together with Lewisham, has the most ethnically mixed population in the South East London sub-region. Compared to the population at large a very high proportion of Black households (70%) are housed in the social/affordable rented sector. These groups could therefore stand to benefit from the proposed affordable housing, which would include social rented units.

1049. All homes would be built to accessible standards as a minimum and 10% would be wheelchair accessible. These modern design standards offer significant improvements in accessibility, and would benefit potential future residents or visitors

with disabilities, older people with mobility difficulties, and other groups such as parents with children. The development therefore would not raise any issues relating to disability equalities.

1050. The proposal includes the provision of a new public realm which would increase the level of high-quality open space available in the area. This feature will have a number of positive benefits, especially for younger people and those on lower incomes who may not be able to access more formal organised physical activities. This opportunity for recreation encourages more active lifestyles which have improved health and quality of life in addition to encouraging social integration and community cohesion. The equalities impact of the new public realm included as part of the proposed development is therefore judged as major beneficial on the wider population and all priority groups identified.

1051. The public toilets would be an important facility that would make the town centre more accessible, particularly for older people, disabled people and parents with young children.

1052. The proposal would be designed to ensure safety and security is maximised to reduce any potential for crime. Linkages into and sightlines across the site would be improved and buildings will be designed to meet Secure by Design standards. Individuals undergoing gender reassignment and LGBTQ+ individuals experience greater risk of being victims of crime. As such, the principles included within the design of the proposed development will seek to minimise this, and increase people's overall feelings of safety.

1053. 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

1054. 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.

1055. This application has the legitimate aim of redeveloping the site to provide four buildings comprising 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.

Positive and proactive statement

1056. 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.

1057. 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

1058. The application has been assessed against the relevant policies of the development plan, which in this instance comprises the London Plan 2021 and Southwark Plan 2022. Section 38 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. This report has set out the areas where this application complies with the development plan, and where it does not, what material considerations exist that justify any failures to comply.

1059. The NPPF states that permission should be granted for development proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

1060. The topic sections in the assessment above identify incidences of harm caused by the proposed development., These harms included losses to daylight and sunlight to nearby residential properties and overshadowing of amenity spaces. As explained in the report, the BRE guidelines are not a rigid set of rules but are advisory and need to be applied according to the specific context of a site. It is also important to note that the existing scale of development on the application site is low for an urban location. As a result, reductions in daylight and sunlight would be expected to result from any development here.

1061. There would also be incidences of heritage harms including some at the medium end of “less than substantial”, but as outlined in the report, the public benefits would outweigh the ‘less than substantial’ harm to the heritage assets. 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.

1062. The development would provide at least 35% affordable housing with policy compliant level of social rented homes despite the viability assessment demonstrating a deficit. 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. This is a significant public benefit at a time when it is increasingly challenging to deliver housing, and when the council faces a growing housing waiting list and considerable Temporary Accommodation costs.

1063. The applicant had carried out extensive consultation and engagement with local stakeholders businesses and residents. Following the submission of the application in July 2024, the applicant continued dialogue with local residents – in particular Scovell Estate residents. Further engagement and interviews with local traders currently operating in MM were also held to ensure that the relocation package would support them and minimise any disruptions to their operations during construction. This led to a revised and significantly improved Business Relocation Strategy and the proposed temporary food market on the site. Equality implications have been carefully considered throughout the planning process.

1064. Whilst there will be a net loss of community use floorspace on the site, Members should note that the centre proposed within Building A would be of a much higher quality and would be leased out at peppercorn rent, which is a major benefit of the scheme. The community centre would first be offered to the Latin American Cultural Community and would deliver one of the Council's Plan commitments.

1065. The provision of high quality open space and playspace that exceeds the quantum stipulated in the site allocation requirements open to residents and members of public is a major benefit of the scheme and improving permeability across the site.

1066. In accordance with Policy D13 the design of the proposed development will mitigate noise from multiple sources by incorporating mitigation measures early in the design stage and having appropriate provisions in place for ongoing and future management of those mitigation measures. This will ensure compliance with the Agent of Change principles and ensure an acceptable internal noise standard for future residents.

1067. The car-free scheme with the exception of wheelchair parking spaces is welcomed for this site and the scheme would have a travel plan and car parking management plans secured. The provision of cycle stores a cycle hub and contribution towards cycle docking station would encourage the existing and future residents to use this sustainable mode of transport. Adequate measures would be secured to improve local bus infrastructure and construction impacts would be managed by condition.

1068. In terms of energy and sustainability, the proposals exceed the policy minimum, achieving cumulative carbon savings of 59% against the Part L 2021 baseline. There will be some loss of existing trees, but this will be replaced within the site. Alongside securing the biodiversity net gain, the proposal would achieve a commendable UGF score of 0.4. 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.

1069. In addition it is proposed to use the Carbon Green Fund to replace existing single glazing on the adjacent Scovell Estate, and to use s106 open space contributions and potentially neighbourhood CIL payments to enhance the estates public realm, greening and biodiversity, which would help deliver the aspirations of Southwark 2030 and the council's action plan 'Tackling the Climate Emergency Together. Our strategy for a carbon neutral Southwark by 2030'.

1070. In terms of the other environmental effects such as air quality, flood risk, demolition and construction and microclimate, the ES demonstrates that with mitigations measures the impacts could be minimised.

1071. The council's public consultation generated a large number of responses, with the majority of objections citing concerns around the height, density, harm on heritage assets and impacts on daylight and sunlight as well as the provision of affordable housing. The report summarises these concerns and sets out where these sit in the planning balance and can be addressed by conditions or other mitigation. The application was supported by the GLA as the strategic planning authority. Taking all of the issues into account, it is concluded that this would constitute a sustainable form of development which complies with a large number of development plan policies. Nevertheless, Officers also acknowledge there are areas where it would not comply with the adopted development plan.

1072. Paragraph 125 of the NPPF states that planning decisions should *"give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land".*

1073. The scheme comes with a significant package of planning benefits, including the delivery of key Southwark Plan policies in relation to the provision of new housing, particularly affordable housing including social rent housing, increased employment, retail space, better quality community space and associated jobs and training. The scheme delivers a large area of public ream and landscaping and provision of public toilets. In addition, the scheme would secure approximately financial contributions through the section 106 agreement and significant amount of CIL. The public benefits have been weighed against the identified harms and officers have concluded that those benefits outweigh the harms..

1074. 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
Southwark Local Development Framework and Development Plan Documents	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: 020 7525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken (viewable electronically at: Agenda for Planning Committee (Major Applications) A on Wednesday 26 March 2025, 6.30 pm - Southwark Council)
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth
Report Author	Wing Lau, Team Leader
Version	Final
Dated	17 March 2025
Key Decision	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments Sought**	**Comments included**
Strategic Director, Resources	No	No
Acting Strategic Director, Environment, Sustainability and Leisure	No	No
Strategic Director, Housing	No	No
Date final report sent to Constitutional Team		17 March 2025

APPENDIX 1

Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Amy Lomath Berkeley Homes (South East London) Ltd	**Reg. Number**	24/AP/1958
Application Type	Major application		
Recommendation	GRANT subject to Legal Agreement (GOL)	**Case Number**	1411-N

Draft of Decision Notice

Grant subject to Legal Agreement & Referral to SoS for the following development:

Phased mixed-use redevelopment of the site comprising:

Demolition of all existing buildings/structures and site clearance, except 82 and (part) 83 Borough Road which are to be retained, altered and refurbished for Flexible Commercial, Business and Service, and Learning and Non-Residential Institution Uses (Class E/F1 / F2(b));

- Construction of basement structure and vehicular access;

- Construction of buildings to provide Dwellings (Class C3), Flexible Commercial, Business and Service and mixed food and drink and leisure uses (including drinking establishments with expanded food provision, hot food takeaways, live music performance venue and cinema) (Class E / Sui Generis) and public toilets; 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

Borough Triangle Land And Site At 18-54 Newington Causeway 69 Borough Road 82-83 Borough Road London Southwark

In accordance with application received on 3 July 2024 **and Applicant's Drawing Nos.**:

Existing Plans

EXISTING LOCATION PLAN received 03/07/2024

BUILDING C BAY STUDY TYPICAL LEVELS NORTH ELEVATION E505-MLA-CX-XX-DRG-AR-00433002 REV PL0 received 03/07/2024

Proposed Plans

SCHEMATIC FLOOR PLAN - LEVEL 04 E505-MLA-XX-04-DRG-AR-00210040 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 03 E505-MLA-XX-03-DRG-AR-00210030 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 02-MEZZANINE 3 E505-MLA-XX-02-DRG-AR-00210021 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 02 E505-MLA-XX-02-DRG-AR-00210020 - REV PL1 received 03/12/2024

BUILDING C EAST ELEVATION E505-MLA-C1-XX-DRG-AR-00333003 REV PL1 received 03/12/2024

BUILDING C NORTH ELEVATION E505-MLA-C1-XX-DRG-AR-00333004 REV PL1 received 03/12/2024

BUILDING C NORTH WEST ELEVATION E505-MLA-C1-XX-DRG-AR-00333002 REV PL1 received 03/12/2024

BUILDING C SOUTH ELEVATION E505-MLA-C1-XX-DRG-AR-00333000 REV PL1 received 03/12/2024

BUILDING C WEST ELEVATION E505-MLA-C1-XX-DRG-AR-00333001 REV PL1 received 03/12/2024

BUILDING D EAST ELEVATION E505-MLA-D1-XX-DRG-AR-00334003 REV PL1 received 03/12/2024

BUILDING D NORTH ELEVATION E505-MLA-D1-XX-DRG-AR-00334002 REV PL1 received 03/12/2024

BUILDING D SOUTH ELEVATION E505-MLA-D1-XX-DRG-AR-00334000 REV PL1 received 03/12/2024

BUILDING D WEST ELEVATION E505-MLA-D1-XX-DRG-AR-00334001 REV PL1 received 03/12/2024

BUILDING C BAY STUDY TYPICAL LEVELS SOUTH ELEVATION E505-MLA-CX-XX-DRG-AR-00433001 REV PL0 received 03/07/2024

BUILDING A NORTH & EAST ELEVATION E505-MLA-A1-XX-DRG-AR-00331001 REV PL0 received 08/07/2024

BUILDING A SOUTH AND WEST ELEVATIONS E505-MLA-A1-XX-DRG-AR-00331000 received 08/07/2024

BUILDING B NORTH AND EAST ELEVATIONS E505-MLA-B1-XX-DRG-AR-00332001 received 08/07/2024

BUILDING B SOUTH AND WEST ELEVATION E505-MLA-00332000 REV PL0 received 08/07/2024

BUILDING C EAST ELEVATION E505-MLA-C1-XX-DRG-AR-00333003 received 08/07/2024

BUILDING C NORTH ELEVATION E505-MLA-C1-XX-DRG-AR-00333004 received 08/07/2024

BUILDING C NORTH WEST ELEVATION E505-MLA-C1-XX-DRG-AR-00333002 received 08/07/2024

BUILDING C SOUTH ELEVATION E505-MLA-C1-XX-DRG-AR-00333000 received 08/07/2024

BUILDING C WEST ELEVATION E505-MLA-C1-XX-DRG-AR-00333001 received 08/07/2024

BUILDING D EAST ELEVATION E505-MLA-D1-XX-DRG-AR-00334003 received 08/07/2024

SCHEMATIC FLOOR PLAN - BASEMENT LOWER LEVEL - B1 E505-MLA-XX-B1-DRG-AR-00210910 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 45 E505-MLA-XX-45-DRG-AR-00210450 REVPL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 44 E505-MLA-XX-44-DRG-AR-00210440 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 43 E505-MLA-XX-43-DRG-AR-00210430- REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 42 E505-MLA-XX-42-DRG-AR-00210420 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 40-41 E505-MLA-XX-40-DRG-AR-00210400 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 39 E505-MLA-XX-40-DRG-AR-00210390 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 38 E505-MLA-XX-39-DRG-AR-00210380 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 37 E505-MLA-XX-11-DRG-AR-00210370 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 36 E505-MLA-XX-11-DRG-AR-00210360 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 33-35 E505-MLA-XX-11-DRG-AR-00210330 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 32 E505-MLA-XX-32-DRG-AR-00210320 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN LEVEL 28 E505-MLA-XX-28-DRG-AR-00210280 - REV PL1 received 03/12/2024

E505-MLA-XX-23-DRG-AR-00210260 SCHEMATIC FLOOR PLAN - LEVEL 26-27 E505-MLA-XX-23-DRG-AR-00210260- REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN LEVEL 19-25 E505-MLA-XX-18-DRG-AR-00210190 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 18 E505-MLA-XX-18-DRG-AR-00210180 - REV PL1 received 03/12/2024

E505-MLA-XX-17-DRG-AR-00210170 SCHEMATIC FLOOR PLAN - LEVEL 17 E505-MLA-XX-17-DRG-AR-00210170 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 15-16 E505-MLA-XX-15-DRG-AR-00210150 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 14 E505-MLA-XX-14-DRG-AR-00210140 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 13 E505-MLA-XX-13-DRG-AR-00210130 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 11-12 E505-MLA-XX-11-DRG-AR-00210110 - REV PL1 received 03/12/2024

SCHEMATIC FLOOR PLAN - LEVEL 10 E505-MLA-XX-10-DRG-AR-00210100 - REV PL1 received 03/12/2024

PROPOSED ELEVATION - BOROUGH ROAD E505-MLA-XX-XX-DRG-AR-00130004 REV PL1 received 03/12/2024

PROPOSED ELEVATION - NEWINGTON CAUSEWAY E505-MLA-XX-XX-DRG-AR-00130005 REV PL1 received 03/12/2024

BUILDING D NORTH ELEVATION E505-MLA-D1-XX-DRG-AR-00334002 received 29/01/2025

Other Documents

SCHEMATIC PLAN LEVEL 06-09 E505-MLA-XX-06-DRG-AR-00210060 REV PL1 received 03/12/2024

SCHEMATIC PLAN LEVEL 05 E505-MLA-XX-05-DRG-AR-00210050 - REV PL1 received 03/12/2024

SCHEMATIC PLAN LEVEL 01 E505-MLA-XX-01-DRG-AR-00210010 received 03/12/2024

BUILDING D LEVEL ROOF E505-MLA-D1-18-DRG-AR-00314190 received 03/12/2024

PROPOSED SITE PLAN E505-MLA-XX-50-DRG-AR-00111500 REV PL1 received 03/12/2024

BUILDING A TYPICAL SECTION E505-MLA-A1-XX-DRG-AR-00321001 REV PL1 received 03/12/2024

BUILDING C TYPICAL SECTION E505-MLA-C1-XX-DRG-AR-00323001 REV PL1 received 03/12/2024

BUILDING D TYPICAL SECTION E505-MLA-D1-XX-DRG-AR-00324001 REV PL1 received 03/12/2024

BUILDING D GABLE WALL E505-MLA-D1-XX-DRG-AR-00334004 REV PL1 received 03/12/2024

3210 1B-2P UNIT PLAN E505-MLA-C1-XX-DRG-AR-00613210 REV PL1 received 03/12/2024

3402 2B-4P-WA UNIT PLAN E505-MLA-C1-XX-DRG-AR-00613402 REV PL1 received 03/12/2024

BUILDING A&B BAY STUDY TOP LEVELS E505-MLA-A1-XX-DRG-AR-00431002 REV PL0 received 03/07/2024

BUILDING C L 00 E505-MLA-C1-00-DRG-AR-00313000 REV PL0 received 03/07/2024

BUILDING C L 14 E505-MLA-C1-14-DRG-AR-00313140 REV PL0 received 03/07/2024

BUILDING A BAY STUDY TYPICAL LEVELS E505-MLA-A1-XX-DRG-AR-00431001 REV PL0 received 03/07/2024

BUILDING B BAY STUDY TYPICAL LEVELS E505-MLA-B1-XX-DRG-AR-00432001 REV PL0 received 03/07/2024

BUILDING D BAY STUDY TYPICAL LEVELS E505-MLA-D1-XX-DRG-AR-00434001 REV PL0 received 03/07/2024

BUILDING D LEVEL ROOF (E505-MLA-00314180 - REV PL0) received 04/07/2024

BUILDING D LEVEL 17 (E505-MLA-00314170 - REV PL0) received 04/07/2024

BUILDING D LEVEL 16 (E505-MLA-00314160 - REV PL0) received 04/07/2024

BUILDING D LEVEL 06-15 (E505-MLA-00314060 - REV PL0). received 04/07/2024

BUILDING D LEVEL 05 (E505-MLA-00314050 - REV PL0) received 04/07/2024

BUILDING D LEVEL 04 (E505-MLA-00314040 - REV PL0) received 04/07/2024

BUILDING D LEVEL 01 E505-MLA-00314010 - REV PL0) received 04/07/2024

BUILDING B TYPICAL SECTION E505-MLA-B1-XX-DRG-AR-00322001 received 04/07/2024

BUILDING B LEVEL ROOF E505-MLA-B1-50-DRG-AR-00312500 REV PL0 received 05/07/2024

BUILDING B LEVEL 44-45 E505-MLA-B1-44-DRG-AR-00312440 REV PL0 received 05/07/2024

BUILDING B LEVEL 43 E505-MLA-B1-43-DRG-AR-00312430 REV PL0 received 05/07/2024

BUILDING B LEVEL 42 E505-MLA-B1-42-DRG-AR-00312420 REV PL0 received 05/07/2024

BUILDING B LEVEL 37-41 E505-MLA-B1-37-DRG-AR-00312370 REV PL0 received 05/07/2024

BUILDING B LEVEL 34-36 E505-MLA-B1-34-DRG-AR-00312340 REV PL0 received 05/07/2024

BUILDING B LEVEL 33 E505-MLA-B1-33-DRG-AR-00312330 REV PL0 received 05/07/2024

BUILDING B LEVEL 32 E505-MLA-B1-32-DRG-AR-00312320 REV PL0 received 05/07/2024

BUILDING B LEVEL 29-31 E505-MLA-B1-29-DRG-AR-00312290 REV PL0 received 05/07/2024

BUILDING B LEVEL 25-28 E505-MLA-B1-25-DRG-AR-00312250 REV PL0 received 05/07/2024

BUILDING B LEVEL 24 E505-MLA-B1-24-DRG-AR-00312240 REV PL0 received 05/07/2024

BUILDING B LEVEL 14-23 E505-MLA-B1-14-DRG-AR-00312140 REV PL0 received 05/07/2024

BUILDING B LEVEL 13 E505-MLA-B1-13-DRG-AR-00312130 REV PL0 received 05/07/2024

BUILDING B LEVEL 05-12 E505-MLA-B1-05-DRG-AR-00312050 REV PL0 received 05/07/2024

BUILDING B LEVEL 04 E505-MLA-B1-04-DRG-AR-00312040 REV PL0 received 05/07/2024

BUILDING B LEVEL 03 E505-MLA-B1-03-DRG-AR-00312030 REV PL0 received 05/07/2024

BUILDING B LEVEL 01-02 E505-MLA-B1-01-DRG-AR-00312010 REV PL0 received 05/07/2024

BUILDING B LEVEL 00M1 E505-MLA-B1-00-DRG-AR-00312002 REV PL0 received 05/07/2024

BUILDING B LEVEL 00M E505-MLA-B1-00-DRG-AR-00312001 REV PL0 received 05/07/2024

BUILDING B LEVEL 00 E505-MLA-B1-00-DRG-AR-00312000 REV PL0 received 05/07/2024

4411 2B-4P-WA UNIT PLAN E505-MLA-D1-XX-XX-DRG-AR-00614411 received 05/07/2024

4410 2B-4P-WA UNIT PLAN E505-MLA-D1-XX-XX-DRG-AR-00614410 received 05/07/2024

4402 2B-4P UNIT PLAN E505-MLA-D1-XX-XX-DRG-AR-00614402 received 05/07/2024

4301 2B-3P-WA UNIT PLAN E505-MLA-D1-XX-XX-DRG-AR-00614301 received 05/07/2024

4202 1B-2P UNIT PLAN E505-MLA-D1-XX-XX-DRG-AR-00614202 received 05/07/2024

3702 4B-7P UNIT PLAN E505-MLA-C1-XX-XX-DRG-AR-00613702 received 05/07/2024

3501 3B-5P UNIT PLAN E505-MLA-C1-XX-XX-DRG-AR-00613501 received 05/07/2024

3402 2B-4P-WA UNIT PLAN E505-MLA-C1-XX-XX-DRG-AR-00613402 received 05/07/2024

3304 2B-3P UNIT PLAN E505-MLA-C1-XX-XX-DRG-AR-00613304 received 05/07/2024

3210 1B-2P UNIT PLAN E505-MLA-C1-XX-XX-DRG-AR-00613210 received 05/07/2024

3201 1B-2P-WA UNIT PLAN E505-MLA-C1-01-XX-DRG-AR-00613201 received 05/07/2024

2411 2B-4P UNIT PLAN E505-MLA-B1-XX-XX-DRG-AR-00612411 received 05/07/2024

2303 2B-3P UNIT PLAN E505-MLA-B1-XX-XX-DRG-AR-00612303 received 05/07/2024

1504 3B-5P UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611504 received 05/07/2024

1501 3B-5P UNIT PLAN E505-MLA-A1-XX-XX-DRG-AR-00611501 received 05/07/2024

1406 2B-4P UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611406 received 05/07/2024

1403 2B-4P UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611403 received 05/07/2024

1305 2B-3P-WA UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611305 received 05/07/2024

1207 1B-2P-WA UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611207 received 05/07/2024

1203 1B-2P UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611203 received 05/07/2024

1201 1B-2P UNIT PLAN E505-MLA-C1-01-XX-DRG-AR-00613201 received 05/07/2024

1101 STUDIO UNIT PLAN E505-MLA-XX-XX-XX-DRG-AR-00611101 received 05/07/2024

BUILDING D GABLE WALL E505-MLA-D1-XX-DRG-AR-00334004 received 08/07/2024

BUILDING E L 00-02 E505-MLA-E1-XX-DRG-AR-00315000 REV PL0 received 08/07/2024

BUILDING A L 00 E505-MLA-A1-00-DRG-AR-00311000 REV PL0 received 08/07/2024

BUILDING A L 01 E505-MLA-A1-01-DRG-AR-00311010 received 08/07/2024

BUILDING A L 02 E505-MLA-A1-02-DRG-AR-00311020 REV PL0 received 08/07/2024

BUILDING A L 02M E505-MLA-A1-02-DRG-AR-00311021 REV PL0 received 08/07/2024

BUILDING A L 03 E505-MLA-A1-03-DRG-AR-00311030 REV PL0 received 08/07/2024

BUILDING A L 04 E505-MLA-A1-04-DRG-AR-00311040 REV PL0 received 08/07/2024

BUILDING A LEVEL 05-12 E505-MLA-A1-05-DRG-AR-00311050 REV PL0 received 08/07/2024

BUILDING A LEVEL 13 E505-MLA-A1-13-DRG-AR-00311130 REV PL0 received 08/07/2024

BUILDING A LEVEL 14-15 E505-MLA-A1-14-DRG-AR-00311140 REV PL0 received 08/07/2024

BUILDING A LEVEL 16-18 E505-MLA-A1-16-DRG-AR-00311160 REV PL0 received 08/07/2024

BUILDING A LEVEL 28 E505-MLA-A1-28-DRG-AR-00311280 REV PL received 08/07/2024

BUILDING A LEVEL 19-24 E505-MLA-A1-19-DRG-AR-00311190 REV PL0 received 08/07/2024

BUILDING A LEVEL 25 E505-MLA-A1-25-DRG-AR-00311250 REV PL0 received 08/07/2024

BUILDING A LEVEL 26-27 E505-MLA-A1-26-DRG-AR-00311260 REV PL0 received 08/07/2024

BUILDING A LEVEL 29 E505-MLA-A1-29-DRG-AR-00311290 REV PL0 received 08/07/2024

BUILDING A LEVEL 30 E505-MLA-A1-30-DRG-AR-00311300 REV PL0 received 08/07/2024

BUILDING A LEVEL 31-35 E505-MLA-A1-31-DRG-AR-00311310 REV PL0 received 08/07/2024

BUILDING A LEVEL 36 E505-MLA-A1-36-DRG-AR-00311360 REV PL0 received 08/07/2024

BUILDING A LEVEL 37 E505-MLA-A1-37-DRG-AR-00311370 REV PL0 received 08/07/2024

BUILDING A LEVEL 38-39 E505-MLA-A1-38-DRG-AR-00311380 REV PL0 received 08/07/2024

BUILDING A LEVEL ROOF E505-MLA-A1-40-DRG-AR-00311400 REV PL0 received 08/07/2024

SCHEMATIC PLAN LEVEL BASEMENT LIFT PITS- B2 E505-MLA-XX-B2-DRG-AR-00210920 received 03/12/2024

SCHEMATIC PLAN LEVEL 31 E505-MLA-XX-31-DRG-AR-00210310 - REV PL1 received 03/12/2024

SCHEMATIC PLAN LEVEL 30 E505-MLA-XX-30-DRG-AR-00210300 - REV PL1 received 03/12/2024

SCHEMATIC PLAN LEVEL 29 E505-MLA-XX-11-DRG-AR-00210290- REV PL1 received 03/12/2024

SCHEMATIC SECTION 6 E505-MLA-XX-XX-DRG-AR-00220005 REV PL1 received 03/12/2024

4412 3B-4P-WA UNIT PLAN E505-MLA-D1-XX-DRG-AR-00614412 REV PL1 received 03/12/2024

BUILDING A LEVEL 01 E505-MLA-A1-01-DRG-AR-00311010 REV PL1 received 03/12/2024

SCHEMATIC SECTION 1 E505-MLA-XX-XX-DRG-AR-00220001 REV PL1 received 03/12/2024

SCHEMATIC SECTION 2 E505-MLA-XX-XX-DRG-AR-00220002 REV PL1 received 03/12/2024

SCHEMATIC SECTION 3 E505-MLA-XX-XX-DRG-AR-00220003 REV PL1 received 03/12/2024

SCHEMATIC SECTION 4-5 E505-MLA-XX-XX-DRG-AR-00220004 REV PL1 received 03/12/2024

BUILDING C LEVEL 00 E505-MLA-C1-00-DRG-AR-00313000 REV PL1 received 03/12/2024

BUILDING C LEVEL 00M E505-MLA-C1-00-DRG-AR-00313001 REV PL1 received 03/12/2024

BUILDING C LEVEL 01 E505-MLA-C1-01-DRG-AR-00313010 REV PL1 received 03/12/2024

BUILDING C LEVEL 02-03 E505-MLA-C1-02-DRG-AR-00313020 REV PL1 received 03/12/2024

BUILDING C LEVEL 04 E505-MLA-C1-04-DRG-AR-00313040 REV PL1 received 03/12/2024

BUILDING C LEVEL 05-07 E505-MLA-C1-05-DRG-AR-00313050 REV PL1 received 03/12/2024

BUILDING C LEVEL 08-09 E505-MLA-C1-08-DRG-AR-00313080 REV PL1 received 03/12/2024

BUILDING C LEVEL 10 E505-MLA-C1-10-DRG-AR-00313100 REV PL1 received 03/12/2024

BUILDING C LEVEL 11-13 E505-MLA-C1-11-DRG-AR-00313110 REV PL1 received 03/12/2024

BUILDING C LEVEL 14 E505-MLA-C1-14-DRG-AR-00313140 REV PL1 received 03/12/2024

BUILDING C LEVEL ROOF E505-MLA-CX-15-DRG-AR-00313150 REV PL1 received 03/12/2024

BUILDING D LEVEL 00 E505-MLA-D1-00-DRG-AR-00314000 REV PL1 received 03/12/2024

BUILDING D LEVEL 00M E505-MLA-D1-00-DRG-AR-00314001 REV PL1 received 03/12/2024

BUILDING D LEVEL 01 E505-MLA-D1-01-DRG-AR-00314010 REV PL1 received 03/12/2024

BUILDING D LEVEL 02 E505-MLA-D1-02-DRG-AR-00314020 REV PL1 received 03/12/2024

BUILDING D LEVEL 03 E505-MLA-D1-03-DRG-AR-00314030 REV PL1 received 03/12/2024

BUILDING D LEVEL 04 E505-MLA-D1-04-DRG-AR-00314040 REV PL1 received 03/12/2024

BUILDING D LEVEL 05 E505-MLA-D1-05-DRG-AR-00314050 REV PL1 received 03/12/2024

BUILDING D LEVEL 06-15 E505-MLA-D1-06-DRG-AR-00314060 REV PL1 received 03/12/2024

BUILDING D LEVEL 16 E505-MLA-D1-16-DRG-AR-00314160 REV PL1 received 03/12/2024

BUILDING D LEVEL 17 E505-MLA-D1-17-DRG-AR-00314170 REV PL1 received 03/12/2024

BUILDING D LEVEL 18 E505-MLA-D1-18-DRG-AR-00314180 REV PL1 received 03/12/2024

BUILDING D LEVEL ROOF E505-MLA-D1-18-DRG-AR-00314190 REV PL1 received 03/12/2024

BUILDING E LEVEL 00-02 E505-MLA-E1-XX-DRG-AR-00315000 received 29/01/2025

SCHEMATIC PLAN LEVEL 0 E505-MLA-XX-00-DRG-AR-00210000 received 29/01/2025

SCHEMATIC PLAN LEVEL 00-MEZZANINE 1 E505-MLA-XX-00-DRG-AR-00210001 received 29/01/2025

3702 4B-7P UNIT PLAN E505-MLA-C1-XX-DRG-AR-00613702 REV PL1 received 03/12/2024

4202 1B-2P UNIT PLAN E505-MLA-D1-XX-DRG-AR-00614202 REV PL1 received 03/12/2024

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.

3. (i) The phasing of the Development shall be carried out in accordance with a Phasing Plan to be submitted for approval pursuant to this condition, and it shall be accompanied by information to identify whether it results in any change to the likely significant effects identified in the Environmental Statement (July 2024 and addendum November 2024). Any approved Phasing Plan should define

the physical extent of each phase and the sequence of construction of the

phases.

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.

4. 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.

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

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, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees 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.

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.

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. NHBC 4.2.13 Tables for Foundations Near Trees

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 2024; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) 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. Prior to works commencing (excluding demolition, site clearance and excavation), full details of all the proposed planting of 98 trees together with 1 street tree on Newington Causeway) shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period.

Details of a management plan, responsibilities and maintenance schedules shall be submitted to and approved by the Local Planning Authority. This shall include 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 five years for stem girths greater than 20cm. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations; BS 8545:2014 Trees: from nursery to independence in the landscape; BS: 5837 (2012) Trees in relation to demolition, design and construction; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard, and Trees and Design Action Group guidance.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

Reason: So that the Council may be satisfied that the proposed tree planting scheme in accordance with the National Planning Policy Framework 2024; Policy G7 (Trees and Woodlands) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

7. 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 Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2024.

8. Before any work hereby authorised begins, including demolition, the applicant shall secure the implementation of a programme of archaeological building recording works to Historic England level 3 as detailed in 'Understanding Historic Buildings' in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority. The following buildings shall be recorded:

1. Institute of Optometry on Newington Causeway 56 and 58-62 Newington Causeway;

2. 38 Newington Causeway; and

3. 83 Borough Road.

Reason: In order that the applicants record buildings of archaeological interest to ensure the preservation of archaeological remains by record in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2021.

9. Before any work hereby authorised begins, excluding archaeological evaluation, demolition to slab level, and site investigation works, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2024.

10. Before any work, hereby authorised, excluding demolition to slab level, archaeological evaluation and site investigation works, begins, the applicant shall submit a detailed scheme showing the complete scope and arrangement of the basement and foundation design, and all associated subterranean groundworks, including the construction methods. The submitted documents should show how archaeological remains will be protected by a suitable mitigation strategy. The detailed scheme will need to be approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approval given.

Reason: In order that all below ground impacts of the proposed development are known and an appropriate protection and mitigation strategy is achieved to preserve archaeological remains by record and/or in situ in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2024.

11. Prior to commencement of above ground superstructure construction works, 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 in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with the National Planning Policy Framework 2024; Policy SI 6 (Digital Connectivity Infrastructure) of the London Plan (2021) and Policy P44 (Broadband and digital infrastructure) of the Southwark Plan (2022).

12. a) Prior to commencement of the mitigation phase, excluding demolition and site investigation works hereby permitted, the applicant shall submit to the Local Planning Authority for approval a Public Engagement Programme which shall set out:

1) How the field work areas will be hoarded to provide opportunities for passers-by to safely view the excavations;

2) Detailed drawings (artwork, design, text and materials, including their location and a full specification of the construction and materials) for the public interpretation and presentation display materials celebrating the historic setting of the site, which will be located on suitably visible public parts of the temporary site hoarding;

3) Details of at least one event, such as a heritage trail, that will be held during the field work phase (as a minimum this should state the date/time, duration, individuals involved and advance promotional measures for the event, and provide an outline of the content of the event);

b) Prior to the commencement of the fieldwork phase, the hoarding shall be installed in full accordance with the LPA-approved details referred to in parts a.1 and a.2 of the condition, and the hoarding shall remain as such and in place throughout the fieldwork phase.

c) During the fieldwork phase, the event (referred to in part a.3) shall be carried out.

d) Detailed drawings (artwork, design, text and materials, including their location and a full specification of the construction and materials) for the public interpretation and presentation display materials celebrating the historic setting of the site, in some form of permanent display case or signage to be installed within a publicly-accessible part of the development hereby approved. The approved display case or signage shall be installed in accordance with the approval and shall not be replaced other than with a display case or signage of similar specification and bearing the same information.

Reason: To promote the unique setting of the application site and provide information on the special archaeological and historical interest of this part of Southwark, in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2024.

13. No works (excluding demolition, site clearance and basement excavation) shall commence until full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should achieve a reduction in surface water runoff rates during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance, as detailed in the Drainage Strategy & SuDs Proforma prepared by Walsh Associates (June 2024). The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including

consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017) and Policy SI 13 of the London Plan (2021).

14. Each stage of the development hereby permitted shall not be commenced until detailed design and method statements (in consultation with TfL Infrastructure Protection) have been submitted to and approved in writing by the local planning authority which:

1. Provide plans and elevations of the proposed development;

2. Provide details of foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent). This should include detailed pile drawing and secant piles;

3. Provide construction methodology;

4. There should be full and ongoing consultation with TfL Infrastructure Protection regarding any structural or civil engineering works to ensure that such works do not impart a risk to London Underground's operational railway;

5. Details of any changes in loading to London Underground's infrastructure because of the works or temporary works are to be issued to TfL Engineering Infrastructure Protection;

6. Ground Movement Assessment (GMA) will be required together with Cat 2 or Cat 3 Check on the GMA - monitoring may be required;

7. Site specific Risk Assessments and Method Statements (RAMS) to be agreed with TfL Engineering for any activities which TfL may deem to be a risk to LU. The RAMS should be issued a minimum of 6 weeks prior to the individual activity commencing;

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition

shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

15. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and piling layout plan including all Thames Water wastewater assets, the local topography and clearance between the face of the pile to the face of a pipe 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 and piling layout plan.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. 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 2024; and Policy SI5 (Water

Infrastructure) of the London Plan 2021

16. Prior to commencement of development hereby approved (excluding demolition to slab level), a suitable unexploded ordnance (UXO) risk assessment shall be undertaken and submitted to and approved in writing by the Local Planning Authority. This should include evidence of how suitable mitigation measures required are to be implemented. This shall be implemented as approved and following completion of any mitigation a completion verification report shall be prepared and submitted in writing to the Local Planning Authority for approval confirming that that all risks to (including the

possible evacuation of) existing and proposed premises have been satisfactorily mitigated.

Reason: To ensure that the risks of any unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised to ensure that development can take place without unacceptable risk to workers, residents and neighbours, in accordance with Policies P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan 2022, and the National Planning Policy Framework 2024.

Permission is subject to the following Grade Condition(s)

17. Notwithstanding the detail shown on approved drawings or documents, prior to the commencement of superstructure works within each relevant Phase, 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;
- Junctions of exposed structural elements (columns, beams and floors);
- Head, cills and jambs of openings;
- Parapets and roof edges;
- Rooftop balustrades and crowns;
- Shopfronts

ii. Entrances (including any access sashes, security gates, entrance portals and awnings);

iii. Typical windows including confirmation of the open types, lintels, cills, glazing specification and depth of window reveals;

iv. Balconies;

iv. Plant screening/ enclosure;

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 2024; 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.

18. Notwithstanding the detail shown on approved drawings or documents, prior installation of any facade of each relevant Phase,

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, fullscale 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 2024; 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.

19. Before any above grade work hereby authorised begins (excluding demolition, site clearance and excavation), detailed drawings of a hard and soft landscaping and public realm scheme for the Public Realm, ground floor spaces, podium gardens and roof terraces within that relevant Phase of development shall be submitted to and approved in writing by the Local Planning Authority.

Each scheme must include all areas of public realm, children's playspace and residents' communal amenity authorised for the relevant Phase or Building.

The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development. Details shall include:

1) a scaled plan showing all existing vegetation and landscape features to be retained with proposed trees, hedging, perennial and other plants including mound height;

2) proposed vehicular access, or pathway layouts, materials and edge details;

3) location, type and materials to be used for hard landscaping including specifications, where applicable for:

a) permeable paving

b) tree pit design

c) underground modular systems

d) sustainable urban drainage integration

e) use within tree Root Protection Areas (RPAs);

4) typical cross sections;

5) a schedule detailing sizes and numbers/densities of all proposed trees/plants including details of native planting. Ideally the landscape planting should contain a minimum of 60% of plants on the RHS perfect for Pollinators list.;

6) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

7) types and dimensions of all boundary treatments including details of the interim boundary treatment with Newington Court (the railway arches) and on the podium of Buildings C and D with the adjoining property Diary House at 77, 79-81 Borough Road;

8) appropriate privacy buffers between communal amenity areas and private residential units;

9) street furniture on the ground floor level and on the podium and roof terraces, including type, materials and manufacturer's specification, if appropriate;

10) wayfinding measures, including locations, design and dimensions;

11) details of children's playspace areas (informal and formal), equipment and structures, including key dimensions, materials and manufacturer's specification if appropriate, and how the proposed areas contribute to the site-wide play space provision of at least 2,478sqm;

12) a statement setting out how the landscape and public realm strategy provides for disabled access, ensuring equality of access for all, including children, seniors, wheelchairs users and people with visual impairment or limited mobility;

13) details of the basement ventilation proposed within the public realm.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units of that phase. All ground floor amenity and playspace within the development shall be available to all residential occupiers of the development in perpetuity.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting.

Reason: So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2024; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

20. 1- a) Prior to commencement of any above grade works to any residential building in each block, an acoustic assessment and detailed scheme of insulation measures (to include residential glazing, façade and ventilation specifications, and details of how windows for Blocks A and B would be non-openable) shall be submitted to the Local Planning Authority for approval. The scheme of measures shall be

designed to ensure that sound from the Ministry of Sound premises at any time shall not exceed:

i) In any habitable room except bedrooms: 27dBA Leq,5mins

ii) In any bedroom: the octave band Lmax,slow values set out in the Table below

31.5Hz	63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
60	47	38	26	19	15	12	9	7

b) On completion and before the properties are occupied, validation testing to demonstrate compliance with the approved scheme of measures and above standards in (a) shall be undertaken using an agreed sample or 10% of the affected properties. The report from the validation testing shall be approved in writing by the Local Planning Authority prior to first occupation

c) Any mitigation approved and completed under b shall be maintained thereafter.

Reason: To ensure that suitable internal sound levels for the dwellings and that unreasonable restrictions are not placed on the Ministry of Sound in accordance with D13 Agent of Change of the London Plan 2021; P56, Protection of Amenity of the Southwark Plan 2022 and paragraph 200 of the National Planning Policy Framework 2024.

21. Details of bat tubes, bricks or boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of the façade of the respective phase of development

No less than 6; bat tubes, bricks or boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The bat tubes,

bricks or boxes 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 bat tubes, bricks or boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2024; Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

22. Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to the instillation of the façade of the respective phase of development.

No less than 10; 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.

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 2024; Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

23. Details of integral nesting bricks and bird boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the instillation of the façade of the respective phase of development.

No less than six swift boxes, six house sparrow boxes, two black redstart boxes and two standard garden bird boxes shall be provided.

Details shall include the exact location, specification and design of the bird boxes. The boxes shall be installed on mature trees or on buildings prior to the first occupation of the site. The bird boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with National Planning Policy Framework 2024; Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

24. A minimum of 74 dwellings (total of 200 habitable rooms) hereby approved shall be delivered as M4(3)(2)(a) 'wheelchair user dwellings' as defined in Approved Document M of the Building Regulations, a minimum of 19 dwellings within the development shall be delivered as M4(3)(2)(b) 'wheelchair accessible user dwellings' and the remaining units shall all be designed to achieve the M4(2) 'accessible and adaptable' accessibility standard.

The following units within the development hereby approved shall be designed and constructed to meet the M4(3)(2)(b) standard "Wheelchair User - Accessible" of Approved Document M of the Building Regulations 2015 (as amended):

- 1b2pWA (1no)

C2-01-03

2b4p WA (16no)

C2-01-06

C2-02-06

C2-03-06

C2-04-06

C2-05-06

C2-06-06

C2-07-06

C2-08-06

C2-09-06

D1-01-05

D1-02-05

D1-03-03

D1-03-05

D1-04-03

D1-04-05

D1-05-05

3b4p WA (2no)

D1-01-03

D1-02-03

Reason: To ensure the development complies with: the National Planning Policy Framework 2024; Policy D7 (Accessible housing) of the London Plan 2021; and Policy P8 (Wheelchair accessible and adaptable housing) of the Southwark Plan 2022.

25. a) Before any above grade work (excluding demolition and superstructure works)hereby approved begins for the relevant phase, 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. The approved details shall be implemented in accordance with the approved details prior to occupation.

b) Within 6 months of first occupation of the relevant phase 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 2024; 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. Prior to the above grade works of the relevant Phase (excluding superstructure works), and notwithstanding the cycle store layouts shown on the submitted drawings, full details of the cycle parking facilities and a cycle management plan shall be submitted to and approved by the Local Planning Authority for each Phase or Building in accordance with London Cycling Design Standards.

Provision shall be made for a minimum of 1,678 spaces long -stay spaces and 214 short-stay spaces across all Phases, as detailed within the Transport Statement addendum prepared by TPP Consulting dated December 2024. Details shall include CCTV coverage and panic / links to the on-site security / concierge.

Details of the Cycle Hub within Building C including the facilities and management shall be submitted for approval.

The cycle parking for each Phase or Building and the Cycle Hub shall be provided prior to occupation of the relevant Phase or Building and made available for use throughout the lifetime of the development.

Reason: To promote sustainable travel and to ensure compliance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework 2024; Policy T5 (Cycling) of the London Plan (2021) and Policy P53 (Cycling) of the Southwark Plan (2022).

27. All dwellings shall be constructed in order to achieve the following requirements:

(a) a reduction in potable water demand to a maximum of 105 litres per person per day.

(b) Prior to the commencement of works above the first floor slab (excluding cores) of the relevant Phase or Building of the development a Design Stage Standard Assessment Procedure (SAP) Assessment and Water Efficiency calculations, prepared by suitably qualified assessors, shall have been submitted to and approved in writing by the Local Planning Authority to demonstrate that the detailed design of each dwelling is in compliance with part (a).

The development shall be carried out including the measures to achieve Compliance.

(c) Within 3 months of occupation of any of the residential units hereby approved (unless an extension is agreed in writing with the Local Planning Authority), an As Built SAP Assessment and post-construction stage Water Efficiency Calculations, prepared by suitably qualified assessors, shall be submitted to the Local Planning Authority for approval in writing to demonstrate full compliance with part (a) for each unit.

Reason: To comply with London Plan (2021) Policies SI 2 Minimising greenhouse gas emissions) and SI 5 (Water Infrastructure) and Policies P67 (Reducing water use) and P70 (Energy) of the Southwark Plan (2022).

28. No above ground works shall commence on Buildings A or B until a passive ventilation study, together with a supplementary TM59 assessment, has been submitted to and approved by the Local Planning Authority. The external noise environment should be taken into account in determining any supplementary passive ventilation measures, supported by technical and cost feasibility assessments. Passive ventilation measures required to mitigate overheating in a natural ventilation scenario should be installed prior to occupation and shall be maintained as such thereafter.

Reason: To mitigate overheating risk in Buildings A and B, in accordance with Policy SI4 (Managing heat risk) of the London Plan (2021) and P69 (Sustainability standards) of the Southwark Plan.

29. Prior to completion of superstructure works in each phase of development, wind CFD testing for mitigation measures shall be submitted and approved in writing by the Local Planning Authority. This shall include mitigation measures such as balustrades, screening and landscaping recommended by the Pedestrian Wind Environment Study (Windtech, June 2024) and Wind Microclimate CFD Study (Windtech, November 2024). The development shall be carried out in accordance with the approved mitigation measures and maintained as such in perpetuity.

Reason: So that the Council may be satisfied with the details of the landscaping scheme and to ensure that the appropriate Lawson Safety Method and Lawson Comfort Method criteria shall be achieved in accordance with the National Planning Policy Framework 2024, policy D9 ('Tall Buildings) of the London Plan 2021 and policies P14 ('Design quality'), P17 ('Tall Buildings') and P56 ('Protection of amenity') of the Southwark Plan 2022.

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

30. Prior to the first occupation of any part of the development, a Car Parking Management Plan shall be submitted to and approved in writing by the relevant Local Planning Authority, and must include at least the following details:

(a) the proposed allocation of and arrangements for the management of parking spaces including disabled parking bays.

(b) the provision of active Electric Vehicle Charging Points (EVCP) to every residential and non-residential parking space in accordance with adopted London Plan.

The plan shall also demonstrate that the parking provided as part of the proposed development is used in accordance with its purpose. The plan should also ensure that the parking spaces provided are used efficiently and correctly and to ensure that relevant controls are in place to inform appropriate parking behaviour.

The car parking shall be provided and managed in accordance with the approved strategy for the life of the development, or as otherwise agreed in writing by the Local Planning Authority.

Reason: Car parking management must be identified prior to the commencement of development to ensure that sufficient off-street parking areas are provided and appropriately allocated and not to prejudice the free flow of traffic or conditions of general safety along the adjoining highway in accordance with the National Planning Policy Framework 2024; Policy T6 (Car parking) of the London Plan (2021); Policies P54 (Car parking) and P55 (Parking standards for disabled people and the physically impaired) of the Southwark Plan (2022).

31. Prior to the first occupation of any part of the development, details of the access routes to ground level, including distances and gradient from the basement car parking hereby approved, shall be submitted to and approved in writing by the relevant Local Planning Authority. The development shall be carried out in accordance with the approved plans and maintained as such in perpetuity.

Reason: To ensure the disabled parking bays would be accessible, in accordance with: the National Planning Policy Framework 2024; 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.

32. No Phase or Building of the development hereby approved shall be occupied until a site-wide travel plan has been submitted for that relevant Phase or Building, and approved in writing by, the Local Planning Authority. The travel plan shall be monitored and reviewed in accordance with any targets within the plan, and such record made available upon request by the Local Planning Authority.

Reason: To ensure the safe and sustainable movement of traffic on neighbouring highways, in accordance with the National Planning Policy Framework 2024, Policies T1 (Strategic approach to transport), T3 (Transport capacity, connectivity and safeguarding) and T4(Assessing and mitigating transport impacts) of the London Plan (2021) and Policies P49 (Public transport) and P50 (Highways impacts) of the Southwark Plan (2022).

33. At least 3 months prior to occupation of the development, a waste and recycling strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall set out the location, design and accessibility of refuse stores, details of the separation of waste and collection arrangements, storage of bulky waste and any chute systems or waste compactors. The strategy shall include how the refuse trucks can safely enter and exit the basement servicing yard including management measures to prevent encroachment into pedestrian safety circulation spaces.

The waste and recycling strategy shall be implemented as approved, unless otherwise agreed in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details, the waste management facilities made available for use prior to the first occupation of the relevant Phase or Building, and managed and operated in accordance with the approved strategy for all uses in perpetuity.

Reason: To ensure adequate refuse storage is provided on site and can be readily collected, in accordance with Policies SI 7 (Reducing waste and supporting the circular economy) and SI 8 (Waste capacity and net waste selfsufficiency) of the London Plan (2021) and Policies P50 Highways impacts, P56 (Protection of amenity) and P62 (Reducing waste) of the Southwark Plan (2022).

34. Before the first occupation of any part of the ground floor premises hereby approved, 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 flooding, in accordance with: the National Planning Policy Framework 2024; 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.

35. Prior to practical completion a drainage verification report prepared by a suitably qualified engineer should be submitted to and approved in writing by the Local Planning Authority. The report shall provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications (or detail any minor variations where relevant) as detailed in the Drainage Strategy & SuDs Proforma prepared by Walsh Associates (ref: 4904-WAL-ZZ-XX-RP-C-3000, dated June 2024) 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 Southwark's Strategic Flood Risk Assessment and Policy SI 13 of the London Plan (2021).

36. Prior to the development being first brought into use/occupied a bat friendly Lighting Plan shall be submitted to and approved by the Local Planning Authority.

The recommended lighting specification using LED's (at 3 lux). The spectrum recommended is 80% amber and 20% white with a clear view, no UV, horizontal light spread ideally less than 70º and a timer.

If required a 3D plan of the illumination level should be supplied so the Local Planning Authority can assess potential impact on protected species.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act (1981), (as amended), and because bats are known to be active in vicinity of the development site and in accordance with the National Planning Policy Framework 2024; Policy G6 (Biodiversity and access to nature) of the London Plan (2021); and Policy P60 (Biodiversity) of the Southwark Plan (2022).

37. a) Before the first occupation of any part of the development hereby approved, 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 0.4.

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 0.4 has been met.

38. Before the first occupation of any part of the relevant phase hereby approved, a Final External Lighting Strategy providing details of all external lighting (including design, power and position of luminaries, light intensity contours and any dim-down and turn-off times) for each building and associated public realm and external communal amenity space shall be submitted to and approved in writing by the Local Planning Authority. Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILP) Guidance Note 1 for the reduction of obtrusive light (2021). The development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with the Southwark Plan 2022 Policy P16 (Designing out crime); Policy P56 (Protection of amenity), and the National Planning Policy Framework 2024.

39. Prior to first occupation of any commercial unit a site-wide outdoor commercial space strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall include the following details:

(a) the extents of all external 'spill out' spaces for the commercial units across the site;

(b) the furniture, barriers, bollards, planters to be used to demarcate the 'spill out' zones, and confirmation of whether they are to be fixed to the ground, moveable, and whether they are to be taken in each night;

(c) the remaining widths of the public realm and routes adjacent to each spill out zone for pedestrians, cyclist and emergency vehicles.

The 'spill out' spaces shall be provided only in accordance with the approved details prior to the occupation of the commercial units within each relevant Phase or Building of the development, and operated as such thereafter.

Reason: In the interest of public safety and fire safety, to secure the maximum area of useable public realm, to ensure that the landscaping is of high design quality and provides satisfactory standards of visual amenity and the safe movement of pedestrians and cyclists in accordance with: the National Planning Policy Framework 2024; Policies D8 (Public realm), D12 (Fire safety),T2 (Healthy Streets), T4 (Assessing and mitigating transport impacts), T5 (Cycling) of the London Plan (2021); Policies P13 (Design of Places), P14 (Design

Quality), P51 (Walking), P52 (Low Line routes) and P53 (Cycling) of the Southwark Plan (2022).

40. Prior to the occupation of the ground floor use in Buildings C and D, full particulars and details of a scheme for the extraction and ventilation of any commercial kitchen shall be submitted to and approved by the Local Planning Authority. The scheme shall include:

- Details of extraction rate and efflux velocity of extracted air
- Full details of grease, particle and odour abatement plant
- The location and orientation of the extraction ductwork and discharge terminal
- A management servicing plan for maintenance of the extraction system and show how it 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.

Once approved the scheme shall be implemented in full and permanently maintained thereafter.

Reason: In order to ensure that that any installed ventilation, ducting and ancillary equipment in the interests of amenity will not cause amenity impacts such as odour, fume or noise nuisance and will not detract from the appearance of the building in accordance with Policies P56 (Protection of amenity); Policy P65 (Improving air quality) of the Southwark Plan 2022 and the National Planning Policy Framework 2024.

41. a) Before the first occupation of the non-residential uses hereby approved, 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 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 play its role in reducing the extent of man-made climate change, in accordance with: the National Planning Policy Framework 2024; 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.

42. 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 2024; and Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan 2021; and Policy P70 (Energy) of the Southwark Plan 2022.

43. Prior to the occupation of each relevant Phase or Building confirmation must be provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development"

44. Prior to the installation of any ground floor shopfront within a Phase or Building, a Signage Strategy detailing the non-residential uses shall be submitted and approved in writing. Thereafter, all installed signage (including any new/replacement signage) shall be implemented in accordance with the approved Signage Strategy.

The Signage Strategy shall include details of:

- dimensions and locations of the advertisement zones;

- materials;

- awnings (if any); and

- mode and level of any illumination.

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 2024; 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.

Permission is subject to the following Compliance Condition(s)

45. No works of demolition or construction which may impact on bats will be undertaken until a copy of the EPS is submitted and approved by the Local Planning Authority.

Reason: To comply with the Conservation of Habitats and Species Regulations 2010 and Wildlife & Countryside Act (1981) (as amended) and in accordance with the National Planning Policy Framework 2024; Policy G6 (Biodiversity and access to

nature) of the London Plan (2021); and Policy P60 (Biodiversity) of the Southwark Plan (2022).

46. 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 Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2024.

47. The development hereby approved shall be carried out in accordance with the mitigation measures set out in the Environmental Statement and Environmental Statement Addendum and Appendices.

Reason: In order to ensure that the details of the development are within the parameters assessed in the Environmental Statement and that the development is carried out in accordance with the mitigation measures set out in the Environmental Statement in order to minimise the environmental effects of the development.

48. Unless and until superseded by a updated Strategy approved by the Health & Safety Executive at Gateway 2 or 3, the development hereby approved shall be carried out in accordance with the approved Fire Safety Strategy, which comprises the

following documents:

- Stage 2 Fire Strategy (inc. Gateway 1 Fire Statement Form and QDR) June 2024

- Borough Triangle - Clarifications in response to HSE Comments, Dated 22/08/2024 produced by Introba.

- Fire Strategy Statement of Conformity letter, November 2024

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 2024; and Policies D11 (Safety, Security and Resilience to Emergency) and D12 (Fire Safety) of the London Plan 2021.

49. The development hereby approved shall be carried out 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 2024; 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.

50. Any 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 22:00 Monday to Saturday; and

- 09:00 to 20:00 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 2024; Policy T7 (Deliveries, Servicing and Construction) of the London Plan 2021; and Policy P50 (Highways Impacts) of the Southwark Plan 2022.

51. The Building C commercial unit and the Building D commercial unit shall not be open to the public outside the

following hours:

07:00 - 23:00 Monday to Wednesday

07:00 - 00:00 Thursday and Friday

08:00 - 00:00 Saturday

08:00 - 22:00 Sunday and Bank Holiday

Reason: To safeguard the amenities of neighbouring residential properties in accordance with the National Planning Policy Framework 2024, and P56 Protection of amenity of the Southwark Plan (2022).

52. The Community Use in Building A, for which permission is hereby granted for flexible Class E [e] and [f] / F1 andF2(b) use, shall not be occupied 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 safeguard the amenities of neighbouring residential properties in accordance with the National Planning Policy Framework 2024, and P56 Protection of amenity of the Southwark Plan (2022).

53. Notwithstanding the provisions of Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) and any associated provisions of the Town and Country Planning General Permitted Development Order 2015 (as amended) (including any future

amendment of enactment of those Orders) the uses hereby permitted cannot be used in the light industrial Class E(g)(iii) unless otherwise agreed by way of a formal application for planning permission.

Reason: In granting this permission the Local Planning Authority has had regard to the special circumstances of this case, the requirement to provide employment space on this site, activate the site frontage, protection of amenity and sufficient delivery and servicing provision without harming the surrounding and wishes to have the opportunity of exercising control over any subsequent alternative uses, in accordance with: the National Planning Policy Framework 2024; Policies SD7 (Town centres), S1 (Developing London's social infrastructure), E1 (offices), E2 (Providing suitable business space) and E9 (Retail, markets and hot food takeaways) of the London Plan (2021); and Policies P30 (Office and business development), P46 (Leisure, arts and culture), P47 (Community uses), P32 (Small shops), P35 (Town and local centres), P36 (Development outside town centres), P50 (Highways impacts) and P56 (Protection of amenity) and the NSP13 site allocation of the Southwark Plan (2022).

54. 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 condition, 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 enclosures of any building hereby permitted.

Reason: In order to ensure that no additional plant is placed on the roof of the

building in the interest of the appearance and design of the building and the visual amenity of the area, in accordance with: the National Planning Policy Framework

2024, Southwark Plan 2022 policies P13 ('Design of places') and P14 ('Design quality') of the Southwark Plan 2022 and policy D4 ('Delivering good design') of the London Plan 2021.

55. With the exception of the designated rooftop external amenity spaces and terraces depicted on the approved drawings, all areas of roof on Level 00M at Building C situated adjacent to the Diary House boundary hereby approved shall be used only for the purposes of soft landscaping, maintenance, repair or means of escape, and shall not be as outdoor amenity space by the occupiers or users of the premises.

Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of overlooking and noise nuisance in accordance with: the National Planning Policy Framework 2024, policy P56 ('Protection of amenity') of the Southwark Plan 2022 and policy D4 ('Delivering good design') of the London Plan 2021.

56. With the exception of rainwater pipes, no meter boxes, flues, vents or pipes other than as shown on the drawings hereby approved or discharged under an 'approval of details' application pursuant to this condition, shall be fixed or installed on the elevations of the building, unless otherwise approved by the Local Planning Authority.

Reason: To ensure such works do not detract from the appearance of the building in

accordance with: The National Planning Policy Framework 2024, Southwark Plan 2022 policies P13 ('Design of places') and P14 ('Design quality') of the Southwark Plan 2022 and policy D4 ('Delivering good design') of the London Plan 2021.

57. 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 2024; 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. The development hereby approved shall be carried out in accordance with the recommendations and conclusions contained in the approved Basement Impact Assessment June 2024. This shall include a monitoring strategy, in line with CIRIA report 185.

The conditions surveys shall be undertaken on the Network Rail viaduct, Thames Water sewers and London Underground tunnels prior to commencement of works (excluding demolition down to slab level). There shall also be detailed consultation between the Developer, Thames Water, Network Rail and London Underground with respect to potential movement, settlement, stress, monitoring requirements and thresholds and mitigation requirements for all sensitive assets.

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 2024; Policy D10 (Basement Development) of the London Plan 2021; Policies P14 (Design Quality), P23 (Archaeology) and P68 (Reducing Flood Risk) of the Southwark plan (2022).

59. Prior to commencement of any part of the development (with the exception of any works of demolition, soft strip and site clearance), detailed design and method statements (AIP) for proposed foundations and basements structures (temporary and/or permanent) retaining the highway in accordance with CG 300 'Technical Approval of Highway Structures' should be submitted and approved by the Highway Authority.

Reason: The walls are in close proximity to the public highway and to ensure that the impacts to the highway is minimised in accordance with: the National Planning

Policy Framework 2024 and Policy P50 (Highways Impacts) of the Southwark Plan 2022.

60. The buildings hereby approved shall have the following maximum storey heights:

Building A - 38 storeys (142.55m AOD)

Building B - 44 storeys (161.55m AOD)

Building C - 10/14 storeys (61.75m AOD)

Building D - 18 storeys (75.5m AOD)

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

61. The development as a whole comprises:

- 892 dwellings, comprising 45 studios, 310 one-beds, 419 two-beds, 109 three beds and 9 four-beds (Class C3);

- 480 sq.m GIA of flexible commercial, business, service and learning and non-residential institution floorspace (Class E / F1/F2(b));

- 2,128 sq.m GIA of commercial, business and service floorspace (Class E);

- 3,980 sq.m GIA of flexible commercial, business, service and mixed food/drink/leisure floorspace (Class E / Sui Generis); and

- a two-storey site-wide basement (with lift underrun) containing 8,908.8 sq.m GIA of floorspace ancillary to the aforementioned uses.

Reason: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

62. Obstacle lights shall be placed on the highest parts of the highest crane/buildings on the site during the construction phases and on the highest parts of the highest buildings following completion of the construction. These obstacle lights must be steady state red lights with a minimum intensity of 2000 candelas. It will need to be applied at the highest part of the crane and at the end of the jib if a tower crane, as per the requirements set out by CAP1096. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of regulation CS ADR-DSN Chapter Q 'Visual Aids for Denoting Obstacles'.

Reason: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Heathrow Airport, to comply with policy D9 (Tall buildings) of the London Plan (2021).

63. The development hereby approved shall be carried out in accordance with the approved Energy Strategy "101059 - Borough Triangle 3rd March 2025 Issue No: P03"

Reason: To comply with London Plan (2021) Policies SI 2 Minimising greenhouse gas emissions) and SI 5 (Water Infrastructure) and Policies P67 and P70 (Energy) of the Southwark Plan (2022).

64. No cranes shall be erected on the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius and start/finish dates for the use of cranes during the Development has been submitted to and approved by the Local Planning Authority (in consultation with Heathrow Airport and London City Airport). It should be noted that no construction equipment shall be permitted to infringe any Instrument Flight Procedures or critical obstacle limitation surfaces.

Reason - The use of cranes or tall equipment in this area has the potential to impact London City Airport operations and therefore they must be assessed before construction, to comply with London Plan (2021) policy D9 (Tall buildings).

65. The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

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

Living and Dining rooms - 35dB LAeq T †.

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

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

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 2024; Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

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

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise from activities within the commercial premises in accordance with the National Planning Policy Framework (2024); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

67. The Rating Sound Level 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.

Reason: To ensure that occupiers of dwellings on the site and nearby 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 (2024); Policy P56 (Protection of amenity) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

68. The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 - 07.00hrs.

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources 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).

Permission is subject to the following Special Condition(s)

69. The Ramboll Remediation Statement (ref: 1620011416-002, dated: 02 April 2024) shall be carried out and implemented as part of the development. The scheme shall 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.

a) 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.

b) 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 Policies P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances) of the Southwark Plan 2022, and the National Planning Policy Framework 2024.

70. Piling using penetrative methods shall not be carried out other than with the written consent of the local planning authority. The development shall be carried out in accordance with the approved details. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority.

Reason

To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework within the aquifers present beneath the site.

71. No later than three months following practical completion of the development hereby approved:

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 2024; 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.

72. Development may not be begun unless:

a) A biodiversity gain plan has been submitted to the Local Planning Authority; and

b) The Local Planning Authority has approved the plan.

Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).

Informatives

1 Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is:

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

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

0 All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

APPENDIX 2

Relevant Planning Policy

National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework ('NPPF') was published in December 2024 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

Paragraph 02 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications. The particularly relevant chapters from the Framework are:

- Chapter 2 - Achieving sustainable development
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 - Promoting healthy and safe communities
- Chapter 9 - Promoting sustainable transport
- Chapter 10 – Supporting high quality communications
- 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:

- The London Plan is the regional planning framework and was adopted on March 2nd 2021. The most relevant policies are those listed below.
- Good Growth 1 - Building strong and inclusive communities
- Good Growth 2 - Making the best use of land
- Good Growth 3 - Creating a healthy city
- Good Growth 4 - Delivering the homes Londoners need
- Good Growth 5 - Growing a good economy
- Good Growth 6 - Increasing efficiency and resilience
- Policy SD1 - Opportunity Areas

- Policy SD4 – Central Activities Zone (CAZ)
- Policy SD5 – Offices, other strategic functions and residential development in the CAZ
- Policy SD7 – Town centres and high streets
- Policy SD10 - Strategic and local regeneration
- Policy D1 - London's form, character and capacity for growth
- Policy D3 - Optimising site capacity through the design-led approach
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy D6 - Housing quality and standards
- Policy D7 - Accessible housing
- Policy D8 - Public realm
- Policy D9 - Tall buildings
- Policy 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 S3 – Education and childcare facilities
- Policy S4 - Play and informal recreation
- Policy S5 – Sports and recreation facilities
- Policy S6 - Public toilets
- Policy E1 – Offices
- Policy E2 - Providing suitable business space
- Policy E3 - Affordable workspace
- 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 HC5 - Supporting London's culture and creative industries
- Policy HC6 - Supporting the night-time economy
- Policy G1 - Green infrastructure
- Policy G4 – Open space
- Policy G5 - Urban greening

- Policy G6 - Biodiversity and access to nature
- Policy G7 – Trees and woodlands
- Policy SI 1 - Improving air quality
- Policy SI 2 - Minimising greenhouse gas emissions
- Policy SI 3 - Energy infrastructure
- Policy SI 4 - Managing heat risk
- Policy SI 5 - Water infrastructure
- Policy SI 6 - Digital connectivity infrastructure
- Policy SI 7 – Reducing waste and supporting the circular economy
- Policy SI 8 - Waste capacity and net waste self-sufficiency
- Policy SI 12 - Flood risk management
- Policy SI 13 - Sustainable drainage
- Policy T1 - Strategic approach to transport
- Policy T2 - Healthy Streets
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling
- Policy T6 - Car parking
- Policy T6.1 – Residential parking
- Policy T6.5 - 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:

- ST1 Southwark's Development Targets
- SP1 – Homes for all
- SP2 – Southwark together
- SP3 – A great start in life
- SP4 – Green and inclusive economy
- SP5 – Thriving neighbourhoods and tackling health inequalities
- SP6 – Climate emergency
- P1 – Social rented and intermediate housing
- P2 – New family homes
- P8 – Wheelchair accessible and adaptable housing
- P13 – Design of places
- P14 – Design quality
- P15 – Residential
- P16 – Designing out crime
- P17 – Tall buildings
- P18 – Efficient use of land

- P20 – Conservation areas
- P21 – Conservation of the historic environment and natural heritage
- P22 – Borough views
- P23 – Archaeology
- P24 – World Heritage Sites
- P26 – Local List
- P27 – Education Places
- P28 – Access to employment and training
- P30 – Office and business development
- P31 – Affordable workspace
- P32 – Small shops
- P33 – Business relocation
- P34 – Railway Arches
- P35 – Town and local centres
- P39 – Shop fronts
- P44 – Broadband and digital infrastructure
- P45 – Healthy developments
- P46 – Leisure arts and culture
- P47 – Community uses
- P48 – Hot food takeaways
- P49 – Public transport
- P50 – Highways impacts
- P51 – Walking
- P52 – Low Line routes
- 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 flood risk
- P69 – Sustainability standards
- P70 – Energy
- IP1 – Infrastructure
- IP2 – Transport infrastructure
- IP3 – Community infrastructure levy (CIL) and Section 106 planning obligations
- IP6 – Monitoring development

- IP7 – Statement of Community Involvement
- Site allocation NSP44 (Newington Triangle)

Also of relevance in the consideration of this application is the Sustainable Design and Construction SPD (2008) and the Heritage SPD 2021.

APPENDIX 3

Planning history of the site and nearby sites

1. Site History

Ref No.	Decision/Date	Site address	Description
24/AP/2214	Granted 12.09.2024	18 Newington Causeway London Southwark SE1 6DR	Temporary change of use until 31 August 2025 of existing land and buildings to a mixed-use comprising Use Class E(a), (b), (d) and (g)i), and Sui Generis drinking establishment, cinema, event space uses, and other minor alterations incidental to the development
23/AP/1816	Granted 25.08.2023	18 Newington Causeway London Southwark SE1 6DR	Temporary change of use until 31 August 2024 of existing land and buildings to a mixed-use comprising Use Class E(a), (b), (d) and (g)i), and Sui Generis drinking establishment, cinema, event space uses, and other minor alterations incidental to the development.
22/AP/3149	Withdrawn	18 Newington Causeway London Southwark SE1 6DR	Phased mixed-use redevelopment of the site comprising - Demolition of all existing buildings/structures and site clearance, except 82 and (part) 83 Borough Road which are to be retained, altered and refurbished for flexible commercial, business, service and learning and non-residential institution uses (Class E / F1); - Construction of basement structure and vehicular access; - Construction of buildings to provide dwellings (Class

Ref No.	Decision/Date	Site address	Description
			C3), flexible commercial, business, service and mixed food/drink/leisure uses (including drinking establishments with expanded food provision, hot food takeaways, live music performance venue and cinema) (Class E / Sui Generis) and public toilets; 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.
22/AP/0414	Scoping Opinion	18 Newington Causeway London Southwark SE1 6DR	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 the proposed redevelopment of the site
22/AP/0283	Granted 05.08.2022	18 Newington Causeway London Southwark SE1 6DR	Temporary change of use until 31 August 2023 of existing land and buildings to a mixed-use comprising Use Class E(a), (b), (d) and (g)i), and Sui Generis drinking establishment, cinema and event space uses.
18/AP/1218	Scoping Opinion 20.06.2022	18 Newington Causeway London Southwark SE1 6DR	Request for an Environmental Impact Assessment (EIA) scoping opinion for the site's redevelopment with a mixed-use scheme of approximately 600-700

Ref No.	Decision/Date	Site address	Description
			residential units, approximately 7,000-9,000 sqm of commercial floorspace with new buildings of between 7- and 39-storeys, associated landscaping and a basement to accommodate car parking, cycle parking, plant rooms and refuse storage.
14/AP/3130	Withdrawn 05.05.2016	18 Newington Causeway London Southwark SE1 6DR	Demolition of 69-76 and 83 Borough Road, 18-26, 38, 40-42, 44-46 and 56-62 Newington Causeway and warehouse buildings to the rear of 40-42 Newington Causeway; change of use of 82 Borough Road from Class D1 Use to Class A1-A3/B1/D1 and D2 Uses and redevelopment to provide a phased mixed-use development comprising eight buildings ranging from 4 to 40 storeys in height (+22.820m - +123.850 AOD) providing 576 residential units (Class C3), 10,909sqm of office use (Class B1), 160sqm of retail use (Class A1-A3), 1,406sqm flexible use (Class A1-A3, B1 or D1), 4,915sqm of night club use (Sui Generis), 56 basement car parking spaces together with access, hard and soft landscaping and other associated works incidental to the development.
13/AP/4359	EIA Scoping Opinion 19.05.2014	18 Newington Causeway London Southwark SE1 6DR	Redevelopment of the site to provide a mixed use development consisting of residential, commercial space, a landscaped public

Ref No.	Decision/Date	Site address	Description
			area and underground car parking.
03/AP/0146	Withdrawn 07.11.2003	69-76 Borough Road London SE1 1DN & 2-54 Newington Causeway SE1	Construction of a 13 storey building comprising retail/office units with residential flats above adjacent to the viaduct; 9 storey building fronting Newington Causeway comprising retail/restaurant/office units (use Classes A1, A2 and A3) with residential above; and the construction of a 5/6 storey building at the corner of Borough Road, comprising of offices, (total of 305 residential units) with 198 parking, 38 motorcycle and 278 cycle spaces within a basement area with access from Borough Road and exit onto Newington Causeway together with ancillary landscaping

2. Surrounding Site History

Ref No.	Decision/Date	Site address	Description
21/AP/4297	Allowed on appeal 21.07.2022	Avonmouth House 6 Avonmouth Street London Southwark SE1 6NX	Demolition of existing building and structures and erection of a part 2, part 7, part 14, and part 16 storey plus basement development comprising 1,733sqm (GIA) of space for Class E employment use and/or community health hub and/or Class F1(a) education use and 233 purpose-built student residential rooms with associated amenity space and public realm works, car and cycle parking, and ancillary infrastructure

23/AP/0527	Agreed 15.06.2023	Avonmouth House 6 Avonmouth Street London Southwark SE1 6NX	Non material amendment to permission granted on appeal ref. no. 21/AP/4297 dated 24/01/2023 for 'Demolition of existing building and structures and erection of a part 2, part 7, part 14, part 16 storey plus basement mixed-use development comprising 1733sqm (GIA) of space for Class E employment use and/or community health hub and/or Class F1(a) education use and 233 purpose-built student residential rooms with associated amenity space and public realm works, car and cycle parking, and ancillary infrastructure'. The amendment seeks to remove reference to the number of PBSA rooms in the description of development.
18/AP/0657	Granted 11.05.2020	Land At 19-21 And 23 Harper Road 325 Borough High Street And 1-5 And 7-11 Newington Causeway London SE1 6AW	Demolition of existing buildings and redevelopment to provide construction of a part 5, part 7, part 8 and part 13 building a mixed-use development comprising 328 hotel rooms (Class C1) 20 no. residential dwellings (Class C3), offices, workspace and workshops (Class B1), multifunctional community events space (Class B1/D1), retail use (Class A1/A2/A3), 4 no. car parking spaces together with access, cycle parking, hard and soft landscaping and other associated works incidental to the development
23/AP/0479	Granted 06.02.2024	Land At 19-21 And 23 Harper Road 325	Demolition of existing buildings and redevelopment to provide a

		Borough High Street And 1-5 And 7-11 Newington Causeway London SE1 6AW	mixed-use development comprising purpose-built student residential rooms (Sui Generis), affordable residential dwellings (Use Class C3), employment floorspace (Use Class E(g)), together with access, cycle parking, hard and soft landscaping and other associated works.
19/AP/0750	Granted 31.01.2020	5-9 Rockingham Street And 2-4 Tiverton Street London SE1 6PF	Demolition of existing buildings and erection of a 21-storey building (max height 70.665m) with basement and associated roof plant to provide 6,042.3sqm (GIA) of new commercial floor space and redevelopment of 3 railway arches to provide 340.1sqm of flexible commercial space (A1,B1,D1,D2) with associated cycle parking storage, waste/recycling stores and new public realm.
22/AP/1068	Granted 10.04.2023	5-9 Rockingham Street And 2-4 Tiverton Street London SE1 6PF	Redevelopment of site to provide a 24 storey building plus basement consisting of purpose-built student accommodation (Sui Generis), and commercial uses (Use Class E) at ground floor, and the development of the associated railway arches to provide commercial space (Use Class E), plant, refuse and cycle storage, and associated access and public realm works.

APPENDIX 5

Consultation received

Internal services

LBS Archaeology
LBS Community Infrastructure Levy Team
LBS Design & Conservation Team [Formal]
LBS Design & Conservation Team [Surgery]
LBS Ecology
LBS Planning Policy
LBS Transport Policy
LBS Urban Forester

LBS Archaeology
LBS Community Infrastructure Levy Team
LBS Design & Conservation Team [Formal]
LBS Design & Conservation Team [Surgery]
LBS Ecology
LBS Transport Policy
LBS Urban Forester
LBS Planning Policy
LBS Design & Conservation Team [Surgery]
LBS Transport Policy
LBS Archaeology
LBS Ecology
Housing Regeneration and Delivery

LBS Urban Forester

LBS Community Infrastructure Levy Team

Statutory and non-statutory organisations

Environment Agency

Natural England - London & South East Re

Metropolitan Police Service

Thames Water

Metropolitan Police Service

Environment Agency

Natural England - London & South East Re

Metropolitan Police Service

Transport for London

Thames Water

Neighbour and local groups consulted:

Apartment 710 251 Southwark Bridge Road LONDON

Flat 4, Brandon House, 10 Hilary Mews, 10 Hilary Mews 10 Hilary Mews London

5 Brockham Street London SE1 4HB

Flat 38, 91 Newington Causeway London SE1 6BN

Flat 27 Wade House Dickens Estate London

20 East Dulwich road London SE229AX

251 Southwark Bridge Road, flat 2403 London se1 6fn

114 Carlton Grove London SE15 2UW

Flat 3 26 garland court London

336 metro central heights London Se1 6dq

Flat 5 Vincent Court London SW2 4HP

Flat 9, Towergate 112 Page's Walk London

154a Lower Road London SE16 2UG

2701, 251 Southwark Bridge Road London SE1 6FN

3 Hurley Crescent London Southwark

30 Gladstone St London SE1 6EY

14B Wilton Road London SW192HB

37 Pullens Buildings Iliffe Street Southwark, London SE17 3LJ

19 Melton Avenue Denton Manchester

German Kraft Mercato Metropolitano 42 Newington Causeway

14b Wilton road London SW192HB

19 Thanet Court Acton London

Flat 8, 31 Trinity Church Square London SE1 4HY

1 Harvard Apartments 14 Wyndham Road London

26 Pine House London SE16 7De

46 Alkham Road London N16 7AA

9 Vollinson Court Great Suffolk Street London

Apartment 336 Metro Central Heights 119 Newington Causeway London

Flat 14, 5 Danson Mews London SE17 3FP

111 Haydons road Wimbledon SW19 1hh

91 Orchard Grove LONDON SE20 8DW

Flat 49 Grimthorpe House Agdon Street London EC1V 0BP

93 Alberta Street London SE17 3RU

Flat 2, 123 St. George's Drive Pimlico SW1V 4DA

10 rush hill road London Sw11 5NW

35 Majendie Road Plumstead London

Flat 15 Lake House Scovell Road London

flat 27 92 webber street London

59 Stephenson House Bath Terrace LONDON

6 Aylesbury Road London SE17 2EH

Flat 8 Pelican House Bowditch London

97, Redman House Lant street London

Fideres 106 Weston street London

15 Capstan Road London SE8 3PU

Flat 9, 24 Grove Crescent Road London E15 1AG

First Floor Flat 66 Clapham Road Oval

Exhibition Rd, South Kensington London SW7 2AZ

Flat 9 Lebus House London NW8 7NY

106 Douglas Buildings London SE11JW

004 discovery apartments 50 waterline way London

12b Therapia Road London SE220SE

22 Empire Square West Empire Square LONDON

Flat 48 Hayles Buildings Elliott's Row London

51 Balin House London SE1 1YH

Flat 9 Collinson court Great Suffolk Street London

Flat 37 Pakeman House Pocock Street london

Flat B 255 Peckham Rye LONDON SE15 3AB

26 wansey st London Se17 1lh

133 Malpas Road London SE4 1BJ

47 Collinson Walk London SE1 1PU

14B Avenue Park Rd London Se27 9bt

24 Grove Crescent Road Flat 9, Stratford Eye London

19 Merrick Square London London

22 Empire Square West Empire Square London

17 Stephenson House Rockingham Estate London

104 Hamilton Road London SW19 1JF

4 Stockwell Park Walk Flat 40 London

29 Nectarine Way London SE13 7LX

Flat 60 Dawes House, Orb Street Orb Street London

15 Merrick Square London SE1 4JB

Flat 45, Collinson Court Great Suffolk Street London

359 kennington road london Se114qe

Flat 25.10, 251 Southwark Bridge Road SE1 6FN London, UK

39 Chadwick Road London SE15 4RA

1 Trundle Street London SE1 1qt

Flat 4 8 Playhouse Court London

25 Rockingham St London SE1 6QJ

9 Churchyard Row London SE11 4FJ

Apartment 2807, Two Fifty One 251 Southwark Bridge Road London

5 McCoid way London Se1 1pt

Flat 46 140 Southwark bridge road London Se1 0dg

Flat 3701 251 Southwark Bridge Rd London

Flat 36 Patrick Court 92 Webber Street London

56 swanstreet Flat 10 London

Flat 24, Bridgestone House 27 Blue Anchor Lane London

145, Great Suffolk Street Apt 7 London

5 McCoid way London SE1 1PT

1 Hulme Place London SE1 1HX

10B Falmouth Road London SE1 4JQ

Flat25 ˢᵗ Owen house Abbey street London SE1 3ED

Flat 9 collinson court Great Suffolk Street London

57 Patrick court 92 Webber street London

Apartment 1202 251 Southwark Bridge Road London

251 Southwark Bridge Road London SE1 6FN

2702 TWO FIFTY ONE Southwark Bridge Road London

2702 TWO FIFTY ONE Southwark Bridge Road London

FLAT 28, PROSPECT HOUSE GAYWOOD STREET LONDON

57 Redman House London SE1 1QW

251 Southwark Bridge Road London SE1 6FN

53F Lyndhurst Way London SE15 5AG

19 COLLINSON WALK London SE11PU

Flat 12 5 Angel Lane London

No 2, 2 Weller Street Sevenoaks SE1 1QZ

Flat 2 2 Weller street London SE1 1QZ

18, Canterbury Place London SE17 3AG

15 Shaldon Road Edgware London

Scovell Rd London SE1 1PS

11b St Giles Road Camberwell London

4 Sanctuary Street London SE1 1EA

8 Playhouse Court London SE1 0AT

11 West Square London SE11 4SN

flat 11 lant street london se1 1pj

Flat 1 Avery House Redcross Way London

Flat 1, Avery house Marshalsea estate, Redcross way London

1901, Two Fifity One, 251 Southwark Bridge Road London

Apartment 2702 Two Fifty One Southwark Bridge Road London

12 Barrow Store Court London SE1 4QQ

Flat 97 Redman House Lant Street London

17 collinson court Great Suffolk street London

Apartment 3801 251 Southwark Bridge Road London

Flat 3, 34 Trinity Church Sq. London

2 Weller Street London SE1 1QZ

5 Lightford House 105 Loughborough Park London

Apartment 100, Metro Central Heights, 119 Newington Causeway London

Flat 9 Collinson Court London Se1 1nz

6 mccoid way London se11pt

85 St George's Road L London

6 Brockham St London SE1 4HX

31 Bramwell house Harper Road London

17 Heralds Place London SE11 4NP

Flat 7 Gatekeeper Buildings, 5 Scena Way 5 Scena Way London

46 BOROUGH ROAD LONDON SE1 0AJ

8 Isaac Way London, London SE1 1EE

11.12 251 Southwark Bridge Road London SE1 6FJ

20 Collinson Walk Scovell Estate London

28 Whittlesey Street London SE1 8TA

19 Scovell Crescent London SE11PS

Flat 2 5 Risborough Street London

9 Empire Square East London SE14NB

Apartment 1812 251 Southwark Bridge Road London

89 Empire Square South Empire Square London

42 Newington Causeway London SE1 6DR

Flat Four 8 Playhouse Court London

251 Southwark Bridge Road, #1806 London SE16FL

Patrick Court 92 Webber St London

18 chalmers walk London SE173jj

251 Southwark Bridge Rd London SE1 6FN

Trinity Church Square SE1 4HT

Flat 25.10, 251 Southwark Bridge Road SE1 6FN London, UK

1 Scovell Crescent London London

55 Collision court London

Charles Dickens Primary School and Nursery TOULMIN STREET London

Flat 45, Collinson Court Great Suffolk Street Lonson

Flat 43 140 Southwark Bridge Rd London

Flat 41 Collinson Court Great Suffolk Street, Bermonds London

81 Glenferness Avenue Talbot Woods Bournemouth

Great Suffolk Street Flat 12, Collinson Court London

22 banbury Avenue Oswaldtwistle BB5 4NP

251 Southwark Bridge Road Apartment 2801 London

4 sanctuary st London Se11ea

46 Borough Road London SE1 0AJ

184 Applegarth House Nelson Square London

Flat 45 Tanners Yard 239 Long Lane London

Apartment 2702 Two Fifty One Southwark Bridge Road London

Flat 1 Stonemason Court 63 Borough Road London

Flat 1, The Priory 47-55 Webber Street London

Via Email

Flat 31 Frome House Peckham Rye Peckham

36 Collinson Court Great Suffolk Street London

Flat 1 253 Peckham rye London

Flat 1 Perronet House London SE1 6JR

133 Southwark Bridge Road London SE10EY

Flat nine Collinson court Great Suffolk Street London

Danehill House 8 Hilary Mews London

10 Scovell Crescent London Se1 1ps

Apartment 1310 251 Southwark Bridge Road London

7 Collinson Walk London SE1 1PU

17 Merrick Square London SE14JB

Flat 32 Shalford house London Se1 4xf

10f Trinity Church Square London London

150c Southwark Bridge Road London SE1 0DG

Apt 1707, 251 Southwark Bridge Road London SE1 6FL

134 Metro Central Heights 119 Newington Causeway London

41 collinson court Great suffolk street London

Flat 44 Collinson Court Great Suffolk Street London

2 Collinson Court Great Suffolk Street London

Kennington Palace Court Lambeth SE11 5UL

5 Collinson Court Great Suffolk Street Borough/ London

Great Suffolk Street London Se11nz

55a Sandrock Road London SE13 7TS

23 Ellis House Brandon Street London SE17 1EA

Apartment 1002 251 Southwark Bridge Road London

37 Scovell Crescent London SE11PS

282-302 Borough High Street London SE1 1JJ

65 Borough road London Se11dz

71 Patrick court 92 Webber street London

162a Great Suffolk Street London SE1 1PE

Flat 10 Sunbury House Swanfield Street London

34 lodgeide house London Se16pr

13 Mulvaney Way London SE1 3RG

26 Lower Downs Road London SW20 8QG

21 collinson court Great Suffolk street London

23 Merrick Square London SE1 4JB

Flat 25 St. Owen House Abbey Street London

Flat 79 Roffo Court Boundary Lane London

7 Trinity Church Square London SE1 4hu

Flat 11 1 Trundle Street London

251 Southwark Bridge Road London SE1 6FD

14 Frederick Square London SE16 5XR

Flat 75 Redman House Lant St LONDON

57 Harper Road Southwark SE1 6AP

36 Maitland House Pimlico London

Flat 26, 3 Danson Mews London SE17 3FN

2001 251 Southwark Bridge Road London

Flat 7 Newall House Harper Rd London

19 West Square London SE11 4SN

Flat 24 66 Swan Street London

17 Scovell Road London SE1

Flat 1 28 Clennam Street London

9 Fraser court 1 brockham st London

APARTMENT 3202 251 SOUTHWARK BRIDGE ROAD LONDON

9 Empire Square East Empire Square LONDON

apartment 2001 251 southwark bridge road london

Flat 1 The Priory 47-55 Webber St London

25 Wheatsheaf Lane Staines TW18 2PD

Danehill House 8 Hilary Mews London

97, Redman House Lant street London

Danehill House 8 Hilary Mews London

Flat 91, Bramwell House Harper Road London

Flat 20 Dawkins Court 2 Garland Close London

Unwork 5 Risborough Street London

19 Lefroy House Collinson Street London

Flat 9 hattters court 99 Redcross way London

10 B , Falmouth Road London SE1 4JQ

24 Isaac way London SE1 1EE

17 Heralds Place London SE114NP

10 Scovell Crescent London Se1 1ps

Flat 15 Carlyle House London SE5 0XX

Apartment 1901, Two Fifty One, 251 Southwark Road London

10 Falmouth Road London SE1 4JQ

14 Scovell Crescent London SE1 1PS

Flat 11 1 Tippett Lane Oxted

17 Merrick Square London SE1 4JB

251 Southwark bridge road London SE1 6FJ

49 Eugene Cotter House Beckway Street LONDON

Flat 26 25 Harper Road London

Flat 12, 25 Harper Road London SE1 6AW

32 West Square London SE11 4SP

Flat 12, 25 Harper Road London SE1 6AW

26 Cole Street Flat 4 London

34 Trinity Church Square London SE1 4HY

5 Monarch Flats Marshalsea Road London

52 Trinity Church Square London SE14HT

Flat 24, 46 Borough Road London SE1 0AJ

Harper Rd London SE1 6AP

241 Southwark bridge road London SE1 6fp

20 Dawkins Court 2 Garland Close London

26 Cole Street Flat 1 LONDON

Flat 9, Bittern House Bittern Street London

239 Long Lane London SE1 4PT

Flat 2 2 Flodden Road London

130 Blackfriars Road London SE1 8EW

44 Collinson Court, Great Suffolk Street London SE1 1PA

Flat 10 Mission Building 747 Commercial Road London

Frognal Court, Finchley Road Flat 19 London

26a Cole Street London SE1 4YH

133 Southwark Bridge Road London SE1 0EY

133 Southwark Bridge Road London SE10EY

145 great suffolk street Apartment 7 London

Apartment 805 251 Southwark Bridge Road London

APARTMENT 2009 251 SOUTHWARK BRIDGE ROAD LONDON

Flat 903 Baldwin Point 6 Sayer Street London

Clandon House Boyfield St London

8 McCoid way London Se1 1pt

251 Southwark Bridge Road London SE1 6FL

Apartment 2607 251 Southwark Bridge Road London

44 Buckstone Apartments London SE1 8BW

16 Lefroy House Collinson Street London

F42 130 Webber St London

251 Southwark Bridge Road Apartment 2802 London

6 Brockham Street London SE1 4HX

10 Scovell Crescent London Se1 1ps

28 Frampton Way Kings Worthy Winchester

60B Trinity Church Square London

3 Arts Lane London SE16 3GB

57-61 Newington Causeway London SE1 6BD

34 Trinity Street London SE1 4JG

21 collinson court Great Suffolk street London

Flat 8 28 Trinity London

6 Monarch Flats Marshalsea Road London

7 sawyer street Fiat 12 London

9 Ley House London SE1 1QG

Flat 25 Oyster Court 85 Crampton Street London

Apartment 3801 251 Southwark Bridge Road London

2701, 251 Southwark Bridge Road London SE1 6FN

15 Collinson Court Great Suffolk Street London

251 Southwark Bridge Road London SE1 6FJ

53 Harper Road London SE1 6AP

251 Southwark Bridge Road London SE16FP

251 Southwark Bridge Road London SE1 6FP

62 Borough Road London

Apartment 2802 251 Southwark Bridge Road London

37 Scovell Crescent London SE1 1PS

251 Southwark Bridge Road London SE1 6FL

136 Crampton Street London SE17 3AE

Flat 9, Elstead House Redlands Way London

Flat 2 8 Vine Yard London

Maisonette 2 175 Southwark Bridge Road London

19 London Road London Se16 2pt

57A Lant Street London SE1 1QN

41 MacDonald house London SW11 5DW

130 Webber Street Flat 86 London

Apartment 906 251 Southwark Bridge Road London

14 London Road London SE1 6JZ

225 Empire Square West Empire Square London

403 Legacy House 4a Roach Road London

Apartment 2804 251 Southwark Bridge Road London

45 Albert Barnes New Kent Road London

21 Collinson Court Great Suffolk Street LONDON

Flat 14, Crayford House London SE1 4BU

10 Brockham Street London SE1 4HX

David Bomberg House London Se11jj

Trinity Church Square London SE14HT

Appt 2702 251 Southwark Bridge Road London

4 Dauncy House Webber Row London

48 Reedworth Street London SE11 4PQ

Flat 2, 62A Exmouth Market Clerkenwell London

Flat 5 5 Trinity Church Square London

Flat 29 140 Southwark Bridge Road Norwich

Flat 38 Redman House Lant Street London

251 Southwark Bridge Road, Flat 2403 London Se1 6fn

29 enterprize way London Se8 3pj

40A Overhill Road London SE22 0PH

15 Heron Pl Southwark, London SE16 5NZ

Flat 63 Chapman House 3 Castle Street Plaistow

Apartment 2404 251 Southwark Bridge Road London

19.06 251 Southwark Bridge Road London SE1 6FP

20 Besley Street London Sw16 6BD

18, Collinson Court Great Suffolk Street London

Flat 18, the Grain Store 70 Weston Street London

38 Glasshill Street Flat 1, Eliza House London

The Ministry 79-81 Borough Road London

251 Southwark Bridge Road London SE1 6FL

Albrugh close Bedfordshire Mk42 0HG

Flat38 Redman House London SE1 1JU

241 Southwark Bridge Road FORA Building London

83 Douglas Buildings Marshalsea Road London

67 St Georges Road London SE1 6ER

21 Aland Court Finland Street London

30 Redman house Lant Street London

251 Southwark Bridge Road Apt. 1408 London

flat 2 52 Trinity Church Square London SE1 4HT

251 Southwark Bridge Road, Apartment 705 251 Southwark Bridge Road London

1104, 251 Southwark Bridge Road London SE1 6FJ

237 southwark bridge road London SE1 6NP

38 Falmouth Road London SE1 4JQ

9 Lennox Gardens Croydon CR04HR

Flat 8, Eynsford house, Crosby row London SE1 3YB

89 Overbury Street London E5 0AW

10 rue Racine Paris 95001

33 grove green road London E11 4EG

Flat 16 CARAWAY HEIGHTS London E14 0BG

251, Southwark bridge road London SE1 6fn

4 Donnefield Avenue Edgware HA86RH

Flat 5, Nexus Apartments 145 Great Suffolk Street London

Flat 9, Mawdley House, Webber Row London SE1 8XQ

Apartment 2702 TWO FIFTY ONE Southwark Bridge Road London

OPEN **MUNICIPAL YEAR 2024-25**

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

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

OPEN

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MEMBERS		**PLANNING TEAM**	
Councillor Kath Whittam (Vice-Chair)	1	Colin Wilson / Stephen Platts	1
Councillor Gavin Edwards	1		
Councillor Esme Hicks	1		
Councillor Darren Merrill	1		
Councillor Reginald Popoola	1		
Electronic Copies (No paper)			
		COMMUNICATIONS TEAM (Electronic)	
Councillor Richard Livingstone (Chair)		Eddie Townsend	
Councillor Nick Johnson			
Councillor Maggie Browning (reserve)			
Councillor Ellie Cumbo (reserve)		**LEGAL TEAM**	
Councillor Ketzia Harper (reserve)			
Councillor Jon Hartley (reserve)		Stephanie Bruce Smith (FTB Chambers)	1
Councillor Michael Situ (reserve)		c/o Kamil Dolebski, Specialist Planning Lawyer	
Councillor Cleo Soanes (reserve)		2nd Floor, Hub 2	
Councillor Emily Tester (reserve)			
MEMBERS OF PARLIAMENT (Electronic)		**CONSTITUTIONAL TEAM**	
Neil Coyle MP, House of Commons, London, SW1A 0AA		Gerald Gohler (incl. chair's copy)	4
Miatta Fahnbulleh MP, House of Commons, London, SW1A 0AA		2nd Floor, Hub 2	
Helen Hayes MP, House of Commons, London, SW1A 0AA		**TOTAL PRINT RUN**	11
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