

<b>Item No:</b> 7.1, 7.2 & 7.3	<b>Classification:</b> Open	<b>Date:</b> 19 November 2019	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		<b>Addendum report</b> Late observations, consultation responses, and further information.	
<b>Ward(s) or groups affected:</b>		St Giles, London Bridge & West Bermondsey, Faraday, Old Kent Road	
<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. 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.

### **Item 7.1 – Application 19/AP/1150 – Full Planning – DOUGLAS BENNETT HOUSE, MAUDSLEY HOSPITAL, WINDSOR WALK, LONDON, SE5 8AZ**

#### **Corrections to case officer report**

4. The following corrections are proposed to the Case Officer's report:
5. Paragraph 1a Subject to a Section 106 Agreement.
6. Paragraph 10 for clarification;
  - 6 wards will be relocated to the SLaM Maudsley Campus in Southwark from elsewhere on the broader SLaM Trust estate.
  - The 2 further wards are also existing wards being transferred from outside of Southwark.
  - The total beds from the combined 8 wards will be around 120-130.
  - As jobs will transfer with the existing wards, this relocation will bring jobs to Southwark.
7. Paragraph 59 should be followed by the following;

Section 66 of the Planning (Listed building and conservation areas) Act 1990 states:

*"In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.”*

The significance of the Denmark Hill station is as a Victorian station building, constructed from brick with decorative dressings and slate roof. The building is prominently viewed from the site, being on the southern side of the Manor Walk. The station building is viewed in a similar context as the site, and the proposals will be experienced from Champion Park, across the sunken railway line and within the setting of the grade II listed building. The existing building is also experienced in this context, as is the wider street scene. Also within the setting of the grade II listed building is the Salvation Army Campus and the wider Maudsley Hospital site. Over time, the setting of the station has altered to include tall buildings, terraces and other hospital/health related buildings in the urban location.

Paras 193 of the NPPF states

*“ 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. 194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional”

Para 196 states:

*“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*

Officers consider that the impact on the significance of the listed building would have less than substantial harm, including no harm to the actual asset. The harm would be limited to change to its setting. The harm would arise from the height and scale of the proposals being larger than the existing structure and this would be more prominently viewed than the current situation within the experience of the grade II listed Denmark Hill station. The station building would still be read as stand alone Victorian station in an urban environment with a back drop of terrace style brick buildings behind. The amount harm to the asset is small, and as per the advice of the NPPF policies above, can be weighed against the public benefits of the scheme which include the provision of the NHS hospital buildings and facilities in this sustainable location.

- 8. Paragraphs 75 and 79 make reference to residential use and CIL contributions in error. As a health facility the proposal is exempt from any CIL contributions.
- 9. There is a duplication of paragraph 76 at paragraph 80.
- 10. Amendment to the second sentence of paragraph 80 which should read ;  
...an Air Quality Assessment which identified all predicted NO<sub>2</sub> and PM<sub>10</sub> concentrations at the modelled receptor locations fall within APEC Category A, which states that there are “No air quality grounds for refusal; however mitigation of any emissions should be considered.”

11. Paragraph 81 recommends a condition to secure a CMP, this is not included as the CMP has already been submitted and is being approved as part of this application.

#### Additional Information

12. The proposed location plan shows details of a plant structure to the north west corner of the site. This is proposed to be no more than one storey in height the details of which will be subject to a condition.

#### Additional Comments Received

13. A letter has been received by Paul Dickinson and Associates acting on behalf of the objectors from the Fetal Medicine Clinic. The letter was submitted directly to Members and sets out their concerns around the impact of the proposal building on their existing building, as well as concerns around the accuracy of some of the visual information provided.
14. The report does acknowledge that there will be an impact upon the Fetal Clinic building, however this has to be weighed against the planning merits of the proposed new mental health facility, it is considered that on balance the provision of improved mental health care would outweigh the harm.
15. The information referred to within the letter correctly identifies a discrepancy in the visual provided. It should be noted that the elevations do show the true differences within the existing and proposed buildings.
16. A letter of support has been received from King's College Hospital NHS Trust, who state they give their full support to the reuse of land and buildings the creation of additional jobs to reflect current and future needs for the expansion and improvement of mental health at The Maudsley.
17. A similar letter of support is also submitted from King's College Estate and Facilities Department.
18. An email was received from the Chief Executive of the Maudsley with a newsletter stating the new building would replace the existing building no longer suited to modern mental healthcare and details of how the building design has evolved in light of comments from the Council and local people.

#### Additional Conditions

19. The proposed new trees planted as part of the approved landscaping plan should provide a total stem girth of 560cm or more in order to replace the trees felled as part of this development.

#### Reason

20. So that the Council may be satisfied with the tree planting details of the landscaping scheme in accordance with The National Planning Policy Framework 2019, The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity and Policy 3.28 Biodiversity.
21. Prior to the commencement of any above ground works to the detached plant building within the campus, plan and elevation details shall be submitted to and approved by the Local Planning Authority. The work shall be carried out in accordance with the details approved.

#### Reason

22. In order to ensure that the proposed structure is built in accordance with the details submitted and accords with Saved Southwark Plan 2007 Policies 3.2 protection of amenity and 3.12 quality in design.

## **Item 7.2 – Application 19/AP/1275– Full Planning - Burgess Park Community Sports Ground, Burgess Park Community Sport Pavilion, Cobourg Road, London, SE5 0JB**

### National Planning Policy Framework

23. Paras 24 – 25 of the officer report refers to the relevant parts of the National Planning Policy Framework (NPPF) which have been considered in assessing the application. Para 46 of the officer report states that Metropolitan Open Land is afforded the same protection as green belt is afforded within the NPPF and that the relevant sections of the NPPF are a material consideration.
24. Reference to the relevant section of the NPPF is omitted from section 24 – 25 of the officer report. In addition to the sections of the NPPF set out in paras 24 - 25, Chapter 13 'Protecting Green Belt land' should be included for completeness

### Impact on the nearby listed building

25. Para 4 sets out that the site is located within the setting of a listed building, itself which is set back and is as a result not prominent within the streetscape. Analysis of the impact of the development on the adjacent Cobourg Road Conservation Area was provided in paras 65 – 68.
26. Analysis of the impact of the development on the listed building, in the context of the requirements set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the NPPF paras 190, 192 and 193 - 196 was not provided in the officer report. The analysis undertaken during the application process and which informed the recommendation on the planning application is set out here for completeness.
27. As noted above and in the officer report, the listed building is set back within the streetscape. It is 37m distance away from the site. The building is a former church built in 1879-80 and subject to further additions in the 1931-32. Due to the set back the front elevation is afforded limited visibility in views either from within the site, looking north up Cobourg Road, or from outside of the site to the north, near the listed building, looking south into the site down Cobourg Road. As a result of this, it is not considered that there would be any harm to the setting or significance of this aspect of the heritage asset.
28. The side (southern) elevation of the building appears in views from the south within the site and is read as if though it extends into the park from behind the adjacent terraced properties to the south. The elevation features distinctive tall pointed arch windows. It has a more prominent, direct relationship to the site than the front elevation, particularly when looking across and through the fencing of the community cricket and rugby pitches on the eastern portion of the site. From Cobourg Road however, where the greatest change to the setting of the listed building, and by extension potential impact, would occur (by virtue of the proposed contemporary sports centre building) this side elevation is obscured by the retained mature trees on and around the site.
29. By virtue of this relationship, it is not considered that there would be any harm to the setting or significance of the heritage asset. It can be noted that the landscaping and lighting works proposed as part of the development for the pathway proposed between Cobourg Road and Wait Street would provide an improved and attractive route for users of the park and facilities and provide the opportunity for an increase in footfall along this route, with the associated opportunity to increase appreciation of the listed building.

#### Additional issue to be considered raised through late consultation response

30. A late comment was received from Friends of Burgess Park that raised an issue not previously considered in the officer report. This is the impact of the barbeque area, adjacent to the site to the west, within Burgess Park, on air quality for users of the new Artificial Grass Pitches (AGPs).
31. Officers can confirm that a number of complaints have been received by users of the park and facilities, including the existing sports centre and pitches, of the impact of barbeque smoke on their enjoyment and use of the park.
32. There are a number of considerations which are put forward here to take into account on the acceptability of the proposal in light of this issue. The existing relationship between the barbeque area and existing AGP comprise 65m distance between the northern corners of the two spaces and 50m distance at the southern most corner of the barbeque area to the closest part (middle) of the western edge of the existing AGP.
33. The western-most of the two new proposed AGPs would be closer to the barbeque area with distances being between 50m and 20m. There is however mitigation options which means this relationship would be acceptable: In the first instance, there would be heavy planting on the rear elevations of the spectator mounds and trees to be planted in this part of the site would go some way to trapping and diffusing smoke from the area prior to it reaching the AGP. This is an arrangement which is not currently on the site, instead being open grassland between the barbeque area and existing AGP.
34. Further to this, the council's urban forester has advised that additional measures required as necessary to mitigate barbeque smoke pollution would be able to be addressed via the landscaping condition. On this basis the impact of the use of the barbeque area on the air quality for the users of the proposed facilities would be acceptable and the balance of benefits of the scheme supports a grant of planning permission.

#### Cycle parking

35. The officer report erroneously refers to the development proposing 28 cycle parking spaces. This was revised in amended plans to 36 spaces. This amendment was not reflected in the officer report but is corrected here for accuracy.

#### Plan to be added to list of submitted plans and approved plans on the recommendation sheet

36. The recommendation does not include the following plan. This is an error of omission and should have been included on the recommendation sheet. The plan does not provide any additional information than that already included in the list of submitted and approved plans. It provides a site-wide overview of the proposals. The plan reference to be added is: *5193\_100 Rev E ('Application Site')*. This plan will be included on any decision notice issued by the council subject to the planning committee's approval.

#### **Item 7.3 – Application 19/AP/1197– Full Planning - THE IVY, POTTERSFIELD PARK, LONDON SE1 2SG**

37. To advise Members that the title of the policy quoted in paragraph 17 should read Draft London Plan 2019.

38. An additional sentence was omitted from paragraph 41 which should have concluded that 'The proposal would not affect the setting of the nearby listed buildings due to the small scale of the development and their distance away.

### **REASON FOR LATENESS**

39. 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	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403