

Item No: 7.1, 7.2	Classification: Open	Date: 29 March 2023	Meeting Name: Main Planning Committee
Report title:		Addendum report Late observations and further information	
Ward(s) or groups affected:		St George's London Bridge West Bermondsey	
From:		Director of Planning and Growth	

PURPOSE

1. To advise members of clarifications, corrections, consultation responses and further information received in respect of the following items on the main agenda. These were received after the preparation of the report(s) and the matters raised may not therefore have been taken in to account in reaching the stated recommendation.

RECOMMENDATION

2. That members note and consider the additional information and consultation responses in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and/or revisions have been received in respect of the following items on the main agenda:

ITEM 7.1: 21/AP/2838 - 21 ST GEORGE'S ROAD, LONDON,

Corrections and clarifications on the main report

Correction to paragraph 1 (Recommendation)

4. Para 1 contains a typo (typo in strikethrough, corrections in **bold**):
*That in the event that the legal agreement is ~~has~~ **has** not been entered into by 29th September 2023...*

Correction to paragraph 13 (Planning summary tables)

5. Para 13 erroneously records the existing office use as light industrial, Class E [g] (ii) and (iii). The correct categorisation of the existing office use is Class E [g] (i).

6. Para 13 erroneously records the number of proposed operational jobs (FTE) as a maximum of 90, equating to a maximum change of +87.5. The correct number of proposed operational jobs (FTE) is a maximum of **128**, equating to a maximum change of **+125.5**.

Correction to paragraph 19 (Site location and description)

7. Para 19 refers to the existing eastern building on the site as dating from the 1970s/80s. This is incorrect: it was built in the 1950s.

Correction to paragraph 127 (Principle of the proposed development in terms of land use)

8. Para 127 contains a typo (typo in strikethrough, corrections in **bold**):

*Policy ~~P31~~ **P30** of the Southwark Plan states that employment uses (Class E[g]) “will be secured and where necessary, retained through the implementation of conditions and/or planning obligations in accordance with the tests set out in national policy”.*

Clarification to paragraphs 174, 193 and 194 (Amenity impacts on nearby residential occupiers and surrounding area)

9. Paras 174, 193 and 194 refer to the Average Daylight Factor (ADF). The BRE Guidelines as updated last year affected the use of ADF. The applicant has asked that the following commentary on the change to the guidelines be brought to Members’ attention:

The Daylight, Sunlight and Overshadowing Report in respect of 21 St George’s Road was completed in March 2022. The letter dated 13th September 2022 was later issued to confirm our acknowledgement that the 2011 BRE Guidelines were superseded by the June 2022 BRE Guidelines, and concluded the assessments, calculations, and conclusions do not change as a result of the updated guidelines.

Whilst Average Daylight Factor (“ADF”) is referenced within the body of the report, in no way does our assessment and professional judgement rely solely on its use. ADF, despite no longer being referenced specifically within the 2022 BRE Guidelines, is still a valid measurement of retained daylight within neighbouring properties. Where mentioned, ADF results are supplementary to Vertical Sky Component (“VSC”), the principal measure of daylight and No Sky Line (“NSL”), the secondary measure of daylight.

Correction to paragraph 244 (Design)

10. Para 244 makes reference to “landscape significance”. This an error. It should say “landmark significance”.

Additional commentary to paragraphs 388 to 403 (Energy and sustainability)

11. Following the resolution of Part L software modelling issues in December 2022, The GLA has updated its Energy Assessment Guidance 2022 to confirm that all new major planning applications submitted from 1 January 2023 should now be assessed against Part L 2021 when assessing policy compliance for SI2. All major development planning applications that were submitted before 1 January 2023 will continue to be assessed and determined using Part L 2013. It is for this reason that paras 388 to 403 of the committee report discuss the carbon savings performance of the proposal against Part L 2013.
12. It is likely, however, that this planning application will need to be built to meet Part L 2021 unless it benefits from 'transitional arrangements' where the scheme may be built to Part L 2013 if:
 - it was registered with Building Control before 15 June 2022; and
 - works commenced on-site before 15 June 2023.
13. The applicant recently commissioned a study of the performance of the proposed development against Part L 2021. The results indicate emissions would be 35.8t CO₂ per annum, equating to a 52% saving against the baseline, which is above the on-site target of 40%. A full updated energy statement can be submitted prior to Stage 2 Mayoral referral, and the Section 106 Agreement can be worded to ensure any adjustments to the Carbon Green Fund contribution are allowed for.

Additional consultation responses

14. The committee report accurately captures the number of consultation and re-consultation responses received from members of the public as of the date the report was sent to the Constitutional Team (16 March 2023). Since that date, a further 24 comments have been received. These are summarised below:

<u>Additional consultation responses: Summary table</u>		
No. of representations: 24		
Of which:		
In objection: 24	Neutral: 0	In support: 0

15. The additional responses bring the total number of representations received about the planning application to 277.
16. The responses raised no material planning considerations additional to those listed in the report at paras 74 to 87.

Recommended revisions to the draft conditions

Additional Condition – Protection of Residential Units from Adjacent Commercial Uses

17. The Draft Decision Notice omitted to include a condition on the proposed office space, retail floorspace and micro retail unit restricting changes of use that would otherwise be possible under the General Permitted Development Order. The wording of the additional condition is as follows:

RESTRICTION ON USE CLASS

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), and notwithstanding the other uses within Class E:

- the office floorspace hereby approved shall be used for Use Class E[g][i] (office) purposes only;*
- the retail floorspace hereby approved shall be used for Use Class E[a], E[b] and/or E[c] (retail, professional services and/or dining) purposes only;*
- the micro affordable retail unit hereby approved shall be used for Class E[a] and [b] (retail and professional services) purposes only, except if the unit is occupied and operated for Little Nandine in which it shall be used for a sui generis use only;*
- the ancillary floorspace hereby approved shall be used for ancillary purposes to the above uses only; unless otherwise agreed by way of a formal application for planning permission.*

Reason:

In order to ensure that office use and retail uses are delivered on this site within the Central Activities Zone, Opportunity Area and town centre in line with its assessment, and because the other Class E uses may have different impacts than those assessed within the application, all in accordance with: the National Planning Policy Framework 2021; Policies SD1 (Opportunity Areas), SD4 (The Central Activities Zone), SD5 (Offices and Other Strategic Functions and Residential Development in the CAZ), SD6 (Town Centres and High Streets), E2 (Providing Suitable Business Space) and E3 (Affordable Workspace) of the London Plan (2021); and AV.09 Area Vision and Policies P30 (Offices and Business Development), P31 (Affordable Workspace) and P35 (Town and Local Centres) of the Southwark Plan 2022.

Conclusion of the Director of Planning and Growth

18. Having taken into account the additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions as amended in this Addendum report, Stage 2 referral to the Mayor and completion of s106 agreement.

ITEM 7.2 21/AP/0681 - 24 CRIMSCOTT STREET

Correction to paragraph 2 (Recommendation)

19. Paragraph 2 contains a typo (typo in strikethrough, corrections in **bold**):
- b) In the event that the requirements of (a) are not met by September 29th 2023 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph ~~221~~ **222** of this report.

Additional consultation responses

20. The committee report accurately captures the number of consultation and re-consultation responses received from members of the public as of the date the report was sent to the Constitutional Team (16 March 2023). Since that date, a further 1 comment has been received. This is summarised below:

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

21. The additional response brings the total number of representations received about the planning application to 68.
22. Responses raised no material planning considerations additional to those listed in the report at paras 18 to 34.

Recommended revisions to the draft conditions

Additional Condition – Protection of Residential Units from Adjacent Commercial Uses

23. The Draft Decision Notice omitted to include a condition on the hours of use of the proposed roof terrace. The wording of the additional condition is as follows:

The roof terrace shall not be used outside the hours of 09.00 - 19.00 Monday to Friday, and shall not be used at all on weekends.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

Conclusion of the Director of Planning and Growth

24. Having taken into account the additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions as amended in this Addendum report, Stage 2 referral to the Mayor and completion of a s106 agreement.

REASON FOR URGENCY

25. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

REASON FOR LATENESS

26. The new information and corrections to the main reports and recommendations have been noted and/or received since the committee agenda was printed. They all relate to items on the agenda and members should be aware of the comments made.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Environment Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403