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Appendix 1 – Recommendation

Appendix 2 – Relevant planning policy and material considerations

Appendix 3 – Relevant planning history of the site and nearby sites

Appendix 4 – Consultation undertaken

Appendix 5 – Consultation responses received

Appendix 6 – Application information document by the applicant (August 2023)

Item No.	Classification:	Date:	Meeting Name:
6.1	OPEN	6 March 2024	Planning Committee (Major Applications) B
Report title:	<p>Development Management planning application: Application 23/AP/2124 for: S73 Minor Material Amendment Application</p> <p>Address: TOWER BRIDGE BUSINESS COMPLEX, 100 CLEMENTS ROAD AKA BISCUIT FACTORY & BERMONDSEY CAMPUS SITE, KEETON'S ROAD, LONDON, SE16 4DG</p> <p>Proposal: Full planning permission for demolition, alterations and extension of existing buildings and erection of new buildings comprising a mixed-use scheme including providing new dwellings (Class C3), flexible Class A1/A3/A4/B1/D1/D2, flexible multi-use Class A1/A3/A4/D1 floorspace within retained Block BF-F, and a new secondary school. The development also includes communal amenity space, landscaping, children's playspace, car and cycle parking, installation of plant, new pedestrian, vehicular and servicing routes, the creation of two new pedestrian routes through the Railway Arches and associated works; and Outline planning permission (with all matters reserved) for the part demolition and part retention of existing buildings and erection of two new buildings comprising a mixed-use scheme, providing new homes (Class C3) and flexible multi-use floorspace (Class A1/A3/A4/D1), and other associated works.</p> <p>Amendments to planning permission 17/AP/4088 and variation of its conditions including: Increase the total number of homes from 1536 to 1624 Increased provision of social rent homes Changes to massing and architecture Changes to the quantum and allocation of non-residential floorspace Removal of block R and basement under block RST with its ramp Revised provision of public realm, playspace and tree planting Enhanced fire strategy for each building Increased communal spaces for residents Reconfigured parking provision Revised energy and overheating strategy</p> <p>The application is accompanied by an Environmental Statement pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.</p>		
Ward(s) or groups affected:	North Bermondsey		
From:	Director of Planning and Growth		

Application Start Date	23 August 2023	PPA Expiry Date	TBC
Earliest Decision Date	9 October 2023		

RECOMMENDATION

1. That planning permission be granted subject to revised conditions to those on the 2020 permission and the completion of a new 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 outline 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 6 June 2024, the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 714.

EXECUTIVE SUMMARY

8. A hybrid planning permission for the redevelopment of the former Biscuit Factory site and adjacent campus site was granted by the GLA in 2020, mostly as a detailed permission and partly as an outline permission for two blocks. The permission was implemented with the construction of a new secondary school. The new owner of the site, Greystar, seeks to make a series of changes to the approved scheme in this section 73 “minor material” amendment application.
9. The proposed changes include adding 88 residential units, increasing the proportion of social rent tenure, increasing the number of affordable habitable rooms, removing a building, a basement and an access ramp which allows changes to the public realm, revising the massing and architecture of each

building in the detailed and outline parts of the proposal (increasing the number of storeys to some), and revising the distribution of uses across the buildings. As well as a new set of drawings for the development, the conditions on the 2020 permission would need to be updated, along with planning obligations from the 2020 section 106 agreement.

10. Consultation on the amendment was undertaken at pre-application stage by Greystar, and by the council on receipt of the application. 20 objections were received including from the community and local organisations Big Local Works, Blue Bermondsey BID (later withdrawn) and Workspace (later withdrawn), two comments in support, and comments from Arch Co. Ward councillors are supportive of the redevelopment in principle, the housing and increased social rent but have concerns regarding the proposed height, massing and layout, the reduction in design standards and the construction impact. Statutory consultees requested further information and some recommended conditions. The GLA considers this proposal does not give rise to any new strategic planning issues, and confirmed the council may determine the application without further reference to the GLA.
11. During the application a few amendments were made to add more balconies to block DE, amend the servicing and parking arrangements around the Workspace buildings and minor changes to confirm the entrances to commercial units, make the public terrace entrance on block F more prominent and amend the design code for the outline element. Technical documents were revised to address some consultee comments, and internal floor plans updated to confirm internal unit sizes.
12. The proposal includes important benefits compared with the approved scheme, especially the improved affordable housing package (with more social rent tenure comprising 338 social rent homes in total) and the enhanced public realm. More affordable workspace is offered than the approved, better fire safety would be provided by the second core to each building, the urban greening factor is higher and a greater number of trees are proposed. There are areas where the proposal represents a poorer quality however, especially in the reduced quality of some of the market housing (with more single aspect units and fewer balconies) and the design quality of some of the proposed tall buildings. These areas of policy non-compliance are set out in more detail below. The policy benefits of the scheme have to be weighed against points of policy failure and harms in the planning balance. As set in the main report the benefits are considered to outweigh the harms.
13. The Environmental Statement (ES) of the previous application has been updated by an ES addendum to consider the likely environmental effects of the proposed changes. An updated and revised package of condition and obligations would secure the necessary mitigation measures and policy compliance for most assessment topics. However, harms have been identified to heritage assets and further daylight and sunlight losses to neighbouring properties cannot be mitigated, and weigh against the scheme in the planning balance. The likely equalities impacts from the revised scheme have been considered.

14. Having given this application careful consideration to weigh the balance of enhancements and disbenefits from the approved scheme, officers recommend the application for approval, subject to revised conditions (updated versions of those on the 2020 permission as well as new conditions to address further policy areas), and completion of a section 106 agreement.

Planning Summary – Tables

Homes	Private Homes	Private HR	Aff. SR Homes	Aff. SR HR	Aff. Int Homes	Aff. Int HR	Homes Total (% of total)	HR Total
Studio	136	148	0	0	0	0	136 (8.4%)	148
1-bed	469	1,055	76	203	56	138	601 (37.0%)	1,396
2-bed	484	1,747	144	495	56	224	684 (42.1%)	2,466
3-bed	55	275	116	537	30	150	201 (12.4%)	962
4-bed	0	0	2	12	0	0	2 (0%)	12
Total and % of total	1,144 (70.4%)	3,225 (64.7%)	338* (20.8%) *	1,247* (25.0%) *	142 (8.7%)	512 (10.3%)	1,624* (100%)	4,984 (100%)

**With one residential block in outline form only, the exact number of social rent units and habitable rooms across the site is not fixed. The above figures are based on an illustrative mix and unit sizes. 35% affordable as 25%:10% would be secured.*

Commercial

Use Class	Existing sqm	Proposed sqm	Change +/-
Use Class A1, A3, A4 retail	288	2,039	+1,751
Multi Use Class A1, A3, A4, D2	0	3,238	+3,238
Use Class B1 office	2,169	15,731	+13,562
Use Class D1 school	5,250	5,250	0
Use Class D1/D2 community and leisure	0	987	+987
Affordable workspace Use Class E	0	10%	+1,573sqm (maximum)
Jobs	unknown	1,140-1,270 jobs	+ Approx. 1,140-1,270 estimated full time equivalent jobs

**With one office block in outline form only, the maximum floorspace has been*

assumed for this figure along with the detailed component.

Public realm

	Existing sqm	Proposed sqm	Change +/-
Public realm	0	9,836	+9,836
Play space	0	4,700	+4,700*

*The area of public realm includes part of this play space.

CO2 savings beyond Part L Building Regulations	84% on Part L 2021
Trees lost	12
Trees gained	216

	Existing	Proposed	Change +/-
Urban Greening Factor	Unknown but low	0.4	+0.4
Greenfield Run Off Rate	237 litres/second	63.3 litres/second	-173.7
Green/Brown Roofs	0	8,218sqm	+8,218
EVCPS (on site)	0	22	+22
Cycle parking spaces	0	c.3,582	+c.3,582
Disabled parking spaces	0	22	+22

Southwark CIL (estimated)	£28,615,453.76 (net of relief)
MCIL (estimated)	£7,862,647.13 (net of relief)
Section 106 contributions	c. £1.5m

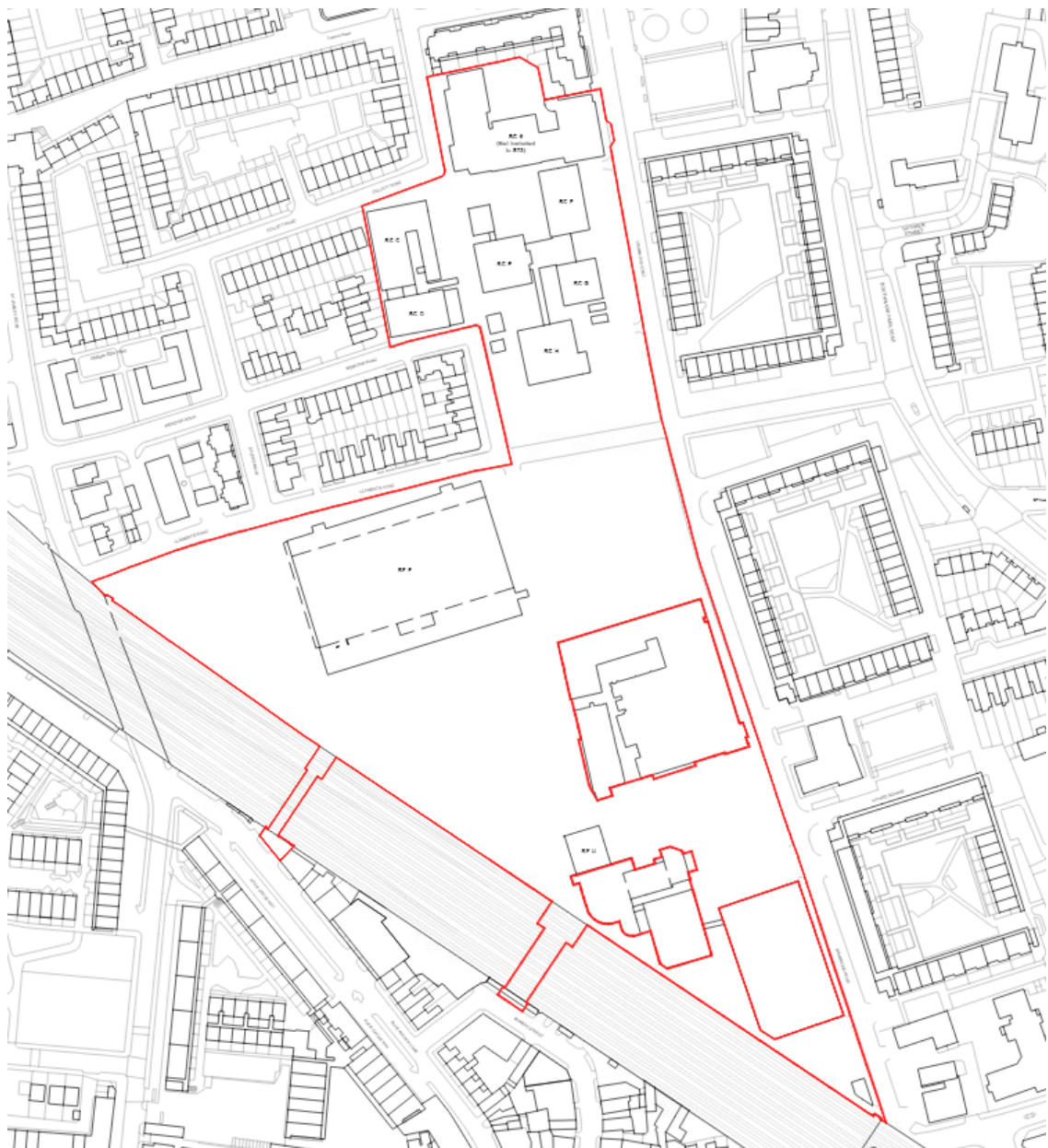
BACKGROUND INFORMATION

Site location and description

15. The application site has an area of approximately 5.4ha. It is bounded by Drummond Road to the east, the railway viaduct to the south, St James's Road and Keeton's Road to the west and Tranton Road, Collett Road and Clements Road to the north. The site comprises two parts; the former Biscuit Factory and the campus site.
 1. The former Peek Frean Biscuit Factory forms the main part of the site, between the railway lines and Clements Road. The factory had several buildings, ranging from single storey to 7-storey buildings mainly from the 20th century. All but two within the red line of the current application have been demolished in recent years, and the site is surrounded by security hoarding. The spaces between the former buildings within the site is predominantly hard surfacing, although there are some retained mature trees to the west of building F. Other former factory buildings that sit outside the application site have been repurposed by Workspace to provide a range of employment uses and a climbing centre, and new office buildings have been constructed immediately next to the current

application's site. The Workspace buildings will be retained and integrated into the wider masterplan however they are outside of the ownership of the applicant and do not form part of the proposal.

2. The Campus site is situated to the north side of Clements Road. At the northern end of the Campus site is the new Compass School (now called The Charter School) which was approved by the 2020 permission and has been built by the Department for Education. Until recently this site contained buildings, used by the former school and temporary uses, however most of these buildings were demolished in autumn 2023. While the application red line site includes the new school buildings, these are not included in the current proposal.



Site location plan

16. The photographs below show the appearance of the site.



Aerial photo taken in 2022 showing the cleared parts of the site at that time, the new school under construction, the Workspace buildings outside the application site and the surrounding area



View looking westward along Clements Road, with the former factory building on the left and Webster Road building on the right



View looking south down Drummond Road from the junction of Clements Road



View westward across Drummond Road showing the existing Workspace buildings and block U in the centre



View looking south on Drummond Road to the yard where block W is proposed and the railway viaduct



View looking north on Drummond Road to block 1-4 and new school



View looking south down Keeton's Road, with the new school on the left



View from St James's Road railway viaduct looking east across the western corner of the site and retained factory buildings

17. The site is within a predominantly residential area containing terraced properties and housing estates although there are also religious, office and retail uses in close proximity to the site. To the north and west lies predominantly two- and

- three-storey housing with a mix of Victorian properties and more recent 1980s and 1990s low-rise developments. To the east lies the Four Squares Estate, which are a series of residential blocks dating from 1970s characterised by four part 4-storey/part 7-storey perimeter blocks each situated around their own communal courtyard. Further to the east lies Southwark Park. On the opposite side of the railway viaduct to the south are further residential blocks of mixed character, and beyond that is the Blue town centre which provides shops and services.
18. The site is outside the Central Activities Zone, any designated town centre, action area or Opportunity Area. It is within the urban zone, air quality management area and flood zone 3. Drummond Road and Clements Road are at high risk of surface water flooding. The railway arches to the south are strategic protected industrial land.
 19. The nearest underground station is Bermondsey on the Jubilee Line, approximately 200m north of the site. The Public Transport Accessibility Levels (PTAL) for the site are predominantly level 3 (moderate) and 4 (good).
 20. The site is not within a conservation area, and there are no listed buildings within it. It is situated within the wider setting of the listed buildings, listed park and conservation areas, some of which are listed below and more are considered in the later heritage assessment section:
 - Grade II* listed Church of St James, Thurland Road.
 - Grade II listed group of buildings nos. 124-130 Jamaica Road.
 - Grade II listed St Crispin with Christchurch, Southwark Park Road.
 - Grade II listed Southwark Park School, Southwark Park Road.
 - Grade II listed Southwark Park approximately 150m to the east of the site
 - Grade II listed railway bridge on Spa Road, approximately 300m to the west of the site.
 - Wilson Grove Conservation Area, lies approximately 175m to the north of the site at its closest point, between Jamaica Road and the Thames riverside.
 - Edward III's Rotherhithe Conservation Area, lies to the north and north-east of the site 320m from the site at its closest point.
 - Thornburn Square Conservation Area lies 300m to the south-west of the site.
 21. The council published its local list in December 2023. The list includes properties on the Biscuit Factory site (including Workspace buildings). The buildings on the Drummond Road side are locally listed, two Workspace buildings and one building at the northern corner. However, the now locally listed former factory building at the northern corner within the site was demolished recently (in line with the approved scheme). The local list also includes buildings in the area around the site, such as 96 Webster Road, 385-393 and 395 Southwark Park Road, 42-44 Banyard Road, the public houses at 251 and 418 Southwark Park Road, 23-25 Blue Anchor Lane and the public house 72 St James's Road.

22. The northern part of the site (the school site) sits within the wider setting area of the Blackheath Point to St Paul's Cathedral LVMF view, and the extended background vista of the Primrose Hill summit to St Paul's Cathedral.
23. There are no tree preservation orders in place on or around the site, however trees within the site and adjacent street trees are required to be protected and retained by the approved redevelopment scheme, as they make an important contribution towards the character of the area.
24. The Southwark Plan area vision AV.03 for Bermondsey identifies the area as an inner London neighbourhood characterised by modest worker houses associated with the historic Rotherhithe docks and local manufacturing industries such as biscuits, jam, vinegar and pickles. It is an area notable for its employment clusters as well as having excellent public transport links. The site, along with the neighbouring railway viaduct and Workspace buildings, form site allocation NSP13 in the Southwark Plan. The site vision states that redevelopment of the site must:
 - provide new homes (with a minimum capacity of 1,548 homes);
 - support new and replacement business floorspace, including space for small and medium enterprises (E(g) and B class);
 - provide a replacement school;
 - provide two new links to the Blue under the railway viaduct;
 - provide active frontages with retail, community or leisure uses at ground floor level, enhancing the adjacent Low Line walking route;
 - provide a new link between Bermondsey underground station and the Biscuit Factory site down Keeton's Road; and
 - enhance the Low Line walking route adjacent to the railway viaduct.

Details of proposal

25. The summary document written by the applicant at the time the application was submitted is included as Appendix 6. It has been superseded in some areas however due to the amendments made later in the application's assessment.
26. The current applicant, Fizzy Bermondsey (part of the Greystar Real Estate Partners LLC group, and which will be referred in this report as to as "Greystar") bought the site from Grosvenor Estate in October 2022. Grosvenor Estate was the applicant for a planning application to redevelop the site, which was granted by the GLA in June 2020, ref. 17/AP/4088. The permission was implemented with the construction of the new school building at the north end of the site. Other works, such as the demolition of buildings on the site, site clearance, site investigations for archaeology and contamination, and advanced preparatory works have taken place across large parts of the site.
27. Greystar is seeking to make changes to the 2020 permission in this current section 73 "minor material amendments" application in order to deliver its vision with its design, place-making and operational principles for its style of Build to Rent accommodation. The changes proposed do not include any amendments to the new school, although it is within the same red line application site. The

proposed amendments would mean the scheme would no longer comply with several conditions on the 2020 permission (and as later amended), such as the list of approved drawings, the number of residential units and quantum of floorspace in the detailed and outline elements, the approved phasing, and the details fixed in conditions relating to the number of accessible homes, floor areas within the retail controls etc.

28. In summary the proposed site-wide changes include:

- Increasing the number of new homes to up to 1,624 homes from the approved 1,536 homes of the 2020 permission – an increase of 88.
- Changing from 482 affordable homes with 1,397 habitable rooms of the approved scheme, to a suggested 480 affordable homes with 1,759 habitable rooms (35.3% by habitable room), representing an additional 362 affordable habitable rooms based on an assumed provision by outline block V.
- A revised tenure split of the affordable housing to increase the proportion of social rented units to meet the 25% social rent and 10% intermediate tenure split of the Southwark Plan.
- Continued Build to Rent (BtR) tenure for all of the private market units in the site, with an increased term from a minimum of 20 years of the approved scheme to a minimum of 30 years.
- Changes to the quantum of employment, flexible commercial uses, retail and community floorspace.
- Revised massing, architecture and designs to each block (described below by block), including revised layouts of the residential units and ground floors.
- Revised landscaping with the removal of block R and the ramp down to the basement (as the approved basement to RST would be removed). The public realm would also provide more tree planting and playspace, and an improved urban greening factor of 0.4.
- Revised fire safety by providing two fire escape stairs per core in the residential buildings, to meet revised Building Regulations.
- Provision of 10% affordable workspace (increased from 6.8% of the approved scheme).
- Higher carbon savings compared with the approved scheme due to the improved thermal performance and recent changes to Building Regulations.
- Increased provision of internal communal facilities and shared external amenity spaces for BtR residents.
- Amendments to the phasing of the redevelopment, subdivided into 10 phases compared to the three main phases of the approved scheme. The application states “*the decision has been driven by cashflow considerations relating to the payment of CIL*”.
- Revised uses and parameters in the outline element of the proposal to both blocks U and V to allow for revised footprint to block U, and greater height to U and V. Block U is proposed to be primarily office use instead of the approved residential-led building, and block V would be primarily residential with ground floor commercial.

29. These changes will be outlined in the pages below firstly on a site-wide level and then by each block in turn to highlight the main changes from the approved scheme. The visuals below give a stylised overview of the massing of both schemes



Consented scheme massing visual



Proposed amended massing visual

30. In terms of the total number of residential units and their unit size mix, the figures are set out in the table below and would change from the extant permission's 1,536 to up to 1,624 homes. With one of the residential blocks (block V) proposed in outline form, the number of units and habitable rooms which it would provide is not fixed. Therefore the figures below are based on an illustrative number of unit mix for this block, as well as the known figures for the rest of the scheme. The unit mix would change to increase the number of 2-bedroom and studio units and reduce the number of 1-,3- and 4-bedroom homes.

Size	Extant permission		Current proposal		Change
	Unit count	Unit mix	Unit count	Unit mix	
Studio	124	8.1%	136	8.4%	+0.3%
1-bedroom	598	38.9%	601	37.0%	-1.9%
2-bedroom	613	39.9%	684	42.1%	+2.2%
3-bedroom	197	12.8%	201	12.4%	-0.4%
4-bedroom	4	0.2%	2	0.1%	-0.1%
Total	1,536	-	1,624	-	-

Table 1: Schedule of the unit mix of the approved and proposed schemes, based on an illustrative form of outline block V and an assumed number of units and unit mix

31. The tenure split of the homes would change from the 2020 permission, with a small reduction of 2 affordable homes overall (482 decreasing to 480). Again this is based upon an illustrative number and mix of social rent units in outline block V. The number of social rent homes would increase from 140 to 338, and the number of intermediate discount market rent (DMR) would reduce from 342 to 142 in these assumptions.

Size	Extant permission			Current proposal		
	Social rent	Intermediate	Market	Social rent	Intermediate	Market
Studio	0	0	132	0	0	136
1-bed	43	123	432	76	56	469
2-bed	57	146	412	144	56	484
3-bed	36	73	90	116	30	55
4-bed	4	0	0	2	0	0
Total	140	342	1066	338	142	1144

Table 2: Schedule of the tenure split by home of the approved and proposed scheme, based on an illustrative form of outline block V and an assumed number of units and unit mix.

32. The number of affordable habitable rooms would increase (see table 3 below) from a total of 3,989 in the approved scheme to 4,948 in the current proposal, an increase of 350. This assumes an illustrative number of social rent habitable rooms being provided in block V. The tenure split of the affordable homes would change from the 2020 permission, increasing the proportion of social rent units from 10.5% to 25.2% by habitable room.

Tenure	Extant permission		Current proposal	
	Habitable room count	Percentage of total	Habitable room count	Percentage of total
Private Build to Rent	2,592	64.98%	3,225	64.71%
Discounted market rent (rents up to £60k income)	976	24.47%	512	10.27%
Social rent equivalent DMR	421	10.55%	0	0
Social rent	0	0	1,247	25.02%
Total	3,989 of which 1,397 are in affordable homes	-	4,984 of which 1,759 are in affordable homes	-

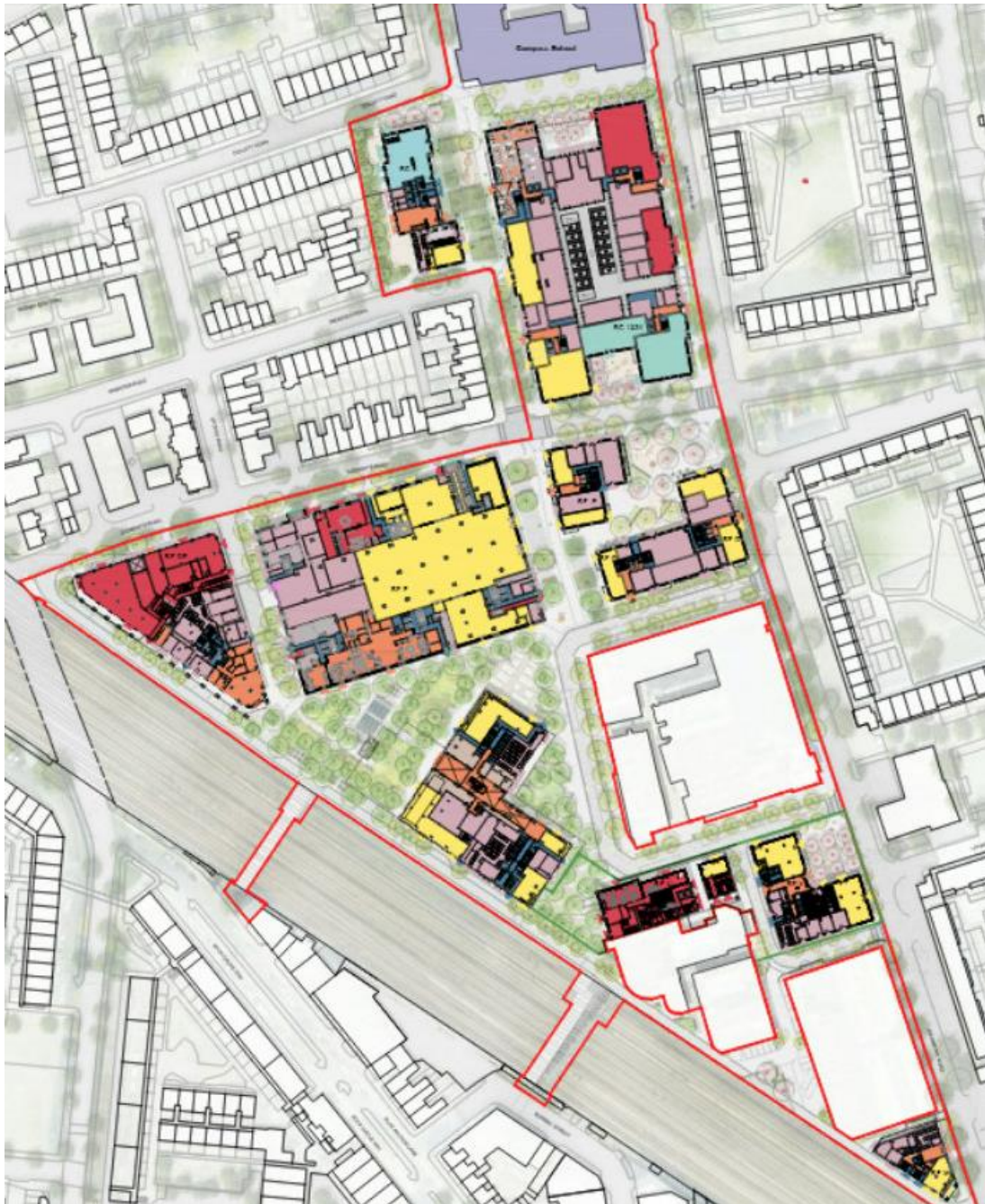
Table 3: Schedule of the habitable room split by tenure of the approved and proposed scheme, based on an illustrative form of outline block V its housing mix and habitable rooms.

33. The applicant is proposing a 30 year term for the market BtR units to be used as BtR type of tenure, which increases on the 20 year minimum period of the approved scheme.
34. The quantum and distribution of site uses would be amended across the site, most notably the increased area of residential floorspace, the change in block U from residential (Use Class C3) to office use (Use Class B1) and the reduced office floorspace in block F. As a result, the detailed component of the masterplan would lose 5,478sqm of office space, while the outline component would gain up to 5,635sqm of office floorspace. Overall the scheme would gain a maximum of 8,946sqm of residential floorspace, reflecting the uplift in residential units, 184sqm more community and leisure floorspace (Use Classes D1 and D2), and loss of at least 1,073sqm of retail floorspace (Use Classes A1, A3, A4).

Land use	GIA (sqm) of the extant planning permission	GIA (sqm) of the current amendments	Change in GIA (sqm)
Detailed component			
Residential (C3)	141,155	153,312	+12,157
Retail (A1, A3, A4)	3,112	2,039	-1,073
Multi use (A1, A3, A4, D2) to block F	3,008	3,238	+230
Office (B1)	15,574	10,096	-5,478
School (D1)	5,250	5,250	-
Community and leisure (D1/D2)	803	987	+184
Total detailed	168,902	174,923	+6,021
Outline component maximum floorspace areas			
Residential (C3)	11,783 as up to 130 homes	8,572 as up to 82 homes	-3,211
Retail/community (A1, A3, A4, D1)	710	434	-276
Commercial (B1)	0	5,635	+5,635
Total outline	12,493	14,641	+2,148
Scheme totals	181,395	189,564	+8,169

Table 4: Comparison of approved and proposed floorspaces for different uses.

35. The rearrangement of the land uses across the site has amended the ground floor layouts of most of the buildings. The ground floors remain primarily in retail, commercial, community or leisure uses, communal residential lobbies, plus the ancillary cycle and refuse stores, plant, and internal servicing and parking areas. The duplex homes approved in blocks 1-4 and F have been removed.

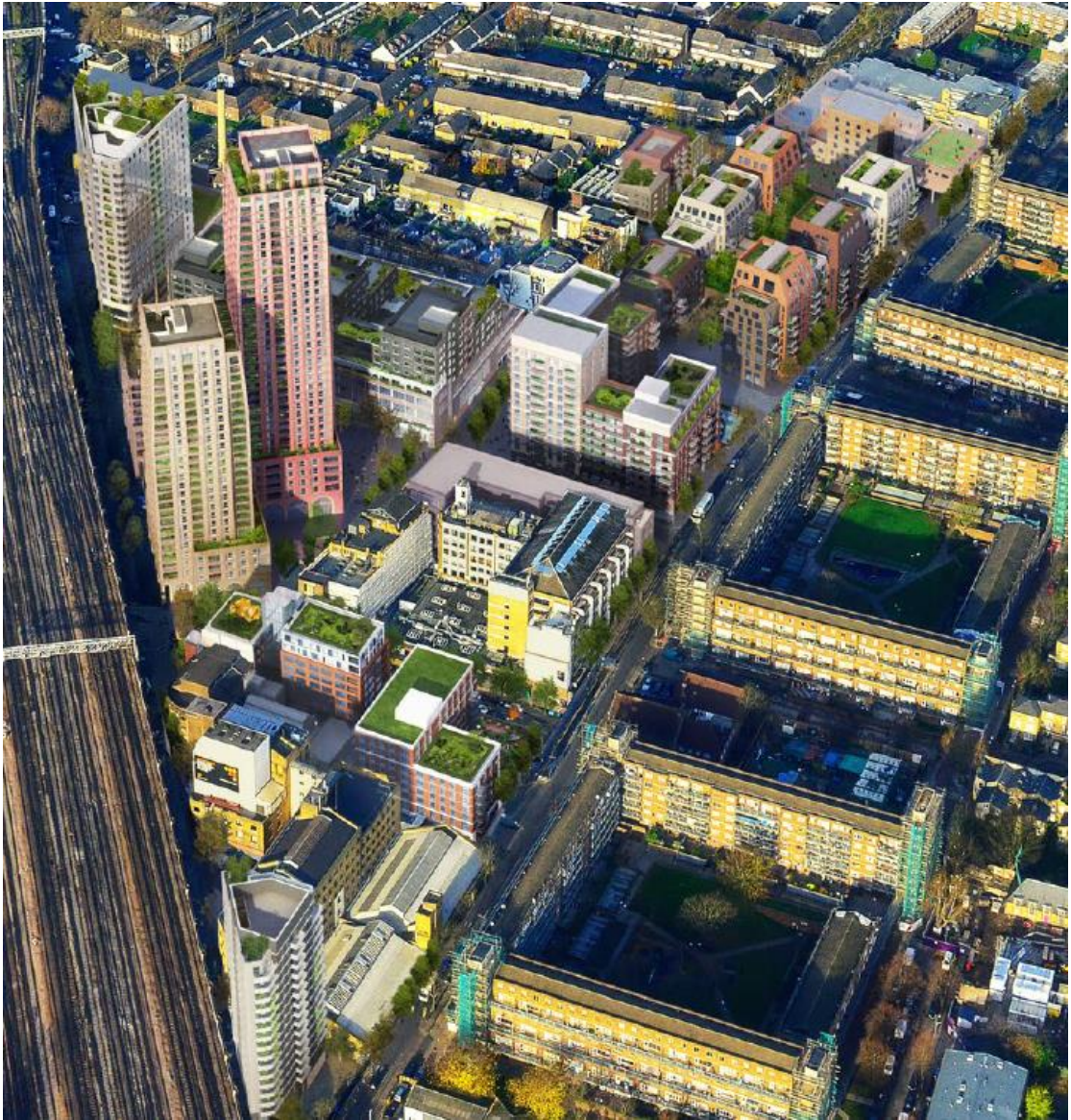


School
 Community
 Car parking
 Office
 Residential
 Lobby
 Retail
 Amenity space
 Back of house / Other

Site wide visual of the proposed ground floor uses and key

36. The proposal would achieve improved carbon savings compared to the 2020 scheme, with an overall 84% reduction compared to the Part L 2021 baseline instead of the 55% reduction in carbon emissions on Part L 2013 of the approved scheme. In order to deliver this, the energy saving measures would include the use of passive demand reduction measures, the integration of renewable PV panels on every building, and a connection to the district heat network to serve all residential buildings.

37. The scheme would include provision of at least 10% of affordable workspace floorspace to meet the minimum policy requirement, as opposed to the 6.8% affordable workspace included in the original scheme (as amended). Since the final amount of employment workspace across the whole scheme is not yet determined due to the outline office building, the final area of affordable workspace would be confirmed at a later stage.
38. As part of the applicant's model of BtR homes, there are enlarged area of internal communal spaces within some of the buildings totalling approximately 7,500sqm (compared to 3,600sqm of the approved scheme), such as the top floor of buildings DE and F, parts of the ground, mezzanine and first floor of ST, parts of the ground and top floor of 1-4 and shared gardens and roof terraces.
39. The applicant has three different architectural practices working on the design revisions: HTA, Hawkins Brown and AFK. The site-wide design has moved away from the style of the approved scheme by KPF, for example the sloped facades and pitched roofs to 1-4, 5 and ST have been squared off with vertical walls and flat roofs. Some example visuals of the approved scheme below can be compared with the later images of the current scheme.



Visual of the approved scheme



Visual of the approved scheme architecture of block 1-4



Y
TAP
Visual of the completed site in the current scheme (with assumed designs of U and V)

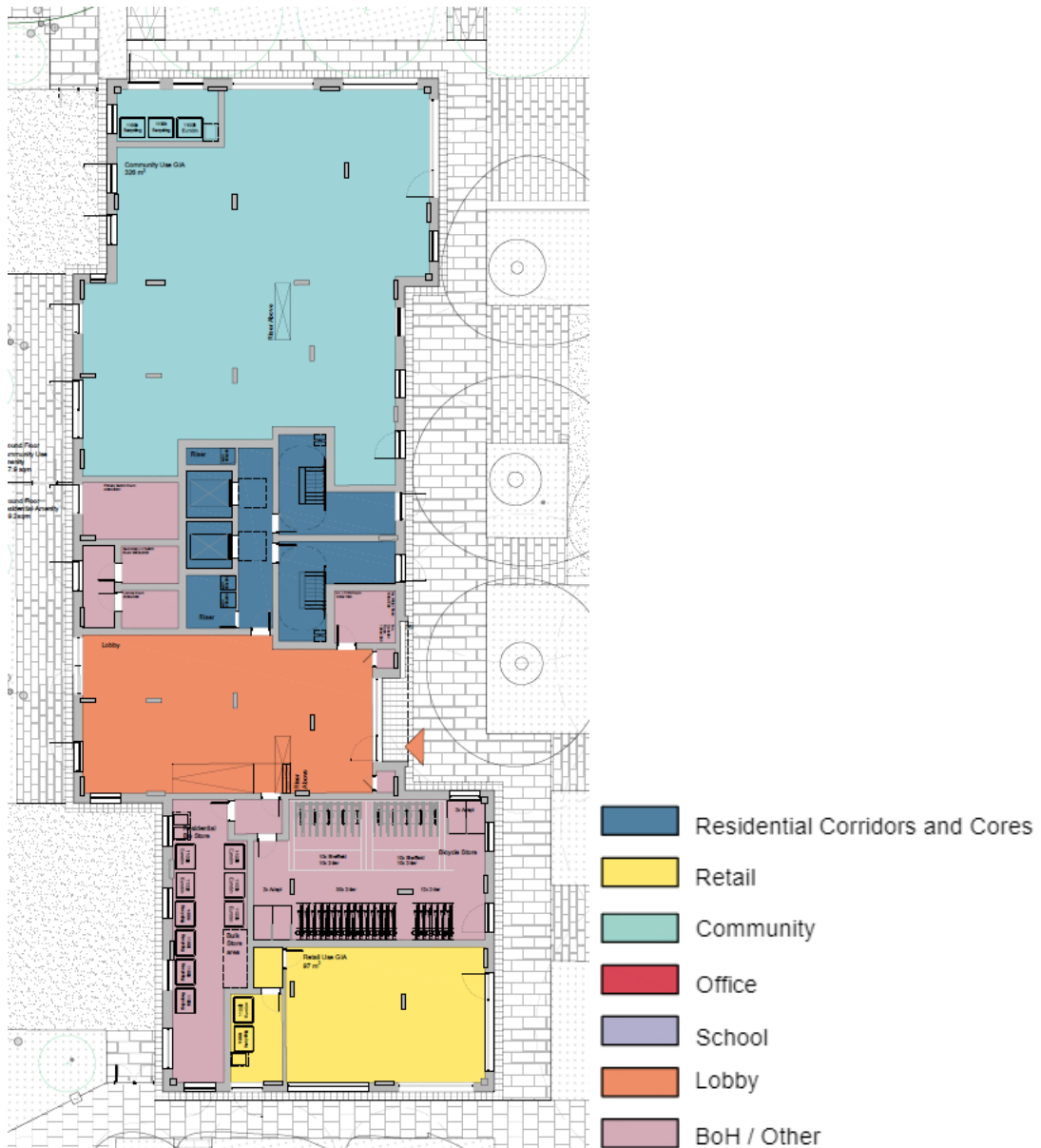
40. To look at the design changes on a building by building basis, starting at the north-western edge of the site, each of buildings 5, 1-4, DE, F, OPQ, ST and W are summarised below along with the changes to the outline part of the development in block U and V. The naming of the different blocks is shown on this visual.



Proposed scheme axonometric showing the block names

Block 5 on the re-established Keeton's Road, Collett Road and Webster Road

41. The number of residential units in block 5 would increase from 38 to 50, as 12 additional flats. Tenure of all units in this block change from affordable to private BtR as part of the site-wide tenure changes. The proportion of studios, 1-bedroom and 2-bedroom apartments would increase, and the proportion of larger units decrease. The residential floors would accommodate 11 units per floor instead of 9 and have two fire escape cores. A communal garden for residents is proposed at the rear, as well as roof terraces.
42. The ground floor uses would be rearranged to accommodate 318.5sqm of new community floorspace on the north side, with a rear garden area. Retail space would be moved to the south and reduced from 319sqm to 97sqm.



Building 5 ground floor uses

43. The building was approved to be 5-storeys with a maximum height of 25.75m AOD to the lift overrun; the proposed building would be 6-storeys and have a maximum height of 25.5m AOD to the roof plant (as per the elevations below). The footprint and height of the building would be similar to those of the approved scheme, although an additional residential floor would be introduced and the form is squared off rather than having the angled architecture of the approved scheme.



Proposed eastern elevation of block 5

44. Building 1-4 between Keeton's Road, Drummond Road and Clements Road

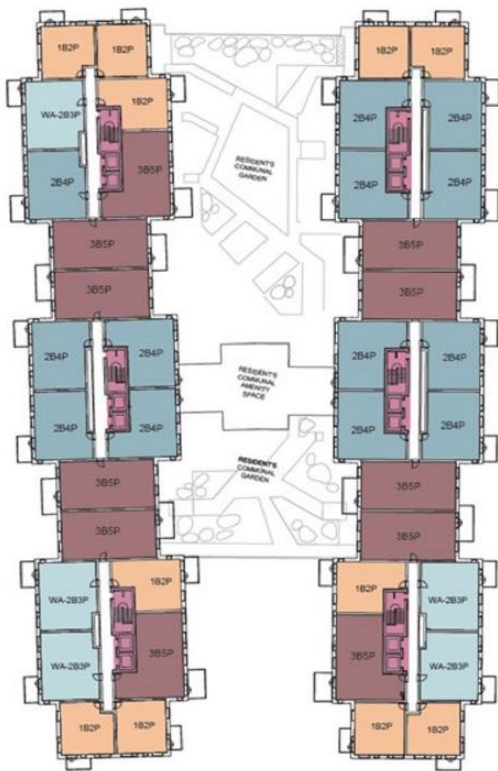


View of the northern end of block 1-4 (left) and block 5 (right) looking down the new Keeton's Road extension

45. Block 1-4 would accommodate 309 BtR units (as a mix of private and intermediate DMR), as an increase of 46 homes on the approved 263 units. The unit mix would have an increased proportion of studio flats and 1-bedroom flats, and a lower proportion of 2-bedroom and 3-bedroom flats compared to the 2020 scheme.

46. In terms of the layout, the 2020 scheme had 6 cores with short access corridors and direct access from east and west frontages. The current scheme proposes an H shaped arrangements of 4 connected cores to provide every apartment with two means of fire escape and allow residents to move around all parts of the building to use the amenities. A link building is proposed at the north end to provide the H shape and reducing the size of the communal podium garden. The footprint of the building has increased. On the southern side the area of public realm would be reduced, while on the northern side a larger area of landscaping is proposed.

2020 Consented Scheme



2023 Proposed Scheme



Typical residential floorplan of 1-4 comparison with the 2020 scheme

47. On the ground floor, the primary residential lobby would be located on the north-west corner and smaller entrances on the two streets. Office units are proposed on the north-east side. community space would wrap around the southern courtyard with retail areas stretching along the west frontage of the building. The 2020 scheme had flexible uses (A1/A3/A4, B1/B2, D1/D2) located in proximity with the main roads to the north and south of the building. The approved duplex residential units on the western and eastern sides have been removed.

2020 Consented Scheme

2023 Proposed Scheme



Key

	Use Class A1/A3/A4		Residential Corridors and Cores
	Use Class B1/B2		Retail
	Staircase / Lift		Community
	Use Class C3		Office
	Use Class D1/D2		Lobby
			BoH / Other
			Car Park

Ground floor uses comparison with the 2020 scheme

48. Generally the building would be of similar height and footprint as the approved scheme, although the maximum height would be reduced from 10 to 9 storeys in the south-east corner of the building, or from 39.29m to 35.38m AOD. The massing has been developed to simplify the sloping roofscape of the 2020 scheme by squaring it off, as suggested by the red outline in the image below.



Proposed Building 1-4 elevation compared to approved massing outline (in red dash)

Building DE on the corner of Clements Road and St James' Road

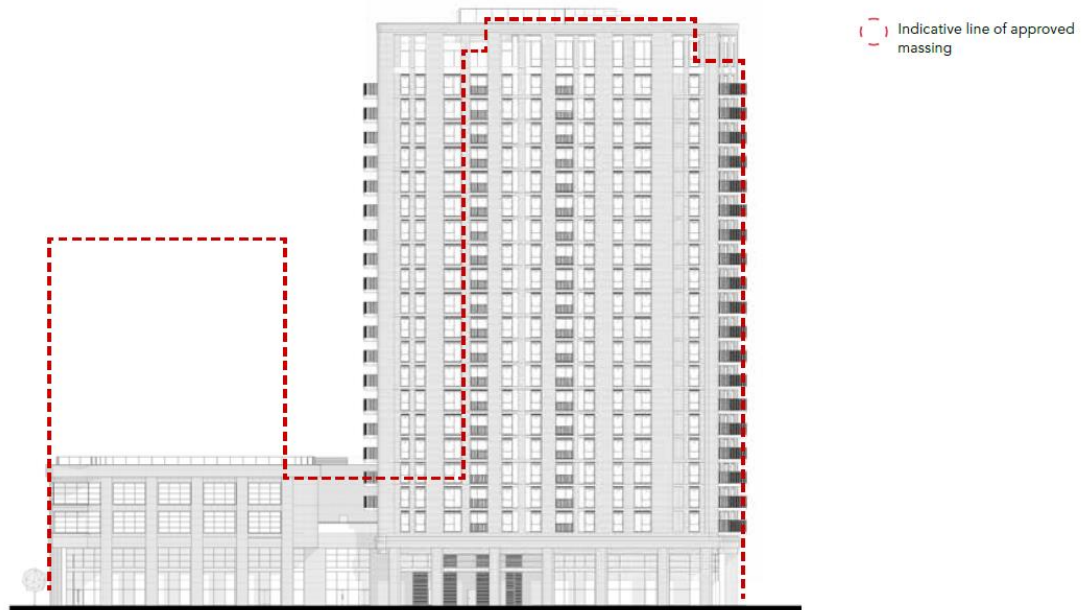


View of DE from St James's Road, with new Low Line route alongside the viaduct

- 49. Block DE would provide a total of 225 BtR units (private and intermediate DMR),

an increase of 43 units when compared to the consented scheme that had 183 homes in this block. It would contain an increased share of studio and 3-bedroom flats.

50. The proposal would consolidate the two tower elements of the approved building into one wider tower, sited on the south-east part of the triangular plot. The single tower would also be slightly taller at a maximum height of 77.90m AOD as opposed to 76.23m AOD of the approved scheme, and contain 3 extra storeys to be 22 storeys tall.



Proposed Building DE elevation compared to approved massing's outline, without the balconies that were later added to this elevation

51. The consolidated massing would separate residential and office uses into two cores to simplify access for each use. The residential core would provide two means of escape. The approved retail and leisure space have been removed and the office floorspace slightly reduced. The active frontages would be revised by the consolidation of back of house services at the centre of the building.



Ground floor uses comparison with the 2020 scheme (left) and proposed (right)

Building F the retained factory building on Clements Road



View of the southern façade of block F, with S on the right

52. The number of residential units in block F would increase from 165 to 230 units, an uplift of 65 flats. The unit size mix would mostly remain similar to the consented scheme, with a slight increase in a share of studios and a decrease in a share of 3-bedroom apartments.
53. The revised ground floor layout would have a main residential lobby relocated to the south-west of the building, and office lobby relocated to the north on Clements Road. The approved scheme had single floor flexible commercial space (Use Class A1/A3/A4/D1) stretching from south to north-east of the building. In the present proposal, this space would be mostly double height, located to the centre and east of the plan. The first floor office space would remain, the second floor office space would be replaced by the E shaped layout of residential units. This reconfiguration would result in a decrease in overall office floorspace from 8,100sqm to 4,813sqm, and an increase in the flexible floorspace from 3,008sqm to 3,258sqm. A public roof terrace is proposed, which has moved down a level to be on the second floor along with a retail unit.



Ground floor uses comparison with the 2020 scheme (left) and proposed (right)

54. There would be six residential floors above, one more than the approved scheme. Typical residential floor layouts would have 34-44 homes per floor instead of 12-31 homes per floor of the approved scheme, and 6 escape cores instead of consented 3 – two per each ‘arm’ of the building.



Typical residential floorplan comparison with the 2020 scheme (left) and proposed (right)

55. The stepped massing of the residential floors above the factory building would be continued, although depths of the floors have changed, especially the southern long massing becoming deeper into the centre of the block for two rows of units and central corridor. The recess of the approved first floor on the southern elevation has been removed, so that the office would no longer have south-facing balconies, and the residential floors are no longer set back on the southern façade. One more floor of the 1967 factory building and two more floors on the southern side would be removed to leave only two storeys. Brick facades would be built back to the lower two floors only (instead of four floors), with the green metalwork to the upper floors of residential use. The height of block F would be reduced from 42.7m to 41.0m AOD, whilst maintaining the provision of 9 storeys.

2020 Consented Scheme



2023 Proposed Scheme



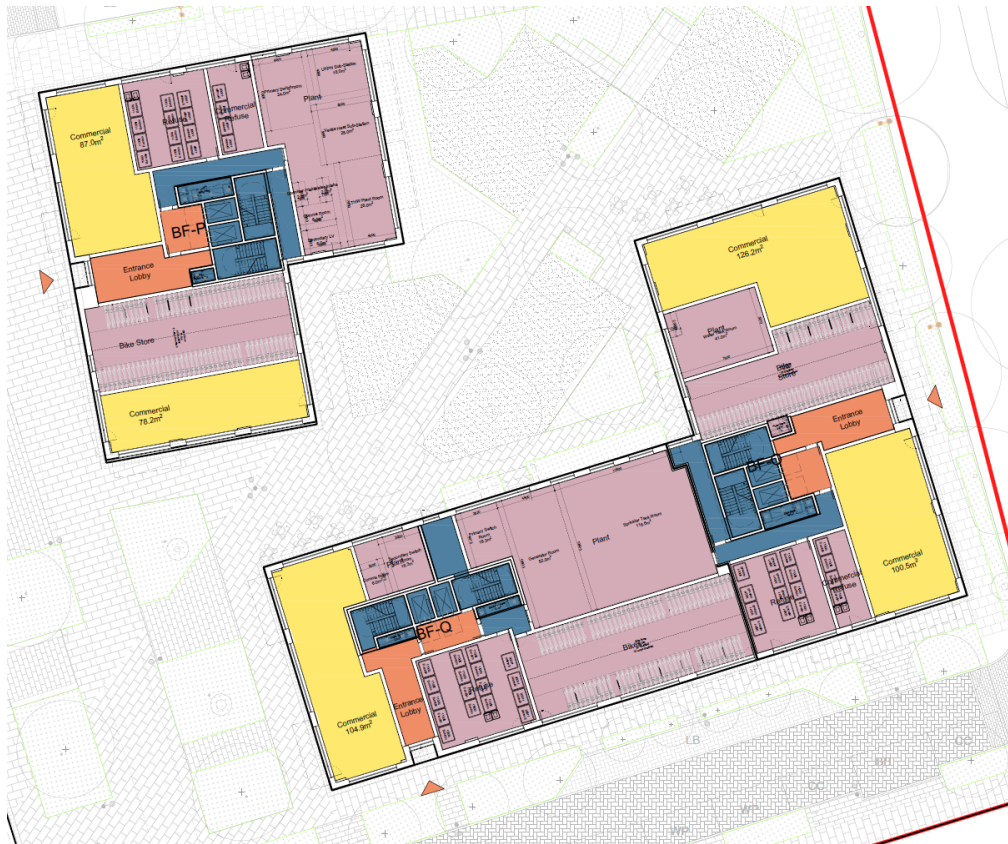
Comparison views of block F's north and south elevations

Building OPQ at the corner of Clements Road and Drummond Road

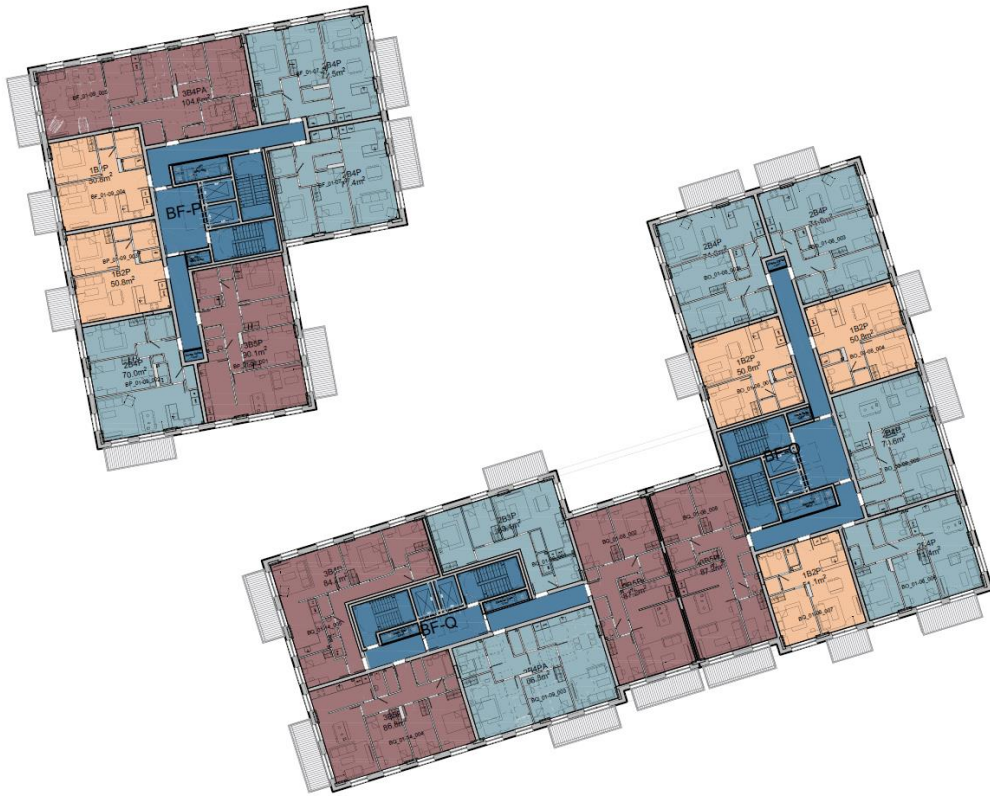


Northern facades of OPQ on Clements Road

56. The number of residential units in the two blocks that form OPQ would increase from 182 to 187 homes, with their tenure changing from mixed to be fully social rent tenure. The unit size mix would be revised to accommodate fewer 1-bedroom and more 2- and 3-bedroom homes compared to the consented scheme.
57. Following the original scheme, the ground floor level would be arranged as two L-shaped blocks, block P to the north, and block OQ to the south-east, arranged either side of new public realm and playspace. The retail floorspace has been reconfigured and increased from 276sqm to 524sqm. The typical residential floor layouts would be revised to include two means of escape to each core.

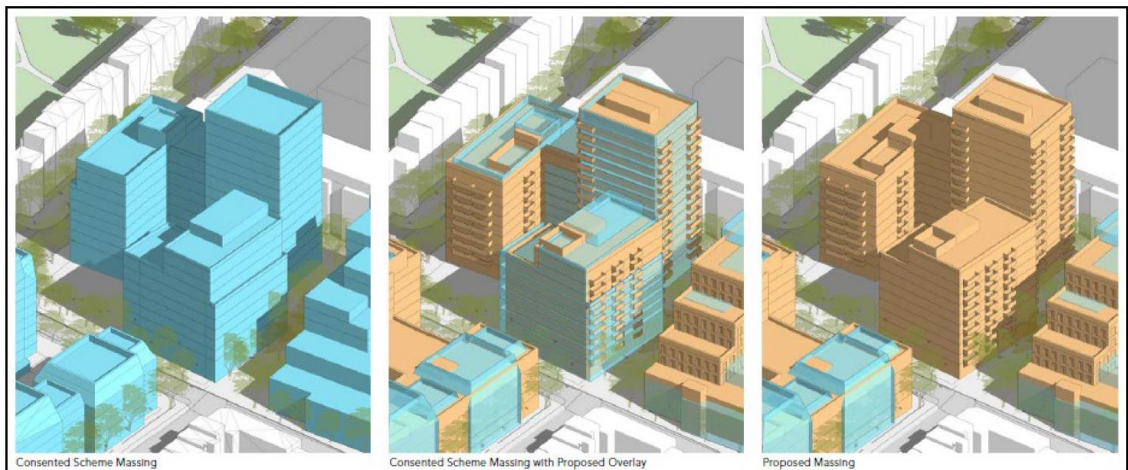


Block OPQ proposed ground floor layout



Block OPQ proposed typical residential floor layout

58. Building P would increase from 9 to 10 storeys, Q from 8 to 9 and O from 13 to 15 (increasing in height from the approved 52.125m to 53.175m AOD). Both buildings would have the same footprint and similar massing as the consented scheme, as indicated in the comparison visuals below.



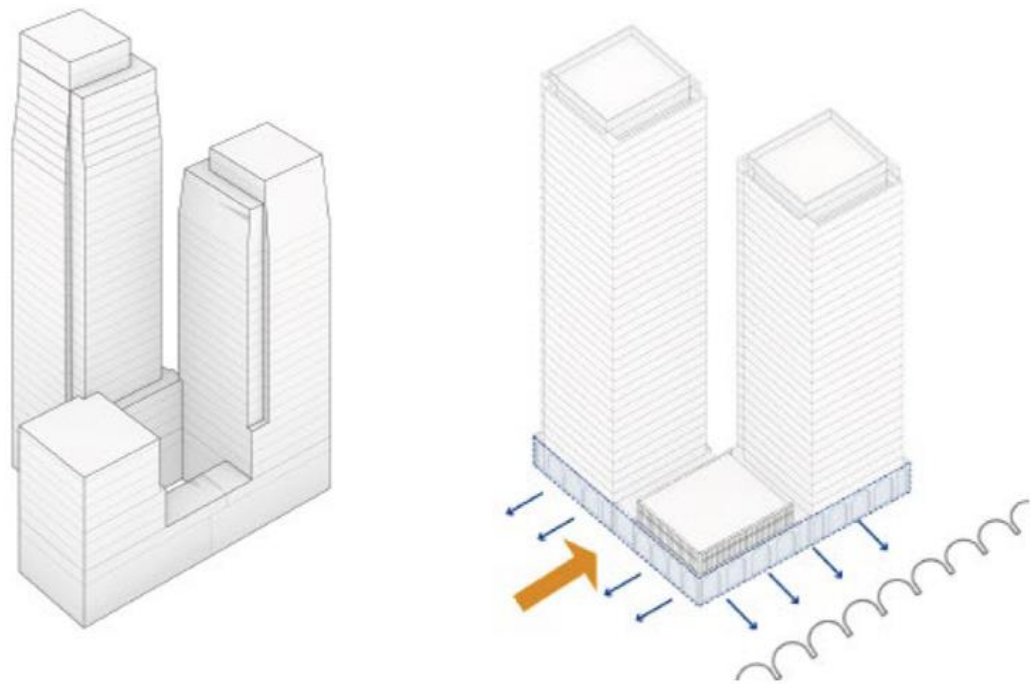
Building OPQ - Consented scheme (left in blue) and 2023 proposal (in orange)

Building ST at the centre of the site



Western side of ST onto the central public realm

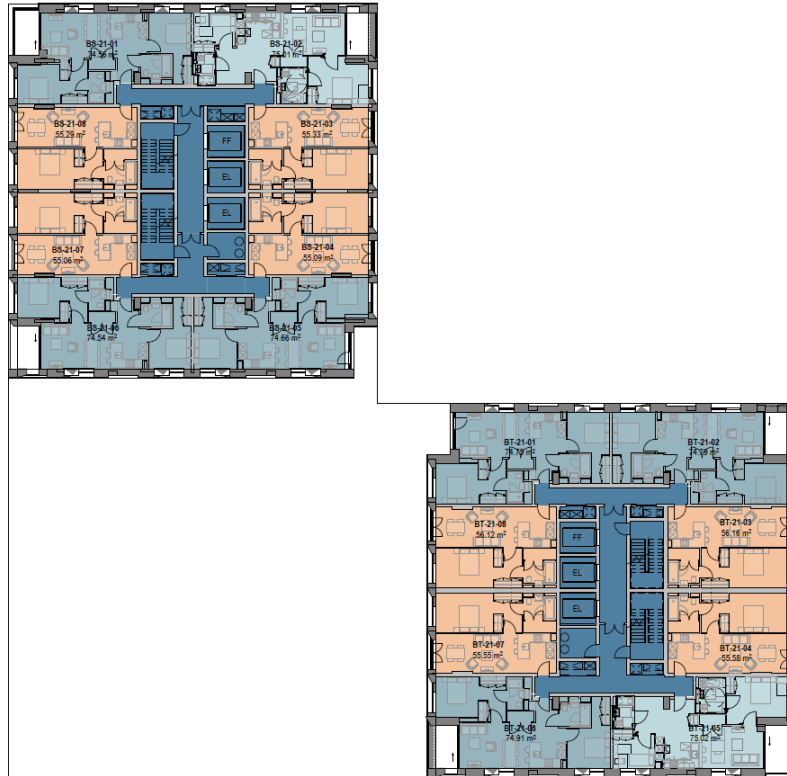
59. Building R of the 2020 scheme would be removed along with its courtyard public realm. Building ST would provide fewer residential units, 472 instead of approved 517 by removing block R. While the consented scheme proposed the mix of apartments of various sizes – from studios to 3-bedroom flats, the current proposal would only have a mix of 1- and 2-bedroom types.
60. The two residential towers (S and T) would have a lower link building to provide amenity rooms and roof terraces. The form of the towers has been rationalised to remove the gentle slopes to the façades and the set backs of the approved scheme. The typical residential floor layout would be revised to include two means of escape to each core.



Consented scheme (left) and proposed scheme (right) massing comparison



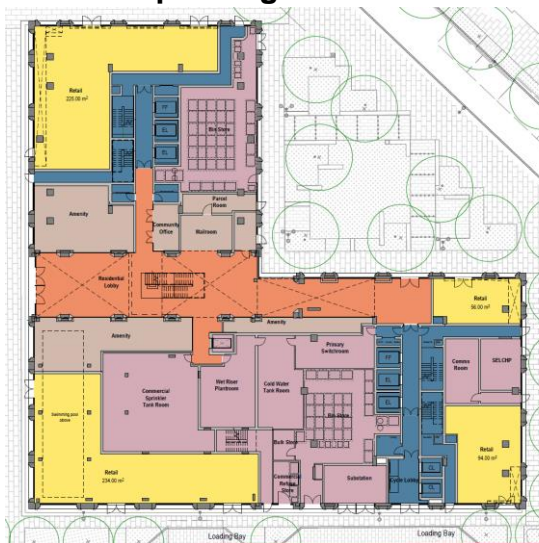
The approved upper floor layout of RST



The proposed typical residential floor of ST, with the linking lower podium between

61. The approved basement beneath RST which would have provided cycle parking, plant equipment, and refuse stores is proposed to be removed, along with its access ramp between blocks DE and F. This has resulted in changes to the ground floor layout of the building to accommodate refuse stores, and the uses its mezzanine to provide most of the cycle parking, swimming pool and plant.

Proposed ground floor



Proposed mezzanine floor



62. The height of tower S would be reduced by 0.5m to 122.9m AOD and still contain 36 storeys, and tower T would be increased from 93.3m to 97.2m AOD to accommodate 3 extra floors to bring it to a 29-storey tower.

Building W on Drummond Road next to the railway viaduct



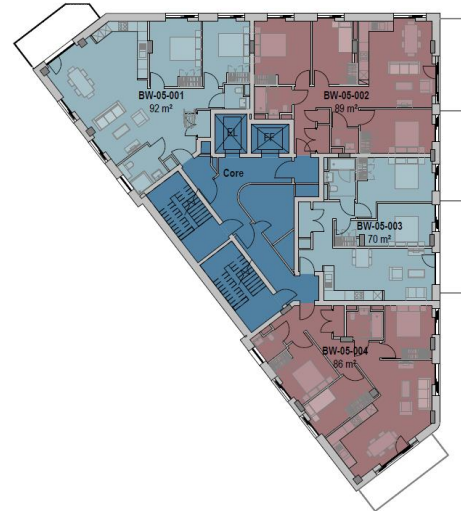
Eastern and southern facades of block W with new Low Line route alongside the viaduct

63. The number of residential units would be increased from 58 to 69 units. As per the consented scheme, block W would be an affordable block as completely social rent tenure. The unit mix would see an increasing proportion of 2-bedroom flats and a decrease in 1- and 3-bedroom units.

Proposed ground floor uses



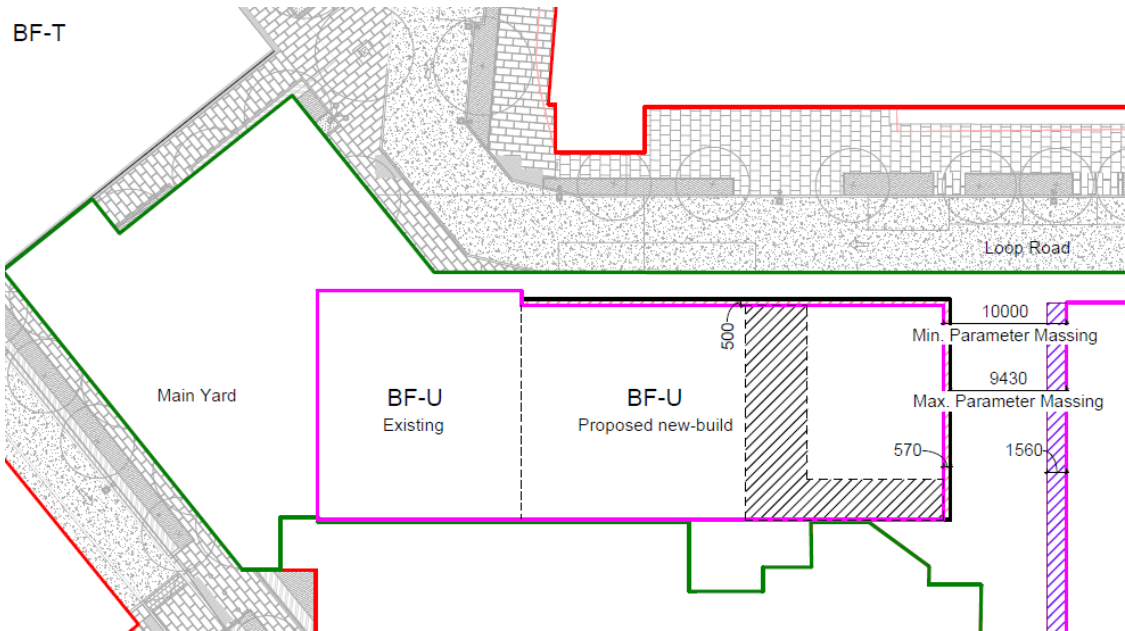
Proposed typical residential floor layout



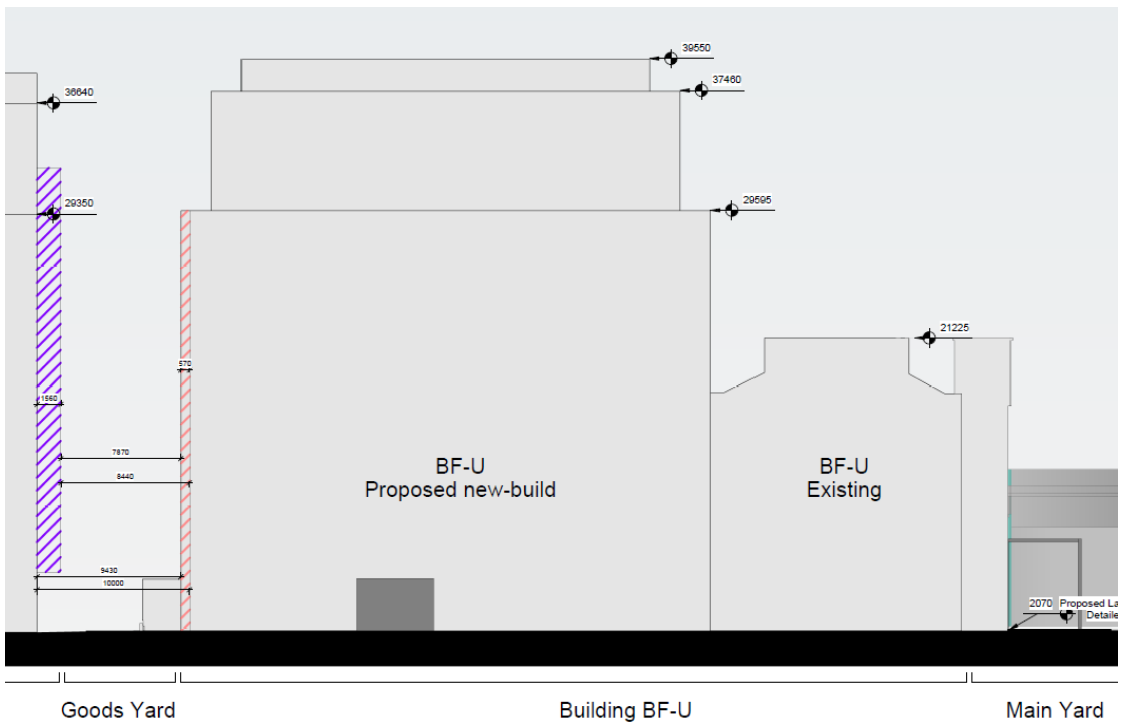
- 64. The ground floor layout would include the main entrance relocated from the narrow passage on the north side to Drummond Road and introduce a corner retail unit (Use Class A1/A3/A4) instead of the previously consented office space. The typical residential floor layout would include 3-5 homes per floor and introduce a second stair core to improve fire safety.
- 65. The building's massing would generally follow the approved scheme. The number of floors would be increased from 17 to 18, however the maximum building height would remain the same at 64.375m AOD.

Outline component (Buildings U and V) off Drummond Road

- 66. As with the 2020 scheme, buildings U and V are proposed in outline form with all matters reserved for future consideration. A series of parameters are proposed to control the physical form of the proposal, a development specification restricts their uses and maximum floorspace, and a design code sets out more information on the intended design that the future reserved matters would need to accord with.
- 67. Building U, approved to be residential in the consented scheme, would become an office building, incorporating a maximum of 5,739sqm of office floorspace, with a small ground floor retail space (55sqm). The approved scheme included an extension to the top and side of retained building U. The current scheme removes this extension to retain the pitched roof of the retained building. The updated maximum footprint would change in the northern part by removing the approved colonnade. The maximum height would be increased from 8 storeys to 10 storeys, (from 35.40m to 39.55m AOD).



Horizontal limits parameter for block U

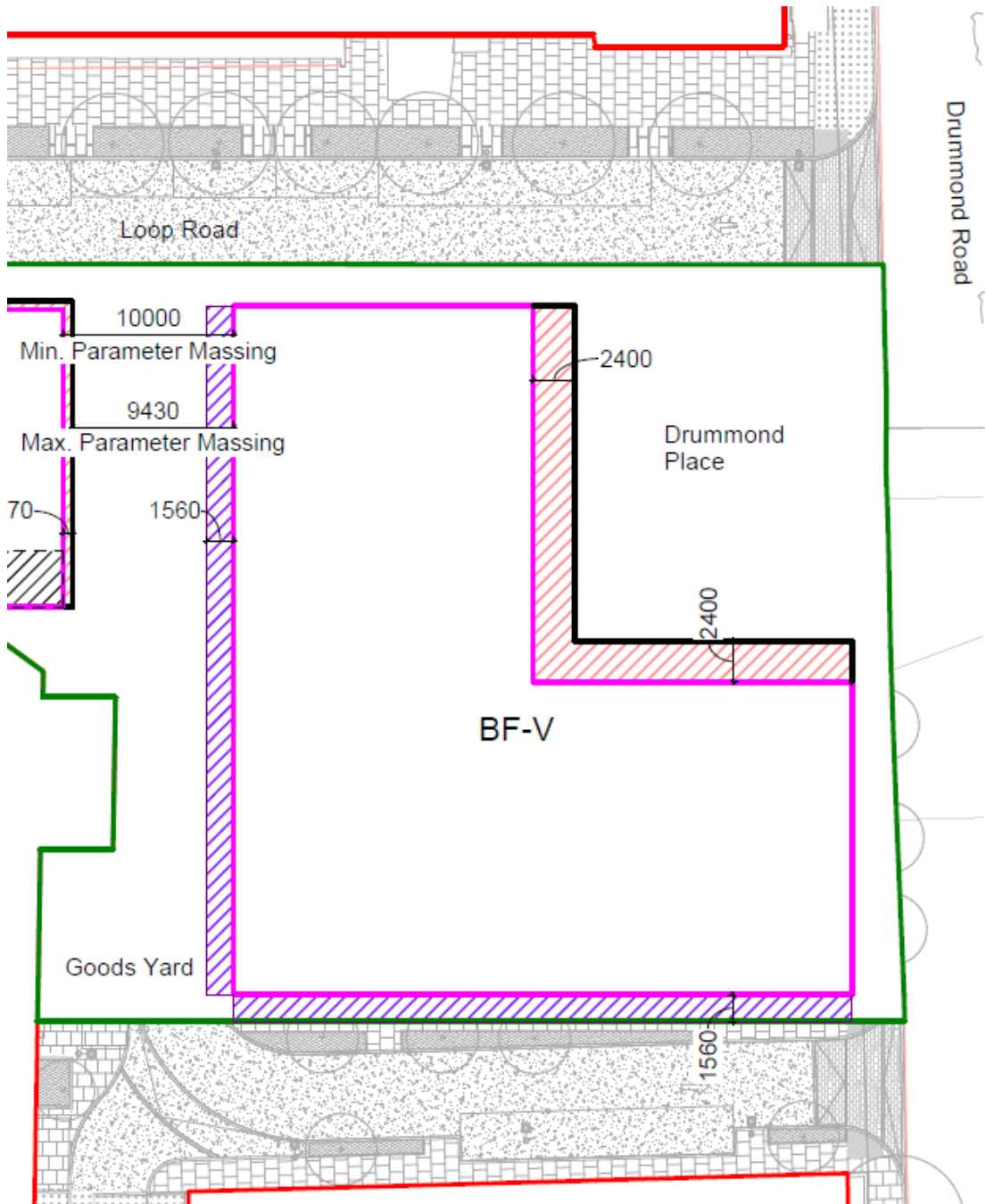


Vertical limits parameter for block U

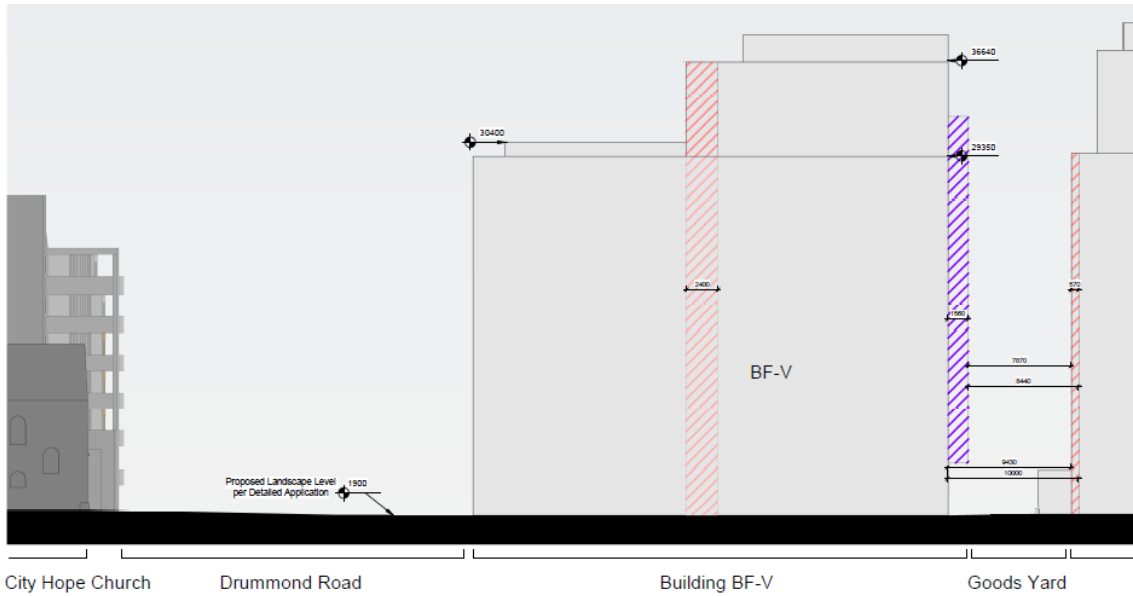


Illustrative visual of how the outline scheme could be developed in detail, with the retained building on the right

68. Building V would remain a residential-led plot with ground floor retail units, and provide social rent affordable housing. The number of residential units would increase from up to 75 to be up to 82, with the assumed size mix having a larger proportion of 2-, 3- and 4-bedroom apartments, and a decreased proportion of 1-bedroom flats. Permission for up to 281 habitable rooms in up to 82 homes is sought. A scheme that is at the maximum height and almost at the maximum footprint has been assumed for the illustrative material and housing numbers.
69. The ground floor would have a similar the footprint and layout of the consented scheme, and would accommodate a second fire core. The maximum height of the building would be increased from 9 storeys (plus roof plant) to 11 storeys in total, rising from 37.61m to 38.64m AOD. The lower wings of the building would also increase in height from 7 storeys to 8 storeys.



Horizontal limits parameter for block V



Vertical limits parameter for block V



Illustrative visual of how the outline scheme could be developed in detail

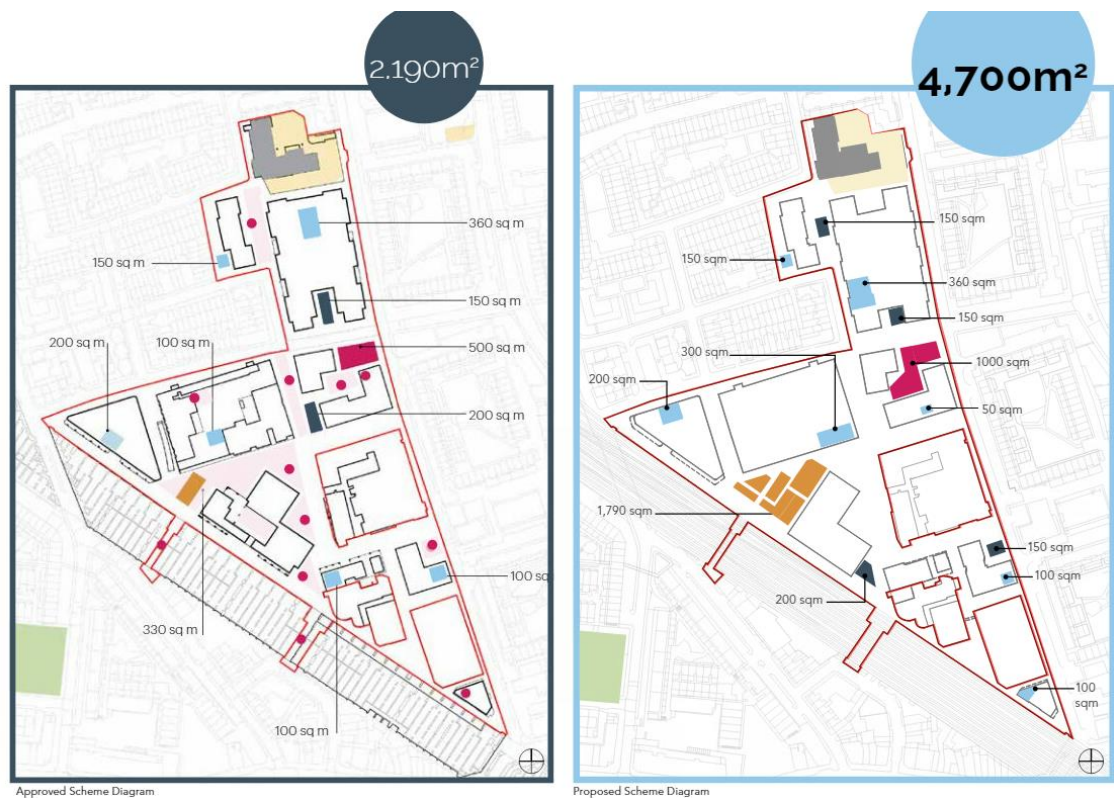
Landscaping and planting

70. Another main area of change from the approved scheme is the landscaping and public realm, with an increased amount of tree planting and play areas.



Approved (left) and proposed (right) landscaping at ground level

71. Building R and its courtyard are proposed to be removed (and partly replaced by the low element of building ST) which allows a larger central area of public realm to be created, referred to as “West Yard”. This area of public realm is approximately 700sqm larger. It would include a water feature to provide play interest in warmer months, and small play features spread throughout (such as climbing poles, stepping stones, mirrors etc) the landscaping to give a playable landscape.
72. By no longer needing a ramp down to a basement, more public realm can be provided at grade between buildings DE and F to improve the “Storks Link” route, with more planting and seating than in the approved scheme. In other areas, the public realm is being reduced, such as Salter Square on the southern side of building 1-4. Over the site there is a small increase in the total area of public realm of approximately 95sqm.
73. Additional tree planting at ground level has been included, to increase from 141 new trees of the approved scheme to a suggested total of 216 in the current application. The area of rain gardens would increase from circa 561sqm of the approved scheme to 5,000sqm spread across the site in the new planters in the public realm. The landscaping changes would improve the estimated UGF score from 0.3 of the approved scheme to 0.4 of the current proposal.
74. More play space is to be provided in the public realm in play areas with dedicated equipment and informal elements within the landscaping, as well as play areas within plots. The approved scheme provided 2,190sqm of play on site, and the proposed scheme incorporates approximately 4,700sqm of play provision for 0-4, 5-11 and 12+ year olds.



Comparison of the approved (left) and proposed play space (right)

Servicing and parking

75. Cycle parking has been increased to meet current London Plan standards, with 3,087 long-stay spaces and 495 visitor spaces (an increase from the 2,922 and 521 parking spaces of the approved scheme). Cycle stores are proposed at ground level and mezzanine level (via lifts) to buildings ST and DE. A combination of two-tier, Sheffield and adaptable spaces is proposed.
76. Vehicle accesses into the site would remain as the approved scheme from Drummond Road and Clements Road, one-way along the new route alongside the railway viaduct called “Shard Walk”, and the “loop road” around the Workspace buildings remains. For car parking, one extra blue badge space is proposed (increasing from a total of 44 spaces to 45). Of these 45 spaces, 22 are blue badge spaces within the yard of block 1-4 and in bays within the site, 19 on the access road and within the site would be for Workspace businesses in the adjacent buildings to use and car club spaces on the access road.
77. Delivery and servicing remains broadly the same as the approved scheme, with a mix of off-street servicing yards to buildings 1-4 and DE, and on-street loading either on the public highway or within the site’s roads. Refuse stores at the ground floor of the buildings would be serviced by on-street bays, loading bays within the site, and by the internal servicing yard of DE. The removal of the basement underneath ST means the cycle parking and refuse stores need to be relocated up to ground and mezzanine levels.

Amendments to the application

78. In response to officer comments, limited changes were made to the detail of the proposed buildings to improve their design. Such changes included:
- Additional parameter drawings, amendments to the parameter drawings and to the design code for the outline blocks U and V.
 - Revised floorplans to confirm room sizes, and wheelchair unit sizes.
 - Block DE – added 43 balconies on the railway façade.
 - Block 1-4 – confirmed the locations of doors to the ground floor non-residential uses and made use of a first floor area for three additional private terraces.
 - Block F – made the Clements Road entrance more prominent. Suggested design revisions to the block F brick base.
 - Block ST – amendments to the arches at the base.
 - Block OPQ – recessed one residential entrance.
 - Block 5 – removed a second door from the southern shop unit.
 - Increased the number of loading bays around the Workspace buildings, and reduced the number of car club bays from 4 to 2.
 - Removed the sui generis use from the outline part of the development as the precise use intended from the approved scheme could not be confirmed and is no longer needed.
79. With the limited scale of the amendments made, re-consultation was not carried out. Several documents were amended in response to consultee and officer feedback to use as final versions for a new decision or to better inform proposed conditions.

Planning history of the site, and adjoining or nearby sites

80. The most relevant planning application is the 2020 permission granted by the GLA, ref. 17/AP/4088. A fuller history of relevant decisions relating to this site, is provided in Appendix 3 including the earlier hybrid application in 2012 for the redevelopment of the site, and the later non-materials amendments agreed to ref. 17/AP/4088 in recent years.
81. The 2020 permission is of key importance to the consideration of the current material amendment application (which seeks to make changes to it), and will be referenced in the assessment below. The description of development for the 2020 permission at the time it was approved was:

Full planning permission for demolition, alterations and extension of existing buildings and erection of new buildings comprising a mixed-use scheme providing up to 1,418 residential units, up to 3,436 sq.m. (GEA) of flexible Class A1/A3/A4 floorspace, up to 14,666 sq.m. (GEA) of flexible Class B1 floorspace, up to 869 sq.m. (GEA) of flexible Class D1/D2 floorspace and up to 3,311 sq.m. (GEA) of flexible multi-use Class A1/A3/A4/D1 floorspace within retained Block BF-F, a new secondary school, in buildings ranging from 5 to 35 storeys in height as well as the creation of a single storey basement. The development also includes communal amenity space, landscaping, children's playspace, car and

cycle parking, installation of plant, new pedestrian, vehicular and servicing routes, the creation of two new pedestrian routes through the Railway Arches and associated works; and,

Outline planning permission (with all matters reserved) for the part demolition and part retention of existing buildings and erection of two new buildings comprising a mixed-use scheme, providing up to 130 residential units and up to 780 sq.m. (GEA) of flexible multi-use floorspace (Class A1/A3/A4/D1/Sui Generis), and other associated works.

82. The application by Grosvenor was originally submitted to the council in October 2017. The GLA “called in” the planning application to determine itself, following the council Planning Committee’s resolution to refuse planning permission in February 2019. When the Grosvenor application was considered by the council it sought permission for:

Full planning permission for demolition, alterations and extension of existing buildings and erection of new buildings comprising a mixed use scheme providing up to 1,217 residential units, up to 3,795 sqm GEA of flexible Class A1/A3/A4 floorspace, up to 12,023 sqm GEA of flexible Class B1/B2, up to 922 sqm GEA of flexible Class D1.D2 and up to 3,882 sqm GEA of multi-use floorspace (A1/A3/A4/D1) within building BF-F and a new secondary school, in buildings ranging from 4 to 28 storeys in height as well as the creation of a single storey basement. The development also includes communal amenity space, landscaping, children’s playspace, car and cycle parking, installation of plant, new pedestrian, vehicular and servicing routes, the creation of two new pedestrian routes through the Railway Arches and associated works and

Outline planning permission (with all matters reserved) for the part demolition and part retention of existing buildings and erection of two new buildings comprising a mixed use scheme providing up to 125 residential units and up to 781 sqm GEA of flexible Class A1/A3/A4/D1/Sui Generis Uses and other associated works.

83. The application was presented to Planning Committee in February 2019 with a recommendation of refusal, which the Committee agreed, for four reasons:

- 1) the amount and affordability of the affordable housing;

The development fails to provide the maximum reasonable amount of affordable housing, and the affordable housing offered would be at a cost which would not be affordable to those in greatest housing need. As such, the development does not maximise the delivery of affordable housing as required by saved Southwark Plan policy 4.4 ‘Affordable housing’, Core Strategy policy SP6 ‘Housing for people on different incomes’ and London Plan policy 3.12 ‘Negotiating affordable housing on individual private residential developments’, or the Mayors Affordable Housing and Viability SPD 2017. In addition, the development does not comply with the specific requirements for Private Rented Housing set out in the submission version (2018) of the New Southwark Plan policy P4 ‘Private rented homes’ in terms of the tenure split or the period for which the PRS housing is secured, or with the draft new London Plan 2017 policy H13 ‘Build to Rent’ in terms of the type of DMR homes being offered. As such,

the development would fail to offer genuinely affordable housing to meet a recognised and acute housing need.

- 2) the high density of development not providing an exemplary quality of accommodation for future residents;

The development is above the density range for an urban area set out in Saved Southwark Plan policy 4.1 'Density of residential development' and London Plan policy 3.4 'Optimising housing potential', but does not provide an exemplary quality of accommodation for its future residents to combat the potential negative impacts of high density living. Specifically, the development provides a high proportion of single aspect dwellings, including dwellings which have a northerly aspect, or a constrained outlook, and dwellings with the sole aspect towards a large railway viaduct so subject to noise and overheating. A significant proportion of flats also do not have access to private amenity space. The qualitative aspects of the housing design would not meet the expectations of the draft London Plan 2017 policies D4 'Housing Quality and Standards' and D6 'Optimising housing density' as well as the standards for amenity space and aspect contained in Saved Southwark Plan (2007) policy 4.2 'Residential Quality' and the Southwark Residential Design Standards SPD 2015. As such, the development would not provide a suitably high quality of residential amenity for future occupiers, and increase the likelihood of use of mechanical heating, cooling and ventilation due to the aspect and need to mitigate noise and overheating.

- 3) safety concerns due to conflicts between pedestrians, cyclists and vehicles on the internal routes;

The 'blind spots', convoluted and illogical internal routes proposed for pedestrians/cyclists and motorised vehicles would exacerbate pedestrian-vehicle and vehicular conflict and subsequently create adverse impact on highway safety, contrary to the Saved Southwark Plan 2007 Policies 5.2 'Transport impacts' part ii and 5.3 'Walking and cycling' parts i and ii, Strategic Policy 2 'Sustainable transport' of the Core Strategy 2011 plus New Southwark Plan 2018 Policies P11 'Design of places' parts 1.5 and 1.7, P47 'Highways impacts' part 4 and P48 'Walking' part 3.

- 4) the absence of a legal agreement to deliver the railway arch links:

In the absence of a clear agreement with the owners of the arch spaces, the proposed development would not secure the delivery of the two pedestrian routes through the viaduct which are a requirement of site designation NSP10 of the Submission Version of the New Southwark Plan.

84. After the GLA "called in" the application in May 2019, it negotiated revisions to the scheme to try to address the council's concerns. These amendments added 206 residential units, increased the affordable housing from 27% to 35% (of which 30% social rent equivalent and 70% discount market rent), added height to buildings and changed their elevations, made improvements to the residential quality (such as adding more balconies), and revised the transport and servicing strategies. The proposal description was amended accordingly. Having secured these amendments, the GLA approved permission subject to conditions and a completed section 106 agreement, in June 2020.

85. The permission has been implemented with the construction of the school. Since 2020, conditions have been discharged either fully or in part for the construction of the new school, and for archaeological and site investigations on the wider side.
86. Non-material amendment applications to make changes to the 2020 permission have been submitted and agreed for changes to the school building, the description of development, to the wording of conditions, to make changes to the number of residential units and area of office floorspace in buildings F and OPQ, and to allow further demolition of block F. A deed of variation was agreed in 2022 to make changes to definitions in the legal agreements and to allow the school obligations to be dealt with separately. These are set out in more detail in Appendix 3 along with the relevant site history for nearby sites.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

87. This application seeks to agree changes to the permission granted in June 2020 ref. 17/AP/4088. The ability to vary an extant planning permission is set out in section 73 of the Town and Country Planning Act 1990 (as amended). Unlike an application for “non-material changes” (also known as a section 96a application), an application under section 73 results in a new permission being issued, although the time given to implement the permission remains unchanged, and is not extended as a result of any section 73 permission. While a local planning authority should take into consideration all relevant matters, including current policies at the point it determines a section 73 application, it must also take into account the scope of the changes being requested, and the status of the permission in terms of how far construction has progressed.
88. The main issues to be considered in respect of this application are those that were set out in the report for the 2017 application listed below, plus new policy issues. As a minor material amendment application to an implemented permission, the correct focus needs to be on the changes proposed, rather than reassessing the whole development against current planning policies and material considerations. Section 73 requires the local planning authority to look at the changes proposed by the amendments to the conditions and not to “re-visit” the principles on which the original permission was determined and granted.
89. The issues to be considered focus on those raised by the proposed changes:
 - The proposed land uses
 - Environmental impact assessment
 - Housing including mix and affordable housing
 - Quality of residential accommodation
 - Design, including layout, building heights, fire safety
 - Heritage and townscape considerations
 - Public realm, landscaping and trees

- Green infrastructure, ecology and biodiversity
- Archaeology
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Transport and highways
- Environmental matters
- Energy and sustainability
- TV, radio and telecoms networks
- Digital connectivity infrastructure
- Aviation
- Planning obligations
- Mayoral and borough community infrastructure levy (CIL)
- Other matters
- Planning balance
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights.

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

Legal context

91. 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). The National Planning Policy Framework (NPPF) (2023) and the 2020 permission for the redevelopment of this site are material considerations.

92. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications with impacts upon 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 local planning 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.

93. 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 and material considerations

94. The statutory development plan for the borough comprises the London Plan (2021) and Southwark Plan (2022). The NPPF (2023), LPGs, SPDs and SPGs constitute material considerations but are not part of the statutory development plan. The 2020 permission granted by the GLA for the redevelopment of this site is a material consideration in the consideration of this s73 application. A list of policies and material considerations which are relevant to this application is provided at Appendix 2. The policies which are particularly important to the

consideration of this s73 application, and the changes from the 2020 permission are highlighted in this report.

95. The site is located within the:
- air quality management area
 - flood zone 3
 - Southwark Plan site allocation NSP13
 - Drummond Road and Clements Road are at high risk of surface water flooding
 - the railway arches adjacent to the site in the viaduct along the southern side of the site are strategic protected industrial land.

Consultation responses from members of the public, councillors, local groups and consultees

96. The consultation undertaken and lists of those who responded are set out in Appendix 4 and Appendix 5. The later “Community involvement and engagement” and “Consultation responses” sections of this report summarise the responses in more detail.
97. 17 objections were received from the local community, raising topics including:
- The principle of the revised development and uses.
 - The increased height, size/massing, revised design and heritage impacts.
 - Harms to neighbour amenity.
 - Impact on open spaces, the proposed landscaping and play space.
 - Adverse impacts on public transport and highways.
 - Harm to community services and security.
 - The poor consultation and lack of legibility of what the changes are.
98. Objections were also received from Big Local Works, Workspace as an adjoining owner occupier (later withdrawn), and Blue Bermondsey BID (later withdrawn). Comments were made by The Arch Company as the owner of the adjoining railway arches.
99. Two comments in support were received, which consider the proposed changes improvements from the 2020 permission scheme, are supportive of the changes to block DE, the improvements fire safety, the provision of private amenity space, and measures to make better use of the railway arches.
100. Ward councillors comments that they are supportive of the redevelopment in principle, the housing and increased social rent but have concerns regarding the proposed height, massing and layout, the reduction in design standards and the construction impact.
101. The GLA concluded that the amendments do not give rise to new strategic planning issues, and flag issue the council should pay particular attention to (delivery of the maximum level of on-site affordable housing, demonstrating compliance with tall building design policy, ensuring the development achieves a high quality internal and external design, accords with environmental policies,

and TfL expecting financial contributions and obligations).

102. Other consultees raised technical matters which resulted in further information being submitted and being shared with these consultees, and some consultees suggested conditions.

ASSESSMENT

The proposed land uses

Introduction and policy designations

103. The redevelopment of the Biscuit Factory site was agreed in the 2020 permission and earlier hybrid application approved in 2013. The proposed mix of residential, office, retail, leisure and community uses continues to accord in principle with the NPPF, London Plan and Southwark Plan, as set out below for each use in turn.
104. 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, delivering a sufficient supply of homes, and ensuring the vitality of town centres. 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 NPPF as a whole. Since the 2020 permission was granted the development plan has changed with the adoption of the London Plan in 2021 and the Southwark Plan in 2022. The new development plan still supports the principle of brownfield development for different uses.
105. The London Plan's chapter "Good growth" includes GG2 "Making the best use of land", GG4 "Delivering the homes Londoners need" and GG5 "Growing a good economy" which are relevant to the proposal. Objective GG2 seeks to make best use of land and requires proactively exploring the potential to intensify the use of land 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 GG4 requires those involved in planning to ensure more homes are delivered, good quality homes, and to allocate a range of sites to deliver housing locally, with ambitious build out rates. Objective GG5 looks to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, by ensuring London's economy diversifies and plans for sufficient employment space in the right locations to support economic development and regeneration.
106. In the economy chapter of the London Plan, policy E1 supports new office provision, refurbishments and mixed-use development. Part D of the policy supports the consolidation and extension of the diverse office markets in outer and inner London. 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.

107. The Southwark Plan (2022) 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. The Southwark Plan’s area vision AV.03 for Bermondsey states that development should “*provide as many homes as possible while respecting the local character*” and “*provide flexible workspaces for small and medium enterprises, particularly creative industries to strengthen Bermondsey’s reputation as an exciting, vibrant and creative place to work*”.
108. 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. Policy P36 “Development outside town centres” requires such development proposals over 1,000sqm to have an impact assessment and demonstrate that they would not harm the vitality and viability of centres.
109. In addition to the development management policies in both plans, site allocation NSP13 within the Southwark Plan is specific to the current application site and the adjacent Workspace buildings and railway arches. The site allocation sets out requirements for the redevelopment of the site to include new homes, support new and replacement business floorspace, provide a replacement school, provide active frontages with retail, leisure or community uses.
110. The 2020 permission approved a mixed-use scheme containing residential, employment, retail, leisure, community and flexible space, and a new school. While the development plan has changed since 2020 with the adoption of the London Plan in 2021 and Southwark Plan in 2022, the policy support for the redevelopment of this brownfield site remains, and is stronger now that the site allocation is within the adopted development plan. The new school is substantially complete and is not included in the current range of changes in the application and will not be assessed for the principle of its use. The approved uses have been established by the 2020 permission, so the principle of the land uses cannot be reassessed by this section 73 application.
111. The permission was granted before the introduction of the Class E use class, which partly replaced and reorganised the Class A, B and D uses. It is correct to continue to refer to the approved Class A, B, D uses in this s73 application.

Existing uses on the site

112. The current application proposes the demolition of the same former Biscuit

Factory site as the approved scheme, with all buildings to be demolished except for the floor slabs of building F and the retained part of block U as was the case with the 2020 permission. The majority of this demolition was carried out in the last year, once the leases of the temporary interim uses expired and the school has moved into its new building. In the GLA hearing report, it stated there was a total of 27,499sqm of employment floorspace on the site at that time, comprising 5,534sqm of B1 use, 19,198sqm of B1/B2 uses, and 2,767sqm of B1/B8 space.

113. Southwark Plan policy P33 “Business relocation” requires a business relocation strategy where existing small or independent business may be displaced. A short business relocation strategy was included in the planning statement. At the time it was written in August 2023 there were three business on the application site; Compass School, Brigit’s Afternoon Tea and car parking spaces for Workspace.
- The Compass School has moved to its new school building (and renamed The Charter School), and so the school remains within the original application site.
 - Brigit’s Afternoon Tea Limited used block W on an interim use lease that expired December 2023, including for parking its Routemaster buses, and was on the basis that this was a short term lease until the redevelopment came forward. This business would not return to the site and no bus parking is proposed.
 - The car parking for Workspace occupiers with a lease that ended in July 2023. Greystar entered into a license agreement for a minimum of 6 car parking spaces during the construction works and with reasonable endeavours to provide a further 14 spaces until the proposal is completed with the permanent spaces for Workspace users included within the scheme.
114. There were other temporary and interim uses of the now-demolished buildings, such as Sugarhouse Studios Limited artist workspace, Construction Industry for Youth charity, Future Men charity, and community space used by Brownie group, yoga, Nigerian community group and a disability group came to the end of their limited tenancies. In view of the 2020 permission, the re-provision of a school and parking spaces for Workspace occupiers, and the continued temporary use including parking for buses not being suitable for a longer term provision within the new scheme, the proposal is considered to have had sufficient regard to policy P33.

Housing

115. A residential-led scheme was established in the 2020 permission, and is a requirement of the Southwark Plan site allocation. The delivery of 1,624 homes, as an additional 88 units on the 2020 permission, exceeds the minimum residential capacity of the site allocation of 1,548 homes. The proposal would continue to make a significant contribution towards the borough housing targets in the Southwark Plan and London Plan. The proposed Build to Rent and affordable housing tenure types are considered in more detail later in this report.

Employment space

116. Relevant policies for a Class B employment space proposal include London Plan policies E1 and E2, and Southwark Plan policy P30, as well as area vision AV.03 and site allocation NSP13. The former Biscuit Factory part of the site was known as the Tower Bridge Business Complex that provided space for a range of creative businesses in Class B1, B2 and B8 floorspace. The site's redevelopment, including the demolition of buildings and overall reduction in employment floorspace from 27,499sqm of Class B1, B2 and B8 space to 14,666sqm GIA of B1 use, was found to be acceptable in the approved 2020 scheme, due to a net increase of 1,130 predicted jobs and with no financial contribution secured for this loss of employment floorspace.
117. One of the current changes is to relocate some of the approved B1 floorspace from block F into an office-led block U, as well as the B1 units in the lower floors of block DE and some of the ground floor units of block 1-4. The detailed element would include 10,096sqm GIA of B1 floorspace (compared with 15,574sqm of the approved scheme), and the outline element would include up to 5,635sqm of B1 floorspace (compared with 0sqm of the approval). There is a small increase in the total maximum B1 area from 15,574sqm to 15,731sqm GIA (up to +157sqm), which is welcomed and accords with the support for new business floorspace in the NSP13 allocation. The area of B1 space needs to be delivered to maintain the employment contribution of the site and to accord with the site allocation.
118. The proposal includes a range of B1 spaces suitable for different businesses, with higher ceiling heights, and would be suitable for small and medium enterprises if subdivided (either into smaller ground floor uses, or by floors in DE and U, or by subdivision with shared cores to block F). The detached block U proposed in outline form would be sited between the Workspace business buildings. The revisions are acceptable in principle.
119. Objections were received from the community to the block F office entrance being relocated onto Clements Road, opposite houses. The proposed office entrance would put more pedestrian activity onto this frontage. The office use class can be carried out in principle without detriment to the amenity of a residential area, and the relationship of offices next to residential uses is one found commonly across the borough. This is not considered to be a reason for refusal of the application, particularly when compared with the likely activity the approved redevelopment of the site would bring along Clements Road.

Affordable workspace

120. London Plan policy E2 "Providing suitable business space" refers to incorporating a range of size of business units for micro, small and medium sized businesses, and policy E3 "Affordable workspace" sets out circumstances in which to secure affordable space for specific social, cultural or economic development purposes. Southwark Plan policy P31 "Affordable workspace" requires developments of over 500sqm employment floorspace to deliver at least 10% of the employment floorspace as affordable workspace on site, at

discount market rents, for at least 30 years, of a type and specification that meets current local demand, and to work with the council and businesses to identify such businesses to occupy the workspace. The Bermondsey area is suggested to be suitable for a mix of affordable workspace types (creative industries, co-working, maker spaces and workshops).

121. The approved scheme secured 841sqm of Class B1 floorspace in buildings 1-4, DE and W as affordable workspace, which represented 5.7% of the proposed commercial space. This was increased in a later deed of variation to 975.5sqm of affordable workspace to represent approximately 6.8% of the office floorspace.
122. The current scheme proposes 10,096sqm GIA of employment floorspace in the detailed element and up to 5,635sqm GIA in the outline part of the proposal. The proposal offers a policy compliant minimum of 10% affordable workspace on site. With a large portion of the employment space within the outline element, the precise area cannot be fixed at this stage. At a maximum parameter scenario there would be circa 1,573sqm of affordable workspace provided across the site. Therefore the revised proposal represents an increase in both floor area and percentage on the approved scheme, and is a benefit of the current scheme once fully built out. A planning obligation to ensure at least a 10% provision of the site-wide total employment space would be included.
123. The submitted draft affordable workspace strategy gives some information on the proposed affordable workspace. The strategy has considered the Southwark Plan, how the local area comprises micro- and small scale businesses, a trend in the take up of office floorspace and some industrial uses, how the number of jobs in the area has decreased in recent years. It suggests that flexible space for micro and small businesses is needed. Indicative locations are suggested in the ground floor of blocks DE and 1-4, and potentially within block U close to the Workspace campus. The applicant is committing to provide the affordable workspace for 30 years. It has engaged with potential affordable workspace providers and with the recent meanwhile tenants of the site to discuss future opportunities to return to the site.
124. Planning obligations would require a detailed strategy to secure at least a 10% provision, the exact locations, the marketing strategy, to fix the rent levels at £13/sqft (indexed) inclusive of service charge to match those of the 2020 s106 agreement, the management plan, lease arrangements (whether by the applicant or an affordable workspace provider on the council's list) and to require the space to be fitted out in line with a specification. These would be secured by planning obligations. Subject to these obligations, the proposal is considered to accord with policies E3 of the London Plan and P31 of the Southwark Plan.

Community and leisure

125. 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. The new school building (Class

D1) formed the main community use of the approved scheme. The proposed area of other D1/D2 community and leisure uses in the detailed element would increase by 184sqm to 987sqm, and the multi-use space at the base of F (which includes retail and D2 uses) would increase by 230sqm to 3,238sqm. There is policy support for larger community and leisure use floor areas.

126. Limited information has been provided about which uses within these broad D1 and D2 use classes are proposed. In the pre-application discussions the applicant was encouraged to engage with the local community about which uses considered are needed and suitable for this site, that would not compete with nearby offers, and to indicate the intended uses in the application. However these are not specified and the use classes remain proposed as the whole D1 and D2 classes. The three D1/D2 use units would be located in the northern buildings - one on the ground floor of block 5, and two the southern end of block 1-4 (in the same location as one approved D1/D2 unit). These units would be close to the existing community and new school. A possible children's nursery is suggested at the ground floor of block 5, next to existing residents on Collett Road and Webster Road and close to the school.
127. The multi-use space of the eastern part of the ground of block F is intended to be a flexible space with a range of uses sought (A1, A3, A4, D1). It would be partly double height to allow the retained columns of the factory building to be displayed and appreciated. Entrances on the north, east and southern sides would be provided, and four large roof lights would give some daylight into this large space. This space is described by the applicant as lending itself to a variety of permanent and flexible uses, with illustrative layouts for an art gallery, fashion show, conference centre and pop-up markets indicated. It is at the centre of the masterplan, and a key location for the site, with extensive frontage. Greystar has stated it is in on-going conversations with potential cultural/leisure anchor tenants for the block F ground floor "*with the intention to secure a landmark cultural use*", and has an adviser appointed to engage with operators. Greystar is also talking to the council's Sustainable Growth team about potential users looking for space in the borough.
128. A cultural strategy was required by a planning obligation in the 2020 s106 agreement, to set out cultural-related activities, including a programme of publicly accessible cultural-related events across the development and including part of the ground floor of building F (as the number of events, the nature and whether ticketed or not, and publicity arrangements). This obligation is proposed to be expanded to require further information about the proposed uses of the ground floor of block F.
129. The increase in community and leisure floorspace is supported, and the proposed three locations considered acceptable alongside the flexible use of block F. The 2020 permission in approving D1 and D2 uses did not include many controls to protect neighbour amenity, the amenity of future occupiers, and transport aspects. As a section 73 application, the council has to bear in mind the implemented permission and the flexibility that it allowed. The 2020 permission did not restrict which uses within the broad use classes could occupy the units. Some uses may not be suitable for ground floor units with residential

properties above without for example significant noise mitigation measures being built in (such as gym use or places of worship), or raise transport impacts (such as another school). An opening hours condition was put on the 2020 permission to limit hours to 7am to 11pm. This condition is recommended to be edited to restrict the hours of use of the rear garden of block 5 if it is used as a children's nursery and other uses, to protect neighbour amenity. The other D1/D2 units do not have dedicated outdoor space. Other conditions relating to noise from non-residential units not exceeding background noise levels outside the window to a sensitive room, and amplified music would be imposed again.

Retail

130. The site is not within a town centre, and so a sequential test is required (as with the previous scheme) by Southwark Plan policy P36 to demonstrate how the proposed town centre uses would not harm the vitality and viability of retail centres. The site allocation references ensuring that the proposal would not adversely impact the core retail function of The Blue. Retail space is proposed on parts of the ground floor to provide activity to the building frontages. The retail at the base of blocks W and ST would help enhance the new Low Line route, as well as the residential lobby enclosure and side of the office units in DE. Compared with the approved scheme, the application proposes a reduced area of retail floorspace, in the detailed element (at 2,039sqm GIA compared with 3,112sqm GIA of the approved scheme, as a reduction of 1,073sqm) and in the outline element (434sqm GIA of mixed uses compared with 710sqm, as a reduction of 276sqm). There is no policy objection to these reduction in this out of town location.
131. Objections were received to the scheme from residents on Webster Road, who would face onto the proposed retail uses in the ground floor of block 1-4's Keeton's Road frontage, and which currently face on the former school site. Along this part of the frontage the approved scheme had two duplex homes, two residential lobbies and cycle stores, down to a retail unit on the southern corner. The changes to a frontage of a retail unit, plant and refuse store, residential entrance and two retail units would reduce the amount of residential frontage and add two more retail units on this extended street leading between the Underground station and the Blue. The opening hours of the shop units would be conditioned to help protect neighbour amenity from noise and disturbance.
132. An updated retail and leisure assessment was submitted in response to the sequential approach for such developments outside town centres. It considers the proposal's potential impacts on town centres of The Blue, Surrey Quays/Canada Water, Elephant and Castle and Walworth Road, Old Kent Road, Bankside/Borough, London Bridge and Peckham.
133. The assessment was reviewed by Lichfields on behalf of the council. It concludes that in all tested scenarios, Lichfields' amended impact estimates suggest the trade diversion from designated centres would be offset by expenditure growth between 2023 and 2028, and that the impact of the proposal on the vitality and viability of centres is unlikely to be significant. The proposed amendments reduce the maximum level of retail and leisure floorspace from the

approved permission, and therefore reduce the potential impact on town centres. The impact of the permitted fallback position (the approved and implemented scheme) is likely to be greater than the current proposal. In terms of the sequential test, the size and configuration of an alternative site required to accommodate the proposed development will not have changed materially, and the principle of the proposed form was accepted in the 2020 permission. It is unlikely an alternative site within a sequentially preferable location has emerged that can now accommodate the scale and form of development proposed.

134. The proposal includes approximately 250sqm of retail space to be delivered as three small shops in the ground floor of buildings 1-4, P and T. This is on the assumption that the flexible space in block F proposed as a mix of retail and community uses is not considered as “pure” retail space for the purposes of the calculation. This would exceed the 10% requirement of policy P32, and the provision would be secured by an amended condition.
135. The reduction in the quantum of retail space from the approved scheme in this out of town location is welcomed. It is noted that the reduction would reduce the number of likely retail jobs within the completed scheme so that overall the changes would be neutral. The approved scheme included a suite of controls to protect The Blue shopping centre and local centre (e.g. restricting the maximum floorspace of retail uses, maximum retail unit size and preventing large supermarket occupier, no betting shops or loan shops) which would be imposed again on any new permission. The conditions would be updated to reflect the maximum retail floor space areas now proposed, and ensure the small shops are provided as retained as such, in line with policy P32, part 3. Subject to these conditions, the retail element of the proposal would comply with policies P32 and P36 of the Southwark Plan.
136. The 2020 section 106 agreement included two obligations relating to the impact on the Blue town centre. Firstly by requiring the developer to continue to support the objectives of the Blue Bermondsey BID by participating as a board member. Secondly to prevent the developer approaching any tenants within the Blue Bermondsey BID with the aim of taking up commercial floorspace in the Biscuit Factory development for a period of 10 years from practical completion of each building, unless agreed by the BID and council. These obligations would be repeated in a new s106 agreement as part of the mitigation measures to protect the neighbouring town centre.

Other uses

137. The 2020 permission included converting two railway arches under the viaduct into new pedestrian and cycle routes. There was an associated obligation on the applicant to use reasonable endeavours to deliver these accesses by practical completion of the redevelopment. The use of two arches for routes (and not businesses) would represent a loss of designated strategic industrial land (SIL), even with the identified arches not currently in use. The same two arches are included in this s73 application. When considering the previous application and the loss of SIL from the two links, the GLA report stated:

“The railway arches are all designated as SIL. London Plan Policy 2.17, Intend to Publish London Plan Policy E5, Southwark Saved Policy 1.2 and Draft New Southwark Plan Policy P28 resist development or uses in SIL that do not fall within broad industrial categories. Draft New Southwark Plan Policy P33 has similar provisions, relating to specifically to railway arches. As set out above, the future of the arches is currently uncertain, although the Council and ArchCo would need to have regard to the SIL designation as part of any plans for these spaces. Overall, whilst the use of two arches for pedestrian routes would fall outside of the scope of uses specified by the above suite of policies, it is acknowledged that other parts of the development plan promote enhanced connectivity and permeability. Furthermore, the proposed connections are specifically envisaged by draft site allocation NSP10 and were previously secured as a planning obligation within extant planning permission 12/AP/2737. As such GLA officers consider there to be no policy conflict arising from this aspect of the proposal, when considering the development plan as a whole, as well as emerging policy.”

138. No planning applications for these arches, nor other arches within this SIL have been submitted since the 2020 permission was granted. Arch Co as the owners of the arches commented on this application, stating it is looking to bring forward active employment-focused uses that are appropriate for the SIL designation. The applicant has been in discussions with the Arch Co regarding these links. While this s73 application seeks to make changes to the implemented 2020 permission, no changes are proposed to the physical works needed for these two arches and remain the same as the approved scheme where the loss of SIL was found to be acceptable as part of the wider redevelopment scheme. The provision of two new links to the Blue under the railway viaduct is a requirement of the now-adopted NSP13 site allocation, which adds to the policy weight. The loss of SIL is not a reasonable reason for refusal of the s73 application. The permeability improvement and securing the arch works are considered in the later Transport section.
139. A public roof terrace on block F was approved on level 3 with its ground entrance on Clements Road with stairs and lift up to the second floor retail unit to walk out onto the terrace; it had an external area of 640sqm plus a further 80sqm partly enclosed within a colonnade. The proposed block F public terrace (640sqm plus 42sqm within the colonnade) is now proposed on level 2, again accessed by stairs and lift from Clements Road frontage out through a retail unit. It would have the same 54m frontage length, now set a floor lower, and still offer views towards the river, the City and Canary Wharf. It forms the only free to use public accessible space on a building. Arrangements for free public access to the terrace and its ongoing maintenance would be again secured by planning obligations.
140. The provision of free and accessible toilet facilities, change facilities and drinking water fountains are policy requirements of Southwark Plan policy P35 and London Plan policies D8 and S6 for this scale of scheme. Public toilets are to be provided as part of the retail unit next to the public terrace in F; further details of these would be required by an obligation (as they are not shown on the drawings) to ensure they are free to use and include accessible facilities. At least two free

to use drinking water fountains are to be included in the site's public realm. Details would be secured as part of the landscaping condition, and their provision required as part of the public realm obligations.

Agent of Change

141. London Plan policy D13 places responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. 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 railway arches to the south of the application site are designated SIL. Arch Co commented that this application needs to consider the agent of change impacts of introducing new uses in close proximity to the SIL.

142. In its consideration of the earlier application, the GLA report stated:

"In line with Policy D13 of the Intend to Publish London Plan, the responsibility for mitigating the impacts from the noise generating activities which may operate from the railway arches is on the proposed new noise-sensitive development. Whilst the proposal would introduce residential units facing the railway arches within Blocks BF-D&E, BF-RST and BF-W, the design of these blocks would reduce the potential impacts from the activities occurring within the arches. Specifically, the blocks have been setback from the railway viaduct and are separated by a shared road. Furthermore, these blocks would include commercial units at the lower levels, with residential development located at third floor and above in Block BF-DE (18 metres AOD), first floor and above in Block BF-RST (10.9 metres AOD) and first floor and above in Block BF-W (11 metres AOD). In addition to this, where possible, residential units overlooking the railway arches are dual-aspect, with their primary outlook and amenity space located on side facing elevations. Accordingly, officers are satisfied that the proposed residential units would not compromise the uses occurring within the railway arches, or potential future industrial uses, in accordance with draft Policy D13 of the Intend to Publish London Plan."

143. This s73 application seeks to make changes to the approved scheme, which approved residential and mixed use buildings alongside the railway arches and which has been implemented on site. The separation of the proposed residential units from the arches by the new Low Line "Shard Walk" remains in the current proposal. The floor heights of the nearest residential units remain similar (at 11.5m AOD in block DE, 11.0m AOD in ST and 11.2m AOD in W in an area where ground levels are around 2m AOD) to those noted in the GLA report. There remains a mix of single and dual aspect flats facing onto the viaduct. The construction of the buildings would incorporate measures to address railway noise which would offer some mitigation towards noise from the SIL arches. There are existing residential properties on the southern side of the arches along Blue Anchor Lane and Bombay Street close to that side of the railway arches and the arches with operational businesses. The agent of change principle is considered to have been addressed, not least as the implemented permission approved the same uses in a similar physical arrangement.

Conclusion on land uses

144. Each of the proposed uses was included in the approved scheme, and each continues to be supported by planning policies in the new development plan. The proposed land uses of residential, business floorspace, retail, community and leisure accord with the site requirements stated as “musts” in the site allocation NSP13 and are supported in principle. The same two SIL railway arches would continue to be converted to improve permeability. The quantum of the non-residential uses is of a similar scale to the approved scheme with an overall reduction in retail, and increase in affordable workspace. The additional housing, beyond the approved scheme, would further contribute towards the borough housing targets. The proposal would support the Southwark Plan’s area vision for Bermondsey.

Environmental impact assessment

145. As with the approved scheme, the proposed development is within Schedule 2, Category 10(b) “Urban Development Project” of the Environmental Impact Assessment (EIA) Regulations 2017 (as amended) and constitutes EIA development, having regard to its potential for likely significant environmental effects.
146. Regulation 3 precludes the granting of planning permission unless the council has undertaken an Environmental Impact Assessment, taking account of the environmental information, which includes the ES, any further information, any representations made by consultation bodies, and any other person, about the environmental effects of the development. The submitted environmental information has been advertised and consulted upon in accordance with the regulations. The environmental information has been considered in the assessment of this application.
147. With the number of changes proposed to all of the approved buildings in the 2020 permission, an addendum to the earlier Environmental Statement (ES) was provided. This addendum updates on the many parts of the ES considered for the approved scheme in 2017 with the initial submission, the 2018 statement of conformity, and the 2019 ES addendum. The 2023 ES addendum comprises:
- Volume 1 is the main section with 15 chapters, including the topic chapters.
 - Volume 2 is the Townscape, Visual Impact and Built Heritage Assessment (TVIBHA).
 - Volume 3 is all the updated technical appendices.
 - A replacement non-technical summary.
148. All of the environmental information provided since 2017 forms the ES for the proposal, and the new ES addendum must be read in conjunction with the earlier ES. The 2023 ES addendum describes the current scheme and builds on the analysis and assessments presented in the earlier ES to assess the likely significant effects of the current proposal as a whole. The likely significant effects are identified for the construction stage, and the completed operational stage.

The likely effects assume the proposed mitigation within the planning application is in place.

149. The ES addendum has scoped in the same topics as the earlier ES:
 - demolition and construction;
 - socio-economics;
 - archaeology;
 - transport;
 - air quality;
 - noise and vibration;
 - daylight, sunlight, overshadowing, solar glare and light spillage;
 - wind microclimate;
 - and townscape, heritage and visual impact.
 - Climate change was scoped in as a new topic now required by the EIA Regulations.

150. Any changes from the conclusions of the earlier ES or new effects resulting from the current proposal are identified in the ES addendum. The ES addendum considers the changes made since the 2020 permission (such as a 2021 non-material amendment to the approved scheme) and the current proposal. For the outline element of the proposal, the reasonable worst-case scenario has been assumed for each technical topic area. For some topics, this is the maximum floorspace (e.g. transport impacts), or the maximum height (e.g. townscape and daylight impacts), or for socio-economics is the minimum floorspace which delivers the fewest benefits.

151. The ES addendum refers to the existing site, with the demolition works and new school having been undertaken since the earlier ES was written. It acknowledges and references the revised development plan adopted since the 2020 permission. It refers to more recent surveys undertaken for noise monitoring in 2022/23 and a phase 1 habitat survey undertaken in May 2023. The list of cumulative schemes was updated to reflect schemes identified in the earlier ES which have now been implemented or completed, and to identify new schemes in the area.

152. The ES addendum uses the terms negligible, minor, moderate and major to describe the size of an impact, and adverse, neutral or beneficial to describe the nature of the impact.

153. The ES addendum summarises the amended proposal, how it evolved during the pre-application discussions with the council, the resulting changes in floor areas for the land uses, number of homes, unit mix and tenure mix in the detailed element of the proposal and the illustrative details in the outline element of the proposal. It goes on to summarise the changes made for each building's layout and scale, appearance and materiality, landscaping (including open space, play space, trees and lighting), vehicular access and parking, and how the scheme changes affect the waste risings, energy use, water use and ventilation. The construction programme is estimated to take approximately 4 years and 5 months. No alternative to the proposal was considered because the 2020

permission is extant, therefore no new layouts or wholesale alternatives are detailed.

154. The environmental impacts of the current scheme are compared with those of the approved scheme for each of the technical assessment areas. Most of the ES topic chapters align with planning considerations later in this assessment part of this report to Planning Committee. Two remaining topics on 1) demolition and construction and 2) socio-economics are summarised below.
155. 1) Demolition and construction: The applicant has estimated the remaining demolition and construction works would take approximately 53 months (4 years 5 months) to complete. Construction works above ground for the buildings are suggested to be staggered to start across a year, but construction then would be on-going at the same time for all buildings, and have staggered completions. The demolition work already undertaken at the time the ES addendum was written has meant the remaining volume of demolition waste has been reduced. The estimated quantities of construction materials have been updated.
156. A demolition and construction waste management plan (secured by condition) would set out the measures to limit and mitigate demolition and construction waste. A construction logistics plan for the routing of vehicles would be provided once contractors are appointed, and is secured by condition. An increased number of construction vehicles is predicted at the peak construction stage, of 177 HGVs and 53 LGVs arriving and leaving per day (460 vehicle movements) which is higher than the 268 vehicle movements predicted in the earlier ES. No on-site parking for construction workers is proposed, and cycle parking with showers will be provided. Core working hours would be 8am to 6pm Mondays to Fridays, 9am to 2pm Saturdays and no working on Sundays or public holidays, and restricted by a condition.
157. 2) Socio-economics: The chapter on socio-economic aspects considers the current baseline conditions, noting the reduction in the number of existing jobs on the site due to the demolition already carried out, updates the primary school capacity in the area which has increased in recent years, and updates the secondary school capacity in the borough. GP surgeries have more registered patients per GP than the suggested Health Urban Development Unit benchmark, which suggests limited GP capacity in the area.
158. In the demolition and construction phase there would be a temporary minor adverse effect in terms of the loss of employment on the site, and a negligible adverse impact from reduced local spending. The construction employment with indirect benefits of supply chain and worker spending of the estimated 1,000 workers would be a temporary minor beneficial effect at a local level. The delivery of housing is considered to be a moderate beneficial effect at the borough level, and minor beneficial at the regional level – as was the case in the approved scheme.
159. The predicted population from the proposed scheme is estimated to be 2,878 people, which is 326 more than the approved scheme. This would require services of 1.6 full time equivalent GPs, and is an increase from the 1.4 FTE GPs

of the approved scheme: without mitigation this effect would be a permanent moderate adverse at the local level. As with the approved scheme, the Southwark CIL payment could be used to improve local healthcare provision, and with this mitigation would have a negligible effect. The NHS London Healthy Urban Development Unit consultation response requests a financial payment of £2.5m to expand health infrastructure, however no such payment was secured on the 2020 permission. The proposed amendments to an implemented permission (including additional residential units) are not considered to reasonably require such a payment. In addition there is no basis in the council's Section 106 Planning Obligations and CIL SPD for requiring the payment. The applicant has an adviser to identify and approach primary care providers for the D1/D2 space in building 1-4 that could be used by healthcare providers.

160. In terms of education impacts, the number of school children is predicted to increase by 79 primary school children and 40 secondary school children more than the approved scheme. As capacity within local schools has increased in recent years, this is considered to be a negligible impact on education facilities. The provision of the new secondary school facility within the application site was considered to be a major beneficial effect of the approved scheme.
161. In terms of employment, the number of predicted jobs has been revised to take account of the different floorspace total and mix of uses. In a maximum parameter case for the outline part of the proposal alongside the detailed proposal, 1,140-1,270 jobs may be created on site, as an uplift of 900-1,030 jobs from the previous use of the site. The ES addendum considers this to be a major beneficial effect at the local level, and a moderate beneficial effect at the borough level.
162. The additional spending from the homes and jobs in the development is estimated in the ES addendum to be £25.9m, £2m more than the approved scheme, as a moderate beneficial effect at the local level and minor beneficial effect at the borough level.
163. The delivery of open space and play space on site would have a permanent minor beneficial impact for the local level. With the change in housing tenure in the proposal, the child yield has increased, and the resulting playspace requirement also increases; this is considered in the later assessment section.
164. Other ES topic chapters have informed the topic sections later in this assessment on: archaeology; transport and accessibility; air quality; noise and vibration (as part of residential quality and neighbour amenity); daylight, sunlight, overshadowing and solar glare (neighbour amenity impacts and environmental matters); wind; climate change (as part of environmental matters, energy and sustainability) and; townscape, built heritage and visual impact (as part of the design and heritage sections). To summarise the identified environmental effects for the other chapters:
 - Archaeology – a moderate adverse effect on paleo-environmental remains and post-medieval remains, and a moderate to major adverse effect for prehistoric remains are anticipated, which would be local, direct, permanent and long-term in nature. With mitigation measures in place,

the residual effect would be negligible. The current proposal would have no significant environmental effects on archaeology.

- Transport and accessibility – major beneficial and minor beneficial effects for cyclists and pedestrians. Negligible effects on highway network and public transport network. With mitigation measures in place, the effects would range from negligible to major beneficial.
- Air quality – no significant air quality impacts were found for the demolition and construction phases with dust management measures in place. With limited car parking in the proposal, the scheme connecting to SELCHP and incorporating renewable energy, the air quality effects are considered to be negligible.
- Noise and vibration – activities during the demolition and construction phases with appropriate control measures were found to have a negligible impact on the surrounding area. The ES addendum found the increased peak construction traffic would have a moderate adverse effect. Once completed, the ES addendum considers the development likely to have a negligible effect.
- Daylight, sunlight, overshadowing, solar glare and light pollution – 159 neighbouring properties were tested for daylight, of which 153 would experience no material change in daylight compared to the 2020 scheme's impacts. The remaining properties would have daylight impacts ranging from negligible to major adverse. Sunlight effects to 123 of the 125 assessed properties would experience no material change from the approved scheme; of the three affected, 1 would have a negligible effect, 1 a minor to moderate adverse effect, and 1 a moderate to major adverse effect. For overshadowing, 14 amenity spaces experience significant change in overshadowing compared to the 2020 scheme impacts, 5 of which are beneficial, 9 adverse (ranging from minor to major adverse). These impacts on neighbour amenity are considered in more detail below. The impact to the adjacent school would be minor to moderate adverse for daylight, with negligible effects on sunlight and overshadowing of its external spaces, as set out in more detail later in this report. No mitigation measures are proposed for the daylight, sunlight and overshadowing impacts. The solar glare impacts have reduced to be negligible for five viewpoints and minor adverse for two. Light pollution is considered to have a negligible effect.
- Wind – the adverse effects on wind levels on the site and adjacent locations in the completed scheme would be addressed by proposed mitigation measures, with the exception of one cumulative effect (minor adverse) at the entrance to the Block J adjoining Workspace office building under construction. It would have wind levels suitable for strolling rather than standing and would not raise safety concerns.
- Climate change – considers whether the effects on receptors are likely to be different under an alternative future climate regime. To give some examples, the proposed species in the landscaping would be robust to future climate changes, and the increased area of landscaping would help to reduce the heat island effect. The flooding risk of the proposal has considered climate change. An overheating assessment has been provided. The greenhouse gas emissions assessment concludes it would have a minor adverse effect from its greenhouse gas emissions with the

embedded mitigation measures in place (following the energy hierarchy, limited car parking, considering embodied carbon, water saving measures and the construction phase transport).

- Townscape, visual and built heritage – the impacts on 7 townscape character areas, 22 viewpoints, 7 conservation areas and 10 listed and historic buildings in the assessed area are set out in text and supported by rendered images. The ES addendum suggests the completed development would have a number of significant beneficial and neutral effects to built heritage assets, townscape character areas and views. The townscape and heritage impacts are considered in detail in a later section, with heritage harm identified.

165. The potential for interactions between multiple individual effects on a receptor have been considered, during the demolition and construction phase and once the project is complete and operational. None was identified for the demolition and construction phase. Potential interactions were identified in the daylight, sunlight and overshadowing effects to 27 neighbouring properties, as each individual property would have minor, moderate or major adverse impacts to daylight as well as a moderate or major adverse impact to its sunlight and/or overshadowing. The impact on the amenity of these neighbouring properties is considered in the topic section below.
166. Residual effects, where the adverse environmental effects are not fully mitigated, remain significant for the demolition and construction phase in terms of the noise and vibration (a moderate adverse effect), and townscape and views due to the demolition and construction works (varying over time from none to major adverse effect). Residual effects for the completed scheme and operational phase would remain significant for: socio-economics (moderate to major beneficial); transport and accessibility (major beneficial); daylight, sunlight, overshadowing and solar glare (minor to major adverse); and townscape heritage and visual (suggested to be neutral or range from negligible to major beneficial, however officers have identified heritage harms). Additional or different mitigation beyond that of the 2020 scheme is proposed to address the climate change effects by the CEMP, CLP and consideration of embodied carbon, and the wind effects by including screens to certain buildings and public realm.
167. Consultation responses have not raised issues with the scope or detail of the ES addendum. The ES addendum has been reviewed by LUC, the council's advisers on EIA matters, to ensure that it meets the statutory requirements of the EIA regulations and relevant guidance, is of high enough quality and robust. In the initial review LUC raised a series of points of clarifications and potential regulation 25 requests. The applicant provided responses to these points, which resolved the majority of the earlier points to LUC's satisfaction, so that the ES is acceptable. The four remaining areas that were not resolved to LUC's full satisfaction and where officers have taken a view, relate to the use of an old population yield calculator for the ES's playspace calculation, the townscape assessment views and one incident of the scale of the effect on a character area.
168. Officers are satisfied that the ES is up-to-date and adequately describes the effects in the ES addendum to properly identify the likely significant effects of the

proposed development on the environment. It allows a fully informed assessment of the likely environmental effects of the proposal. The ES information has been taken into account when assessing the application. The mitigation measures highlighted by the ES addendum have informed proposed conditions and planning obligations.

Housing including mix and affordable housing

169. This application retains the mainly Build to Rent (BtR) nature of the approved scheme, with a different BtR developer and the social rent affordable housing to be provided to a registered provider rather than the BtR developer. Since the 2020 permission was granted, the policy support for new housing to address the borough's ten-year housing targets in London Plan policy H1 and the Southwark Plan's ST1 development targets has continued. The site allocation for the Biscuit Factory sets a NSP13 minimum residential capacity of 1,548 homes, which this current proposal extending over the majority of the site allocation area would achieve and exceed.

Housing quantum

170. The current application proposes up to 1,624 homes, which is up to 88 more than the 2020 permission scheme: 1,624 homes represents approximately 69% of the borough's annual housing target in the London Plan. There is no objection to the incorporation of more housing on this site which is close to public transport, shops and services, schools and Southwark Park, if the quality of the housing (see later topic) and the impacts of the design revisions (see for example the design, heritage and townscape, and neighbour amenity topics in particular) are found to be acceptable. It is noted that Greystar has a record of delivering development within London after obtaining permissions.

Dwelling mix

171. The site is within the "urban zone" where Southwark Plan policy P2 requires major residential developments to provide a minimum of 60% of homes with two or more bedrooms, a minimum of 25% family homes with three or more bedrooms, a maximum of 5% studios, and a mix of two-bedroom three person and four person homes. Policy P4 specific to private rented homes requires a mix of housing sizes "*reflecting local need for rented property*" and does not set proportions for different sizes units. London Plan policy H11 on Build to Rent housing does not refer to dwelling mix, only that the units are to be self-contained and let separately. London Plan policy H10 states that schemes should generally consist of a range of unit sizes, with regard to local need, delivering mixed and inclusive neighbourhoods, provide a range of unit types at different price points and range of tenures in a scheme.
172. It is noted that the unit mix required by Southwark Plan policy P2 was a change from the now superseded Core Strategy that was in place when the previous application was considered and determined in 2020. P2 now requires a higher

proportion of 3-bedroom homes at 25% compared to the 20% of the former Core Strategy.

173. The outline portion of the current proposal sets a maximum residential floor area for block V, and seeks up to 82 homes with up to 281 habitable rooms. The applicant has made assumptions in an illustrative scheme that this could provide up to 82 homes of a certain mix to be all social rent. Until a future reserved matters application for this block is approved however, the exact site-wide mix is indicative only. The approved housing mix of the extant permission and the assumed mix of the current scheme are set out for comparison in the table below:

Size	Extant permission*		Current proposal*	
	Unit count	Unit mix	Unit count	Unit mix
Studio	124	8.1%	136	8.4%
1-bedroom	598	38.9%	601	37.0%
2-bedroom	613	39.9%	684	42.1%
3-bedroom	197	12.8%	201	12.4%
4-bedroom	4	0.2%	2	0.1%
Total	1,536	-	1,624	-

*using the applicant's figures and assumed block V in each scheme

174. To go through these changes by unit size type for the assumed mix:
- There would be an increase in the number and proportion of studios. These would be all within the BtR market tenure.
 - There would be 3 more 1-bedroom units, but a reduction in their proportion.
 - Increase in the number and proportion of two-bedroom homes. There would be a mix of 2b3p units (81) and 2b4p units (603) as now required by policy P2.
 - There would be 4 fewer 3-bedroom homes and 2 fewer 4-bedroom units and a decrease in their proportions.
175. Overall, the percentage of 2-bedrooms or larger has improved from 53% of the approved scheme to be 54.6%. While this remains short of the 60% required by policy P2, it is closer than the extant permission. The scheme fails to achieve the 25% 3-bedrooms or larger proportion sought by policy P2, but it remains similar at 12.5% to the consented scheme's 13% and proposes a slightly higher overall number of large units. However it needs to borne in mind that policy P2 does not apply to the unit mix in BtR units.
176. When split into the different tenures, the affordable housing better reflects the P2 dwelling mix requirements, as shown by the table below, and again with an assumptions of outline block V. For example the DMR and social rent each achieve at least 60% two-bedrooms or larger, and the social rent achieves 34.9% three-bedrooms or larger, with no affordable studio units.

Size	Private rent		DMR		Social rent*	
	Unit count	% unit mix	Unit count	% unit mix	Unit count	% unit mix
Studio	136	11.9%	0	0%	0	0%
1-bedroom	469	40.1%	56	39.4%	76	22.4%
2-bedroom	484	42.3%	56	39.4%	144	42.6%
3-bedroom	55	4.8%	30	21.1%	116	34.3%
4-bedroom	0	0%	0	0%	2	0.6%
Total	1,144	-	142		338	-

* using the applicant's figures for block V

177. The private rent has more of a focus on smaller sized units, and is summarised further below. The dwelling mix of this revised proposal is considered to be acceptable.

BtR tenure mix

178. The approved scheme comprised 1,536 BtR homes, with 35% affordable housing in the form of discount market rent (DMR) for the intermediate and social rent equivalent, all in rental form.
179. Southwark Plan policy P4 about private rented homes sets out the requirements for new self-contained private rented homes, such as the BtR tenure of the market homes, and requires the maximum amount of affordable housing to be provided at a minimum of 35%. London Plan policy H11 specifically about BtR housing sets out 10 criteria to be addressed, and the affordable housing must be secured in perpetuity. The London Plan states that boroughs should take a positive approach to the BtR sector to enable it to better contribute to the delivery of new homes and benefits. The Southwark Plan acknowledges that the private rented sector meets the need of residents who cannot afford to, or do not want to a buy home, it enables greater household mobility, but most renting households have very limited security of tenure.
180. To consider this s73 application's BtR housing first, all of the 1,144 market tenure units in the scheme are to be BtR tenure and would be professionally managed by Greystar. Greystar already operates BtR developments in London, such as its sites in Greenford, Croydon and Vauxhall, as well as internationally. The provision of this quantum of BtR homes would add choice for those living in or moving to the borough. This housing type would be secured for 30 years, in line with part 2.6 of Southwark Plan policy P4.
181. To address part 2.2 of policy P4 which requires "*a mix of housing sizes, reflecting local need for rented property*" the applicant provided a housing delivery and needs assessment. This looked at the existing housing stock at the ward and borough level. It found with around 70% homes are rented and an increasing proportion are in private rental. The age structure shows a high proportion of younger working age residents, and a high proportion of households comprising single people or couples without children in Southwark and North Bermondsey. These people may wish to live in new-build BtR accommodation, and may

choose smaller homes as studios, 1- or 2-bedroom units. This may in turn free up family homes in the rental market and help relieve overcrowding. Rent rises in recent years suggest significant demand for purpose built rental homes and constrained supply.

182. The proposed BtR would be suitable for young people, single people or couple households and has focused on smaller-sized units. The flats are designed to be self-contained, with shared communal amenities in addition, and would be let separately. The applicant has confirmed that all Greystar residents would have access to every Greystar building on the site to use the communal amenities in the BtR blocks. Access to these amenity spaces would be included within the rents, unless a resident wants to hire a room/facility privately in which case there would be a charge. The management of the BtR blocks would include on-site staff each day.
183. The 2020 section 106 agreement requires a residential management plan to be submitted for approval. The plan would confirm that each unit (in the market BtR and intermediate DMR tenures) will be self-contained and let separately, the length of tenancy agreement at a minimum term of three years, allow a break clause for the tenancy agreement after 6 months (as now required by part 2.4 of P4), the management arrangements with on-site presence (to address part 2.1 of policy P4), and controlling rent increases. This obligation would be included in the new s106 agreement to address the requirements of policies P4 and H11. The longer 30 year covenant period would be included in an obligation to reflect policy P6. A clawback obligation would be again included for an affordable housing financial contribution in the event any BtR market housing unit is to be sold as private sale within the covenant period, to ensure there is no financial incentive to break the covenant. The design standards aspects of the BtR referenced in policy P6 is one area where officers consider there has been a reduction in residential quality from the approved scheme, and this is set out later in the assessment.

Affordable housing tenures

184. London Plan policy H4 sets the strategic target for 50% of all new homes in London to be genuinely affordable, and how it aims to achieve this including by requiring major developments to provide affordable housing. Policy H5 goes on to detail the threshold approach to applications, setting a minimum 35% threshold (or 50% where public sector land or strategic industrial sites). For s73 applications part I refers to viability information being required when the borough consider this would materially alter the economic circumstances of the scheme. The London Plan's affordable housing tenure split seeks a minimum of 30% low-cost rented homes and a minimum of 30% intermediate with the remaining 40% to be determined by the borough. In Southwark Plan policy P1 minimums of 25% social rented housing and 10% intermediate are sought which together form the 35% minimum affordable housing required. The percentage is calculated on the basis of habitable rooms. Policy P4 requires a minimum of 35% affordable housing either in line with policy P1, or as a split of minimum 15% social rent equivalent and minimum 20% affordable rent capped at London Living Rent equivalent.

185. Turning to the affordable housing portion of this s73 application, to remind the Planning Committee that in its consideration of the 2017 application, the council had a reason for refusal relating to the failure to provide the maximum reasonable amount of affordable housing at only 27.37%. In taking on the earlier application, the GLA negotiated 160 more affordable homes to a total of 482 units providing 1,397 habitable rooms (35.0%). This was split as 24.47% DMR and 10.55% social rent equivalent, i.e. skewed towards intermediate tenure.
186. For the current application the total proportion of affordable housing remains at 35%. In the illustrative scheme, the applicant's figures show 35.29%, although how much the percentage exceeds 35% can only be known once the block V outline block has been designed in detail. The applicant has worked to significantly improve the affordable housing offer in the following ways.
187. Firstly, the tenure split of the affordable housing has changed substantially from that secured in the permission, and represents the main benefit of the s73 proposal. The proportion of social rent has increased significantly from the 10.55% of the 2020 permission to be now fractionally over the policy 25% minimum social rent at 25.02%. This is an increase of 826 habitable rooms of social rent tenure. However it must be noted that the achievement of the 25% social rent proportion is dependent upon the finalised design of block V (which is to be fully affordable and indicated to be fully social rent) being at the maximum parameters and delivering 280 habitable rooms (out of a maximum of 281 habitable rooms) to achieve the numbers below. The percentage of intermediate tenure as DMR would have a corresponding reduction from 24.47% to 10.27%.

Tenure	Extant permission		Current proposal*	
	Habitable room count	Percentage of total	Habitable room count	Percentage of total
Private Build to Rent	2,592	64.98%	3,225	64.71%
Discounted market rent (rents up to £60k income)	976	24.47%	512	10.27%
Social rent equivalent DMR	421	10.55%	0	0
Social rent	0	0	1,247*	25.02%
Total	3,989	-	4,984*	-

*using the applicant's figures for an assumed block V.

188. Secondly, the total number of habitable rooms of affordable housing has increased from 1,397 to 1,759, an increase of 362 rooms with the assumed housing mix of outline block V. This has maintained the 35% proportion with the wider changes that increase the amount on housing on the site. It is noted that there is a small reduction in the number of affordable homes (2 fewer with 338 social rent and 142 DMR now proposed compared with 140 social rent equivalent

and 342 DMR of the approved scheme) within this revised scheme as more 3-bedroom affordable homes are included instead of 1- and 2-bedroom homes, however the number of habitable rooms has substantially increased.

189. Thirdly, instead of “social rent equivalent” discount market rent tenure that was secured in the extant permission, “true” social rent tenure is proposed now within buildings OPQ, W and outline block V. The social rent blocks would be owned and operated by a registered provider in the usual way. A new s106 agreement would update the definitions and requirements for these social rent units in line with the typical wording for this tenure. The intermediate DMR homes where they are mixed in with the BtR blocks 1-4 and DE would be managed in the same way as the BtR flats by Greystar. The locations of the DMR units within the mixed tenure blocks has been shown on the submitted housing schedule and during the application some swaps were needed in terms of wheelchair units and to ensure all the DMR units have private amenity space. An updated schedule to confirm the locations and to allow some flexibility to ensure the proportion is always provided would be secured by an obligation.
190. The affordable homes have been designed to the same architectural standard as the market blocks in a tenure blind approach, as will be explained later in the assessment along with the residential quality of the affordable homes.
191. The proposed affordable housing offer is a better package than that secured in the 2020 permission, and provides more affordable housing than the maximum caps possible from later viability reviews set in the 2020 s106 agreement. A 2020 obligation prevents the owner having to provide more than 35% affordable housing by habitable room even if the viability reviews determine an enhanced affordable offer is possible; any surplus profit identified in the viability reviews was to fund converting tenures to improve affordability (e.g. converting DMR to social rent equivalent). The 2020 obligation also limits the tenure split of the affordable housing to be no more than 43% as social rent equivalent nor more than 57% London Living Rent in the event that the viability reviews identify enhancements are possible. The current proposal at 35% affordable housing, and with the 70.9%:29.1% split of social rent to DMR exceeds the maximum caps of the approved scheme.
192. The affordable housing figures rely on block V delivering a significant proportion of the social rent housing. The block is proposed in outline form and to achieve the number of habitable rooms needed for 25% site-wide, V would need to be developed at or very close to its maximum parameters; delivering less would drop below 25% social rent. This needs to be considered in the design section and residential quality section later in this report. Should the applicant propose more private market tenure habitable rooms at a later date, then a corresponding increase in affordable housing would be needed, however as will be set out below this outline plot is considered to be at the maximum limit of what would be an appropriate scale.
193. The application represents an improved affordable housing offer than the approved scheme and is greater than the maximum affordable housing that the viability reviews in the 2020 s106 agreement could have ever achieved. Unlike

the approved scheme which had a high proportion of intermediate housing, the current proposal is meeting Southwark Plan policy by providing a far higher proportion of social rent. This much improved affordable housing offer is a significant benefit of the current scheme.

194. This improved affordable housing package has come at a financial cost to the scheme. As the scheme does not qualify for the fast track route, a financial viability assessment was submitted along with its public executive summary. The applicant's viability assessment concludes the current affordable housing offer significantly exceeds a viable offer. This has been reviewed by Cluttons on behalf of the council.
195. Cluttons conclude that the proposed scheme is delivering the maximum reasonable quantum of affordable housing. This has been approach in two ways:
 1. Comparing an appraisal of the extant scheme to the proposed scheme.
 2. Comparing the proposed scheme to the original benchmark value (which is the applicant's preferred approach).
196. For the first approach, the applicant's position is that proposed scheme has a lower value than the extant scheme. The applicant is comparing one negative value to another and its position is that neither is viable. Cluttons consider this is a valid way to look at this (the missing item is growth which, if applied, does produce a positive value on both appraisals, albeit it is very sensitive to the yield adopted, any movement away from the applicant's yield produces a negative outcome). The extant scheme appraisal reflects a timeline consistent with the Environmental Statement issued at that time, which is a much longer delivery timeline than the proposed scheme. Compared to the proposed scheme this has a less negative value. The ES and timelines for the extant scheme probably reflect the mix of uses; the proposed scheme is much more rationalised in terms of uses per building which should make it more attractive and easier to deliver.
197. Cluttons tested shortening the timeline on the extant scheme but this is challenging as there is no clear alternative delivery plan for this scheme and its mix of uses and the timeline was likely longer to reflect the complex mix of uses in each building. However, the testing does confirm that if you shorten the scheme, it becomes more negative. That is not unexpected as the extant scheme and proposed schemes have many similarities.
198. For the second approach, which is the applicant's preferred option (which Cluttons do not consider is a fully valid basis as the original site does not exist, but there is some merit in the applicant's claim that the land was released for this sum), the proposed scheme site value is below the applicant's preferred benchmark value of £33m. However, if growth is added to the proposed scheme appraisal a positive value can be produced but not at the £33m level given the shift in yields. If adopting a yield of 4% rather than 3.5% but including growth, the outturn value is still below the £33m. This is likely to be a feature of the current market and Cluttons' report will include sensitivity analysis to explain how a positive value combined with growth is produced. For present purposes, this test

also confirms that the scheme produces the maximum reasonable quantum of affordable housing.

199. Cluttons also took a further high-level stand back, where the net realisation of the consented scheme, based on Cluttons' figures is circa £890million. This compares to a net realisation of the proposed scheme of £938 million which reflects the circa 9,000sqm of additional residential floorspace. On paper this shows an uplift of £48m, however it masks big movements within the scheme. It is significantly offset by the huge increase in social housing provision relative to DMR. This uplift in value hides a big value shift in the overall affordable values within the scheme. Within the extant scheme the social rent and DMR had a gross value of £141million (rounded). The proposed scheme, with the big increase in social rent provision has a decrease in gross value to £108m – a reduction of just under £38m. Additionally, with social rent values at £210/sqft and DMR values at £418/sqft (slightly higher at £460/sqft in the extant scheme but reflecting larger units in the proposed scheme), the additional social rent does not cover construction costs which averages £333/sqft on the gross areas. Therefore a higher GDV does not translate into a higher site value given the social rent content now in the scheme and the cost of delivering it.
200. The rents to be charged for the DMR units would be capped. These are no more than 80% of market rent and on the basis that the average annual housing costs including rent and service charge do not exceed 28% of annual gross income upper limit specified in the London Plan Annual Monitoring Report (i.e. equivalent to 40% of net income), and setting the income limits for the first letting. This was the same as the 2020 approval. The household income cap for the DMR units would remain as the approved scheme, (at the greater of either £60,000 gross income upper limit, or the gross income upper limited specified in the London Plan Annual Monitoring Report at the time of the letting). This also matches the 2020 permission.
201. Viability reviews would be required by new obligations to address the early stage (re-dated to reflect the date of a new s73 permission) in case construction does not progress sufficiently on site, and late stage. The applicant requests removing the late stage review requirement, given the current package is better than the maximum allowed by the 2020 s106 agreement. The scheme has not achieved the minimum 40% affordable housing requirement to qualify for a fast-track route however. With the suggested deficit the viability assessment indicates, while it may be unlikely that further affordable housing can be delivered, the sensitivity analysis by Cluttons shows how a more positive outcome may be achieved and the policy requirement for a late stage review remains. A maximum cap of 40% affordable housing would be set in the viability reviews.
202. The annual affordable housing reporting and an associated monitoring fees of £52,675.30 (indexed) for the affordable homes in the detailed part of the application, and to secure £132.35 per affordable home in the outline part would be secured as planning obligations.

Staged delivery

203. The applicant has asked to amend the stages in the phased provision of the market and affordable housing. The 2020 s106 agreement prevents: no more than 15% of the market housing can be occupied until 20% of the affordable housing units are made available; no more than 50% of the market housing to be occupied until 60% of the affordable housing units are made available and; no more than 75% of the market housing to be occupied until 100% of the affordable housing units are made available.
204. The applicant is seeking to change these stages to remove the first limit, to restrict occupation of 60% of market housing until 60% of affordable units are ready for occupation (including no less than 55% of the social rent housing), and restrict occupation of 80% of the market housing until 100% of the affordable housing is made available for occupation. This would allow up to 686 market BtR units to be occupied without any affordable housing being delivered, but no more than 915 until all the affordable homes are built. When the overall enhancement of the affordable housing package is considered and the applicant's financing needs, the revised staging is considered acceptable in the context of this s73 scheme and would still ensure the phased provision of the affordable housing alongside the private tenure in the later stages.

Conclusion on affordable housing and tenure mix

205. The revised affordable housing mix with the increased provision of social rent accords with current policy, and is a much improved package compared with the earlier permission. A new s106 agreement would contain obligations relating to the provision of the DMR and social rent, the revised staging of provision alongside the market housing, service charges, viability reviews, and delivery of any further affordable housing from these reviews, as well as the BtR obligations regarding the residential management plan, 30 year covenant period and clawback mechanism. Subject to these planning obligations, the proposal is considered to have successfully addressed most requirements of policies P1 and P4 of the Southwark Plan and H11 of the London Plan for a BtR-led development; the later sections below considers the quality of the homes, their design and the townscape aspect of outline block V. As set out later in the planning balance section, the revised affordable housing offer is a key public benefit of this s73 application.

Wheelchair housing

206. London Plan policy D7 requires residential development to provide at least 10% of dwellings to Building Regulations standard M4(3) "wheelchair user dwellings", and the remaining dwellings to be M4(2) "accessible and adaptable". Policy D5 on inclusive design requires at least one lift per core to be a fire evacuation lift. Southwark Plan policy P8 on wheelchair accessible and adaptable housing sets out the requirements on new build major developments, including at least 10% of homes to be built to Building Regulations M4(3) standard, and that where there are social rent wheelchair units, 10% of these must meet the M4(3)(2)(b) standard.

207. This application includes 130 wheelchair units to M4(3)(2)(a) standard in the market and DMR blocks, and 35 in the social rent blocks to be fitted out to M4(3)(2)(b) in the detailed part of the application so that there is a mix across the tenures. The larger unit sizes of policy P8 have been achieved, and no 2b3p affordable homes are proposed. Each unit would have access to at least two lifts including a fire evacuation lift. The outline part of the proposal is suggested to include 8 x M4(3)(2)(b) units, however this is illustrative only. The scheme would achieve the 10% M4(3) policy requirement, and exceed the social rent proportion requirements of policy P8. The provision of the 10% wheelchair user dwellings and the remainder as accessible would be secured by conditions. The marketing of these units to wheelchair users, and confirmation of how the social rent flats would include the enhanced fit out standards for the affordable wheelchair units (as set out in policy P8 table 5) would be secured as a planning obligation.

Quality of residential accommodation

208. 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. The Residential Design Standards SPD provides further information on indicators of exemplary design. Policy P4 on BtR homes states that the same design standards as for build-for-sale homes will be required. Tall buildings policy P17 in part 3.1 requires the design of tall buildings to be of exemplary architectural design and residential quality.
209. When considering the earlier application in 2019, the council considered the proposal did not provide an exemplary quality of accommodation to address the potential negative impacts of high density living. Having taken on the application to determine, the GLA sought amendments from the then-applicant Grosvenor to improve the residential quality, including adding 392 private balconies so that 89% of the units had private amenity space, 60% were dual aspect homes, and cores served between 4 and 11 units per floor. With these amendments secured, the GLA approved planning permission.
210. While Grosvenor and Greystar both propose the scheme as mainly BtR tenure, Greystar has a different model and typical design to the approved scheme's design. Amending the scheme to the Greystar typology has led to many of the revisions to the BtR housing as well as the inclusion of two fire escape cores to each building. The quality of accommodation has been the focus of officer comments. During the pre-application and application discussions, officers asked for improvements to the residential quality of the BtR homes, such as to increase the number of dual aspect homes and increase the number with private balconies. The Design Review Panel commented on this aspect too. While the applicant has made some changes in the submitted scheme, not all suggestions were taken up by the applicant.

211. As will be set out below, officers consider that the quality of the market BtR homes is lower than the approved scheme, and is not exemplary. The affordable homes are considered to be of a high quality and generally meet the requirements of the Residential Design Standards SPD and are of as good a quality as those in the approved scheme. The policy failure of the BtR element of the scheme by not providing exemplary quality, and the changes being of lesser quality than the approved scheme forms a key part of the planning balance to be considered against the scheme's benefits (mainly the affordable housing and quality of that housing, and improved public realm).
212. The residential quality of outline block V cannot be considered in much detail as limited information is presented for approval. Illustrative floorplans were provided late in the consideration of the application to show the size, layout and arrangement of units, their balcony provision etc as an example of how the parameters could be met, but this information is not submitted for approval and would come through the reserved matters process.

Tenure integration

213. 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.
214. These revised proposals have a tenure blind design, with the dedicated social rent blocks at the same design quality (and internal residential quality better than) the market housing buildings. Blocks OPQ, W and V providing social rent are in the same locations as the affordable blocks in the approved scheme, and have been designed by each of the three architectural practices working across the site. It would not be distinguishable generally from the exterior of the buildings which are in which tenure, with the large residential "super lobbies" being the only indication to differentiate the BtR blocks.
215. The DMR housing is mixed within the BtR blocks 1-4 and DE, and would share the same entrances and facilities as the market BtR residents. All Greystar residents would have access to every Greystar building, so for example both DMR and BtR tenants of block 1-4 would have access to block ST and vice versa. The applicant has suggested that for non-Greystar residents (in buildings OPQ, V and W) it would be possible to introduce a paid membership-type agreement to allow access to the swimming pool in block ST, while other amenity spaces within the Greystar buildings would only be accessible to Greystar residents. However the applicant has stated the precise details of these arrangements for access to amenity space within the buildings have not yet been matured, and therefore may change.

Dwelling sizes, room sizes and other features

216. Each of the units across all tenures within the detailed part of the application meets or exceeds the minimum internal unit sizes. The proposed wheelchair units achieve the larger minimum internal sizes set out in table 4 of Southwark Plan policy P8.
217. The great majority of the rooms achieve or exceed the suggested room sizes in the guidance within the council's Residential Design Standards SPD.
218. The 3-bedroom social rent units have a separate kitchen from the living room, including the illustrative layouts of the units in outline block V. For two of the three units per floor in block W, and two per floor in OQ, this divided off kitchen would have no window and so it is has not been counted as a habitable room in these social rent homes.
219. Some of the BtR units have been deliberately oversized by 5-7sqm to provide internal amenity in place of any external private amenity space. The applicant uses the term "internalised amenity space", with 343 of the BtR units that have no external amenity space enlarged in this way.
220. The proposed internal layout changes and the massing changes to blocks 1-4 and DE especially would mean more units are served by each core. Cores would be shared by 4 or 5 flats per floor in W, 5 flats per core in Q, 7 in P, and 8 in O as the social rent buildings. Block V is suggested to have 5 and 6 units per typical floor in the illustrative material. In the market BtR blocks, cores would be shared by 8 flats per floor in S and T, 11 in block 5 and increasing to 38 in block F. Block F would have three cores arranged in the corners of the E-shaped upper floors, with two accesses off the main residential lobby, and one smaller entrance on the eastern side. The mixed market and DMR blocks, cores are shared by 12 flats per floor in DE and 52 per floor in block 1-4. The longest corridors are in block 1-4 where each unit is linked to the main residential lobby in the north-west corner, and to three smaller entrances from Keeton's Road and Drummond Road in the other corners. The front doors of further flats are 112m from the super-lobby. The applicant has confirmed that these smaller entrances would function as day-to-day use entrances, and not only as fire escapes, that they would be highlighted by the use of metalwork, different brick tone and bond, and be provided with the buzzer entrance system (see later design section). Similar layouts can be found in completed Greystar BtR scheme in Greenford, and at a smaller scale in Vauxhall.
221. Ceiling heights are proposed to be 2.5m, which matches the minimum height of the approved design. Each unit would be served by at least two lifts, and have two fire escape cores. The fire safety improvements have been one of the drivers of the proposed design revisions.

Aspect and outlook

222. Southwark Plan policy P15 in part 2.8 seeks development to be predominantly dual aspect and allow for natural cross ventilation. London Plan policy D6 part C

states *“Housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. A single aspect dwelling should only be provided where it is considered a more appropriate design solution to meet the requirement of Part B in Policy D3 Optimising site capacity through the design-led approach than a dual aspect dwelling, and it can be demonstrated that it will have adequate passive ventilation, daylight and privacy, and avoid overheating”*.

223. When the council considered the earlier scheme in 2019, a reason for refusal was agreed which referenced the proportion of single aspect units, including dwellings which have a northerly aspect, constrained outlook and dwellings with a sole aspect towards the railway. At that time the overall percentage of dual aspect units across the development was 55%.

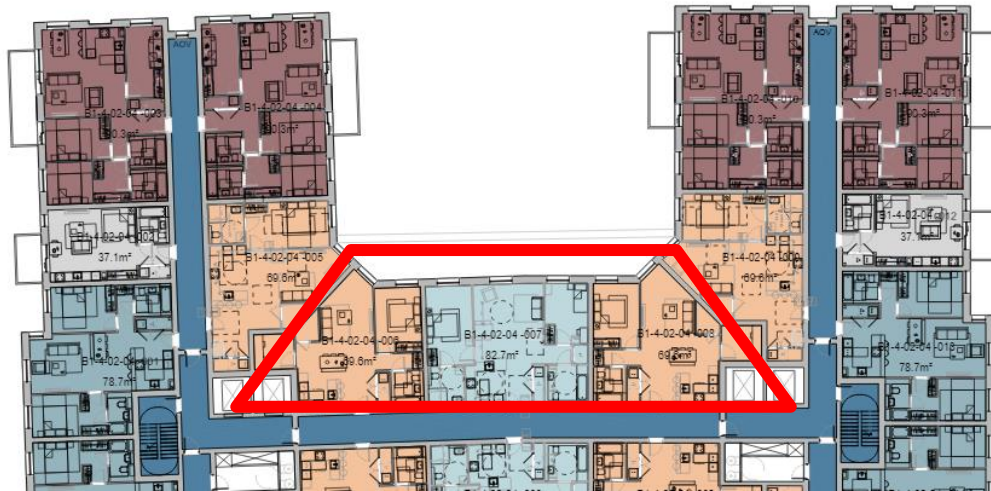
224. Through the residential quality improvements to blocks 5, F, P and RST negotiated with the then-applicant, the GLA report stated the scheme provided approximately 60% of units as dual aspect. There were 21 north-facing single aspect units, and south-facing single aspect units looking onto the railway. In concluding on these aspect points, the GLA report stated:

“GLA officers also recognise the difficulty in optimising the development capacity of large development sites, whilst balancing the requirement to provide a good quality of residential accommodation. Overall GLA officers consider that the proposal would deliver a high standard of accommodation. Specifically, the development would provide predominantly dual-aspect units and all units would benefit from good levels of internal daylight, outlook and views. In those instances where single-aspect units are overlooking the railway, a detailed mitigation strategy has been proposed to ensure these units benefit from high levels of amenity, ensuring an appropriate balance of noise mitigation, heating/cooling, and achieving good levels of daylight/sunlight. The railway viaduct spans the full southern boundary of the Site, and it is therefore inevitable that there will be a proportion of units overlooking the viaduct or in close proximity to it.”

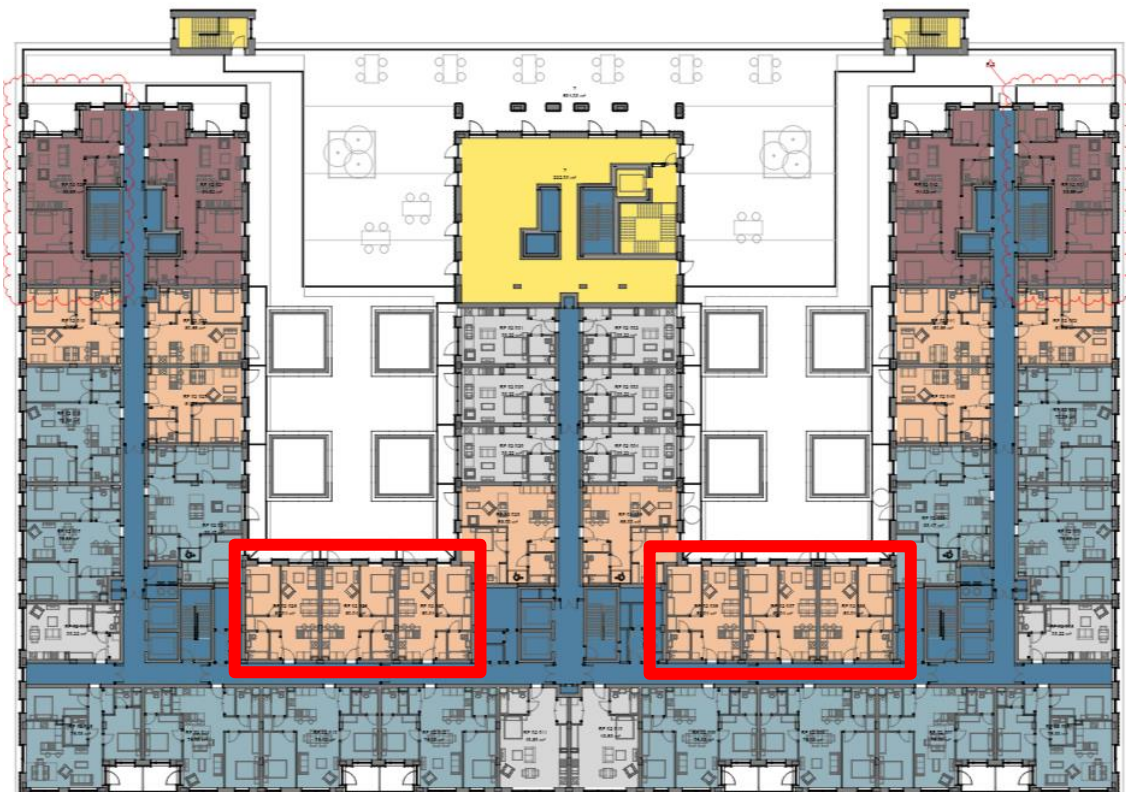
“Overall, the revised proposal has successfully maximised dual aspect units across the development site whilst optimising development potential. Whilst the proposal would result in 21 single-aspect north-facing units, these units would benefit from generous floor-to-ceiling height, good outlook, good quality amenity space and BRE compliant levels of daylight. Furthermore, whilst the proposal also results in a small number of single-aspect units facing the railway viaduct, these units would include mechanical cooling, inset balconies and suitable amenity space via rooftop amenity areas.”

225. In the current scheme all of the new homes would be set at first floor and higher as it no longer includes the duplex units in block 1-4 and F. The units facing outwards of the blocks would have outlook by the separation across existing roads or the neighbouring block across the new routes. The first floor units in DE and T would have their floor level set at the height of the viaduct parapet, and those that face straight onto the viaduct would be market tenure BtR. The corner units in W from first floor and higher would have one outlook towards the viaduct, but windows in two other façades with better outlooks.

226. The current scheme represents a reduction in the proportion of dual aspect units compared with the approved scheme. The current scheme has only 40% dual or triple aspect homes. This is not a predominantly dual aspect proposal. However it should be noted that 66% of the social rent homes would be dual aspect, and 39% of the DMR homes would be dual aspect, so the majority (58%) of the affordable homes are dual aspect. The majority of single aspect homes are within the BtR element of the scheme.
227. Officers consider a further 7% of the units are “enhanced single aspect” by having a window facing at 90 degrees to the other windows and that has a clear outlook which would leave 53% of the units as single aspect. The applicant considers there to be 13% enhanced single aspect where windows have a smaller angle difference – such as the angled corners of the block 1-4 courtyards, or where the second window faces onto the recessed balcony in block F. The applicant suggests the predominance of single aspect units is because it has sought to optimise the development of the site, and because of the Greystar BtR model of allowing BtR residents to access to facilities across each building results in long corridors.
228. Three-bedroom units have been located at corners to benefit from dual or triple aspect, or an enhanced single aspect. The social rent blocks would achieve better proportions of the dual aspect units (of 71% in OPQ together, 67% in W).
229. The increased proportion of single aspect units are mainly to the BtR blocks. For example, the reduction in the number of cores and introduction of the H shaped layout with long corridors means the units in block 1-4 are primarily single aspect, unlike the approved scheme with 6 cores and dual aspect through units that had front and back façades. The proposed central infill within block 1-4 increases the number of single aspect units. Similarly the introduction of the corridors throughout block F’s residential floors has linked the cores and removed the through units of the approved scheme, making the majority single aspect. By combining the two towers of blocks D and E, the arrangement of the units changes. As approved the two towers had a combined total of 8 units facing the railway 4 x single aspect and 4 x dual aspect per floor up to level 10 (and then 2 x single and 2 x dual on the upper floors). The application now proposes 4 x single aspect and 2 x dual aspect units per floor, meaning the proportion of single aspect units increases.
230. The single aspect unit facing north are smaller than 3-bedrooms and face away from the railway noise. Single aspect north-facing units are proposed in:
- Block 1-4: 15 flats (1- or 2- bedroom) on the north side of the central link, all in market BtR tenure. Two further units for five floors on the northern side of the central link would be in the corner locations, facing either west or east into the courtyard, but with their outlook out from the building mainly towards the north. These are wheelchair adaptable units



- Block F: 36 x 1-bedroom flats in the locations highlighted below. 14 further units (studios, 1- or 2-bedroom units) in or near the corner locations on the north side would face either west or east into the courtyard, with a limited north-facing outlook away from the building, on both the second and third floors, another 10 flats each on the fourth and fifth floors, and 6 more each on the sixth and seventh floors. These are all market tenure.

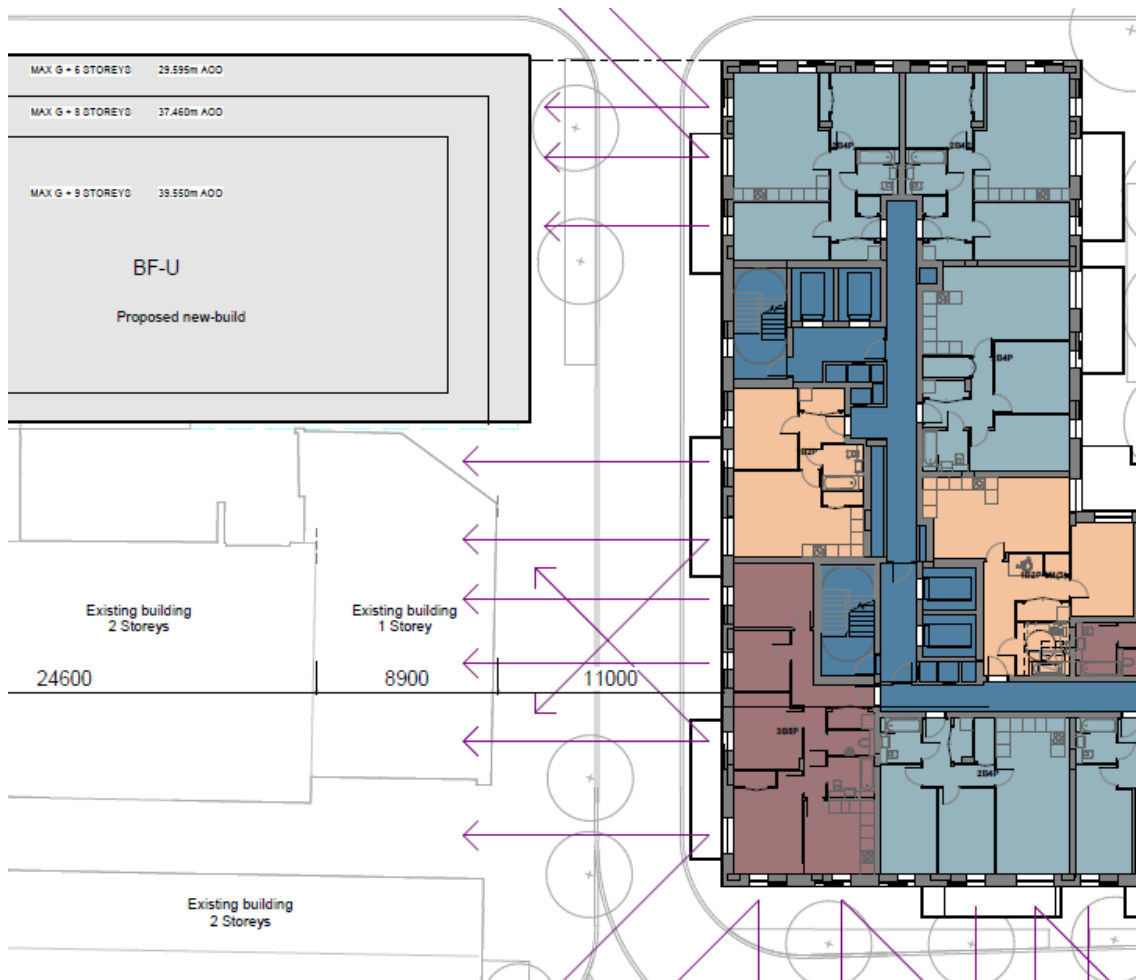


- ST – two units per floor of each tower are single aspect, north-west facing, which would be market BtR tenure.

231. There are single aspect units that face south, and those in blocks DE and ST in

particular would be affected by the railway noise, vibration and overheating, and so require mitigation measures. This is considered below.

232. The block V illustrative material suggests the units facing west onto the flank end of block U would be two dual aspect and one single aspect unit, at a distance of 9.4-10.0m between facades. Privacy measures would need to be incorporated into the final design of block U. The dual aspect unit would have better outlook to the north across the new road, and the single aspect unit would have a broader outlook towards the south-west over the single storey Workspace building.



Illustrative layout of block V's units and proximity to block U's flank wall

Internal noise and vibration levels

233. 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).

234. The site is affected by road noise and railway noise from the busy railway viaduct along the southern edge of the site, and noise from nearby businesses. The ES addendum considers noise and vibration as one of its topic chapters. An acoustic assessment was submitted with the application, which considers the revised design and the necessary acoustic performance required in the building fabric to achieve acceptable internal noise levels to the proposed residential units.
235. The proposed buildings closest to the viaduct would be affected by the railway noise, and the south-facing units of these tall buildings would have a high overheating potential, especially single aspect units as there is no shading from the south of the site. Ways to deal with the noise and overheating often compete against each other, and require an engineered solution to provide a suitable quality of accommodation for the new homes. In mitigating the noise from the railway to achieve acceptable internal noise level particularly at night time with the windows closed, the natural ventilation by windows and mechanical ventilation for these south-facing units would need to be assisted by comfort cooling and hybrid cooling. The proposed scheme has redesigned these buildings, to merge D and E, to rearrange the internal layouts of ST and W, and there have been recent regulatory changes since the earlier scheme was designed and approved.
236. The applicant provided a document to justify the provision of south-facing single aspect units affected by the railway in DE, ST and W, to demonstrate how the proposal has minimised the number of these units, and balanced the noise and overheating considerations. The overheating assessments have taken account of the new Building Regulations Part O requirements (that have come in since the 2020 permission), and the associated assumptions which no longer allow internal blinds to be assumed to limit overheating, and add restrictions on night-time window openings from 11pm to 7am to prevent noise intrusion. Where the noise level outside is too high for the internal noise level to a bedroom to be achieved with the window open, the window ventilation is not a viable option for natural ventilation or cooling. These changes in assessment since the earlier permission make it more difficult for the current scheme to demonstrate compliance on overheating because of the new stricter requirement.
237. The external fabric of the building and its glazing have been looked at in detail by the applicant team to address the noise environment. Ways to reduce overheating have been incorporated in the proposal such as the glazing specification, the area of glazing, window reveal depths, balconies, mechanical ventilation and finally cooling methods. To compare the three most affected proposed buildings with the consented scheme:
- The approved version of DE with two towers had 8 units per floor facing the railway (4 single aspect, 4 dual aspect); the proposed version has 6 units per floor (4 single aspect, 2 dual). Mechanical ventilation and hybrid cooling are proposed to reduce the overheating risk as well as the façade fabric acoustic performance. Since the overheating report was written, the amended plans added projecting balconies to the railway façade

which should reduce the overheating potential to two units per floor. The single aspect units are proposed to be market BtR tenure.

- For ST, the two proposed towers proposed 4 single and 4 dual aspect units per floor. This is a reduction compared with the approved RST buildings that had 2 single aspect and 6 dual aspect units per typical floor. Mechanical ventilation and comfort cooling to the bedrooms is proposed to lower the overheating risk. Different glazing configurations to address the acoustic requirements of the different facades are proposed. All of these units are market BtR tenure.
- For block W, the arrangement keeps 2 triple aspect units with a façade onto the railway on each floor, as was the case with the approved scheme. Mechanical ventilation, hybrid cooling and external shutters are proposed to these social rent units to reduce the overheating risk as well as the façade fabric acoustic performance.

238. Having reviewed this document, EPT's view is that the site layout and orientation is not optimal in terms of acoustic design. The applicant has shown how it has tried to mitigate and minimise the impacts within their proposed footprint, which is what policy would expect. To go further would be a complete redesign of building shapes, locations, orientations etc which would be a radical rethink, on this site that has an extant permission for a very similar form of development. EPT does not object outright on the design point, but highlights there are still dwellings which have somewhat compromised amenity due to being single aspect facing noise sources and/or unable to use passive measures to prevent overheating. This will form part of the planning assessment about the overall quality of the proposed units. Officers note that the implemented scheme has approved a similar number of residential units on this site, with the same prevailing noise conditions, and the new regulatory requirements have required a more detailed assessment of the noise and overheating environment for these new units, however there is limited material difference between the two schemes. This submitted document sufficiently justifies the proposal compared with consented in respect of noise overheating and prevalence of single aspect railway-facing dwellings.

239. The 2020 permission included a condition to require further various details of the mechanical ventilation and the measures to prevent overheating and cooling. An amended version of this condition is proposed in the recommendation to ensure the mitigation measures are incorporated into the construction.

240. In terms of vibration levels from the railway viaduct, an assessment of the vibration cause by the railway lines on the viaduct was submitted which considers the levels of tactile vibration and re-radiated noise. The tactile vibration are predicted to be within the recommended levels. EPT has reviewed both technical reports.

241. A suitable assessment has been submitted which shows re-radiated noise levels exceed 35dB LMAX(S) in 40 dwellings across blocks BE, ST and W. Re-radiated noise is not predicted to exceed 40dB LMAX(S). The applicant suggests the higher 40dB limit is suitable due to the additional airborne noise component from the overground railway effectively acting as a masking noise as opposed to re-

radiated noise only from an underground railway with no airborne component. EPT notes that Crossrail D10 information paper required design to 40dB LMAX(S) with a best endeavours requirement to meet 35dB LMAX(S), however this was a new railway with a fixed route in proximity to historic homes, not new dwellings as in this case. The High Speed 2 project E21 information paper states the lowest adverse effect level from re-radiated noise is 35dB LMAX(S) and that is a predominantly a surface rail scheme, not an underground railway, which suggests this figure is reasonable.

242. EPT considers that relaxing to 40dB is likely to be allowing a lower adverse noise impact for residents of affected dwellings, which planning policy does not prohibit but requires it to be mitigated and minimised where possible. The cost and technical implications of further mitigation are likely to be high and so, on balance, EPT is minded to accept the applicant's 40dB recommendation in this case. The planning authority would need to accept that this may have a small compromising impact on the amenity of affected dwellings. There is always uncertainty over assessment, and EPT would consider any level in excess of 40dB to constitute a significant adverse impact that should be avoided. The submitted report proposes a possible mitigation of a trench along Shard Walk (infilled so not visible at the surface), to control the pathway of vibration to the most affected buildings. EPT recommends a validation condition to test a sample of most affected dwellings once constructed which, only if failed, would mandate construction of the mitigation trench. This would avoid potentially unnecessary groundworks while leaving open the option in the event that re-radiated noise proves problematic.
243. The 2020 permission contained a condition that required further details of the mitigation for re-radiated noise to block W only. To address the potential re-radiated noise from the railway to more of the buildings, the wording of this condition has been amended in the recommendation to refer to buildings DE and ST as well, and to require validation tests of the completed dwellings. If these test results show that re-radiated noise is an issue for the new homes, then details of the buried mitigation to absorb the vibrations would be required by the condition, and for it to be installed prior to any occupation.
244. In terms of noise from the proposed ground floor retail and commercial units to the adjacent residential units, additional conditions are proposed about sound transmission to ensure a good quality of residential accommodation. Separate conditions previously included would appropriately address plant noise, commercial noise and music noise for future residents and existing neighbours, as well as opening hours.

Privacy and protection from overlooking

245. The separation distances from the proposed residential parts of the buildings out towards existing neighbouring properties remains similar to the approved scheme, and usually look across neighbouring Drummond, Clements, Collett and Webster roads and the railway viaduct. In all cases the separation distances across an existing road exceed the 12m minimum for buildings fronting a highway (mostly at 19m, and 14m across Webster Road to block 5). The

changes to combine the towers of DE into one tower would set the block further from the St James's Road neighbours. Block 5 is in the same location and same footprint as consented. The flats at first floor and above would look eastwards over the new Keeton's Road, south over Webster Road, westwards onto the rear of the two storey terrace of 57-67 Webster Road at a distance of approximately 18m from the facing first floor windows, and northwards across Collett Road.

246. The revised arrangements and massings would amend the distances between the proposed buildings within the site in the following ways:
- The spacing across the two facing wings of block 1-4 is shorter than the approved scheme, 16m apart at the closest point and increasing to 21m at the furthest, compared with the minimum 20m separation of the consented scheme.
 - Removing block R would improve the privacy of the flats in blocks F and S.
 - The separation distance between new building U and V is shown to be shorter in a maximum extent scenario at 10m between facing walls in a minimum scenario, 9.4m in a maximum scenario with 7.8m from balcony to facing wall. This compares to the approved scheme separation of 8.5m to 13.1m in the maximum to minimum scenario.
247. The reduced separation between the wings of block 1-4 is due to the inclusion of the long corridors, which remove the dual frontage units and widen the wings. The reduced privacy of the facing units is a reduction in quality of these BtR units. The three wings of flats in block F remain at a distance of around 18m apart, and blocks S and T retain their close arrangement at the closest corners as in the consented scheme. The other BtR blocks retain good levels of privacy. Privacy screens would be needed in locations such as between the recessed balconies on block F, to separate the public roof terrace on F from nearby private balconies, between the end of balconies and windows of adjoining flats in block 1-4, to screen communal terraces from private terraces in 1-4 and to screen the gym and terrace from the facing units in S and T. Such screens and obscured glazing would be secured as part of a details condition.
248. For the social rent blocks, the privacy of the units in blocks OQ, P and W would remain as they were in the consented scheme, separated across roads from existing neighbours and with the same proximity of the facing corners of P and Q would remain at approximately 10m between these dual aspect units. Block V is likely to have a reduced outlook onto the flank of new block U, and would be sited between 7 and 11m from the low-rise Workspace building to the south-west. The illustrative layout suggests the end units would be dual aspect to provide two outlooks, with one single aspect one-bedroom unit in the middle of this western facade. The treatment of the eastern end of new block U to give privacy to block V's closest units would need to be considered in the future reserved matters application.

Daylight, sunlight and overshadowing

249. The NPPF sets out guidance with regards to daylight and sunlight levels 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.

250. 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, without being prescriptive about standards.
251. In its consideration of the previous scheme, the GLA balanced the daylight and sunlight levels with the provision of balconies and overheating issues, as stated in the hearing report:

“Overall, the results of the technical assessment demonstrate that the revised proposal retains very good levels of daylight, with 87% of the proposed rooms that have been assessed achieving the recommended levels of Average Daylight Factor (ADF) or above and most rooms applicable for sunlight assessment seeing excellent levels of Annual Probable Sunlight Hours (APSH). Whilst it is noted that the assessment demonstrates minor reductions in overall compliance in Blocks BF-DE, BF-F, BF-RST and BF-W due to the revisions to the proposal, these reductions are generally a result of additional balconies and reduced fenestration to mitigate overheating concerns. As discussed within Southwark’s committee report, within large-scale developments, a balance needs to be achieved between high light levels, overheating, private amenity and density. GLA officers are satisfied that the proposed revisions to layout and massing result in a significant improvement to the residential quality of the development, whilst ensuring that good levels of daylight and sunlight are maintained.... All living rooms and living/kitchen/dining rooms falling short of guidance do so as a result of a balcony provided overhead. GLA officers consider that the benefits of the provision of amenity space would outweigh any harm from the marginally reduced levels of daylight.”

252. The current scheme has been tested for daylight, with all habitable rooms in units on the lower floors of proposed buildings tested and then an assumption made on how many units on the upper floors (that would have better daylight) would pass the guidance levels. This ends up in a likely range to the pass rates. The proposed design revisions result in fewer new homes meeting the recommended daylight levels using the former average daylight factor (ADF) test – 72% pass of the tested proposed units (which would be 76-78% across the whole scheme), compared with 87% passing in the extant scheme. The daylight provision to the revised scheme is therefore worse than the approved scheme.
253. The BRE daylight and sunlight guidance was updated in 2022 which was after the 2020 permission was issued. This 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”.

254. 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 ADF 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.
255. Climate Based Daylight Modelling (CBDM) is used to predict daylight illuminance using sun and sky conditions derived from standard meteorological data (often referred to as climate or weather data). This analytical method allows the prediction of absolute daylight illuminance based on the location and building orientation, in addition to the building’s daylight systems (shading systems, for example). The guidance proposes target illuminances to exceed 50% of daylight hours across half the room. This is considered to be the most accurate approach when using climate data however, it provides a very large amount of data for each assessed room which then needs to be interrogated. One of the methodologies that can be used to interrogate this data is Spatial Daylight Autonomy (sDA).
256. The sDA assessment is designed to understand how often each point of the room’s task area sees illuminance levels at or above a specific threshold. The guidance sets out a minimum illuminance level that should be exceeded over half the space for more than 50% of the daylight hours in the year. Within high density residential settings the following targets apply:
 - 100 lux for bedrooms
 - 150 lux for living rooms
 - 200 lux for living/kitchen/diners, kitchens, and studios.
257. The second method is the daylight factor which is the illuminance at a point on the reference plane in a space, divided by the illuminance on an unobstructed horizontal surface outdoors. The CIE standard overcast sky is used, and the ratio is usually expressed as a percentage. This method of assessments considers an overcast sky, and therefore the orientation and geographic location of buildings is not relevant. In order to account for different climatic conditions, the guidance sets equivalent daylight factor targets (D) for various locations in Europe. The median daylight factor (MDF) should meet or exceed the target daylight factor relative to a given illuminance for more than half of daylight hours, over 50% of the reference plane.
258. The habitable rooms on the lower floors of each building were tested with these new BRE tests. The sDA test found 64% of tested habitable rooms would meet or exceed the recommended levels (equating to somewhere between 71-73% of habitable rooms across the whole site).

259. The applicant provided the table below to allow a comparison between the approved scheme using the former BRE 2011 metrics and the current scheme using the current BRE 2022 metrics, although the two tests are not directly comparable:

Block	Floors Assessed	Floors Not Assessed	BRE 2011				BRE 2022	
			ADF	NSL	APSH	WPSH	sDA	ENSOX
1234	1 to 7	8	58%	67%	44%	47%	58%	75%
5	1 to 5	-	93%	87%	65%	64%	95%	78%
DE	1 to 9	10 to 19	79%	80%	46%	47%	74%	59%
F	1 to 7	-	66%	51%	25%	38%	49%	40%
OPQ	1 to 8	9 to 14	76%	71%	32%	29%	64%	61%
ST	1 to 7	8 to 33	62%	84%	50%	44%	73%	84%
W	1 to 11	12 to 16	92%	100%	31%	41%	92%	100%

Percentage of the assessed rooms/units meeting or exceeding BRE recommendations

260. These percentage figures suggest improvements in daylight for blocks 5 and ST, the same percentages for 1-4 and W, and reduced daylight provision to blocks DE, F, OPQ. By working in percentage passes/fails, the table does not display the increases in the overall number of units being proposed and number of habitable rooms in this proposal however.
261. The most poorly lit homes are those facing into a courtyard so that the massing of the proposal encloses the units, where there are large open plan LKD rooms served by only one or two windows, and where there are balconies above the windows. With more single aspect units than the approved scheme, it is likely that there are more units where all the rooms fail to achieve the recommended daylight level.
262. The merging of the two towers in DE has changed the arrangement of windows and room layouts. The projecting balconies and room depths appear to be the daylight issue. DMR units are among those where all or some of the rooms fail to achieve the recommended levels. With the recent introduction of more projecting balconies on the railway façade at the request of officers, it is likely to reduce the daylight levels to the LKDs of these flats so that there may be more rooms below the recommended daylight level, but as noted this needs to be balanced with additional private amenity provision and enhance solar shading.
263. The introduction of the double-banked corridors in F creating single aspect units (including proposed north-facing units) has reduced the proportion of rooms that achieve the recommended daylight level from 66% to 49%.
264. In block 1-4 all three of the design factors play a role, leaving very low daylight levels for the rooms facing into the courtyards, especially those on the lower floor levels, where there are projecting balconies above the windows, and where open plan LKDs are proposed. These homes include DMR affordable homes, and wheelchair homes. Results as low as 0 lux for LKDs are listed. The same proportion of rooms across the whole building still pass the current BRE test however.

265. In block OPQ where the percentage of passes has reduced compared with the older daylight tests of the approved scheme, the massing arrangement of the two L shaped buildings, the projecting balconies and the open plan rooms (even with three windows) are again factors. The massing of the Cocoa Studios new Workspace building to the south affects the daylight levels of the lower floors of facing O and Q units. The changes to these buildings to fit in one more floor to P and Q, and two more floors to O (increasing the number of units) and changing balconies seem to have led to the reduce percentage of rooms passing the new daylight tests.
266. For the outline residential block V limited information has been submitted for approval that officers can consider. In considering the earlier scheme, the GLA stated:
“The submitted parameter plans and design guidelines form control documents which would regulate future applications for reserved matters. Whilst the detailed internal layout would be subject to assessment during reserved matters stage, GLA officers are satisfied that the proposed siting and footprint of the building, separation distances and massing parameters would enable a high quality of residential accommodation to be delivered. Defensible space around the building, private amenity, and play space have been addressed within the design guidelines and would considered in detail at reserved matters stage.”
267. The submitted daylight report has considered a 3D model of outline block V, with assumed window reveals and balconies. This found that the east elevation is likely to have good daylight, the north elevation is more constrained to the facing building, the south and west elevations would be more obstructed too. Sunlight levels are likely to be good on the east, southern and western sides. The future reserved matters application will need to consider providing more generous fenestration, the positioning of balconies and layouts to maximise daylight. This would need to be demonstrated in the future reserved matters application.
268. 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”.*
269. Using the new BRE guidance 65% of tested units achieve the recommended levels of sunlight (which is likely to be 75-77% once upper floors included). Using the former BRE guidance, 69% of proposed living areas facing south would have received the recommended level of sunlight annually and in winter. The table included earlier in this section shows how the tested units in the current proposal fair better against the new sunlight test “ENSOX” in BRE 2022 than the approved scheme’s tests for “APSH” in BRE 2011.

Other aspects of residential quality

270. The provision of external amenity space is considered in the next topic section. The BtR blocks contain communal indoor facilities as part of their general

resident amenities, such as gym/fitness rooms, a swimming pool in ST, lounges, dining rooms, games rooms, cinema room, pet spa, the super lobbies as lounges with different seating, tables, booths, co-working spaces, bar counter, TV screens, meeting rooms, club rooms, library, and gallery space. These are very much part of the Greystar “product” to foster a community, and are the main reason behind the long corridors so that all residents can reach these shared facilities without going outside. These internal rooms have increased across the site from a total of c.3,600sqm in the approved scheme to c.7,500sqm in the s73 application.

271. The BtR lobbies would house the concierge desk and resident post boxes, with access into the cycle stores and refuse stores. Management staff facilities and back of house rooms would be adjacent to the lobbies. The BtR blocks would have the management team on site 24/7.
272. Back-up generators to the proposed blocks are shown to be sited at ground and mezzanine levels, immediately below proposed homes. The generators would be used in emergencies, and for brief monthly testing. The air dispersal of the diesel exhaust and the air quality impacts would need to be modelled in an addendum to the air quality assessment to show it is safe; this would be required by a proposed condition. Further detail of the extract arrangements for the swimming pool air handling in block ST would also be required by condition to confirm the location of louvres relative to flat windows and the high level discharge, and extract/ventilation details for the ground floor commercial units.

Private and communal external amenity space

273. 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).
274. The lack of private amenity space to 31% of the units formed part of the council’s proposed reason for refusal of the previous scheme in 2019, and later the GLA took steps to improve the number of balconies in the amendments so that 89% of units had external private space. The 60 units that did not were within blocks F and 1-4. The GLA described the revisions as “*a substantial improvement to the quality of the proposed accommodation*”.
275. The current scheme removes some of these improvements. Approximately 62.6% of all units have some private amenity space; with the recent addition of more balconies to DE and a few to 1-4 this has increased during the application from the initial 59.7%, but still remains below the 89% provision of the approved scheme.
276. All 3-bedroom units would have a private balcony or terrace of at least 10sqm. All social rent units would have a private balcony of 5sqm for 1-bedroom units, 7sqm to 2-bedroom units and 10sqm for 3-bedroom units (in line with or exceeding the sizes set out in the GLA Housing Design Standards LPG). All DMR

units would have a private balcony of 5sqm, 7sqm or 10sqm. It is therefore the BtR that has seen a reduction in the private amenity space.

277. The BtR units with no private amenity space are predominantly studios and 1-bedroom units, with some 2-bedroom units. These units would have access to the communal gardens at podium and roof levels in that blocks, as well as other BtR blocks' facilities.
278. In its consideration of the 2020 scheme, the GLA gave weight to the provision of "internalised amenity space" for 7% of the units as a better quality of private amenity due to the external conditions such as noise from the railway and wind tunnelling. In the current scheme 27.3% of the proposed units would have this "internalised amenity space", which means the internal area of the unit has been enlarged by at least 5sqm or 7sqm in lieu of an outdoor space. Of the 53.1% of BtR units (608 out of the 1,144 BtR homes) that do not have private amenity space, 30.0% (343) are enlarged with "internalised amenity space". 389 of the units with no private amenity space have been given a Juliet balcony to provide more of an outdoor feel to the part of the flat immediately in front of the window.
279. Block ST is one block where units have been enlarged because they do not all have external amenity space. 5 out of 8 units per typical floor would not have private amenity space. The scheme relies on the internal size of the ST units being 4-5sqm above the minimum internal sizes (unless they are sized at the more generous wheelchair unit sizes) as a form of "internalised amenity space". During the assessment of the application, the applicant was also asked to provide more balconies to the towers on S and T, to better reflect the approved scheme. However, the applicant's initial wind modelling suggested the likely wind conditions on the two closest corners of the towers would make balconies unsuitable without screens that would reduce the gap between the towers, and affect the appearance of the towers in the townscape. Therefore no balconies were added to building ST.
280. Residents in each block would benefit from communal outdoor amenity spaces, as a garden and roof terraces in block 5, podium garden and roof terraces in block 1-4 and DE, and roof terraces in F, OPQ, S, T and W. The table below summarises the areas of communal outdoor spaces to be provided, and whether the size of these areas is sufficient to address the private amenity space shortfalls in that block (plus the 50sqm minimum).

Block	Garden sqm	Podium sqm	Roof terrace sqm	Total sqm	On plot shortfall?
5	417	-	387	804	No
1-4	0*	811	1,565	2,376	No
DE	-	872	337	1,209	No
F	-	-	1,805	1,805	No
OPQ	-	-	555	555	No
ST	-	477	484	961	Yes - 2,570sqm
W	-	-	153	153	No

**the ground floor on the northern side of block 1-4 may be used a residents garden but its area is not necessary to offset the shortfall*

281. The communal gardens and terraces to blocks 1-4, 5, DE, F, OPQ and W would provide sufficient outside space to address the shortfall in private amenity space, plus the 50sqm minimum area. For ST there would remain a shortfall of outdoor space of 2,570sqm. Block V is shown with a balcony to each residential unit in the illustrative material, as well as a communal roof terrace of approximately 250sqm to give confidence sufficient amenity space can be provided.
282. There were shortfalls of communal amenity space in the approved scheme, with OPQ having a 25sqm shortfall, RST a 1,428sqm shortfall and W a 14sqm shortfall, which the GLA considered alongside the extensive areas of public realm and civic space. It concluded *“On balance, and in recognition of the constraints of increasing the communal amenity space within the proposed tall buildings, GLA officers consider that the provision of communal amenity space accessible to the residents of all blocks would be adequate”*.
283. BtR residents in blocks 1-4, DE, F and ST would again benefit from communal internal facilities, such as lounges (often opening onto the communal outdoor spaces), dining rooms, gyms, and large residential lobbies with seating and separate rooms, and a mezzanine level swimming pool in ST to provide further amenities. Greystar provide such communal facilities as a deliberate part of their product, and their use is included within the rents (with an extra fee should a resident want to book the facility for private use). The approved scheme had approximately 3,600sqm of internal amenity space, and the current scheme has more at approximately 7,500sqm to have doubled. While policy does not reference any acceptable exchange of outdoor space for inside facilities, these additional amenities for BtR residents would add to their overall living conditions. The size of communal indoor spaces (the lobby areas, podium rooms, swimming pool, and roof level rooms) in ST however is insufficient to address the outdoor space shortfall for this block. This shortfall has been considered in the round as part of the residential quality of the BtR units. A condition is proposed to ensure the balconies and roof terraces are provided prior to first occupation of each building. Officers have reached the same conclusion as the GLA did on the earlier scheme that with the exception of block ST, all buildings provide enough communal space with the increase in internal amenity for this not to be a reason for refusal.

284. 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 on the larger terraces. As with the approved scheme, the noise levels from the railway would result in the balconies and roof gardens facing the railway having high noise levels, which would slightly reduce their quality and increases the importance of having a range of spaces residents can access.
285. When considering the previous application's sunlight levels to the amenity spaces, GLA officers view was: "*The development as a whole provides a variety of amenity spaces which will see differing levels of sunlight throughout the day and months. Whilst is it acknowledged that there would be some communal spaces which would not comply with the BRE guideline for sunlight, given the range of public realm areas within the site, future occupiers will have sufficient access to sunlit amenity space.*" This remains the case with the s73 application as summarised below.
286. The submitted daylight and sunlight assessment considers the overshadowing of the proposed outdoor spaces. To receive adequate sunlight the BRE guidance suggests a space needs to receive direct sunlight for at least two hours on 21st March to at least 50% of its area. The proposed ground level public realm receives at least two hours to 51% of its area, exceeding the recommended minimum. The tested area excludes the outline portion of the site in V and to the west of U, between the Workspace buildings, most of Shard Walk and pavements (see image below). The image shows the central West Yard, most of the public space along the extended Keeton's Road, and the southern square of block 1-4 would have good levels of sunlight. The play space in OPQ and East Yard would not. The garden space on the west side of block 5 would have good sunlight levels. The garden area on the north side of 1-4 that is to be divided off from the public realm would have 0% receiving 2 hours of sun.



Overshadowing diagram, yellow areas receive at least 2 hours of sun on 21st March, blue areas do not

287. For the podium courtyards: block 1-4's main courtyard has adequate sunlight to 61% of its area. DE's podium has good sunlight to 87% of its area. Block F's podium being north facing has up to only 1% of its podium areas receiving 2 hours of sunlight.
288. The proposed roof terraces perform better: block 1-4 sees results of 63%, 92% and 96% for its three roof top terraces; DE 66%; F 96% and 98% to its two large roof terraces; OPQ 74% and 87%; ST only 33% and 36% which is surprisingly low given the terraces are on the southern and western side of the towers; and W 66% of its terrace.
289. Residents to most of the blocks would have access to some outside amenity space that receives good levels of sunlight. Block ST is the exception with its communal spaces not receiving good sunlight, however it is set next to the central West Yard public realm (accepting that the public space plays a different

role to communal amenity space), so on balance this is considered to be acceptable especially when compared with the GLA’s conclusion on the approved scheme.

Young people’s play space

- 290. London Plan policy S4 requires the incorporation of good quality accessible play provision for all ages of children and young people. Southwark Plan policy P15 in parts 11 and 14 requires the provision of child play space using the GLA calculator and states it should be on ground or low-level podiums with multiple egress points.
- 291. The approved 2020 scheme had a total play space requirement of 4,020sqm but included only 2,190sqm of on-site dedicated play space (1,360sqm of doorstep play space for ages 0-4 and 830sqm for ages 5-11), while play for 12+ was to be provided off-site. There was a shortfall of 1,830sqm of dedicated playspace and so a financial contribution of £100,000 (indexed) was secured as an obligation. A further c.4,475sqm of incidental playspace was also to be provided in the public realm in a mixture of hard surfaces, natural play, sensory play and sculptural objects.
- 292. The GLA considered the playspace in the approved scheme to be of high quality, well-distributed across the site to maximise the dedicated play areas and incidental play. It noted that any play within the rooftop communal amenity space for block W would be under the minimum 100sqm for doorstep play but being within 90m of Shuttleworth Park (which provided for older age groups) the playspace strategy for W was acceptable. Play opportunities within the surrounding area include Shuttleworth Park, Southwark Park, St James’ Churchyard and Alexis Street Playspace and two multi-use games areas (MUGAs) on Drummond Road, all of which provide playspace for the 0-11 age groups and are within approximately 400m of the site and are accessible via safe pedestrian routes.
- 293. The proposed changes in this s73 application to the number of units, housing mix and tenure split have changed the child yield. Since the 2020 permission was assessed the GLA’s child yield methodology was updated with a 2019 calculator. The proposed play space requirements of the current scheme have been calculated using this 2019 calculator and can be compared with the requirements of the approved scheme, showing the overall increase in minimum play provision:

Age group	Approved scheme required sqm	Proposed scheme required sqm	Difference
0-4	1,930	2,365	+435
5-11	1,370	1,780	+410
12+	720	778	+58
Total	4,020	5,326	+1,306

Table comparing the playspace requirement for the different age groups of the

approved and current schemes

294. As part of the proposed public realm changes and to address this increased play space requirement, the applicant has incorporated more playspace on the site in the current proposal. The on-site play provision is suggested to be increasing from 2,190sqm of the approved scheme aimed at 0-11 year olds, to 4,700sqm in the current scheme aimed at all age groups. That would leave a shortfall of 626sqm. As will be set out below, not all of this space would be in dedicated play areas but integrated into the central landscaping as playable space.

Age group	Approved scheme provision sqm	Current scheme provision sqm	Difference between the schemes sqm
0-4	1,385	2,410	+1,025
5-11	805	1,890	+985
12+	0	400	+400
Total	2,190	4,700	2,510

Table comparing the playspace within the approved scheme to the applicant's figures for the current proposal

295. Play spaces would be spread across the application site within the public realm as a mix of formal/dedicated play spaces with equipment (see the dark blue and red areas in the diagram below) and informal playable spaces. A total of 1,800sqm of dedicated play space would be incorporated in the public realm as doorstep play and neighbourhood play with the precise areas to come forward as part of the landscaping condition:

- On the Keeton's Road link near to community unit and school, c.150sqm.
- To the south of block 1-4 near to the community units, c.150sqm.
- On Clements Road between the OPQ buildings, c.1,000sqm.
- In Main Yard on the east side of ST, c.200sqm.
- Next to block V on Drummond Road and Loop Road, c.150sqm.

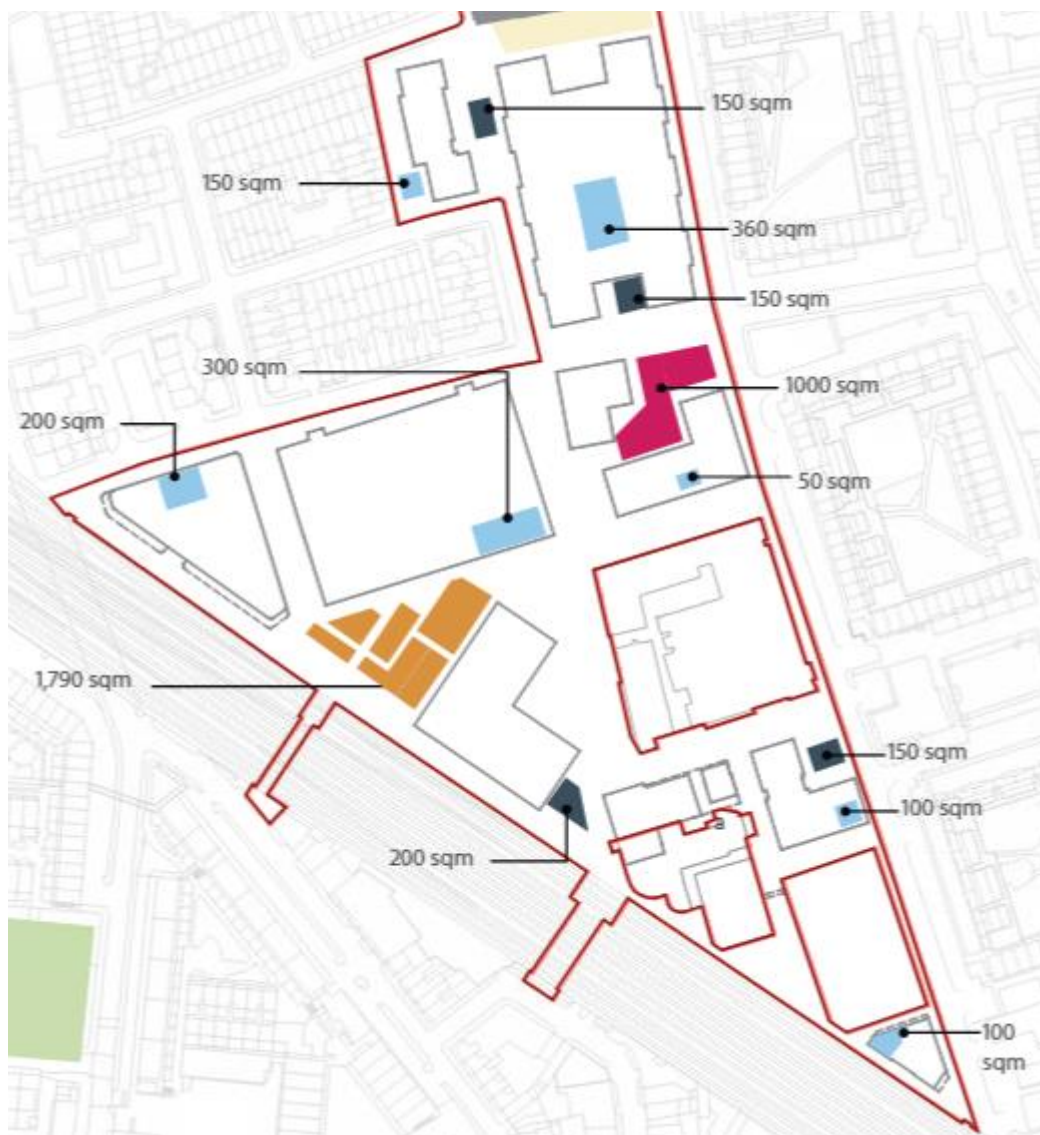
296. The dedicated play spaces within the public realm would be open for everyone to use, not just residents of the new homes. It would be supplemented by additional informal play features within the landscaping. Playable space totalling c.1,790sqm is assumed in West Yard, i.e. the majority of this public realm (see the orange area in the diagram below) and is an increase on the 330sqm of West Yard that was assumed to be play space in the approved scheme. A large water play feature is now proposed near the centre (which when switched off in colder months would leave only hard surfacing), as well as sensory planting, play equipment elements in the lawns and planting incorporating into this enlarged public space at the centre of the site.

297. Other play locations are proposed in communal gardens of the blocks, some of which are at high level:

- In the ground floor communal residential garden of block 5.
- One suggested play space was moved during the application in line with comments from the Urban Forester, from the sixth floor to first floor podium of block 1-4.

- The third floor level podium of DE.
- The eighth level roof terrace of block F.
- The ninth floor roof terrace of OPQ.
- The 16th floor roof terrace of block W.
- For block V it is illustratively shown to the eighth floor roof terrace, as additional space to that at ground level in the doorstep play space in front of the block.

298. Most of these communal gardens are large enough to absorb the shortfall in private amenity space, plus the 50sqm minimum communal space and these areas of playspace, with the exception of block DE (which is about 55sqm short) and block F (which is about 20sqm short). These two blocks are close to the West Yard playable space. No play provision is proposed within building ST so residents would rely on the adjacent Main Yard and West Yard. Where playspace is proposed at high levels, these terraces have multiple exits, and the applicant is proposing 1.5m high balustrades to roof terraces that have play space, and setting it in from the terrace edges.



Legend

■ Neighbourhood Playable Space - Public
Extant: 500 sqm
Proposed: 1,000 sqm

■ Local Playable Space - Public
Extant: 330 sqm
Proposed: 1,790 sqm

■ Doorstep Playable Space - Public
Extant: 350 sqm
Proposed: 650 sqm

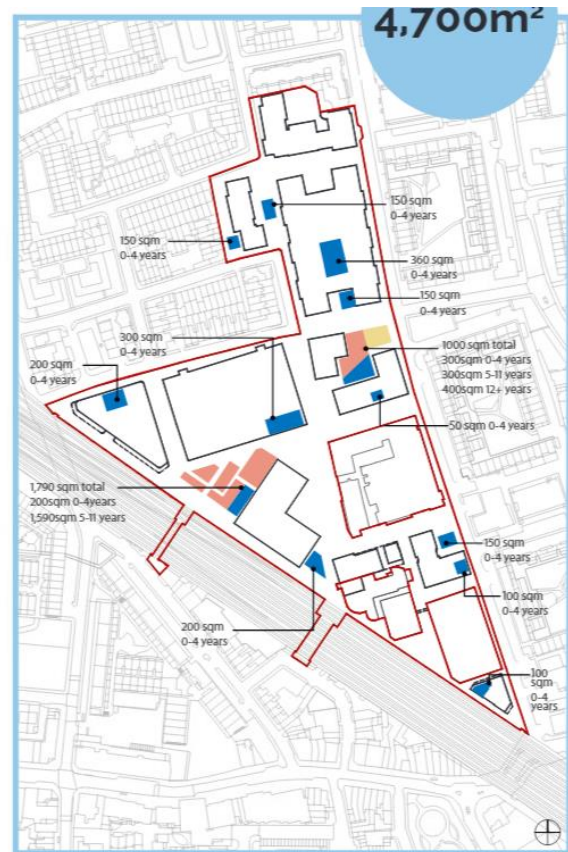
■ Doorstep Playable Space - Private
Extant: 1,010 sqm
Proposed: 1,260 sqm

■ 'Incidental' playable space area
Extant: Not included
Proposed: Not included

● 'Incidental' playable space -Public

TOTAL
Consented: 2,190 sqm
Proposed: 4,700 sqm

299. By assuming more of the public realm is providing play space in this s73 scheme, the remaining area of public realm for other age groups and for other uses is reduced significantly, and left in smaller areas such as East Yard and the links/routes. This balance of uses, more strongly skewed towards children and young people than the approved scheme (despite the overall increase in public realm in the proposal) has to be acknowledged in the consideration of the quality of the public realm and particularly with the shortfall in outdoor amenity space for block ST. The consideration must be careful not to double count the areas of the site being used for different purposes. The application documents overlap areas of play space, public realm, rain gardens and tree planting. Further details of how the space is to provide for each of these functions would be secured through the landscaping condition.
300. The designs of the chosen play features within the defined play areas and playable space are not shown in the application, and would need to come forward through the landscaping condition. Example images of features have been included for the different age groups and a suggested split of the spaces are copied below.



301. The current scheme provides play space for the youngest two age groups (although noting that some of this would be at high levels, and some within the landscaping of the central public realm) and about half of the area of 12+ age group. There would be a shortfall of 626sqm years using the applicant's own area figures. Using the Section 106 and CIL SPD rate of £151/sqm shortfall, this would work out to be £94,526 (indexed) to allow the council to work on off-site projects to help mitigate the on-site shortfall. With the payment secured on the original permission of £100,000 (indexed) it is considered appropriate to continue that payment to allow some limited changes to the areas of play in the detailed design (see below where there appears to have been some double counting of the uses of public realm areas).
302. The proposal broadly complies with London Plan policy S4 by providing on-site opportunities for play and informal recreation. Play has been incorporated into the public realm of the scheme, next to and overlooked by proposed buildings and near the edges of the application site to be close to existing communities, and with tree planting and seating, as well as more private spaces within communal gardens.

Conclusion on residential quality

303. While the proposal generally maintains the residential quality of some of the approved buildings including for the affordable buildings, e.g. blocks W and 5, the proposed design revisions include elements that suggest poorer (and not exemplary) residential quality for the BtR blocks. For example, the higher

proportion of single aspect units, the higher number of units sharing the cores, more single aspect north-facing units, the reduced separation between the wings of block 1-4, the reduced proportion of homes achieving the recommended daylight levels, the lower number with private amenity spaces and one block with insufficient outdoor amenity space. Some of the BtR units within these blocks would have better amenity as it is not all BtR units that have these issues.

304. To conclude on the outdoor space and play space aspects of residential quality, the affordable housing blocks have good levels of private and communal amenity space. The scheme has a shortfall in private external amenity to some BtR units which for all but one block is addressed by the area of communal gardens and communal roof terraces that receive good sunlight levels, but a shortfall in communal amenity space to block ST (with low sunlight levels) remains. The proposal therefore fails to accord with Southwark Plan policy P15 part 11 about private amenity space and communal amenity space and facilities and policy P4 part 2.3. These shortfalls have been balanced with the internal communal spaces for BtR residents, at a larger size than the approved scheme. The scheme provides more on-site play and playable space, to reflect the increased child yield arising from the increased social rent provision in the scheme, which is a welcome aspect of the revised scheme. The shortfall in on-site play provision for older children would need to be offset by a financial contribution, as was done in the 2020 s106 agreement.
305. As set out some of the BtR units do not meet with the same design standards as required for build-for-sale homes. These aspects of the proposal fails to accord with Southwark Plan policy P15 part 1 by not providing an exemplary standard of residential design to all of the proposed BtR homes, and in part 2 by not achieving a high standard of quality of accommodation (2.1), having more than eight dwelling accessed from a single core per floor (2.5), not having every habitable room with acceptable levels of natural daylight (2.6), not being predominantly dual aspect (2.8), including north-facing single aspect units (contrary to 2.9). It fails to comply with policy P4 part 2.3 as it does not provide the BtR units with the same design standards as required for build-for-sale homes, and does not accord with part 3.1 of policy P17 which requires exemplary residential quality in the design of tall buildings. For London Plan policies, the scheme design is contrary to policy D3 part 7) by not providing appropriate privacy and amenity and policy D6 parts C and D, and policy D6 part F9 by not providing the private outdoor space required by the local standard.
306. The applicant acknowledges that the proposed scheme “*deviates from planning policy requirements in relation to the residential quality*” but considers these are “*fully outweigh by the significant public benefits which are secured as part of the proposals, to which significant weight should be attached*”. Such benefits include the increased number of homes, affordable housing delivery, the 30 year term of the BtR, the public realm improvements with more playspace, increased UGF and BNG, improved energy performance, more communal spaces most of the BtR blocks and increased affordable workspace etc and are considered later in this assessment.
307. The failure to accord with the residential quality policies by not providing an

exemplary standard of accommodation will be weighed in the planning balance with the public benefits near the end of this assessment chapter.

Design, including layout, building heights, designing out crime and fire safety

308. The NPPF stresses the importance of good design, considering it to be a key aspect of sustainable development, and chapter 12 “Achieving well-designed and beautiful places” states: “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*”. Chapter 3 of the London Plan deals with design related matters. In particular, policy D4 focuses on delivering and maintaining good design and policy D9 sets out the requirements for the development of tall buildings such as those within this proposal. The relevant Southwark design policies in the Southwark Plan are policies P13 “Design of places”, P14 “Design quality” and P17 “Tall buildings”.

The proposal

309. The application scheme remains for the comprehensive redevelopment of the majority of the former Biscuit Factory site and the adjoining former college campus site for mainly residential, with flexible employment, retail, school and community uses.
310. In this instance, the demolition of the buildings have been undertaken and the site cleared in preparation for construction, with the exception of blocks F and U, as planned. Moreover, the initial phase of the approved scheme, the construction of a new secondary school on part of the campus site, has been undertaken and is complete, with the premises handed over to the Charter School (formerly Compass School). Eight plots remain. While the extant permission is for 14 new buildings, this has been revised to 13 in the proposals with the omission of Building R.
311. The applicant states it has taken into consideration the extant planning permission in terms of respecting the existing character of the site and the consented building envelopes, without fundamentally changing the massing of the approved scheme, but wishes to promote its own vision for development, as well as seek to optimise the site and deliver more social rented homes.
312. Building ST, near the centre of the site, remain the tallest of the new towers, while tall buildings at the gateways into the site (W, DE and the south-eastern corner of 1-4) are maintained. The omission of the tall building R and its basement ramp have increased the extent of proposed public realm, while the amount of active frontage has been increased.

Site layout

313. The masterplan-led approach is maintained, which looks to retain, adapt and extend Peek Frean’s former distribution warehouse (Block F) and one of its

smaller former factory units (Block U); dovetail with several adjacent former Peek Frean's buildings that are outside the application's red line boundary and remain in employment use, operated by Workspace Plc; and to construct 13 large and tall buildings, set within re-landscaped public realm.

314. The masterplan layout remains broadly the same, with the design intention of:
- Establishing a central spinal route through the campus site and into the Biscuit Factory site, linking Keeton's Road and Webster Road, and reconnecting the site with Jamaica Road and Bermondsey Underground station to the north;
 - Promoting the Low Line route (Shard Walk) that runs alongside the railway viaduct, linking Southwark Park Road and Clements Road/ St James's Road;
 - Converting two commercial railway arches into pedestrian underpasses, linking the site through to Blue Anchor Lane and Bombay Street and onwards to the local town centre;
 - Providing a series of secondary routes and new landscaped public spaces within the Bermondsey Campus and Biscuit Factory site, providing public amenity and improved connectivity within the sites and with the adjacent network of streets; and
 - Designing buildings that frame the streets and public spaces, and look to activate the public realm, with a focus on the central spine route and the main new public space within the site (West Yard).
315. In terms of deviations from this masterplan layout, the main changes comprise:
- Alterations to the footprint and detailed layout of building 1-4, including setting back part of its north façade to create a new private communal courtyard space onto the east-west link; and extending its south façades, reducing the size of the consented plaza space onto Clements Road;
 - Omission of building R and the expansion of the main public open space (West Yard)
 - Infill of the new private communal courtyard garden formerly located between buildings R (now omitted), ST, providing a new podium structure; and
 - Omission of the associated vehicle ramp servicing the basements of buildings RST, formerly located between building DE and F, and the provision new public realm at grade.
316. Other more detailed changes are proposed in response to a review of the building's ground floor layouts and uses, with amendments to the provision and location of residential and non-residential entrances and frontages; and a review of the architecture, with changes to the articulation of the building's facades and storey heights. Of particular note are:
- Provision of a super-lobby to building 1-4 that would service all the residential units contained within the perimeter street block;
 - Deletion of 13no. ground/first floor duplex apartments within buildings 1-4 and F that previously had independent access onto Keeton's Road, Drummond Road and Clements Road;

- Provision of a super-lobby within the new podium structure that would serve building ST;
 - Provision of a larger super-lobby within building F and alterations to the layout of the ground floor flexible space; and
 - Use of buildings D and U as offices.
317. Taken as a whole, the scheme offers a renewed commitment to the consented masterplan-led approach. It continues to provide a clear urban form with good site-wide permeability and good connectivity with the surrounding street pattern, and a built form that is designed to delineate and promote the public realm. As such, this broader picture is welcome in supporting good urban design.
318. Within this broader picture, much of the development remains as previously approved, with very similar plot layouts and relatively similar building layouts, acknowledging that many of the changes to building entrances and shopfronts are matters of detail. Importantly, the plot layouts and public open space remain coherent, while the internal layouts have been co-ordinated where possible to support active frontages onto the main routes and public spaces.
319. The deletion of building R and basement ramp, and the increase in size of West Yard are welcome in providing additional public amenity and ease of pedestrian access from Clements Road, and a greater sense of openness within the heart of an otherwise densely built-up part of the scheme; albeit this is balanced by the displacement of the service and residential accommodation elsewhere within the scheme.
320. Officers have worked with the scheme architects in reviewing the ground floor arrangements throughout the scheme in response to the need for additional emergency egress and services (bin storage, cycle stores and plant room) for reasons of fire safety, but particularly in response to the deletion of the large basement beneath buildings RST and to the introduction of large communal foyers (“super-lobbies”) within buildings 1-4, ST and F.
321. Looking at building ST, the central towers have lost their direct entrances, with residents accessing the towers via a large communal foyer contained within a new podium structure, infilling the former courtyard space. In this instance, the foyer is double-fronted, with entrances onto both West Yard and East Yard, maintaining the activation of these public spaces. While services typically housed within the basement are brought mainly to ground floor and partly mezzanine levels, sufficient space is given over to retail and to communal residents’ facilities. The retail is arranged on each of the buildings’ corners, wrapping mainly onto north-west and south-west elevations. The activity is supplemented by the communal facilities, although the extent of animation these uses bring to the building façade is uncertain. Nonetheless, overall, the arrangement achieves a reasonable balance of active and non-active uses around the perimeter of building ST, with sufficient priority given to activating the public realm within West Yard and Shard Walk, which is welcome.
322. Elsewhere, the uses and building frontages have similarly been rationalised to ensure sufficient activation is maintained of the main public realm, with the

requirement for servicing frontages minimised and located onto secondary routes where possible. A sufficient balance of active frontage has been provided within buildings DE onto Shard Walk and Clements Road.

323. For buildings OPQ, the residential entrances are located onto Keeton's Road (P), Drummond Road (O) and a new east-west loop road (Q). Retail uses are similarly arranged at the end of each building; their wrap around frontage providing animation and informal surveillance of the public realm, although each retail unit is unlikely to have more than a single visitor entrance. Large sections of the ground floors, however, are taken up with back-of-house services (cycle, bin stores and plant rooms). These deaden the building frontages but are required. The shortcoming is the central public courtyard and play space, where there is no main access from the buildings and limited oversight from the retail. Secondary doors to the residential cores are shown, but are intended as emergency exit. The space could be more activated by upgrading the secondary entrances to main entrances, so that the buildings are dual-fronted. This would also ease access for residents with children to the central play space. A condition is suggested requiring the revisiting the layouts to achieve this, as well as the potential to further rationalise the services and increase the retail presence onto the central space. The space does at least benefit from informal surveillance provided by the upper floor residential balconies.
324. The key design concerns are the proposed changes to the layout and access of building 1-4 and whether it maintains the same high quality of urban design as the approved scheme. In the approved scheme the plot comprises four consecutive buildings arranged on two sides of a central podium that is recessed onto Clements Road to form a broadly 'U' shaped block layout that encloses a new public square and play space (Salter Square). The podium contained most of the back-of-house services and off-street parking and servicing, with communal residential gardens above. The main streets of Keeton's Road and Drummond Road were lined with a mix of commercial frontages and residential entrances, interspersed with some services. Keeton's Road featured three communal residential entrances and three separate entrances to duplex apartments, while Drummond Road had three communal residential entrance and four separate duplex entrances. Clements Road and the new Salter Square were activated by flexible retail (A1/A3/A4) and a large community (D1/D2) use, with some services facing onto the square.
325. In the current revised scheme the development model for building 1-4 has changed and features a single built form, comprising a large BtR residential building above a mix of ground floor commercial and non-commercial uses. The footprint has more of an 'H' shape, creating an open courtyard space at either end of the building: Salter Square is retained on the south side, but is more than halved in size (c.240sqm), with the reduced square and adjacent Clements Road frontages activated by retail and mainly flexible community uses and not services. A new private communal garden (c.300sqm) is provided on the north side, with commercial offices lining one side, and part of the super-lobby, but mainly back-of-house services. Railings and gates closing the space are not shown and should be confirmed in the landscaping details. However, further optimisation of the transparency of the frontage onto the garden space, providing

a more attractive and engaging backdrop to the open space for users and passers-by. This will be secured by condition. The central podium is retained and remains used as the main location for back-of-house services and off-street parking and servicing, with roof gardens above, which is sensible.

326. A key change to building 1-4 is the switch in residential layout to a complex of flats arranged as double-loaded corridors that interconnect throughout the new building to communal facilities and the super-lobby. The lobby contains the management services and forms the primary entrance for residents and visitors. The proposed arrangement of long double-loaded corridors provides a highly efficient residential layout, but relies on large numbers of single aspect flats, raising residential amenity concerns. Furthermore, while linking the long corridors eases movement within the building and helps address the requirements for additional fire escape routes, it has allowed a reduction in core numbers, which have become heavily loaded, challenging the expected residential standards (see earlier topic section).
327. In terms of the ground floor layout, the key concern with the new residential model is the loss of the residential duplexes and communal residential entrance and the articulation they would bring to the building's facades and activation of the public realm. Residential activity would be focussed on the new super-lobby. This is to be located on the northeast side of the building onto the new stretch of Keeton's Road, which is sensible in supporting Keeton's Road as the main spinal route and accessing Jamaica Road and the Underground station.
328. In response to officer concerns regarding the loss of activation to the streets, the revised layout has sought to improve the extent of commercial frontages onto Keeton's Road and Drummond Road, although this has been made challenging by the requirement for access to plant rooms. Officers consider the secondary residential cores and their fire exits should be upgraded to form additional communal entrances. This would help extend resident amenity, adding flexibility of access, as well as secure more a more activated building frontages and legible architecture (see later). The proposed residential access may not be to the same extent as the extant permission in terms of entrance numbers and distribution, but with the upgraded entrances and extended commercial frontages, on balance, would be considered of sufficiently high urban design quality. A condition requiring details of the upgraded entrances securing their use as residential entrances is therefore recommended.
329. Similar concerns affect building F, albeit to a much lesser extent, regarding the loss of residential duplexes onto Clements Road and the focus on a residential super-lobby and main core, with the provision of secondary residential cores. The layout of the upper residential floors follows a similar pattern to 1-4 of double-loaded corridors and a majority of single aspect flat, as discussed in the earlier topic section).
330. The approved scheme positioned a large residential lobby at the east end of the retained warehouse building, facing onto Keeton's Road, with two further residential entrances and cores on the east and west elevations. The comparison of the approved and proposed ground floor layout was included in

the earlier Proposal section for reference. A large flexible commercial retail/cultural use formed the main ground floor activity, occupying the central section of the floorplan and the predominant frontage onto West Yard, generally flanked on either side by smaller flexible commercial retail/cultural units. The central flexible space also benefitted from a further wide entrance on the prominent north corner on the junction of Keeton's Road with Clements Road, similar in size to the main residential lobby. This further entrance created in effect a diagonal cross-route through the building for visitors. Lastly, while commercial offices were located at first and part second floor levels, the use benefitted from a large ground floor reception with an entrance frontage onto West Yard and from end-of-journey facilities (including cycle store) also at grade and accessed from the building's southwest elevation.

331. By contrast, the current scheme has re-planned the ground, first and second floor layouts, looking to rationalise the flexible commercial/cultural spaces and office accommodation, and to re-organise the residential access, providing a super-lobby with adjoining large communal lounge and workspace facilities. A large flexible retail/cultural space remains central to the layout, but is brought more onto the northeast flank elevation onto Keeton's Road, which becomes its primary entrance. Access could be gained from West Yard and from Clements Road, but would be via the smaller retail/cultural spaces that could be incorporated into the main space in a cruciform layout, or could be used discretely for separate event spaces of different capacities. This arrangement is sensible in providing a much more flexible and adaptable retail/cultural space.
332. The new residential super-lobby and ancillary lounge and workspace facilities would dominate the elevation onto West Yard, occupying over half of the building's main public frontage. Doorways are shown leading directly from the communal lounge and bar/ dining areas onto West Yard, although it is unclear whether they are communal residential facilities only or quasi-public. This should be confirmed through condition details, ensuring a more public main façade to building F. The super-lobby provides access to two inbound main cores, with connections to four further satellite residential cores at second floor level.
333. Regarding the offices in the revised scheme, these are provided on first floor only, with access relocated onto Clements Road (including end-of-journey facilities). The offices would no longer have direct access or frontage onto West Yard, although the reception would have a wider commercial frontage onto the street. While the offices have access to emergency stair cores, none feature lifts or lobbies that could otherwise have doubled as main entrances, reducing the opportunity to further activate the street and/ or support the subletting of the offices (see later).
334. In terms of building F's Clements Road elevation, the offices and retail/cultural space would make up half of the building's street frontage, with a further quarter occupied by plant. The remaining quarter is designated commercial retail and is shown laid out as two units, providing good activation of the street. The extent of activation is generally welcome.
335. It is notable that one of the two units can potentially be linked to the public

café/restaurant/bar and terrace located on the second floor of the building, forming its ground floor reception. Alternatively, the rooftop public café/restaurant/ bar and terrace can be accessed through a separate doorway onto Clements Road, located broadly central to the frontage. While this flexibility is positive, it is important that the additional entrance and public access to the rooftop terrace are secured and are not overly reliant on the commercial success of the café/ bar use, if the scheme is to remain compliant with the council's tall building's policy on high-level viewing gallery (P17.2.vii).

336. It is also notable that with the loss of the approved six residential duplexes and the relocation of the office entrance and additional retail activity, the proposed changes would bring a different character to the Clements Road elevation and to the wider street. While it would retain a series of entrances and a good level of activation, it would be characterised by wide commercial frontages at the back edge of a widened pavement, rather than a rhythm of small front gardens and residential front doors.
337. This busier, commercial appearance would be amplified by the commercial office frontages in building DE to the west, where the proposal is to replace a ground floor D1/D2 use with additional offices. The commercial appearance of the frontages would be in contrast with, rather than echoing, the terraced housing opposite. The change remains positive compared to the dead street frontage formed by the existing tall palisade fence and blank rear wall of the former distribution warehouse, while a mixed streetscape is not untypical of Bermondsey. The main issue would be the compatibility of the commercial and residential uses, which is more a matter of hours of operation and servicing: Conditions are proposed on these matters.
338. A similar concern would be the change in character of the building's main façade onto West Yard. As set out above, this would switch from a wholly commercial and cultural frontage, with a high-degree of animation during peak daytime hours, to one that is two-thirds residential, the remainder being the flexible retail/cultural side-space. This predominantly residential character would bring a notable change to the central public open space, which would have less of a vibrant mix of activities. It also compares less favourably to building ST, opposite, where half its frontage onto West Yard is given over to active commercial uses, despite the shorter elevation. Although it is acknowledged that the building's main commercial/cultural activity has a stronger presence onto the adjacent Keeton's Road, its direct connection and engagement with the central public open space is diminished, as is the extent of non-residential active frontage. The matter is not assisted by the dilution of the architecture of the former warehouse building itself (see later).
339. Overall, officers are concerned that the shift in balance of activities at ground floor of building F onto West Yard strongly towards residential, coupled with the dilution of its architecture would detract from the engaging mixed-use character of West Yard and its place-making. A condition is therefore recommended for a review of its activities onto West Yard to redress this balance, seeking a stronger presence of active non-residential uses.

340. Brief mention should be made of buildings DE and W, which sit at opposite ends of Shard Walk, marking its entry points within the site; to building U, which sits obliquely to Shard Walk, close to its mid-point; and to building V. As referred to above, the proposals substitute offices for Class D1/D2 within building DE on its junction of Clements Road/Shard Walk. The extent of offices onto Shard Walk remains unchanged, although bringing the entrance to the building's corner is sensible in land-marking the junction and bringing activity and oversight to both frontages. The residential entrance is made more obvious, bringing it to the southeast corner of the building, where it will help to activate Shard Walk. The balance of uses and services is sufficient to provide reasonable activation of the building's ground floor arcade. The arcade is a feature retained from the approved scheme.
341. Building W has a small triangular footprint is shown with retail on its corner at the junction of Drummond Road and Shard Walk. This previously was allocated as workspace. The change is disappointing, lacking ambition, although the use would remain commercial and active. A short colonnade is provided around the retail entrance rather than a cantilever above the entrance. Much of the building's small footprint at ground floor would be occupied by plant and services, although this does include a second residential stair core. There is no further activation of its Shard Walk façade beyond its corner retail use, relying primarily on the railway arches opposite for engagement and oversight of the public realm. The matter could be addressed in part by additional window provision (see later). In terms of the residential entrance, this is brought round from the rear passageway onto Drummond Road, in a more prominent location and with a good-sized lobby. The entrance is more legible and should help to activate the streetscape, and is regarded by officers as an improvement.
342. Turning to the outline plots, the provision of offices only within outline building U is welcome, potentially supporting the industrial character of the retained part of the building, as well as reinforcing the employment uses of the neighbouring Workspace buildings. The layout suggests the building would have active frontages on three sides, although this would be confirmed in the future reserved matters. The intention is welcome. In this instance, no allowance is made within the revised parameters for a new arcade along the north side of building U as provided in the approved scheme. The pavement would narrow to 2m in front of the retained building. On balance, this is acceptable, given the part retention of building U and its contribution to local distinctiveness.
343. Alongside building U, building V remains in outline only. The proposals do not alter the L-shaped footprint of the approved building, which would front onto both the loop road and Drummond Road, enclosing a new public space at the junction of the two roads. The new space formed an attractive entry point into the Biscuit Factory site from Drummond Road. In the revised scheme, the building would be residential above an element of ground floor retail, which is similar to the approved scheme, although the supporting design code has been amended to omit the reference to the potential for individual entrance doors and front gardens to residential flats. The residential flats would be accessed via a communal entrance. The likelihood is that the requirement for residential and commercial services (e.g., plant room, bin and bike stores) would limit the extent of residential

provision at ground floor, restricting any meaningful contribution of individual residential entrances to the street scene. Importantly, the ground floor would remain sufficiently well-activated by the retail and communal residential entrance. The new public space would again be provided, attractively framed by the new building and the neighbouring Workspace building (Building J) and Victorian church (City Hope church) opposite.

Scale

344. In terms of scale, the approved scheme is predicated on a series of large and high-rise buildings, with only building 5 and the western part of building 1-4 facing onto Keeton's Road falling below the Southwark Plan's threshold of 30m for a tall building. With these exceptions, the buildings generally range in scale between 8- and 13-storeys for large mixed-use or mansion blocks, stepping up to 16- and 19-storeys for the taller residential towers (W and E), and reaching 26- and 35-storeys for the very tallest (T and S, respectively).
345. The consented masterplan aligns the towers along the railway viaduct within the Biscuit Factory Site, clustering the tallest onto West Yard, beyond which the height of the buildings step down in height as a broad response to the surrounding context, which comprises the part 4/5-storey Workspace buildings and the part 4/7-storey Four Squares housing estate to the east of the masterplan, and the 2 and 3-storey terraced housing and residential blocks to the north and northwest.
346. In the current s73 scheme, the development follows the same masterplan approach in terms of the general distribution of heights, with the clustering of the tallest of the buildings within the centre of the site and graduating in scale downwards in response to the surrounding context. The revisions broadly stay within the consented envelopes for many of the new buildings, with mainly detailed adjustments to parapet lines, rooftop plant or core overruns. These generally result in modest increases or decreases in building heights of approximately 1m. The changes in massing are more obvious, although they are for the most part within the consented building envelopes, with the exception of the massing changes to DE. Given the large scale of the buildings, the overall extent of change is generally within a reasonable tolerance.
347. Within this broader picture, there are several important changes in building scale that are of note:
- Insertion of additional storeys within the consented building envelope;
 - General replacement of the tapering building silhouettes of the approved scheme with a more orthogonal built form;
 - Omission of building R, the inclusion of a new podium and change in height to tower T;
 - Re-massing of building 1-4, notably to include an additional crossbar of accommodation and enclose the additional courtyard space, and
 - Reconfiguration of height and massing of building DE, and of buildings U and V (outline only).

348. Turning to the first matter, by rationalising uses between buildings and adjusting the detailed floor-to-floor heights and roof forms, the scheme architects have managed to insert one or two additional residential storeys while remaining close to or occasionally below the consented building height profile. This has been achieved in several of the taller buildings; an example being building W, which has increased by two additional storeys to 18 floors without a change in overall building height (62m). It is not exclusively tall buildings, with the resizing of the central portion of building 5 from 5 to 6 storeys without an increase in overall height (23m). Importantly, while floor-to-floor heights have been trimmed, the designs nonetheless generally achieve the council's floor to ceiling residential standard of 2.5m.
349. The outcome is that the scheme has been able to add 88 new homes across the development without an associated change in building scales. In terms of perception of scales, there would be a change in apparent building heights were the pedestrian to count storeys. However, as the buildings would be no physically higher, the streetscape would remain framed as previously consented. For example, building 5 would remain as comfortably scaled for its location as previously consented, despite the additional storey, as its parapet height would remain unchanged. Similarly, building T would remain equally tall on the skyline, despite its additional 3 storeys.
350. Regarding the change in building silhouettes, this is more a matter of detailed massing and relates to the squaring off and flattening of the proposed built form of several of the buildings, but particularly buildings 1-4 and ST, subtly altering the scale of the development, as well as its appearance. The approved scheme had a distinctive architecture, comprised of distinctly articulated buildings, often with angled upper floor facades and jaunty roofs. This highly articulated built form was evident in building 1-4, which was designed to read as a terrace of modern-style mansion buildings along Keeton's Road and Drummond Road, each made conspicuous by stepping the façade lines and roof lines and by raking their roof profiles. The revised scheme has rationalised the proposed built form, reducing the extent to which the façade lines articulate, squaring off the massing of the upper floors and flattening out the roof profiles.
351. This simplification of built form both optimises the floorspace of the building and eases its construction. The intention is to allow for an off-site modular construction process, with factory-made sections of building brought to site for assembly. That said, the simplification of the built form is not without architectural or townscape merit. It brings a more rational design to building 1-4 and consistent framing of the street scene. The changes introduce a generally consistent height of six storeys (22m to parapet) for much of its Keeton's Road frontage, popping up to seven storeys (26m) for the section containing its super-lobby and briefly down to five storeys (19m) at its southern end onto the junction with Clements Road. This revised massing and more consistent height works well in framing the street, sitting well with the revised part 5/6-storeys of building 5 opposite and sufficiently comfortably with the context of the 3-storey Victorian terrace in Webster Road and its avenue of tall London plane trees.

352. Within this more consistent design approach, the scheme architects have nonetheless sought to retain a reasonable extent of articulation and visual relief, subtly varying the detailed parapet heights and stepping back sections of the façade by c.1.5m. Coupled with the detailed architecture, this sufficiently eases the proposed massing and retains a good sense of building rhythm and of a finer grained built form.
353. The same design approach is taken for the east side of building 1-4 onto Drummond Road, albeit with increased storeys, reflecting the taller context of the Four-Square's residential estates, but staying well within the height profiles of the approved scheme. The revised designs are for eight storeys and a generally consistent parapet height of 29m, stepping up briefly to nine storeys (33m) towards its southern end. The same subtle variation of the façade line and detailed parapet heights is used to evoke a richer built form. It is noted that the parapets are 2.1m tall in places, which seems unusually high. However, this can be reviewed as part of a condition controlling details of the façade for architectural quality purposes.
354. Regarding building ST, the switch to a more orthogonal massing has altered the silhouette of the two tallest towers, which previously tapered in the approved scheme. The tapering brought a rather elegant profile and proportion to the residential towers, making them appear tall and slim. The proposed adaptation relates in part to the greater use of prefabrication, as well as looking to co-ordinate the architecture across the masterplan scheme. The revisions alter the massing and would result in a more conventional built form. Nonetheless, they remain well-proportioned for their height, appearing sufficiently slender residential towers.
355. In terms of the wider changes to RST, the key change is to the height and massing of the building complex at its lower levels, with the omission of building R and the infill of the former central courtyard with a new 3-storey podium block. The changes simplify and condense the built form at lower levels, and are part of a rationalisation of the building entrances and amenities to provide a super-lobby with adjoining communal residential facilities. They also transfer the open space previously provided within the courtyard to the main central public space, West Yard. This redistribution of open space and the comparative change in scales, with the substitution of the 9-storey building R with a low-rise podium block work well to ease the sense of density within West Yard and bring a more generous, open character to the centre of the masterplan, which is welcome. At three storeys, the podium relates sufficiently well in height to the adjacent railway viaduct, enhanced by its detailed architecture (see later), and provides an appropriate scale onto Shard Walk.
356. The shortfall in residential accommodation from the loss of building R is met in part by the provision of additional storeys within the adjacent towers. Tower S is reworked with one additional storey, taking it to 36 storeys above grade (including mezzanine and rooftop amenity rooms). At 155m to parapet level the height is slightly lower than consented, as the extra floor is absorbed by the internal changes to the floor-to-floor heights. Tower T is increased by three storeys, taking it to 29 storeys, with a revised parapet height of 95m; an increase

of 7m. This change is modest (8%) given the heights of the tall buildings and would not particularly alter the relationship between the two towers or the overall skyline of the development. Tower S would remain evidently the tallest tower on site, land-marking the focal point of the masterplan development. Its general visibility within the wider townscape would remain unchanged from the approved scheme. While tower T would be taller and therefore more visible than previously, it would nonetheless retain this secondary role, positioned adjacent to the railway viaduct, and would be seen against the backdrop of its taller neighbour, diminishing its impact on the wider townscape.

357. Returning to building 1-4, a notable change is the massing at the north end of the plot, where in the approved scheme the building presented a single storey infill section onto the east-west pedestrian route (School Link), recessed 2m behind the general building line formed by the flank ends of the main buildings on either side. Containing mainly retail and some plant, the infill would wrap the building's internal servicing/ garden podium and activate the street frontage. In the revised scheme, this single storey infill would be replaced by a 6-storey crossbar block that would link into the buildings on either side, providing additional residential flats and a continuous internal floor layout. The increase in scale onto the public realm, however, would be offset by setting back the infill some 15m behind the general building line, creating a new open space. In the most recent submission, this is shown as a communal courtyard garden for the new residents of building 1-4, positioned adjacent to their ground floor communal lounge facilities, although the space would provide visual amenity to pedestrians using the new east-west route (School Link).
358. At six storeys (26m), the new infill would continue the general parapet height of the main blocks round from Keeton's Road and across to Drummond Road, making for a coherent built form. Its setback would ensure it remains comfortably scaled for the street and would not impact unduly on the amenity of the new school. The new massing would largely overshadow the new courtyard garden, although the intention is for a mainly trees and hard landscaping. The courtyard garden and taller backdrop would bring a change in character and appearance to the streetscape, but on balance would provide sufficient visual relief.
359. Regarding building DE, this is on a triangular-shaped plot on the junction of Clements Road and Shard Walk, between the railway viaduct and retained building F. The approved development comprises a large 3-storey commercial podium with a rooftop residential terrace and two corner residential blocks of 12 storeys (building D) and 20 storeys (including rooftop amenity room, building E) positioned towards the railway viaduct. The podium featured a colonnade over ground and part mezzanine floors that faced onto Shard Walk and the railway viaduct. In the current revisions, the podium and colonnade are retained, but with the offices consolidated into the north half of the podium, including a full mezzanine floor. The lower tower is omitted and the taller tower is widened to provide additional flats, offsetting part of the residential shortfall. The taller tower remains similar to the previous height at 74m (parapet height), although broader in profile.

360. Reviewing the proposed scale of building DE, the clarity of the revised built form towards the front of the plot works well, with the podium forming a distinct office building onto Clements Road. The loss of the residential tower is welcome, easing the building's fit within the modestly scaled streetscape, which comprises two and three-storey housing and a low-rise energy centre, opposite, and the retained warehouse (building F), which is c.11.5m to parapet level, with its prominent stair cores rising to 15m. At 18.5m, the podium building would appear taller than this context, but would function well as an understated gateway into the development from the adjacent St James's Road, as well as into Shard Walk. The revised massing also seemingly pushes the more substantial massing of building DE further into the main site, reducing its presence onto Clements Road.
361. The height of the tower DE is approximately as consented. The revised massing increases the breadth of its southwest and east facing elevations from c.33 to 43m. This compares unfavourably with the facades of the nearby towers S and T, which are c.28m wide. The retained rounded corner design and triangular form would ease the visual impact to an extent when viewed obliquely, and the east elevation would be partly obscured by the adjacent large-scale building F in nearby views.
362. The massing of the upper floors would remain visible in the townscape in middle distance looking westwards along Clements Road, and would appear more bulky than the consented scheme when seen head-on. The southwest elevation presents onto the railway and would be highly visible to train passengers, albeit as a kinetic view. It would also be seen in the static longer distance view from the central green open space within the Rouel Road estate; its more bulky form apparent above the 5-storey residential spine block that runs parallel with the railway viaduct. With little meaningful articulation of the façade line, the massing is reliant on the detailed architecture of windows and projecting balconies for visual relief. This relief is modest and the revised form remains rather bulky. Following discussion with officers, the applicant has agreed to add additional projecting balconies to the railway façade. This added further articulation to this façade and conditions would ensure sufficient depth and articulation are provided.
363. Lastly, buildings U and V are proposed in outline form only, with parameter plans for their heights and massings. For building U in the approved scheme, the design approach was to retain and adapt the western portion of the building, re-facing its currently exposed north-facing gable end as the main elevation. The parameters allowed for the removal of the existing monitor roof form with its lantern lights, and for an upward extension of the building, providing potentially two additional residential storeys. The approved building would then have comprised six storeys and been mainly for residential above a part retail and residential ground floor. The eastern portion was approved to be new build of generally 8 residential storeys, articulated to present a shoulder height of 6-storeys onto the loop road and to pop up briefly to approximately 9½-storeys at its centre as an expressed rooftop core. The shoulder height was a datum height that aligned with building V and the Four-Squares Estate opposite.

364. In the proposed revisions, building U is designated for office use. The western proportion as the retained building would similarly be retained and adapted, with the gable end re-faced. However, the approved rooftop extension would be omitted, with the current roof refurbished. The new build proportion would increase in height, with a revised shoulder height of 7 commercial storeys and a general height of 9 commercial storeys, plus an additional level of rooftop plant. The revised approach is welcome in that it retains a greater sense of building U's original factory form with its distinctive monitor roof, enhancing its contribution to the local character of the former factory site and adjacent Workspace buildings.
365. The scale of the eastern portion of building U would become notably larger, with the additional storey and full use of the rooftop for plant, and with the switch from residential to commercial floor heights, which altogether would add c.10m to the general height of the building (including plant). While its height and massing would be conspicuously larger compared to the retained portion, the 7-storey shoulder height would not read as particularly dominant or disruptive in the immediate townscape. However, the additional rooftop storeys and plant could appear excessively bulky and overbearing if not adequately set back and thoughtfully designed, which could be addressed using the design code and through reserved matters.
366. The overall height of 9 storeys plus rooftop plant would not be out of character with the wider Biscuit Factory site, given the varied scales of proposed development, and would be located more towards the centre of the main site, easing its appearance within Drummond Road. The revised building would also be seen in longer distance views, such as from Southwark Park Road/ Banyard Road and from Carriage Drive, where its additional scale would however impose above the domestic-scaled roofline of the foreground buildings, altering the setting of the historic environment (see later heritage section).
367. Building V was regarded as a partner block to building U in the approved scheme, similarly comprising residential with an element of retail at ground floor. Sitting between U and Drummond Road, the L-shaped wrapped around a new pocket park located on the street corner formed by the new loop road. The approved building adopted a similar height and massing of mainly 8 storeys that is articulated with a 6-storey shoulder height onto the loop road and onto Drummond Road, as well as popping up to 9-storeys at its centre to accommodate the main access core. The ground floor included a part mezzanine level. Notably, the 6-storey datum aligned with building U, but also with the neighbouring Workspace building onto Drummond Road and the roof height of the Four Squares estate opposite, making for a comfortable townscape relationship.
368. In the current s73 scheme, building V would remain as mainly residential use with some ground floor retail, but adopting standard residential floor heights for the upper floors. This and the omission of the mezzanine floor would allow the insertion of an additional residential storey. The proposed building would be part 8/ 10-storeys in height, with the 8-storey element presenting onto Drummond Road and continued round onto the loop road elevation as a building shoulder. The scheme makes allowance for a central area of rooftop plant, while overall

the height parameter would be 1m taller than the extant scheme, at c.36m. The parameter massing also allows for projecting balconies towards Drummond Road and the loop road.

369. It is understood that building V is for affordable housing, and as such, it is very likely that a scheme would come forward that is close to its maximum envelope in order to achieve the 25% social rent provision across the site total. That said, the proposed changes to the height and massing of building V are relatively marginal and would not unduly alter the building's scale onto Drummond Road, despite the insertion of the additional residential storey. The additional height would not appear unduly disruptive, especially as there is no strong consistency of building scales along the west side of Drummond Road within the former Biscuit Factory, with its mix of low-rise industrial sheds and mid-rise warehouses and factory buildings. The townscape relationship with the estate opposite would not particularly alter.
370. Of more consequence, is the disparity in floor-to-floor heights between building V and the now office building U. The two partner buildings would no longer appear so closely aligned, with their datum heights for the ground floor and the building shoulders no longer running through. While the variation in shoulder height is less important, given the different built forms within the immediate context (including the Workspace buildings), the ground floor datum is more critical to the streetscape and to the new architecture. There is a risk that the proposed ground floor of V would appear too compressed, detracting from the visual continuity of the street scene, and the new building notably squat compared to its industrial neighbours. This disparity could be eased through elevational detailing, which can be addressed through the proposed design code.
371. Further afield, while the increase in scale is relatively marginal, building V would nonetheless be visible within longer distance views, including within the backdrop to Southwark Park, potentially impacting on the heritage settings (see later).

Tall Buildings

372. Within the masterplan development, all the proposed buildings exceed the 30m height threshold and are considered tall buildings, with the exception of blocks 5 and O. The majority of building 1-4 sits just below the 30m threshold, but rises briefly above for overruns and a short 9-storey section on Drummond Road. As such, the Southwark Plan's policy P17 and the London Plan's policy D9 on tall buildings apply.
373. The scheme is for the comprehensive redevelopment of a large brownfield site that optimises the site's capacity through a design-led approach and as such, would be favoured by policy D3 of the London Plan. This design-led approach includes tall buildings that would form their own cluster and sense of "landmarking". It was on this basis that the GLA previously supported the principle of tall buildings on this site, subject to the detailed considerations within the approved scheme of the tall building policy, including matters of townscape, heritage and architectural quality. These were found to be agreeable at that time.

The earlier permission (now implemented) establishes the case for tall buildings on the site and is a strong material consideration of the current application. Southwark Plan site allocation NSP13: Biscuit Factory and Campus identified that the site could include taller buildings, subject to consideration of impacts on character, heritage and townscape.

374. In terms of addressing the detailed policy requirements, the proposals do not alter the location of tall buildings within the site nor their overall height, with the minor exception of tower T. As such, the overall development would continue to meet the requirements regarding landmark significance (Southwark Plan policy P17 part 2.1); being of a scale proportionate to the significance of the location (P17 part 2.2) and making a positive contribution to London's skyline as part of an emerging cluster (P17 part 2.3).
375. Regarding local character and townscape, the revisions to the built form of the tall buildings are generally modest and have little additional impact on local character and townscape (P17 part 2.5). Moreover, the omissions of approved building R and removing the tower E improve the scheme's contribution to the townscape compared to the extant scheme; arguably, as does the calmer, more rational architecture of the wider scheme, including building 1-4.
376. The masterplan would continue to meet the requirements for functional public spaces that are proportionate to the buildings' heights (P17 part 2.6), particularly with the extensions to the West Yard central public realm created by the omission of building R and the basement servicing ramp. It would also continue to make adequate provision for high level viewing space open to the public (in line with the approved scheme), with the public roof terrace above building F, which looks towards the City; and provision for rooftop communal facilities for residents in many of the proposed towers (P17 part 2.7).
377. As set out earlier, the tall buildings and masterplan in general would continue to have a positive relation with the adjoining public realm, with the provision of sufficiently wide pavements and engaging frontages at street level, making for a positive pedestrian experience (P17 part 3.5).
378. The outstanding parts of policy P17, however, are the requirement for exemplary design quality (P17 part 3.1) and the impacts on strategic and borough views (P17 part 2.4) and heritage assets (P17 part 3.2), which are addressed below.

Detailed design

379. The approved scheme had a strong sense of identity that drew from the historic character of the site, but also its wider context. The architecture read as a collection of buildings, each with their individual form and appearance, that nonetheless shared common design elements and material finishes. The outcome was a high quality, coherent architecture, inspired by the industrial heritage of the former biscuit factory and the adjacent mainline railway viaduct, and by the adjoining fragments of terraced housing.

380. The centrepiece was the factory's former distribution warehouse (building F), which was retained, adapted and extended in a highly engaging manner for a mixed-use building with a strong public offer. This was to be complemented by a tall building complex (building RST) that responded to the adjacent railway viaduct in the design of its base and formed a distinctive landmark on the local skyline with the tapering built form for its tallest towers, S&T.
381. Buildings DE and OPQ adopted a quasi-industrial warehouse scale and character, sympathetic with the factory site, but detailed to bring a singular quality to their detailed designs. Outline buildings U and V were intended to follow the same design approach, with the design code promoting a quasi-industrial warehouse aesthetic, and with the added feature of building U partly comprising a retained former factory building.
382. Elsewhere in the extant permission scheme, buildings 1-4 and 5 adopted a more street-based form, comprising terraced groups of mansion buildings, heavily articulated in a contemporary style to enhance their singular quality. Overall, the architecture was complex, highly engaging and compelling in its quality.
383. The detailed designs are proposed to be amended in this s73 application, mainly in response to the rationalisation and optimisation of uses across the site and to an increased emphasis on pre-fabrication. The scheme looks to retain a sense of identity, continuing to promote building F as its focal building and the complementary tall towers of S&T. It fosters the quasi-industrial warehouse aesthetic for the wider factory site and a more residential character for the former campus site, but opts for a calmer, more rational expression. The architectural language has become less dynamic and much more polite, although the designs are of sufficient quality, subject to conditions to address outstanding design issues with building 1-4, DE and F as set out in the following paragraphs.

Building 1-4 and 5

384. As referenced earlier, buildings 1-4, 5 and S&T shared a common language of angular built forms in the approved scheme. This angular form is omitted in favour of a more orthogonal design, which has been accompanied by a calmer, more rational architecture. Buildings 1-4 and 5 remain in brickwork with punched-hole openings, but no longer feature facades that fold and angle at upper storey level and continue as geometric attic storeys, nor the drawer-style projecting balconies in a contrasting precast stone. The distinctive, modern aesthetic of the approved scheme is replaced by a more orderly appearance, with regular façade lines, bolt-on metalwork balconies and detailing. The architecture is nevertheless contemporary, but in a more conventional style, reminiscent of New London architecture.
385. The outcome is a well-mannered and engaging series of mansion buildings with good elevational hierarchy, understated detailing and sufficient visual distinction. Much will depend on the material quality and detailed finishes, including the shop fronts (including signage and awnings) and brickwork openings (including reveals and lintels), with particular regard paid to the design of the individual residential entrances to ensure they are legible and encourage activity. The

subtle variety of detailed treatments across the buildings is welcome, as is the introduction of additional balconies following officers' advice. The material palette is generally attractive, although the warmer multi-tones of suggested brickwork (buffs, yellows, browns) are more appealing than the greys. It would also be important that full brick is used for the outer skin of brickwork and not brick slips, or that a decent depth of cut-brick is mechanically anchored within concrete if the cladding is prefabricated. The materials would be reserved by a recommended condition, including the requirement for on-site sample panels.

386. In terms of functional quality, both buildings 1-4 and 5 have decent floor to floor heights at ground floor, which should provide good internal clearance (3.7m) and allow good flexibility of use for commercial and community uses, although it is important to confirm by condition access to risers for the ventilation of all commercial premises. The flats are generally are of good size. The upper residential floors have reasonable internal headroom, with habitable rooms achieving the minimum residential standard for ceiling heights of 2.5m. Not all flats enjoy private balconies, with many relying on the podium communal gardens and north courtyard for the shortfall in amenity.
387. The outstanding concern is the double-loaded, interconnected corridors within building 1-4, which results in the majority of flats being single aspect (including several north-facing) and in long, indistinctive communal corridors with large numbers of flats per floor and per core that exceed good design practice and residential standards. The residents have the benefit of easy access to indoor amenity facilities, which is part of the Greystar BtR model, however the accommodation is not all of an exemplary design in terms of the council's residential standards.

Building DE

388. Moving to building DE, the revised building would be equally prominent to railway passengers, as well as forming a local gateway marker to the development from St James's Road. The proposals have rationalised the uses and reordered the massing, adjusting the consented triangular podium and omitting the upper volume facing onto Clements Road in favour of a larger volume at the rear. This has increased the rear massing that fronts onto the regraded service road (Storks Link) and onto Shard Walk and the railway viaduct. The single tall volume retains a soft cornered profile, with its folded northeast-facing elevation.
389. The designs for the front half of the podium (the offices on Clements Road) are similar to the approved scheme, comprising brick clad facades over ground to second floor levels (and mezzanine), articulated into a series of large bays with wide metal framed multi-paned windows, but with new stacked vertical brickwork detailing. As previously approved, the proposed façade onto Shard Walk is set back at ground and mezzanine level to create an arcade, with the bay openings reflecting the railway arches opposite. The designs remain effective, reminiscent of a 1930s warehouse. With the loss of the upper volume, the architecture reads more as a single office building.

390. The large bay openings and arcade onto Shard Walk are provided over ground and mezzanine floors at the rear, and the podium is recast to form the plinth of a tall residential building. The treatment of the upper floors has greatly changed. Previously, the two volumes were clad in a double-layer of glass containing metalwork fins and soft lighting, with carefully coordinated panels of clear, translucent and opaque glazing, designed to create a cast-glass effect that could be illuminated at night for additional visual interest. This bold and highly engaging façade approved design is proposed to be replaced with the more conventional design in brickwork with a punched-hole aesthetic and typical bolt-on balconies, more typical of the New London architectural-style.
391. A concern of officers has been the broadness and potentially monotonous appearance of its southwest elevation of DE, which is highly visible to the mainline railway and green open space of the Rouel Road estate beyond. The designs are not helped by the more solid appearance of the façade, due in part to reduce solar gain, and the underwhelming articulation that relied mainly on Juliette balconies for visual interest. Following discussions, the scheme has been amended to replace some Juliettes with projecting balconies that have brought some degree of articulation and helped improve residential amenity. These improvements are welcomed and necessary for this important façade of this tall building.
392. Overall, the revised architecture for building DE uses high quality materials, has a language that relates well to towers S&T (see below) and is not unappealing. It is not of the same calibre as the approved scheme, but is nonetheless of a sufficient design quality, subject to proposed conditions.

Building F

393. Building F is the former main packaging, storage and distribution warehouse for the biscuit factory, its robust architecture dating from the late 1960s. The approved scheme regarded building F as the focal building of the masterplan scheme; its public-orientation and mid-century industrial character central to its place-making. The approved designs sought to retain as much of its existing built fabric as possible, adapting it to suit its new uses, as well as adding new residential floors above its roofline in an appropriate manner.
394. Large sections of the double-height ground floor were retained as a colonnaded, open-plan flexible space, entered principally from West Yard through adapted servicing bays, and intended for a public use, such as an events space or food hall. The building's rear ground floor and upper floors were to be converted to offices and part residential, working with its brickwork, precast concrete detailing and ribbon window appearance. Residential duplexes were carved into its elevation onto Clements Road, referencing the terraced housing opposite. Above this, new setback residential floors were to be added in a series of cascading terraces, cleverly arranged and finished in profiled metalwork to evoke stacks of biscuit tins. The overall architecture of the approved scheme was accomplished, sympathetic and engaging, providing a strong identity and memory of the former factory building.

395. The revised scheme now proposed continues to regard building F as central to the masterplan and as a mixed-use building with a strong public interest, although the building's residential component has come more to the fore. The revisions are partly the result of structural matters. Detailed surveys have revealed asbestos, requiring much more extensive demolition and rebuild of the facades than previously envisaged. The structure is also unable to take the weight of the new residential floors without intrusive strengthening works or, as proposed, the demolition of the existing setback brickwork storey. The reduction of office floorspace and additional residential accommodation has altered the mixed-use balance, partly reflected in the proposed change in architecture.
396. The ground and first floors would be rebuilt in brickwork, but with wide glazed openings at ground floor and ribbon windows at first floor only. The new brickwork is rusticated for visual interest and to help maintain a visual robustness, counterbalancing the large openings and glazed corner returns. The residential duplexes onto Clements Road are omitted, with matching wide glazed openings inserted into the street façade, serving the office reception, retail and secondary entrance to the central flexible space.
397. Above first floor level, the brickwork is proposed to be omitted in favour of expressing the profiled metalwork of the upper residential floors. These are brought flush onto the front and flank facades, increasing their visual presence and reducing the proportion of brick from the 'retained' building (see below). The massing continues to step back in terraces from Clements Road similar to previous. The elevational designs, however, favour grouping the floors into pairs with expressed white precast floorslabs, giant order columns in profiled green coloured metalwork and stacked inset balconies. Lastly, the southern façade is topped by a tall, central pavilion in matching profiled metalwork, overlooking West Yard and containing the communal residential rooms.
398. The revised architecture for building F is well-conceived for its brief and the ground floor public offer remains engaging. There is a civic quality to the ground floor with its robust brickwork and large curtain wall openings. The residential component above has a pleasing rhythm and order. The downside, however, is that the designs evoke little memory of the original factory building, with the former industrial warehouse reduced to a low plinth for a new large residential building of greater massing onto West Yard. Little sense of the original building's scale, materiality or functional quality is preserved on its exterior, beyond its large footprint and two outbound stair cores. The dramatic double height interior space would give a strong sense of the historic use of the building and its retention is a very welcome aspect of the scheme for both heritage and sustainability reasons. Nonetheless it is considered that a greater external visual expression of the building's historic use would be beneficial.
399. The visual balance of a large factory building with a sympathetic, secondary residential extension in the approved scheme has been reversed, with the residential component now appearing overly dominant. The building reads more as a residential new-build with a contrasting base. Looking at its West Yard elevation, the character and appearance of the building have changed, detracting from its contribution to good place-making. The sense of an important

building within a historic, former factory complex is lost, as has the inventive designs of its biscuit tin-inspired roof extension. Its authenticity within its setting is diminished, impacting on local distinctiveness. Although well designed, it has become one of several new large-scale residential buildings grouped around a new urban square (West Yard), which is regrettable.

400. Discussions between officers and the applicant's design team have sought to rebalance the elevational designs in order to better revealing the former industrial warehouse character, re-establishing a greater sense of its original form, detailing and materiality onto West Yard, and playing down the appearance of the rooftop pavilion. Notwithstanding the submitted designs, conditions are recommended to secure these changes. Given these outstanding concerns and the shortcomings of the internal residential arrangements (see earlier section), presently building F is not regarded to be of exemplary design quality for a tall building.

Building OPQ

401. For building OPQ, the approved scheme was for moderately tall, L-shaped buildings grouped around a central public open space in a well-mannered design that drew on the warehouse aesthetic. The ground floors were clad in reconstituted stone panels with the mezzanine floors finished partly in brickwork and partly in matching stone, creating a crenulated appearance to the base; a design reminiscent of the original factory buildings. Above this, the residential floors comprised brickwork and vertical proportioned punched-hole openings with simple precast stone banding that group the floors into two's and adjacent windows into pairs, and projecting metalwork balconies. The facades were topped by strong primary and secondary cornices. The material palette comprised multi-stock brick in either red or yellow tones and a natural coloured pre-cast stone, with black metalwork.
402. The revised designs now proposed remain generally faithful to the approved scheme. The revisions are mainly to the internal layout and storey heights, with detailed repositioning of openings. The architecture remains robust, brickwork elevations with punched-hole openings, arranged in much the same calm, orderly arrangement. The ground floor has large bay openings, which are proposed to be in a similar mid-grey colour, but in brickwork rather than precast and without the crenulated pattern. The upper floors are unchanged, using a red toned multi-stock for buildings P and O, and a yellow multi-stock for building Q, complemented by bronze metalwork. The elevations remain grouped by precast banding and topped by primary and secondary cornices. Overall, the designs for OPQ retain the well-mannered, warehouse aesthetic and are of a high quality of design, subject to details confirming materials and façade details (to ensure appropriately deep brickwork reveals, shopfronts and awnings, etc.).

Building ST

403. Turning to buildings RST, the approved scheme was for two very tall towers (S&T) and for a third moderately tall building (tower R) that formed three sides of a central courtyard garden, with an arcade enclosing the fourth. The tower

complex sat at the heart of the Biscuit Factory site, adjacent to the railway and formed a local landmark on the skyline. The designs were notable for the slender form of the two main towers that come to ground and had tapering profiles over the upper floors that brought visual distinction to their silhouettes and a sense of dialogue between the towers, as well as slightly increasing their separation.

404. The approved elevational designs were equally engaging, with a common language of brickwork piers and arches for the base of all three buildings and the adjoining arcade that bring a rhythm and interest to the double-height ground floor and reference the arched openings within the adjacent railway viaduct. The upper floors comprised regular window openings set within a framework of primary piers and beams, with lighter coloured asymmetrical, curved reveal and lintel details that created depth and shadow to the facades. The central bays included glazed juliette balconies to winter gardens and the outer bays had a window and perforated metal side panel. The tops featured giant order bays over the final main and part floors that enclosed double-height communal rooftop facilities and amenities, and brought a satisfying crown to the building. The material finishes were notable for using decorative precast stone and glass-reinforced concrete, casting in intricate patterns based on Peek Freans biscuit trays, and for the earthy red and pink tones that lightened towards the top of the buildings.
405. The amendments now proposed omit building R and infill the courtyard garden with a new podium building, while the towers have regularised the floorplate, straightening out the built form. Two of each tower's corners are recessed and a third cut-away to provide balconies. Wind conditions preclude the sensible provision of balconies on the fourth corner closest to the opposing tower, with the floorplan remaining in full.
406. The new elevational designs retain the notable design approach of arched openings for the base, with double-height openings to the ground and mezzanine floors, designed to pick up the rhythm of archways within the adjacent viaduct, although the arches are almost as tall as the viaduct itself. However, they are in red/brown brickwork and feature stepped reveals, adding to their robust appearance and more in character with the viaduct. The depth and detailing of the stepped reveals and the open, transparent quality of the new arches need to be controlled by condition, minimising the appearance of floor spandrels and louvred infill panels at mezzanine level.
407. Above this, the main elevations of ST comprise much the same framework of primary piers and beams, but detailed in brickwork and with white pre-cast stone cill bands that add a horizontal accent. The windows are in grey metalwork and recessed, with similar asymmetrical reveals, although in white pre-cast stone and no matching lintel details. The soffits appear to be brickwork. Central bays have juliette balconies with metalwork railings, and the outer bays have top-hung windows with infill bottom and side panels, presumably in matching grey metalwork. The brickwork for the upper floors is a multi-stock, intended to lighten in blend towards the top of the tower, with tower S comprising a mix of buff and yellow brick colours, and tower T a mix of orange/red and browns. The top features a similar crown of giant order brickwork bays with precast stone linings

and asymmetrical reveal detail, containing communal indoor facilities at lower level and a balustraded roof terrace above. The core overrun and plant would be clad in anodised metalwork with a scalloped profile.

408. Regarding the new podium, this features the same arcaded brick base, above which the first floor level communal residential facilities and roof terraces are enclosed in a contrasting curtain walled glazing with metalwork fins, although little detail is provided. The design approach for the communal facilities works well, maintaining a secondary appearance to the arcaded form below, although the final details (including extent of transparency, balustrade and core/plant cladding) need to be confirmed by condition to ensure a high quality, particularly given its prominence in views from the adjacent railway.
409. Overall, the revised designs of ST retain some distinctive features, namely the arcaded base and giant order crown, but appear different in style and tone. Although not as striking and intricately detailed, the revised scheme works well in introducing brickwork, in keeping with the railway arches and the wider masterplan development. The detailed architecture is more conventional in its appearance, but is nonetheless generally pleasing in its robust, orderly manner. The revised designs of ST are less effective when seen in the round, with the northwest and southwest elevations having a much more solid and less appealing appearance, although the framework of piers and beams are continued. The blank panelling is due partly to solar gain, but also kitchen layouts. This detail needs to be revisited with a more open or engaging detail (e.g., perforated metalwork or brickwork screen with window). In general, the quality of the designs would be dependent on the final choice of material palette and detailed façade finishes (including cladding), which would be controlled by conditions. Subject to these matters, the architecture achieves an exemplary elevational design quality.
410. Regarding the functional quality of the architecture, the residential room sizes are good and the internal headroom achieves the council's standard of c.2.5m for habitable rooms. The towers achieve a decent proportion of dual aspect flats (50%), with no north-facing single aspect flats, and a comfortable number of flats per floor (8no.). Only 3 flats per floor have balconies and there are no winter gardens, only Juliettes. This is not compliant with the council's residential standards, although residents would have access to communal rooftop terraces, as well as the garden above the podium (but not sufficient to offset the shortfall in public amenity space). The residents also have access to a range of communal facilities within the building complex (including swimming pool).

Building W

411. In the approved scheme, building W had a tight triangular footprint and rose 17 storeys, optimising the constrained plot, and featured a cantilevered corner that widened the footway at the entry to Shard Walk and made for a highly legible and engaging entrance to the building's office use over ground/mezzanine levels. The residential entrance was onto the rear passageway. The elevations were in greyish blue brickwork with punched-hole, arranged into ordered bays; dark metalwork window frames doors and louvres; and stacked projecting balconies

and cills bands in light grey brickwork. The massing was articulated on the tower's northeast corner by stacked inset balconies and on its southwest elevation by setting back the central section of the façade by 300mm. The building came to grade on wide brickwork piers with deep reveals, while its top featured an expressed brick-clad core. The architecture had a robust, urban character.

412. The revisions to building W work with the same tight, triangular footprint and includes an additional storey without increasing the height. The front cantilever is replaced by two large columns that create a modest corner colonnade that gestures the arcade on building DE at the other end of Shard Walk, while the office has been substituted by a flexible retail space. The residential entrance is moved onto Drummond Road, with services and emergency exits located onto the railway facing façade. The rear façade is blank over ground and mezzanine floors, with the exception of a single service entrance door. The elevations are in brickwork, but substituting the blues and greys with red/brown brick and buff brick, which matches the brickwork of building DE, visually bookending Shard Walk with the two towers of similar height and material finishes. The windows and doors are arranged in an orderly manner, similar to the approved scheme, and finished in grey/black and dark bronze, complementing the revised brick colours, which is effective.
413. The brickwork treatment is simple, with little evident detailing illustrated on the plans. The window and door openings are not dressed, being plain recessed openings, and are not grouped. There is no overt cill banding in contrasting brickwork or masonry, although the plans indicate faint shadow gaps at cill levels. The outcome is underplayed rather than sharp or contemporary, with too little visual relief. This becomes dull over ground/ mezzanine levels on the railway and rear facades, with the large expanses of brickwork and only service doors; and similarly for the brick-faced rooftop plant room and overruns that make for an underwhelming crown to the tall building.
414. In order to address these issues the applicant has agreed to a condition that would enable these elements to be reconsidered at detailed design stage, this will include incorporating additional visual relief (e.g. rustication or other brickwork patterning, or translucent glazing), window opening details (e.g. lintel or surround). It is also important that the brickwork return on the southwest elevation remains at least 300mm deep to be effective, which would be confirmed by condition.
415. Perforated metalwork shutters are provided for solar shading to building W They bring welcome texture and a dynamic element to the upper floor windows on the building's southwest elevation. However, they would not be provided on those elevations not so affected by solar gain, limiting their overall contribution.
416. Balconies are provided for all flats on building W, using projecting balconies throughout, with the inset northeast corner infilled in this revised scheme. The balconies have dark metalwork railings, which are proficient, but offer little modesty screening compared to the approved design. The final details should be reserved by condition.

417. In terms of functional quality, the commercial unit retains a decent internal headroom, which is welcome, although ventilation of the space and of any cooking is unclear and should be reserved by condition, including access to risers to protect residential amenity. The flats are clustered, with 5-6 flats per floor. Internally, they have ceiling heights of 2.5m clear, which is the minimum residential standard, and appear to have decent sized rooms and layouts, which is welcome. The majority are double aspect, with none of the single aspect flats north facing. All have balconies, as well as access to a communal rooftop terrace. Overall, the quality of the building remains high, subject to the conditions to address the detailed design issues discussed above.

Buildings U and V

418. Buildings U and V were approved in outline only, with a design code that envisaged the adaptation and extension to the retained factory building U and a new complementary designed building V. Notable features of the approved design code were the introduction of an arcade along building U's north-facing façade and the inclusion of individual residential front doors and small garden spaces to building V.
419. In the current scheme buildings U and V remain in outline form and have an accompanying design code, which has been further updated during the consideration of the application. The submitted code has been updated primarily to reflect the proposed changes in use, with buildings U and V becoming mainly single use office and residential buildings, respectively, and an increase in quantum of uses. Notable changes to the code include a commitment to retaining more of the original building U, with the rooftop extension omitted; the deletion of the references to individual ground floor residential entrances and gardens; and the omission of the arcade. The design approach for a quasi-industrial warehouse character in brickwork remains. Given the greater retention of building U and the continued, sympathetic design approach for the extension and new building, the proposed changes to the design code for buildings U and V are generally welcome. As referred to earlier, there is a risk that the ground floor of building V could appear underscaled, although this matter can be addressed through the design code, ensuring a more consistent datum height for the ground floors of both buildings.

Conclusion on the design

420. The proposals are for s73 changes to an approved large-scale, residential-led mixed-use scheme in Bermondsey. The revised scheme remains design-led and follows the principles of the approved masterplan, with a series of generally street-based large and tall buildings and new open spaces that centre on the former Biscuit Factory site and thread into the surrounding urban context.
421. The proposed changes alter the detailed footprints and layouts of the buildings, but do not affect the good levels of permeability and connectivity achieved within both the site and the wider urban context. In particular, the development continues to re-establish the pedestrian route along Keeton's Road, open up the

main Biscuit Factory site to the public, and provide onwards routes through the adjoining railway arches towards the Bermondsey Blue. Furthermore, with the omission of building R and related change in footprint to building ST, the consolidation of open space within West Yard as the large central plaza is welcome. The urban grain remains good, and the hierarchy of routes and open spaces are appropriate.

422. The building footprints are large and there is a refocusing of the scheme to provide super-lobbies to the largest of the buildings (1-4, F, ST), which alters how the development engages with the adjoining streets. Despite this and the proposed increase in services that brought to grade following the omission of the large basement beneath building ST, the development continues to support the public realm and provide building frontages that are legible and sufficiently well-activated, subject to conditions securing the quality of secondary entrances to blocks 1-4 and OPQ.
423. Regarding scale, the approved scheme is a strong material consideration. While there are changes to the height and massing of the proposed scheme, they are generally matters of detail, with the buildings remaining mainly within or close to the parameters set by the approved scheme. As such, the changes are broadly neutral in terms of their townscape impacts. The exceptions are the changes in scale to buildings DE and U&V.
424. The changes to building DE reduce the height onto Clements Road, but significantly increase the massing towards the rear of the blocks, resulting in a bulkier built form that presents south-westwards towards Shard Walk, the railway viaduct and the townscape beyond. Following discussion with the applicant, additional balconies were added to the railway facing elevation. These have provided greater articulation to this elevation and further depth to the façade will be secured through conditions requiring the submission of the details of window openings, reveals and balconies. Buildings U&V are in outline only, and the accompanying design code will ensure that a good quality affordable housing development and office block come forward.
425. Regarding the elevational designs, for the new build, the revisions opt for a generally more conventional architecture in its detailing, but maintain a level of detailing and material finishes and a common architectural language that is high quality and appropriate for its context. Although mundane and cluttered in elements of its detailings of buildings DE and W, these matters can be addressed by conditions. Overall the elevational architecture for the new build is robust, well-ordered and sufficiently engaging.
426. Building F is pivotal to the approved masterplan, providing the focal building for its new central public plaza and supporting local distinctiveness, with its familiar character and sense of history. The proposed revisions maintain the building's strong public interest, retaining the approved large open-plan flexible space at ground floor and rooftop public terrace, moderately improving the functional layout and access to each. However, the balance of activity has shifted towards residential, while the architecture has recast the existing building in too understated a manner. The elevational architecture remains engaging and of

high material quality, but dilutes the building's identity and its contribution to place-making. As such, the revisions to building F no longer work towards better revealing local character and distinctiveness, and are a retrograde step. Again, a condition is proposed to secure design improvements. To address this the applicant has agreed to a condition that will ensure this aspect of the building's architecture is revised to better reveal its local distinctiveness.

427. Regarding functional quality of the architecture, the proposals retain a high standard of accommodation for the commercial and non-commercial uses located at ground floor level and a reasonably high level of amenities for the offices in general. The proposed revisions have principally affected the residential accommodation, and are mainly the outcomes of taking the opportunity to insert additional residential storeys within the approved building heights and of the particular BtR model. The revised ceiling heights have been tightened compared to the consented scheme, but nonetheless accord with the council's minimum standards for good quality residential accommodation. For most buildings, the residential accommodation remains of a decent amenity, with sufficient proportions of dual aspect flats and private balcony provision. The shortfall in private amenity space for towers S&T, however, is retrograde. Moreover, the revised layouts of buildings F and 1-4 have resulted in high numbers of single aspect flats (including north-facing), high numbers of flats per core, as well as long corridor access; factors that generally do not support a high quality of residential amenity. These shortcomings do not accord with the requirement of exemplary designs for tall buildings.
428. Overall, it is considered that the revisions meet the requirements of the design policies P13 (Design of places), parts 1, 3 and 4; policy P14 (Design quality), parts 1, 4, 6 and 7; and P17 (Tall buildings), parts 1, 2 and 3(5) of the Southwark Plan.
429. On balance, due to the insufficiently sympathetic changes to building F, the proposals presently fail to meet the requirements of P13, part 2 regarding local distinctiveness and architectural character and P14, part 2 regarding innovative design solutions specific to the site's historic context. It also fails to meet London Plan policy D3, part 11 for the same reason. However, the matter can be addressed by a condition securing changes to the detailed design approach.
430. Buildings F and 1-4 however, do not meet the tall building requirement P17, part 3(1) of the Southwark Plan and D9, part 1(c) of the London Plan, as the architectural design and residential quality do not meet the council's residential design standards in full. The remaining buildings are acceptable, subject to conditions securing details and improving amendments (such as to DE and W).
431. Finally, regarding the potential impact of the tall buildings on the local historic environment and heritage assets, while the majority of the new buildings would satisfy the requirements of policy P13, part 2 and P17, buildings ST and V would cause less than substantial harm to the settings of a number of designated and non-designated heritage assets, as set out later in the report.

Design Review Panel

432. An earlier iteration of the scheme was presented to the Design Review Panel (DRP) at pre-application stage in June 2023. The Panel supported two key moves within the reworking of the consented scheme, namely the tenure switch in the affordable housing provision and the removal of Block R, which enhanced the public realm within the centre of the scheme and contributed to good place-making. The Panel noted a series of lesser moves or design ‘tweaks’ that it is neutral on, relating to detailed matters of elevation profiles or detailed shoulder heights of the smaller blocks, and appeared generally sensible or benign, and not especially different from the consented scheme, with some vestiges of the approved scheme yet to be reworked. The Panel’s detailed comments in the written response related to: landscaping and play; block design and; sustainability. The comments are summarised below. The design comments were in relation to the external appearance of the building but often also in terms of the quality of the residential accommodation.
433. The first topic area on landscaping and play, the Panel was concerned with the lack of variety of treatments and spaces within the public realm and across the masterplan. There needed to be a greater diversity of spaces that cater all those who live, work or visit the area, including the wider community. The landscaping needed to address a broader range of age groups and types of play, gathering and congregating places. This should include ‘ad hoc’ space with a looser design to allow children and teenagers to play locally, (informal sports/ ball activities etc.) rather than being limited to pre-booked MUGA facilities or being overly reliant on Southwark Park. The Panel also noted that on the plans presented, an extensive part of the public realm was recorded as ‘play space’, while the illustrations showed generic public realm and not specifically spaces for play.
434. The second topic on block design was where the Panel gave most commentary. The Panel considered the proposal constituted a poorer level of residential accommodation than the extant scheme. The overriding concerns of the Panel related to the proposed layout of the larger buildings, with excessively long, double-loaded corridors and extensive provision of single aspect accommodation (including north-facing homes), and the reduced provision of private residential balconies from the approved scheme. These features detracted from the quality of the residential accommodation, impacting upon liveability and practicality. The long corridors were described as “*deeply unsettling and ran counter to the baseline standards for residential wellbeing established in planning policies*” with terms such as “scary” and “dystopian” used by Panel members in discussing the layout. The “relentless” 1.8m wide corridors with little or no daylighting, no break-out communal interaction space, and no opportunity for storage or personalisation were uncondusive to high-quality residential accommodation and to families in particular.
435. The predominance of single-aspect homes meant that many of the blocks were wider and appeared larger when compared with the approved scheme. The extensive provision of single-aspect accommodation had the inherent problems of daylighting and ventilation. The layout included north-facing single aspect units, with many at low levels and within a dense built form, with those in block F

regarded as particularly problematic, set within “deep ravines”. The Panel doubted the units would reach an acceptable daylight standard (unlike the approved scheme’s layout of dual aspect units in these locations). It thought the outlooks tightly enclosed and the quality of these homes to be “miserable”. The daily liveability of the homes needed further consideration.

436. The creation of internalised communities within the BtR was at a cost to the public realm and streetlife in general. The Panel acknowledged that personal safety was an attractive feature for some residents, but questioned whether this was self-reinforcing or short term with open access to all parts of a block. The Panel noted that the secondary entrances felt more like fire escape routes and should be more celebrated internally and have more of a presence externally. The access arrangements for routine deliveries seemed opaque.
437. In suggesting potential revisions to address these comments, the Panel did not see the fix as a fundamental redesign, but a matter of reorganising internal layouts and additional/improved cores. However, in respect of block 1-4 the design required a more fundamental change including changes in the massing, the introduction of breaks to reduce its monolithic appearance, as well as internal changes to address their concerns about the quality of internal accommodation. It advised revisiting the significance and hierarchy of building entrances, with their layout and size being improved and the entrances given more visual generosity, better engaging with the streets. Circulation within the plot could be provided by communal podium access across a garden instead.
438. On the provision of balconies, the Panel acknowledged that the scheme favoured communal amenity spaces and some flats may have increased in floorspace above the residential standard. The Panel regarded the loss of balconies as retrograde in terms of the residential standards and quality of life, and advised a rethink. It also advised the use of winter gardens in those more problematic conditions (such as the blocks facing onto the railway viaduct or at high levels on tall buildings). The Panel would have expected the scheme at least to match the consented scheme in terms of private balcony provision, if not better it.
439. For the third area of its comments, sustainability, the Panel reflected on how the design of the blocks themselves created a fundamental challenge with the double-loaded corridors and single-aspect layouts. There needed to be a more integrated approach to daylighting, overheating, materials and detailing, supporting dual-aspect, well-ventilated and shaded accommodation, rather than trying to retrofit a design with mechanical systems.
440. In its conclusion, the Panel response on the pre-application scheme stated:
“The Panel is aware of the long history of proposals on this large brownfield site and the contribution the site’s redevelopment would make to housing within Bermondsey and potentially to the wider community. It recognised the commitment of the new site owners to delivering a scheme on site with additional units and an improved tenure split, and welcomed its strong focus on improved place-making, with the increase in open space. However, it questioned the lack of variety of public realm spaces and play spaces that would satisfy a more

diverse community, and strongly criticised the plan form of the blocks and under-provision of balconies.

The Panel raised substantial concerns over the residential quality of the scheme and remained highly sceptical of its liveability and social well-being, particularly in the long term. A revised approach for the internal layout of most blocks is required and in addition, a change in the massing of Blocks 1-4 is necessary, and could be brought back to the DRP when they can also review the elevational architecture in any detail.”

441. Some amendments were made in the submitted scheme in response to these comments, such as changes to the landscaping and play design, the provision of further information on the overheating and daylight levels of the units, more balconies being provided (increased further during the application), and changes to the entrances on block 1-4. The changes made are relatively limited and have not fully addressed the DRP’s comments on long, double-loaded corridors and lower private amenity space provision. Officers asked the applicant to make further improvements during the application but with limited responses in the design amendments. Officers are of the view that the quality of the residential units in the BtR market type is not exemplary and is a reduction in quality compared with the approved scheme, as has been assessed earlier in this report and will feed into the planning balance near the end of this report.

Designing out crime

442. Southwark Plan policy P16 sets out the design principles to design out crime, including achievement of Secured by Design principles. The Met Police comments on this current application reference the proposal’s opportunities for natural surveillance, how it incorporates excellent lines of sight, it would activate the area, clearly separates the uses, and with no alcoves or secluded areas - which are excellent crime prevention measures. The Met Police flags that the BtR buildings are not intended to have “compartmentation” (restricting access to only selected parts of a building by having floor to floor entry controls), which reduce opportunities for crime and antisocial behaviour. Without compartmentation the BtR buildings would not achieve any form of Secured by Design award. The applicant considers compartmentation is against one of their key BtR principles that residents can easily move from their flat to the communal facilities and outdoor spaces, and highlight that there will be 24hr security on site. The applicant also refers to the access controls to the primary residential entrances, that management principles would be detailed in the block management plan, and that the affordable buildings can implement compartmentation. Other security measures such as CCTV to the cycle stores, and keeping good sight lines across the landscaping would be implemented.
443. The Met Police recommends a two-part condition that includes requiring a Secured by Design certificate to be submitted for approval. Officers note the condition on the 2020 permission does not require the development to achieve Secured by Design accreditation, only requiring more details of the Secured by Design measures to be included. The 2020 condition is proposed to be applied to a new permission, updated to reference the agreed measures for the school

and new policies. On balance, the proposed revisions to the 2020 permission are considered to have sufficiently addressed the secure design requirements of policy P16.

Fire safety

444. 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. As a section 73 application, a Gateway 1 form is not required by the legislation for this proposal which proposes relevant buildings, however it seemed reasonable to consult the HSE given the scale of the changes made and because of the second fire cores to the buildings. The HSE was consulted on the application.
445. Policy D12 (B) of the London Plan (2021) 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. 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 statement was compiled and reviewed by suitably qualified assessors on behalf of the applicant.
446. The submitted fire statement outlines the proposed construction of each building, the measures of escape for all users (including mobility impaired occupants), features that reduce the risk to life such as the active fire safety systems, site-wide access for firefighting vehicles and for personnel within the buildings, management and future modifications. All buildings containing homes would have sprinklers throughout and flats would be provided with at least two escape stairs. The information on the two buildings proposed in outline form only is not as detailed.
447. The London Fire Brigade did not comment on the application. The HSE raised concerns with the initial fire statement, and after further information was provided by the applicant, the HSE still has concerns with two areas in block 1-4 (fire service access and facilities in building 1-4 with the covered car park, and means of escape to building 1-4's roof terrace). A third document was sent onto the HSE who in its latest response confirm it is content with this latest version. The HSE identified some matters that the applicant should address in advance

of later regulatory stages, and provided supplementary information on these matters. These fire safety details need to be considered in the Building Regulations stage as well. An additional condition is proposed to require compliance with the fire statement.

448. London Plan policy D5 about inclusive design requires developments to incorporate safe and dignified emergency evacuation for all uses, and a minimum of at least one lift per core should be a suitable sized fire evacuation lift. The fire statement confirms that evacuation lifts would be provided in all buildings, in addition to any firefighting lifts required.
449. A condition is proposed to require compliance with the submitted statement to ensure compliance with London Plan policy D12. 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. The outline part of the proposal would need to provide its own fire statement as part of the reserved matters application(s).
450. 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.

Heritage and townscape considerations

451. The ES of the earlier application included a Townscape, Visual and Built Heritage Assessment (TVBHA) which considered the likely impacts upon heritage assets in the area, and included a series of visuals to help illustrate the impacts from viewpoints. The current submission's ES addendum includes a Zone of Visual Influence (ZVI) and TVBHA, both of which have been updated to take into account the proposed amendments to the scheme. The ZVI comprises a map indicating where in the surrounding area the new tall buildings would probably be visible from, but excludes the impacts of any tree cover. The TVBHA provides 20 verified images of the development when viewed from chosen locations in and around the Bermondsey and Rotherhithe areas, and of relevant protected London panoramas.
452. Chapter 16 of the NPPF sets out the national guidance on conserving and enhancing the historic environment. The heritage policies 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.
453. 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.

454. The NPPF provides guidance on how these tests are applied, referring in paragraphs 205-208 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 209 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*”.
455. When considering the earlier scheme before granting planning permission, the GLA concluded the harm to designated heritage assets from that proposal to be “less than substantial” and outweighed by the considerable public benefits of the scheme, with no harm caused to strategic or local views. No harm was found to the Wilson Grove and Edward III’s Rotherhithe conservation areas due to the screening by buildings and trees, and no harm to Thorburn Square Conservation Area due to the limited visibility and being seen in relation to the established taller modern setting.
456. The GLA concluded the approved form of development would not affect the setting of any World Heritage Sites, and there would be no harm to Tower Bridge. No harm was identified to Grade II listed St Crispin within Christchurch. The tall parts of towers ST and DE would be visible from within the grounds of the Grade II* listed St James’ Church and along Thurland Road. The GLA’s conclusion for this listed building was:

“The proposed development would form part of a secondary townscape in the middle-distant setting beyond the church and would not overly detract from the viewer’s ability to appreciate the church within its churchyard setting. The high-quality facade treatment of the proposed buildings, appropriate material palette and the presence of mature foliage within the churchyard, further mitigate the viewer’s perception of the development, especially during the summer months. Historic England consider that the development would cause a small degree of harm to the setting of the Grade II listed church and should be weighed against the public benefits of the scheme.*

Having reviewed the revised TVBHA, GLA officers consider the harm to the significance of the Grade II listed church to be ‘less than substantial’. This harm must be given considerable importance and weight. However, it is clearly and convincingly outweighed by the public benefits the scheme would deliver, in line with Paragraph 196 of the NPPF.”*

457. Southwark Park is a Grade II listed registered park. Views within the TVBHA taken from different locations in the Park demonstrated the visibility of the proposal at that time, especially the towers, from within the Park. In its consideration of the earlier scheme, the GLA report stated:

“Whilst the proposal would largely be screened by mature planting during the summer and winter months, officers note that proposed Block BF-T would be partially visible within views 7 and 8 from within Southwark Park. The visibility of this building is acknowledged, however the height of the block remains below the established treeline on both sides of the road. View 9 is also taken from the access road, to the west of view 8. Proposed Blocks BF-S and BF-T would be clearly visible through and above the tree line during both summer and winter months. The proposed development would also be partially visible above the treeline within view 11, from the oval, however this would be viewed in context of the 31 storey Maydew House, located at the edge of the park.

Whilst the prominence of Blocks BF-S & T within these views is acknowledged, especially at the western end of the park (view 9), in this instance, GLA officers do not consider that the visibility of the blocks results in harm to the significance of the park setting. Specifically, the proposal must be considered in context of the cumulative development in the area which includes mid-rise buildings of low architectural merit. Furthermore, when considering the east facing setting of the park, officers acknowledge that the recently approved Canada Water redevelopment would result in a prominent addition to the backdrop of the view. The high-quality design and appearance of Blocks BF-S&T and the contribution towards local wayfinding is supported by GLA officers.”

458. The GLA also considered the impact upon the locally listed buildings at that time, and concluded there was no harm these heritage assets:

“There are three locally listed buildings within a 500 metre radius of the application site: the former Drummond Street Baptist Church, Building BF-A of the existing Biscuit Factory and no’s 13-33 Clements Road and 96-98 Webster Road. All of these buildings are considered to have a low-medium sensitivity to change and as such, the proposed development would not have an adverse effect on their setting or harm their significance”.

459. In considering the current s73 application for revisions to the approved scheme, officers have assessed the impact upon the same conservation areas, listed buildings, the buildings identified on the new local list, and the protected views. The updated TVBHA within the 2023 ES addendum 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. Historic England did not wish to comment on this s73 application.

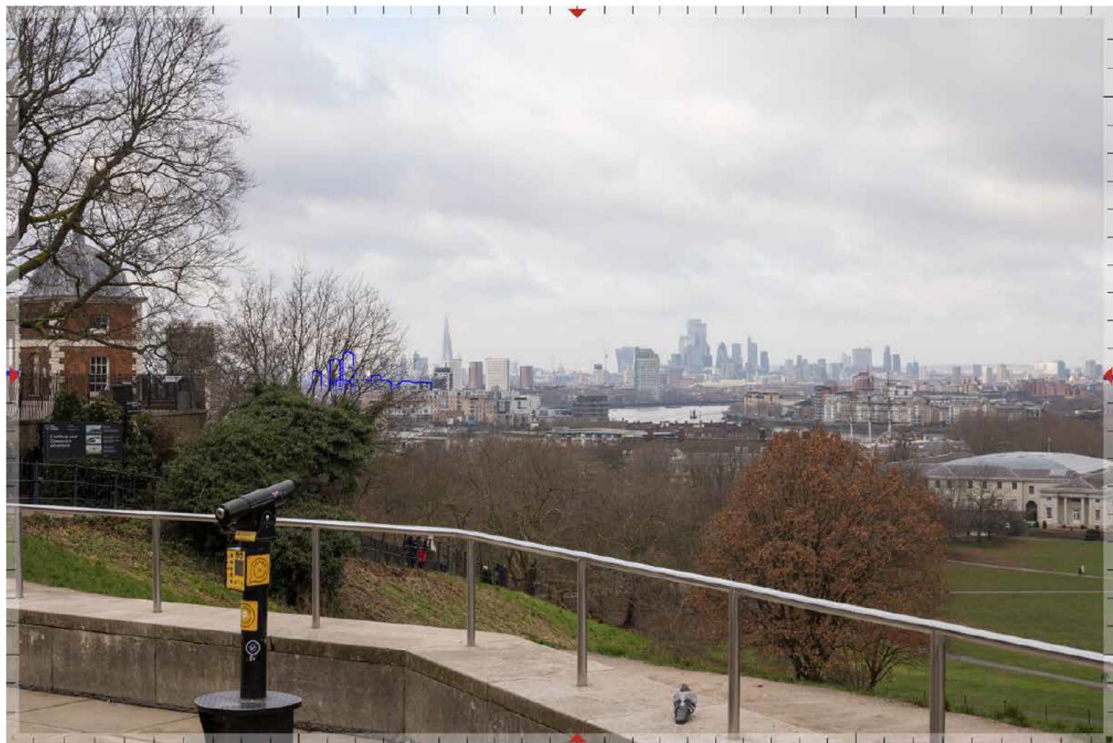
460. In terms of the impact on heritage assets offsite in the surrounding area, the proposals impacts to be considered in the following paragraphs are:

- Protected views;
- Tower of London World Heritage Site;

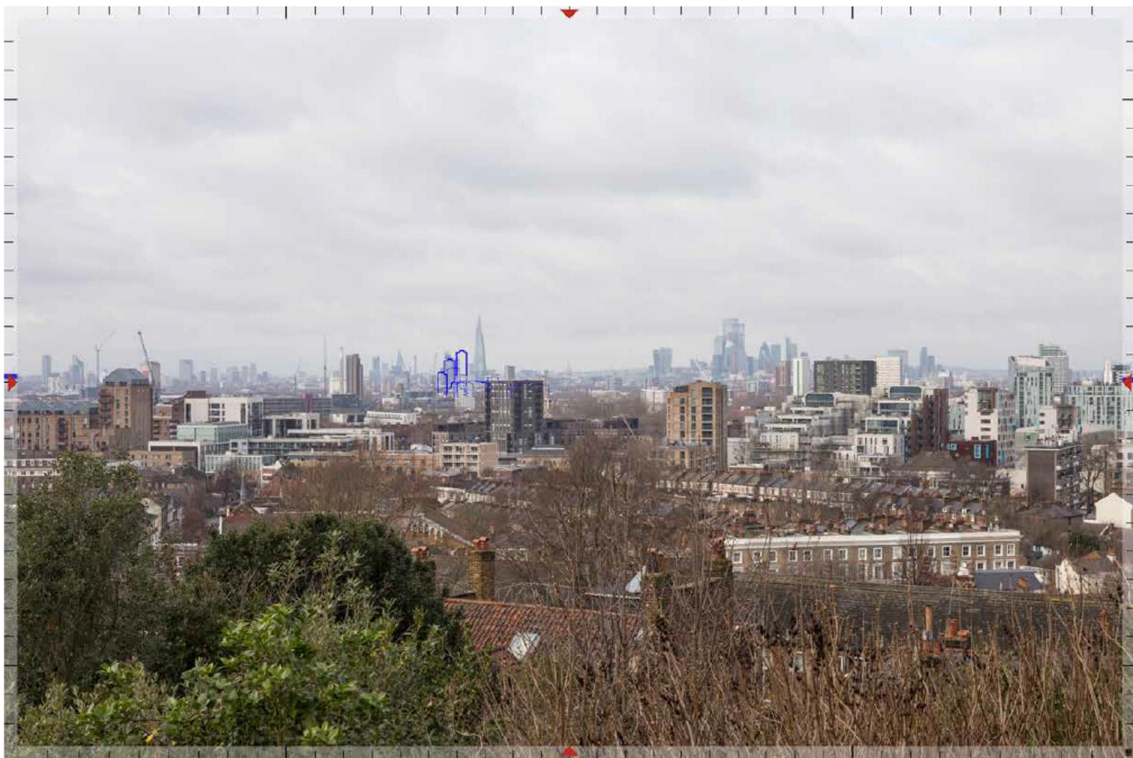
- The three borough conservation areas - Wilson Grove Conservation Area, Edwards III's Rotherhithe Conservation Area and Thorburn Square Conservation Area;
- Conservation areas on the north side of the river within London Borough of Tower Hamlets (The Tower, Wapping Pier Head and Wapping Wall conservation areas);
- Listed buildings and structures;
- Registered park and gardens - Southwark Park; and
- Other heritage assets including locally listed buildings.

Impacts on Protected Views

461. The LVMF seeks to protect and manage 27 views across London and some of its major landmarks. The submission demonstrates that at the proposed heights, the development would be visible in the selected protected views from Greenwich Park and Blackheath towards St Paul's Cathedral.



462. For the London Panorama Greenwich to St Paul's, the proposal (shown in blue wireline above) sits outside the viewing corridor and its setting consultation area. It would have no impact on this view, being sited behind the planting and in the cumulative view screened by other developments in Convoys Wharf and Canada Water.



463. For the London Panorama from Blackheath towards St Paul's, the very northern part of the application site is within the viewing corridor, and the northern part of building 1-4 is within the wider setting consultation area, but at a distance of 4.5km at its proposed height would not be visible. The tallest towers of ST would be visible above the horizon, but would appear similar in scale to other towers seen to the left of the Shard (shown in blue wireline above). At most, the additional height to T would be marginally perceptible over this distance. Importantly, the new towers would not impinge on the silhouette of the iconic London landmark. The proposal would have a negligible impact on the LVMF view. The proposal accords with London Plan policy HC4.
464. The proposals would not affect the protected river prospects from London Bridge (LVMF 11b) nor Southwark Bridge (LVMF 12b), as from these locations the development would likely be obscured by the cluster of large and tall buildings in the London Bridge and Bankside areas, as demonstrated in the ZVI. It would be visible looking southeast from Tower Bridge however, only the upstream view from the Grade I listed bridge is protected (LVMF 10a), with the downstream view being considered more a matter of general townscape and listed building setting (see below).
465. The development would not have any notable impact on the Borough's protected views of St Paul's, being located sufficiently away from the viewing corridors from One Tree Hill and Nunhead Cemetery, and located too far east to affect the view from Camberwell Road. Similarly, while a view southwards towards the site is provided from King's Stair Gardens, the protected view is the river prospect, looking westwards and away from the site. The scheme would have no impact on the protected townscape view looking southwards from the Millennium Bridge, with the development positioned well to the east and likely obscured from view

by the intervening building context.

Impacts on the Tower of London World Heritage Site

466. The Tower of London is a heritage asset of the highest order. It is Grade I statutory listed and is recognised internationally as a certified World Heritage Site of Outstanding Universal Value. In such cases, any development that intrudes upon views within the Tower complex must be carefully considered. In this instance however, the development is not visible from within the Tower complex. It remains sufficiently low on the skyline to be obscured from view by the Tower's buildings and ramparts, as demonstrated in the model shot from within the Inner Ward towards the scaffold site. The submission includes a view from Tower Hill looking in the direction of the development and showing the setting of the World Heritage Site. The model shot shows the development low on the horizon, completely obscured by the ramparts and Queen's House, and having no effect on the World Heritage Site's setting.

Conservation areas

467. The site is not within a conservation area, although several conservation areas sit within the wider context, including the borough's Wilson Grove, Thorburn Square and Edwards III's Rotherhithe conservation areas, and Wapping Wall and Pierhead conservation areas in the London Borough of Tower Hamlets.
468. Beginning with the *Wilson Grove Conservation Area*, the area is 175m to the north of the site, with its closest point on Jamaica Road. The estate comprises a series of short groups of two-storey terraced houses in brick and render with hipped roofs in a cottage style, with generous gardens in a picturesque low-density arrangement. The estate dates from the 1920s and is by the architects Culpin and Bowers, the latter closely associated with the Garden City Association. It has significance in being an early and rare example of a cottage estate within an inner urban setting, promoted as an alternative to tenements blocks by local activists Ada Salter and Alfred Slater (MP). The estate forms a distinct pocket of historic, low-rise development within a varied wider setting of post-war higher density housing estates, comprising generally mid-rise slab blocks of four- to eight-storeys.
469. The revised proposal would be most visible where Janeway Road aligns with proposed towers of S&T. The buildings are partly screened by deciduous trees. The tower of DE would also be visible above the roof line, although partly obscured by a post-war block within the intervening setting. Eased by the intervening distance, the tower S would nonetheless appear notably tall and contrasting in form in the backdrop to the estate, detracting from its setting. The harm would be at the low end of less than substantial, given that the visual coherency of the interwar cottage estate itself remains unaffected.



470. It is notable that the revised scheme does not alter the view from the approved scheme, with the proposed increase in height to T and the proposed changes in massing to DE screened by the intervening S and existing slab block. Furthermore, the GLA did not regard the visual effect of the development to be harmful when assessing the parent scheme. This is a strong material consideration, but officers considered there is a low level of less than substantial harm from the proposal to this conservation area, as will be the case if the approved scheme continues to be built out.
471. Turning to the *Thorburn Square Conservation Area*, this is a relatively intact and coherent area of mid-Victorian terraced housing. The housing has a strong unified character of traditional detailing and uniform height of two-storeys. Parts have been cleared and replaced by Brutalist-style 3-storey terraced blocks that adopt the historic street layout, enclosing a central square containing the surviving St Anne's Church. It has significance as a rare survivor of mid-19th century housing development that was previously typical of the Bermondsey and its visual coherency. It forms a distinct pocket of historic housing, within a setting of low-rise 1980s housing estates and occasional high-rise estates in the wider context (such as Southwark Park Road).
472. At the distance of at least 300m, the scale of the proposed towers would appear similar to the houses within this conservation area, glimpsed between terraces. It would also be seen in the same context as several high-rise buildings along Southwark Park Road. Though occasionally visible, it would have a neutral impact on the setting of the conservation area, preserving its character and appearance.
473. *Edward III's Rotherhithe Conservation Area* is located 320m to the northeast of

the site and comprises a large area of landscaped open space and wooded gardens close to the riverfront, containing the part buried ruins of Edward III's moated manor house, a scheduled monument, a historic staircase accessing the river edge (King's Stairs) and Grade II listed riverfront Angel pub. Its significance derives from its open space and heritage assets, while its primary setting is the river. Its setting to the south comprises mainly the heavily treed perimeter of Southwark Park and to the southwest, the inter-war and early post-war medium-rise housing estates of Rotherhithe.

474. From King's Stairs Gardens the proposal would be entirely screened by tree cover throughout the year, with its setting unaffected. As such, the character and appearance of the conservation area would be preserved. It is also notable that the appreciation of the significance of the archaeological remains of the Scheduled Monument of Edward III's Manor House would also be preserved.
475. In terms of other conservation areas, the *Wapping Wall Conservation Area* (in London Borough of Tower Hamlets) is approximately 900m to the northeast of the site. The towers of S, T and DE would be visible above the lower riverside buildings, at a distance of 1.5km, and read as a similar scale as Ontario Point in Canada Water and other approved towers in the cumulative scenario. As with the consented scheme, the proposed design revisions are considered to cause no harm to the character of the conservation area. The *Wapping Pierhead Conservation Area* is c.550m to the north of the site, and its setting includes modern development in Canada Water and London Bridge. There are limited public views from the riverside, and where the proposed towers would be visible, they would be screened or seen alongside existing modern towers in the setting. The proposal would cause no harm to the character of this conservation area.

Listed buildings and structures

476. The site does not contain any statutorily listed buildings, although there are 15 statutorily listed buildings and over 20 locally listed within a 500m radius. The closest statutorily listed buildings are the Grade II listed church of St Crispin with Christchurch in Southwark Park Road, approximately 50m to the east of the site and the Grade II listed Southwark Park Primary School and school keeper's house in Southwark Park Road, which are approximately 130 and 190m to the east.
477. Other listed buildings within the wider context include: the Grade II railway bridge in Spa Road; the Grade II listed terrace within Jamaica Road (nos. 124-130); the Grade II former Bermondsey municipal offices and public library in Spa Road; and most notably the Grade II* listed St James's Church in Thurland Road and Grade II* St Augustine's Church with its Grade II vicarage in Lynton Road.
478. The closest listed building is the Grade II church of *St Crispin with Christchurch* in Southwark Park Road (Thomas F Ford, 1958-9), the special interest of which is its history as a replacement church following wartime bombing and its notable church architect; its attractive mid-century design and as a complete surviving example of Ford's interiors work. The church sits with hard landscaped space with trees, enclosed by the 1970s 7-storey residential slab blocks on either side

and by the new secondary school building to the rear.

479. The most significant view of the church is from Southwark Park Road. While not illustrated in the submitted TVBHA, it is likely that the nearest proposed building 1-4, would be largely screened in this view by the deck-access slab block, as would the wider development, with only glimpses of its taller buildings above the estate's roofline. The heights of those visible would not alter in this amended s73 proposal. The development scheme and revisions would have a marginal effect on the otherwise modern setting of the church, preserving the building's special interest.
480. Regarding *Southwark Park Primary School and the school-keeper's house* (by ER Robinson, 1873-4, extended 1899), the special interest is as a fine example of an early school by the London School Board's chief architect, becoming the style repeated across other school boards. The school buildings are also of group value. The mainly two-storey buildings with its notable yellow stock with red brick dressings and Dutch gabled roofs and house in a matching style sit within a mixed and largely residential setting, with the neighbouring traditional terraced housing at the junction with Baynard Road and formal tree-lined entrance to Southwark Park diagonally opposite contribute to their setting. The Four Squares estate is prominent in the backdrop to the school, but when viewed from within the school grounds rather than from the main road. The potential visual impacts of the development on the setting are not presented in the TVBHA. It is likely that towers on the main Biscuit Factory site would be visible on the skyline from within the school grounds, rising above the Four Squares estate. It is also likely that building W would be glimpsed within the gap between the school keeper's house and main school building when viewed from the main road. From within the school grounds, given the existing modern backdrop of large post-war slab blocks, the addition of the proposed residential towers would not unduly affect the setting, particularly if of exemplary design. The increased height of building T in this view would appear modest, given the intervening distance.
481. In the approved scheme the appearance of the development and especially building W in the townscape gap between the school-keeper's house and school building would have altered the setting in this view, intruding on the relationship between the two buildings and the visual contribution of the roofscape of the rear teaching block. To some extent the setting is affected currently by the presence of the mid-rise neighbouring residential building (no. 381), with its recent boxy roof extension which flanks onto the school-keeper's house in an awkward manner. Nevertheless, the head-on view of the townscape gap is not compromised. As such, the appearance of the new development would cause some harm, detracting from the group value. This would be less than substantial harm and at the low end of the range, given that it is to a small element of the setting and to the special interest as a composition of school buildings. Their special interest as individual buildings remain unaffected.
482. In the revised scheme, while the tower designs have changed, including building W, the changes have neither increased nor decreased the extent of harm, which remains less than substantial and modest. The council's previous consultation response (which did not identify this harm) and the decision of the GLA are strong

material considerations. In its hearing report, although the GLA acknowledged the change to the middle-distance setting of the school in general, it judged that “overall the proposal would not detract from the appreciation of the heritage significance of the school.” Officers consider that there would be less than substantial harm.

483. *St James’s Church* is an important local heritage asset, given its relative proximity to the site and its Grade II* listing. The church lies 260m to the north of the site, with the intervening context is relatively modest in scale, comprising mainly later 20th century two-storey residential estates and more recent moderately taller residential blocks. The church dates from 1827/9 and is by James Savage, and is two-storeys in stock brick with yellow stone dressings and a pitched slate roof. The well-detailed architecture features an Ionic columned entrance portico with pedimented frieze and a square bell tower with two stages, featuring Ionic pilasters, clock and a spire with gilt ball, spike and weathervane. The distinctive church tower is an important landmark.
484. This listed building is of particularly high architectural and historic significance, and sits within its former churchyard (now public gardens) that forms its immediate setting, particularly when viewed from its main access point on Thurland Road. In this view, the modern large housing blocks of 20-30 St James’s Road with their pop-up two-storey copper clad roofs, sit immediately behind the church, impacting upon its setting.
485. There would be inter-visibility between the churchyard and the proposal as shown in the view below. The majority of buildings ST and DE would be visible through and above the treeline of the churchyard gardens and well above the roofline of the surrounding low-rise residential estate, when viewed from the west side of the church. The revised scheme has removed from view the massing of the approved tower D, exposing the revised form of E immediately behind. The change in height of tower T relative to S and DE would be marginally perceptible, given the perspective. The changes in silhouette and elevational designs are evident in this view, with the further broadening of DE, the more conventional form of the towers and their more orderly façade treatment. The material palette would remain similar and high quality.



486. The scale of the development and its visual presence in the backdrop to the churchyard is highly apparent, becoming a distinctive feature on the skyline. While it would not affect axial view of the Grade II* church from Thurland Road, the cluster of new tall buildings would be obvious to one side, and would be eye-catching when entering along the historic swept pathways into the churchyard, impinging on the appreciation of the church within its largely original setting. The foliage would mitigate the impact to an extent during the summer months, although the cluster would intrude above the treeline. The scheme would cause less than substantial harm to the setting of the Grade II* church; an assessment that was similarly reached by the GLA when assessing the visual impacts of the parent scheme. In accordance with the NPPF, the harm may be offset against the planning benefits of the scheme, although considerable weight should be given to the harm, being to a Grade II* listed building. As will be set out later in this report, the heritage harm is considered to be outweighed by the public benefits of the scheme.
487. The Grade II listed *railway bridge* (by Colonel Landman in 1836) runs across Spa Road and comprises semi-circular brick arches that are carried on rows of cast-iron Doric columns that separate the carriageway and footways, and is of significance for its architecture and historical importance as the first railway bridge to be built in London and the oldest to remain operational. With the widening of the mainline railway, a later bridge spanning the road has been added to the east of the historic bridge, screening it from general view and truncating its setting. Being heavily shrouded by the later bridge, the proposed development would not alter the appreciation of the listed bridge, which can only be experienced in immediate views. As such, the development would not affect views of the listed bridge, preserving its setting.

488. The Grade II listed terrace at *124-130 Jamaica Road* comprises a short terrace of two-storey mid-Georgian townhouses above basement and with an attic storey. The buildings have well preserved brickwork street facades with attractive period features and are a reflection of the history of development within this part of London. Beyond being on a tree-lined main road, their setting has greatly changed with the post-war reconstruction of neighbouring sites as low and medium-rise residential estates.
489. It is unlikely that the proposed development would be seen in direct relation to the listed terrace, given the intervening distance. The tallest tower, S, would be visible above the low-lying Bermondsey Underground station, although this would be sufficiently away to the side of the terrace. Its appearance would not unduly affect the modern urban setting nor the viewer's appreciation of the short listed terrace, preserving the significance of the heritage assets.
490. Similarly, regarding the Grade II* listed St Augustine's church and its Grade II vicarage (c.430m to the southwest), Grade II former Clare College Mission church (c.420m to the southeast) and Grade II former Bermondsey municipal offices and library (c.580m to the northwest), due to the long intervening distances, presence of extensive street cover and orientation of the site, the scheme and its proposed amendments would not affect the direct backdrop to the buildings and, where visible, would have a negligible impact on their settings. The significance of these listed buildings would be preserved.
491. Brief mention should be made regarding the *Tower of London* and *Tower Bridge*, because of their exceptional value as Grade I listed structures. As referenced earlier, the scheme and its amendments would have no effect on the setting of the Tower of London as a World Heritage Site and therefore likewise as a Grade I listed building. Regarding Tower Bridge, the GLA previously concluded that:
- "Whilst officers acknowledge that the proposal would be the tallest building within long-range views from Tower Bridge, when viewed cumulatively with the more distant consented schemes at Chambers Wharf and Canada Water, the proposal would not appear dominant or out of character with existing and emerging development. Overall, the proposal would form part of the emerging skyline and riverside townscape within the long-range backdrop of this view and would not result in an adverse effect on the composition of this view or have an adverse effect on the viewer. There would be no harm to the significance of the heritage assets set out above."*
492. The current submission includes a revised view from Tower Bridge, updated to reflect the revisions, notably the changes in silhouette of ST and height of T. Over the 1.5km distance, the impact of these changes would appear modest. However, the view is a downstream river prospect which is not protected. It is not of the setting of the bridge itself, which in this instance would be from the adjacent riverbanks, where the development would be obscured by the bridge or read as secondary skyline articulations of the riverside townscape. Its effect would be negligible on the riverside setting and appearance of the iconic landmark, preserving its significance.

Registered Park and Gardens

493. Southwark Park is Grade II listed on the Historic England Register of Historic Parks and Gardens. The park was laid out between 1865 and 1869 by the Metropolitan Boards of Works and later designed by Alexander McKenzie in 1867. It is located 150 metres to the east of the site.
494. The submission provides four updated views demonstrating the visibility of the development from within the park, adjusted to take account of the revisions. They comprise the views from the bandstand, Carriage Drive, approaching Jamaica Gate and from the cricket oval.
495. Beginning with the bandstand, this is a significant location at the heart of the northern section of the park, forming a focal point. The bandstand is a replica of the mid-19th century bandstand gifted to the park at the end of the Great Exhibition in Hyde Park, and is a locally listed structure. Looking eastwards from the bandstand towards the development, the view is of open grassland and mature plane trees and of a low-rise residential townscape beyond, partly visible through the tree cover, enclosing the park edge.
496. The view is marred by the appearance of Arica House, an existing 11-storey residential block with a slipped built form on the edge of the park. Part of the Slippers Place estate, the block sits below the tree line, but is highly visible through the tree cover during winter months. The proposed towers of building ST, would appear alongside Arica House, but more in the middle-distance, rising above the low-scale buildings in the foreground, as would building W, which is further to the left. With the perspective, the towers S&T would appear similar height to Arica House, and similarly would not break the treeline and would be screened by the plane trees during the summer. The proposed revisions do not especially alter the buildings' appearance in this view. In this instance, on balance, the development would have a neutral impact on the setting of the registered park.
497. Two sequential views are provided, progressing along Carriage Drive towards the park's main entrance onto Southwark Park Road (the furthest away copied below). Carriage Drive is the main access and a historic east-west processional route within the park, and is used for visitor car parking. The wide highway is flanked on both sides by formal planted borders, shrubbery and trees that form an attractive vista towards Jamaica Gate. The park is edged with low-rise housing that for the most part is screened by the extensive planting throughout the year, with only those properties close to the park's entrance visible. In approaching the main gate, the properties are attractive 19th century terraced housing, contemporary with the park and forming an attractive grouping with the cottage-style park lodge. The attractive, period setting contributes to the park's significance.
498. The proposed development would be highly visible and intrusive within these views, with the large built form of buildings U and V (shown in outline massing only) rising directly above the terraced group and terminating the vista, with the tall towers of S&T intruding to the right, albeit with S partially obscured by tree

cover during the summer months. Buildings OPQ and W would also be seen through the tree cover to either side of the vista during the winter months. The current revisions do not alter or alleviate this impact. Moreover, the additional height of the outline building V has made the building much more apparent in the view. Overall, the extent of impact would be moderate and adverse, causing less than substantial harm to the setting of the registered park.



499. It is significant that the council raised a similar objection to the approved scheme on this matter. In its report on the application, the GLA acknowledged the prominence of buildings S&T, stating in the hearing report that:

“... in this instance, GLA officers do not consider the visibility of the blocks result in harm to the significance of the park setting. Specifically, the proposal must be considered in the context of the cumulative development in the area which includes mid-rise buildings of low architectural merit. Furthermore, when considering the east facing setting of the park, officers acknowledge that the recently approved Canada Water redevelopment would result in a prominent addition to the backdrop of the view. The high-quality design and appearance of Blocks S&T and the contribution towards local wayfinding is supported by GLA officers.”

500. It is unclear how these considerations apply within this particular westwards view of a historic setting; how Canada Water, which is to the east is relevant; nor how S&T support general wayfinding within the park or its environs in this view any more than the Carriage Drive and gates.
501. It is acknowledged that the approved scheme is a strong material consideration. However, it is considered that the development would be harmful to this section

of the park's setting, and that the revisions to increase the massing of building V (outline) would generate new and additional harm. This is considered to be less than substantial harm towards the lower end of the scale. As such, in accordance with the NPPF, the harm to this heritage asset would need to be weighed and offset against the planning benefits of the scheme.

502. Lastly, regarding the cricket oval, this sits within the southern half of Southwark Park, which is part of the original layout, although its size was reduced by the construction of the sports facilities to the south-east in the 1980s. The grassland is fringed with mature tree planting, with the recently completed replacement lakeside café facility visible beneath the tree canopy. While the outward view is generally of low to medium-rise housing with the belt of perimeter trees forming the skyline, the view is dominated by the appearance of the 26-storey, post-war Maydew House.
503. The tops of buildings S&T and W would rise just above the tree cover, with S&T appearing in the direction of the new café and W further to the left towards Maydew House. The bulk of the buildings and of the wider development would be screened by the extensive tree cover. The additional height of T would not be especially evident over the long distance, nor would the more orthogonal built form, given that the majority of the silhouettes would not be visible. The stone tones of the palette of materials would not be intrusive, especially compared to the brighter brick tones of the new café. Overall, the development would have a neutral impact on the setting in this view.

Other heritage assets

504. There are a number of buildings and structures within the vicinity of the site that have recently been recognised by the council as locally listed, following a public consultation process undertaken in 2023. Policy P26 of the Southwark Plan is therefore relevant. Those within 200m include:
- Former Biscuit Factory warehouse buildings fronting onto Drummond Road that are outside the red line boundary;
 - Former Victorian corner pub on the junction of Clements Road/Webster Road;
 - Victorian corner pub on the junction of St James's Road/Webster Road (St James of Bermondsey);
 - Former Spa Road railway station contained within the railway arches on Dockley Road (now Discovery Business Park);
 - Converted late 19th/early 20th century warehouse at 23/25 Blue Anchor Lane;
 - Victorian corner public house on the junction of Southwark Park Road/Blue Anchor Lane (Blue Anchor);
 - Memorial plaque to those killed in a Blitz raid, attached to the John Bull arch underneath the railway bridge on Southwark Park Road;
 - Groups of mid-19th century terraced housing at the junction of Southwark Park Road/Baynard Road (nos. 385-393, 42-44, 395/35);
 - Victorian corner pub at the junction of Southwark Park Road/Stalham Street (Stanley Arms);

- Bandstand, drinking fountain, gates and other features within Southwark Park.
505. The buildings and structures are recognised for being of local architectural or historical interest, primarily as surviving elements of Bermondsey's former traditional townscape, that make a positive contribution to local character and amenity. Most of the buildings are of low to medium sensitivity to change, being fragments of an earlier townscape in a much-changed setting. The proposed development, including its revisions, would mostly not have an adverse effect on their settings or unduly harm their significance.
506. The exception is the grouping of terraced houses at the junction of Southwark Park/Baynard Road, which forms a small pocket of traditional housing and is experienced within the setting of Southwark Park opposite and generally benign, low-rise residential development, albeit of little architectural merit. Building ST would dominate the backdrop to this intimate townscape, appearing overbearing in the townscape and disrupting the group value of the locally listed buildings. The adoption of the local list was prior to the consideration of the parent scheme by the GLA, and therefore is a change in material circumstances.
507. The NPPF makes reference to non-designated heritage assets, stating that in such cases, "*a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*" (paragraph 209). This approach is taken in Southwark Plan policy P26 and the accompanying Heritage SPD. It therefore remains a matter to take into account when assessing the overall application, noting that the group value would be greatly affected, but not lost, whilst the inherent interest of the Victorian properties themselves would be preserved.

Impacts on the townscape outside of conservation areas

508. The submitted TVBHA offers a number of views from within the general environs of the site that are from outside any conservation area. Within these views, the townscape is generally characterised by low and medium-rise housing estate, with intermittent higher-rise housing blocks and occasional industrial premises. The built form is varied and of generally modest architectural quality, with the main feature being the retained traditional street layout and avenues of mature London Plane trees in places. In these instances, the proposed development would read as part of a varied townscape context, with the new buildings providing a high quality of architecture.

On-site assets

509. When considering the current application in terms of the remaining buildings on the site, the site allocation NSP13 (which covers a larger area than the current application's red line site) states that a number of the original warehouse buildings are unlisted heritage assets and these should be retained and integrated into any comprehensive redevelopment where possible. Most buildings on the application site were demolished in recent years in line with the 2020 permission, including a building that now appears on the 2023 local list on

Drummond Road. Only buildings F and U have been retained, and were the only buildings due to be partly retained in the approved scheme granted in 2020. These two buildings are again to be partly retained in this revised scheme, albeit less of building F with the top floor and its façades to be removed. A structural impact assessment for buildings F and U was submitted as part of the application.

510. Block F was constructed in the 1960s, has a concrete frame and masonry infill panels. The submitted report summarises how steel beams would be needed to transfer the load from the additional storeys on block F, how the third and fourth floors would be demolished, all of the facades would be demolished and replaced due to asbestos, the ground floor slab replaced and the external stairs on the Clements Road façade rebuilt. Therefore only the floor slabs and two storey columns would be retained of the existing building F.
511. Block U was constructed around 1947 and until recently was surrounded by other buildings that have since been demolished, so its outer walls have been infilled with blockwork. Further internal demolition is needed within the building, to provide a stair core and the temporary treatment of the external walls would be replaced; the proposed design keeps the pitched roof form of this building (instead of building a storey on top in the approved scheme). The retention of parts of these buildings within the site is supported and accords with site allocation NSP13 and Southwark Plan policy P21.

Conclusion on heritage and townscape

512. The scheme is considered to accord broadly with the London Plan policies HC1, HC2, HC4 and D9 part C.d and C.e and Southwark Plan policies P19, P20, P21 and P24 by protecting the special character of most heritage assets and the World Heritage Site, and not harming LVMF views. The incidences of harm to heritage assets from the proposed tall buildings to the settings of the Grade II* St James' Church and Grade II Southwark Park as a Registered Park and Garden are "less than substantial harm" (at the same harm as the approved scheme); and to the recently locally listed properties at the junction of Southwark Park Road/Baynard Road are to be included in the planning balance section of the assessment below, and weighted accordingly.

Public realm, landscaping and trees

513. The provision of high quality public realm, that is accessible, encourages walking and cycling, with landscaping that is appropriate for its context and includes street trees and green infrastructure is supported by policies such as Southwark Plan policies P13 (in parts 4, 5,6 and 7), P14, P59, P60, P61, and London Plan policies D8, G1, G5, G6 and G7. Tall buildings are required to provide functional space and have a positive relationship with the public realm in policies D9 and P17.
514. The approved scheme provided a series of new landscaped routes across the site, the re-established Keeton's Road extending south to link into Webster Road, provision of a new Low Line route alongside the railway viaduct and had

obligations to provide the two railway arch routes. The central area of public realm was the largest area, with smaller yard spaces and play spaces around the buildings.

515. One of the main changes of this s73 application is to reshape the areas of public realm in the site, by the removal of part of the footprint of building R, and the ramp between DE and F down into the basement which would increase the area of the central “West Yard”, but remove the approved courtyard public realm at the base of RST. Other changes are to the size of two squares at the northern side of the block 1-4 growing in size (and no longer being public realm) and the southern square reducing in size. The site-wide area of public realm would be maintained with these changes. The applicant has also taken the opportunity to increase the number of new trees to be planted. The “palimpsest” pattern to the surfacing across the approved scheme would be removed.



Proposed landscape layout

516. The increased area of public realm at the centre of the site is supported, along with the improved area between blocks DE and F by the removal of the ramp which allows for an improved pedestrian and cycle link between the Blue and the tube station. The area of public realm across the site would slightly increase by approximately 95sqm on the approved scheme. Part of this public realm benefit is reduced however by the applicant's suggestion that part of the ground level public realm is to be separated off to be used for dog parks. The applicant states; *"For the effective management of the public realm for the benefit and health and*

safety of all users, Greystar’s global experience is that where there is likely to be a particularly high density of dog ownership, facilities for dogs provides the best solution to this issue of cleanliness and hygiene. Final details of these facilities will accompany the information provided for discharging [the landscaping condition].”

517. The application proposes a variety of landscaped spaces, links and yards, which aim to respond to the ground floor uses of the adjacent buildings and different characters of the site. For example, “School Square” on Keeton’s Road between blocks 1-4 and 5 with play facilities close to the community unit and school, and central “West Yard” incorporating a water play feature and planting. The “Shard Walk” Low Line route would be opened up, and more planting along it is proposed than the approved scheme.



Illustration of the view across West Yard looking eastwards towards ST (trees shown after 20 years)



Illustration of the water feature in West Yard (trees shown after 20 years)



Illustration of Storks Link with the ramp down removed and fenced off dog park.



Illustration of the West Yard landscaping

518. The revised extent of the public realm would be secured for public use in an updated planning obligation. The public realm areas shown in the application include the likely spill out spaces for the retail units to have tables and chair etc, as is common for cafes and restaurants. Dividing off spill out spaces from general public use will reduce the area of true public realm, and reduce the width of routes (including potential emergency vehicle routes) if the tables, chairs, fencing etc are there long term or fixed down. An additional condition is proposed

to require the spill out spaces to be defined and complied with.

519. The existing trees within the site and adjacent to it are not the subject of tree preservation orders nor are they within a conservation area. The submitted arboricultural report found the following quality of trees on or near to the application site to be: 1 x category A (high quality) tree; 68 x category B (moderate quality) trees; 94 trees, 3 tree and vegetation groups and 1 shrub group of category C (low quality); and 5 trees and 1 tree and vegetation group of category U (poor quality).
520. The proposal would require the removal of five trees, and one tree and vegetation group, which are categories C and U. These were approved to be removed in the 2020 permission, along with 7 other trees (category B and C) that have already been removed as part of the implementation of the 2020 permission. The trees to be removed are: T7 (a tree within the former school site); T8 (a tree within the former school site next to group G181); T10 (a tree within the former school site); T17 (a street tree on Drummond Road); T33 (a street tree on Drummond Road) and; G181 (group within the former school site).
521. Other trees would be protected during demolition and construction works. 44 trees require pruning to reduce their crowns for the construction of the development and on-going cyclical management, as was the case in the approved scheme. The proposed buildings sit within parts of the root protection areas of several trees, however the excavation works required for the proposal's construction is unlikely to cause significant harm to these trees. Special excavation methods would be needed for installing utilities within the root protection areas of retained trees. A tree protection condition would be re-imposed.
522. The proposed landscaping scheme suggests 216 trees at ground level, which is 75 more than the 141 new trees of the 2020 permission scheme. Different typologies are proposed across the site: flowering gateway trees; feature avenue trees as new London Plane trees along with the established street planting; street and lane trees in rows between the buildings and along the new routes; ornamental yard trees for the central public realm and the eastern side of ST; roof garden trees; and native buffer trees along the western boundary of block 5.
523. Areas of public realm are being shown in the application to provide surface water drainage, playable space, routes through and tree planting. Whether all of these suggested new trees are found to be feasible (given the constraints and some of the overshadowed locations), whether all Suds areas can also be used for planting and for playable space would be reviewed in the detailed condition stages, but the number of trees is nonetheless likely to exceed the number of the approved scheme. The podium and roof level planting for the building indicates another approximately 80 trees.
524. A street tree maintenance contribution of £27,120 (indexed) was secured in the 2020 s106 agreement for the council's increased pruning and maintenance costs for the 14 trees within the highway that are close to the proposed buildings. This requirement would continue to in a new s106 agreement.

525. As set out earlier in this report, the public roof terrace on block F would be provided again as the one area of public access to the upper level of the development. Two drinking fountains would be provided across the scheme.
526. Signage to aid wayfinding across the site and to highlight the new permeability across the area would be needed. The applicant suggests larger signs, finger posts and building names would be included, and further details would be secured by the revised landscaping condition. The same obligation on a Legible London strategy for areas outside the site would be applied in a new s106 agreement.
527. The application suggests there will be an art and heritage strategy incorporated into the scheme's landscaping, wayfinding and buildings, potentially with a large piece of public art in the south-eastern corner of block F. No details of these have been provided in the application, and any large sculpture would likely require a separate planning application. The incorporation of the art and heritage features of varying scales would add interest into this large scheme, aiding wayfinding, helping add identity to the new-build scheme, and as a key opportunity to reflect the cultural heritage of the site and area. A new condition to require further details of the art and heritage strategy is proposed, including how community engagement would be undertaken. The public realm is suggested to be used for events, such as the North Yard area on the north side of ST to help draw people into the site, bring the community together and activate the site. The cultural strategy for activities (free to access or ticketed) would again be required by a planning obligation, to ensure for example the large hard-surfaced North Yard is activated and used, and to encourage a variety of events for the community across the site.
528. Revised conditions are proposed to secure the final landscaping design details, play space and equipment, tree planting, details of the greening measures that would achieve a 0.4 UGF score, and of the rainwater gardens. New conditions about the heritage and art strategy, and spill out spaces are also recommended. Planning obligations relating to the public access to the revised public realm would need to be updated, and the wayfinding requirement repeated. The proposal would comply with London Plan policy G7 and Southwark Plan policy P61 by retaining existing trees of value, protecting them during construction, and planting additional trees. The additional tree planting, compared to the extant permission, is welcomed, and a benefit of the current proposal. The proposed new public realm would be generally well-designed, attractive and accessible (with the exception of the dog parks), although the central West Yard is mainly targeted as children's playable space, to comply mostly with policies D8 and G4 of the London Plan.

Green infrastructure, ecology and biodiversity

529. The existing site is mainly hard standing and buildings with small areas of ornamental planting and street trees, and so it has an urban habitat with very low distinctiveness. The bat roost survey of the buildings and mature trees within the site established a negligible bat roost potential, and the site does not provide

foraging habitat for bats. Pigeon nests were found. The site therefore has good potential to improve its biodiversity interest and provide urban greening. The submitted ecological survey is considered acceptable by the council ecologist.

530. The approved scheme had a suggested urban greening factor of 0.3; the applicant has estimated the s73 scheme has a UGF score of 0.4 as it has improved the provision of native planting, rain gardens and biodiverse green roofs. The number of trees within the proposal would increase from 141 in the approved scheme to a suggested 216, and the area of rain garden planting would increase from 561sqm to around 5,000sqm. The proposal is therefore aiming to achieve the recommended UGF target score of London Plan policy G5 in its detailed design stages for a predominantly residential scheme. Further details of the measures to contribute to that score would be secured by the proposed revised landscaping condition to evidence the UGF score.
531. The proposal would increase the biodiversity on the site, with the application suggesting a 799.64% net gain on the very low existing baseline on the site. This well exceeds the minimum 10% biodiversity net gain required nationally, and achieves the biodiversity net gain requirement of London Plan policy G6 part D and Southwark Plan policy P60. The proposed scheme includes a variety of biodiversity enhancement measures such as new tree planting, shrub and amenity grassland planting (incorporating native species), intensive and extensive green roofs planted with wildflower mix, rain gardens, bird boxes, bat boxes, and log piles for insects. The native planting would benefit wildlife. The council ecologist recommended more bat and bird nesting features be incorporated, and these would be secured by a revised condition. Recommendations were shared with the applicant such as including yew, elm and honeysuckle, having a bat friendly lighting scheme, reusing felled trees for loggeries, and having small gaps for hedgehogs; these details can be incorporated into the condition stage details. Proposed lighting would need to be reduce light spill and be directed to the intended areas only.
532. Management of the biodiversity measures to maintain the new landscaping, the retained trees, grassland, green roofs, the rain garden drainage, annual inspection of bat and bird boxes are outlined by the submitted documents. Monitoring of the retained and new biodiversity assets would be undertaken by a qualified ecologist post construction, and management actions updated if necessary. The ecological features need be monitored across 30 years so the council can establish the success of the ecological enhancements, as required for biodiversity net gain in the Environment Act. This would be secured by a new condition in the recommendation. The recently introduced national requirements for biodiversity net gain on major schemes applies to applications received in February 2024, which is after this application was submitted. The suggested conditions are considered sufficient to secure the biodiversity enhancement and their on-going monitoring and maintenance for this s73 application.
533. Natural England has no comment on the application. The council ecologist recommends approval of this application, subject to suggested conditions.

534. The proposed conditions are based on those of the 2020 permission, amended and added to where necessary to address new policy requirements, provide clarity regarding landscaping and UGF; biodiverse roofs and ecological features; bat tubes and bat boxes for trees; nest boxes for the buildings and for the trees; invertebrate habitats; lighting plan; and ecological management plan. Ecological monitoring would be secured by an additional condition. 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

535. The archaeological impacts of the revised proposal were considered as part of the ES addendum. The site is not within an archaeological priority area, however due to the size of the site at over 0.5 hectares its archaeological interest has been considered. Archaeological investigations on the site in 2018 and evaluation of the site 2020 found a layer of made ground likely to be post-medieval, an organic horizon containing oyster shells, a soil horizon and brick walls which may represent houses and school; these findings do not change the baseline conditions of the site from those considered in the earlier ES documents. Overall the site has a high potential to contain the remains of late 19th century development, moderate potential to contain late prehistoric archaeological remains, low to moderate potential for paleoenvironmental remains and low potential to contain archaeological remains of other periods.
536. The revisions to the 2020 approved scheme do not provide a significantly different impact to buried archaeology. Without mitigation, construction and demolition process (piled foundations, services and drainage trenches, basements) would have a significant adverse impact on these archaeological assets. The main change that is relevant to archaeology is the removal of the consented basement to building ST. This change does not introduce new impacts nor are there changes to the magnitude of the impact. As with the consented scheme, a moderate adverse effect on paleoenvironmental remains and post-medieval remains, and a moderate to major adverse effect for prehistoric remains are anticipated, which would be local, direct, permanent and long-term in nature. Proposed mitigation includes geo-archaeological monitoring, archaeological trial trenching with results to inform a possible archaeological excavation for remains of higher significance, and a watching brief for remains of lesser significance to achieve preservation by record. With mitigation measures in place (as secured in the 2020 permission), the residual effect would be negligible and the current proposal would have no significant environmental effects on archaeology.
537. The proposed conditions reflect those applied to the original permission. Archaeological building recording has been completed so the condition for this has been discharged and in the revised recommendation wording does not require further information to be submitted. Much of the archaeological evaluation has been undertaken and fieldwork is continuing at the moment, but these works have yet to be completed. The archaeological evaluation condition has been partly discharged on the 2020 permission, and the approved WSI for

the site included with this application, therefore the updated conditions should be applied to any new consent. Conditions for foundation design, archaeological mitigation and archaeological reporting would be applied again to any new consent.

538. A financial contribution to support the council's effective monitoring of the remaining archaeological matters was requested, however the applicant did not agree as it considers the archaeological work would have been completed before any new permission is issued. The GLA permission secured no such contribution to the council. The lack of contribution is considered not to be a reasonable reason for refusal. Subject to the proposed conditions, the proposal would comply with policies HC1 of the London Plan and P23 of the Southwark Plan.

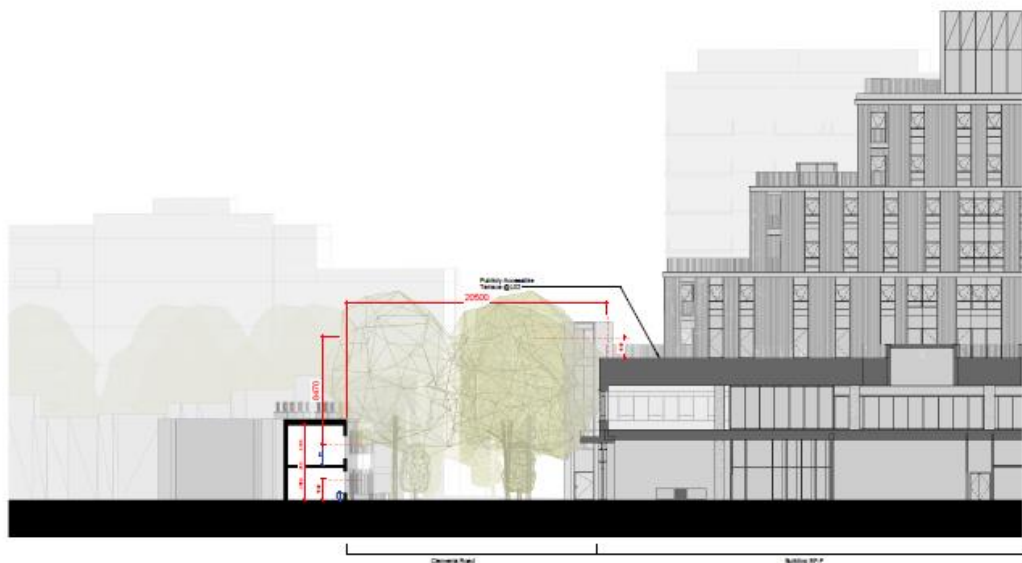
Impact of proposed development on amenity of adjoining occupiers and surrounding area

539. 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 Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
540. As set out earlier in the report, the site is made up of two parts located on either side of Clements Road, the Campus part of the site which sits to the north of Clements Road and the Biscuit Factory part of the site which sits to the south. There are residential neighbours to the east, north and west of the application site, and on the southern side of the railway viaduct, and new school buildings at the northern end of the site.
541. The 2020 permission has been implemented through the completion of the new Compass School on the Campus site (now known as the Charter School Bermondsey). The 2020 permission consented a series of new buildings on both parts of the site, plus the extension of the retained warehouse building fronting Clements Road. The consented buildings range in height from 3 to 35 storeys (a maximum height of 123.4m AOD).
542. When granting the 2020 permission the GLA concluded that whilst there would be some substantial impacts to the daylight and sunlight levels, in most cases, this either occurs where the neighbouring property experiences an uncharacteristically high baseline daylight and sunlight levels for an urban environment (and are therefore more susceptible to change), or where the neighbouring property includes deep overhanging walkways or balconies which currently hinder the ability to see visible sky from the windows/rooms. The GLA report concluded:

“Given the under-utilised character of the application site, the urban setting of the surrounding area and the high-density form of the proposed development, which is supported by London Plan and emerging local plan policies, some degree of change to existing daylight and sunlight conditions must be expected. In line with the Mayor’s Housing SPG, a degree of flexibility must be adopted in the application of BRE guidelines to optimise housing capacity on large urban sites. On balance, GLA officers consider that the resultant harm to surrounding daylight and sunlight levels would not outweigh the delivery of the public benefits brought about by the development.”

Outlook and privacy

543. The Residential Design Standards SPD suggests that to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve a minimum 12m separation at the front of the building and any elevation that fronts onto a highway, and a minimum distance of 21m at the rear of the building.
544. Separation distances between the proposed development and the surrounding buildings would be similar to those which would have arisen from the 2020 permission scheme, and the following properties would comply with the Residential Design Standards SPD in terms of separation distances achieved:
- 2-10 Collett Road (evens) (north side) – a minimum of 23m across the street.
 - Wesley Court (Webster Road) – a minimum of 14.5m across the street.
 - 86-96 Webster Road (evens) – a minimum of 16.4m across the street.
 - Clements Road – a minimum of 14.4m across the street.
 - Drummond Road – a minimum of 19m across the street.
 - The Compass School – a minimum of 14m across the future east-west route connecting Drummond Road with Collett Road.
545. The massing to proposed block F which would sit directly opposite 13-33 Clements Road would be amended, and a public roof terrace would be provided at second floor level. Neighbouring residents have raised concerns about these changes, including noise and disturbance from the roof terrace which would be one floor level lower than under the 2020 permission. The section drawings below show the proposed changes and the position of the terrace relative to the neighbouring properties.



546. The proposed public terrace would be at second floor level, sitting at a higher level than the two and three-storey properties on the north side of Clements Road, and would be 20.5m from the properties opposite, which would be acceptable in terms of privacy. To ensure that there would be no significant noise and disturbance from the use of the terrace, the s106 agreement would require a management and maintenance plan for the terrace to be submitted for approval, which would include details of the hours of use.
547. The separation distances between 21 Collett Road, 57-69 Webster Road and the rear of proposed block 5 would be less than the 21m recommended in the Residential Design Standards SPD, and neighbouring residents have raised concerns regarding loss of privacy and overlooking. At 21 Collett Road the separation distance would be a minimum of 11m to the side, and at 57-69 Webster Road the separation distance would be 15-20m; the images below show how the current proposal has the same footprint as the 2020 permission.



548. The number of residential units within block 5 would increase through the provision of an additional floor of accommodation, although the footprint of the block would be unchanged from the 2020 permission. The approved scheme included a number of windows facing these neighbouring properties, and it is not considered that the additional windows proposed would cause a significant impact. It is also noted that there would be fewer balconies on the west elevation of block 5.
549. New tree planting is shown along the boundary which would provide some screening. Neighbouring residents have raised concerns regarding potential damage this could cause to their properties, but the tree species and their precise location would be secured through a detailed landscaping plan, a condition for which has been included in the draft recommendation. This would ensure that appropriate species for the location would be planted.
550. Neighbouring residents have also raised concerns regarding a potential loss of security from a path running along the rear of block 5, parallel to the rear gardens of 21 Collett Road and 57-69 Webster Road. This rear garden would be within a communal garden for the residential units and another for some outdoor space to a commercial unit. There would be no public access to these outdoor spaces, and no public route through this part of the site. The Met Police has not raised issue with this arrangement. A landscaping condition requiring details of boundary treatment to all parts of the site has been included in the draft recommendation.
551. For these reasons the proposal is considered not to cause harm to neighbour amenity from loss of privacy nor from loss of outlook.

Daylight to residential neighbours

552. Paragraph 129C of the NPPF states that 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).
553. The earlier application was subject to an Environmental Impact Assessment (EIA) and accompanied by an Environmental Statement, described in this section as the 2017 ES. The current s73 application for amendments to the 2020 permission is accompanied by an ES addendum, chapter 11 of which considers daylight, sunlight, overshadowing, solar glare and light spillage impacts. The daylight tests used are based on the Building Research Establishment's (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.
554. The first test is the Vertical Sky Component (VSC) test; this considers the potential for daylight by calculating the angle of vertical sky at the centre of each of window 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 has determined that the existing VSC daylight figure can be reduced by 20% of the existing value before the loss is noticeable.
555. The second test that can be used is the No Sky Line (NSL) test which assesses the proportion of the room where the sky is visible, and plots the change in the "no sky line" between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the existing area of sky visibility, daylight distribution within a room may be affected.
556. Detailed testing has not been undertaken to assess the daylight and sunlight impacts during demolition and construction, on the basis that the greatest impacts would occur upon completion of the proposed development. The two blocks which have been consented in outline form only (blocks U and V), have been assessed on the basis of the maximum parameters now proposed.
557. The approach taken in the ES addendum is to first compare the consented scheme with the proposed amendments, to determine whether there would be a material or immaterial difference between the two schemes in terms of daylight, sunlight and overshadowing impacts on the surrounding properties. The ES addendum defines an immaterial difference as follows:
- Changes less than 3% VSC at the windows assessed compared to the effects concluded in the 2017 ES; and
 - Changes less than 3% NSL or 1sqm at the rooms assessed compared to the effects concluded in the 2017 ES.

558. The minimum retained value for a daylight receptor which is considered immaterial is defined as:
- At least 27% VSC is retained; and
 - At least 60% NSL is retained.
559. Changes beyond this are considered to be a material change and a further analysis has been undertaken comparing the existing baseline condition, i.e. the current site conditions, with the proposed amendments now being sought. The 2017 ES categorised the daylight, sunlight and overshadowing impacts as set out in the table below, and this has been carried forward in the ES addendum. The nature of the effects may be either adverse (negative), beneficial (positive) or negligible (no notable effect on a receptor). Within the 2017 ES, 'Moderate' or 'Major' effects are deemed to be 'significant'; 'Minor' effects are considered to be 'not significant', although they may be a matter of local concern; and 'Negligible' effects are considered to be 'not significant' and not a matter of local or wider concern. The percentage changes for these categories are set out in the table below.

Scale of effect	Daylight criteria
Negligible	0-19.9% alteration (BRE compliant)
Minor	20-29.9% alteration
Moderate	30-39.9% alteration
Major	40% or greater alteration

560. In summary, of the 159 neighbouring buildings which were assessed under the earlier application, 153 (96.2%) would experience an immaterial change in relation to daylight as a result of the proposed amendments; as such these have not been considered further. It is noted that objections have been received from properties on Collett Road, however, these properties would not experience a material change to daylight conditions as a result of the proposed amendments.
561. Material changes to daylight beyond those which would have arisen from the 2020 permission have been identified for the following groups of properties:
- 88, 90, 92 and 94 Webster Road;
 - 1-8 Wesley Court;
 - Lockwood Square West.
562. The comparison tables below show the VSC and NSL results for these residential buildings which would experience a material change in daylight as a result of the proposed amendments (figures in bold), and the figures in brackets are the equivalent figures from the approved scheme. A different approach has been taken for the daylight, sunlight and overshadowing impacts to the new Compass School relating to the existing baseline conditions, therefore this is considered separately later in the report.

VSC Reduction						
Address	Number of windows tested	Windows that pass	20.1-29.9% loss	30-39.9% loss	40%+ loss	Current proposal VSC reduction range (2020 permission VSC reduction range)
88 Webster Road	7	1 (1)	0 (0)	0 (0)	6 (6)	48.7% to 63.8% (41.4% to 56.3%)
90 Webster Road	6	1 (1)	0 (0)	0 (0)	5 (5)	48.3% to 62.2% (41.7% to 56.5%)
92 Webster Road	6	2 (2)	0 (0)	0 (0)	4 (4)	47.1% to 55.6% (41.4% to 49.7%)
94 Webster Road	6	2 (2)	0 (0)	0 (1)	4 (3)	44.8% to 53.8% (39.9%) (40.9% to 48.6%)
1-8 Wesley Court	48	11 (14)	6 (6)	5 (5)	26 (23)	(20.3% to 27.9%), (31% to 36.5%), (43.6% to 100%) (20.2% to 28.5%), (31.7% to 39.9%), (40.2% to 100%)
Lockwood Square West	40	0 (0)	0 (0)	0 (0)	40 (40)	49.9% to 99.5% (47% to 99%)
Total	113 (113)	17 (20)	6 (6)	5 (6)	85 (81)	- -

563. The tables show that the categorisation of impacts under the ES overall remain broadly similar to those arising from the 2020 permission. Similar numbers of windows and rooms would experience major adverse impacts for VSC, although for NSL there would be a marked increase in the number of windows experiencing more than a 40% reduction as a result of the proposed amendments (increasing from 39 to 58). While the VSC and NSL reductions would be greater than under the 2020 permission, they would not be significantly so in terms of the range of percentage reductions which would arise. These are considered in further detail below by the groups of tested properties.

564. Numbers 88-94 Webster Road form a terrace of 3-storey properties located on the western side of Webster Road, directly facing proposed block 1-4. All but one of the windows facing the site currently have high VSCs levels owing to the existing low level building on the site (to be demolished) which is set well back from the site boundary. As such, they would experience high VSC reductions from new development taking place on the site. However the affected rooms, some of which have more than one window, would still have reasonably high retained VSC levels ranging from 14.6% (to an open plan kitchen/living space) to 24.8% to an unspecified residential room.
565. These impacts are categorised as Moderate to Major Adverse and significant, which is as per the 2017 ES.
566. Wesley Court sits on the northern corner of Webster Road where the street changes direction, and has frontages facing north and west onto Webster Road; it contains 8 flats. A number of the rooms are served by more than one window, and the existing VSC levels for the windows range from 8.2% to 37.4%. The building facades include both recessed and projecting windows which affect the amount of light they receive. Three more windows than under the 2020 permission would experience at least a 40% reduction in VSC as a result of the proposed amendments, although the range of VSC reductions would be similar.
567. The retained VSCs for the affected rooms would range from 0% (to a bedroom) to 25.9%, and most of the very low values would affect bedrooms which are considered to be less sensitive to daylight and sunlight changes within the BRE guidance. The bedroom window which would have a 0% VSC would also lose all of its sky view; under the 2020 permission it would also have had a 0% VSC and its NSL would have been reduced by 82% rather than 100%. The window is located at first floor level and there are projecting elements at either side of the window and above it, resulting in a low existing VSC of 9.4%. It is noted that VSC measures daylight at a single point in the centre of a window, therefore the bedroom window would still receive daylight, albeit at a very low level.
568. There would be another bedroom window with a very low retained VSC of 0.2%. It is at second floor level and has an existing VSC of 13.2%. It would also experience a 74.6% reduction in NSL. This window is both recessed and overhung from above which affects the amount of light it receives. Under the 2020 permission it would have had a retained VSC of 2% and a NSL reduction of 59.9%. In terms of categorisation within the ES, the impact upon this building would remain as Moderate to Major Adverse and significant, as per the approved scheme.
569. Lockwood Square West – This is a 4-storey block of flats located on the east side of Drummond Road. All of the windows which overlook the site serve kitchens and bedrooms, with existing VSCs ranging from 18% to 38.8%. They currently look out onto 3-storey school buildings on the application site which are set well back from the street, and they would directly face proposed block 1-4.
570. The VSC impacts to this block would be very similar to those arising from the 2020 permission, although 10 more windows than under the approved scheme

would experience at least a 40% reduction in NSL. The retained VSCs would range from 0.1% to 18.6%, the lowest of which would affect 10 bedrooms located at first floor level. Under the 2020 permission the retained VSC would have ranged from 0.2% to 20.3%, very similar to those arising from the proposed amendments. These impacts are categorised as Moderate to Major Adverse and significant within the ES addendum, as per the 2017 ES.

571. In summary, the proposal would cause greater losses of daylight to some properties, but at a scale broadly similar to the impacts of the approved scheme, and so would not cause unacceptable harm.

Sunlight to residential neighbours

572. 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 in the UK). 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.
573. The ES addendum provides a comparison of the sunlight impacts arising from the 2020 permission with those arising from the proposed amendments. It defines immaterial changes as follows:
- Changes less than 3% APSH at the windows assessed compared to the 2017 ES; and
 - Changes less than 1% at winter PSH at the windows assessed compared to the 2017 ES.
574. The minimum retained value for a sunlight receptor which is considered immaterial is defined as:
- A minimum of 25% APSH is retained; and
 - A minimum of 5% winter PSH is retained.
575. If both the minimum APSH and winter PSH are met, the scale of the effect as reported in the 2017 ES is considered to remain valid. Any changes beyond this have been considered in detail in the ES addendum.
576. In summary, of the 125 residential buildings tested, 123 (98.4%) would experience no material changes to sunlight as a result of the proposed amendments. The two buildings which would experience material impacts beyond those which would have arisen from the approved scheme are Lockwood Square West and 6 Webster Road. The table below sets out the sunlight test results in bold for the annual sunlight hours (APSH) and winter sunlight hours (winter PSH or WPSH), and the figures in brackets beneath are the equivalent number of windows in the 2020 permission.

Address	APSH Reductions					WPSH Reductions			
	Number of windows tested	Pass APSH	20-29.9% loss	30-39.9% loss	40%+ loss	Pass WPSH	20-29.9% loss	30-39.9% loss	40%+ loss
Lockwood Square	40	9 (16)	0 (0)	0 (0)	31 (24)	9 (20)	0 (0)	0 (0)	31 (20)
6 Webster Road	3	2 (3)	0 (0)	1 (0)	0 (0)	1 (2)	0 (0)	0 (0)	2 (1)
Total	43	11	0	1	31	10	0	0	33

577. Lockwood Square West – Nine windows would comply with the BRE guidance for sunlight, and the remaining 31 would experience a reduction of at least 40% in both APSH and winter PSH. This includes 10 bedroom windows at first floor level which would lose all of their annual and winter sunlight. Apart from one window which would have retained 1% APSH, these bedroom windows would have experienced the same impact as a result of the approved scheme which the GLA found to be acceptable; the BRE guidance considers bedrooms to be less sensitive to sunlight changes. The other windows serve kitchens, the retained APSH for which would range from 11-24% for APSH and 3% to 8% for winter PSH. With the approved scheme, the range would have been 11% to 24% for APSH and 3% to 4% for winter PSH, therefore the impacts would be similar.
578. Of the seven windows which would no longer comply with the BRE guidance, six would serve kitchens with retained APSH ranging from 21% to 23% and retained WPSH ranging from 5% to 7%. The final room is a bedroom which would have retained APSH of 21% and retained winter PSH of 6%. These results are considered to be acceptable being close to the minimum 25% APSH and 5% winter PSH sought by the guidance and given the urban location of the site.
579. The impact upon the homes in this building is categorised as Moderate to Major Adverse and significant within the ES addendum, which is the same as in the 2017 ES.
580. 6 Webster Road – There are three windows in this block of flats which have been tested, one of which would comply with the BRE guidance; the room uses have not been identified. One of the other windows would experience a 30% reduction in APSH and would lose all of its winter PSH; its retained APSH would be 14%. The other window would comply with the BRE guidance for APSH, although it would experience a 75% reduction in winter PSH, with a retained winter PSH of 1%. Given that the annual sunlight would exceed the recommendation in the BRE guidance, this is considered to be acceptable. When comparing this with the 2020 permission, two windows would have complied with the BRE guidance and one would not comply (although it would have received 31% APSH it would only have received 1% of WSH). The ES categorisation for this building would remain as Minor to Moderate Adverse and significant within the ES.
581. An objection has been received from a property on Clements Road regarding overshadowing of some solar panels and a consequent reduction in carbon

savings. This neighbouring property has a 2023 permission for PV panels to be added, and a certificate of lawfulness to confirm that PV panels can be added under permitted development rights. The 2020 permission for a similar massing of buildings in the Biscuit Factory redevelopment pre-dates these applications by this neighbouring property.

582. When compared with the sunlight impacts of the 2020 permission, the limited additional overshadowing cause by this s73 proposal would not cause unacceptable harm to the amenity of these neighbouring properties.

Overshadowing of amenity spaces of residential neighbours

583. The BRE guidance advises that for an amenity area to be adequately lit it should receive at least 2 hours sunlight over half of its area on the 21st March. If the area receiving 2 hours of sunlight is reduced by more than 20% it is considered that the change may be noticeable. The approach within the ES addendum is to consider whether the proposed amendments now sought would result in a material or immaterial effect in terms of overshadowing over and above those which would have arisen from the approved scheme. An immaterial effect is defined as:

- The change is less than 2% of the total area of an overshadowing receptor which receives at least two hours of sun on 21st March.

584. The minimum retained value for an overshadowing receptor which is considered immaterial is defined as:

- 50% of the total area of an overshadowing receptor retains at least 2 hours of sun on 21st March.

585. Any changes beyond this are considered to be a material change caused by the proposed revisions. In summary, of the 129 amenity spaces assessed within the 2017 ES, 115 (89%) would experience an immaterial change and 14 would experience a material change as a result of the proposed amendments. Of these 14, 5 see improvements or pass the BRE guidance:

- Two would experience improvements as a result of the proposed amendments such that they would now comply with the BRE guidance. The first is 103 St James's Road which would see the proportion of its garden receiving at least 2 hours of sun on the ground increasing from 44.7% to 51.2% as a result of the proposal. The second is at 16-17 Salisbury Court, where 50.2% of the garden would receive at least 2 hours of sun on the ground compared to 8.1% under the 2020 permission.
- 29 Clements Road would experience increased overshadowing of its garden as a result of the proposed amendments, although it would continue to comply with the BRE guidance. Under the 2020 permission it would have experienced a 14% reduction in the area which receives at least 2 hours of sun on the ground, and this would increase to 20% which would remain BRE compliant.
- The garden at 101 St James's Road would experience a 42% reduction in the proportion of its garden which receives 2+ hours of sun on the ground, and categorised as Major Adverse and significant effect. This is

an improvement on the approved scheme due to the amendments to block DE to pull the massing away from this neighbour. The proportion of the garden which would receive at least 2 hours of sun on the ground would increase from 0% under the 2020 permission so that 26.6% receives 2+ hours of sun under the proposed amendments.

- 14-15 Salisbury Court would experience a 21% reduction in the proportion of its garden which receives 2+ hours of sun on the ground, and these are and categorised as a minor adverse and not significant effect under the ES. The area receiving 2+ hours of sun would increase from 2.5% (in the approved scheme) to 17.2% in this s73 application, again due to the proposed amendments to the massing of block DE.

586. The remaining 9 amenity spaces set out below would experience additional overshadowing as a result of the proposed amendments and would not comply with the BRE guidance. The figures in brackets are the equivalent figures for the 2020 permission.

Address	Existing % 2+ hours sun on ground	Proposed % 2+ hours sun on ground	% reduction	BRE compliant
13 Clements Road	50.2	29.3 (33)	42 (35)	No (No)
17 Clements Road	33.5	19.5 (25)	42 (23)	No (No)
19 Clements Road	32.1	21.9 (24)	32 (25)	No (No)
21 Clements Road	33.5	19.3 (23)	42 (29)	No (No)
23 Clements Road	46.7	35.6 (39)	24 (14)	No (Yes)
25 Clements Road	33.2	22 (24)	34 (25)	No (No)
27 Clements Road	25.9	18.8 (22)	27 (16)	No (Yes)
31 Clements Road	34.1	26 (29)	24 (14)	No (Yes)
92 Storks Road	45.6	8.4 (19)	82 (59)	No (No)

587. Of the affected properties in the table above, three would experience 20-30% reductions in the proportion of their gardens receiving at least 2 hours of sun on the ground (a minor adverse and not significant effect under the ES), two would experience 30-40% reductions (moderate adverse and significant effects), and four would experience at least 40% reductions which would be major adverse and significant effects.

588. The four gardens which would experience major adverse effects would see reductions in the proportion of their gardens receiving 2+ hours of sun on the ground being reduced by 42% (at 13, 17 and 21 St Clements Road which are on the northern side of the terrace), and 89% at 92 Storks Road.

Impacts on The Charter School

589. The 2020 permission includes a new school on the site, the impact of which in terms of daylight, sunlight and overshadowing to the neighbouring properties was assessed within the 2017 ES. The 2020 permission has been partially implemented through the completion of this new school, and it now forms part of the existing conditions at the site. Daylight and sunlight levels to the new school would be affected by the completion of the remainder of the development, and this was taken into account when assessing the quality of the new school. The current levels of daylight and sunlight experienced at the school are therefore temporary and understood to be so when the school was designed, because while some of the buildings which formerly occupied the site have been demolished, the remainder of the 2020 permission has not yet been built out, especially block 1-4 to the immediate south of the school.
590. A supplementary note dealing specifically with the daylight, sunlight and overshadowing impacts to the new school has been submitted. It explains that the school has been included in the existing baseline (i.e. the existing conditions at the site), along with a partially cleared site and notes that this situation is only temporary.
591. The approach undertaken for the testing was to compare the existing daylight and sunlight conditions in the school (i.e. with the remainder of the site as existing), compared to those which would arise from the completion of the proposed amendments. A secondary assessment has then been undertaken comparing the daylight and sunlight conditions arising from the proposed amendments with those which would have arisen if the 2020 permission were built out.

Daylight to The Charter School

592. A total of 101 windows serving 17 school rooms (classrooms, the building reception, a sports hall and other educational space) have been tested. Of these, 59 windows would comply with the BRE guidance in relation to VSC following the proposed amendments. 16 out of 17 of the rooms would comply in relation to NSL.

VSC reduction					
Address	Number of windows tested	BRE compliant	20-29.9% reduction	30-39.9% reduction	40%+ reduction
Charter School	101	59	4	16	22

NSL reduction						
Address	Rooms	Pass	20-29.9% loss	30-39.9% loss	40%+ loss	NSL reduction range
Charter School	17	16	1	0	0	23.1%

593. When comparing the existing situation with the proposed s73 amendments, the 42 windows which would not comply with the BRE guidance for VSC would experience reductions ranging from 24.7% to 56.3%. Of the 22 windows which would experience VSC reductions of at least 40%, all but three of them are served by more than one window, with the remaining windows being either BRE compliant or experiencing reductions of less than 40%. All but one of the rooms would comply with the BRE guidance in relation to NSL, and the room which would not comply would only marginally transgress the BRE guidance, with a reduction of 21.3%.
594. Of the three rooms which are served by a single window, one is a building reception room on the ground floor which would have a retained VSC of 4.6% (compared to only 9.7% as existing), although the NSL reduction would comply with the BRE guidance. Another ground floor room identified as 'educational' would experience a 40.7% VSC reduction (13.7% retained VSC) but would comply in relation to NSL. A first floor classroom window would experience a 44.6% VSC reduction, but would have a retained VSC of 20.6% and would comply in relation to NSL, and these impacts are categorised as minor to moderate adverse and significant.
595. When comparing the proposed s73 amendments with the approved permission, 8 windows serving three rooms would experience material changes as a result of the proposed amendments. The three rooms are two ground floor 'educational' rooms and a second floor sports hall and they are all served by multiple windows.
- In the first ground floor room, three windows would experience material reductions in daylight compared to the consented scheme, ranging from 20% to 23.5%. The retained VSC weighted average for the room (which takes into account number of windows and window sizes) would be 16.1% under the proposed amendments, compared to 20.2% under the approved scheme. This equates to a 20.3% reduction between the two schemes which is unlikely to be noticeable.
 - In the second ground floor room, three windows would experience material reductions in daylight compared to the consented scheme, ranging from 21.3% to 24.6%. The retained VSC weighted average for the room would be 8.4% as a result of the proposed amendments, compared to 10.5% under the 2020 permission. This equates to a 20% reduction between the two schemes which would not be noticeable.
 - In the school sports hall, two windows would experience VSC reductions of 23.4% and 24.1% compared to the approved scheme. The retained VSC weighted average for the room would be 24.9% as a result of the proposed amendments, compared to 26.5% under the approved scheme. This would equate to a 6% reduction which would not be noticeable.

596. Overall, while one ground floor window would experience a marginal reduction in daylight compared to the 2020 permission, the new school would not experience a significant change in daylight as a result of the proposed amendments.

Sunlight to The Charter School

597. Of the 77 windows tested for sunlight, 67 of them would comply with the BRE guidance for both annual and winter sun.

Address	Number of windows	APSH reductions				WPSH reductions			
		Pass APSH	20-29.9%	30-39.9%	40%+	Pass	20-29.9%	30-39.9%	40%+
Charter School	77	76	0	0	1	68	0	0	9

598. The one window which would not comply in relation to annual sun is a ground floor 'educational' room which would see a 41.2% reduction. It would also see a 58.3% reduction in winter sun, although it would retain 5% winter sun which would be BRE compliant.

599. The remaining eight windows which would not comply with the BRE guidance in relation to winter sun would experience reductions of greater than 40%, although they are served by more than one window and the room as a whole would comply with the BRE guidance. Overall, the impact upon sunlight to the school is considered to be negligible (not significant), and there would be no material changes to the sunlight conditions when comparing the impacts of the 2020 permission with those arising from the proposed 2023 amendments.

Overshadowing to The Charter School

600. Five external areas to the new school have been tested for overshadowing as set out in the tables below. Areas 1-3 have been completed, and have been tested on the basis of the existing school with the remainder of the site as it currently exists, compared against the impacts which would arise from the proposed 2023 amendments. Areas 4 and 5 have not yet been completed because an existing building to the south of the school needs to be demolished to make way for them. As such these have been tested on the basis of the existing permission with the remainder of the 2020 permission built out, compared against the impacts of the proposed 2023 amendments.

601. The results for the three external areas 1-3 that have been delivered already as part of the school are summarised below:

Charter School outdoor area	Existing school with remainder of Site as existing % 2+ hours sun on ground	Existing school with proposed 2023 amendments 2+ hours sun on ground	% reduction from the s73 proposal
Area 1 - rear courtyard	7.1	7.1	0
Area 2 - student terrace	92.8	92.5	0.3
Area 3 - upper playground	93.5	93.4	0.1

602. For the two external areas 4 and 5 that are to be delivered in the future:

Charter School outdoor area	Future areas of school with 2020 permission built out % 2+ hours sun on ground	Future areas of school with proposed 2023 amendments built out % 2+ hours sun on ground	% reduction from the s73 proposal
Area 4 – Outdoor dining area	41.6	8.4	80
Area 5 – Multi-use area	76.2	40.4	47

603. For area 1, the proposed amendments would not result in any change to the proportion of the space which would receive at least 2 hours of sun on the ground. For areas 2 and 3, there would be only a 0.3% and 0.2% reduction arising from the proposed amendments which would be negligible.

604. Future area 4 would not comply with the BRE guidance under either the 2020 permission or the proposed amendments. The proportion of the space which would receive at least 2 hours of sun on the ground would be reduced by 80%, from 41.6% under the approved scheme to 8.4% as a result of the proposed amendments. The affected portions of the space would receive only 2-3 hours of sun on the ground on average on 21st March under the 2020 permission, and this would be reduced by approximately 1 hour as a result of the proposed amendments. As such this impact would not be significant.

605. For area 5, the proportion of the space which would receive at least two hours of sun on the ground would be reduced by 47%, from 76.2% under the 2020 permission to 40.4% as a result of the proposed amendments. However, this

space would achieve the recommended 50% only three days later, on 24th March. As areas 4 and 5 do not yet exist, the impacts have not been given an ES categorisation.

606. When considered in the round, the overshadowing impacts on the school, while greater than those of the approved scheme, are considered not to be an unacceptable loss of amenity to the new school building.

Conclusion on daylight and sunlight

607. The ES addendum has considered the impacts of the proposed development upon daylight, sunlight and overshadowing to the neighbouring properties, including a comparison with the impacts which would have arisen from the massing of the approved scheme. The great majority of the surrounding properties would not experience a material change beyond the impacts which would have arisen from the 2020 permission were it to be constructed.
608. For the limited number of properties which would experience a material change, the impacts are not so severe that they would warrant a refusal of planning permission. Some of the properties currently experience high levels of daylight and sunlight owing to the low height of many of the existing buildings on the site. While some gardens would experience increased overshadowing as a result of the proposal, a number of them would experience improvements as a result of the proposed amendments when compared to the approved scheme.
609. With regard to the new school, a minor to moderate adverse impact has been identified with regard to daylight, although it would only be marginally different to the impacts which would arise if the remainder of the 2020 permission were fully built out. There would be a negligible effect on sunlight to the new school, and most of its outdoor spaces would remain well sunlit.
610. The additional daylight and sunlight reductions are to be considered in the planning balance. The site is located in a densely populated urban area, and is allocated in the Southwark Plan for a significant quantum of new housing and taller buildings. It is recognised that some of the impacts to neighbouring properties would be greater than those which would have arisen from the approved scheme, however these impacts will be considered in the planning balance later. The amended proposal would deliver a number of additional benefits including the delivery of additional affordable housing. When considered in the round, it is concluded that the impact of the proposed development in terms of daylight, sunlight and overshadowing would be acceptable in this instance, and would not cause unacceptable harm to neighbour amenity.

Light pollution

611. The potential for light spillage was assessed within the 2017 ES which considered the following seven receptors which were selected owing to their proximity to proposed office space within the earlier scheme:
- 1-7 New Concorde House (Webster Road)

- 101 St James's Road
- 103 St James's Road
- 13-31 Clements Road (odd)
- 92 Storks Road
- 9-12 Salisbury Court
- 14-15 Salisbury Court

612. The above receptors have been reassessed through the ES addendum and four additional receptors assessed, one of which is off-site (Lockwood Square West), and the other three would form part of the proposed development (residential floors within plots F, D, and OPQ). The additional receptors have been included owing to changes in the location of office space within the proposal.
613. The ES addendum concludes that the proposed amendments would have no impact in terms of light spillage. The proposal would comply with thresholds set out in the Institute of Lighting Professionals (ILP) Guidance Notes, and no light pollution impacts would occur.
614. Concerns have been raised by a neighbouring resident regarding the potential for light pollution to properties along Collett and Webster Road from the windows in proposed block 5. The applicant has advised that these properties have not been tested for light spillage, and that the ILP guidance relates to external lighting only. Internal lighting to commercial buildings with large areas of glazing and possible night time use can sometimes result in light pollution impacts, and as such, light spillage from the commercial buildings within the proposal has been assessed. This would not be the case for block 5 as a primarily residential building, the ground floor of which would contain a community use unit which would be screened from view of the neighbouring properties by an existing boundary. As with the consented scheme, the upper floors of the building would be residential, and the building would be faced with brick without any particularly large expanses of glazing. New tree planting is proposed along the shared boundary, which would help to screen views between the buildings.
615. The application has been reviewed by the council's Environmental Protection Team which has advised that condition 43 of the 2020 permission, which relates to lighting, remains relevant; as such it has been included in the draft recommendation. Network Rail has commented on the application and have requested an informative requiring the applicant to obtain separate approval from Network Rail for their detailed lighting proposals so that it does not interfere with train operations; an informative to this effect has been included in the draft recommendation.

Solar glare

616. Within the 2017 ES, 44 road and rail locations which were assessed for solar glare, all of which have been reassessed within the ES addendum. Of these, 37 would experience no difference as a result of the proposed amendments. The remaining 7 would all experience improvements compared to the impacts which would have arisen from the 2020 permission. Network Rail has not raised any

issues in relation to solar glare. The condition on the 2020 permission relating to solar glare would be applied to a new permission.

Noise and vibration

617. 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.
618. Some of the buildings that were on the site have been demolished, and changes are proposed to the phasing strategy and building massing compared to the 2020 permission. This has been taken into account in the ES addendum, and updated noise and vibration monitoring at the site has also been carried out. The new school and its multi-use games area (MUGA) have been included in the existing baseline conditions, and it has been included as a noise sensitive receptor.
619. With mitigation measures in place, noise and vibration from demolition and construction activities would have a negligible (not significant) effect on the neighbouring receptors. Mitigation measures include an updated construction management plan which would be secured by way of a condition, and 3m high security hoarding around the site. An increase in construction traffic compared to the 2020 permission has also been considered, which would have a moderate adverse (significant) effect on all of the affected roads.
620. Upon completion of the development there would be a negligible change in traffic noise compared to the 2020 permission. Negligible effects are also predicted from potential noise generating activities within the development, such as office space and leisure uses. Concerns have been raised by neighbouring residents that additional retail floorspace along the Clements Road frontage would result in noise and disturbance, although the opening hours would be again limited by way of a condition to minimise any impacts.

Conclusion on neighbour amenity

621. The impacts of the proposed amendments on the amenity of the surrounding properties have been considered in detail through the ES addendum and supplementary note for the school. While there would be a small number of properties which would experience additional daylight, sunlight and overshadowing impacts beyond those which would have arisen from the approved 2020 scheme, the majority of the neighbouring properties would not experience any material change.
622. The site is allocated for a significant quantum of residential accommodation in the Southwark Plan, and the site allocation allows for taller buildings. The height and massing changes are relatively modest, and it is not considered that any significant adverse privacy, light spillage, solar glare or noise and vibration impacts would occur to neighbour amenity.
623. When considered in the round with the benefits arising from the proposal such

as the delivery of additional affordable housing and public realm, the impacts to this limited number of properties are not considered to be so severe that they would warrant a refusal of planning permission in this instance. The increased reductions in daylight and sunlight levels would need to be considered in the planning balance as harms.

624. As such it is concluded that the impact of the proposed development upon the amenity of neighbouring occupiers would be acceptable, and would not cause unacceptable harm to the amenity of these properties. Subject to conditions, the proposal would accord with Southwark Plan policy P56.

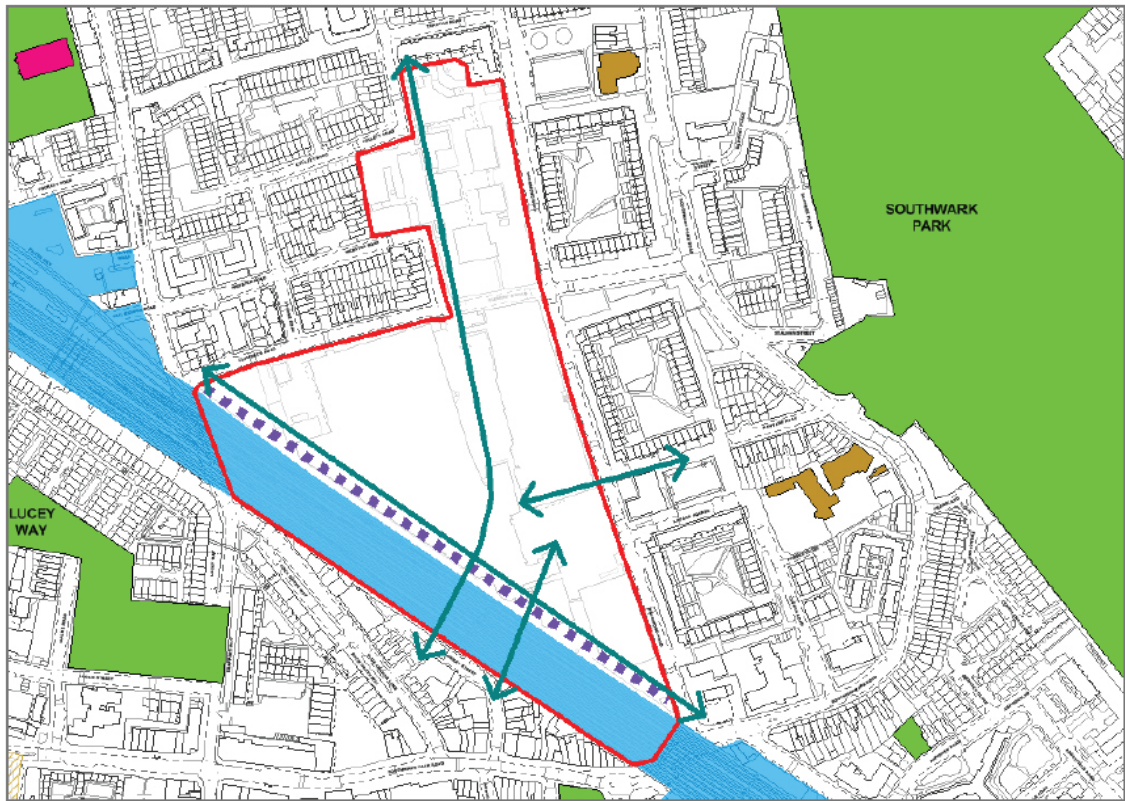
Transport and highways

625. 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.
626. The approved scheme was subject to planning obligations that secured indexed financial contributions to bus service enhancements (totalling £300,000), two cycle hire docking stations and three years free membership for each first occupation of each dwelling (£440,000) and Legible London signage (£25,000). Other obligations secured the highway works, reasonable endeavours to secure the two archway route or upgrade works to two roads if the archways are not delivered, a bond for the delivery and servicing plan, funding for consultation on the area and hours of the adjacent CPZ. Various management documents are also secured by conditions and obligations, such as travel plans, parking design and management plans, wayfinding, delivery and servicing plans, car club provision, cycle parking and construction logistics. These obligations would continue to apply on any new permission, unless they are amended or removed by new planning obligations and obligations.
627. Transport and accessibility is one of the topics considered in the ES addendum. It considers the changes to the current scheme from the approved scheme and the cumulative effects with other recently approved schemes in the area. A Transport Assessment Addendum and an Operational Waste Management Strategy were provided with the application, both revised during the assessment.

Site layout

628. The site allocation NSP13 indicates new routes for improved connectivity for pedestrians and cyclists, along the railway viaduct, extending Keeton's Road

southwards, opening up two railway arches, and extending Banyard Road westwards. These are shown by the dark green arrows in the NSP13 diagram below:



- | | |
|--|--|
| Site Boundary | Improved connectivity for pedestrians and cyclists |
| Conservation Area | Open Spaces |
| Grade I Listed Building | Buildings of architectural and historic merit |
| Grade II Listed Building | Buildings of townscape merit |
| Grade II* Listed Building | Locally Significant Industrial Sites |
| Opportunity for Active Frontages | Strategic Protected Industrial Land |
| Cycleways | New Public Open Space |

629. The approved scheme provided the Keeton’s Road extension (for pedestrians and cyclists), the Banyard Road extension as part of the loop road for traffic and people, the Low Line route for servicing, pedestrians and cyclists, and a planning obligation secured reasonable endeavours to open up two railway arches for pedestrians and cyclists prior to completion of the development. In its comments to the GLA, the council had flagged the lack of detail and late stage of these key railway arch links:

“The permeability created by the two new routes through the railway viaduct is also a key benefit of the development, in terms of linking the existing and new populations on the north side of the viaduct with the shops and services at the Blue. The submitted retail impact assessment stresses the positive impact this additional spend could have on the viability of the Blue as a local centre. If these routes were not delivered, this benefit may not occur, or be much reduced in

scale, since the existing road routes are both less direct and less attractive. Despite this project having been in discussion for over 5 years, little progress appears to have been made in terms of securing rights over the arch spaces needed to deliver the routes. It is noted with concern that the delivery of the arches has been removed from the description of development, indicating a reduced commitment to their delivery. The current s106 drafting requires delivery only at practical completion of the entire development; the Council suggests that one of the routes should be delivered earlier in the build programme so that these positive benefits for the Blue can be brought forward.

The Council would expect that the s106 agreement should set out the strongest terms to maximise the likelihood of delivery of the arches. The position as set out in the draft s106 would not appear to put sufficient onus on Grosvenor of secure the new routes, relative to their importance to the area. Both the level of certainty, and the timing of delivery of the routes, are key material considerations in balancing the benefits, and harm, caused by the development. The current drafting offers no certainty that the routes would be delivered (and delivery would in any event be late in the construction process).

More detail is required on the specification of the arch treatment to ensure a high quality pedestrian environment is created, alongside a safe and convenient cycle route. Without these arch routes secured, the development would not comply with the requirements of site allocation NSP10 of the emerging New Southwark Plan.”

630. Despite these comments to the GLA, the obligations in the signed legal agreement on the railway arch links require them only to be completed prior to practical completion of the development. The connectivity improvements secured in the 2020 scheme are all continued in the layout of the current s73 scheme, and accords with the site allocation requirements. The proposal allows for future activation of the other railway arches alongside the new public Shard Walk route through the site, as Arch Co’s consultation response suggests they intend to do with employment uses.
631. To reflect the importance of opening up a railway arch route to the local community including improving links to the businesses in The Blue, the applicant has agreed to bring forward the delivery of the southern archway to link to the practical completion of building ST. While no intended completion date is put on building ST this would likely deliver one of these arches ahead of the practical completion of all of the masterplan unlike the 2020 legal agreement. This change is welcomed and is an improvement on the approved scheme.
632. A Legible London strategy and financial contribution was a planning obligation, and would be repeated again to ensure the signage in the surrounding area is updated to reflect the build out of the proposal. The proposed scheme is considered in the ES addendum to have a minor beneficial impact on severance, and a major beneficial effect on pedestrian and cyclist delay and amenity.
633. Section 106 obligations would again secure the public realm provision across the site that would enhance permeability for pedestrians and cyclists. The railway

arches obligations would be repeated with the exception of the positive change of using reasonable endeavours to deliver the southern arch earlier (by practical completion of building ST). The same fall-back position of a financial contribution being paid to the council to spend on improvement works to the current road underpasses would again be included. Subject to these obligations, the site layout would accord with the site allocation.

Trip generation

634. The ES addendum considers the implications of the currently proposed revisions from the changes in construction phasing with an accelerated sequencing of works, and the increase number of homes and revised non-residential land uses. The construction phase peak traffic is predicted to increase from 268 movements per day of the approved scheme to 460 movements per day in this revised scheme in its revised construction programme. This traffic would need to be spread through the day and managed, to be set out in a construction logistics plan required by condition. There would be some increased severance impact on Clements Road from the increased number of construction vehicles, resulting in a minor adverse effect for the temporary construction phase. The construction logistics plan and CEMP would seek to reduce the adverse impact, as was the case with the approved scheme. The submitted outline CEMP is not sufficiently detailed to be approved.
635. The submitted Transport Assessment addendum (TAA) includes a multi-modal trip generation assessment based primarily on the trip rates utilised in previous applications. The applicant has undertaken a sensitivity test using more recent trip rates and site selection criteria. The results of this assessment indicate that the previously utilised trip rates are robust and are therefore considered appropriate to assess the trip generation profile of the current application. The submitted TAA suggests the proposed amendments would have a limited net increase in trip generation rates compared to those of the approved scheme of 50 extra trips across all modes in the morning peak to a total of 1,500 and an extra 51 in the evening peak to a total of 1,513 which is about a 3% increase on the approved scheme.
636. With the capacity in the local public transport network, the ES addendum suggests the impact on the number of trips on public transport to be negligible, as was the case in the earlier scheme. At completion of the development, with the limited car parking proposed in the development (see below) and the addition of just one space, the ES addendum suggests the impact on the highway network to have a negligible effect.
637. For the additional public transport trips generated by the proposal, TfL comments that there are *“little or no enhancements which can take place to the Bermondsey Underground station and the Jubilee Line to serve this development and to relieve existing train congestion at peak times in both directions”* and referred to the importance of bus services. The approved scheme is required to provide £300,000 (indexed) for bus service enhancements. TfL has requested the same contribution to support additional peak hour bus services in the area as despite cost increases and the increased number of trips which will be generated by the

development in the peak direction, TfL has taken account of the changing context and the potential for other developer contributions in seeking only this sum again. TfL also requested a contribution of £60,000 (indexed) towards the improvement of bus stops in the vicinity of the site, such as those on Southwark Park Road for the P12 bus to the immediate south of the site which does not meet TfL standards, but the applicant has not agreed to fund this.

638. In terms of walking and cycling trips, the proposals are expected to generate a combined total of 483 trips during the morning peak hour and 528 in the evening peak hour (an increase of 18 and 22 on the approved scheme respectively). The impact of the proposals on walking and cycling networks would be mostly mitigated by the package of improvements within the site (such as the extended Keeton's Road and other links through the site), the highway works and Legible London updates required by planning obligations. TfL highlight the TLRN (and borough highway) clutter on the footway in the vicinity of Bermondsey station and the condition of that footway itself. TfL consider a financial contribution of £50,000 (indexed) towards works to this stretch of the TLRN footway to address these issues. This request is in recognition that a large proportion of future residents and visitors would go to/from the site walking, wheeling and cycling, using these modes to get to/from Bermondsey Station and the bus stops on Jamaica Road and would make the proposal acceptable in planning terms to comply with policy T1, T2, T5 and T6. The applicant has agreed to this additional contribution. The proposed development will benefit and indeed rely upon Cycleway 4 but TfL recognises that having used other funding to deliver this scheme prior to the current application it cannot now seek a contribution towards these costs.
639. A travel plan condition was imposed on the 2020 permission and would be repeated.

Servicing and deliveries

640. The trip generation chapter of the TAA includes an assessment of the likely number of delivery and servicing trips generated by this revised proposal. The trip rates utilised in the previous application are considered appropriate in this instance. The development proposals are forecast to generate a total of 475 daily delivery and servicing trips. The ES suggests the proposal would not result in a significant increase in delivery and servicing trips, as more items would be delivered in the same number of vehicles as the approved scheme.
641. The location of the proposed loading bays in the southern part of the site was revised during the application to address an objection from Workspace. The proposed revisions however are not all acceptable to the council, for example, one loading bay next to block W would require vehicles to reverse in/out over the Drummond Road pavement, and another loading bay next to block U would be sitting at the junction so both raise in safety issues. The application is not clear on the suggested vehicle occupancy assessment of the loading bays, which have been queried with the applicant, particularly the heavy usage of the bays along Shard Walk.

642. Arch Co in its comments queried whether the Shard Walk bays would be used by the adjacent arches. The applicant confirmed that it is providing off-street servicing bays for Arch Co, reducing the Arch Co delivery and servicing activity on Clements Road and Drummond Road. The applicant considers this to be a betterment for Arch Co on its existing servicing arrangements (where arch occupiers have no right to park or load outside of the arches themselves as the 3m wide strip has to be kept clear at all times for Network Rail), and arches towards the southern end of the site would continue to be serviced from within each arch, safe and legal loading on Drummond Road and Clements Road, or from the new loading bays on Shard Walk.
643. As with the approved scheme, a condition is proposed (in a revised form) which would require approval of the detailed layout of the access routes, including the loading bays and parking, and a specific reference to the Shard Walk route. The delivery and servicing plan (DSP) condition of the 2020 permission requires a plan per phase or building. This condition would be updated to make specific reference to the management of the Shard Walk (for buildings DE, ST and W that would be closest to the loading bays). DSP obligations relating to the monitoring plan, increased cash deposit and monitoring fee would be applied in the new s106 agreement.
644. Only subject to these conditions and obligations would the proposal be considered to comply with London Plan policy T7 and Southwark Plan policy P50.

Refuse arrangements

645. An outline waste management strategy was submitted with the application to explain the intended arrangements for residential waste, recycling and food waste in each block and commercial waste storage. BtR blocks would have waste chutes from each floor down to the segregated collections in ground floor stores, and the social rent blocks would have ground floor refuse stores. Following comments from the council's waste team it was revised.
646. Some aspects are minor improvements on the consented scheme, with closer proximity of the loading bay to blocks OQ for example. With the removal of the basement beneath ST, more of the ground floor of S is given over to refuse stores, and would be more than 10m from where a collection vehicle could wait. Active management of this at collection times would be necessary for the BtR blocks, as well as other blocks where the bins would be more than a 10m drag distance. The revised strategy states that on-site facilities staff will be on hand to ensure bins are presented as required for the collection operatives, and to move the bins back to the stores. Small amendments would need to be made in the final landscaping design to reduce the drag distances to the loading bays. The operational waste management and recycling strategy condition of the 2020 permission would be re-imposed on a new decision to confirm the final arrangements for each building.

Car parking

647. London Plan policy T6 states that car parking should be restricted, and that car-free development should be the starting point for all development that are well-connected by public transport, with only disabled parking included. Soutwark Plan policy P54 sets out the car parking maximum parking standards, car club and CPZ requirements.
648. One more car parking space, a blue badge space, than the approved scheme is proposed in this s73 application to bring the total to 45 spaces, and responds to the increased number of homes in the scheme. Of these 45 spaces, 22 are for the proposed development in the enclosed yard of block 1-4, along Shard Walk near DE and ST, and on the loop road close to OPQ, 19 spaces are re-provision of the Workspace car parking to be located between the Workspace buildings and on the loop road, and two are car club bays on the loop road. The proposal remains car free except for providing the blue-badge spaces, the replacement parking spaces for the Workspace buildings and car club spaces. The proposed 22 blue badge spaces equate to approximately 1.35% of the 1,624 residential units. While the blue badge provision is below the 3% parking ratio provision sought by London Plan policy T6.1, it is very similar to the ratio of the approved scheme and has good access to the Underground station. The allocation and management of the parking spaces would be secured by an updated condition. The applicant has agreed to make electric vehicle charging points to all parking spaces, which would also be secured by the condition.
649. The same obligation would be applied to prevent occupiers (except for blue badge holders) from being able to apply for parking permits in the surrounding CPZs to protect on-street parking for existing residents and users. This would be in line with P54 part 2. The 2020 s106 agreement also had provisions relating to the applicant paying the council's costs in reviewing existing CPZs for their extent and hours of operation, and implementing changes. These provisions would be included again and it is noted that the Bermondsey CPZ which includes the roads adjacent to the application site was updated in 2021, and the South East Bermondsey CPZ on the southern side of the railway has been implemented since the earlier permission.
650. The approved scheme had 4 car club parking spaces. As part of the changes made to the parking and loading bays on the site in this application to respond to the Workspace objection, this has been reduced to two car club spaces. To maintain the approved provision in the local area, it is proposed that an additional obligation to require two off-site and on-street spaces to be delivered at the applicant's cost for the highway consultation and works, alongside delivery of the on-site spaces and requirement to enter into contract with a car club operator. Provision of one year free membership to the first occupier of each residential unit would be secured by an obligation, which while shorter than the three years free membership now sought by policy P54 part 1.4, matches the requirement of the 2020 permission.

Cycle parking and cycling facilities

651. London Plan policy T5 and Southwark Plan policy P53 set minimum cycle parking standards for long-stay and visitor parking. A total of 3,087 long-stay spaces are proposed across the site, an increase on the 2,922 spaces of the approved scheme. These are within the proposed buildings' ground floors, or for DE, ST and W would be on the mezzanine and upper levels with lift access. The cycle parking for the detailed parts of the proposal would achieve the minimum long-stay cycle parking requirements of the current London Plan policy T5, but not achieve the greater requirements of the Southwark Plan for residential (approximately 300 spaces short) and B1 uses (approximately 150 short). Cycle parking facilities in the outline part of the proposal would achieve the London Plan standards.
652. For visitor cycle parking the scheme would achieve the minimum London Plan policy level, but there would be a shortfall against the Southwark Plan for the residential (shortfall of 120 spaces) and B1 uses (33 shortfall). Although the proposed provision falls below current Southwark Plan standards, it is acknowledged that this would be difficult to achieve within the previously consented building footprints. The amount of cycle parking is considered to be an acceptable balance for this s73 scheme given the wider design changes, the need for the ground floors to have active uses as well as back of house facilities, and for high quality public realm. The detailed layout of the cycle stores, stand types and quality of the cycle parking to the London Cycling Design Standards would be secured by a condition as this has not been sufficiently demonstrated in the application.
653. The 2020 permission secured two safeguarded areas for potential cycle hire docking stations, one on the south side of Clements Road next to block OPQ, and one next to block V, and secured funding of up to £440,000 (indexed) from the developer to pay for the stations. Since the permission was granted, a small docking station has been installed on the north side of Clements Road. TfL has requested the safeguarding of two docking station sites on the site, along with the same funds to pay for the installation. This would enable TfL to provide two docking stations or one larger one to make up the shortfall on Clements Road. TfL notes the proposed cycle parking falls below the Southwark Plan and thus TfL cycle hire would help make up for this under provision for this car free development. The new s106 agreement would secure these measures to ensure sufficient docking station provision in the local area to serve the new development.
654. The planning obligation to provide annual membership to the cycle hire scheme for every residential unit for 3 years from first occupation of that unit would be repeated, thereby exceeding the free two year membership sought by policy P53.

Highway works

655. A package of highway works were secured in the 2020 permission, such as repaving the footways on the west side of Drummond Road, new accesses, with

raised entry to Shard Walk, school crossing point and upgraded lighting, repaving the footways of Clements Road within the site and raised entry to Shard Walk on St James's Road and upgraded lighting, repaving the footway extent of Webster Road within the site and Keeton's Road. The highway measures included works if the railway arches are delivered including the adjacent repaving and resurfacing on Blue Anchor Lane and Bombay Street. These works would again be required in the new s106 agreement.

Other transport matters

656. The ES addendum considers the improvement to footways and the opening up of the railway arches for to be a major beneficial effect in terms of reducing delay, improving amenity and reduce fear and intimidation for pedestrians and cyclists. The increased permeability of the site, the Keeton's Road link and archway accesses would be a minor beneficial effect.
657. A series of planning obligations and conditions are proposed to secure sufficient mitigation for the transport and highways impacts of the revised proposal and to broadly comply with policies T2, T3, T4, T5, T6, T7 and T9 of the London Plan and policies P49, P50, P51, P52, P53, P54 and P55 of the Southwark Plan.

Environmental matters

Construction management

658. When considered along with other schemes in the local area approved since the earlier ES, the ES addendum proposes mitigation to reduce the demolition and construction phase effects. Conditions on the 2020 permission require a CEMP and construction logistics plan to be submitted for each phase or building, and these would be included on any new permission as the submitted outline CEMP is not sufficient. The condition wording would be updated to reflect those parts/phases of the development have had their CEMP approved already. A financial contribution towards the council's monitoring and management costs of the CEMPs was secured on the 2020 legal agreement and has been paid. Construction hours would be conditioned.

Water resources

659. In its consultation responses, Thames Water requested conditions be imposed regarding the infrastructure capacity of the water and waste water networks, and protecting its nearby underground assets. Conditions are proposed regarding network capacities, piling and another about potable water demand from the new dwellings, similar to those conditions on the 2020 permission. The Thames Tideway Tunnel runs beneath blocks 1-4 and 5 and the condition relating to piling details would reference to the additional technical details recently agreed by Tideway and Thames Water.

Flood risk

660. The site is within flood zone 3 and within an area benefitting from flood defences. London Plan policy SI12 requires developments to minimise and mitigate flood risk. Southwark Plan policy P68 prevents increasing flood risk on or off site. An addendum to the 2017 flood risk assessment was provided, which considers the changes in policy since 2017 and the changes to the proposal (which reduces the building footprints, removes the basement level and removes the approved duplex homes at ground and first floor levels to buildings F and 1-4).
661. Using the Environment Agency's latest modelling the flood risk assessment addendum considers the flood levels to be lower than the level assumed in 2017 in the event the Thames defences are breached. The proposed residential units are set at a floor level higher than the predicted flood level, with living accommodation now set at first floor and above. The Environment Agency has no objection in flooding risk terms, and notes the new dwellings are on the first floor of the development, above the 2100 breach flood level. The condition on the 2020 permission regarding flood warning and evacuation plan would be carried over onto a new permission, and the compliance condition updated to reference the flood risk assessment addendum. The proposal complies with London Plan policy SI12 and Southwark Plan policy P68.

Sustainable urban drainage

662. Parts of the roads adjacent to the site are at high risk of surface water flooding, and further parts of the roads and the centre of the site are at medium risk of surface water flooding. Southwark Plan policy P68 requires major development to reduce surface water run off to greenfield run-off rates by using sustainable urban drainage systems (SuDS).
663. The applicant updated the approved drainage strategy and intends to comply with the London Plan to achieve greenfield run off rates and manage surface water runoff as close to its source as possible with more extensive SuDS features. It includes a 40% allowance for climate change. The attenuation volumes have been updated with a combination of attenuation tanks, larger areas of rainwater gardens, blue roofs and tree pits. The resulting discharge rates to the public sewer have also been updated, and the applicant suggests these would be 58% lower than those of the approved scheme. Ground infiltration is not considered appropriate for this site due to the underlying geology and water levels.
664. The council's drainage team requested further technical information and justification of why greenfield run off rates are not being demonstrated, and this had not been resolved before this report was finalised. Therefore the drainage condition has been revised to require a new site-wide drainage strategy to be submitted for approval, as well as the volume control measures, technical standards and future maintenance. If the recently provided information from the applicant addresses the drainage team's comments, then the condition can be edited accordingly on any final decision. Thames Water requested a condition

be added about ensuring there is capacity in the surface water network. The surface water drainage condition from the 2020 permission would be revised for a new decision depending on where the discussions have reached with the drainage team, and another condition added in response to Thames Water's comments. Subject to these conditions the proposal would comply with London Plan policy SI13 and Southwark Plan policy P68, and may be improvements on the extant permission.

Land contamination

665. The site was previously used for industrial processes, and other features such as an underground petrol tank and substation may have led to ground contamination. Potential pollution linkages include asbestos and ground contamination. These potential risks to the health of workers and future site users can be mitigated through removal of such materials and the made ground, use of a capping layer beneath area of public realm and clean cover soil above, and the use of piling risk assessments for the new buildings' foundations. With the approved basement under building RST no longer being proposed, less excavation would occur to remove made ground.
666. The submitted geo-environmental report considers the earlier applications made to partly discharge the land contamination condition for the works carried out on site, the site investigation undertaken since the 2020 permission was approved, and the verification of the works carried out on site.
667. The Environment Agency requested conditions regarding remediation, verification, and piling. A revised version of the remediation and verification condition is recommended, to reflect the work already carried out on site. The piling aspect of the EA's response has been incorporated into a piling condition. EPT request the land contamination condition be re-imposed. Subject to these conditions, the proposal is considered to comply with policy P64 of the Southwark Plan.

Air quality

668. The site is within the borough air quality management area. The ES addendum considers the increased average of peak construction traffic in this revised scheme, and concludes there would be no significant air quality impacts during the demolition and construction phases with implementation of dust management measures. A condition on the 2020 permission requires the construction environmental management plans to address guidance on air quality; this condition would be applied again.
669. An air quality positive statement was submitted which considers the whole scheme as the new London Plan policy requirement in SI1 for large scale scheme came in after the 2020 permission, and therefore the earlier application did not provide such a statement. The air quality measures included within the completed scheme are the residential uses being sited at upper levels to reduce exposure to traffic emissions, to site the larger residential amenity spaces away

from roads, and to provide improved pedestrian and cycle links. The proposal contains limited car parking; the one extra space now proposed would not substantially increase vehicle movements. Cycle parking to accord with the London Plan is incorporated, and a site-wide travel plan is required by a condition. The scheme intends to connect to SELCHP for most of its hot water and heating needs, and incorporates renewable energy. Conditions on the permission secure information air intake locations for the residential ventilation, and further details on kitchen extract systems for commercial kitchens; these would be applied in revised forms on any new permission.

670. Therefore with mitigation measures in place, the air quality effects are considered to be negligible in the ES addendum in the demolition and construction phase, and operational phase, and this revised proposal is acceptable in air quality terms.
671. EPT requested a financial contribution be secured on any new permission as a development on this scale will place a significant burden on EPT in respect of dealing with construction, air and noise complaints, consents and environmental enforcement in addition to liaison and work for the discharge of conditions.

Wind

672. Wind microclimate is a topic assessed within the ES addendum. The approved scheme included wind mitigation measures through the massing of building R, tree planting, canopies and balustrade for roofs and terraces, porous screens, and a large canopy between buildings T and U. The existing baseline for the wind assessment was updated to reflect the removed buildings on the site. The wind modelling considered approximately 300 locations on the site (at ground, podium and balcony levels) and off-site adjacent areas. The assessment considered the construction phase would have a negligible effect on wind conditions.
673. The current proposal would retain the general arrangement of buildings assessed in the 2017 ES. New wind tunnel testing was undertaken due to the removal of block R, the reduction in height of block D, amendments to the outline elements (U and V), changes to some of the building footprints and public realm. The initial testing (without mitigation measures in place) showed most tested locations would have suitable wind speeds for their intended use, however some locations around the site would experience minor adverse effects in the windiest season, for example:
- Thoroughfares: south of block DE, in the North Yard, to the east of the ST and to the south of W.
 - Building entrances: on the western elevation of block DE, to east on the southern façade of F, on the southern side of the eastern corner of ST.
 - Amenity spaces: public realm between ST and U, north-west corner of the OPQ.
 - Roofs and balconies: roof levels of W and DE, four balconies on the north-west corner of W, seven balconies on the north-east corner of ST and seven balconies on the north-west corner of the V.

674. Mitigation measures are therefore needed to reduce wind speeds to an appropriate level for the intended uses and the three incidences of strong winds. The proposed measures include:
- Porous balcony balustrades on some upper floors of buildings W, S and T.
 - Four elevated screens measuring 3m by 3m, set 3m above the ground near the north-western corner of block U.
 - Recessing the southern entrance to DE by at least 1.5m from the local façade line.
 - Area to the south of building F façade: low-level planting 1.5m tall to the north-east and to the east of the seating area. Additionally needing building F's eastern entrance being recessed by 1.5m, or with screening either side of the entrance.
675. With these mitigation measures in place, the wind effects are categorised in the ES to be negligible or beneficial. The approved large canopy over the public realm on the west side of block U would no longer be needed. A condition on the 2020 permission requires further details of wind mitigation measures for each phase or building. This condition has been updated to refer to the specific blocks where mitigation is needed.
676. Subject to this condition, the proposal is considered to have addressed the wind effect elements of the tall buildings policy D9 part C.3)a) and D8 part J to provide appropriate wind speeds for public realm of the London Plan, and P17 part 3.3 of the Southwark Plan.

Light pollution

677. The proposed external lighting has been designed to accord with the Institution of Lighting Professionals Guidance. The revisions to the massing and design of the buildings is considered not to substantially increase the potential for light pollution to surrounding properties. The same condition requiring further lighting details to the public realm and any to the buildings would be copied onto any new permission.

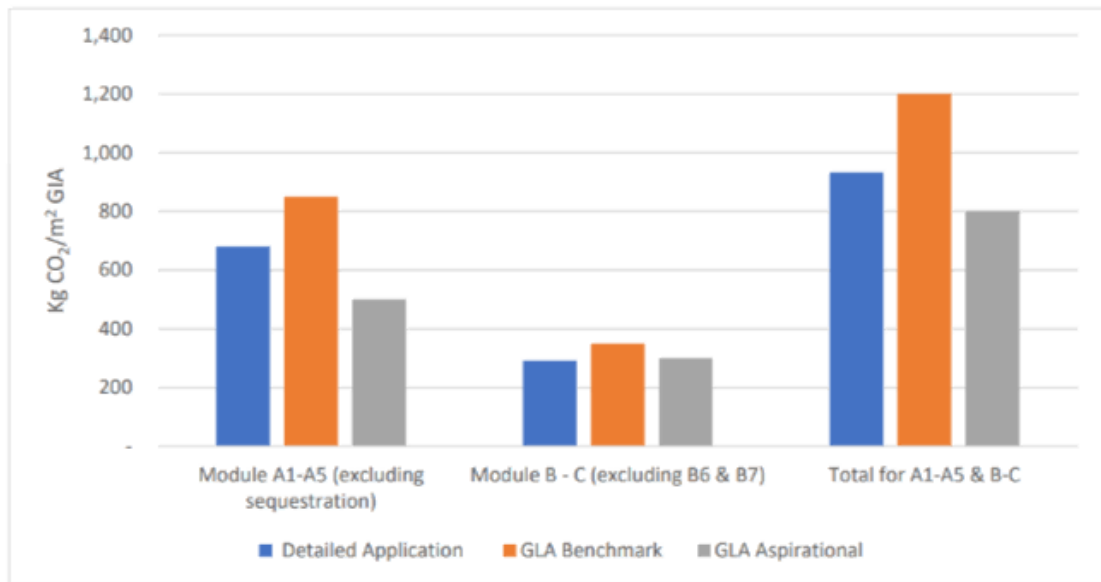
Energy and sustainability

678. The application has sought to address the revised and new policy requirements of the current development plan relating to energy and sustainability, and take account of the revised Building Regulations in Part L (conservation of fuel and power) and new Part O (overheating) especially.

Whole life cycle and carbon capture

679. The 2020 permission was approved before the whole life carbon requirements were added into the adopted development plan, in London Plan policy SI2 part F and Southwark Plan policy P70 part 6. A whole life cycle carbon emissions assessment and completed GLA assessment template have been submitted.
680. The provided assessment considers the carbon emissions from the construction

of the proposed buildings including the embodied carbon in the materials and their transport to site, the carbon emissions from the operation use of the proposed buildings (energy and water consumption) and their maintenance, repair and replacement, and end of life over 60 years. The submitted report considers the likely carbon emissions from the detailed and outline parts of the proposal, and shows the scheme to perform better than the GLA benchmarks. For example, the charts below show the detailed elements in blue, against the GLA benchmark in orange and GLA aspiration in grey.



681. For the detailed parts of the proposal, materials make up 43% of the overall carbon emissions, 27% are for operational energy, 7% for transport and construction, and 18% for in-use maintenance and replacement.

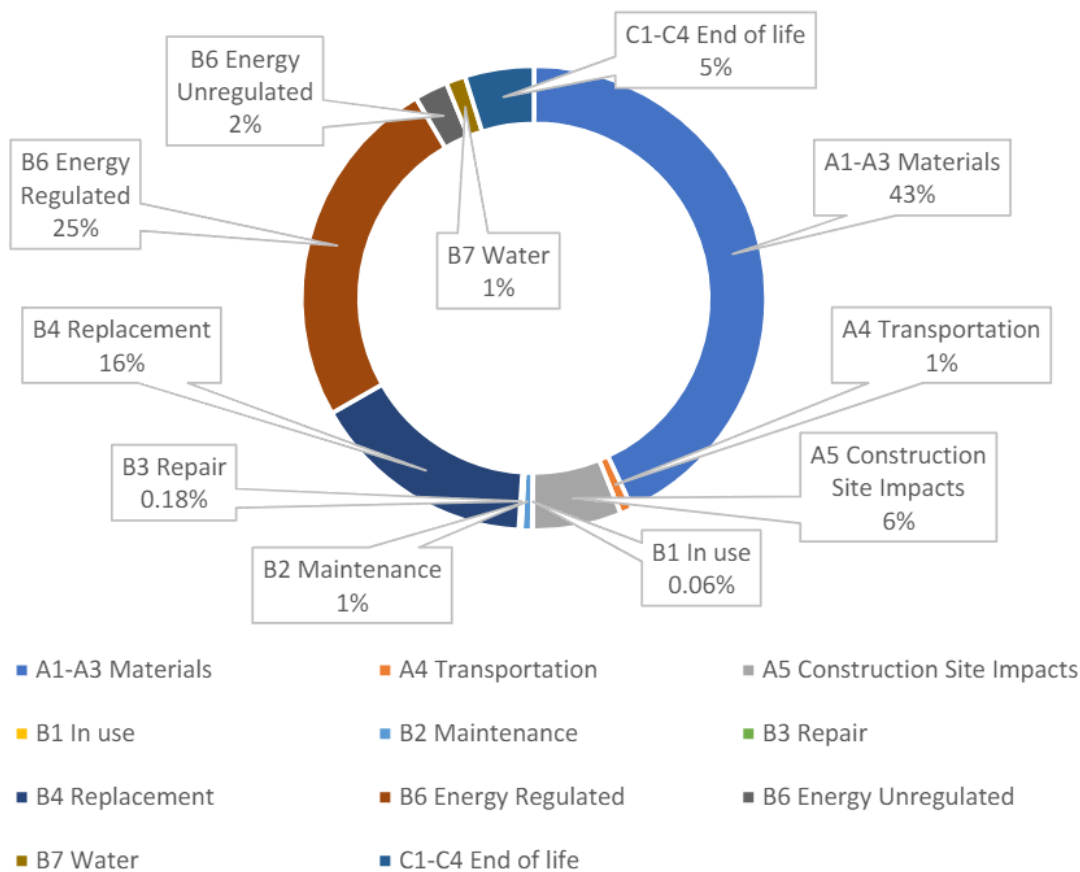


Figure 5: Total kgCO₂e - Life-cycle stages

682. The proposal has incorporated measures to reduce the embodied carbon such as steel with 97% recycled content, hollow core floor slabs, pre-fabricated balconies and stairs (instead of concrete) and reducing the thickness of ground floor slabs. Further opportunities to reduce material use are being considered by the applicant and ways to aid dismantling. Cement mixes using furnace slag, using recycled crushed concrete and gravel for hardstanding, and other materials with high recycled contents would be investigated. As the detailed designs progress and the final materials selected, the assumptions in the assessment tool can be updated to refine the calculations.
683. The WLC assessment used the GLA’s residential benchmarking system, and exceeds the benchmark for all modules and is closer to the GLA aspirational benchmark. The template has been properly filled in and the correct software and modelling has been used. New conditions are proposed to be added to any permission to require further whole life carbon information for each building. As the 2020 permission did not include such conditions, as the applicant has stated there are limited options to select for the piling work, and as the piling forms only approximately 3% of the estimated carbon emissions, the trigger for this condition would relate to the superstructure works. By this stage the further design details, materials, construction types, operational and embodied carbon would be known. The paired condition to cover the post-completion stage is also proposed in order to comply with policies SI2 and P70.

Carbon emission reduction

684. The London Plan in policy SI2 and Southwark Plan policy P70 require major development to be net zero-carbon, and set out the energy hierarchy. London Plan policy SI3 requires major developments to connect to existing heat networks, and policy SI4 on managing heat risk requires the energy strategy for a major development to demonstrate how it will reduce the potential for internal overheating and reduce reliance on air conditioning, in line with the cooling hierarchy.
685. The submitted energy statement sets out the ways in which the revised proposal has sought to reduce its energy demands and its predicted carbon emissions. The newly finished school is not included in these figures and will be connected to the district heat network. For comparison, the approved scheme achieved a 55% reduction in carbon emissions on Part L 2013, with a remaining 632 tonnes of carbon per year needing to be offset by a financial contribution of £1.137m. Since that time the planning policies have changed and Building Regulations Part L was updated in 2021 which sets stricter energy requirements. The paragraphs below go through the stages of the energy hierarchy, in line with London Plan policy SI2.

Be Lean (use less energy)

686. The energy saving measures within the scheme include the thermal envelope exceeding the Building Regulation requirements, improved air tightness, high thermal mass concrete structures, and low energy light fittings. These would result in a 10.4% carbon savings for Part L 2021 in the residential parts of the development, but only 1.7% savings for the non-residential parts. This compares with the approved scheme that achieved only a 5.3% reduction on Part L 2013.
687. The scheme exceeds the 10% reduction by energy efficiency measures for residential development of London Plan policy SI2, but does not achieve the 15% reduction for non-residential development. On this point, the applicant has said:

“Failing the Be Lean requirement for non-residential units is mainly due to the changes in Building Regulations since the extant scheme was submitted and approved; the target building against which the scheme is assessed at the Be Lean Stage has significantly less solar gain and subsequent cooling requirement, as well as much improved fabric efficiency (u-values) and associated lower heat demand than that of Part L 2013. These factors have drastically reduced the Baseline/notional emissions, making the 15% Be Lean saving more challenging to achieve. Greystar have sought to minimise the changes to the extant scheme proposed as part of the section 73 planning application and therefore when assessed against the updated Part L requirements, only a 1.7% reduction is achieved. However, against the previous submission Part L 2013 Baseline emissions of 505tCO₂/year, the current scheme Be Lean emissions of 61tCO₂/year represent an 88% reduction in emissions, and overall the scheme meets the London Plan requirements.”

688. The improvement on the energy saving measures compared to the approved scheme is noted and the overall carbon reduction measures in the later stages of the energy hierarchy mean the total carbon savings are much greater. The non-residential part of the proposal forms a small portion of the total carbon emissions, at approximately 4.6% of the Part L total, meaning the residential carbon savings at the “be lean” and later stages have a proportionally greater impact.

Be Clean (supply energy efficiently)

689. As with the approved scheme, the applicant intends to connect the scheme to the South East London Combined Heat and Power (SELCHP) heating network which supplies heat from an “energy from waste” facility. The 2020 legal agreement contains an obligation for a feasibility study about connecting into SELCHP to be submitted for each phase and, if feasible and economically viable, for further details of the connection to be submitted. The 2020 legal agreement requires that if connection to SELCHP is not feasible or economically viable, then an alternative energy strategy must be submitted for approval. These would be included in a new s106 agreement.
690. Since the 2020 permission was granted, a local development order has been adopted for the extension of the SELCHP heat network and the site is included within the order area. Discussions between the applicant and Veolia as the SELCHP operator are on-going, and they have entered into a project development agreement as the technical review and design for the potential connection, the timeframe for providing the connection etc. All of the space heating and hot water demand for the residential units may be supplied via SELCHP, and it may be used to supply hot water to the commercial units. This would lower the carbon emissions of the residential element by a further 74.6%, and of the non-residential parts by 2.8% (which works out to be a 71% reduction across the whole scheme).
691. These “be clean” savings of 71% compare with the 49% reduction on Part L 2013 of the approved scheme, as the carbon factor for the SELCHP heat supply has improved with 2022 issue of the Standard Assessment Procedure.

Be Green (Use low or carbon zero energy)

692. PV panels and air source heat pumps (ASHPs) are incorporated as the renewable energy measures. ASHPs are proposed to provide space heating and cooling for all commercial plots, for hot water to commercial building U, and active cooling in a chilled water system to the residential units that require it to comply with Part O. PV panels totalling approximately 1,299sqm are proposed. This is a much greater area of PV than the approved scheme of 350sqm. Together the renewables would reduce carbon emissions by 0.8% for the residential and 31.6% for the non-residential parts.
693. The total carbon savings for the residential development would be 85.8% (assuming connection to SELCHP), and 36.1% savings for the non-residential development. Overall, the carbon savings are predicted to be 84% on Part L

2021 baseline. The remaining carbon emissions would need to be offset by a financial contribution to achieve the zero carbon policy requirement. The 2020 section 106 agreement requires an energy assessment update to be submitted for each phase, and the applicable amount of carbon offset contribution paid. This requirement would continue to apply to a new permission, and the maximum payment updated to reflect the reduced remaining carbon emission. The remaining carbon emissions are currently predicted to be 231.5 tonnes per year, which would require a financial contribution of £659,735 (indexed).

694. The proposed residential aspect exceeds the requirements of London Plan policy SI2 part C by going beyond the minimum 35% on-site reduction and exceeding the 10% “be lean” reduction. For the non-residential parts of the development, the 15% minimum through energy efficient measures is not achieved. However the scheme overall significantly exceeds the minimum policy requirement of 35% on-site reduction. The current scheme performs better than the approved scheme (which achieved a 55% saving and had remaining emissions of 632 tonnes per year), mainly due to the recent changes in Part L and the use of an improved carbon factor for the assumed SELCHP heat supply.
695. The GLA permission included a condition to require the standard assessment procedure design stage calculations and post-construction calculations to be submitted for the residential units. It is considered appropriate to repeat this condition on a new permission, updated to refer to Part L 2021 and the relevant SAP assessment.

Be Seen (Monitor and review)

696. The GLA’s “be seen” reporting spreadsheet has been provided with the application, and updated in response to officer comments. The development would include building management systems to control and monitor the electrical and mechanical plant, to allow reporting on services and metering of the residential properties and commercial units. An additional planning obligation would secure the ongoing monitoring and reporting requirements, to comply with policy SI2 part A.4 as this was not included on the 2020 permission which predated this policy requirement.

Circular economy

697. The 2020 permission was approved before the circular economy policies SI7 of the London Plan and P62 of the Southwark Plan part 4 were in the adopted development plan. A circular economy statement and the GLA’s circular economy spreadsheet have been provided. The circular economy statement summarises the project’s targets to divert 95% of non-hazardous demolition waste away from landfill, 95% of excavation and construction waste, at least 20% reused or recycled content to the new materials, as well as using sustainably procured concrete, steel and timber. There are few buildings on site left to be demolished, with most of the site recently cleared, and a pre-demolition audit of the remaining buildings (as of May 2023) was undertaken to estimate the likely volumes of materials. Building F is to be partly demolished and its lower floor slabs reused, and more of the former school buildings have been demolished

since the application was submitted. The existing building U is to be retrofitted and adapted as part of the new office building.

698. Off-site construction using modular construction techniques are being considered by the applicant, which would reduce waste. The project has considered the adaptability of the development, for example the ground floors could be used for different non-residential uses. The internal dividing walls between the flats can be moved or removed (as they are no part of the structural frame) to allow future adaptation. Standardised lift designs, kitchens and balconies are proposed which would allow for ease of maintenance. Materials would be sourced where possible from sustainable and responsible sources, and chosen for their durability. An outline site waste management plan was provided, and an operational waste plan for the development once occupied. The “end of life” strategy would be developed once the applicant’s principal contractor is appointed.
699. The initial circular economy information submitted is broadly acceptable. The end of life strategy for the development would need to be more specific to support the recovery of materials, including how this will be communicated to future building owners, how the building information will be stored during the building’s life to facilitate disassembly and identify any key challenges. New conditions are proposed to require further circular economy details for each building (once further design details, material choices etc are known) and at completion stage to ensure the proposal sufficiently addresses the new development plan policies.

Overheating and cooling

700. The project has followed the cooling hierarchy and sought to minimise its use of energy intensive cooling systems. It has incorporated passive and energy efficient measures, such as opening windows, LED lighting, insulation of the heat network pipes, balconies to provide external shading to reduce the amount of heat entering the building in summer, and external shutters. The size of windows and glazing type have been considered for each block to reduce solar gain. Mechanical ventilation would be provided to residential accommodation, with heat recovery. Many of the flats face south, with very little solar shading provided by the railway viaduct and low level buildings on the southern side of the site. The site is affected by high levels of railway noise as well. Some active cooling systems are required to mitigate overheating due to the railway line noise particularly at night-time; comfort cooling is proposed to most flats for overheating and acoustic reasons. The 2020 permission included a condition to require further details of mechanical ventilation, cooling and measures to reduce overheating.
701. An overheating risk analysis was undertaken by the applicant, and overheating is a new area considered by the Building Regulations Part O. The residential quality section earlier in the assessment considered the noise aspect. The design has sought to maximise daylighting to the proposed units and balance the risk of summertime overheating, however because of the railway noise the passive cooling from opening windows cannot be achieved in all proposed flats as well as keeping acceptable internal noise levels at night time. Some bedrooms and

living spaces can comply with Part O by using natural ventilation from the windows, incorporating external shutters (to building W and to the future design of outline block V) and mechanical ventilation, but approximately 65% of bedrooms will also need active cooling:

- Natural ventilation by windows and from mechanical ventilation would prevent overheating to most of the tested rooms in buildings 1-4, 5, DE, F, OPQ and ST but not all. However closing windows at night to lessen the railway noise would cause more rooms to fail the overheating test. Therefore cooling is also proposed, and with this in place all of the tested rooms out pass (except in F and OPQ). The cooling method to be used is either hybrid cooling as part of the MHRV system to all rooms or comfort cooling to bedrooms only.
- Window ventilation, the external shutters and mechanical ventilation in combination would be insufficient to prevent overheating to all rooms in buildings V and W.
- Hybrid cooling to is proposed to blocks 1-4, 5, DE, OPQ, V, W which would provide cooler air through the MVHR unit, but cannot be controlled by the occupier to a specific temperature.
- Comfort cooling – where the occupier can control the temperature to a specific temperature – would be included to blocks ST and F to achieve an acceptable quality of accommodation. Building ST has considered its glazing types and window reveal depths to reduce solar gain, but comfort cooling would be required as well. At this design stage some combined living room/kitchens fail to units in the south-eastern and south-western corners of block F, and 1-bedroom flats in the east and west sides even with comfort cooling. The applicant suggests that further investigation of how to mitigate the overheating risk is need, and may include revising the glazing or façade performance, number of windows and window sizes to reduce solar gain. A revised form of the condition to secure such details to reduce the overheating potential is proposed.
- Building OPQ has 3 living room/kitchens fail the overheating test with hybrid cooling, and so its window size may need to be reduced or shutters included. The revised condition would require further details of the improvements.

702. The energy demand from these proposed cooling measures has been incorporated into the energy assessments and resulting carbon emissions that have been summarised above. The overheating and noise issues would have applied to the approved scheme, and with the changes in Building Regulations the applicant has had to give them careful consideration in these s73 changes. Subject to the proposed conditions and obligations on the energy aspects, the overheating would be sufficiently addressed.

BREEAM

703. BREEAM pre-assessments for the retail units and for the offices within the scheme, have been provided which show that the current designs of the buildings with these uses are likely to achieve an “excellent” rating. The new construction retail to shell and core across the site has a score of 71.7%, the new construction office 78.08%. The non-domestic refurbishment and fit out scoring for the retail

in block F gives a score of 70.84% and for the office of 74.11%. Each of the four exceeds the 70% score required for “excellent”.

704. The 2020 permission contained a condition relating to office use achieving “excellent”, while retail, leisure and school were set at “very good”. With the updated pre-assessments now received showing excellent to all office, retail and leisure, this condition has been updated in the recommendation to ensure compliance with Southwark Plan policy P69.

Water efficiency

705. Water efficient fixtures and fittings such as flow restricted taps, low flow showers and dual flush toilets would be used to reduce water consumption below the levels required by Building Regulations. Water use would be metered and a leak detection system installed as part of the building management systems. These measures would contribute towards achieving the BREEAM credit on water efficiency. The 2020 condition regarding water efficiency will be carried across to a new permission to ensure compliance with Southwark Plan policy P67.

TV, radio and telecoms networks

706. There were no conditions nor obligations relating the television or radio coverage in the 2020 permission for buildings of similar scales and heights. Arqiva has considered the s73 proposal’s impacts on TV and radio operation and raises no objection.
707. A new condition is proposed to remove permitted development rights for telecoms infrastructure, in the interest of protecting the appearance of the new buildings and amenity of the area. The same condition to prevent satellite dishes being added to the roofs and elevations would be carried over from the 2020 permission.

Digital connectivity infrastructure

708. 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 scheme includes provision for full fibre connectivity to ensure all commercial and residential end-users can benefit. A new compliance condition is proposed to ensure each building has fibre connection in line with the submitted information to reflect the new policies, as it was not conditioned on the 2020 permission.

Aviation

709. London Plan policy D9 in part C2f requires that tall buildings should not interfere with aviation, including during their construction. NATS considers the proposal does not conflict with its safeguarding criteria for air traffic. London City Airport responded to consultation on this application and requested conditions be

included to prevent potential conflict with the airport’s safeguarding criteria. Such conditions were not included on the 2020 permission however.

710. The tallest part of the development has not increased in height and the revised redevelopment is unlikely to represent a greater bird hazard to London City Airport 7km away than the approved scheme. The applicant has agreed to a condition regarding cranes, and another regarding obstacle lighting. An additional informative about a notification to the Civil Aviation Authority is also recommended. Subject to these conditions, the proposal as a minor material amendment to an implemented permission is considered to have given sufficient regard of London Plan policy D9.

Planning obligations

711. Policy 8.2 of the London Plan advises that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. The council’s Section 106 Planning Obligations SPD sets out in detail the type of development that qualifies for planning obligations. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:

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

712. The 2020 permission was subject to a section 106 agreement (agreed between the GLA, council and Grosvenor as the applicant) to secure a range of planning topics for mitigation of particular adverse impacts of the proposal and to secure the planning benefits in order to comply with policies, such as affordable housing and construction phase training. A deed of variation was agreed to make a limited number of changes in August 2022. A new section 106 agreement would be required with this s73 application to contain the previous obligations as amended and added to, to be agreed between the council and Greystar as applicant.

713. 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. Where financial payments were secured for elements where there is no set formula within the Section 106 Planning Obligations SPD, the contribution amounts have been kept the same but would be indexed from the date of the 2020 permission (rather than a new s73 permission date) to retain their present day value.

Planning Obligation	Mitigation	Applicant Position
Build to rent provision	Covenant on the build to rent tenure for 30 years. Clawback mechanism should any build to rent units be disposed, for the clawback amount (financial contribution) to be agreed.	Agreed

	To require a residential management plan for the BtR and DMR units.	
Affordable housing	<p>To secure the provision of at least 35% provision of affordable housing, including the known social rent and intermediate homes (by numbers of units and habitable room of the detailed element) on site, and to secure V as social rent homes.</p> <p>Locations of DMR units within blocks 1-4 and DE to be agreed, with flexibility to move the DMR flats within a range of possible locations to ensure the minimum 10% provision is always provided, that all DMR units have private amenity space, and no 2b3p wheelchair units are included.</p> <p>Staged restrictions on the proportion of market homes that can be occupied until a corresponding proportion of the affordable housing has been made available for occupation (revised staging from that in 2020 s106).</p> <p>Service charges for the social rent units as in the 2020 agreement.</p> <p>Associated definitions on income caps, DMR rent caps, eligibility for the affordable housing, use of social rent terminology.</p>	Agreed
Affordable housing monitoring	<p>A housing delivery monitoring schedule will be required ahead of the s106 being finalised to correct any small errors and remove the illustrative block V information from the tables.</p> <p>On-going reporting requirements on the delivery of the housing and affordable housing.</p> <p>Financial contribution for the monitoring of the affordable</p>	Agreed

	housing provision on site, equating to £52,675.30 (indexed) for the affordable housing in the detailed part of the application, and to secure £132.35 per unit in the outline part.	
Viability reviews	<p>Early stage viability review, if substantial implementation not reached within 2 years of the s73 permission.</p> <p>Late stage viability review.</p> <p>Cap the maximum affordable housing at 40%.</p> <p>Delivery of enhanced affordable housing if viability review(s) show more is viable.</p>	Agreed
Wheelchair units	<p>To secure marketing of the wheelchair units, in listed locations, and to prevent occupation of wheelchair units by non-wheelchair users until the marketing has been demonstrated to approved.</p> <p>Level of fit out for the social rent wheelchair units to be secured.</p>	Agreed
Affordable workspace	<p>Provision of on-site affordable workspace to ensure at least 10% of the B1 floorspace across the scheme is provided as affordable workspace, and to the affordable workspace specification, for at least 30 years.</p> <p>To prevent occupation of residential units in a building until the affordable workspace in that building is practically complete.</p> <p>To secure for approval:</p> <ul style="list-style-type: none"> • Location(s) of the affordable workspace • Marketing strategy • Management plan • Lease arrangements • The level of discount on the rents of £13/sqft (inclusive 	Agreed

	of service charge, and indexed).	
Construction phase jobs and training	<p>To require the submission of an employment, skills and business support plan to detail the methodology, targets, mechanism and local supply chain activity.</p> <p>Detailed element to deliver 367 sustained jobs to unemployed Southwark residents, 367 short courses and 91 construction industry apprentices. Reporting of achieved figures. Financial contribution for any shortfalls. The maximum Employment and Training Contribution is £1,769,650.00 (£1,578,100.00 against sustained jobs, £55,050.00 against short courses, and £136,500.00 against construction industry apprenticeships).</p> <p>Outline element to deliver 30 sustained jobs to unemployed Southwark residents, 30 short courses, and take on 7 construction industry apprentices. Reporting of achieved figures. Financial contribution for any shortfalls. The maximum Employment and Training Contribution is £144,000.00 (£129,000.00 against sustained jobs, £4,500.00 against short courses, and £10,500.00 against construction industry apprenticeships).</p> <p>To allow procurement opportunities for local businesses.</p>	Agreed
End use 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	Agreed

	<p>applications from unemployment residents.</p> <p>To have a workplace co-ordinator.</p> <p>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.</p> <p>Financial contribution of up to £503,100.00 (based on £4,300 per job at an estimate of 117 end use jobs) for the detailed part and a further £176,300.00 (based on an estimated 41 jobs in the outline portion).</p> <p>To allow procurement opportunities for local businesses.</p>	
Energy statement and carbon offset financial payment	<p>Require a feasibility study for each phase for its connection to the district CHP. If feasible, to require a district CHP energy strategy for how that phase is to make provision for the connection and use reasonable endeavours to connect prior to occupation.</p> <p>Require an updated energy assessment for each phase, and calculation of the carbon offset payment for that phase.</p> <p>The maximum carbon payment to be based on up to 231.5 tonnes at £95/year for 30 years = £659,735 (indexed) to achieve the zero carbon policy requirement.</p>	Agreed
Be Seen – on-going monitoring and post-installation review	Post-construction monitoring and reporting of each block.	Agreed
Highway works and transport contributions	<p>CPZ parking permit restriction for residential units and commercial floorspace (unless a blue badge holder).</p> <p>TfL cycle hire docking stations – safeguarding of two safeguarded</p>	<p>Agreed</p> <p>Agreed</p>

	serviced sites on the application site and a financial contribution of up to £440,000 (indexed) to fund their delivery.	
	To provide annual membership to the cycle hire scheme for every residential unit for 3 years from first occupation of that unit.	Agreed
	Car club – to provide the phased provision of two car club spaces on-site, require a highways agreement to identify on-street highway space for two further car club spaces (and deliver at the applicant’s cost), reasonable endeavours to enter into contract with a car club operator, provide one year free membership to the first occupier of each residential unit.	Agreed
	CPZ review – if the council carries out a CPZ review the developer is to pay the actual costs of the review, and implementing the findings of the review.	Agreed
	Legible London – to require a strategy and pay a financial contribution (up to £25,000 indexed from 2020 permission date) for updating signage in the area.	Agreed
	Bus service capacity contribution - £300,000 (indexed from the 2020 permission date).	Agreed
	Bus stop contribution - £60,000 (indexed) for works to improve the bus shelters on roads to the south of the site.	Not agreed, it has not been requested before and is not considered to meet the Regulation 122 tests as the TA demonstrates that the development would only result in a very low number

	<p>TLRN works - £50,000 (indexed) to remove clutter on the footway in the vicinity of Bermondsey station and improve the condition of that footway itself.</p> <p>Highway works – to secure a highway condition survey, to repair damage to Drummond Road and Clements Road where caused by the construction of the development, to pay a highway resurfacing contribution, the highway works specification and highway works agreement for the same works as in 2020.</p> <p>Delivery and servicing plan – to comply with delivery and servicing plan (required by condition), to secure a monitoring plan, monitoring fee of £2,790, and comply with that for the monitoring period, to pay the cash deposit (the £69,124 of the approved scheme plus an additional £8,640 for the extra units less then reduced commercial space = £77,764) that the council can retain if the monitoring is not undertaken or the number of vehicles exceeds the baseline figure after an initial warning.</p>	<p>of additional bus trips (plus 8 in peak hours).</p> <p>Agreed</p> <p>Agreed</p> <p>Agreed</p>
Public realm	<p>Submit a delivery strategy for approval to set out the phased delivery of the public realm across the site.</p> <p>Delivery of two drinking water fountains.</p> <p>On-going management and maintenance obligations.</p>	<p>Agreed</p>

	Provision of public access to the public realm. Limited closures to the public, including for paid events up to 20 days a year (no more than 5 in a month), including reference to the Public London Charter.	
Public access to block F roof terrace	<p>To deliver the free to use public roof terrace, free to use public toilets, and lift access prior to occupation of 90% of the residential units in F.</p> <p>To submit a management and maintenance plan for approval to include details regarding the access arrangements, opening hours, neighbour amenity protection measures, security arrangements, complaints procedure and review mechanism.</p> <p>Ongoing management and maintenance of the terrace and its lift. Ongoing access except for specified closure reasons, private events limited to 20 days a year (no more than 5 in a month).</p>	Agreed
Play space contribution	To pay £100,000 (indexed to the date of the 2020 permission) in three instalments.	Agreed
Street tree maintenance contribution	Payment of a contribution of £27,120 indexed to the date of the 2020 permission) prior to first occupation.	Agreed
Railway arches	<p>To use reasonable endeavours to deliver the two railway arch links, including regular updates to the council on progress with third parties for the necessary consents.</p> <p>Use reasonable endeavours to deliver the southern arch by practical completion of building ST, and northern arch prior to practical completion.</p> <p>If the links are to be delivered to secure the specification of the</p>	Agreed

	<p>improvements, carrying out the works, a maintenance plan and on-going maintenance, provision of free public access through them for pedestrians and cyclists.</p> <p>If the links are not delivered despite using reasonable endeavours or necessary consents have been withdrawn then the developer is to submit evidence for approval by the council. For each archway, the council shall provide a programme and estimated costs for improvement works to St James's Road if the northern link isn't provided, and/or for the Southwark Park Road arch if the southern link isn't provided. The costs are to be paid to the council up to a maximum of £700,000 (indexed from the date of the 2020 permission).</p>	
Cultural Strategy	To submit for approval a strategy for cultural related activities (including public events) across the development including the ground floor of building F, and to set out the intended long-term uses of the ground floor flexible space of building F.	Agreed subject to detailed drafting
School development agreement	For officers to consider with the applicant which parts (if any) of Schedule 9 of the 2020 s106 agreement are relevant now that the new school has been constructed (as a school development agreement was entered into, the school is being delivered, and there is no need for an alternative education use).	Agreed
Blue Bermondsey BID	To require the applicant to support the objectives of the Blue Bermondsey BID and participate as a board member of the BID Company at the invitation of the BID Company.	Agreed

	Commercial lettings restriction for 10 years from practical completion of each building to not approach tenants within the Blue Bermondsey BID about taking on commercial floorspace, unless agreed by the BIDCo and council.	
Monitoring fee	The administration fee of the 2020 s106 agreement was paid, and so will not be repeated.	Noted
	EPT monitoring fee £TBC	Agreed
	The CEMP monitoring fee was paid, and so will not be repeated.	Noted

714. In the event that a legal agreement has not been completed by 6 June 2024, the Committee is asked to authorise the Director of Planning and Growth to refuse permission, if appropriate, for the following reason:

In the absence of a signed legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development (e.g. public transport impacts, highways impact and play space shortfalls,) nor to secure development plan compliance (such as delivery of on-site affordable housing, Build to Rent tenure and management, carbon offset contributions, jobs and training in construction and end use, affordable workspace, public realm, street tree maintenance, public roof terrace, railway arch accesses, public toilet facilities and drinking water). It is therefore contrary to policies H4 Delivering affordable housing, H5 Threshold approach to applications, H6 Affordable housing tenure, H7 monitoring of affordable housing, H11 Build to Rent, E3 Affordable workspace, E11 Skills and opportunities for all, SI2 Minimising greenhouse gas emissions, D8 Public realm, D9 Tall buildings S4 Play and informal recreation, S6 Public toilets, T4 Assessing and mitigating transport impacts, and DF1 Delivery of the Plan and Planning Obligations of the London Plan (2021); P1 Social rented and intermediate housing, P4 Private rented homes, P8 Wheelchair accessible and adaptable housing, P17 Tall buildings, P28 Access to employment and training, P31 Affordable workspace, P35 Town and local centres, P49 Public transport, P50 Highway impacts, P52 Low Line routes, P70 Energy, IP2 Transport infrastructure, IP3 CIL and section 106 planning obligations, AV.03 Bermondsey Area Vision and the aims and objectives of site allocation NSP13 of the Southwark Plan (2022); and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015 as amended).

Mayoral and borough community infrastructure levy (CIL)

715. 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 2. Southwark's CIL will provide for infrastructure that supports growth in Southwark.

716. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2 Zone. Based on the Gross Internal Area (GIA) from the proposed floorplans, the gross amount of CIL is £52,531,338.39 (pre-relief). Subject to the correct CIL Forms being submitted on time, CIL Social Housing Relief of approximately £16,053,237.50 can be claimed for a number of types of affordable housing. Thus, the resulting CIL amount is estimated to be £36,478,100.89 (net of relief). It should be noted that this is an estimate, floor areas will be checked when related CIL Assumption of Liability and Relief Claim Form are submitted after planning approval has been secured. Southwark CIL Social Housing relief can only be granted if the affordable housing provided meets the relief criteria set out in regulation 49 (as amended by the 2014 Regulations), the 2015 Regulations and the 2020 (No. 2) Regulations).

Other matters

717. The construction phase and end use phase employment and training opportunities for the revised development have been calculated, as set out in the planning obligations section above, to ensure compliance with policy P28 of the Southwark Plan. Ensuring opportunities for local businesses to tender for contracts would also be secured for both phases. This would secure training opportunities and jobs for local people, as one of the benefits of the scheme.
718. The applicant submitted a Local Legacy Strategy which intends to build on Grosvenor's original aims for the redevelopment and continue the engagement with the local community to build social value from the proposal and deliver long-term social and economic benefits. It summarises the courses, qualifications, charities, free time and community events Grosvenor funded and provided, and the work Greystar has done to build relationships with the local community since taking ownership of the site in 2022. Four key themes are set out by Greystar for delivering a long-term legacy; community wellbeing; education; skills development and employment; and business and enterprise.
719. Some of the outcomes and measurements for the four themes link to the planning proposal, such as the delivery of new and accessible public realm, play space, trees and routes through, providing mixed uses and community spaces and events for people to mix and foster community integration, offering construction training opportunities, providing new business spaces and affordable workspace. Others relate to the funding of off-site community events, hosting school visits, mentoring and setting up a community grant fund, that go beyond the planning system. The Local Legacy Strategy is not submitted as a planning document for approval, but many elements from it link to the public benefits of the proposed scheme, and obligations within the legal agreement.
720. Conditions from the 2020 permission would be carried across to a new permission. They would be updated to reference current policies and where

details have previously been agreed to discharge or partly discharge conditions. The three year time limit condition on the 2020 permission would be reworded. The architect retention condition would be amended to reflect the three practices that have designed the current scheme. There are live approval of details applications on this site, pursuant to the 2020 permission, which if approved would need to be reflected in any s73 permission. Therefore part of the recommendation to Planning Committee is to delegate authority to the Director of Planning and Growth to amend the proposed conditions after the committee resolution, allowing any new permission to be up to date. New conditions have been added (as referenced in the various assessment topics above) to capture new areas of policy, to address new impacts or to require further information on this amendment scheme.

721. The newly constructed school, now occupied by the Charter School, is not proposed to be amended by the current scheme. Its indoor sports hall and multi-use game area would continue to be made available for community use, and the relevant condition has been updated to reference the approved community use strategy. Other conditions where they have been discharged already for the school would reference the approved school details. With the school now provided, the obligations in the 2020 s106 agreement regarding its delivery and safeguarding this part of the site for education use are now mostly redundant and the relevant wording to remain in place would be secured in the detailed legal drafting discussions.
722. Comments in the objections referred to the impact on property values, the applicant's alleged connections to foreign wealth, and the profits of the applicant from the proposed changes. These are not material planning considerations.

Planning balance

723. This s73 application seeks permission to make changes to the redevelopment approved in 2020. Some of the proposed changes are considered to be improvements to the approved scheme, while others are negative changes that fail to accord with development policies and/or would cause harm. 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. For heritage harms, the NPPF states in paragraph 205 that:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

724. The topic sections in the assessment above identify incidences of harm caused by the proposed revisions, harm which cannot be mitigated through the imposition of planning conditions nor obligations. These harms include:
- The increased losses of daylight to nearby residential properties 88, 90, 92 and 94 Webster Road, 1-8 Wesley Court and Lockwood Square West

beyond those of the approved scheme. The increased losses of sunlight to rooms within nearby residential properties Lockwood Square West and 6 Webster Road beyond those of the approved scheme. Further overshadowing of amenity spaces at 13, 17, 19, 21, 23, 25, 27, 31 Clements Road and 92 Storks Road would occur than in the approved scheme. As has been explained earlier in the report, these impacts are considered to not lead to unacceptable loss of neighbour amenity and are relatively limited given the scale of the scheme, so that the proposal is considered to comply with policy P56.

- The incidences of heritage harm to heritage assets in the area of varying importance:
 - The less than substantial harm from the proposed tall buildings to setting of the Grade II* St James' Church. This is the same level of harm as the 2020 approved scheme would have had.
 - The less than substantial harm from the proposed tall buildings to setting of the Grade II Southwark Park as a Registered Park and Garden. This is the same level of harm as the 2020 approved scheme would have had, although the additional massing of the outline blocks would be more prominent.
 - The less than substantial harm (at the low end) to the setting of the Grade II Southwark Park Primary School and the school-keeper's house. This is the same level of harm as the approved scheme would have had.
 - The less than substantial harm (at the low end) to the setting of the Wilson Grove Conservation Area. This harm is the same as with the approved scheme.
 - The less than substantial harm from the proposed tall buildings to setting of the recently locally listed properties at the junction of Southwark Park Road/Baynard Road. The harm to the locally listed properties is a new heritage harm that the approved scheme did not cause as the scale of development behind in blocks U and V was smaller. This is a new harm that the 2020 approved scheme would not have caused, as the buildings were not on a local list at the time and the massing of blocks U and V was smaller.

725. These impacts cannot be mitigated, and in order to be reduced would require a redesigned scheme.

726. Parts of the proposal fail to accord with current development plan policies. In terms of the quality of some of the BtR residential units not being exemplary due to the predominance of single aspect units, the long corridors, the reduced provision of private amenity space, the under-provision of communal outdoor amenity space to ST, the limited daylight and limited outlook to some units. This would potentially cause harm to future residents of some of the proposed homes. The design of other parts of the BtR residential units and all of the affordable homes would meet development plan policy and would provide much needed designed affordable accommodation. In terms of the design, some of the proposed tall buildings are considered not to be of an exemplary architectural standard, and require conditions to secure design revisions to improve their quality.

727. The proposal would bring 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, new school, new employment, retail and community space, affordable workspace, jobs and training, delivery of the Low Line and two links under the railway viaduct as part of the redevelopment of this identified site allocation, public realm and landscaping, provision of a public roof terrace and public toilets. In addition the scheme would secure approximately £1.5m in financial contributions through the section 106 agreement and approximately £36m of CIL. The additional public benefits beyond those already secured by the consented scheme must be weighed with the identified harms and policy failures when reaching a decision on this s73 minor material amendment application.
728. The public benefits of the proposal in addition to those of the 2020 permission include, and broadly in order of priority:
1. Affordable housing – the much improved affordable housing package including:
 - Improved tenure split of the affordable housing now favouring social tenure to provide 826 more habitable rooms of social rent tenure, as up to 338 social rent and 142 DMR homes (subject to the unit count in the final design of block V).
 - The change to social rent tenure, instead of “social rent equivalent” tenure of the approved scheme. The social rent rooms would be within high quality buildings.
 - The increased amount of affordable habitable rooms, 362 more than the approved scheme (subject to the habitable room count in the final design of block V), with up to 480 affordable homes in total (subject to the unit count in the final design of block V).
 2. Public realm – improvements to the landscaping of the site including more playspace delivered on site, a greater UGF and high biodiversity net gain, and reshaped West Yard at the centre of the site.
 3. Connectivity – the earlier delivery of one railway arch route to provide this connectivity benefit earlier than the 2020 permission required.
 4. Housing – the delivery of up to 88 more new homes compared with 2020 permission, which would contribute towards the borough housing targets.
 5. Fire safety – improved fire safety by the inclusion of second cores to all residential buildings.
 6. Carbon savings – improved energy performance of the buildings, reducing by 400 tonnes per year of carbon emissions compared with the approved scheme.
 7. Employment space – up to 157sqm of additional B1 space in a maximum scenario.
 8. Affordable workspace – increased from 975.5sqm to c.1,573sqm in a maximum scenario of block U.
 9. BtR tenure length – Securing the BtR homes tenure type for a minimum of 30 years (longer than the 20 year minimum of the extant permission).
 10. Flooding and drainage – improved flooding risk on the site by having all residential units at first floor and above, and potentially improved surface water drainage by the Suds measures to be incorporated.

11. Wind – no longer needing a canopy over the public realm between U and T would improve its quality.
 12. Neighbour amenity – reduced overshadowing impacts to the amenity spaces of 103 St James’s Road, 16-17 Salisbury Court, 29 St Clements Road, 101 St James’s Road, and 14-15 Salisbury Court compared to the approved scheme.
 13. Retention of block U – retaining the roof form of existing block U (the approved scheme removed its roof profile).
 14. Increased spend from having more residents spending in shops, services and businesses in the area.
 15. Sustainability – improved BREEAM sustainability standards with all non-residential uses to be “excellent”. No longer proposing the approved basement beneath RST would reduce the amount of excavation on site and the associated vehicle trips to remove the spoil.
 16. Solar glare – seven locations would see improvements to the solar glare that the 2020 scheme would have caused.
 17. Payment of CIL on the additional floorspace.
 18. Delivery – approving the amendments would allow the current owner to continue to build out this redevelopment scheme, delivering the construction phase benefits and long-term benefits of this stalled project. It is noted that Greystar has a record of delivering development within London after obtaining permissions.
729. Officers are of the opinion that the proposed revisions to the consented scheme (especially the affordable housing package and improved public realm) would help to deliver key aspects of the Southwark Plan. These aspects include the delivery of a significant quantum of affordable housing and housing, new employment space and affordable workspace, retail, community and leisure uses, high quality public realm and improved permeability on this allocated site. With the proposal’s compliance with the site allocation and with the development plan policies in most topics, and the public benefits arising particularly those that are improvements on those of the approved scheme, are sufficient to outweigh the incidences of heritage harm, neighbour amenity harm and the policy failures for the quality of some of the BtR and tall building design quality. Having given careful consideration of these issues in carrying out this balance, the s73 application is recommended to the Planning Committee for approval.

Community involvement and engagement

730. The applicant provided a Statement of Community Involvement, and the completed Development Consultation Charter’s engagement summary to explain the ways in which Greystar has engaged with the community and stakeholders ahead of submitting this application. At the time the application was submitted, the site was mainly vacant except for remaining tenants in Sugarhouse Studios, Future Men and Construction Youth Trust were on temporary leases to July/August 2023. The Compass School has moved into the new school buildings (known as The Charter School).
731. The applicant undertook pre-application engagement with the site’s neighbours and local stakeholders such as ward councillors and the adjoining ward’s

councillors, lead members, Bermondsey BID, local charities, churches, TRAs, Workspace (who own the neighbouring buildings) and Compass School. The engagement was informed by the Development Consultation Charter requirements and made use of the community forum that was set up by the site's previous owner, Grosvenor.

732. Greystar held two rounds of pre-application engagement. Firstly a “meet the team” event in December 2022 where the project team could introduce themselves, their vision for the site and raise that amendments would come forward, and meetings with organisations in the area and ward councillors. The applicant established a project website with news stories to publicise events, set up an email address and phone number, put up posters and an introductory newsletter was sent to over 7,000 surrounding properties. The second round of engagement was held between March to June 2023. It involved a wider range of consultation on the proposed revisions, by using the project website (and those who had signed up for notifications), over 9,000 newsletters, community forum meeting, the Compass School, social media channels, site hoarding adverts, and door knocking ahead of the public exhibition. The exhibition was held on two days on the site, with a total of 78 people attending. A smaller pop-up was held at the Blue Market as well. Feedback forms were provided at the events and could be submitted through the project website too.
733. Across the applicant's pre-submission consultation, around 200 feedback forms were completed, most (146) of which were in the June 2023 consultation. The people who responded identified themselves as living in the area. In responding to the questions on the June 2023 feedback forms:
- 70% agreed the provision of jobs is an important benefit;
 - 84% agreed with the applicant's aim to provide additional public realm and active ground floor spaces for the community to enjoy;
 - open spaces, places to socialise such as restaurants, and arts and culture were the most common priorities for ground floor uses;
 - 51% agreed that increasing the amount of social rent housing and adding 76 more homes would be of benefit to the whole community. 33% were neutral and 15% disagreed.
 - 81% were supportive of improving connectivity between Clements Road and the proposed central public realm area.
734. Open questions were asked allowing people to suggest organisations to engage with, types of training and employment opportunities, and what is currently missing in Bermondsey. Replies referred to different groups and charities, training for the unemployment and in hospitality, and preferences for the provision of hospitality, supermarkets, trees, creative spaces, sports and play spaces. Comments were also made about the harmful impact on local services such as GPs and dentists, and suggesting security cameras. Other emailed feedback referred to the construction programme and impacts as common responses, funding for local groups, and adverse impacts on privacy, daylight and sunlight.
735. Key themes raised in the feedback included:
- the sizes of the buildings, with concerns about the heights, massing and

- overlooking;
- the amount of affordable housing;
- daylight and sunlight impacts to neighbours;
- the lack of parking for future residents and overspill of parking to surrounding roads;
- querying the retail and community facilities, whether a grocery shop would be provided, and whether they would draw people away from the Blue;
- asking how neighbours can access the resident benefits;
- asking about funding opportunities for local organisations and charities;
- questions about the construction programme, disruption, how long etc.

736. The applicant engaged in the pre-application advice service with officers since late 2022 to discuss the proposed changes, mainly regarding the revisions to each of the approved buildings and to the public realm, and the revised affordable housing offer. Officers briefed the ward councillors and those of the adjoining South Bermondsey ward, the lead member and chair of Planning Committee. The applicant also engaged in the GLA's pre-application process, and presented the scheme to the council's Design Review Panel.

737. A pre-application response was issued to the applicant in July 2023 prior to submission of the application, and has been made available to view on the planning register for the planning application. The pre-application response by officers to the applicant concluded:

“The scheme proposed by Greystar includes revisions that are improvements upon the approved scheme, especially the affordable housing offer. The scheme would provide a significant boost to the delivery of housing in the borough when set against the Southwark Plan’s housing target. This an important and welcome aspect of the proposals given the need for housing, expressed in part by the size of the boroughs housing waiting list. Through the pre-application meetings, amendments have been made to design aspects of the scheme to address some officer concerns, however agreement has still not be reached on a number of the core matters of residential quality and design for all of the buildings. The comments made in the meetings were mostly captured in the agreed minutes, and in previously provided feedback on more technical matters.

Amendments need to be made to address the residential quality comments made above (and by others) to improve the standard of accommodation of the BtR homes. It is acknowledged that given the Greystar model, some degree of compromise will be required on the issue of residential quality. Where the residential and architectural/design quality remains non-exemplary, those disadvantages would be weighed in the planning balance to assess whether they are offset by the improved benefits of the scheme and that an acceptable degree of compromise has been reached. That balance is closer to being reached following the pre-application process and officers will seek to resolve the remaining issues with Greystar to achieve a scheme that can be recommended for approval.”

738. 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

previous application were contacted with the summary document of the changes, as well as the ward councillors for the area. Thirteen site notices were posted around the site with a visual and highlighting the summary document. 1,944 neighbour letters were posted with an extra sheet that summarised the proposed changes to the approved scheme. Emails were sent to 180 email addresses. A press notice was published too 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. Any comment received after this time and ahead of this officer report being finalised have been taken into consideration.

739. The responses received are summarised later in this report. 22 objections were received from the local community, organisations and adjoining owners, and two were later withdrawn. Two comments in support were received. The ward councillors commented supporting some aspects of the scheme but raising concerns with the height, massing and layout, the reduction in design standards and construction impacts. Consultee responses ranged from organisations that did not wish to comment or had no objection (Historic England, Natural England, London Underground), those who asked for conditions or obligations to be included (Environment Agency, Thames Water, London City Airport, NHS), others who asked for more technical information to be provided (drainage team, network protection team) and those who objected (HSE). The applicant provided further information to try to address these objections and queries.
740. Since the application was submitted the applicant has continued to engage with stakeholders including; attending community events, the Bermondsey Community Forum and Bermondsey Project Community Event; distributing three construction update letters to local addresses; updating the project website; meeting with ward councillors and cabinet members, and local stakeholders such as Big Local Works, Blue Bermondsey BID and Workspace about the issues raised in the consultation responses.

Consultation responses from ward councillors, members of the public and local groups

741. **Councillors Bentley and McCallum for North Bermondsey ward** – made the following comments on the application.

We support the principle of re-developing the Biscuit Factory site, to deliver much needed new homes and we welcome the increase of social rent housing in these plans. However, we are concerned about (1) height, massing and layout, (2) reduction in design standards, and (3) the construction impact.

- **Height, Massing and Layout:** The Biscuit Factory site sits immediately south of the low-rise Keetons Estate and to the west of the six-storey Four Squares estate. The height of the proposed buildings (especially BC-5 and BF-F) will dwarf neighbouring housing stock, will be out of keeping with the neighbouring streetscape and will create a loss of sunlight & daylight, and loss of privacy for existing residents. Many of the properties in BC-5 overlook homes and gardens on Collett Road and Webster Road.

The proposal will lead to a loss of privacy and amenity for those residents. Similarly, we are concerned that the plans now incorporate retail space within close proximity to low-rise residential housing stock (especially on Webster Road) which will change the local environment and negatively impact residential amenity.

- **Reduction in Design Standards:** All of Southwark's residents deserve to live in good, high-quality, affordable accommodation that complies with the design standards across our local, regional and national planning policies. We urge the committee to carefully scrutinise this proposal owing to the reduction in design standards for many units within the scheme.
- **Construction Impact:** The Biscuit Factory site sits immediately adjacent to several densely populated council estates (including supported housing provision at both Marden Square and John Roll Way). The site is further constrained by the local road network and the train line on the southern boundary. We are concerned about the noise and transport impact of the construction, especially given the proposal to accelerate delivery across all phases, and the cumulative effect of multiple major developments in the area simultaneously. We urge the committee to consider whether any further consideration and mitigation is required to ensure that the construction impact does not create an unreasonable impact for local residents. We also urge the council and applicants to work with local residents to ensure that s106 and CIL contributions bring appropriate benefit to the impacted community, such that these significant construction impacts are somewhat mitigated.

Conclusion: Whilst welcoming some of the improvements from the previous scheme, we share residents' concerns about aspects of these plans. Accordingly, we urge the committee to give very careful consideration as to whether the proposals comply with our planning policies and whether there are further amendments or mitigations that can be sought.

742. **The Arch Company** – comments as the neighbouring landowner of the railway arches, which are designated Strategic Industrial Land by the Southwark Plan. Arch Co is undertaking an investment programme in the borough to repurpose and upgrade under-used railway arches.

- The arches are within Strategic Industrial Land (SIL) where uses such as light industrial, industrial, storage and distribution, and certain sui generis uses are acceptable in principle. They are long term historical employment and industrial uses, of importance to Southwark's employment and industrial strategy. Arch Co will be looking to bring forward active uses within the short to medium term, in line with market demand, focussed on employment uses appropriate with the site's SIL designation. Arch Co raises Agent of Change principles in the NPPF and London Plan policies E5 and D13. The proposed residential development adjacent to SIL needs to not compromise industrial activities in the SIL, not place burdens on industrial operators to continue, and take responsibility for mitigating the impacts on new noise-sensitive developments.
- Arch Co has taken transport advice on maintaining and securing the operational and functional viability of these neighbouring arches from a

servicing and transport perspective.

- Questioned whether the number of proposed servicing bays are sufficient for the neighbouring arches as well as the proposal, to address London Plan policies E5 and D13 and show that the future operations of the arches are not prejudiced through the lack of appropriate servicing infrastructure resulting in a risk to highway safety. Unable to locate the analysis demonstrating a formula-based assessment.
- Specific detailed design related points that it considers are necessary for incorporation within the scheme, e.g. the “shared surface” access way for servicing industrial land cannot appropriately accommodate large vehicles that are associated with industrial uses. The applicant needs to assess a worst-case scenario and demonstrate how the arches with full industrial occupancy can operate.
- Seeking to secure a mutually agreed solution with the applicant and council. Without a resolution, Arch Co would not be in a position to support the application.

743. **Blue Bermondsey BID** – initially objected, summarised as:

- The BID supported the original application by Workspace, (in particular the assurance of a new pedestrian route through the arch in Bombay Street) and worked closely with Grosvenor on every aspect of their community engagement from the outset of their acquisition of the Biscuit Factory site in 2014. A member of the Grosvenor team sat on the BID board and a local economy group was set up in 2017, to bring together stakeholders to better understand the problems the area is facing and work together to ensure the Blue, a local town centre, is given utmost consideration for funding.
- The BID and Grosvenor developed a draft Local Economy Charter with supporting strategies for an over-arching, co-developed and owned vision, including principles for collaboration, and commitments of funding towards projects that would harmonise with the development and ensure that the economic activity the development brings will truly flow across the divide of the railway tracks and benefit the longstanding businesses and residents.
- The first the BID heard of the sale to Greystar was in the press and while the BID is not against the amendments to the application it is very concerned that all of the work with Grosvenor and the commitment made may not be honoured. In all the application documents there is very little mention of the Blue nor the BID’s ambitions for the Blue Bermondsey section of the Low Line. Blue Bermondsey is an active member of the Low Line partnership which was formed to reimagine uses of the viaduct in partnership with local stakeholders. The Low Line partners work closely with the council and Arch Co to help ensure that this investment in the viaducts, arches and adjacent sites will contribute positively to the neighbourhoods and communities it spans.
- The BID’s recent “made in Bermondsey” regeneration project includes a new pocket park and new arch entry to Market Place, which was chosen to directly align to a corresponding arch in Bombay St. Both interventions were delivered in consideration to future aspirations for the Low Line. The new plans seem to show that the arch in Bombay St has been moved.

- The Southwark Plan states on page 72: "*The main development opportunity in Bermondsey is the redevelopment of the former Biscuit Factory site which will deliver 1,548 new homes including social rented homes, affordable workspace, new facilities for the Compass Secondary School and new pedestrian routes through nearby railway arches improving connections to The Blue Local Town Centre*" and the Low Line policy sets out requirements.
- Questioned if Greystar will give assurances that the commitments made by Grosvenor will be honoured, so that the new development does not create divisions between new and old and the carefully developed long term strategy and vision for the Blue are genuinely shared and supported.

The objection was withdrawn by the BID in February 2024 following several meetings over the preceding time with the Greystar team to address points raised in the objection.

744. Officer comment: the applicant provided their Local Legacy Strategy in December 2023, as summarised earlier in this report, and the objection has been withdrawn.
745. **Big Local Works** – objects, summarised as follows until meaningful engagement happens and Greystar positively communicates with the community it is proposing to develop.
- Big Local Works (BLW) at the Blue, is an economic support and inclusion charity, and has followed this development for many years now, after actively and tirelessly engaging with Grosvenor prior to Greystar taking over the project.
 - Since the takeover, BLW have had very little in terms of public consultation or information on this project, lack of clarity on the changes and its impacts, and the planning proposal being too confusing with so many documents.
 - Any outreach Greystar has done feels like lip service and entirely disingenuous. There has been no meaningful commitment or information on the economic and social opportunities for existing local residents, this project might bring. Nothing on the impact on existing local businesses, nor any plans to bring them along positively in this development. No clarity on Greystar's plans to positively contribute to the local economy and community.
 - The proposal looks like it will take away from all the ongoing efforts and plans to improve the lives of local people. Instead the proposal only highlights increasing the height of the buildings, further adding to a sense of overpowering and aggressive urban development, entirely out of touch with local and community needs. There is no information about how Greystar will ensure local jobs go to local people, nor about how Greystar plans to support existing and ongoing initiatives to improve the local economy such as the Blue Market and the regeneration of the high street.
 - Greystar is proposing creating an alternative business/shopping/commercial area, which will drain footfall and focus from the town centre, and all the hard work and energy that has gone into creating new life and opportunities here.

- There is little mention of accessible or affordable cultural or community spaces. These are absolutely vital to communities such as ours and would like to see much more info on this. Question what is their commitment to the local community and why is Greystar not out there engaging with local residents and local organisations? Or are they looking to keep section 106 money from this project, and commission public works on local parks through their own contractors? BLW have had no positive contact from Greystar about previous commitments Grosvenor made to the community, no efforts to understand what these were, and whether they might be able to fulfil some of these hard-fought assurances the South Bermondsey community were previously given.
- BLW have had no clarity on opening the arches to the Blue Market (Bombay Street to Blue Anchor Lane), which is vital for creating more footfall from the development to the Blue and the High Street. Only more and higher buildings and trying to squeeze every last drop out of this development to the detriment of the local community. Gentrification in action, right here on our doorstep.

746. Officer comment: the applicant provided their Local Legacy Strategy in December 2023, as summarised earlier in this report.

747. **Workspace 12 Ltd** – initially objected as the owner and occupier of adjacent buildings, in terms of the impacts on servicing and parking of its buildings, with the proposed parking and introduced landscaping adversely impacts the access and servicing arrangements of its buildings. The plans as submitted would not offer suitable and sufficient loading facilities, nor servicing capabilities to serve the existing and expanding commercial offering of its buildings, and would be contrary to the NPPF and planning policies. A supporting technical note was provided by Workspace about the insufficient servicing capacity of the proposed loading bays for existing businesses, how the archway routes remove loading opportunities, prevent access into existing loading bays, and the proposed landscaping reduces the potential for servicing in a yard. Workspace has been party to positive collaborative discussions with the applicant to seek constructive alterations to the plans as submitted to ensure sufficient loading facilities can be delivered. Workspace welcomes this engagement but notes that the scheme as submitted would have an adverse impact on access and servicing of its sites, and so objects until amended plans are submitted which address these concerns and provide an acceptable solution to all.

The objection was withdrawn in February 2024. Workspace 12 Ltd liaised directly with the applicant with respect to the landscaping and parking arrangements proposed as part of the above planning application and is now satisfied that its concerns have been addressed.

748. Officer comment: in response to the initial objection, the applicant amended the landscaping and parking layouts around the Workspace buildings. Workspace confirmed that the objection has been withdrawn.

749. **4 Squares TRA** requested to see the model of the proposal but made no comments on the application.

750. **Public comments in objection** – 17 objections were received raising the following summarised topics in the objection comments.

751. Principle of the revised development, density and uses

- Increased density and overcrowding of the area.
- Addition of retail to Webster Road as residents do not want to lose the residential character of the area and become a 'high street'. This will attract more noise, litter, light pollution and traffic especially late at night. There is currently good provision for retail at Canada Water and The Blue and elsewhere on the Biscuit Factory site away from immediate established residential buildings. There is more than sufficient retail space.
- Building F's office entrance frontage on Clements Road is contradictory to the approved plan for the Biscuit Factory, which states a requirement of providing active frontages with retail, community or leisure uses at ground floor level. It is not acceptable to have a busy entrance to an office block directly opposite existing homes. It should remain as residential homes, mirroring the existing terraced homes opposite.
- Local businesses have already left the neighbourhood because of the conversion of light industrial uses to commercial property development.
- The Blue should be redeveloped to serve the new residents.
- Conflict with the local plan.

752. Height, size, design and heritage

- The scale is disproportionate to anything else in the neighbourhood and is an ugly presence in a mostly low-rise community. The height, scale, massing and arrangement does not respond positively to the existing townscape and character. It will be an ugly presence in a low-rise area.
- It is misleading to say the footprint and height is comparable to the consented scheme. The height is greater.
- The development is too high and out of character of the area.
- Block 5 is too tall at 20+ metres tall replacing an existing building 7m tall. The design, massing, height and close proximity of block 5 to the adjacent residential homes at Collett Road and Webster Road, has been poorly considered, and should be omitted or reduced to a maximum 7m height. Out of proportion to neighbouring housing.
- There is even more increased massing on the Biscuit Factory building (F), even closer to Clements Road than before, it is totally out of proportion and completely overcrowds the two-storey terraced houses opposite. Significant increase in height and changes to the front on Clements Road for an office entrance reverses the retention of the historic front facade.
- The development does not enhance the significance of the local historic Biscuit Factory environment.
- Increasing the number of homes in block F with minimal change in the footprint or height suggests a reduction in home sizes - the proposed plan reduces the number of homes with 3- or more bedrooms to 12%. This does not comply with the Southwark Plan.
- The building density would lead to dark and windy streets.

- The proposal impacts the beauty of other buildings such as St James's Church and churchyard.
- It will set a precedent for more high-rise development.

753. Neighbour amenity

- Noise nuisance from the on-going construction.
- The proximity of block 5 to the existing housing would create noise pollution to the detriment of the existing neighbours when block 5 fully occupied.
- Noise levels for residents living on Keeton's Road would increase with the increase in traffic.
- Overlooking and loss of privacy. For example, the windows and balconies of block 5 would overlook private residential properties and private gardens on Collett Road and Webster Road and should be reduced in number. Views into the homes on Clements Road from the proposed roof terraces on building F. These roof terraces should be far back to not impact upon existing homes.
- Light pollution due to the close proximity and high number of units. For example, the west elevation of block 5 would be dotted with brightly lit windows and balconies, which would be very different from the current view of the night sky.
- Loss of daylight and sunlight for Collett Road and Webster Road properties. Block 5 is proposed far too tall and far too close to the existing properties thus negatively impacting the welfare of existing residents by the reduced natural daylight. In the autumn and winter when the sun is low it barely clears the rooftops on Webster Road; the tall buildings would block the sunlight residents currently enjoy.
- The daylight studies included in the application are drastically incorrect and skewed in favour of the development, not the existing residents. The local authority should complete its own independent daylight study to challenge the developer's results.

754. Open spaces and landscaping

- Attention needs to focus on green open spaces within new developments for ecological reasons and quality of life.
- Due to a number of tall blocks under construction in proximity Southwark Park (such as Canada Water masterplan) and other green areas, the view from and tranquillity within these green areas is seriously impacted.
- The proposed landscaping include large trees over 13m tall. No information is provided of the growth management, overhang beyond the site boundary, risks of falling branches, foliage clearance. Query the potential structural damages to the surrounding buildings and soil conditions.
- The Southwark Plan states child play space should be on ground or low-level podiums. The play space on the top part of building F has limited amenity value for children.
- It will affect local ecology.

755. Transport and highways

- Existing transport links in the area are already over-stretched. The Underground is already overcrowded during peak hours, it is difficult to board a Jubilee line train at Bermondsey. With the development at Canada Water it will become even more challenging to commute on the Underground or local buses, even before this new development in Bermondsey is completed.
- The increase of homes in the area without considering the current highways infrastructure would adversely impact traffic for local residents.
- Increase in traffic. The roads are becoming more and more congested which is a direct result of an over density of new developments.
- Webster Road is currently used as a rat run by vehicles, often at high speeds. Suggest the road should be terminated at its eastern end (where it will meet up with the new pedestrian thoroughfare between the Underground station and the southern part of the site) for safety reasons.
- Inadequate access, parking and public transport provision.

756. Community impacts and security

- Threat to the established residential community.
- The development would contribute to overcrowding of the existing amenities and infrastructure.
- Local GP surgeries are already overwhelmed. Additional provisions should be made for GP services to deal with the increased demand that this scheme and the Canada Water development will bring.
- Safety concerns. With the significant increase of residential units, there is a likelihood of increase in crime, noise and nuisance, anti-social behaviour like theft, drug use and loitering. No information in the application about "Secure by design" and how the development would reduce the neighbourhood crime rates.
- Block 5 proposes a new soft landscaped public alley adjacent to the private gardens of residential properties on Collett Road and Webster Road. This space will become a loitering area. The new alley exposes the fences of these private gardens (as a building has been demolished) and creates a heightened security risk to the properties and welfare of residents.
- This development is an investment vehicle that doesn't cater to local need.

757. Consultation and lack of legibility

- The planning application is difficult to understand due to the large volume of documents and lack of clarity and simple overview. The majority of local people affected by this proposal are unlikely to understand its detail and be able to comment on it.
- Consultation by the applicant had no information available on the even greater impact on light loss in adjacent homes.
- The pictures in the Greystar brochure with red dashed outlines showing the changes are completely disingenuous. The proposed massing is more, not less, on block F at key points on the building, but the applicant simply chose a particular slice of the building where the massing appears to be less.

758. Other comments raised by objectors

- The increased height of building F would reduce the carbon savings of the recently approved solar panels on a Clements Road property.
- General dislike of the proposal.
- Assessment should be carried out in relation to the existing chimney on Clements Road and the height of the towers.
- Ethical aspect of the project's connection to a Saudi sovereign wealth fund.
- Changes are to make more profit for the developer.
- Reduced property value of the existing houses due to privacy and daylight reduction.

759. **Public responses in support** – 2 responses were received from the public in support which made the following summarised points.

760. Design and height

- The amended proposal, especially the revisions to reduce the height of the approved tall building DE at the point near St. James' Road, is a positive change. It reduces the loss of light to the surrounding buildings and could help reduce noise by breaking up what was previously a continuous wall of tall buildings.
- Improved scheme compared to the Grosvenor scheme.
- Much improved fire escapes in the tall buildings.
- Units have 10sqm of amenity space (balcony or roof terrace) which is important for city living.

761. Transport access

- More flats near Bermondsey station.

762. Use of arches

- It would be great to open up more railway arches to make a vibrant craft and small business area (similar to Rope Walk in Bermondsey) and provide an off road bike/walking route to Waterloo if other sections are done.

Consultation responses from external and statutory consultees

763. **Active Travel England** – given the role of TfL in promoting and supporting active travel through the planning process, Active Travel England will not be providing detailed comments and refers to its standing advice on sustainable travel.

764. **Arqiva** – is responsible for providing the BBC, ITV and the majority of the UK's radio transmission network and is responsible for ensuring the integrity of re-broadcast links. Tall infrastructure such as wind turbines and other tall structures have the potential to block radio transmission links and rebroadcasting links. Arqiva has considered whether this development is likely to have an adverse effect on its operations and has concluded that it has no concerns.

765. **Environment Agency** – has no objection subject to the inclusion of conditions regarding a remediation strategy for each phase, verification reporting and piling. The flood risk advice has been sent onto the applicant.
766. **GLA** – given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues. Notwithstanding this, the council should pay particular attention to the following:
- Delivery of the maximum level of on-site affordable housing with appropriate mechanisms set out within policies H6 and H11 of the London Plan.
 - Demonstrating accordance with policy D9 in regards to the appropriateness of the site, visual impacts, functional impacts, environmental impacts, and cumulative impacts of the tall buildings.
 - Ensuring the development achieves high quality internal and external design.
 - Demonstrating accordance with environmental policies in relation to energy, whole life cycle carbon, circular economy, urban greening, water, and air quality.
 - TfL would expect financial contributions and obligations secured in the previous permission to be secured again. This should include potential pro-rata increases in the contributions to reflect the increase in development and current policy context.

It is also noted that the original application was approved at a GLA representation hearing with all reserved matters applications associated with the outline planning permission to be determined by the Mayor. If the council is minded to grant permission for this section 73 application, it would replace the extant permission and therefore any reserved matters applications would not be referable to the Mayor. The Mayor of London does not need to be consulted further on this application. The council may proceed to determine the application without further reference to the GLA.

767. **Health and Safety Executive** – for the initial consultation the HSE advised of its fire safety concerns regarding:
- Design changes needed for firefighting within the covered car park of building 1-4, and heat and smoke control to building 1-4.
 - The need for suitable protected access to the roof terraces of buildings 1-4 and F.

Further comments were made regarding:

- A firefighting core to building 1-4 being more than 7.5m from the firefighting staircase.
- Buildings 5, ST and W have two staircases in close proximity, and the applicant will need to demonstrate how both staircases would not be affected simultaneously in the event of a fire.
- Means of escape comments about doors not being shown on the plans, suitable protection to the escape route over the roof, lack of lobby protection, a second stair not shown to one floor of building W.
- Comments on the lack of confirmation of hydrants and suitable water

supply, the cabling of PV panels that a green roof may be a fire hazard.

768. Officer comment: Following receipt of two lots of further information from the applicant, the HSE was re-consulted twice. The first re-consultation response raised concern with two areas (fire service access and facilities in building 1-4, and means of escape to building 1-4's roof terrace) which the HSE had remaining issues. The last response from the HSE stated they are content with the proposal, to the extent it affects land use planning considerations however, the HSE has identified some matters that the applicant should try to address, in advance of later regulatory stages. See the fire safety section of the Assessment above.
769. **Historic England** – does not offer advice on this application, and recommends the views of council specialist advisers is sought on the impact on heritage assets.
770. **London Borough of Lewisham** – has no comments.
771. **London City Airport** – as the proposal is found to have potential conflict with the airport's safeguarding criteria, the airport requests conditions regarding height limitation on buildings and cranes; bird hazard management plan; construction crane methodology; obstacle lighting scheme; and a crane notification informative.
772. Officer comment: new conditions to address some of the airport's comments are proposed. See the aviation section of the Assessment above.
773. **London Fire Brigade** – no response received.
774. **London Underground Limited** – has no comment.
775. **Met Police** – discussed the principles of Secured by Design (SBD) with the applicant, and believe this will result in a positive impact upon the development from a safety and security perspective. The design of the development has considered opportunity for natural surveillance, incorporates excellent lines of site and the development should "activate" this area, and includes no alcoves or secluded area, which are excellent crime prevention measures. The uses of the development have been clearly separated which is an excellent crime prevention measure as differing users will place differing importance on the security.

Having examined the crime figures for the area immediately around the proposed development, it is clear that the area suffers mainly from violence and sexual offences, anti-social behaviour and a high number of theft offences. The number of proposed residential units means that compartmentation of the residential buildings for security purposes will be necessary for SBD compliance. Each floor should only be able to be accessed by persons who live on that floor or legitimate visitors to that floor. Residents and visitors will also have access to any communal floors and additional security measures should be incorporated on these floors to deter crime and anti-social behaviour. Compartmentation for security is a key SBD and crime prevention strategy to prevent free access

across large developments by those who do not have appropriate access rights. The development will not achieve a SBD award if the access control strategy is not in line with the SBD recommendations.

Access control within the development should have a data logging facility enabled whereby the management company can access data to see which fob or flat has opened each access controlled door and when. This is a valuable management tool when it comes to dealing with anti-social behaviour within the scheme and attributing this to building users. The building benefits from amenity space on the upper floors for use by the residents. A clear management plan should be in place around times of opening for these spaces and the activities that can take place within them. This rule setting will assist in management of the spaces and enforcement.

Further comments included:

- Planting within the public realm areas must maintain clear lines of sight, prevent stashing of weapons, and include good lighting levels.
- Cycle storage areas must be fully covered with CCTV cameras and the entrance door to the store must be of a police preferred standard tested.

This development is suitable to achieve Secured By Design accreditation, and in order to assist the development with achieving SBD standards, the Met Police would ask that a condition be applied if planning permission is granted.

776. Officer comment: the applicant provided a response, and re-iterated its key principle that BtR residents can easily move from their flat to the communal facilities and external spaces and so Greystar aims to avoid floor by floor compartmentation, but have on site management at all times. Greystar scheme are highly managed with on-site presence and CCTV coverage. A block management plan will be in place, security features included to entrances, compartmentation can be included to the affordable blocks, cycle stores will be covered by CCTV, and trees would allow clear lines of site through. The Secured by design condition on the 2020 permission did not require the scheme to achieve accreditation, and an edited form of this condition is recommended.
777. **NATS** – considers the proposal does not conflict with safeguarding criteria for air traffic.
778. **Natural England** – has no comment.
779. **Network Rail** – identifies no specific issues, and suggests informatives to the applicant relating to the proximity to the railway. These informatives refer to future maintenance, plant and materials, drainage, scaffolding, piling, fencing, lighting, noise and vibration, vehicle incursion, landscaping, existing rights, and property rights.
780. **NHS London Healthy Urban Development Unit** – comments on behalf of the South East London Integrated Care Board (ICB), which replaced the Clinical Commissioning Group in 2022. Health infrastructure in Southwark is extremely stretched with little or no capacity for the projected increased population from this

and other developments.

The submitted health impact assessment (HIA) suggests that the proposal is likely to have a neutral impact on existing social infrastructure, and would provide 987sqm of floorspace which could be used for social infrastructure. The HIA states there is an uncertain impact on health and social care services where it identifies the GP surgeries within a 1 mile radius that are accepting new patients. The assessment shows there are 10 GP surgeries which have a combined average patient list size of 2,268 patients per GP, above the HUDU suggested benchmark of 1,800 patients per GP. All 10 surgeries are accepting new patients, it is however, difficult for GPs to 'close' their lists with increased numbers adversely impacting new residents and the existing community.

The NHS HUDU Planning Contributions Model has been used in line with PPG and the London Plan, which calculates the total capital cost for the mitigation of the impact of new incoming residents as £4,112,994. The ICB asks that a contribution of £2,544,300 is secured through the legal agreement. This would be used to expand health infrastructure within the vicinity of the development to enable the needs arising from the development to be met through supporting growth for the local health facilities at nearby Artesian Health Centre and Bermondsey Spa Medical Centre, allow for the expansion of acute services within the community and increase the capacity of mental health services within the locality. The inclusion with the s106 agreement allows the timing of the contribution to enable the SELICB to increase capacity alongside the arrival of the residents.

NHS HUDU comments on the outline CEMP identifying sensitive receptors, referencing the control of dust, emissions, noise and vibration, consideration of the timings of activities. Monitoring should be undertaken to ensure that noise, vibration, and air quality are kept within acceptable levels on the site. A dust management plan should be conditioned, and details of any proposed mitigation measures shared with NHS SELICB, so they are able to identify any risks or make any suggestions with regards to resident's health.

With the ICB, and its NHS and other partners are reviewing their strategy for the borough, and particular areas of need within the borough. The NHS is keen to continue working closely with the council to ensure that the impact on health infrastructure is mitigated through developer contributions and the health and wellbeing for new residents and existing communities is maximised. There will be a substantial revenue impact of £3,660,690 which is not being sought from the developer but should be recognised as a pressure for the NHS by the local authority. The figure of £2,544,300 equating to roughly £1,567 per unit, relates solely to capital costs of mitigating the impact of the development, and the importance of ensuring that infrastructure is provided alongside development as set out in the NPPF. The ICB welcomes discussion regarding the phasing and wording in relation to the contribution.

Officer comment: as set out in the environmental impact assessment part of the Assessment above, officers do not consider it reasonable for this s73 application to be required to make a £2.5m contribution when the approved scheme made

no such payment. The council's Section 106 Planning Obligations and CIL SPD sets out the payments that are required in addition to CIL payments and this does not include payments to the NHS. Health provision is an aspect of community infrastructure and CIL payments are required to help fund community infrastructure in the London Borough of Southwark. Officers and NHS officers hold regular meetings to plan for health infrastructure in the borough. Contributions to health infrastructure funding and planning and are considered to be best dealt with in that forum, rather than through one-off requests unrelated to special or planned projects.

781. **Thames Water** – with the information provided TW has been unable to determine the foul water and waste water infrastructure needs of this application and so asks for conditions to be included on these topics. TW has identified the inability of the existing water network infrastructure to accommodate the needs of this development, and so ask that conditions be imposed, as well as a condition regarding proximity to the strategic water main and informatives to do underground water assets, waste water and piling.
782. Officer comment: the applicant provided some further information which was sent onto Thames Water, but this did not change TW's comments.
783. **Transport for London** – notes that this application is a s73 application on the implemented permission and the comments reflect the change in design and surrounding development/transport context.
- Healthy Streets - No Active Travel Zone assessment has been provided to look at improvements to pedestrian and cycle safety and promote active travel, particularly with the Cycle Superhighway added in recent years.
 - Access - Routes through the site remain as per the consented scheme. Ask for further information on the two routes under the railway; if these cannot be delivered the alternative of significantly improving the existing underpass routes will be required, more complex and costly options which will serve the development less well. Request clarity over how the vehicle access point at the southern end of the site next to block W would be controlled. Asked for confirmation that the public realm will still adhere to the Public London Charter and clarity is sought on where and how cycling through the site would be facilitated.
 - Public transport impact - There are little or no enhancements which can take place to the Bermondsey Underground station and the Jubilee Line to serve this development and to relieve existing train congestion at peak times in both directions. Underground services at Bermondsey suffer from congestion problems in the AM peak with users unable to get on the tube in either direction. This signifies the importance of ensuring that the development can be easily, conveniently and safely accessed by active travel and that there is sufficient bus capacity on services to meet demand as the development is built out and occupied. On the previous application, TfL requested £60k per annum for 5 years towards bus improvements (totalling £300,000). Whilst it is noted that bus ridership in the area may have changed post-Covid, ridership is on the rise again for tube and bus travel. By the point of occupation of this site, it is likely to have increased further.

- Cycle parking – the proposal does not meet the Southwark Plan cycle parking standards. Whilst London Plan standards are lower, policy T5 requires that the higher local standards are met. The applicant should also demonstrate that the proposed cycle parking is London Cycling Design Standards compliant.
- Car parking - welcomes the proposal being car free apart from Blue Badge parking. The proposed quantum (even though it is less than the 3% outset policy requirement) is deemed acceptable. Details of the parking to be secured by condition, and all should have active electric vehicle charging from the outset. Any future occupants, other than those holding a Blue Badge, should be exempt from being able to apply for parking permits. There should be a management scheme to ensure that the Blue Badge parking is used only by those in need and is not tied to specific properties. Suggest securing funding towards on street provision of Blue Badge parking and associated electric vehicle charging to enable more provision to meet future demand over and above the parking proposed.
- Delivery and servicing - The applicant provided revised information for the delivery and servicing. The proposal removed and relocated a number of delivery and servicing bays. TfL request further clarification on how the applicant has calculated the expected occupancy of the bays and on the management of Shard Walk for vehicle access and relevant restrictions. Requests a revised Delivery and Servicing Plan to reflect the increasing use of cargo bikes and electric vehicles since the original proposal and the significant growth in on line shopping.
- Cycle hire - The consented scheme provided a financial contribution and land towards two new cycle hire docking stations with associated memberships. TfL request that this should apply on the revised scheme. While cycle hire docking stations have now been provided near the site, the development will result in extra stress on the network and therefore mitigation will be needed. It is also noted that the council now has planning policy on memberships for residential units which is likely to contribute to pressure but should also be suitably secured.
- Travel plan - the travel plan from the consented scheme should be revisited to reflect the changing context of the area and the active travel and public transport offering and issues.
- Construction - the 2017 outline construction logistics plan should be revisited.

784. In supplementary comments, TfL said:

- Cycleway 4 on Jamaica Road has been implemented in full with some features omitted due to construction and other difficulties. However, the TLRN (and borough highway) has clutter on the footway in the vicinity of Bermondsey station and the poor condition of that footway itself. TfL consider a financial contribution of £50,000 BCIS index linked towards works to this stretch of the TLRN footway to address these issues as necessary to make the proposal comply with policy T1, T2, T5 and T6. This request is related to the development as it will be car free and a large proportion of future residents and visitors will go to/from the site walking, wheeling and cycling, using these modes to get to/from Bermondsey Station and the bus stops on Jamaica Road.

- Bus services – asked for the same contribution of £300,000 (indexed) to support additional peak hour bus services in the area having taken account of the changing context and the potential for other developer contributions. This contribution is necessary to make the development acceptable in strategic transport terms due to the trips from the development and should therefore be secured by s106 agreement. TfL asks for an additional contribution of £60,000 (indexed) towards works to improve bus stops in the vicinity of the site. The P12 which runs on Southwark Park Road to the immediate south of the development does not have stops which meet TfL standards and the stops on Galleywall Road and Southwark Park Road (west of the railway bridge) may also need improvement.
- Cycle hire - The installed cycle docking station on Clements Road is smaller than an average due to below ground constraints. Taking account of the demand for cycle hire which would be generated by this development, TfL asks that a financial contribution of up to £440,000 (indexed) along with appropriate safeguarding of two serviced sites. This would enable TfL to provide two docking stations or one larger one to make up the shortfall on Clements Road and also include some electric bikes. TfL would assess the position at the trigger points for installation to avoid over-provision in this area and suggest a cycle hire strategy is submitted for TfL and council approval against which future provision is determined. It is worth noting that the proposed cycle parking falls below the Southwark Plan and thus TfL Cycle Hire would help make up for this under provision for this car free development.
- Demand for dockless bikes and scooters has grown considerably since 2020 and with it the need for suitable bays in which bikes and scooters can be left and from which they can be hired. TfL strongly suggests that suitable locations for these bays are identified/safeguarded so as to reduce/remove clutter and obstacles on street and within the development itself. The site wide management plan should also cover these.

785. Officer comment: the applicant has agreed to most of these requested planning obligation, as set out in the planning obligations section of the assessment above.

Consultation responses from internal consultees

786. **Ecology officer** – recommends approval of this application, subject to suggested conditions to secure ecological enhancements, management and monitoring.

787. **Environmental protection team** – made comments regarding the noise and overheating impacts of the revised design, and the mitigation for the re-radiated noise from the railway. EPT does not object outright on the design point, but highlights there are still dwellings which have somewhat compromised amenity due to being single aspect facing noise sources and/or unable to use passive measures to prevent overheating. Proposed conditions regarding internal sound transfer, plant noise, commercial noise, hours of use, kitchen extract of commercial kitchen, lighting, land contamination. Requested a contribution for

EPT resourcing for future application, enforcement and engagement.

788. **Flooding and drainage team** – requested further information on the drainage strategy and run-off rate, especially in terms of the attenuation volumes and questioning why greenfield runoff rates are not been achieved. Some was provided by the applicant team by this has not resolved the issue, and further details would need be secured by an amended drainage condition.
789. **Network management team** – asked for the construction management plan pro forma to be completed. This was provided by the applicant team, and CEMPs are required by a condition.
790. **Waste services** – note that several of the stores would mean the bins are more than 10m from where a collection vehicle could wait. Asked for clarifications on swept paths, dropped kerbs, parking volumes, food waste volumes and whether there would be estate management staff to assist.

Community impact and equalities assessment

791. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
792. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
793. 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.

794. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
795. The Public Sector Equality Duty (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 (EqIA) 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.
796. In its consideration of the application approved in 2020, the GLA report stated: *"Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity."*
797. The applicant has completed the council's EqIA template and has provided an equalities statement. This section 73 application proposes amendments to an approved scheme. The changes propose to increase the number of homes, the proportion of social rented units (with the corresponding proportionate reduction in intermediate tenure), the revisions to the public realm, and to improve the fire strategy. The revised scheme would continue to provide wheelchair adaptable homes, blue badge parking spaces, lift access to all residential floors, and job opportunities in the construction and end use phase.
798. The submitted equalities statement has updated the baseline data since 2017-2019 for the four nearest wards. The 2021 Census data has been partly published (population number, gender split, age distribution, households, marriage and civil partnership, sexual orientation and gender identity, ethnic profile, main language, religion, disability) and the occupiers of the site have changed in recent years. The 2021 Census data shows 73.7% of the population of the area around the site identify themselves as White, 9.1% Mixed or Multiple ethnic groups, 8.4% Black/Black British/Black Welsh/Caribbean/African, 6% Asian/Asian British/Asian Welsh, and 2.8% Other. 75.7% were 16-44 years old, 16.9% aged 15 or under and 7.4% aged over 65.
799. In terms of the current/recent occupiers of the application site, the secondary school in northern part has moved into its new purpose-built, permanent school buildings as phase 1 of the redevelopment, which has been of benefit to young people. Other occupiers of the site were Sugarhouse Studios Limited who provided workspace to artists and designers, Construction Industry for Youth who are a charity to help young people (a protected characteristic) into

construction, Future Men who are a charity working to inspire boys and men (protected characteristics of age and sex) were in temporary uses in the former school buildings and these leases have now ended. Businesses such as Brigit's afternoon tea company and the Workspace tenants used yard areas for parking had their leases terminated and no particular protected characteristics were represented by these groups. The community space that was within building H was used by a Brownie group (protected characteristic of age), for yoga, a Nigerian community group (protected characteristics of race and religion) and a Southwark-based charity for those with disabilities; all of these organisations were aware of the interim and temporary nature of their use. The recent demolition of most of the buildings on the site took place in line with the 2020 permission, and the current proposed changes do not raise equalities effects. The proposal contains adaptable community spaces that could be used by these or other groups in the future, depending on the precise use and occupiers.

800. The proposed redevelopment is likely to have a range of positive impacts for those with different protected characteristics:

- The proposed scheme would provide a significant amount of housing in accessible buildings, including affordable housing, which would be of benefit to those with a range of protected characteristics (age, disabilities, race). The increased provision of social rent housing would increase access to homes for those experiencing socio-economic disadvantage of all races. With Black, Asian and Ethnic Minority households' income typically below the White British average income, the increased affordable housing provision within the scheme would differentially benefit these groups positively (as the race protected characteristic). The affordable housing would be provided on site, in tenure-blind designed buildings as either standalone buildings for the social rent, or the intermediate DMR mixed in with the private - as was the case in the approved scheme.
- The scheme would provide a range of employment and training opportunities for different age groups.
- The new public realm would be inclusive and accessible, provide rest places and allow for social interaction as positive impacts for older people, those with disabilities, and pregnancy and maternity characteristics. Permeability to the surrounding communities would be improved.
- As with the approved scheme, blue badge parking would continue to be provided for those with mobility issues, and some replacement parking spaces for the adjoining Workspace businesses in line with the approved scheme.
- Play space across the site in the public realm would be for new residents and the existing communities to improve play opportunities for young people, and include play features suitable for wheelchair users, rest areas for carers (who may have age or pregnancy and maternity or disability characteristics).

801. No positive nor negative effects have been identified for the gender reassignment, sex, sexual orientation, marriage and civil partnership, nor religion and belief protected characteristics.

802. The impacts of the proposal on those living and working in surrounding properties

and local community during the construction phase and at completion, through for example the impacts on neighbour amenity and noise, is considered not to raise new nor significantly different equalities impact as the approved scheme.

Human rights implications

803. 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.
804. This s73 minor material amendment application has the legitimate aim of seeking changes to an approved redevelopment a brownfield site for a mixed use scheme. 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

805. The council has published its development plan 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.
806. 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?	Mostly, and some further improvements were made to the application
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

807. The assessment of the section 73 minor material amendment application has focused on the changes proposed, and has not revisited the principles on which the original permission was determined and granted.
808. The improved affordable housing offer is supported and is the main benefit of the proposed revisions. The improvements to the public realm and the incorporation of a second fire core to the residential buildings are also supported. The reduction in residential quality to some of the BtR homes is the largest disadvantage of the scheme revisions, and fails to achieve the exemplary quality required by policies for this type and scale of scheme, including tall building policies. The residential quality has improved slightly by the amendments made during the course of the application, but is still not exemplary for all of the market BtR tenure. Conditions to secure design improvements to specific buildings are proposed.
809. The revised proposal also causes further daylight or sunlight losses to some neighbouring properties, causing harm to their amenity, although sunlight to some other properties is improved. The scheme would cause less than substantial harm to heritage assets, including to the Wilson Grove Conservation Area, the Grade II* listed St James' Church, Grade II listed Southwark Park Primary School and school-keepers house, the Grade II registered Southwark Park, and the locally listed properties at the junction of Southwark Park Road/Baynard Road. These heritage harms are considered to be outweighed by the many public benefits of the proposed scheme.
810. Having weighed the planning balance, officers consider the benefits from the proposed revisions outweigh the incidences of policy failures and harms. On this basis, officers recommend the s73 application for approval.
811. The environmental information has been taken into account, including the ES addendum. The likely equalities impacts from the revised scheme have been considered. A new section 106 agreement would secure the planning obligations set out above to secure the planning benefits of the scheme, the necessary mitigation and to ensure policy compliance. Conditions on the 2020 permission have been updated and additional conditions are proposed to covered new policy areas.

BACKGROUND INFORMATION

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Application file: 23/AP/2124 Southwark Local Development Framework	Corporate Services, Finance and Governance,	Planning enquiries telephone: 020 7525 5403 Planning enquiries email:

and Development Plan Documents	160 Tooley Street London SE1 2QH	planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1214 Council website: www.southwark.gov.uk
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APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy and material considerations
Appendix 3	Relevant planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received
Appendix 6	Application information document by the applicant (August 2023)

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Victoria Crosby, Team Leader	
Version	Final	
Dated	23 February 2024	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Assistant Chief Executive – Governance and Assurance	No	No
Strategic Director, Environment Neighbourhoods and Growth	No	No
Strategic Director, Housing	No	No
Date final report sent to Constitutional Team		27 February 2024