

Item No: 6.1, 6.2 & 6.3	Classification: Open	Date: 3 October 2023	Meeting Name: Planning Committee (Major Applications) A
Report title:		Addendum report Late observations and further information	
Ward(s) or groups affected:		Surrey Docks, South 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 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: 22/AP/2439 for: Approval of Reserved Matters - Zone G, Canada Water Masterplan, Surrey Quays Road, London, SE16 7LL

Additional information submitted by the applicant

4. The applicant has submitted additional Biodiversity Net Gain information, specifically the metrics to supplement the details already provided. The additional details support the assessment in paragraphs 386 – 391 of the main report. The metric data submitted provides evidence that the scheme will achieve a positive net change of 3.41 habitat units resulting in a 132.49% net gain and a positive net change of 0.28 hedgerow units resulting in a 240.50% net gain. Thus significantly exceeding policy targets.
5. The full metrics have been uploaded to the planning register.
6. For information purposes the applicant has provided a plan to show how much of the existing cinema would be demolished to enable implementation of the Zone G application compared to the area already approved as part of the

Reserved Matters Applications for Plot F and Park Walk. The plan shows an approximate 50/50 split.

7. The plan has been appended to this document.

Report Clarifications

8. The NPPF has now been updated to 2023 version.
9. It has recently been announced that BNG Mandatory Targets will be delayed until January 2024 (relevant to paragraph 386).
10. In respect of paragraph 580 of the report, for clarity the recommendation is that Reserved Matters Approval is granted.

ITEM 6.2: 23/AP/0233 for: Approval of Reserved Matters - Canada Water Masterplan - Land Bounded By Lower Road (West), Redriff Road (South), Quebec Way (East), Surrey Quays Road And Canada Water Dock (North) And Site At Roberts Close, London, SE16

Additional Condition Required

11. The following condition is recommended to control hours of operation for the café in the interests of protecting residential amenity. The hours specified reflect the hours imposed on other nearby commercial uses in the masterplan.

The permitted hours of use for the commercial use unit comprised in the Development shall be between 6am and 12am unless otherwise agreed in writing with the Local Planning Authority.

REASON: To safeguard the amenity of neighbouring residential properties, in accordance with: the National Planning Policy Framework 2023; Policy D14 (Noise) of the London Plan 2021; and Policy P56 (Protection of Amenity) of the Southwark Plan 2022.

12. **Report Clarifications**

13. The NPPF has now been updated to 2023 version.
14. In respect of paragraph 275 of the report, for clarity the recommendation is that Reserved Matters Approval is granted.

Conclusion of the Director of Planning and Growth

15. Having taken into account the additional information provided by the applicant and the additional representations received, the council maintains its recommendation to grant permission as set out in the original committee reports.

ITEM 6.3: 23/AP/0950 for: Full Planning Application – 25 Mandela Way, London, SE1 5SS

Corrections and clarifications on the main report

Paragraphs 1, 2, 76, 96, 104, 150, 153, 171 to 178, 186, 188 and Appendix One (Planning Conditions)

15. Paragraph 1: within Recommendation insert/add after 2 April 2024 “and to allow the Director of Planning Growth be granted delegated authority to agree the final wording of the s106 agreement and the planning conditions to cover all matters, detailed in this report and the Stage 2 response”.
16. Reference is made to Green/Brown roofs coverage at 256sqm within paragraph 2; Executive Summary: Commercial GIA table: this is a typo and the blue roof area coverage is 4,124 sqm.

Paragraph 76:

17. The building step back from the first floor level are within increments of between 4.4m to 9.7 metres and not the stated 5-8 metres stated in the Supplemental agenda report.

Paragraph 96:

18. The sample panel requirement should read 1:1 and not 1:10.

Paragraph 104

19. The applicant has now agreed to retain all of the on-site trees in addition to the new trees and as such, there is no tree canopy loss. Therefore there would be no need for a financial contribution for further tree planting. Following further discussions with the applicant, the Council’s urban Forester has agreed that the UGF would be policy compliant.

Paragraph 150

20. It has been accepted that there is no requirement for a Demolition Environmental Management Plan as there are no buildings on the site. A Construction Environmental Management Plan is to be submitted as a condition (#5) which is considered to be a satisfactory and proportionate way to deal with the issue.

Paragraphs 153

21. For clarity the Council’s archaeologist has recommended the imposition of two conditions (#3: pre-commencement watching brief); and #37 assessment report post-completion. A financial obligation is also required to meet the Council’s adopted SPD for archaeological monitoring (Para. 188).

Paragraphs 171-178

22. Para. 172: The project is being assessed against Part L 2021 and not 2013. Para. 174: the development achieves 20% reduction in overall carbon emissions over Part L 2021. Condition #16 requires the submission of a lighting strategy of which the details are required to meet the Lighting Professional guidance standards. Para. 176: Correction: the District Heating Network future proofing to be more generally worded as a single point of connection and safeguarded pipe route to the site boundary to facilitate future potential connection.

Paragraph 186

23. The trigger for condition #8 is agreed to be changed from prior to commencement to prior to first occupation.

Paragraph 188

24. The greenfield run off rate has been met and so there is no requirement for a financial contribution.
25. Future proofing for connection to District Heating Network: No CHP is included within the current Energy Statement although, the building services strategy is future proofed to facilitate connection to a District heating Network if one becomes available.
26. In respect of the applicant agreeing to retain all of the existing site trees, there is now no requirement to provide a financial contribution for trees.
27. **Appendix One: Definitions; amended and additional Conditions to be included (pre-commencement, above grade works and pre-occupation):**

Amended Conditions

28. No.8 becomes a prior to occupation condition and is thus reworded as:

Prior to first occupation of the development, 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 2023, and; Policy SI 6 (Digital Connectivity Infrastructure) of the London Plan 2021.

29. No.12 to be amended for full scale mock-up of façade areas that are to be agreed with the LPA. No sample panel required. Condition to now read:

Prior to the commencement of any above grade works (other than Excluded Works), ~~samples of all external facing materials and~~ a full-scale (1:1) mock-ups of the façades to be used in the carrying out of this permission shall be presented on site to the Local Planning Authority and approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given. The façade areas to be mocked up should be agreed with the Local Planning Authority.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with the National Planning Policy Framework 2023, Policy D9 Tall Buildings of the London Plan 2021, and Policies: P14 Quality in design; and P17 Tall buildings of The Southwark Plan 2022.

30. No.15 within reason it refers incorrectly to a mixed use development.

Reason to now read:

To ensure that there is an adequate level of fire safety within the approved development.

31. No.17 includes typo that refers to other development and should now read:

Prior to above grade works (other than Excluded Works) detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

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 2023; and Strategic Policy SP6 'Climate

emergency', and Policies P59 'Green infrastructure'; and P60 'Biodiversity'; of the Southwark Plan 2022.

32. No.25 to make it more specific to insert the words "forming part of the development" after "any plant" in the first line of the condition which will now read:

The Rated sound level from any plant, forming part of the development together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019. Suitable acoustic treatments shall be used to ensure compliance with the above standard. A validation test shall be carried out and the results submitted to the Local Planning Authority for approval in writing to demonstrate compliance with the above standard. Once approved the plant and any acoustic treatments shall be permanently maintained thereafter. Reason: To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2023, and Policy P56 'Protection of Amenity' of the Southwark Plan 2022.

33. No.29 to make it clearer:

The Development shall include Electric Vehicle Charging Points (EVCPs) as a minimum to London Plan standards, which at the date of this planning permission requires 20% active and 80% passive provision of all parking spaces which are provided as part of the Development, and such EVCPs should be maintained for the lifetime of the Development.

Reason:

To encourage more sustainable travel in accordance with The National Planning Policy Framework 2023 in accordance with P54 Car Parking of the Southwark Plan 2022.

34. No.30 updating reference to the relevant section of the Order to now read:

Notwithstanding the provisions of Part 16 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as may be 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 without express planning permission from the Local Planning Authority first being obtained (including as may be shown on the plans approved pursuant to this planning permission).

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the

building and visual amenity of the area is installed on the roof of the building in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policies P13 'Design of places', and P56 'Protection of amenity' of the Southwark Plan 2022.

35. **No.36 External Lighting**

To be deleted due to condition 16 which requires details of lighting scheme.

Additional Conditions

36. **Site Contamination - pre-commencement**

- a) Prior to the commencement of the ecological corridor, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.
- b) 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.
- c) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2023.

37. **Invertebrate habitats (Above Grade).**

Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 3 Bee bricks and/or invertebrate hotels shall be provided and the details shall include the exact location, specification and design of the habitats. Bee bricks and/or invertebrate hotels shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the invertebrate features and mapped locations and Southwark Council agreeing the submitted plans, and once the invertebrate features are installed in full in accordance to the agreed plans.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: G6 of the London Plan 2021, P59 and P60 of the Southwark Plan 2022

38. **Tree planting (Above Grade)**

Prior to **above grade** works commencing, full details of all proposed **new** tree planting amounting **285 cm girth** 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 is in accordance with The National Planning Policy Framework 2023 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure), G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan (2021); Policies P13 (Design of Places), P56 (Protection of Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

39. Ecological Management Plan

Prior to above grade works, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- Reuse of all wood waste produced onsite to provide chipped material, logs and stem wood to facilitate
- ground cover dressings,
- hugelkultur berms,
- dead hedging and
- stumperies.
- Installation of bee and bug hotels.

Reason:

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is a mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan.

Pre-occupation

40. Operational Management Plan

Prior to the first Occupation of the Development, an operational management plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details must include but shall not be limited to the following:

- (i) A strategy to manage vehicles (including cargo bikes) servicing and delivering from the site;
- (ii) Frequency and timings of deliveries to and from the site;
- (iii) The management of loading and unloading of vehicles delivering to and from the site;

The use of the Development shall thereafter be carried on in accordance with the approved operational management plan.

Reason:

To ensure highway safety and to protect the amenities of neighbouring occupiers.

41. Ecological Monitoring (pre-occupation)

Prior to the new development being first brought into use / occupied, a scheme for monitoring the effectiveness of the biodiversity mitigation and enhancement measures shall be submitted to and approved by the Local Planning Authority. This shall include: Annual protected species surveys of created features, botanical/bird/invertebrate surveys of created habitats, use of bird or bat boxes). The monitoring shall be carried out and reported to the Local Planning Authority in accordance with the agreed scheme for a period of 30 years. Surveys should be undertaken in years 1, 3, 5, 7, 10, 15, 20, 25 and 30. Species results will be submitted to the London Biological Records Centre, Greenspace Information for Greater London (GIGL).

Reason:

To comply with the Biodiversity Net Gain requirements of the Environment Act 2021. To measure the effectiveness of biodiversity mitigation and/or enhancement measures, to see whether the measures achieve the expected biodiversity benefits. This will help refine the design of net gain/mitigation schemes to ensure effective measures are delivered in future developments

Conclusion of the Director of Planning and Growth

42. 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 and completion of a s106 agreement.

REASON FOR URGENCY

43. 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

44. The new information 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
	Environment Neighbourhoods and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403