

<b>Item No:</b> 6.1 & 6.3	<b>Classification:</b> Open	<b>Date:</b> 3 July 2018	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		<b>Addendum report 2</b> Late observations, consultation responses, and further information	
<b>Ward(s) or groups affected:</b>		North Walworth and St George's	
<b>From:</b>		Director of Planning	

## PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications 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 recommendation stated.

## RECOMMENDATION

2. That members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

## FACTORS FOR CONSIDERATION

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

### **Item 6.1 – Application 16/AP/458 for: Full Planning Application - SHOPPING CENTRE SITE, ELEPHANT AND CASTLE, 26, 28, 30 AND 32 NEW KENT ROAD, ARCHES 6 AND 7 ELEPHANT ROAD, AND LONDON COLLEGE OF COMMUNICATIONS SITE, LONDON SE1**

4. A number of clarifications and corrections in relation to the report are set out below:
5. Correction to Paragraph 365 (page 94) of the officer's report  
  
Last sentence should read: - The West site's social rented units would already be secured in the mansion blocks at 72% exceeding the 50% requirement.
6. Correction to Paragraph 366 (page 94)  
  
Figures should read: On the east site LLR 23% & 77% DMR. On the west site: Social Rent 72%, LLR 7% and 21% DMR. ( Percentages relate to Habitable rooms)
7. Correction to Paragraph 374 (page 95) – last line - providing a total of 165 units ( not 161)
8. Correction to Paragraph 376 (page 95) – to be noted that Unit type '3 bed' should read '3 bed +' to include 2 no 4 bed units.
9. Correction to Paragraph 387 (page 97) – 15% LLR and 47% at 80% market rent.
10. Add the following documents to the draft recommendation:

Overshadowing assessments dated 29<sup>th</sup> June 2018 and 26<sup>th</sup> July 2017.

### **Additional representations received (summary)**

11. Three additional representations in support (new issues raised)

12.

- Existing shopping centre and bingo serve one demographic and people travel to the West End for shopping. Proposed shopping centre and leisure space would serve a broader section of the community;
- Short-sighted to focus on social housing alone. 42% of Southwark's housing stock is social rented. Real issue is in the middle which the proposal would help to address; The LCC is vital part of the area. If the plan is rejected the LCC may move to another site outside the area which would be detrimental to all local residents, especially the young;
- Developer has made reasonable concessions, including the temporary retail space which is supported.

13. 45 additional objections (new issue raised)

- Equality impacts of the loss of the Coronet are not considered;
- Social rented units have only been increased through grant funding.

Officer response –Equality implications relating to the Coronet are considered on page 54 of the officer report. The issue of grant funding is considered in Addendum Report 1.

14. Additional objection from the 35% campaign (new issues raised)

- The committee cannot reach a reasonable decision on the application if the applicant will not commit to build to rent or build to sell on the west site as the affordable housing requirements are different;
- Revised proposal results in a loss of 12 affordable units;
- DMR tenancies less secure than social rent and question the practicality of reviewing eligibility based on incomes;
- Weekly rents would be high;
- Financial viability appraisal does not disclose the existing use value;
- As grant funding has been secured, there would be less risk for the developer therefore should be less need to rely on a viability review to improve the tenure split;
- Not aware of any consultation on an intermediate housing list;
- First right of refusal of some of the leisure space for a bingo operator is not sufficient to discharge the Council's Public Sector Equality Duty and is no information on how likely it is that an operator would come forward;
- Castle Square temporary retail is not guaranteed to cannot be considered as a relocation site and it would be very small; Perronet House is not guaranteed either;
- Understand UAL's need for a new premises and believe an equitable and fair scheme can meet the interest of the local community;
- Impact upon female business owners, the young and displacement of charities not adequately addressed and affordable B class floorspace for charities is not guaranteed;
- Time delay on mitigation measures being delivered because completing a s106 agreement could happen some time after any resolution to grant;
- Affordable retail opportunities may not be ready when traders require them;
- Inability to enforce mitigation measures.

Officer response - The comments raised above are predominantly addressed in the officer report and addendum report 1. The existing use value of the shopping centre is contained in the applicant's viability appraisals, under the heading of 'fixed price' and these documents are available online. Addendum Report 1 considers viability for

a build-to-sell scenario on the west site which would be a fall-back position in any event, and the social rented units would be protected. The applicant's proposal and clear intention is to develop the west site for PRS but has indicated a possible if unlikely scenario whereby it would be developed for sale. This would trigger a slightly different affordable housing requirement. The S106 legal agreement will set out how this would be addressed should it arise and ensure that the requisite affordable housing provision would be secured. The committee is entitled to consider the application on that basis.

15. Additional objection from Latin Elephant (new issues raised)

- Request that the committee defer making a decision to allow time for full consideration of Latin Elephant's additional representation;
- Joint research project into socio-economic value at Elephant and Castle being undertaken by Latin Elephant, Loughborough University and LSE to provide additional evidence to recognise the role of the current traders at the shopping centre;
- Research will focus on what constitutes affordability and equality in regeneration at the shopping centre highlighting the diverse infrastructure, urban networks and the cost of uncertainty;
- Affordability key to livelihoods, recreation and convenience activities;
- Loss of affordable and independent retail space should be considered in wider national context;
- The loss of affordability across London is a form of discrimination;
- A range of unit sizes is important, with those in the shopping centre ranging from 1.3sqm to 880sqm;
- Relocation strategy should ensure the continuity of employment growth trends for the local population;
- Should establish a formal forum for property owners, managing agents and tenants to exchange points of view, expertise and best practices and recognise 'sweat equity' when formulating compensation;
- Clear communication strategy needed during periods of transition.

Officer response – The matters outlined above are predominantly addressed in the officer report, which includes details of the relocation measures designed to support existing traders. This includes the provision of 10% affordable retail space and the provision of a £634,000 relocation fund.

An earlier objection from Latin Elephant is set out in Addendum Report 1. The objection requested that the London College of Communications should provide a number of grants to the local community. Whilst this is noted, this would be beyond the planning remit as it would not relate to the use of the land. Conditions and s106 obligations would require details of community use of the education floorspace in any event.

16. Additional objection from the Metropolitan Tabernacle

Concerns previously raised have not been addressed. These are loss of existing minibus parking, proximity of tower W3 to the Metropolitan Tabernacle, noise from the proposed cultural venue, and construction impacts. If the planning permission is approved, there would be no objection to the approval of the associated listed building consent application.

Conclusion

17. Having had regard to the additional representations received, officers remain of the view that planning permission should be granted.

**Item 6.3 – Application 17/AP/4651 for: Full Planning Application - GROUND FLOOR, PERRONET HOUSE GAYWOOD ESTATE, PRINCESS STREET, LONDON, SE1 6JR**

18. Additional information for the officer report:

The officer report describes how the proposal for the Perronet House garages has been designed to assist traders affected by the proposed redevelopment of the Elephant and Castle Shopping Centre site. Officers can confirm that the proposal would be considered acceptable in any event, even if the shopping centre proposal were either not approved, or was approved but did not proceed.

Additional representations received:

19. One additional objection received (new issues raised)

- Objections not included in officer report;
- Residents not notified of the planning committee meeting;
- Syringes have been found in the garages, either from rough sleepers or people receiving medication from the pharmacy;
- The Fire and Emergency Planning Authority need to approve the conversion;
- The Tenants and Residents Association has not been consulted;
- Request that the application be deferred to allow for further consultation with residents.

20. Perronet House and Princess Street Residents Association

Object to the application on the following grounds:

- Unreasonable lead- in time for a committee meeting, as only a limited number of residents were advised of the meeting, but not all of those who objected to the application;
- The TRA has not been engaged on the final vision for the proposal and must be so prior to a planning decision;
- Residents and public mislead into believing the proposal will prevent anti-social behaviour in the garages (the issue was a door access);
- Residents were proposed more consultation but this did not happen;
- Tenants were removed from garages in 2013 for shop conversion, which was scaled back and the pharmacy delivered. Anti-social behaviour issues have arisen because the garage space was then mothballed;
- Weak guarantees over the types of vendors which would operate from the space;
- Shopping centre traders have clearly stated they prefer other locations;
- Application should be deferred.

Officer response – These matters are predominantly addressed in the officer report. Objections which were received in response to public consultation on the planning application are summarised on pages 322-323 of the officer report and people who commented on the application were notified of the committee date in advance.

At the time that public consultation on the application was undertaken (January 2018) officers understood that there was no TRA in place for Perronet House. Letters were in any event sent to all flats within the building, together with the pharmacy and medical practice and the list of properties consulted are at pages 325-328 of the officer report. The applicant undertook consultation on the proposals before the application was submitted, and this is described on pages 319 to 320 of the officer report.

21. Regarding fire safety, this is considered on page 320 of the officer report. The London Fire and Emergency Planning Authority must be consulted as part of the Building Regulations process.
22. Officers consider that the proposal would reduce incidents of anti-social behaviour in the area.
23. Conclusion

Having had regard to the additional representations received, officers remain of the view that planning permission should be granted.

#### **REASON FOR URGENCY**

24. 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**

25. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and members should be aware of the objections and comments made.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403