

Meeting Name:	Planning Committee (Smaller Applications)
Date:	2 October 2024
Report title:	Addendum report Late observations and further information
Ward(s) or groups affected:	North Bermondsey Rye Lane
Classification	Open
Reason for lateness (if applicable)	Noted below
From:	Director of Planning and Growth

PURPOSE

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

RECOMMENDATION

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

FACTORS FOR CONSIDERATION

3. An additional representation has been received and has been responded to below. Two further neighbour comments were submitted on the website and have been noted below. This addendum also relates to two amendment in the wording of condition 6 and condition 9.

ITEM 6.1: 17/AP/1285 for: Full Planning Application –Land Adjacent To Warwick Court Choumert Road (Rear Of 160-162 Rye Lane) London, SE15 4SH

Additional representation

4. E. Pick on behalf of the residents at 14-19 Kapuvar Close has stated that the application is not valid because the red line on the location plan does not include Warwick Court, and the owners of Warwick Court have not been served

with Certificate B notifying them of the planning application. The email states as follows:

It is our considered opinion that this planning application is not legally valid.

The site location plan red line, showing the curtilage of the application site, does not include the land of Warwick Court, which is essential for the implementation of this development. The proposed development would be landlocked without access through Warwick Court.

In addition, no Certificate B has been served on the owners of Warwick Court. This land is essential for implementation of the development. This is because potential future residents would be unable to reach their homes without access through Warwick Court. In addition, the proposed refuse storage arrangements depend solely upon Warwick Court, without which planning permission would not be granted.

This is not a private client matter (as seems to have been previously alleged). Even if Warwick Court is not to be built upon, it is essentially part of the development site, so should be bordered by a red line and be subject to the Certificate B procedure.

The applicants should therefore be requested to submit a correct location plan and a Certificate B declaration with the associated consultation. Failure to do so can result in any Council decision being made the subject of a judicial review.

5. The Planning Practice Guidance on 'Making an Application' states that: 'The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (eg land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings).'
6. Warwick Court is a private road, and Officers consider that all land necessary to carry out the proposed development has been included within the red line. No development is proposed outside of the red line boundary on Warwick Court. In addition, all residential properties on Warwick Court were served with a neighbour consultation letter informing them of the application on 28 March 2024 and 27 August 2024.

Additional neighbour representations

7. A letter of support was received on 27 September 2024 discussing the concerns raised over legal easements, such as the right of way. Officers agree that this is a private matter between landowners and make no further comment on this matter.
8. A letter of objection was received on 30 September 2024 raising matters relating to the deed and the access path. As noted above these are private matters.

9. Emails from residents have been received since the report was published, regarding bin storage and the distribution of objections/ supporters, however these matters have been adequately covered within the report and do not raise any new material planning considerations.

Amended wording for Condition 6 (CEMP)

10. The wording of Condition 6 (CEMP) shall be amended to include one additional bullet point relating to a lighting plan (additional bullet point shown in italics below):

No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.);
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations; and
- A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London.
- *Details of a lighting plan during construction that is designed to avoid and minimise impacts on foraging mammals, in accordance with the Ecology*

assessment/Nature conservation PEA received 27/08/2024 and the Ecology assessment/Nature conservation Bat Report received 27/08/2024.

To follow current best construction practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <https://www.southwark.gov.uk/construction>;
- Section 61 of Control of Pollution Act 1974;
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise';
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration';
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration;
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting; and
- Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards (<https://nrmm.london>).

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework (2023); Policy P50 (Highway impacts), Policy P56 (Protection of amenity), Policy P62 (Reducing waste), Policy P64 (Contaminated land and hazardous substances), Policy P65 (Improving air quality) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

Amended wording for Condition 8 (Cycle Storage)

11. The wording of Condition 8 (Cycle Storage) shall be amended to the following:

Notwithstanding the proposed ground floor plan, prior to above grade works secure and weatherproof cycle storage shall be provided together with the two short stay spaces. The long stay cycle storage shall be managed and maintained in perpetuity by the management company for the benefit of the future occupiers.

Reason: To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework (2023); Policy T5 (Cycling) of the London Plan (2021); and Policy P53 (Cycling) of the Southwark Plan (2022).

The original wording of the condition was as follows:

Prior to above ground works for the development hereby approved details of 15 long-stay cycle parking and 2 short-stay cycle parking spaces shall be provided. The cycle provision shall accord with the guidance contained within LCDS Chapter 8 to ensure sufficient space between stands, adequate cover of the spaces and provision for adapted and cargo bicycles. These spaces shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

This amendment to the wording is required to ensure the best quality stands can be provided and be maintained by the co-living management company for its lifetime.

Conclusion of the Director of Planning and Growth

12. Having taken into account the additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions and completion of a s106 agreement.

FACTORS FOR CONSIDERATION

13. No additional information has been received, this addendum relates to an amendment in the wording.

ITEM 6.2: 24/AP/1373 for: Full Planning Application – 224 - 226 Tower Bridge Road London Southwark SE1 2UP

Corrections and clarifications on the main report

Paragraph 47:

14. The final sentence of paragraph 47 is to be amended to:

15. The proposed changes will result in no harm to the character and appearance of the conservation area.

Condition 1:

16. The wording of Condition 1 is to be amended as follows:

Original wording:

In accordance with application received on 10 May 2024 and Applicant's Drawing Nos.:

Location Plan ST-E-00-001 REV P0 received 10/05/2024

Existing Plans

Proposed Plans

Plans - Proposed LL602-100-0010 Landscape Site Plan received 03/07/2019

Plans - Proposed 4347-ST-02-099 01 received 24/10/2019

Plans - Proposed 4347-ST-02-101 0 received 03/07/2019

Plans - Proposed 4347-ST-02-102 0 received 03/07/2019

Plans - Proposed 4347-ST-02-103 0 received 03/07/2019

Plans - Proposed 4347-ST-02-104 received 03/07/2019

Plans - Proposed 4347-ST-02-105 0 received 03/07/2019

Plans - Proposed 4347-ST-02-106 0 received 03/07/2019

Plans - Proposed 4347-ST-02-107 0 received 03/07/2019

Plans - Proposed 4347-ST-02-108 0 received 03/07/2019

Plans - Proposed 4347-ST-02-109 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-101 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-102 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-104 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-201 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-202 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-203 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-301 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-302 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-303 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-304 0 received 03/07/2019

Elevations - Proposed 4347-ST-03-401 0 received 03/07/2019
Elevations - Proposed 4347-ST-03-402 0 received 03/07/2019
Elevations - Proposed 4347-ST-03-403 0 received 03/07/2019
Plans - Proposed LL602-100-0002 Landscape Plan 1F-GA received 03/07/2019
Plans - Proposed LL602-100-0003 Landscape Plan GA received 03/07/2019
Plans - Proposed LL602-100-0004 Landscape Plan 6F GA received 03/07/2019
Plans - Proposed LL602-100-0005 Landscape Plan 7F GA received 03/07/2019
Plans - Proposed LL602-100-0006 Landscape Plan 8F GA received 03/07/2019
PROPOSED GROUND FLOOR PLAN 4347-ECE-PR-00-PL-A-12002 REV P01 received 10/05/2024
PROPOSED EAST ELEVATION 4347-ECE-PR-ZZ-PL-A-12017 REV P01 received 10/05/2024
PROPOSED CONTEXT EAST ELEVATION 4347-ECE-PR-ZZ-PL-A-12120 REV P02 received 10/05/2024
PROPOSED EAST ELEVATION SHEET 1 4347-ECE-PR-ZZ-PL-A-12117 REV P01 received 10/05/2024
PROPOSED EAST ELEVATION SHEET 2 4347-ECE-PR-ZZ-PL-A-12118 REV P01 received 10/05/2024

Other Documents

Cross Section 4347-ST-04-101 0 received 03/07/2019
Cross Section 4347-ST-04-102 0 received 03/07/2019
Cross Section 4347-ST-04-103 0 received 03/07/2019
Document Archaeology assessment received 03/07/2019
Document Air quality assessment received 03/07/2019
Document Daylight/Sunlight assessment 13680 received 03/07/2019
Document Ecology assessment/Nature conservation received 03/07/2019
Document Sustainability statement 4600-RP-02 Rev 4 received 03/07/2019
Document Heritage statement received 03/07/2019
Document Flood risk assessment J3656 01 received 03/07/2019
Document Noise impact assessment 02 received 03/07/2019

Document Transport assessment/statement received 03/07/2019
Document Daylight/Sunlight assessment 13680-eh-19-1011 received 24/10/2019
Document Design and access statement received 03/07/2019
Document Planning statement received 11/07/2019
Document Construction Management Plan Rev 2 received 03/07/2019
Document Statement of Community Involvement received 03/07/2019
Document Social Impact Strategy received 24/10/2019
TRANSPORT STATEMENT received 10/05/2024
TRANSPORT STATEMENT 2 received 10/05/2024
DESIGN AND ACCESS STATEMENT received 10/05/2024
HERITAGE STATEMENT received 10/05/2024

17. Amended condition:

The development shall be carried out in accordance with the plans, drawings and other documents approved on the original consent 19/AP/1975 unless superseded by subsequent Non Material Amendments, or the plans as stated below:

Location Plan ST-E-00-001 REV P0 received 10/05/2024
PROPOSED GROUND FLOOR PLAN 4347-ECE-PR-00-PL-A-12002 REV P01 received 10/05/2024
PROPOSED EAST ELEVATION 4347-ECE-PR-ZZ-PL-A-12017 REV P01 received 10/05/2024
PROPOSED CONTEXT EAST ELEVATION 4347-ECE-PR-ZZ-PL-A-12120 REV P02 received 10/05/2024
PROPOSED EAST ELEVATION SHEET 1 4347-ECE-PR-ZZ-PL-A-12117 REV P01 received 10/05/2024
PROPOSED EAST ELEVATION SHEET 2 4347-ECE-PR-ZZ-PL-A-12118 REV P01 received 10/05/2024
TRANSPORT STATEMENT received 10/05/2024
DESIGN AND ACCESS STATEMENT received 10/05/2024
PLANNING AND HERITAGE STATEMENT received 10/05/2024

Conclusion of the Director of Planning and Growth

18. Having taken into account the additional consultation responses, and other additional information, following consideration of the issues raised, the council maintains its recommendation to grant permission subject to conditions, as amended in the addendum report.

REASON FOR URGENCY

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

REASON FOR LATENESS

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

BACKGROUND DOCUMENTS

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