

Item No: 6.1	Classification: Open	Date: 18 July 2023	Meeting Name: Planning Committee (Major Applications) A
Report title:		Addendum report Late observations and further information	
Ward(s) or groups affected:		Chaucer	
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 6.1 APPLICATION 23/AP/0479 - Land at 19, 21 and 23 Harper Road, 325 Borough High Street and 1-5 and 7-11 Newington Causeway, London, SE1 6AW

4. Transport for London has provided a late comment with no objection, seeking amendments to the London Underground condition and requesting an additional informative.

It has come to our attention that a planning application has been

Officer Response: Amendments have been made below to Condition 11 and the proposed informative has been added.

5. Metropolitan Police Service have provided a late comment that they do not object to the proposal in light of the additional daylight / sunlight report and the proposed condition for first floor obscure glazed and fixed shut windows facing their site to the north of the proposal.

Corrections and clarifications on the main report

6. Amendment to Executive Summary.

From the Executive Summary, E(a) floor space is 175sqm, not 301sqm and in addition to the 381 cycle spaces provided, a further 20 short stay places are proposed.

Para 5: Hotel Elephant provides less than 10 full time jobs.

Para 9: The number of studio rooms should read 308.

Para 9: Dwelling house areas are Existing 331sqm. Proposed 758sqm and Net Change 427sqm.

Para 60: The Developer is proposing 20 short-say spaces and 381 long-stay spaces, a total of 401.

7. Additional table setting out information about affordable housing:

Tenancy	3-5 years, renewable subject to review of eligibility
Eligibility	Eligibility criteria: person profile that meets the Key Worker definition (to be confirmed), which include capped household income levels and the nature of employment
Tenure	Affordable, as Intermediate tenure
Rent level (Inclusive of service charges)	capped at equivalent to London Living Rent levels for each London neighbourhood, which relates to one-third of local median household income, the rental level to be inclusive of service charges

8. Officers seek delegated powers to make amendments to conditions before the stage 2 referral in addition to the updated and additional conditions below:

9. Amend Condition 2, to remove:

PROPOSED PLAN LEVEL 01	A348-MCO-XX-01-DR-A-06101
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And add

PROPOSED PLAN LEVEL 01	A348-MCO-XX-01-DR-A-06601
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10. Change Condition 4 to:

ARCHAEOLOGICAL PRE-COMMENCEMENT FOUNDATION AND BASEMENT DESIGN CONDITION

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 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 2021.

11. Change Condition 7 to phase provision of details by 1) Demolition to ground floor slab and 2) All below and above ground superstructure works.
12. Change Condition 11 to:

The development hereby permitted shall not be commenced until the following documents, in consultation with London Underground, have been submitted to and approved in writing by the local planning authority which:

- a) provide detailed design and Risk Assessment Method Statement (RAMS) for each stage of the development for all of the demolition, foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent)
- b) provide detailed design and Risk Assessment Method Statement (RAMS) for each stage of the development for all superstructures (temporary and permanent)
- c) accommodate the location of the existing London Underground structures and tunnels
- d) accommodate ground movement arising from the development construction thereof
- e) and mitigate the effects of noise and vibration arising from the adjoining railway operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, 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 London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

13. Change Condition 12 to:

SUSTAINABLE URBAN DRAINAGE

No works (excluding demolition to slab level, archaeological evaluation and site investigation works) shall commence until full details of the proposed surface water drainage system incorporating the Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, dimensions, depth and location of attenuation units and flow control devices. The specific SuDS type, arrangement and material should be given in line with the proposed strategy dependant on any necessary site investigations. The strategy should achieve a reduction in surface water runoff rates as detailed in the approved 'Flood Risk Assessment prepared by Walsh. The applicant must confirm that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed and retained in accordance with the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017), Policy SI 13 of the London Plan, and Policy P68 of the Southwark Plan.

14. Change Condition 14 to:

FAÇADE DETAILS

Prior to commencement of any works above grade (excluding demolition to slab level, archaeological evaluation and site investigation works), detailed drawings at a scale of 1:5 or 1:10 through:

- i) All facade variations; and
- ii) Commercial fronts and residential entrances; and
- iii) All parapets and roof edges; and
- iv) All balcony details; and
- v) Heads, cills and jambs of all openings
- vi) The student entrance and associated canopy

To be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing. The development

shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the Local Planning Authority may be satisfied as to the quality of architectural design and details in accordance with Chapter 12 - Achieving well designed places of the NPPF, Policies D4 (Delivering good design) and D9 (Tall buildings) of the London Plan, and Policies P13 (Design of places), P14 (Design quality), and P17 (Tall buildings) of the Southwark Plan.

15. Change condition 16 to:

Before any above grade work hereby authorised begins, detailed drawings shall be provided of the two Blue Badge parking bays to the rear of development hereby granted including fully dimensioned plans for spaces and routes for vehicles to / from spaces for both vehicles and pedestrians whom exit vehicles parked in Blue Badge bays to their relevant building core. Details should demonstrate that there is at least 3.0m headroom for the opening of the rear of a Blue Badge vehicle shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

To ensure the safety of motorists, cyclists and pedestrians in accordance with Chapters 8 (Promoting healthy and safe communities) and 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy P50 (Highways Impacts) of the Southwark Plan (2022).

16. Change Condition 17 To

GREEN ROOFS FOR BIODIVERSITY

Part 1: Before any above grade work (excluding demolition to slab level, archaeological evaluation and site investigation works) hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:

- biodiversity based with extensive substrate base (depth 80-150mm);
- laid out in accordance with agreed plans; and
- planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Part 2: Full Discharge of this condition will be granted once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

17. Change condition 22 to:

WHEELCHAIR ACCESSIBLE STUDENT ROOMS

Prior to the commencement of any above grade works (excluding demolition to slab level, archaeological evaluation and site investigation works), the applicant shall submit written confirmation from the appointed building control body that the specifications for each student bedspace identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015). The development shall be carried out in accordance with the details thereby approved by the appointed building control body.

M4 (Category 3) 'wheelchair user dwellings':- at least 5%

M4 (Category 2) 'accessible and adaptable':- remaining units

Reason: In order to ensure the development complies with Policy P5 (Student homes) of the Southwark Plan and Policy D7 (Accessible Housing) of the London Plan.

18. Change condition 23 to:

PROVISION OF CYCLE STORAGE

Prior to the commencement of any above grade works (excluding demolition to slab level, archaeological evaluation and site investigation works) details (1:50) scale drawings of all the facilities to be provided for the secure cycle parking facilities and details of additional cycle measures including shared bikes in accordance with the approved Transport

Assessment prepared by WSP shall be submitted and approved in writing by the Local Plan Authority:

a) details and 1:50 scale drawings of the secure cycle parking facilities to Southwark Plan 2022 standards with suitable mitigation for any shortfall shall be submitted to and approved in writing by the Local Planning Authority This shall include:

For the student accommodation, 346 spaces, 333 of which are long-stay with 13 short-stay including 272 two-tier, 42 Sheffield, 15 Accessible.Sheffield and 3 raised wheel.

For the office accommodation, 39 spaces, 34 of which are long-stay with 5 short-stay including 22 two-tier, 4 Sheffield, 2 Accessible.Sheffield and 6 lockers for folding bikes.

For the residential accommodation, 16 spaces, 14 of which are long-stay with 2 short-stay including 12 two-tier and 2 Accessible.Sheffield

Details must also provide additional cycle measures including 12 shared bikes to be located within the student lobby area and managed by the on-site concierge.

b) Details relating to the servicing layout and its relationship with the public highway shall be submitted to be approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the occupation of the development and thereafter shall be retained and the space used for no other purpose and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order to ensure that satisfactory safe and secure cycle parking and changing facilities are provided and can be easily accessed by users in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with London Plan Policy T5 (Cycling) and Southwark Plan Policy P53 (Cycling).

19. Change condition 32 to:

Archaeological Mitigation, compliance with WSI and archaeology of national significance

a. During all below grade works or impacts, the applicant shall carry out archaeological mitigation in accordance with an archaeological written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority archaeological WSI submitted for Condition 3. The below-grade works shall not be carried out otherwise than in accordance with any such approval given and in compliance with the method set out in the approved WSI.

b. In the event that archaeological finds or deposits are found at any time when carrying out the approved development that could be deemed to be

of national significance, they shall be reported immediately to the Local Planning Authority, and a scheme for their protection, investigation, recording and/or preservation shall be agreed and submitted to the Local Planning Authority for approval in writing

20. Change Condition 20 to:

Tree planting and screening

Full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of above grade works. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

Reason: To ensure the proposed development will preserve and enhance the privacy of residents opposite and visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity.

21. Change Condition 40

To refer to PROPOSED PLAN LEVEL 01, Ref A348-MCO-XX-01-DR-A-06601 and not PROPOSED PLAN LEVEL 01, Ref A348-MCO-XX-01-DR-A-06101 and also

22. Change Condition 47 to:

'The development hereby permitted shall be constructed to include the energy efficiency measures stated in the Energy Strategy prepared by JAW Energy Statement and Overheating Analysis prepared by Skelly & Couch and submitted in support of the application. All measures and

technologies shall remain for as long as the development is occupied, unless otherwise agreed in writing with the Local Planning Authority.'

Reason: To ensure the development complies with the National Planning Policy Framework, Strategic Policy SP4 of the Southwark Plan, and Policy S1 2 (Minimising greenhouse gas emissions) of the London Plan.

23. Additional Condition

ELECTRIC VEHICLE CHARGER POINTS Before the first occupation of the building hereby approved, details of the installation (including location and type) of at least two electric vehicle charger points within the car parking area shall be submitted to and approved in writing by the Local Planning Authority and the electric vehicle charger points shall be installed prior to occupation of the development and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: To encourage more sustainable travel, in accordance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T6 (Car parking) of the London Plan (2021); Policy P50 (Highways Impacts) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

24. Additional Condition

Gradients & Site Levels: Pre-commencement Condition for Details of levels and gradients across the proposed site, included for all ground-floor areas and access routes into and around the site including details of level changes for blue badge parking and loading bay shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure that the site can be built without gradient and height amendments being required to the Public Highway, and to ensure that all users can access and use the site in perpetuity to ensure the safety of motorists, cyclists and pedestrians in accordance with Chapters 8 (Promoting healthy and safe communities) and 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy P50 (Highways Impacts) of the Southwark Plan (2022).

25. Additional Condition

Archaeological Evaluation

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 2021.

26. Additional Condition:

Fire Safety Strategy Compliance

The development hereby approved shall not be carried out other than in accordance with the approved Fire Safety Strategy, which comprises the following documents:

- 'Fire Statement Dated 26.01.23 - Produced by OFR
- 'Gateway One' Form - Dated 26.01.23 – Produced by OFR

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 2021; and Policies D11 (Safety, Security and Resilience to Emergency) and D12 (Fire Safety) of the London Plan 2021.

27. Additional Condition

Materials Schedule and On-Site Presentation of Samples

Before any façade works of development hereby authorised begins:

a) A materials schedule providing the specification of materials to be used in the approved elevations in constructing the development hereby approved shall be submitted to and approved in writing by the LPA, notwithstanding the approved details the elevations shall be brick with brick or stone dressings for the main body of the buildings, excluding the base and crown of the buildings;

b) Sample panels of facing materials and surface finishes for the elevations, each to be at least 1 square metre in surface area, shall be presented on site (or an alternative location agreed with the Local Planning Authority) to and thereafter approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with any such approval given in relation to parts a) and b) above.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing, are suitable in context and consistent with the consented scheme in accordance with: the National Planning Policy Framework 2021, Policies

P13 ('Design of places') and P14 ('Design quality') of the Southwark Plan 2022 and policy D4 ('Delivering good design') of the London Plan 2021.

28. Remove Conditions:

Remove Conditions 13, 28 and 29 as a result of the additional Fire Safety Strategy Compliance Condition.

Remove Conditions 15 and 14 as a result of the new Materials Schedule and On-Site Presentation of Samples condition.

29. Additional Informative:

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods;

30. Additional s.106 requirement:

The eight residential units shall have priority to the Blue Badge parking spaces.

31. Additional s.106 requirements:

There is no communal amenity space so it is recommended that a financial contribution for this be included in the s106 for £10,250 (£205 per sqm) to compensate for the 50sqm that would be required. While all balconies comply with the minimum standard for 5sqm, they are short of the ideal size of 10sqm. The residential design standards says that the difference can be compensated for by a financial contribution which in this case would be £7,380. (£205 per sqm). This money would be used to improve parks and outdoor spaces elsewhere in the borough.

Conclusion of the Director of Planning and Growth

32. 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

33. 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

34. 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 TP/1422-19	Environment Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403