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<b>Item No.</b> 5.1	<b>Classification:</b> Open	<b>Date:</b> 15 June 2020	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 19/AP/0830 for: Full Planning Application  <b>Address:</b> LANDMARK COURT, LAND BOUNDED BY SOUTHWARK STREET, REDCROSS WAY AND CROSS BONES GRAVEYARD, LONDON SE1  <b>Proposal:</b> Mixed-use development involving the demolition of 25-33 Southwark Street, the restoration of 15 Southwark Street for residential use and the erection of new buildings comprising: a part 6/8/9-storey office (Class B1) building incorporating a single-storey basement, flexible ground floor uses (Classes A1/A2/A3/A4 and D2) and workspace units (Class B1); a 3-storey workshop building (Class B1); a marketplace with up to 9 permanent stalls (Class A1); 36 residential units in the refurbished 15 Southwark Street building and a new 8-storey block; associated areas of new public realm; hard and soft landscaping; enhancements to Crossbones Burial Ground; means of access and enclosure, and ancillary plant and equipment.		
<b>Ward(s) or groups affected:</b>	Borough & Bankside		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 27/03/2019		<b>Application Expiry Date</b> 26/06/2019	
<b>Earliest Decision Date</b> 07/05/2019		<b>PPA End Date</b> July 2020	

## RECOMMENDATIONS

1. That full planning permission be granted for 19/AP/0830, subject to conditions, referral to the Mayor of London, and the applicant entering into a satisfactory legal agreement.
2. That in the event that the legal agreement is not entered into by 30 October 2020 the director of planning be authorised to refuse planning permission for 19/AP/0830, if appropriate, for the reasons set out in paragraph 341 of this report.

## EXECUTIVE SUMMARY

3. Located in London Bridge and occupying a prominent position on the southern side of Southwark Street opposite the historic Hop Exchange, the application site is in the Central Activities Zone and an Opportunity Area. Although it is predominantly open land currently used for car parking and informal storage, the site also contains three

buildings, one of which is a four-storey Victorian building that has stood vacant for a number of years. In the southwest corner of the site is Crossbones, an unconsecrated medieval burial ground and now a garden of remembrance. The application site lies partially in the Borough High Street Conservation Area and adjacent to the Union Street Conservation Area. There are also a number of listed buildings in the vicinity.

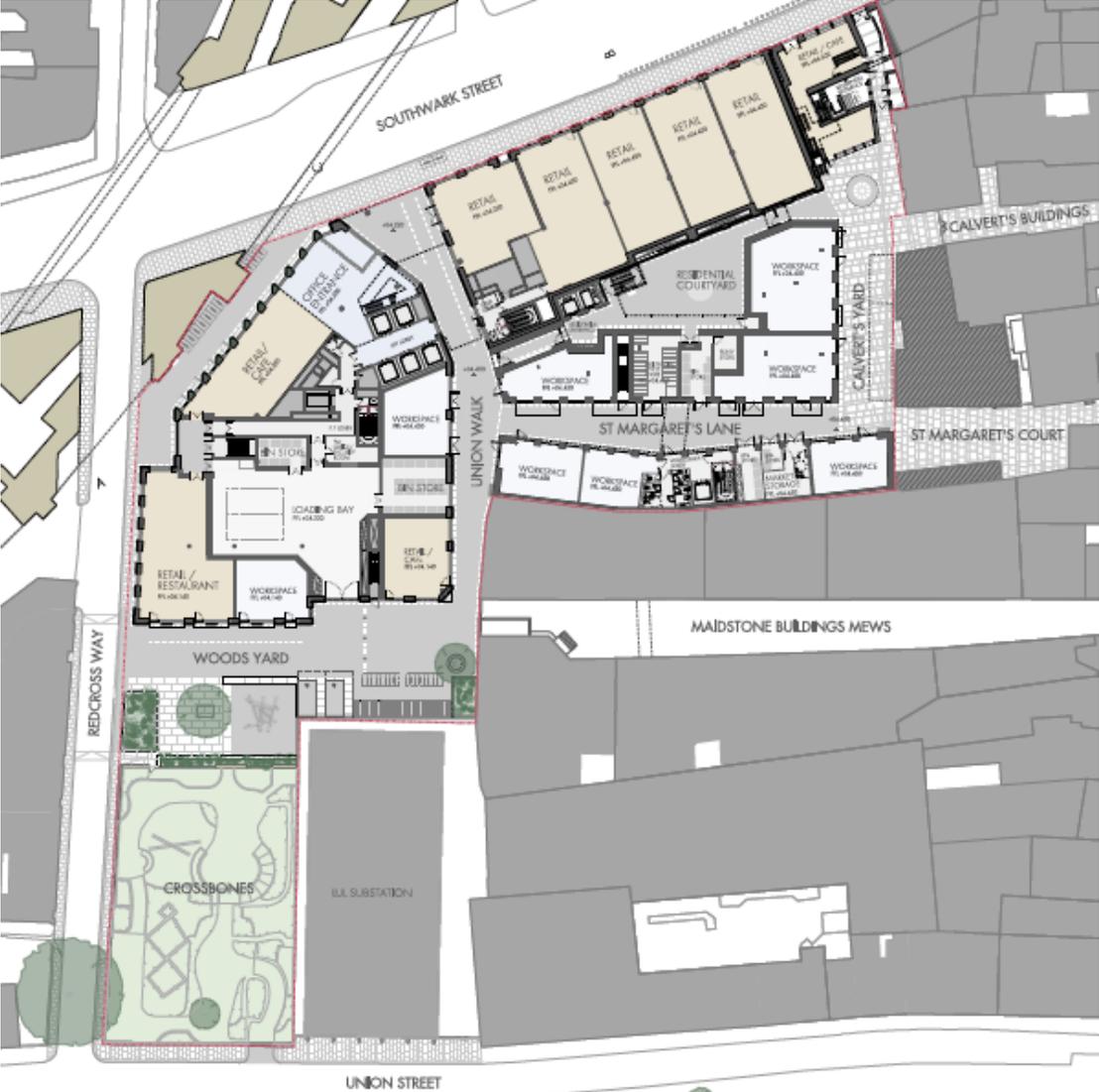


Figure 1 (above): Proposed ground floor plan in the context of the site and immediate surroundings.

4. In a joint venture between TfL and property developer U+I, the proposal is for the mixed-use redevelopment of the site comprising a series of buildings ranging in height from three to nine storeys. Together, these buildings would deliver a substantial quantum of new Grade A office floorspace, nine flexible retail/cultural uses and a range of affordable workspace units. 36 new dwellings are also proposed, of which four would be delivered through the refurbishment of 15 Southwark Street. 50% of the new homes would be affordable, with a tenure split of 70:30 between social rent and London Living Rent. A series of new public spaces are to be created, one of which would accommodate a nine-pitch marketplace. The application also proposes

light touch landscaping enhancements to Crossbones Burial Ground, as well as a package of funding that will enable expanded opening hours and the protection and maintenance of this local open space in the long-term.

5. 21 comments have been received about the application, of which a large number were submitted by supporters of Crossbones Burial Ground, including the local organisations Friends of Crossbones and Bankside Open Spaces Trust (BOST). In addition, a petition with 2,286 signatures relating to the long-term protection of Crossbones Burial Ground was received, bringing the total number of representations to 22. One objection was submitted by a planning consultant on behalf of a number of residents of Triangle Court.
6. Of the 22 representations, 13 were in objection, three were in support and six were neutral. The main material planning considerations raised by the 13 objections were:
  - The total number of dwellings proposed and the affordable housing offer are inadequate.
  - The buildings are of an inappropriate design and height, would have an overbearing impact on surrounding properties and open spaces, and would cause harm to heritage assets and local and London views.
  - The quantum of retail space is excessive and may result in an overconcentration of particular types of retail.
  - The proposed marketplace has the potential to dilute or otherwise undermine the Borough Market experience and may cause amenity issue for nearby residents.
  - Existing nearby residents would experience an unacceptable loss of daylight/sunlight, outlook and privacy.
  - Construction traffic may conflict with the operations of Borough Market and, if the proposed development is constructed concurrently with other nearby developments, has the potential to cause cumulative highway and environmental impacts.
  - The proposals for the enhancement, management and long-term protection of Crossbones Burial Ground are either inappropriate or insufficient
  - Burials are not restricted to within Crossbones and in fact cover parts of, and possibly all of, the remainder of the development site, thereby rendering the development proposals illegitimate.
7. As expanded on in the main body of the report, while the local expectation for this site to deliver a greater number of homes is recognised, the 36 dwellings proposed by this application accords with the site allocation (which does not specify a minimum quantum of proportion of the site) and is considered adequate given the importance to the economy of delivering workspace and jobs in the CAZ and so close to the London Bridge transport hub. The delivery of 50% of these homes in social rent and London Living Rent tenures is welcomed and a major benefit of the proposed development.
8. The mix of uses, including the quantum of flexible retail/cultural space, is considered acceptable given the CAZ and town centre designations. In combination with the affordable workspaces and marketplace, the retail/cultural units would bring active frontages to Southwark Street and Redcross Way as well as the new public lanes and squares which make a significant contribution to permeability and pedestrian movement across the site

9. The proposal has undergone a number of design changes through the course of the application process, the most significant of which being a reduction in the height of the tallest buildings. In its scale, form and architecture, the final proposal forms a skilful and subtle scheme that is derived from and which responds to its conservation area context.
10. The proposal would result in substantial adverse daylight and sunlight impacts to a number of nearby residential windows, which should be accorded some weight in determining the application. The main body of the report sets out in detail the degree of impact and the mitigating factors. In respect of outlook and privacy impacts, the report sets out why the separation distances between the development and surrounding dwellings are considered adequate.
11. Along with 'light touch' re-landscaping and improvements to the perimeter wall, the applicant has committed a package of funding for managing and maintaining Crossbones in the long-term, and intends to delegate these responsibilities to a Not for Profit Organisation (NPO) through a lease agreement. These provisions will enable the burial ground to be opened for four hours every day of the week in winter and seven hours every day of the week in summer, which is a significant improvement on the present opening hours and is considered to meet the aims of Saved Policy 3.27 (Other Open Space) of the Southwark Plan. The long term security of the Crossbones site is a key benefit of the overall scheme.
12. As the report explains, the proposal would make efficient use of the land to deliver a high quality and sustainable development that accords with the council's aspirations for the area, and the draft site allocation in the New Southwark Plan. In addition to the economic benefits brought by this proposal, such as the significant uplift in office space, and the opportunities for small and start up businesses within the affordable units and market stalls, a range of financial contributions will be secured to offset the impacts of the development and assist with local and London-wide infrastructural investment.

## **BACKGROUND INFORMATION**

### **Site location and description**

13. The application site is a 0.7 hectare plot of land bounded to the southwest by Union Street, the west by Redcross Way and the north by Southwark Street. Along its remaining boundaries, the land is adjoined by a London Underground substation and the rear of buildings lining Borough High Street and Maidstone Buildings Mews.



Figure 2 (above): Site location plan, showing the site boundary edged in red and other land within the applicant's ownership edged in blue.

14. The majority of the site was cleared in 1997 to provide a works site to facilitate the construction of the Jubilee Line extension, and thereafter in connection with the Thameslink upgrade. This storage of construction and engineering equipment would have constituted a Class B8 (storage and distribution) use. Today, the land remains predominantly open and is used for car parking and informal storage. The only permanent structures on the site are a five-storey derelict building at 15 Southwark Street, a two-storey building currently being used as offices at 25-33 Southwark Street and an electricity substation. Positioned in the site's northwest corner is a temporary building used as an office for the car park staff.
15. Landmark Court is a Transport for London disposal site, released in 2016 to support the Mayor of London's manifesto pledge to unlock public land for the delivery of new homes. Following a bidding process, U+I was selected as the joint venture development partner.
16. Occupying the southwestern portion of the site is Crossbones Burial Ground, an unconsecrated medieval burial ground and now a garden of remembrance. It is currently managed and maintained by the charity Bankside Open Spaces Trust (BOST), who are also responsible for the management of a number of other small open spaces in the north of the borough.

17. Provided below is a schedule of the site's current uses:

Description of current use	Use Class	GIA / area (sq. m)
<b>No. 15 Southwark Street</b>		
Vacant	Nil use, owing to a prolonged period of non-use	330
<b>No. 25-33 Southwark Street</b>		
Co-working space	Lawful B1 (office)	190
<b>Open yard area, associated temporary buildings and electricity sub-station</b>		
Informal car parking and storage	Nil Use N.B. Currently in unlawful sui generis (car park) use. N.B. Most recent lawful use was Class B8 (storage and distribution in connection with a construction site)	5,920
<b>Crossbones Burial Ground</b>		
Publicly-accessible open space	Lawful D2 (leisure/recreation)	900
		<b><u>TOTAL</u></b>
		<b><u>7,340</u></b>

18. The wider area is of a mixed character, comprising offices, residential, commercial and leisure uses. Directly to the north are the grand Classical buildings of Southwark Street, which today typically contain retail at ground level with offices above, and Borough Market. Immediately to the east and southeast of the site are a number of mews-style residential buildings and converted warehouses, all set behind the tightly-packed buildings that front Borough High Street. To the south of the site, the built form is of a lower-rise and more diverse character, featuring a mixture of Victorian part-residential part-commercial terraces, a school, an outdoor sports facility and a number of mansion blocks. Opposite the site on the western side of Redcross Way is a cluster of buildings including residential blocks, employment space, a place of worship and a pub. A mainline railway viaduct demarcates the northwestern boundary of the site and separates it from the western section of Southwark Street, where retail, office and leisure uses predominate.



Figure 3 (above): Aerial view of the site and immediate surroundings. The site and all buildings within its boundaries are shown edged in red.

19. The site falls within:

- The Central Activities Zone (CAZ);
- Bankside, Borough and London Bridge Strategic Cultural Area;
- Bankside, Borough and London Bridge Opportunity Area;
- Bankside and Borough District Town Centre;
- Bankside Neighbourhood Area;
- Better Bankside BID;
- An Air Quality Management Area;
- Flood Zone 3 (in an area benefitting from flood defences);
- PTAL 6B (indicating the highest level of transport accessibility);
- Site Allocation NSP06 of the New Southwark Plan;
- A Controlled Parking Zone, and;
- The background region of Protected View 1A.2 of the London View Management Framework (Alexandra Palace viewing terrace to St Paul's Cathedral).

20. Once the New Southwark Plan has been adopted, the site will also be subject to the following designations:

- The Wider Setting Consultation Area of Borough View 1 (One Tree Hill to St Pauls Cathedral);
  - The Wider Setting Consultation Area of Borough View 2 (Nunhead Cemetery to St Pauls Cathedral), and;
  - South Bank Strategic Cultural Quarter.
21. With respect to designated heritage assets, the majority of the application site is within the Borough High Street Conservation Area. In addition, the site affects the setting of two conservation areas. The first of these is the Union Street Conservation Area, which adjoins the site along its Redcross Way and Union Street boundaries. The second is the Thrale Street Conservation Area, the boundary of which is within 25 metres of the northwestern corner of the site.
22. Although there are no listed structures on the site, within a 50 metre radius are the following Grade II listed buildings:
- Nos. 5-24 Cromwell Buildings and attached railings on Redcross Way;
  - The Hop Exchange, 24 Southwark Street;
  - Nos. 1-11 and 13 Park Street;
  - Nos. 5 and 6 Stoney Street;
  - No. 3 Southwark Street;
  - Nos. 38, 40, 50, 52, 52A, 54, 58, 66, 68 and 70 Borough High Street;
  - Wiltshire House (known as Kent House at the date of listing), Maidstone Buildings Mews;
  - Nos. 31-37, 59 and 61 Union Street;
  - Roman Catholic Church of the Most Precious Blood, 22 Redcross Way, and;
  - Nos. 49, 51 and 53 Southwark Street.
23. The site is currently within the 'Borough, Bermondsey and Rivers' Archaeological Priority Zone (APZ). When the New Southwark Plan is adopted, it will be within the newly named 'North Southwark and Roman Roads' Archaeological Priority Area (APA).
24. Forming the southwestern corner of the site is Crossbones, a walled medieval burial ground and now a public garden. Crossbones is designated as 'Other Open Space' within the adopted Southwark Plan 2007. The New Southwark Plan proposes to retain this designation.
25. There are six trees within the site, of which five are within Crossbones Burial Ground. One of these trees is a Category B (indicating moderate quality) specimen while the other five are Category C (indicating low quality). Located outside the site on the western side of Redcross Way is A Category A (high quality) tree whose canopy oversails part of Crossbones Burial Ground.
26. London Bridge, 150 metres to the northeast of the site, is the closest tube and mainline railway station. Also within walking distance is Southwark underground station, approximately 750 metres to the west. The site is well served by buses, with regular services operating along Borough High Street and Union Street. Quietway 14 runs along Union Street immediately to the south of the site, providing links to the

Cycle Superhighway 7 on Southwark Street and Cycleway 6 on Blackfriars Road. The closest cycle hire facility is a six-space docking station located directly to the front of the site outside 15 Southwark Street.

27. Three highways bound the site: Southwark Street, Redcross Way and Union Street. The former is part of the Transport for London Road Network, while the latter two are adopted borough highways.

## **Details of proposal**

### Overview

28. Full planning permission is sought to redevelop the site for a mixed-use scheme conceived as seven linked buildings ranging in height from three to nine storeys, all arranged around a series of new public lanes and hard- and soft-landscaped squares. The redevelopment would involve the demolition of the two-storey terraced properties at nos. 25-33 Southwark Street and the restoration of no. 15 Southwark Street.



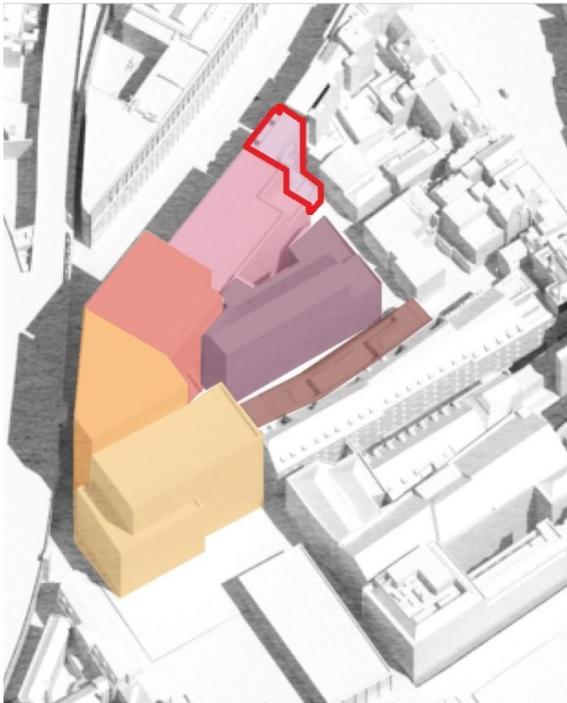
*Figure 4 (above): Diagram showing the arrangement of the seven buildings that make up the proposed development.*

29. The development would deliver office and affordable workspace (Class B1), flexible retail units (Classes A1-A4 and D2), a 9-pitch marketplace (Class A1) and 36 apartments (Class C3).
30. Alongside a range of landscaping enhancements to Crossbones Burial Ground, the proposal would secure increased funding, improved opening hours and the sustainable long-term management of the space by a local non-profit organisation.

31. The following paragraphs detail, in turn, each of the seven buildings that make up the proposed development.

15 Southwark Street

32. No. 15 Southwark Street, located in the northeastern corner of the site adjacent to no. 11 Southwark Street, is an existing four-storey Victorian building with raised ground floor and a further storey of accommodation at basement level. The building has been vacant for many years and for the past few years has been concealed by scaffolding and sheeting.
33. The building's Southwark Street frontage features intricate stonework window ornamentation, horizontal bands and vertical piers within a red brickwork façade that is largely intact. The rear has undergone numerous piecemeal changes over the years, retains little original fabric, and is in a poor state of repair.
34. Although it is not listed, the building is considered to be a non-designated heritage asset.



*Figure 5 (left): Site diagram showing no. 15 Southwark Street edged in red. Figure 6 (right): Proposed north elevation of the refurbished and extended 15 Southwark Street.*

35. It is proposed to restore the building's Southwark Street facade by repairing elevational wear and defects, replacing the windows and reinstating the ground floor retail frontage. An additional storey of accommodation is proposed at rooftop level, requiring the reconfiguration of the current pitched roof to appear as a mansard roof from Southwark Street and as a flat-roofed storey from the rear. These changes would result in a raised ridge line but would not entail any changes the existing Southwark Street parapet line.

36. At the rear of the building, a single-storey extension at ground floor level is proposed. The brick-clad extension would incorporate glazed doors on the rear elevation, creating an active frontage on the southern side of the building. In addition, an external circulation core (comprising stairwell, lift and balconied areas) rising the full height of the building is proposed.
37. 15 Southwark Street would provide a retail unit at ground floor level with ancillary space in the basement. One dwelling would be provided on each of the building's four upper floors.

#### The office-led cluster

38. The application proposes a substantial amount of new office (Class B1) floorspace, all of which would be accommodated in a block wrapping around north and west perimeter of the site. Internally, all upper floors of the cluster would be continuous open-plan office space. Externally, however, the block would take the appearance of four conjoined buildings, as follows:
  - Southwark Street Building
  - The Viaduct Building
  - The West Building, and;
  - The Woods Yard Building.

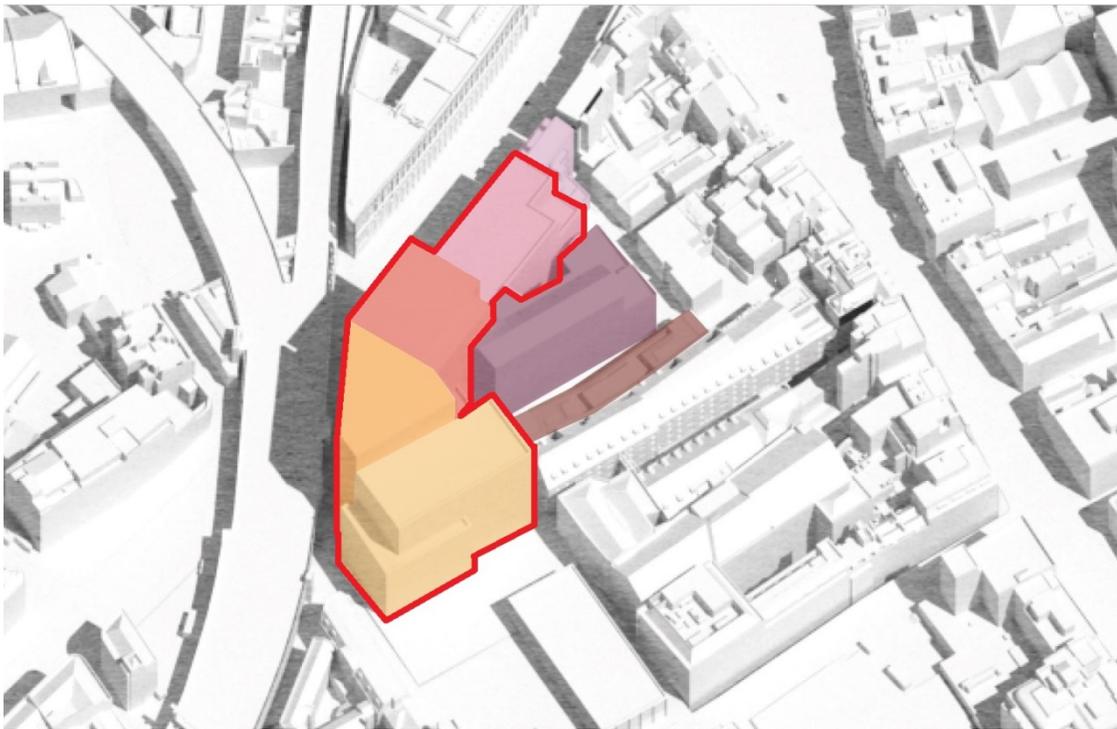


Figure 7 (above): Site diagram the office-based cluster edged in red.

#### The Southwark Street Building

39. The Southwark Street Building would be of a broadly rectilinear footprint and stand directly adjacent to no. 15 Southwark Street. Six storeys high with rooftop plant, the building would measure 30.8 metres AOD at its maximum point. On the Southwark

Street frontage, the uppermost storey would be set-back by 2.0 metres from the five storeys below, with the rooftop plant above set-back by a further distance of 10.0 metres.



Figure 8 (left): Site diagram showing the proposed Southwark Street Building edged in red  
Figure 9 (right): Visualisation southwest along Southwark Street, showing the Southwark Street Building centrally in the background

40. The building has been designed in reference to the Victorian warehouse that stood in this location until the 1980s. Its principal elevation would comprise eight identically-proportioned and deeply-inset bays between piers faced in buff brick. Each of the ground floor bays would be emphasised in red window joinery, while all the upper floor bays would contain bipartite glazing framed in light grey metal. The façade would be terminated by an open parapet between fourth and fifth floor level. The uppermost set-back storey would be glazed and framed in light grey metal; this metal finish would rise above the roof level by approximately half a storey to help screen the rooftop plant within wider views.
41. The ground floor of the building would comprise four separate flexible retail (Classes A1-A4 and D2) units, each with a double bay frontage onto Southwark Street. All five of the upper floors would be given over to office (Class B1) use, completely integrated with office space in the two proposed buildings to the west, “The Viaduct Building” and “The West Building”, creating substantial open-plan floorplates. At fifth floor level would be an outdoor roof terrace for use by the office workers.

## The Viaduct Building



Figure 10 (left): Site diagram showing the proposed Viaduct Building edged in red. Figure 11 (right): Proposed north elevation of the Viaduct Building

42. The Viaduct Building would be eight storeys high and stand between the proposed Southwark Street Building and the proposed West Building. It would provide access to a new public pedestrian north-to-south link to be known as “Union Walk”, via a two storey high arch route through the building. The upper floors of the Viaduct Building would cantilever over Union Walk and physically connect to the West Building.
43. The elevations of the two base storeys would be finished in red pigmented concrete. The upper six storeys have been designed in a regular grid arrangement of five bays, interspersed by piers finished in red brick with contrast provided by horizontal banding, concave bay heads and window posts all formed of light-coloured pre-cast concrete. A simply detailed cornice, also in concrete, would provide a pronounced roofline. Throughout, doors and windows would be framed in light grey metal.
44. At ground floor level, the Viaduct Building would accommodate a flexible retail unit (Classes A1-A4 and D2) benefitting from a wrap-around frontage onto Southwark Street and Union Walk. The seven upper floors would interconnect with the two adjoining buildings to create extensive open-plan office (Class B1) floorplates.

## The West Building

45. Occupying a broadly triangular-shaped plot between the proposed Viaduct Building and the proposed Woods Yard building, the West Building would directly face the railway viaduct and look west across the city. The tallest of all the proposed buildings, it would comprise nine storeys and, accounting for the rooftop plant, stand 44.20 metres AOD at its highest point.

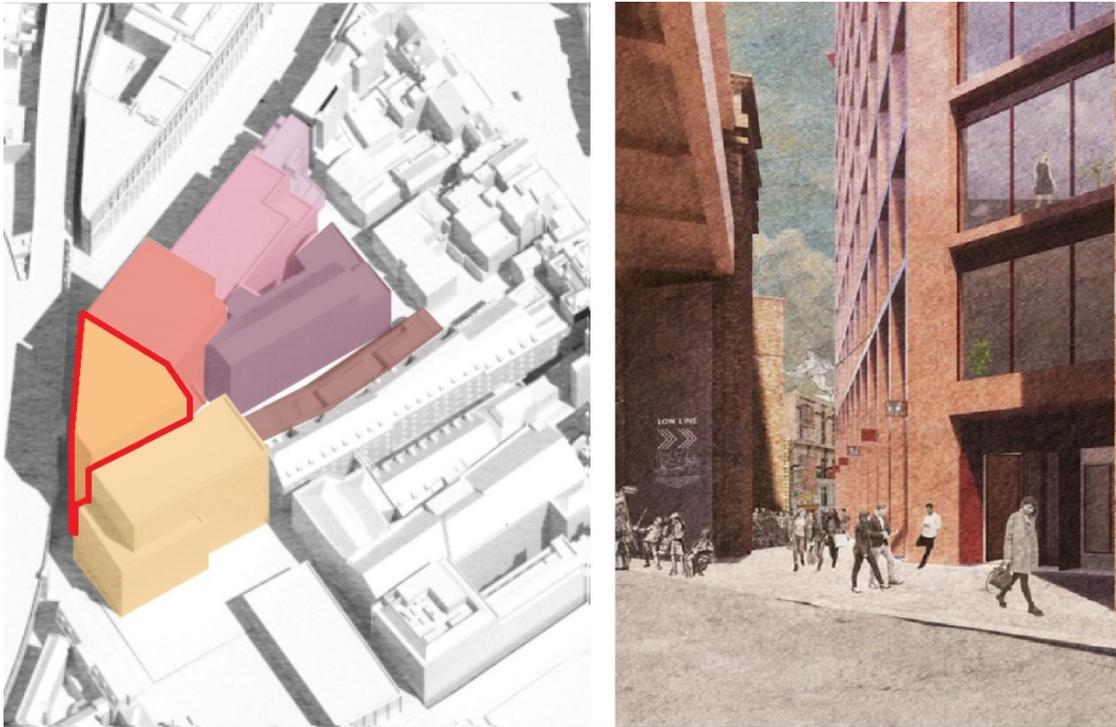


Figure 12(left): Site diagram showing the proposed West Building edged in red. Figure 13(right): Visualisation showing the West Building flanking the eastern edge of the new Low Line link

46. The building's principal elevation would be a grid frame comprising splayed piers and slender horizontal lintels, all in sandy pink pigmented concrete. The building would have one short return elevation where it meets the adjoining proposed Woods Yard Building; this elevation would feature larger-proportioned projecting windows. A grey metal finish would be used for all door and window frames, all spandrel panels and the rooftop plant enclosure.
47. The West Building's ground floor level would accommodate a flexible retail unit (Classes A1-A4 and D2) as well as the main entrance foyer to the eight floors of office space (Class B1) above. The eight upper floors would be integrated with the other three buildings in the office-led cluster.

#### The Woods Yard Building

48. The Woods Yard Building would adjoin the southern side of The West Building and would front onto Union Walk to the east, Redcross Way to the west and Woods Yard (a proposed public square) to the south. Articulated as two conjoined forms, one nestled behind the other, it would step up from five storeys to eight, being 36.295 metres AOD at its maximum.



*Figure 14 (left): Site diagram showing the proposed Woods Yard Building edged in red  
 Figure 15 (right): Visualisation from Redcross Way looking eastward across the proposed Woods Yard public square. In the foreground is the red brick lower mass of the Woods Yard Building, with the white brick taller mass visible behind.*

49. All façades of the Woods Yard Building would be articulated as a grid of bays. The lower element would be faced in red brickwork complemented by cream concrete lintels, window heads and an engraved cornice spelling out “Landmark Court”. The taller element, which would feature projecting metal balconies, would be faced in white brickwork with similarly light-coloured lintels and cornice. Grey window frames would be used throughout.
50. At ground floor level, the building would accommodate four commercial units: two would be flexible retail (Classes A1-A4 and D2) and two would be workspace (Class B1). The ground floor would also incorporate an internal loading bay serving the entire Landmark Court development. All of the seven upper floors would be dedicated office (Class B1) space forming part of the wider open-plan floorplates that cut across The West Building, the Viaduct Building and the Southwark Street building.
51. The building would include small external terraces on the lower floors and one large terrace at eighth floor level, all for use by the building tenants. The latter would incorporate soft landscaping and an area of green roof.

#### The Residential East Building

52. This block would be located at the centre of the site, enclosed to the north by the office-led buildings fronting Southwark Street and bounded to the south by a proposed three-storey workspace block (details of which are provided at para 54.). The Residential East Building would be partly eight-storeyed with a pitched roof (33.5 metres AOD at the ridge) with two lower flat-roofed sections of five and four storeys.

A further storey would be provided at basement level dedicated to plant. The building would wrap around a central courtyard for the exclusive use of the residents.



*Figure 16 (left): Site diagram showing the proposed Residential East Building edged in red  
Figure 17 (right): Part of the south elevation of the Residential East Building, showing the relationship between the five-storey and eight-storey elements*

53. Intended to reference the local warehouse aesthetic, the elevations of the Residential East Building would feature regular openings and projecting platform-style balconies. The elevations would be predominantly faced in buff brick with pre-cast concrete details while the balcony railings and window frames would be formed of brass metalwork. A standing seam metal finish is proposed for the pitched roof.
54. The building's ground floor level would comprise three workspace units (Class B1) together with storage and circulation spaces ancillary to the dwellings on the floors above. At first floor level, a workspace (Class B1) would occupy approximately half of the floorplate and would be linked by a bridge to the St Margaret's Lane Workspace Building opposite. Three dwellings (Class C3) would occupy the remainder of this storey. The other 29 residential units would be laid out over the second to seventh floors. A mix of one-, two- and three-bedroomed units is proposed, each with access to private outdoor amenity spaces. The building would incorporate two rooftop communal gardens along with ancillary spaces in the form of a circulation core, deck walkways and communal refuse/cycle storage facilities

St Margaret's Lane Workspace

55. The final building is the St Margaret's Lane Workspace. Backing onto the Maidstone Buildings Mews and facing the proposed Residential East Building and Calvert's Yard, it would be three storeys and stand 15.75 metres AOD at its highest point.



Figure 18 (left): Site diagram showing the proposed St Margaret's Lane Workspace edged in red. Figure 19 (right): Visualisation looking westward along St Margaret's Lane, showing the proposed workspace building on the left hand side of the image.

56. The building would have a regular fenestration at ground and first floor levels, while the second floor would feature a series of elongated openings enclosed by full-height metal balustrades. The elevations would be faced in dark brick and the undulating roof would be finished in metal.
57. Internally, the St Margaret's Lane workspace would be subdivided into workspace (Class B1) units of various sizes served by a central circulation and facilities core. A small area of the ground floor would serve as a store room for the market pitches (Class A1) on Calvert's Yard.

Overview of proposed floorspace

58. Provided below is the floorspace schedule for the proposed development:

Use Class	Floor(s)	Description/location of unit/space	GIA (sq.m)
<b>No. 15 Southwark Street</b>			
A1-A4/D2 (flexible retail/ cultural)	-0 and 00	Café/retail unit	178
C3 (residential)	01 - 04	4 dwellings	389
<b><u>TOTAL</u></b>			<b>567</b>

<b>Office-led Cluster</b>			
A1-A4/D2 (flexible retail/ cultural)	00	Southwark Street Building, West Building, Viaduct Building and Woods Yard Building	1265
B1 (workspace)	00	Woods Yard Building	161
B1 (office)	00	Offices including ancillary and service spaces entrance foyer	17298
Shared A1-A4/D2 and B1 (retail/ cultural/ office/ workspace)	B'MENT	Plant, cycle/refuse storage, circulation etc.	2,198
	00	Internal loading bay	275
<b>TOTAL</b>			<b>21,197</b>
<b>Residential East Building</b>			
B1 (workspace)	00 and 01	6 Units	615
C3 (residential)	B'MENT	Plant	400
	00	Ancillary	131
	01 - 07	32 dwellings	2429
<b>TOTAL</b>			<b>3,575</b>
<b>St Margaret's Lane Workspace and the Calvert's Yard Marketplace</b>			
B1 (workspace)	00 - 02	11 Units	757
Shared A1 and B1 (market/ workspace)	00 - 02	Shared toilet facilities, circulation etc.	292
A1 (market place)	00	Dedicated storage unit for market place	43
	00	Area of Calvert's Yard occupied by stalls	59
<b>TOTAL</b>			<b>1,151</b>
<b>TOTAL PROPOSED GIA (sq. m)</b>			<b>26,490</b>

#### Public spaces

59. The proposed redevelopment would deliver two new public squares, Calvert's Yard and Woods Yard, and two new laneways, Union Walk and St Margaret's Lane. Also proposed is a short section of the Low Line, to run alongside the viaduct in the site's northwestern corner, connecting Southwark Street with Redcross Way.

60. Calvert's Yard would be a hard-surfaced space incorporating a circular seating feature and nine market stall pitches. It would lead into St Margaret's Lane, a mews-style east-to-west route framed by the first floor bridge linking the Residential East Building to the St Margaret's Lane Workspace. Union Walk would provide a spinal route linking Southwark Street with the proposed Wood's Yard. It has been conceived as a tight laneway, inspired by the mews and alleys that characterise the surrounding area.



Figure 20 (above): Bird's eye visualisation of the proposed Woods Yard public square

61. Woods Yard, sited immediately to the north of Crossbones Burial Ground, would be a large open square featuring young people's play space, a rain garden, soft landscaping, street furniture and two trees. Woods Yard would also provide access to the site-wide loading bay, and as such would be a shared space used by pedestrians and delivery vehicles.

#### Crossbones Burial Ground

62. The application proposes a number of improvements to Crossbones Burial Ground, including resurfacing works, extensions to existing planting beds and the addition of some small trees, all to be achieved without any lowering of levels in order to protect the burials. An electricity supply for any temporary lighting needs, as well as a water supply for irrigation, would also be installed. Some sections of perimeter walling would be rebuilt and a new gate (primarily for emergency escape access) would be inserted on the Redcross Way boundary
63. The applicant also proposes a package of funding, details of which are provided in a

subsequent part of the report, to support the management of the burial ground and enable it to be opened for longer hours each day.

#### Amendments

64. Following extensive negotiation since submission of this application in April 2019, and in order to address officer and consultee concerns, the proposal has undergone multiple revisions. These changes are summarised below:
- Alterations to the design of the development, in particular a reduction to the height and massing of the Viaduct Building, the West Building and the Southwark Street building;
  - Increased number of dwellings;
  - Increased proportion of dwellings as affordable units;
  - Change to the 'Intermediate' housing product from Discount Market Sale to London Living Rent;
  - Improved affordable workspace offer, and;
  - Progressed lease and funding terms for the Non-Profit Organisation (NPO) responsible for managing Crossbones Burial Ground, including extended public opening hours.

#### **Planning history of the application site**

65. The following planning history for the application site is of relevance:

<p>Application reference no.: 91/208 Application type: Outline Planning Permission (OUT)</p> <p>The erection of a part six, part four storey building for business purposes (8,832 sq.m) with basement car park</p> <p>Decision: <b>Granted</b> Decision date: 02.04.1991</p> <p>Note: This permission was never implemented and has thus lapsed.</p>
<p>Application reference no.: 94/271 Application type: Outline Planning Permission (OUT)</p> <p><i>Erection of a part six, part four storey building for business purposes</i></p> <p>Decision: <b>Refused</b> Decision date: 14.07.1995</p> <p>Note: The applicant appealed the council's decision to refuse planning permission (ref: T/APP/A5840/A/95/260711/P6). The Planning Inspectorate allowed the appeal.</p>
<p>Application reference no.: 99/AP/0911 Application type: Outline Planning Permission (OUT)</p> <p><i>Renewal of the outline planning permission dated 15/11/96 for the erection of a part</i></p>

*six, part four storey building for business purposes*

Decision: **Granted**

Decision date: 07.12.1999

Note: The renewed permission, with an extended expiry date of 07.12.2004, was never implemented and has thus lapsed.

Enforcement case reference no.: 13/EN/0417

Enforcement type: Change of use (COU)

*Use of empty land as a public car park, with signs to indicate car park*

First (interim) decision: **Enforcement Notice Served**

First (interim) decision date: 02.06.2014

Reason for first (interim) decision:

- The use of the of the site to provide unauthorised public car parking was not encouraging commuters to use other forms of public transport and was not discouraging private car usage, ownership and/or provision.
- This was deemed to be contrary to the relevant policies at that time, which were: Saved Policies 3.2 (Protection of Amenity) 5.2 (Transport Impacts), 5.3 (Walking and Cycling) and 5.6 (Car Parking) of the Southwark Plan 2007; Strategic Policies 2 (Sustainable Transport), 13 (High Environmental Standards) of the Core Strategy 2011; Policies 5.2 (Minimising Carbon Emissions), 6.9 (Cycling), 6.10 (Walking) and 6.13 (Parking) of the London Plan 2011, and; Section 4 (Promoting Sustainable Transport) of the National Planning Policy Framework 2012.
- The enforcement notice, which was served on 07.03.2016 and required compliance no later than 07.06.2016, required the use of the land for vehicle parking/storage to cease and for the land to be cleared of all portacabins, signage and other material.

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Landowner's response to enforcement action: **Enforcement Notice Appealed**

Appeal outcome: **Withdrawn**

Date of appeal withdrawal: 18.04.2017

Reason for withdrawal of appeal:

- The landowner initially appealed the enforcement notice, choosing the public inquiry route. However, there were substantial delays in finalising a date for the inquiry to be heard, during which period the landowner had begun formal pre-application negotiations with the Local Planning Authority about the wholesale redevelopment of the site. With the redevelopment of the land now likely to come forward, the landowner was invited by the Local Planning Authority to an informal meeting to discuss varying the time period for compliance with the enforcement notice should the appeal be withdrawn.
- It was ultimately resolved to extend the timeframe for compliance with the notice to 24 December 2018, and the landowner thereupon withdrew their

appeal.

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Final decision: **Close Enforcement Case – Not Pursuing**

Final decision date: 18.03.2019

Reason for final decision:

- By 24 December 2018, it was clear that the landowner would shortly submit an application for planning permission, and so no action was taken despite the compliance technically having been breached.
- On validation of 19/AP/0830, the Local Planning Authority closed the enforcement case as 'Not Pursuing'.

Application reference no.: 14/AP/2757

Application type: Full Planning Permission (FUL)

*[In respect of Crossbones] Change of use from disused worksite to a community garden with managed access to the public.*

Decision: **Granted**

Decision date: 30.10.2014

Note: No conditions were attached specifying minimum opening hours. Along with a hard and soft landscaping condition, a condition was attached requiring the supervision of an archaeologist during ground works.

Application reference no.: 16/AP/2087

Application type: Full Planning Permission (FUL)

*Continued use of site as a film production support base, including parking for specialist vehicles providing rest rooms, catering and office space associated with film shoots*

Decision: **Treated as Withdrawn by the Local Planning Authority**

Decision date: 05.09.2016

Reason for decision:

- The Local Planning Authority exercised its powers to decline to determine the application because there was an outstanding enforcement notice (refer to 13/EN/0417) on the land and the matters specified in the enforcement notice related to the use which 16/AP/2087 sought permission for.
- The Local Planning Authority took this decision in line with the provisions of Section 70C of the Town and Country Planning Act 1990 which reads as follows:  
"1. A local planning authority in England may decline to determine an application for planning permission for the development of any land if granting planning permission for the development would involve granting, whether in relation to the whole or any part of the land to which a pre-existing enforcement notice relates, planning permission in respect of the whole or

any part of the matters specified in the enforcement notice as constituting a breach of planning control.”

2. For the purposes of the operation of this section in relation to any particular application for planning permission, a “pre-existing enforcement notice” is an enforcement notice issued before the application was received by the local planning authority.”

Application reference no.: 18/EQ/0316

Application type: Pre-Application Enquiry (ENQ)

*Mixed use development of the Landmark Court site (up to 20,000sq.m of floorspace within Use Class A and B and up to 100 residential units Use Class C3).*

Decision: **Pre-application Enquiry Closed**

Decision date: 13.06.2019

Application reference no.: 18/AP/2272

Application type: Screening Opinion (EIA) (SCR)

*Request for a Screening Opinion for a proposed mixed-use development of up to 20,000sqm of floorspace within Use Classes A and B1 and up to 100 residential units (Use Class C3).*

Decision: **Screening Opinion (EIA Regulations) Issued**

Decision date: 03.09.2018

Application reference no.: 19/AP/1000

Application type: Screening Opinion (EIA) (SCR)

*Request for a Screening Opinion for proposed phased mixed-use development comprising demolition of Nos 25-33 Southwark Street, restoration of 15 Southwark Street for residential use and erection of new buildings comprising: Part 6/9/10 storey office building (plus single level basement) and 3 storey workshop building (Use Class B1), flexible ground floor uses (Use Classes B1/A1/A2/A3/A4 and D2), a marketplace with up to 9 permanent stalls (Use Class A1), 35 residential units (new build 8 storey block and refurbishment of 15 Southwark Street) together with associated areas of new public realm, enhancements to Crossbones Graveyard, hard and soft landscaping, means of access and enclosure and installation of ancillary plant and equipment.*

Decision: **Screening Opinion (EIA Regulations) Issued.** Determined that the development would not be required to submit an EIA.

Decision date: 05.04.2019

## Planning history of adjoining sites

66. There is extensive planning history for nearby sites. The most relevant cases are:

<p><u>Rear of 2 and 3 Calverts Building, to the rear of 50 and 52 Borough High Street</u></p> <p>Application reference no.: 16/AP/3784 Application type: Full Planning Permission (FUL)</p> <p><i>Construction of 5 x residential units (1 townhouse and 4 apartments) and 111sqm of office space, associated hard landscaping and cycle parking.</i></p> <p>Decision: <b>Granted with Legal Agreement</b> Decision date: 02.03.2017</p> <p>Note: this development, now nearing completion, is known as the Calvert Yard Block. This is the name by which the development is referred to in subsequent parts of this report.</p>
<p><u>10-18 Union Street, SE1 1SZ</u></p> <p>Application reference no.: 18/AP/1613 Application type: Full Planning Permission (FUL)</p> <p><i>Refurbishment of the existing buildings, change of use to provide 85sqm (GIA) of flexible Class A3/B1 floorspace, installation of a glazed roof over the courtyard to form a covered atrium providing 253sqm (GIA) of floorspace (193sqm of Class B1 office floorspace and 60sqm of seating for the flexible Class A3/B1 floorspace) and refurbishment of the main building entrance on Union Street and the installation of rooflights.</i></p> <p>Decision: <b>Granted</b> Decision date: 13.07.2018</p>
<p><u>Apartment 10, Sussex House, 3 Maidstone Buildings Mews, SE1 1GF</u></p> <p>Application reference no.: 19/AP/7111 Application type: Full Planning Permission (FUL)</p> <p><i>Increased bathroom dormer; New dormer at mezzanine level; New windows on north-west elevation; New rooflight on north-east elevation; New privacy screen; Extended lobby boundary.</i></p> <p>Status: <b>Under consideration/assessment (Pending)</b></p> <p>Note: This application is relevant to 19/AP/0830 because it proposes windows on the common boundary with the Landmark Court site.</p>

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

67. The main issues to be considered in respect of this application are:
- Environmental impact assessment;
  - Principle of the proposed development in terms of land use;
  - Affordable housing and development viability;
  - Density;
  - Tenure mix;
  - Dwelling mix;
  - Wheelchair dwellings;
  - Quality of residential accommodation;
  - Communal outdoor amenity space and young people's play space;
  - Privacy, outlook, noise and odour impacts of the proposed development on nearby occupiers;
  - Daylight and sunlight impacts of the proposed development on nearby occupiers;
  - Impact of adjoining and nearby uses on the users of the proposed development;
  - Design, layout, impact on views and heritage, and tall buildings considerations;
  - Publicly-accessible realm, landscaping and trees;
  - Crossbones Burial Ground;
  - Ecology and biodiversity;
  - Transport and highways;
  - Environmental matters;
  - Energy and sustainability;
  - Socio-economic impacts;
  - Planning obligations;
  - Mayoral and Borough Community Infrastructure Levies
  - Community involvement and engagement;
  - Consultation responses from members of the public;
  - Consultation responses from internal and divisional consultees;
  - Consultation responses from external consultees;
  - Community impact and equalities assessment;
  - Human rights;
  - Positive and proactive statement, and;
  - Other matters.
68. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

69. 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 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.
70. 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.

### **Adopted planning policy**

#### National Planning Policy Framework (NPPF)

71. The revised National Planning Policy Framework ('NPPF'), published in February 2019, sets out the national planning policy and how this should be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
72. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
73. The relevant chapters of the NPPF are:
  - Chapter 2 - Achieving sustainable development
  - Chapter 5 - Delivering a sufficient supply of homes
  - Chapter 6 - Building a strong, competitive economy
  - Chapter 8 - Promoting healthy and safe communities
  - Chapter 9 - Promoting sustainable transport
  - Chapter 11 - Making effective use of land
  - Chapter 12 - Achieving well-designed places
  - Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
  - Chapter 15 - Conserving and enhancing the natural environment
  - Chapter 16 - Conserving and enhancing the historic environment.

#### London Plan 2016

74. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
  - Policy 2.1 - London in its global, European and United Kingdom context
  - Policy 2.9 - Inner London
  - Policy 2.10 - Central activities zone (strategic priorities)
  - Policy 2.11 - Central activities zone (strategic functions)
  - Policy 2.12 - Central activities zone (predominantly local activities)
  - Policy 2.13 - Opportunity areas and intensification areas
  - Policy 3.1 - Ensuring equal life chances for all
  - Policy 3.2 - Improving health and addressing health inequalities
  - Policy 3.3 - Increasing housing supply
  - Policy 3.4 - Optimising housing potential
  - Policy 3.5 - Quality and design of housing developments
  - Policy 3.6 - Children and young people's play and informal recreation facilities
  - Policy 3.7 - Large residential developments
  - Policy 3.8 - Housing choice
  - Policy 3.9 - Mixed and balanced communities
  - Policy 3.10 - Definition of affordable housing

- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.13 - Affordable housing thresholds
- Policy 3.16 - Protection and enhancement of social infrastructure
- Policy 4.1 - Developing London's economy
- Policy 4.2 - Offices
- Policy 4.3 - Mixed use development and offices
- Policy 4.8 - Supporting a successful and diverse retail sector and related facilities and services
- Policy 4.10 - New and emerging economic sectors
- Policy 4.11 - Encouraging a connected economy
- Policy 4.12 - Improving opportunities for all
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.5 - Decentralised energy networks
- Policy 5.6 - Decentralised energy in development proposals
- Policy 5.7 - Renewable energy
- Policy 5.8 - Innovative energy technologies
- Policy 5.9 - Overheating and cooling
- Policy 5.10 - Urban greening
- Policy 5.11 - Green roofs and development site environs
- Policy 5.12 - Flood risk management
- Policy 5.13 - Sustainable drainage
- Policy 5.14 - Water quality and wastewater infrastructure
- Policy 5.15 - Water use and supplies
- Policy 5.16 - Waste net self-sufficiency
- Policy 5.17 - Waste capacity
- Policy 5.18 - Construction, excavation and demolition waste
- Policy 5.21 - Contaminated land
- Policy 6.1 - Strategic approach (Transport)
- Policy 6.2 - Providing public transport capacity and safeguarding land for transport
- Policy 6.3 - Assessing effects of development on transport capacity
- Policy 6.4 - Enhancing London's transport connectivity
- Policy 6.5 - Funding Crossrail and other strategically important transport Infrastructure
- Policy 6.7 - Better streets and surface transport
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.11 - Smoothing traffic flow and tackling congestion
- Policy 6.12 - Road network capacity
- Policy 6.13 - Parking
- Policy 7.1 - Lifetime neighbourhoods
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character

- Policy 7.5 - Public realm
- Policy 7.6 - Architecture
- Policy 7.7 - Location and design of tall and large buildings
- Policy 7.8 - Heritage assets and archaeology
- Policy 7.11 - London View Management Framework
- Policy 7.12 - Implementing the London View Management Framework
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 8.1 - Implementation
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy
- Policy 8.4 - Monitoring and review.

#### Relevant London-level Supplementary Planning Documents/Guidance and Strategies

75. The relevant London-level supplementary planning documents and guidance documents are as follows:

- Mayor of London: Accessible London, achieving an inclusive environment (SPG, 2004)
- Mayor of London: Central Activities Zone (SPG, 2016)
- Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
- Mayor of London: Climate Change Adaptation Strategy (2011)
- Mayor of London: Crossrail Funding (SPG, 2016)
- Mayor of London: Homes for Londoners - Affordable Housing and Viability (SPG, 2017)
- Mayor of London: Housing (SPG, 2016)
- Mayor of London: London View Management Framework (SPG, 2012)
- Mayor of London: Planning for Equality and Diversity in London (SPG, 2007)
- Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
- Mayor of London: Shaping Neighbourhoods - Play and Informal Recreation (SPG, 2012)
- Mayor of London: Social Infrastructure (SPG, 2015)
- Mayor of London: Sustainable Design and Construction (SPG, 2014)
- Mayor of London: The control of dust and emissions during construction and demolition (SPG, 2014)
- Mayor of London: Transport Strategy (2018)
- Mayor of London: Use of planning obligations in the funding of Crossrail (SPG, 2016).

#### Core Strategy 2011

76. The Core Strategy provides the spatial planning strategy for the borough. The relevant policies of the Core Strategy 2011 are:

- Strategic Targets Policy 1 - Achieving growth
- Strategic Targets Policy 2 - Improving places
- Strategic Policy 1 - Sustainable development

- Strategic Policy 2 - Sustainable transport
- Strategic Policy 3 - Shopping, leisure and entertainment
- Strategic Policy 5 - Providing new homes
- Strategic Policy 6 - Homes for people on different incomes
- Strategic Policy 7 - Family homes
- Strategic Policy 10 - Jobs and businesses
- Strategic Policy 11 - Open spaces and wildlife
- Strategic Policy 12 - Design and conservation
- Strategic Policy 13 - High environmental standards.

Southwark Plan 2007 (saved policies)

77. With the exception of Policy 1.8 (Location of retail outside town centres), the council resolved in 2013 to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy. Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework.
78. The relevant saved policies of the Southwark Plan 2007 are:
- Policy 1.1 - Access to employment opportunities
  - Policy 1.4 - Employment sites
  - Policy 1.5 - Small business units
  - Policy 1.7 - Development within town and local centres
  - Policy 2.5 - Planning obligations
  - Policy 3.1 - Environmental effects
  - Policy 3.2 - Protection of amenity
  - Policy 3.3 - Sustainability assessment
  - Policy 3.4 - Energy efficiency
  - Policy 3.6 - Air quality
  - Policy 3.7 - Waste reduction
  - Policy 3.8 - Waste management
  - Policy 3.9 - Water
  - Policy 3.11 - Efficient use of land
  - Policy 3.12 - Quality in design
  - Policy 3.13 - Urban design
  - Policy 3.14 - Designing out crime
  - Policy 3.15 - Conservation of the historic environment
  - Policy 3.16 - Conservation areas
  - Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
  - Policy 3.19 - Archaeology
  - Policy 3.20 - Tall buildings
  - Policy 3.22 - Important local views
  - Policy 3.27 - Other open space (OOS)
  - Policy 3.28 - Biodiversity
  - Policy 3.31 - Flood defences
  - Policy 4.2 - Quality of residential accommodation

- Policy 4.3 - Mix of dwellings
- Policy 4.4 - Affordable housing
- Policy 4.5 - Wheelchair affordable housing
- Policy 5.1 - Locating developments
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking
- Policy 5.7 - Parking standards for disabled people and the mobility impaired
- Policy 5.8 - Other parking.

#### Relevant local-level Supplementary Planning Documents

79. The relevant supplementary planning documents and guidance documents from the local development plan are as follows:

- 2015 Technical Update to the Residential Design Standards (SPD, 2011)
- Affordable Housing (SPD, 2008) and draft Affordable Housing SPD 2011
- Design and Access Statements (SPD, 2007)
- Development Viability (SPD, 2016)
- Section 106 Planning Obligations and Community Infrastructure Levy (SPD, 2015 with 2017 Addendum)
- Sustainability Assessment (SPD, 2009)
- Sustainable Design and Construction (SPD, 2009)
- Sustainable Transport (SPD, 2010).

#### Relevant Conservation Area Appraisals

80. Three Conservation Area Appraisals are relevant to the site:

- Borough High Street (appraisal adopted 2006)
- Thrale Street (appraisal adopted 2012)
- Union Street (appraisal adopted 2010)

#### **Emerging planning policy**

81. The draft development plan documents of the draft New London Plan and draft New Southwark Plan are material considerations that can be given significant and limited weight respectively.

#### Draft New London Plan

82. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018. An Examination in Public (EIP) began on 15 January 2019 and the final session was held on 2 May 2019. The Inspector's report was published on 8 October 2019. An 'Intend to Publish' version of the London Plan was submitted to the Secretary of State on 9 December 2019. The Secretary of State provided their recommendations for further changes to be made to the Plan on 13 March 2020, which the Mayor responded to on 24 April 2020.

83. The draft New London Plan is the strategic plan which sets out an integrated economic, environmental, transport and social framework for the development of London for the period from 2019 to 2041. However, the annual housing targets are set for the first 10 years only of the Plan. A range of consultation responses were received to the draft policies from various parties, including London councils, individuals, businesses, campaign groups, community groups and government bodies.
84. Due to the stage it has reached, the draft New London Plan can be given significant weight in decision making, and it is noted that the GLA when commenting upon referable applications does attribute substantial weight to many of the emerging policies.
85. The policies from the 'Intend to Publish' version relevant to this application, all of which are informed by the six Good Growth Objectives, are:
- Policy SD1 - Opportunity Areas
  - Policy SD4 - The Central Activities Zone (CAZ)
  - Policy SD5 - Offices, other strategic functions and residential development in the CAZ
  - Policy SD6 - Town centres and high streets
  - Policy SD7 - Town centres: development principles and Development Plan Documents
  - Policy D1 - London's form, character and capacity for growth
  - Policy D2 - Infrastructure requirements for sustainable densities
  - Policy D3 - Optimising site capacity through design-led approach
  - Policy D4 - Delivering good design
  - Policy D5 - Inclusive design
  - Policy D6 - Housing quality and standards
  - Policy D7 - Accessible housing
  - Policy D8 - Public realm
  - Policy D9 - Tall buildings
  - Policy D10 - Basement development
  - Policy D11 - Safety, security and resilience to emergency
  - Policy D12 - Fire safety
  - Policy D14 - Noise
  - Policy H1 - Increasing housing supply
  - Policy H4 - Delivering affordable housing
  - Policy H5 - Threshold approach to applications
  - Policy H6 - Affordable housing tenure
  - Policy H10 - Housing size mix
  - Policy S4 - Play and informal recreation
  - Policy E1 - Offices
  - Policy E2 - Providing suitable business space
  - Policy E3 - Affordable workspace
  - Policy E9 - Retail, market and hot food takeaways
  - Policy E11 - Skills and opportunities for all
  - Policy HC1 - Heritage conservation and growth
  - Policy HC2 - World Heritage Sites
  - Policy HC3 - Strategic and Local Views

- Policy HC4 - London View Management Framework
- Policy G4 - Open space
- Policy G5 - Urban greening
- Policy G6 - Biodiversity and access to nature
- Policy G7 - Trees and woodlands
- Policy SI 1 - Improving air quality
- Policy SI 2 - Minimising greenhouse gas emissions
- Policy SI 3 - Energy infrastructure
- Policy SI 4 - Managing heat risk
- Policy SI 5 - Water infrastructure
- Policy SI 6 - Digital connectivity infrastructure
- Policy SI 7 - Reducing waste and supporting the circular economy
- Policy SI 12 - Flood risk management
- Policy SI 13 - Sustainable drainage
- Policy T1 - Strategic approach to transport
- Policy T2 - Healthy Streets
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling
- Policy T6 - Car parking
- Policy T6.1 - Residential parking
- Policy T6.2 - Office parking
- Policy T6.3 - Retail parking
- Policy T7 - Deliveries, servicing and construction
- Policy T9 - Funding transport infrastructure through planning

#### New Southwark Plan

86. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission Version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 was consulted on until 17 May 2019.
87. The New Southwark Plan Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. The Planning Inspectorate provided their initial comments on 20 April 2020. The Planning Inspectorate recommended that further consultation was required in order to support the soundness of the NSP. A further three months of consultation will take place from June – August 2020 in light of this recommendation. It is anticipated that the plan will be adopted in late 2020 following the conclusion of consultation and an Examination in Public. As the NSP is not yet adopted policy, it can only be attributed limited weight. However, where policies remain little changed from that which is already adopted, greater weight can be given and officers are recommended to refer to these policies in decision making.
88. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging development plans according to the stage of preparation, the extent to which there are unresolved objections to the policy and the degree of

consistency with the NPPF. As the NSP is not yet adopted policy, it cannot be attributed full weight as a whole, but individual policies can be given weight.

89. The evidence base to support the NSP is substantially complete. The NPPF states that the more advanced the preparation of the plan, the more weight can be given. The NSP has been subject to six rounds of consultation and comprehensive consultation reports have been prepared at each stage in response to representations. The council received 332 representations to the Proposed Submission Version (2018) and as a result some policies were amended and further consultation took place in 2019. The council received 131 representations to the Amended Policies consultation. A full consultation report incorporating comments from both stages of the Regulation 19 consultation was prepared alongside Submission. A full report will also be published to account for comments received in the June – August 2020 final round of consultation. The council is meeting various community planning interest groups, as well as preparing Statements of Common Ground with individuals and organisations who will be taking an active part in the EiP.
90. In response to the various rounds of consultation on the NSP, a variety of comments and objections were received from individuals, groups and businesses. Where no objections were received a draft policy can be given more weight than for policies where objections were received and have not been resolved, particularly where there is little change from current adopted policies.

#### Site allocation

91. The NSP includes a number of 'Site Allocations'. Site Allocations are detailed development management policies specific to particular potential redevelopment sites in the borough. They specify, among other things, the land uses and development capacity of those sites. The application site is subject to Site Allocation NSP06. This is discussed in more detail in the 'Principle of Development' section of this report.

#### Summary on emerging policy

92. The NSP responds positively to the NPPF, by incorporating area visions, development management policies and 82 site allocations which plan for the long term delivery of housing. The NSP responds to rapid change which is occurring in Southwark and London as a whole, and responds positively to the changing context of the emerging New London Plan.
93. In line with paragraph 48 of the NPPF, as both the New London Plan and the New Southwark Plan are at an advanced stage of preparation (the New London Plan further progressed) both can be afforded some material weight and this is detailed in the report where relevant to particular policy issues.

### **Assessment**

#### **Consultation summary**

94. In response to public consultation, the following main issues have been raised and are addressed in detail in the subsequent parts of this report.

Number of homes and affordable housing:

- The total number of dwellings proposed is inadequate and not in accordance with the number pledged by the Mayor of London in 2016.
- The proportion of homes offered as affordable is inadequate.
- The proposed intermediate housing product (Discount Market Sale) would, in this location, be financially inaccessible to people in need of affordable housing

Design, architecture, impact on heritage assets and effect on views:

- The buildings are excessively tall in the local townscape and Conservation Area context,
- The development, by reason of its height, mass and scale, would have an overbearing impact on surrounding properties and open spaces,
- The development would cause harm to heritage assets.
- The development would cause harm to local and wider views and panoramas
- The development would not relate well to its surroundings from the perspective of someone at street level
- The application lacks detail on a wayfinding/signage strategy.

Proposed flexible retail/cultural units:

- The quantum of floorspace is excessive.
- The flexible nature of the proposed retail offer may result in an overconcentration of particular types of retail.
- There is a risk of large high street chains, supermarkets and other large-scale food uses occupying the units.
- Retail design guidelines must be imposed for shop frontages and signage, otherwise the coherence of Landmark Court as a retail and leisure destination may erode with time.

Proposed marketplace:

- The proposed marketplace has the potential to dilute or otherwise undermine the Borough Market experience.
- The proposed nine-pitch marketplace may cause amenity issue for nearby residents, especially from evening or late night opening.
- The proposed marketplace would be in contravention of the 1756 Borough Market Act

Neighbours' amenity:

- Existing nearby residents would experience an unacceptable loss of daylight/sunlight, outlook and privacy.
- Any temporary markets held in Woods Yard may, either because of the event itself or the associated servicing/set-up, cause disruption to visitors and residents.

Construction-related impacts:

- Construction traffic and environmental issues arising from construction (dust, noise etc.) may conflict with the operations of Borough Market.
- If the proposed development is constructed concurrently with other nearby developments, construction has the potential to cause cumulative highway and environmental impacts.

Crossbones Burial Ground:

- The openness of Crossbones Burial Ground would be harmed by the proposed development.
- The proposed landscaping enhancements to Crossbones, including the provision of a gate on its northern boundary, are inappropriate.
- The funding provisions for the management and maintenance of the burial ground by an NPO in the long-term are insufficient.
- To protect Crossbones from development and preserve it as an open space in perpetuity, a more robust mechanism is required than the developer's offer of a Section 106 Agreement clause to never develop the land.

Potential status of the application site as a burial ground:

- Burials are not restricted to within Crossbones and in fact cover parts of, and possibly all of, the remainder of the development site, thereby rendering the development proposals illegitimate.
- The application should not have been validated because an exhumation of skeletal remains on the application site approximately five years ago was undertaken, necessitating an enforcement investigation before any planning application is to be determined.

Public consultation:

- Inadequate pre-application engagement from the developer.

**Environmental impact assessment**

95. The applicant made a screening opinion request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme. The reference number for the Screening Opinion is 19/AP/1000.
96. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the circumstances in which development must be underpinned by an Environmental Impact Assessment (EIA). Schedule 1 of the Regulations set out a range of development, predominantly involving industrial operations, for which an EIA is mandatory. Schedule 2 lists a range of development types for which an EIA might be required due to the potential for significant environmental impacts to arise. Schedule 3 sets out that the significance of any impact should include consideration of the characteristics of the development, the environmental sensitivity of the location and the nature of the development.
97. The range of developments covered by Schedule 2 includes 'Urban development

projects' where: the area of the development exceeds one hectare and the proposal is not dwellinghouse development, or; the site area exceeds five hectares. The application site is 0.7 hectares and therefore does not exceed the Schedule 2 threshold.

98. Consideration, however, should still be given to the scale, location or nature of development, cumulative impacts and whether these or anything else are likely to give rise to significant environmental impacts. The proposed application is the redevelopment of a vacant site with a history of storage and parking uses. Its scale is appropriate to its urban setting and it is unlikely to give rise to any significant environmental impacts.
99. For the above reasons, an EIA is not required in this instance. This was confirmed by the Local Planning Authority on 5 April 2019 in response to the screening opinion sought under 19/AP/1000.

### **Principle of the proposed development in terms of land use**

100. The proposed development would provide over 23,000 square metres of commercial floorspace, with the capacity to create around 1,700 jobs. It would also provide 36 new mixed tenure homes. Crossbones burial ground would be protected and enhanced to a design created in collaboration with Friends of Crossbones and BOST.

### Current land uses

101. The majority of the site is currently open hard-surfaced land, and has been since it became a Transport for London landholding in the early 1990s. Only two small areas of the site contain buildings: the first is 15 Southwark Street in the northeastern corner of the site, and the other is 25-33 Southwark Street in the northwestern corner. Owing to having been vacant for a prolonged period of time, no. 15 Southwark Street is considered to have Nil use. 25-33 Southwark Street is lawfully in Class B1 use.
102. Since coming into Transport for London's ownership, the open part of the land functioned as a works site in connection with the construction of the Jubilee Line and later the ThamesInk improvements. Thereafter and up to the present day, it has been used informally as a car park. It is understood that part of the site was at times also used for the storage of filming location units and vehicles. Although the informal parking (and sometime storage) use has been ongoing for over 10 years, an enforcement notice was served by the Local Planning Authority in 2014, which had the effect of precluding any lawfulness that might otherwise have been gained through the passage of time. In light of the history of the open part of the site, it is considered to have Nil use.

### Proposed mix of uses

103. The application site is located within: the Central Activities Zone (CAZ); Bankside, Borough and London Bridge Opportunity Area; the Bankside and Borough District Town Centre and; the Bankside, Borough and London Bridge Strategic Cultural Area.
104. The existing buildings on the site have a combined office floorspace of approximately 420 square metres. The proposed redevelopment would provide a significant uplift in

commercial floorspace. It comprises:

- 19,524 square metres GIA of market rate office (Class B1) space;
- 2,156 square metres GIA of workspace (Class B1) at an affordable rate;
- 1,545 square metres GIA of flexible retail/cultural (Classes A1-A4 and D2) floorspace;
- 102 square metres GIA of retail floorspace (Class A1) in the form of nine market stalls and an associated store room.

105. London Plan Policy 2.10, Strategic Policy 10 of the Core Strategy and emerging Policy P26 of the New Southwark Plan identify sites within the CAZ and Opportunity Areas as appropriate for accommodating the significant growth to needed to meet business demand. The aforementioned policies require development proposals at the very least to maintain existing levels of business floor space but, where possible, increase office floor space. Proposals should also bring forward a mix of other complimentary uses as well as residential to enhance the offer, vitality and long term vibrancy of central London. This application proposes a significant increase in office floor space, which is welcome in principle. The proposed range of flexible retail/cultural units, marketplace and affordable workspace would complement the office floorspace, generate additional day and evening activity adding to the vibrancy and vitality of the area, and provide important services for the resident and working populations.. This is entirely appropriate for this central London location.

106. In order to support the vibrancy and vitality of the CAZ, London Plan policies 2.11 and 4.3 promote mixed use development, including housing, alongside increases in office floorspace. The Mayor's Central Activities Zone SPG contains additional guidance on maintaining an appropriate mix of uses within the CAZ, setting out the weight that should be afforded to office use and CAZ strategic functions relative to residential. The New Southwark Plan site allocation seeks a mixed use redevelopment of this site comprising at least 50% commercial floor space as well as residential. The range of uses proposed therefore accords with this policy.

107. As mentioned in an earlier part of this report, the New Southwark Plan identifies Landmark Court as a site of strategic importance to achieving local development targets, and accordingly designates it as Site Allocation NSP06. This designation requires redevelopment to:

- Provide at least 50% of the development as employment floorspace;
- Provide active frontages on Southwark Street with ground floor town centre uses (Classes A1, A2, A3, A4, D1, D2), and;
- Provide new homes (Class C3).

108. In summary, the principle of a large scale development containing a mix of uses including housing, retail, offices and cultural uses would support the role and functioning of the Central Activities Zone and the Borough and Bankside District Town Centre. It would also be consistent with the policies for the Opportunity Area, meet the expectations of Site Allocation NSP06, and bring into productive use this under-utilised central London site.

109. The acceptability of each of the individual uses is considered below.

### Residential (Class C3) floorspace

110. London Plan Policy 3.3 (Increasing Housing Supply) sets a minimum target of 27,362 additional homes to be provided in Southwark over the period 2015-2025. A specific target of 1,900 homes is given for the London Bridge and Bankside Opportunity Area under the current London Plan; however, the 'Intend to Publish' New London Plan increases this target to 4,000 new homes. Strategic Policy 5 of the Core Strategy reinforces the need to bring forward the optimum number of high quality new homes also safeguarding sufficient land for other types of development. The policy sets a target of 24,450 net new homes between 2011 and 2026. The New Southwark Plan sets a target of 23,550 net new homes by 2028-29. A key objective of the overall development plan is to provide as much new housing as possible and create pleasant places to live
111. The proposed 36 homes would contribute towards meeting these housing targets and would create a mixed community in this central location. The total number of dwellings proposed, although not substantial given the size of the site, must be understood in the context of the Mayor's CAZ SPG, which lends office uses greater weight relative to new residential uses within opportunity areas. Site Allocation NSP06 requires at least 50% of the floorspace to be given over to employment uses and does not specify a minimum number of homes for the Landmark Court site.
112. It is noted that some objectors have commented that the site should provide a greater number of homes, and reference earlier statements by the Mayor for London which indicated that the site could provide around 100 new homes. Whilst this point is recognised, the proposal does accord with the requirement of the site allocation to provide homes, and its location close to one of London's busiest transport hubs suggests that it is reasonable, in line with the weighting in the Mayor's CAZ SPG, to prioritise commercial uses on this site.
113. Having regard to all of the above, the provision of Class C3 floorspace on this site is acceptable in principle. This is subject to the dwellings meeting relevant policies in respect of size and tenure mix and providing an acceptable standard of amenity, as discussed in the later sections of this report.

### Flexible retail/leisure (Classes A1-A4 and D2) floorspace

114. Policy 2.10 of the London Plan sets out a strategic priority to support and improve the retail and leisure offer of the CAZ for residents, workers and visitors. The Mayor's CAZ Supplementary Planning Guidance reaffirms this, encouraging *"active ground floor frontages where appropriate and supporting a mix of uses that contributes to the unique character of the CAZ including culture, leisure and tourism uses, retail and food/drink"*. The Southwark Plan and Core Strategy provide further support for realising the CAZ's potential as a centre for leisure, retail and culture. This is complemented by the Draft Bankside, Borough and London Bridge SPG which sets out an ambition for new development in the Bankside and Park Street area to *"define the public realm with active frontages"* because *"active ground floors will bring life to the area and provide new small scale shops, cafes and restaurants"*.
115. The site is located in London Bridge and immediately to the south of Borough Market.

This has proven to be a very popular location for retail, restaurant/cafe and bar operators. This application proposes a series of Class A1-A4 and D2 units along the length of Southwark Street, with further commercial premises fronting the Low Line, Redcross Way and the proposed Wood's Yard public square. A marketplace within the proposed development would provide additional retail space. This range of active frontages and town centre uses accords with development plan policies, and the draft site allocation which requires retail and town centre uses at ground floor level. As such, the retail uses meet the aspirations for the area, and are welcomed.

116. The Trustees of Borough Market raised concerns that the quantum of retail space proposed was excessive and that the flexible nature of the uses risked none of the units being taken up by Class A1 occupiers, The total amount of floorspace is considered commensurate to the site area and its location within the CAZ and Borough and Bankside District Town Centre. The concerns about diversity of the retail offer. Thus, to ensure there is no oversaturation of any one use, conditions are recommended to limit the number of units that can be used for Class A4 and D2 purposes, and optimise the number that can be used for Class A1 purposes.

#### Office (Class B1) floorspace

117. The site falls within the CAZ, which contains London's geographical, economic and administrative core. The London Plan recognises office use as being appropriate in the CAZ and identifies capacity for 25,000 jobs in the Opportunity Area. This is further supported by the 'Mayoral Supplementary Planning Guidance - Central Activities Zone (2016)'.
118. The proposed scheme would deliver a high quality office development and generate a significant uplift of 19,334 square metres GIA employment floorspace. This could create nearly 1500 new jobs once the development is operational.. The principle of redevelopment is therefore strongly supported. The re-provision and substantial enlargement of B1 office floorspace with high quality, modern and flexible open-plan accommodation is welcomed as a significant benefit of the scheme in accordance with adopted local and regional policy, while also meeting the Core Strategy objective of increasing the number of jobs in Southwark.

#### Business relocation

119. Policy P38 of the New Southwark Plan requires developers to ensure viable relocation options are available to existing small or independent business that are to be displaced by a development. As the New Southwark Plan is not yet adopted, Policy P38 carries only limited weight.
120. The only business to lawfully operate from this site in recent years was the co-working office at 25-33 Southwark Street owned by Network Rail. The co-working space closed in 2019. As such, there are no current office tenants requiring relocation. Although there is a possibility of 25-33 Southwark Street reopening before the Landmark Court redevelopment is implemented, employment would be short term due to the nature and quality of the office space and rental periods.
121. The car park has been operating without planning permission, and it would not be appropriate to expect its relocation – council policies would not support the retention of

car parking in this highly accessible location.

122. It is considered that the requirements of emerging Policy 38 (Business Relocation) have been satisfied.

Affordable (Class B1) workspace

123. Although not yet adopted, draft London Plan Policy E2 can be attributed weight in the assessment of this application. Policy E2 requires the provision of a range of low-cost B1 business space to be supported to meet the needs of micro, small and medium sized enterprises and to enable firms to start up and expand. The policy states *“development proposals for new B1 business floor space greater than 2,500sqm, or a locally determined lower threshold in a local development plan document, should consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium sized enterprises”*.
124. Policy E3 of the draft London Plan deals specifically with affordable workspace. The policy states *“In defined circumstances, planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purposes”*. The policy identifies the circumstances in which it would be appropriate to secure affordable space. Part B of the policy specifically identifies the CAZ as an important location for securing low cost space for micro, small and medium sized enterprises.
125. Emerging Policy P28 of the New Southwark Plan deals with affordable workspace. Criterion 2 of the policy requires major development proposals to deliver at least 10% of the gross new employment floorspace as affordable workspace on site at a discounted market rent for a period of at least 30 years. The policy recognises that there are many different forms that such space could take depending on the site location, characteristics and existing/proposed uses. Only where on-site provision would be impracticable are developers permitted to make an in lieu payment
126. The total quantum of Class B1 floorspace, including shared and ancillary facilities, is 21,680 square metres GIA. Under the terms of Policy P28, 10% of office floorspace within the proposed Landmark Court development should be dedicated as ‘affordable workspace’. Set out below is a schedule of the applicant’s proposed affordable workspace offer:

<b>Affordable workspace: summary table</b>		
<b>Dedicated Class B1 space</b>		
<u>Unit number</u>	<u>Unit location</u>	<u>GIA (square metres)</u>
Unit 01	St Margaret’s Lane Building, Level 02	266
Unit 02	Residential East Building, Level 01	260.0
Unit 03	St Margaret’s Lane Building, Level 01	278
Unit 04	Residential East Building, Ground Floor	85.0

Unit 05	Residential East Building, Ground Floor	65.0
Unit 06	Residential East Building, Ground Floor	58.0
Unit 07	Residential East Building, Ground Floor	78.0
Unit 08	Residential East Building, Ground Floor	69.0
Unit 09	St Margaret's Lane Building, Ground Floor	79.0
Unit 10	St Margaret's Lane Building, Ground Floor	63.0
Unit 12	St Margaret's Lane Building, Ground Floor	71.0
Unit 13	Wood's Yard Building, Ground Floor	85.0
Unit 14	Wood's Yard Building, Ground Floor	76.0
Total:		1533.0
<b>Ancillary servicing and facilities space</b>		
<u>Unit number/description</u>	<u>Location</u>	<u>GIA (square metres)</u>
Unit 11: Workspace core (toilets etc.)	St Margaret's Lane Building, Ground Floor	110.0
All other circulation space	St Margaret's Lane Building, Ground, First and Second Floors	192.0
10% of the office lobby/core/ loading bay area	The Viaduct Building and the Woods Yard Building	101.0
10% of the basement (plant etc.)	The Viaduct Building, the Woods Yard Building and the West Building	220.0
Total:		623.0
<b>Total GIA of all Affordable Workspace:</b>		<b>2156.0</b>
<b>Affordable Workspace as a percentage of all Class B1 floorspace (21,680 square metres GIA)</b>		<b>10% (rounded)</b>

127. All affordable workspace units would be restricted to Class B1 which is fully in accordance with Policy P28 of the New Southwark Plan. This use class encompasses offices, research/development facilities of products and processes, and light industry appropriate in a residential area.
128. To ensure flexibility and to appeal to a wide range of prospective tenants, the units have been provided in a variety of sizes and at different levels of the development. There would also be scope for two or more of some of the units to be conjoined to create a single larger unit.
129. The Section 106 Agreement will include a dedicated 'affordable workspace' schedule. This will ensure, among other things, that:
- the workspace is provided for a 30-year period at no more than 70% of the

- market rate rental;
  - no more than 50% of the market rate Class B1 floorspace can be occupied until the affordable workspace has been fitted-out ready for occupation;
  - a Management Plan is in place to secure the appointment of a Workspace Provider and a methodology for that provider to support the occupiers;
  - appropriate marketing of the affordable workspace will be conducted;
  - the service charges payable by the tenant will be included in their rent;
  - the rates payable by the tenant will be capped, and;
  - the first nine months of tenancy is offered rent-free (or, should the tenant prefer it, a capital contribution for fit-out instead of a rent free period) to incentivise uptake.
130. In addition, a condition will be imposed to ensure the common facilities (such as the bike store and servicing/loading bay) remain accessible to staff throughout the 30-year lease term of the affordable workspace units.



Figure 21: Layouts of the ground, first and second floors of the proposed development, with those units to be dedicated as affordable workspace shown in pink

### Affordable housing and development viability

131. The development would provide 36 new homes, of which 16 would be affordable, equating to 50% of the total when measured in habitable rooms. The affordable homes would be in a range of flat sizes, and comprise 12 units for social rent and four for London Living Rent.

### Affordable housing policy context

### National

132. The NPPF (2019) states that local planning authorities should set policies for affordable housing need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

### Regional

133. The regional policies and guidance relating to affordable housing are set out in the London Plan and the Mayor's housing supplementary planning guidance (2016). The key relevant policy within the London Plan in relation to affordable housing is 3.12, Part A of which requires the maximum reasonable amount of affordable to be sought with regard to a number of factors including:

- current and future requirements for affordable housing;
- the need to encourage rather than restrain development;
- the need to promote mixed and balanced communities;
- the specific circumstances of individual sites;
- resources available to fund affordable housing, to maximise affordable housing output and the investment criteria set by the Mayor, and;
- the priority to be accorded to provision of affordable family housing.

134. Part B of the policy sets out that negotiation on sites should take account of their individual circumstances including development viability, while Part C is concerned with off-site provision.

135. In respect of emerging policy, Policy H5 (Delivering Affordable Housing) of the New London Plan sets out the Mayor's strategic target for 50% of all new homes delivered across London to be affordable. Part A sets out the specific measures for achieving this aim, one of which is to use public sector land to deliver at least 50% affordable housing across the authority's portfolio. Part B requires on-site affordable housing provision in order to deliver communities which are inclusive and mixed by tenure and household income, with flexibility permitted only in exceptional circumstances.

### Local

136. The relevant adopted local policies are Saved Policy 4.4 (Affordable Housing) of the Southwark Plan and Strategic Policy 6 (Homes for People on Different Incomes) of the Core Strategy. Further guidance on how to implement the policies is contained within the council's adopted Affordable Housing SPD 2008 and draft Affordable Housing SPD 2011.

137. Strategic Policy 6 requires as much "*affordable housing on developments of 10 or more units as is financially viable*". It also sets the lower threshold, requiring at least 35% of the residential units within new developments of ten or more dwellings to be affordable subject to viability. The Affordable Housing SPD 2008 effectively establishes the upper threshold for affordable housing provision, stating that the "*the*

*LPA will endeavour to secure 50% of all new dwellings provided in Southwark as affordable in accordance with the London Plan”.*

- 138. Strategic Policy 6 also sets a minimum target of 8,558 net affordable homes to be delivered between 2011 and 2026.
- 139. In respect of emerging local policy, Policy P1 (Social Rented and Intermediate Housing) of the New Southwark Plan, to which limited weight can be given, requires developments of 10 or more homes to deliver the maximum viable number of dwellings in an affordable tenure, setting a minimum threshold of 35%.

Affordable housing policy context for publicly-owned sites

- 140. One of the key strands to the Mayor of London’s Housing Strategy is to increase the proportion of affordable homes within new housing development. Critical to achieving this goal, as set out in paragraphs 4.51 to 4.53 of the Housing Strategy, is the redevelopment of surplus and under-utilised “Mayoral public land” (i.e. land owned by the GLA Group, including Transport for London). The Housing Strategy sets a target for the redevelopment of these identified publicly-owned sites to deliver an average of 50% affordable homes.
- 141. These targets have informed Policies H5 and H6 of the New London Plan, which is now at an ‘Intend to Publish’ stage. Policy H5 introduces the “threshold approach to viability” as a means of providing greater certainty, speeding up the planning process and increasing affordable housing delivery. Policy H6 sets out in detail the threshold approach to viability, including the Fast Track route for development proposals on publicly-owned land, which essentially exempts developers from supplying viability information where the affordable housing offer meets or exceeds 50%.
- 142. An initial tranche of five Mayoral sites were brought to market in 2016-17, of which one was Landmark Court. Transport for London and the Mayor entered into an agreement (comprising Mayoral Decision MD 2138 and an associated Direction) to treat these five sites as a ‘portfolio’ for the purposes of affordable housing delivery. This essentially exempted each individual site from meeting the 50% target as long as across the five sites an average of 50% affordable housing is delivered. The table below explains how the Mayor envisaged the portfolio approach would achieve the 50% target:

Site name (Borough)	Total number of homes proposed			Affordable homes as a % of total number of homes across the portfolio
	Total	Affordable	Affordable as % of total	
Kidbrooke (Greenwich)	400	200	(50.0%)	20.81%
Fenwick (Lambeth)	55	55	(100.0%)	5.72%
Landmark Court	100	35	(35.0%)	3.64%

(Southwark)				
S. Kensington Station (Kensington & Chelsea)	38	14	(36.8%)	1.46%
Blackhorse Rd Car Park (Waltham Forest)	368	184	(50.0%)	19.15%
Total:	961	488	(50.78%)	(50.78%)

143. As the above table shows, the Landmark Court site had originally been earmarked for 100 dwellings. 19/AP/0830 proposes 36 dwellings, 64 fewer than the agreement envisaged. It is understood that the total number of homes proposed on one or more of the other portfolio sites will be increased to incorporate these 64 dwellings, thereby ensuring the total of 961 (with at least 50% affordable) will ultimately be delivered.

#### Evolution of the applicant's affordable housing offer

144. At submission stage, the application proposed 35% of the dwellings as affordable. The applicant's justification for offering 35% was that, together, the five portfolio sites would deliver an average of 50%. In line with the council's Affordable Housing and Viability SPDs, a Financial Viability Appraisal was submitted by the applicant to enable the council to determine whether this was the maximum level of affordable housing the development could support. Owing to the open land having no lawful land use, it was agreed that the assessment should treat the site's existing use as open storage for filming vehicles in order to establish the Existing Use Value (EUV). The appraisal was reviewed by BPS on behalf of the council. This review process concluded that the development would generate a significant profit surplus, thereby demonstrating that a greater proportion of affordable housing could viably be provided.
145. While the council is aware of the strategic aspirations of the Mayor's portfolio approach, the Local Development Plan clearly sets out that development sites within Southwark should deliver the maximum reasonable level of affordable housing, as to do otherwise would fail to meet the housing needs of Borough residents, contrary to Saved Policy 4.4 and Strategic Policy 6. In light of these local level objectives and the profit surplus identified by the viability review, officers asked the applicant to improve the affordable housing offer. The applicant subsequently agreed to provide 50% affordable housing on a habitable room basis, and to amend the tenure split..
146. As mentioned above, the threshold approach to viability adopted by Draft Policy H6 means that, where a proposal on public land offers 50% affordable housing, the need to supply a Financial Viability Appraisal falls away. As the Local Development Framework also sets a target of 50% affordable housing on all sites, this planning application (as amended) satisfies the local policy position such that a Financial Viability Appraisal would no longer serve any purpose.
147. At submission, the applicant proposed a tenure mix of 70% social rent and 30% Discount Market Sale. Officers raised the concern that, in this location, the very high value of market sale units would mean that Discount Market Sale would be unaffordable to anyone within the household income thresholds to qualify for

affordable housing. The applicant has now agreed to offer London Living Rent as the intermediate housing tenure. London Living Rents (per month) in the Borough and Bankside ward for 2020-21 are:

- £1172 for one-bedroom properties
- £1302 for two-bedroom properties
- £1432 for three-bedroom properties

148. Although no agreement has been formalised with a Registered Provider as yet, Notting Hill Genesis has been identified provisionally as a partner in the scheme.

#### Conclusion on affordable housing

149. The affordable housing offer of 50% on a habitable room basis is a welcome improvement on the scheme as originally submitted. The delivery of social rent and London Living Rent units in what is a high value area of the borough and a sustainable location is welcomed and a major benefit of the proposed development.

#### **Tenure mix**

150. Saved Policy 4.4 of the Southwark Plan requires that, of the residential units that are to be affordable, the tenure split should be 70% social rented to 30% intermediate housing. New Southwark Plan draft policy P1 requires 25% of the total habitable rooms to be provided as social rent.

151. In total, 113 habitable rooms would be provided across the 36 proposed dwellings. For the scheme to deliver 50% affordable housing, at least 57 (rounded up from 56.5) of the 113 habitable rooms would need to be within affordable dwellings. When calculating affordable habitable room provision, for every affordable housing unit provided as M4(3), one less affordable habitable room will be required. As the scheme would deliver three affordable dwellings to M4(3) standard, three habitable rooms can be deducted from the total affordable habitable room requirement. Therefore, for this proposed development to deliver a policy compliant 50% affordable housing offer, no less than 54 habitable rooms must be within the affordable units.

152. The distribution of these habitable rooms across the two affordable tenures would be as follows:

<b>Unit size</b>	<b>Social rent</b>	<b>Intermediate (London Living Rent)</b>	<b>Total</b>
1-bedroom	8	2	<b>10 (18.5%)</b>
2-bedroom	13	8	<b>21 (37%)</b>
3-bedroom	18	5	<b>23 (42.5%)</b>
All units	<b>39 (72.2%)</b>	<b>15 (17.7%)</b>	<b>54 (100%)</b>

153. Overall, the proposal would provide a total of 16 affordable homes in a mix of unit sizes, including a larger number social rented family sized properties, which is a

positive aspect of the scheme. It is recommended that the Section 106 Agreement includes a schedule securing the delivery of these affordable units, including a clause preventing more than 50% of the private dwellings from being occupied until the affordable units have been completed.

154. All the affordable housing would be provided in the Residential East Block, and would be accessed from the same single stair and elevator core as the market dwellings, thereby ensuring the scheme achieves 'tenure blindness'.

### Dwelling mix

155. Strategic Policy 7 of the Core Strategy 2011 prioritises the development of family homes. New developments of 10 or more units in the Central Activities Zone must provide at least 60% of units with two or more bedrooms, and at least 20% of units with between three and five bedrooms.
156. 14 one-bedroom two-person apartments, 16 two-bedroom four-person apartments and 6 three-bedroom six-person apartments are proposed. These would be split across the three tenures as follows:

Unit size	Open market	Social rent	Intermediate (London Living Rent)	Total
1-bedroom	9 (64.3% of all O.M)	4 (28.6% of all S.R)	1 (7.1% of all LLR)	<b>14 (39%)</b>
2-bedroom	10 (62.5% of all O.M)	4 (25% of all S.R)	2 (12.5% of all LLR)	<b>16 (44%)</b>
3-bedroom	1 (16.7% of all O.M)	4 (66.7% of all S.R)	1 (16.7% of all LLR)	<b>6 (17%)</b>
All units	20	12	4	<b>36 (100%)</b>

157. As the table shows, 61% of the units would have two or more bedrooms, meeting the requirements of Strategic Policy 7. 17% of the units would contain three bedrooms, slightly below the 20% expected by the Core Strategy. The shortfall equates to one unit; all of the 3 bed units can accommodate 6 persons, and most of the three bed units have been provided within the affordable tenures. On balance, and given the wide-ranging benefits of the development it is not considered that this shortfall should carry significant weight.

### Wheelchair dwellings

158. Saved Policy 4.3 (Mix of Dwellings) of the Southwark Plan requires at least 10% of all major new residential developments to be suitable for wheelchair users. Policy 3.8 (Housing Choice) of the London Plan requires 90% of new housing to meet Building Regulations requirement M4 (2) 'accessible and adaptable' and 10% to meet Building Regulations requirement M4 (3) 'wheelchair user dwellings'.

159. Four ‘wheelchair accessible’ units (i.e. fitted-out for occupation to M4(3) standard) are proposed, amounting to 11% of the total number of dwellings. These would be provided across all three tenures and a range of dwelling sizes. All other dwellings would be designed to achieve the M4(2) standard. The number of wheelchair dwellings, and their distribution across the tenures, meets the policy requirements.

### Density

160. The London Plan and Core Strategy both suggest the same residential density for the application site: 650-1100 habitable rooms per hectare. However, within opportunity areas and action area cores, the maximum densities may be exceeded when developments are of an exemplary standard of design. Criteria for exceptional design are set out in section 2.2 of the 2015 Technical Update to the Residential Design Standards SPD (2011).
161. There is no prescriptive guidance for calculating the density of a mixed-use development where the majority of floorspace is non-residential. If the calculation is based solely on the land area occupied by the Residential East Building and 15 Southwark Street (0.11 hectares), and accounts for the commercial floorspace at ground and first floor level (which equates to 25 habitable rooms), this produces a density of approximately 1300 habitable rooms per hectare. This exceeds the upper threshold of the expected range for the Central Density Zone.
162. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the ‘exemplary’ requirements of the Southwark Residential Design Standards SPD met. This is summarised in the table below:

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed apartments would have built-in storage in compliance with the Residential Design Standards SPD.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded in most instances. Where the distances have not been met, architectural features such as deep facade reveals and privacy screens have been designed into the development to ensure that residential amenity is protected.
Achieve good sunlight and daylight standards	With the exception of some rooms, good daylight and sunlight levels would be achieved. This matter is discussed in more detail in a subsequent part of this report
Exceed minimum ceiling	All rooms within all proposed dwellings would have

heights of 2.3 metres	floor-to-ceiling heights of 2.6 metres.
Exceed amenity space standards (both private and communal)	All dwellings would have a private amenity space, with all the family dwellings having at least 10 square metres. To compensate for some of the smaller dwellings having private amenity spaces of less than 10 square metres, communal amenity spaces of a commensurately more generous size have been provided. This is discussed in more detail in a subsequent part of this report.
Secure by Design certification	The scheme would be capable of achieving Secure by Design accreditation. Conditions to require this are recommended.
No more than 5% studio apartments	None of the proposed units would be studio apartments.
Maximise the potential of the site	The potential of the site would be maximised, delivering additional and improved commercial floorspace, new dwellings (of which a policy compliant proportion would be family-sized units) and outdoor space and play space, all without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	11% of the proposed units would be suitable for wheelchair users. This is discussed in more detail in a subsequent part of this report.
Excellent accessibility within buildings	All dwellings within the Residential East Building and 15 Southwark Street would be DDA compliant, with both buildings benefitting from lift and stair access to all floors. Multiple secure communal entrance points, cycle and refuse stores, and mail/parcel lobbies have been incorporated.
Exceptional environmental performance	The environmental performance would be fully policy compliant, taking into account a contribution to the Carbon Offset Fund.
Minimised noise nuisance between apartments through vertical stacking of similar room types	The proposed development achieves good stacking, Principal plant rooms have been located in the basement, two storeys beneath the nearest residential units and thus sufficiently far away not to create undue noise disturbance.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, affordable workspace and public space.

Include a predominance of dual aspect units	83% (33 of the 36 units) would be dual or corner aspect. The three that would not are all one-bedroom units.
Have natural light and ventilation in all kitchens and bathrooms	This would not be achieved because some bathrooms would be internal. However, this is considered permissible in the interests of achieving a rational and efficient building layout. The external gallery access arrangement proposed for both residential buildings allows daylight and ventilation to as many bathrooms as possible. Many of the kitchens would benefit from one or more windows. Those that would not would form part of larger open-plan kitchen/living/dining spaces, which themselves would benefit from natural light and natural ventilation.
At least 60% of units contain two or more bedrooms	Over 60% of the total number of units across all tenures would have two or more bedrooms.
Significantly exceed the minimum floor space standards	All units would meet the space standards, and many would exceed them, some to a significant degree.
Minimise corridor lengths by having additional cores	No internal corridors are proposed. The cores have been efficiently designed to ensure that external circulation gallery lengths are minimal. Each core serves no more than six dwellings.

163. For the reasons detailed in the above table, the higher density proposed would not compromise the quality of accommodation and the impacts of the development would be acceptable. It is therefore considered that the exceedance of the density threshold would not warrant withholding permission.

164. It is noted that the emerging London Plan and new Southwark Plan place less emphasis on numeric calculations of density, and a greater emphasis on optimising the potential of site through good design. This scheme conforms with these principles.

**Quality of residential accommodation**

165. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the 2015 Technical Update to the Residential Design Standards SPD 2011; this document sets out overlooking standards and a requirement for developments to achieve a predominance of dual aspect accommodation.

Aspect and outlook

166. The dwellings within the Residential East Building have been designed so that the

majority of rooms are oriented to the east or south, allowing them to take advantage of the openness of outlook in these directions. Although there are some rooms whose sole source of outlook would be onto the relatively enclosed internal courtyard, in all these cases the room type is either a kitchen or a bedroom, with less outlook requirements than principal living rooms. The number of kitchens affected would be small, and multiple windows have been incorporated to offer some diversity of outlook.

167. The four proposed dwellings within 15 Southwark Street would benefit from good outlook and dual aspect.

#### Internal daylight within the proposed dwellings

168. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
169. Specifically in respect of the Residential East Building, of the 110 rooms tested, 46 would be non-compliant, representing 41.8% of the total. Of these non-compliant rooms, the majority are kitchens. This is to be expected given the layout common to most of the apartments in the Residential East Building, whereby the kitchens are located at the rear (courtyard yard side) of the block so as to ensure the living spaces benefit from the southerly outlook. Of the remaining rooms within this building that fall short of the recommended ADF, the majority are at first or second floor level, or are bedrooms that face onto the inner courtyard, the configuration of which inevitably makes it slightly more difficult for natural light to penetrate into internal spaces here. The lower ADF levels are also partly attributable to the positioning of balconies; given the amenity value these balconies provide, a balanced judgement must be made in this respect. Finally, it is important to note that ADF levels of the non-compliant rooms are not untypical for a central London location.
170. With respect to the four proposed dwellings within 15 Southwark Street, all rooms would exceed the ADF levels recommended by the BRE guidance.
171. In summary, although there would be some transgressions from the BRE guidance across the 36 proposed dwellings, these are a function of the tight nature of the development, devised to reflect the lanes and courtyards of historic Bankside. The lower ADFs are a less positive aspect of the development, but it is recognised that the layout has prioritised light to main living spaces and the overall quality of accommodation is not such that it would be reasonable to refuse permission.

#### Dwelling sizes, room sizes and provision of built-in storage

172. The GIA of all 36 apartments and the floor area of each room would satisfy the minimum floor areas set out in Southwark's 2015 Technical Update to the Residential Design Standards SPD 2011. The layout of each apartment would be logical and efficient, with practically-shaped rooms and minimised circulation space. Each dwelling would have built-in storage space of a size that meets the minimum requirements of the Residential Design Standards SPD.

#### Floor-to-ceiling height

173. All dwellings would have a floor-to-ceiling height of 2.6 metres, which is in excess of the 2.3 metre minimum requirement stipulated by the 2015 Technical Update to the Residential Design Standards SPD 2011.

#### Internal noise and vibration levels

174. It is recommended that conditions be imposed requiring pre-occupation testing of the separating floors and walls to demonstrate that the relevant acoustic performance standards, as prescribed by the Building Regulations, have been met. This will ensure that the occupiers of the dwellings do not experience excess noise, transmitted either vertically or horizontally, from adjacent sound sources. Similarly, a condition will be imposed requiring all habitable rooms to be protected against excessive vibration dose values.

#### Private outdoor amenity space

175. All new residential development must provide an adequate amount of useable outdoor amenity space. The 2015 Technical Update to the Residential Design Standards SPD 2011 sets out the required amenity space standards which can take the form of private gardens, balconies, terraces and/or roof gardens. It requires:
- for units containing 3 or more bedrooms, the provision of 10 square metres of private amenity space;
  - for units containing 2 or fewer bedrooms, the provision of 10 square metres of private amenity space wherever possible, permitting any shortfall to be added to the communal space, and;
  - 50 square metres of communal amenity space per development.
176. In terms of private amenity space, all four flats at 15 Southwark Street would have a private balcony of at least 10 square metres. These would be positioned on the southern side of the building, taking advantage of the good aspect and daylight/sunlight levels.
177. In respect of the Residential East Building, all 32 apartments would have access to at least one private balcony or roof terrace, all of which would be positioned on the eastern and southern elevations to optimise the quality of light and outlook. For 21 dwellings, none of which are family-sized units, it has not been possible to provide as much as 10 square metres of private amenity space. In total, these shortfalls come to 80.1 square metres.
178. To compensate for the private amenity space shortfalls, and as the Residential Design Standards SPD allows, the applicant has provided the 80.1 square metres as additional communal amenity space. The provision of communal amenity space is discussed in more detail in a para 179.

#### Conclusion on quality of residential accommodation

179. The proposed dwellings would meet minimum sizes for internal layout, individual room

sizes and storage. Each apartment would receive acceptable levels of daylight and sunlight, and all would achieve a good outlook, with most benefiting from dual aspect. Conditions will be imposed to ensure the building fabric would meet the requisite noise insulation standards. In terms of outdoor amenity space, each dwelling would have access to at least one balcony or terrace. As such, it can be concluded that the future occupiers of the proposed dwellings would enjoy a good quality of residential accommodation.

### **Communal outdoor amenity space and young people's play space**

#### Communal outdoor amenity space

180. As mentioned in para 174, a minimum of 50 square metres of communal outdoor amenity space should accompany all flatted residential developments. Where dwellings in a development have under-sized private amenity spaces, the total shortfall should be added to the 50 square metre minimum communal outdoor space.
181. Owing to the shortfalls across some of the apartments in the Residential East Building, which amount to 80.1 square metres, this proposal would be required to provide an outdoor communal space no less than 130.1 square metres in size.
182. The proposed development would incorporate two rooftop communal spaces. Together, these would provide 146.5 square metres of space, which exceeds the minimum requirement. The spaces, to be provided at fourth and fifth floor level, would be hard-surfaced with perimeter planting.
183. Through a fob system, the elevators would be programmed to allow residents of each floor of the Residential East Building to access the fourth and fifth levels where the communal spaces are proposed. These rooftop spaces would also be available to the residents of the four apartments proposed at 15 Southwark Street, who would access them using the same fob system. The Residential East Building includes a private pedestrian gate only a few metres from the external rear stairwell at 15 Southwark Street; this creates good connectivity, ensuring residents will be able to access the communal amenity areas easily. Unrestricted and equitable access in perpetuity for all residential occupiers will be secured through the Section 106 Agreement.
184. The entrance courtyard to the Residential East Building, which would be a hard-surfaced space with a central water feature, would provide additional space useable by all residents.

#### Young people's play space

185. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the 2019 calculator), the total children's play space requirement for the proposed development is 164.1 square metres. The table below shows how this breaks down across the three age groups, and how the application proposes to meet the requirements:

	<b>Young person yield from development</b>	<b>Area of play space required for age group</b>	<b>Size and location of proposed provision</b>
Under 5	7.05	70.5 square metres	78.3 square metres [Rooftop garden at the Residential East Building]
5 to 11	5.45	54.5 square metres	93.7 square metres [Neighbourhood playable space in Woods Yard]
Over 11	3.91	39.1 square metres	
<b>Total</b>	<b>16.41</b>	<b>164.1 square metres</b>	<b>172.0 square metres</b>

186. The London Plan recommends that Under 5s playspace should be at least 100 square metres in size, partly on the grounds that the space needs to be of an adequate size to ensure carers can sit and talk while supervising children. Although the rooftop playspace proposed at the Residential East Block would be smaller than 100 square metres, it would be located directly adjacent to and open to the communal outdoor space, which would provide seating for those supervising children. The two spaces together would exceed 100 square metres. The doorstep play area, is therefore, considered to be adequate in size and located sufficiently close to the proposed dwellings.
187. For children aged five and up, playspace needs would be met by a 'Neighbourhood Playable Space' in Woods Yard. The London Plan advises that facilities for children aged five and over do not necessarily need to be provided within the immediate vicinity of the proposed residential properties. Therefore, the provision of a neighbourhood playable space in Woods Yard—which is only a short distance from both the Residential East Building and 15-22 Southwark Street—is considered acceptable. Provisionally, a climbing frame is proposed. This is considered an appropriate play feature for young people in both the 5-11 and Over 12 aged group.
188. Planning conditions are recommended requiring details of these two play spaces, including equipment and treatment, and for the facilities to be delivered prior to occupation of any of the dwellings.

**Privacy, outlook, noise and odour impacts of the proposed development on nearby residential occupiers**

Privacy

189. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
  - a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.
- These rules are principally designed to apply where the 'facing' buildings are both in residential use.

190. The existing dwellings closest to the Residential East Building, and therefore most susceptible to overlooking from the proposed apartments, are those at fourth floor level in Sussex House (within the Maidstone Buildings Mews complex) and those in the Calvert Yard Block currently under construction.
191. A minimum distance of 12.5 metres would separate the south elevation of the Residential East Building from the windows and doors at fourth floor level in Sussex House. This distance would widen to a maximum of 14.5 metres owing to the two buildings not being aligned in parallel. Ordinarily development opposite 'rear-facing' apertures such as these would be expected to achieve a separation distance of 21 metres. However, the windows and doors of the existing building stands almost directly against the common boundary, and thus are not set-back equitably. It would be unreasonable to expect the proposed development to compensate fully for this, and thus some flexibility to the separation distance guidelines can be applied in this instance. Therefore, the 12.5 to 14.5 metre separation distance is considered acceptable.
192. The Calvert Yard Block, which is currently under construction, has been designed so as not to unreasonably limit the development potential of the Landmark Court site, as evidenced by the west elevation containing only a small number of windows, which in most cases do not serve habitable rooms. Those that do serve habitable rooms would be secondary to other much larger apertures on other elevations. As such, and despite the Residential East Building being within 7.5 metres of these windows, it is considered that an adequate level of privacy would be achieved for these nearby dwellings.
193. The existing dwellings closest to 15 Southwark Street are the flats at first, second and third floor within 11 Southwark Street. The rear-facing windows at 15 Southwark Street would provide an outlook in close proximity to but not directly towards the windows at 11 Southwark Street. The close nature of this relationship is acknowledged. However, it is considered that the angle of views 'out' from the proposed dwellings would be sufficiently oblique to protect the privacy of these existing nearby occupiers.

#### Outlook and sense of enclosure

194. The development would introduce a tightly-knit cluster of buildings to this site, which is located in an area characterised by a dense urban grain. The heights of the proposed buildings would be in general conformity with the surrounding built context, and have been stepped down around the southern, eastern and western edges of the site where existing residential buildings are in closest proximity. As such, it is not considered that any of the surrounding dwellings which look towards the site would experience a harmfully diminished quality of outlook or sense of openness as a result of the proposed development.

#### Noise

195. The application was accompanied by a Noise and Vibration Assessment which details measures for mitigating noise and disturbance from plant, other equipment, commercial units and commercial terraces.

196. The council's Environmental Protection Team has reviewed the Noise and Vibration Assessment. Having regard to the historic commercial use of this site and the mixed use character of the area, the Team is satisfied with the assessment and its conclusions. Subject to conditions relating to soundproofing, commercial opening hours, and the hours of use of commercial roof terraces, the Team is satisfied that the proposed intensification of use would not give rise to unacceptable noise or disturbance. The objections received relating to noise potentially generated from the market stalls is noted, and it is proposed that the opening hours be restricted to 20:00 hours by condition in order to protect neighbours' amenity.

#### Odour

197. To protect the existing dwellings in close proximity to Calvert's Yard, no cooking or preparation of any other kind of hot food would be permitted to take place at any of the nine proposed market stall pitches. In the event of any of the proposed flexible retail units being occupied for Class A3/A4 purposes, a scheme of extraction and ventilation would need to first be submitted to and approved by the Local Planning Authority. Both of these requirements will be imposed by condition.
198. All other proposed commercial activities within the Landmark Court development would be internal, thus limiting risk of odour disturbance to surrounding existing residential properties.

#### **Daylight and sunlight impacts of the proposed development on nearby residential occupiers**

#### Daylight

199. This application was accompanied by a Daylight and Sunlight Assessment undertaken in accordance with the BRE Guidelines. The document assesses the extent to which the proposed development would affect the dwellings in the following buildings:
- Triangle Court at Redcross Way;
  - 34 Southwark Street;
  - 11 Southwark Street;
  - 50 Borough High Street;
  - The Calvert Yard Block;
  - Sussex House at the Maidstone Buildings Mews, and;
  - Wiltshire House at the Maidstone Buildings Mews.
200. The BRE Guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first and most readily adopted test prescribed by the BRE Guidelines is the Vertical Sky Component assessment (VSC). This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows 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 have determined that the daylight can be reduced by approximately 20% of the original value before the loss is noticeable.

201. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method, 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 area of sky visibility, daylight may be affected.
202. The BRE Guidelines state that Local Planning Authorities may give regard to a 'mirror-massing' assessment as an alternative benchmark in a scenario where the neighbouring buildings have windows that are unusually close to the site boundary and therefore take more than their fair share of light. The 'mirror-massing' test is concerned with identifying whether a larger relative daylight reduction may be unavoidable even with a relatively modest obstruction opposite, and must be in addition to —not instead of— an assessment of the impact of the proposed massing against the existing baseline condition.
203. The applicant's daylight and sunlight assessment uses VSC and NSL to analyse the daylight effects of the proposal. It also includes mirror-massing tests for all neighbouring residential properties.
204. The diagram below shows the location of these residential buildings in relation to the application site:

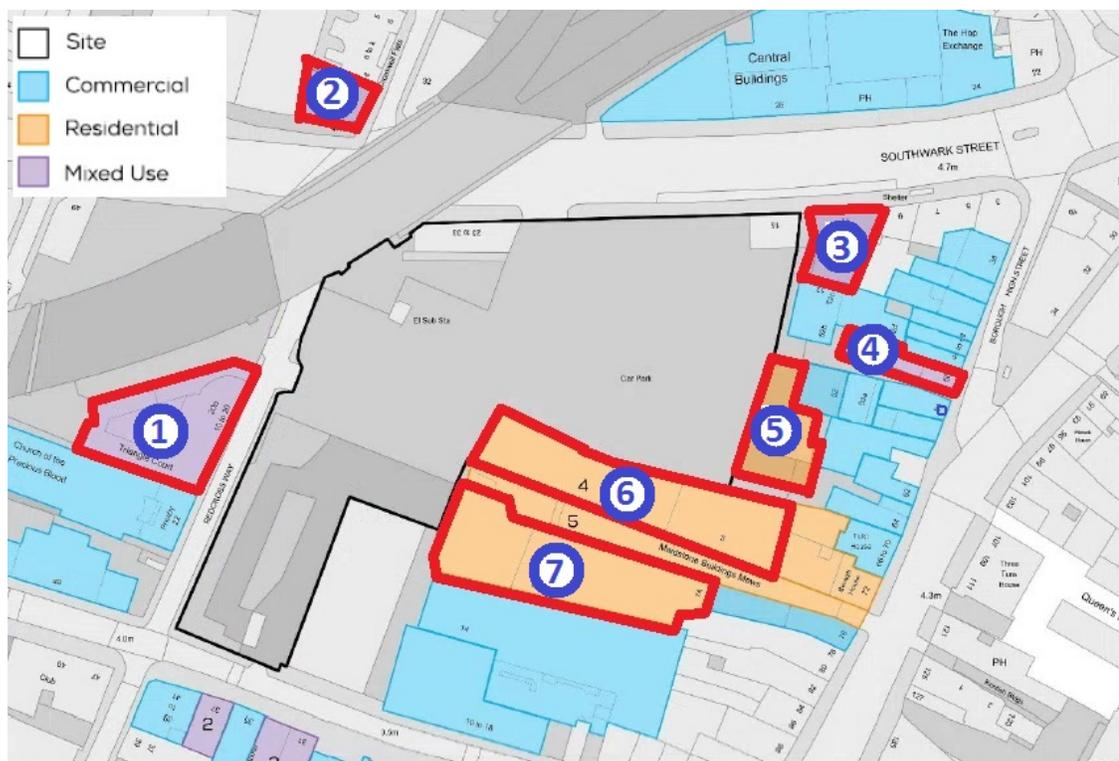


Figure 22: Site location plan with the surrounding sensitive residential buildings identified. These are (1) Triangle Court, (2) 34 Southwark Street, (3) 11 Southwark Street, (4) 50 Borough High Street, (5) The Calvert Yard Block, (6) Sussex House and (7) Wiltshire House.

205. The table below summarises the daylight impacts to surrounding properties as a result of the proposed development being built-out in the present day context (i.e. an

'existing vs proposed' scenario). Where the property in question is very close to the application site, the table also includes the results of the mirror-massing testing, and compares these to the 'existing vs proposed' results. The comparison has been included in this report simply to provide some context.

206. A full written assessment of the daylight impacts on each property follows the summary table, and discusses the 'existing vs proposed' daylight impacts only.

Summary of VSC impacts for sensitive surrounding residential properties

207. The following table summarises the VSC impacts for sensitive surrounding residential properties:

Property	Number of windows that would experience a VSC reduction (as a percentage of the baseline VSC value)			
	No loss or a loss of up to 20%	20% - 29.9% (minor adverse impact)	30% - 39.9% (moderate adverse impact)	40% or over (substantial adverse impact)
<b>Triangle Court</b>				
Proposed development, built in the existing site context	19	11	4	8
Mirror-massing test	8	17	4	13
Comparison of impacts: proposed scheme vs. mirror-massing	<b>+11</b>	<b>-6</b>	<b>=</b>	<b>-5</b>
<b>34 Southwark Street</b>				
Proposed development, built in the existing site context	19	33	2	0
<i>Note: Mirror-massing testing not appropriate, as 34 Southwark Street is not sufficiently close to application site</i>				
<b>11 Southwark Street</b>				
Proposed development, built in the existing site context	8	1	1	8
Mirror-massing test	10	1	1	6
Comparison of impacts:	<b>-2</b>	<b>=</b>	<b>=</b>	<b>+2</b>

proposed scheme vs. mirror-massing				
<b>50 Borough High Street</b>				
Proposed development, built in the existing site context	6	0	0	0
<i>Note: Mirror-massing testing not appropriate, as 50 Borough High Street is not sufficiently close to application site</i>				
<b>The Calvert Yard Block</b>				
Proposed development, built in the existing site context	16	3	1	1
Mirror-massing test	21	0	0	0
Comparison of impacts: proposed scheme vs. mirror-massing	-5	+3	+1	+1
<b>Sussex House, Maidstone Buildings</b>				
Proposed development, built in the existing site context	3	0	0	3
Mirror-massing test	6	0	0	0
Comparison of impacts: proposed scheme vs. mirror-massing	-3	=	=	+3
<b>Wiltshire House, Maidstone Buildings</b>				
Proposed development, built in the existing site context	17	3	9	8
Mirror-massing test	31	4	1	1
Comparison of impacts: proposed scheme vs. mirror-massing	+14	-1	+8	+7

#### Impact on Triangle Court

208. Triangle Court is a four-storey building on the western side of Redcross Way. Its upper three floors are in residential use. A total of 42 windows face towards the application

site. Of these, eight would experience substantial adverse impacts, as highlighted in the window map below:

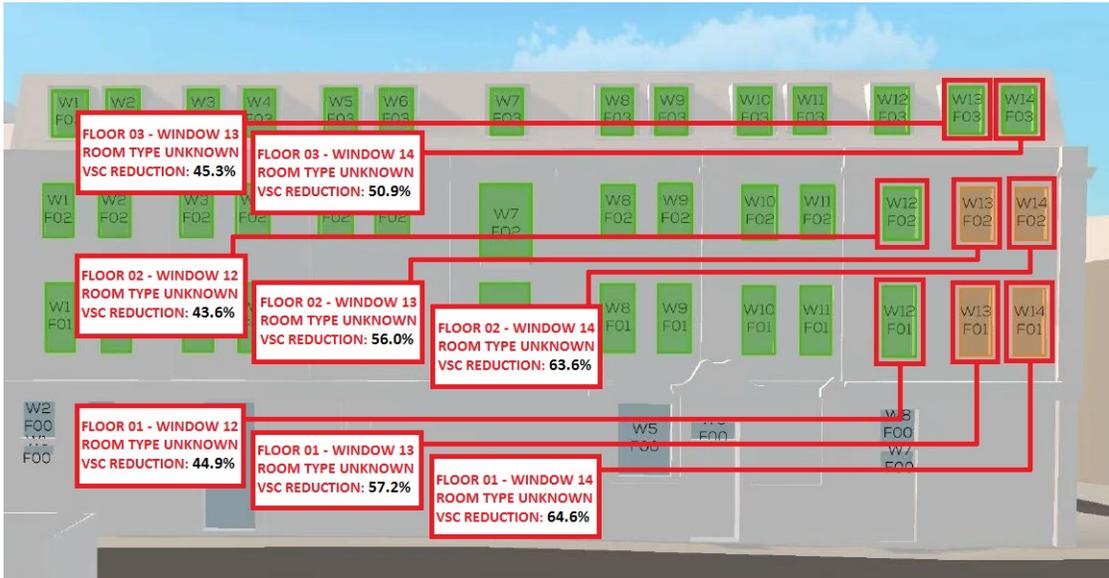


Figure 23: Window map of the east elevation of Triangle Court highlighting those apertures that would experience a substantial adverse reduction in VSC

209. It is understood that windows W13 and W14 at first floor level are on the lower floor of a duplex apartment, the upper floor of which is served by W13 and W14 at second floor level. A public consultation response, understood to be from the owner of the apartment in question, indicates the first floor room is in use as a living room and the second floor room is in use as a bedroom.
210. It is recognised that the VSC of all four windows would decrease to below the 27% advised by the BRE guidelines, and that the percentage loss in each case would be substantial. In all four instances, however, the existing VSC level is unusually high for a site in the CAZ. This is because the windows currently benefit from an uninterrupted outlook over an area of undeveloped land. In absolute figures, the VSC of the four windows would be reduced to 12.5, 10.3, 12.9 and 10.6 which, although low, are not uncommon VSC levels for central London.
211. With respect to NSL, five rooms at Triangle Court would experience a loss in excess of 20%. Three of these losses fall within the 'minor adverse impacts' range, with the greatest being a 25.8% reduction. Although these losses would cause a noticeable difference to how the users experience the affected rooms, the impact would not be significantly harmful.
212. The other two NSL losses in excess of 20% would occur at the same duplex apartment that would experience the greatest VSC impacts (as discussed in an earlier paragraph). The losses experienced by these first and second floor rooms, at 31.5% and 31.9% respectively, would fall within the 'moderate adverse impacts' range, albeit at the lower end of the range. It is important to note that the existing open character of the Landmark Court site affords these rooms a sizeable area of visible sky uncommon in this dense central London location, meaning any reasonable development of the application site would inevitably worsen the NSL. The applicant's daylight and sunlight

consultants have also provided contour plots of the two rooms. These should only be given limited weight because the exact internal layout of the property is not known. Nevertheless, the contour plots show that both rooms would continue to receive adequate daylight to much of their working planes, including up to the room's full depth across a good proportion of its width. On balance, and although it is recognised that the room users would experience a noticeable impact, it is not considered that the impact would be significantly harmful to their overall amenity.

213. In summary, and having given regard to the daylight levels that can typically be expected in a dense central London context, the impacts to Triangle Court would not be of such magnitude to warrant refusal of the proposal.

Impact on 11 Southwark Street

214. Some of the greatest VSC losses would be experienced at 11 Southwark Street, which is a six-storey building adjoining the application site along its northeastern boundary. There are three flats (one on the first, one on the second and one on the third floor), each with three glazed apertures facing towards the application site. Of these nine apertures, those highlighted in the photograph below would experience substantial adverse impacts:

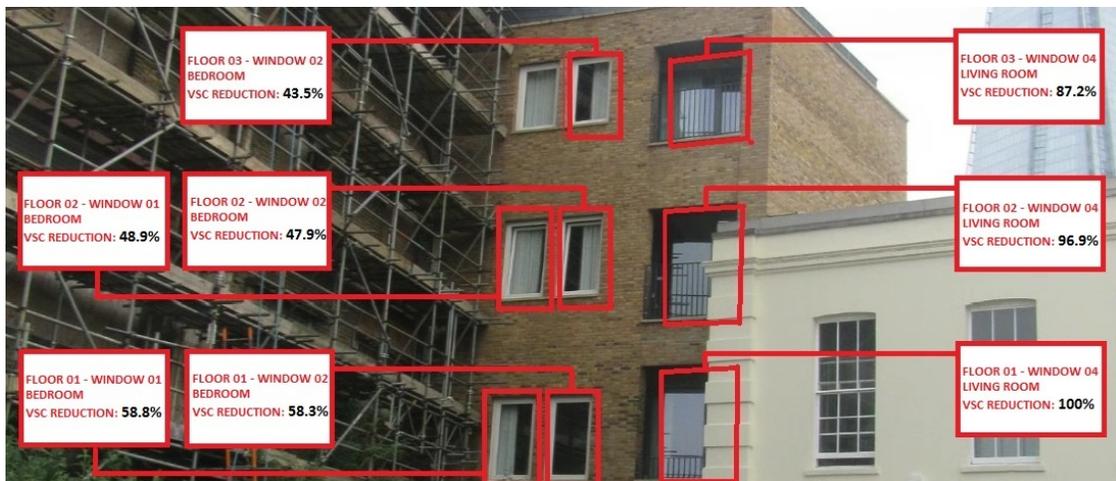


Figure 24: Window map of the west elevation of 11 Southwark Street highlighting those apertures that would experience a substantial adverse reduction in VSC

215. With respect to the three living rooms, in each case the affected aperture is a set of double doors serving a recessed balcony. Therefore, the inherent design of the building—whereby the space the doors look onto is canopied and enclosed on two sides—limits the level of VSC these double doors presently experience. Furthermore, each of these three rooms benefits from dual aspect, being served by two east-facing glazed apertures, neither of which would experience any loss of VSC as a result of the proposed development. The living room in the first floor flat would experience an NSL loss of 24.3%, which although in excess of the 20% tolerance advised by the BRE is not substantially so, while the living rooms on the second and third floors would retain adequate NSL.
216. The five other affected windows serve a total of three bedrooms, one on each floor. The daylight demands are not as great as other habitable rooms because their

primary function is to provide sleeping accommodation. It should also be noted that the VSC level of these windows is already low and as such any further reduction generates a significant percentage loss. Given the location of these windows close to the intersection with an adjoining building, the fact that they stand very close to the common boundary, and their typical use during night-time hours, the resulting losses are considered on balance acceptable.

217. Although all three bedrooms would experience NSL losses in excess of 20%, the rooms currently benefit from an uncharacteristically good area of sky visibility because the land directly opposite (the application site) is undeveloped. Thus, any reasonable development of the land would have a substantial effect on the NSL of these bedrooms.
218. In summary, the extent of VSC and NSL losses at this nearby residential block are fully acknowledged. However, in a number of cases the losses affect rooms served by other windows. Where this is not the case, the current VSC is low, meaning the resulting percentage reduction is not an accurate representation of how the change would be perceived by users of the rooms. Where NSL losses exceed the BRE guidelines, the rooms in question benefit from a sky visibility unusually high for a dense urban location such as this, and so any meaningful development of the land would inevitably effect a marked proportional change.

#### Impact on the Calvert Yard Block

219. Of the 21 windows tested at the Calvert Yard Block, one window would experience a substantial adverse VSC reduction, one a moderate adverse VSC reduction and three a minor adverse VSC reduction. The Calvert Yard Block is a recently-granted development now under construction, and all five affected windows are located either on or in close proximity to the boundary line and are thus over-reliant on the application site for daylight receipt. The window experiencing the greatest percentage loss (Window W4/F02) is a small side-facing window serving a room that contains two other expansive windows. As such, the room would continue to receive good overall daylight levels.
220. In terms of NSL, only one room would experience a loss in excess of the BRE guidelines. The reduction would be 53.4%. Although this would result in a noticeable change, the resulting NSL (23.6%) is not uncommon for an urban location, and it is not considered that the effect would be significantly detrimental to the amenity of the occupiers.

#### Impact on Sussex House, Maidstone Buildings

221. Sussex House is the converted warehouse located on the northern side of Maidstone Buildings Mews. The building's north and west elevations stand directly on the boundary of the application site. At fourth floor level are three habitable room windows that face towards the application site and serve rooms within the converted roof space. As the diagram below shows, all three apertures would experience a substantial adverse impact to VSC.

222. Although these VSC losses are significant, the windows currently benefit from an unobstructed outlook, unusual in the CAZ. As a result of the development, the VSC of the bedroom windows would reduce to 18.1 and 15.9, and the kitchen VSC would reduce to 12.0. Specifically in respect of the bedrooms, VSC levels in this range are not uncommon in urban locations and the BRE recognises this room type as being less sensitive to daylight loss. Although the kitchen would experience a perceptible change in daylight levels, it is understood that the kitchen forms part of a flat containing numerous south-facing rooms, none of which are affected by the development in terms of VSC and NSL.

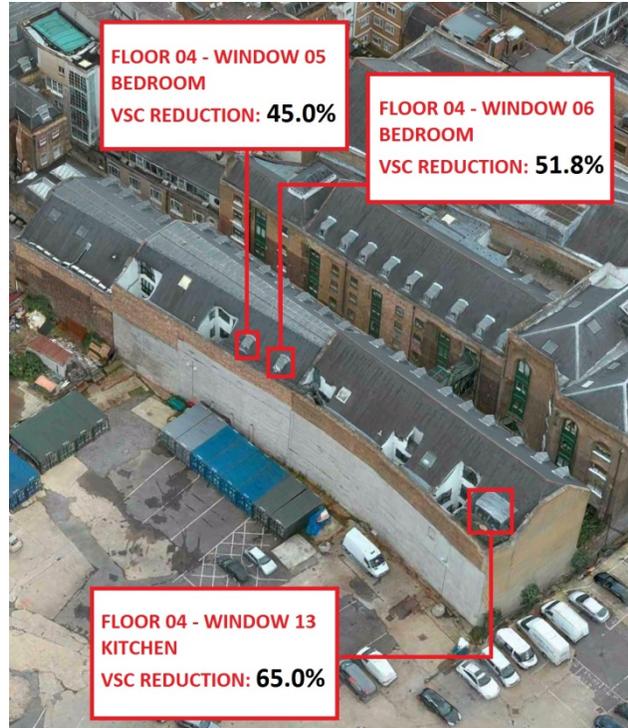


Figure 25: Window map of Sussex House highlighting the apertures that would experience a substantial adverse reduction in VSC

223. Windows 05, 06 and 13 have also been tested for NSL loss, and again the losses would in each instance exceed 20%. However, it must be recognised that all three windows currently benefit from an open outlook over largely vacant land. Therefore, sizeable NSL losses would inevitably arise from any reasonable redevelopment of the Landmark Court site.

#### Impact on Wiltshire House, Maidstone Buildings

224. Wiltshire House is a converted warehouse forming part of Maidstone Buildings Mews and located directly to the south of Sussex House. The window map below shows the apertures that would experience a substantial adverse impact as a result of the development.

225. As can be seen from the image, all the windows look onto a narrow courtyard and are set at close range to Sussex House opposite, as a result of which they currently experience relatively low daylight levels. Any reduction to these daylight levels would therefore generate a large percentage change.

226. Taking the two windows that would experience the greatest VSC loss, these are located on the northwest corner of Wiltshire House. As such, the daylight they currently receive is largely attributable to the openness of the application site. Any reasonable development of the land would, therefore, inevitably result in worsened VSC levels. In absolute figures, one window's VSC would reduce from 12.3 to 3.4 while the other's would reduce from 16.3 to 6.9. It is fully recognised that these resulting VSC levels are low. However, regard must be had for the low level position of the windows, their proximity to Sussex House and the enclosed nature of the 'mews' setting. Furthermore, it is understood both windows serve bedrooms.

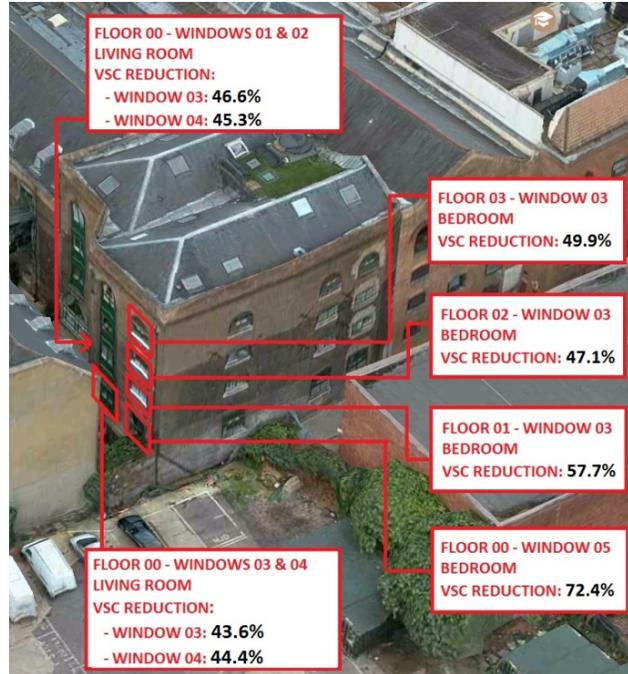


Figure 26: Window map of Wiltshire House highlighting the apertures that would experience a substantial adverse reduction in VSC

227. In terms of NSL, six windows would experience losses in excess of the BRE guidance, with the greatest of these losses being 66.1%. These six windows are clustered around the northeast corner of Wiltshire House and thus benefit from good NSL levels at present due to the openness of the Landmark Court site. As with VSC, any meaningful development of the application site will inevitably impact on the proportion of visible sky. Noting that the BRE guidelines must be applied in a flexible manner giving regard to the Central London site context, it is considered that the level of impact these rooms would experience would not be significantly harmful.

### Sunlight

228. The applicant's daylight and sunlight report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guide states that nearby windows must be assessed using the three-stage process set out below to determine if, as a result of the development, the sunlight levels would reduce to an extent that the room may feel colder and less pleasant.

229. The first stage is to determine if the window would experience:
- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH), (i.e. less than 371.5 hours) or;
  - a reduction in sunlight to less than 5% Winter Probable Sunlight Hours (WPSH) (i.e. less than 22.3 hours) or;
  - both of the above.

230. If one of the above criteria is triggered, the next stage is to determine if:

- the window's resulting APSH is less than 0.8 times its former value, or;
- the window's resulting WPSH is less than 0.8 times its former value, or
- both of the above.

231. Where one of the criteria in Stage 2 is met, the final stage is to determine if:
- the sunlight received by the window over the whole year would reduce by more than 4% of APSH(i.e. to less than 59.44 hours).
232. Only if all three thresholds have been exceeded can it be considered that the sunlight level would be reduced to an extent that the room may feel colder and less pleasant.
233. Assessed as part of the report due to their risk of sunlight loss are the south-facing windows at the following addresses:
- Triangle Court at Redcross Way;
  - 34 Southwark Street;
  - 11 Southwark Street;
  - The Calvert Yard Block;
  - Sussex House at the Maidstone Buildings Mews, and;
  - Wiltshire House at the Maidstone Buildings Mews.

Summary of APSH and WPSH impacts for sensitive surrounding residential properties

234. The following table summarises the sunlight impacts for sensitive surrounding residential properties:

<b>No. of windows that would experience sunlight losses in excess of BRE guidance</b>					
<b>APSH losses in excess of guidance</b>			<b>WPSH losses in excess of guidance</b>		
20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substantial adverse impact)	20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substantial adverse impact)
<b>Triangle Court [42 windows (of a total of 42) have been assessed]</b>					
7	3	6	1	2	0
Total no. of impacted windows: 16			Total no. of impacted windows: 3		
<b>34 Southwark Street [52 windows (of a total of 55) have been assessed]</b>					
21	4	0	5	15	28
Total no. of impacted windows: 25			Total no. of impacted windows: 48		
<b>11 Southwark Street [12 windows (of a total of 18) have been assessed]</b>					
0	0	4	0	0	3

Total no. of impacted windows: 4			Total no. of impacted windows: 3		
<b>The Calvert Yard Block [16 windows (of a total of 21) have been assessed]</b>					
1	1	0	0	0	0
Total no. of impacted windows: 2			Total no. of impacted windows: 0		
<b>Sussex House, Maidstone Buildings [3 windows (of a total of 6) have been assessed]</b>					
0	0	0	0	0	0
Total no. of impacted windows: 0			Total no. of impacted windows: 0		
<b>Wiltshire House, Maidstone Buildings [1 window (of a total of 37) has been assessed]</b>					
0	0	0	0	0	0
Total no. of impacted windows: 0			Total no. of impacted windows: 0		

Impact on Triangle Court

235. At Triangle Court, the six windows that would experience substantial adverse impacts to AP SH are W13 and W14 on the first, second and third floors of the building. These are all located at the far northern end of the site-facing elevation. By reason of their outlook over the currently vacant site, the windows benefit from very good sunlight levels at present, and thus any meaningful development opposite would result in a sizeable percentage loss. Those windows that would experience reductions to below the recommended levels would in all instances retain an AP SH in the region of 20%, which is reasonable for an urban location, and in all of these instances the WPSH would remain compliant.
236. On balance, and noting that the BRE guidelines should be applied flexibly in urban contexts, it is not considered that the losses would not cause undue harm to the users of the rooms.

Impact on 34 Southwark Street

237. At 34 Southwark Street, nearly half of the assessed windows would experience AP SH losses in excess of the BRE recommendations, and all except four would experience WPSH losses in excess of the guidance. It must be recognised, however, that a number of the AP SH losses are only very slightly beyond the 20% BRE threshold. Of the windows that would experience WPSH losses, a considerable number are located on the eastern elevation of the building nearly facing due east; this orientation means that, at present, the windows mainly receive only low level winter sun in the morning. Moreover, a number of the windows are already obstructed by the viaduct and the building directly opposite. For this combination of reasons, the windows only receive some low level winter sun from directly over the development site.
238. While the significance of the losses is recognised, having had regard to the particular context of 34 Southwark Street, it is not considered that the sunlight impacts would

cause undue harm to the occupiers of these dwellings.

#### Impact on 11 Southwark Street

239. The three most impacted apertures in terms of APSH are all balcony doors serving living rooms. As discussed in the 'Daylight Impacts' section of this report, the balcony doors are recessed and thus the inherent design of the building heavily constrains the availability of sunlight. For this reason, the existing APSH levels are very low (8, 10 and 11 respectively), and thus despite the further reduction the proposed development would bring, it is unlikely that a harmful change would be perceived by the users of the rooms. The balcony doors have either non-existent or extremely low WPSH at present (0, 1 and 3 respectively), hence the significant resulting percentage change. As with APSH, the resulting change is unlikely to be noticeable to room users, and in any case the rooms are served by other windows and doors oriented to the east and south which would not incur sunlight losses as a result of the proposed development.
240. In addition to the balcony doors, a second floor window serving a bedroom would experience a substantial APSH loss. In absolute APSH values, the reduction would be from a very low starting figure of 6 to a resulting figure of 3, which is unlikely to cause a significant noticeable change to the internal environment of the room.

#### Impact on the Calvert Yard Block

241. The proposed development would cause one minor and one moderate adverse APSH impact to rooms in the apartments at the Calvert Yard Block. In both cases, the resulting absolute APSH value would not uncommon for a dense urban location, being 31 and 41 respectively. Neither of these windows, nor indeed any other windows at the Calvert Yard Block, would experience WPSH losses in excess of the BRE guidance. As such, it is considered that an acceptable level of sunlight would be preserved for these recently-completed apartments.

#### Summary on daylight and sunlight

242. It is recognised that the proposed development would cause daylight impacts in excess of the BRE Guidance to a number of the surrounding properties. This is a negative impact on neighbour amenity which should be accorded some weight in determining the application. However, when interpreting these losses, regard must be had to the existing open character of the site and its location within an otherwise dense central London environment. Many of the most impacted properties stand very close to the site boundary, and thus are overly reliant on it for their receipt of light, or have design features that significantly limit the existing internal light levels, as a result of which any meaningful development on neighbouring land would generate sizeable percentage losses. On balance, and noting the BRE advice that the guidelines should be applied with a degree of flexibility in urban environments, it is not considered that the losses, and the degree of harm to amenity, would warrant withholding planning permission
243. Sunlight loss exceedances would occur at Calvert Yard, Triangle Court, 34 Southwark Street and 11 Southwark Street, including a number of substantial adverse impacts at the latter three. In most cases, this occurs either where the affected room experiences uncharacteristically high baseline sunlight levels for an urban environment and is

therefore more susceptible to change, or where elements inherent to the building's design (such as balcony overhangs and pier walls) already significantly hinder sunlight receipt such that any further reduction produces a large percentage loss not representative of how the change would truly be experienced by the users of the room.

244. When considering the overall impact on the amenity and enjoyment of neighbouring homes, it is useful to also consider the benefits of the development for those neighbours. They currently overlook a vacant site, used most recently for car and film vehicle parking but with a history of use for construction and storage. All of these uses would, in most circumstances, be considered poor neighbours, causing noise and pollution, and being to some degree unsightly. Their replacement with high quality buildings, albeit ones which affect daylight and sunlight, would have some benefits to the outlook and sense of place of these homes. On balance, these factors, together with consideration of the wider benefits of the development for Bankside, are considered to outweigh the harm caused.

### **Design, layout, impact on views and heritage, and tall building considerations**

#### Context

245. The site fronts onto Southwark Street and is firmly within the historic streetscape of Borough High Street Conservation Area. Its location on the southern side of Southwark Street places it opposite the important and distinctive building of the Hop Exchange. Within the site's southern corner is the delicate open space of the Crossbones Burial Ground, while its western boundary abuts a tall railway viaduct which in townscape terms separates the Borough High Street character area from the townscape to the west.
246. The site is a long-standing and conspicuous gap in the urban fabric of the Borough and London Bridge area. It is, nevertheless, a sensitive site owing to its rich context. Its redevelopment offers an opportunity to enhance the important and distinctive townscape of the surrounding area, and better reveal its historical assets.

#### Proposed layout

247. The layout of the various proposed buildings has defined a series of interconnected yards and alleyways. The proposed Calvert's Yard would extend the existing arched passageway through 15 Southwark Street and help frame and give visibility to some of the appealing properties at the rear of Borough High Street. The proposed St Margaret's Lane, which would run east-to-west through the site, draws its alignment from the historic routes of Calvert's Court and St Margaret's Court from Borough High Street, and has future potential (subject to any agreement being reached with adjoining owners and occupiers, which is not the case at present) to be opened up to these existing adjacent mews. St Margaret's Lane would be intersected by Union Walk — a proposed north-to-south route connecting the main site frontage on Southwark Street to a new public square, Woods Yard, adjacent to Crossbones Burial Ground.



*Figure 27: A view northwards across the proposed Calvert's Yard, with the rear of the refurbished and extended 15 Southwark Street in the background.*

248. This concept and layout is very much derived from the local historic street patterns. The various public spaces would have their own character and interest, adding to the richness of the area. The height and scale of the enclosing buildings would reinforce this character, creating a sense of intimacy matching that of the existing alleyways to the east.
249. Overall, the proposed layout is strongly supported, particularly for the new permeability it would create. However, creating a layout of such tightness and enclosure is not without its challenges, particularly for the housing element of the scheme which requires adequate daylight and outlook. This has been largely addressed by placing workspaces and retail units—which have lesser outlook and daylight demands—on the lower floors of the building, in so doing creating active frontages and adding to the street level character. The principal long façade of the Residential East Building would face south across the three-storey St Margaret's Lane workspace building, taking advantage of the openness of outlook and good aspect.
250. To achieve dual aspect for the proposed apartments, the Residential East Building would wrap around an inner courtyard that is flanked on its northern side by the rear of the Southwark Street Building. Albeit unusual, this arrangement would produce a distinctive space where the dramatic enclosure of the western entrance would be juxtaposed by the more open character of the eastern edge.



*Figure 28: View northeastwards across the private inner courtyard of the Residential East Building, as seen from one of the galleried walkways.*

#### Scale, form and architecture

251. Derived primarily from the layout of yards and alleyways, the footprints of the proposed buildings take some unusual forms, adding to the general richness of the concept.
252. Nevertheless, the need for a modern office development to incorporate large office floor plates has inevitably resulted in a scheme which is large than the immediately surrounding area. However, these large floorplates sit behind a façade comprised of a series of distinct pieces, appearing as separate buildings when viewed from the street.
253. Southwark Street, with the Hop Exchange directly opposite the site and adjacent to historic buildings, provides perhaps the most challenging context for the scheme to respond to. The existing quite grand neo-classical buildings of 4/5 storeys that line the south side of the street set a coherent scale and character. They terminate with 15 Southwark Street, a fine but decaying building occupying the northeastern corner of the application site. This building is to be retained and restored as part of the proposal, which is an important benefit of the scheme.
254. Immediately beyond the refurbished and extended 15 Southwark Street Building, it is proposed to re-establish a continuous frontage along Southwark Street. This frontage has been modelled as a series of three adjoining 'buildings' which tier up in height from east to west.
255. The first of these proposed buildings, the Southwark Street Building, would have a principal façade broadly similar in height to 15 Southwark Street and the Hop Exchange, but with an additional set-back top floor. In scale it is similar to a warehouse that once stood on this site and which would have formed a dramatic

contrast with buildings to the east.



*Figure 29: Visualisation of the front (north) elevation of the Southwark Street building*

256. The Southwark Street Building would feature deep-set paired windows interspersed by robust brick pilasters with pigmented concrete lintels and cills. The lintels are scalloped in shape, lending an extra level in detail. Finned steel would be applied to the set-back upper floor to provide a discrete top to the building that does not compete with the masonry façade below. The lowest floor forms a strong base to the building, framing the proposed retail units. Overall, the architecture of this building would be a wholly convincing modern reinterpretation of the traditional warehouse aesthetic.
  
257. Standing directly to the west of the Southwark Street Building would be the Viaduct Building. At eight storeys in height, it would form an appropriate terminus to the vista along Southwark Street as one looks from Borough High Street. This building incorporates the new arched pedestrian route into the site and through to Redcross Way.. It is, again, in a convincing modern warehouse style but this time with a double height retail base and a red brick façade in contrast to the yellow stock of the Southwark Street Building. In its scale and form, it would not be dissimilar to late Victorian/ Edwardian warehouse buildings in New York and Glasgow, although there are few such precedents in London.



Figure 30: Visualisation of the Viaduct Building, as seen from Southwark Street, showing how the building canopies over the northern end of Union Walk.

258. The final proposed building fronting Southwark Street is the West Building. Following the pattern set by its neighbours, this building would step up slightly from the adjoining Viaduct Building. However, because the site angles back away from Southwark Street at this point to follow the line of the railway viaduct, the structure would be largely hidden in westward views along Southwark Street. This change in angle and character has provided an opportunity to propose a building which is more open and with less intricate detailing. It would, nevertheless, feature deep vertical piers as a principal feature, adding a feeling of depth to the façade.

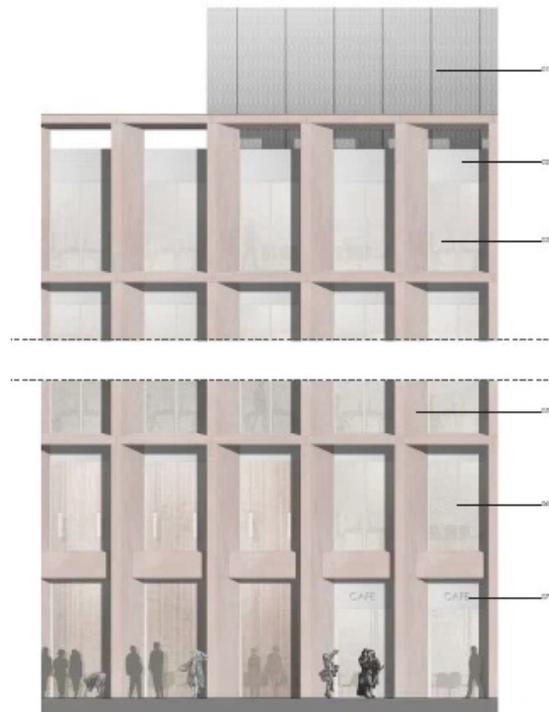


Figure 31 (right): Truncated bay study of the northwest elevation of the West Building, showing the deep chamfered design of the bays.

259. The buildings proposed on the southern side of the scheme would vary according to their context. The Woods Yard Building would enjoy an open aspect across Crossbones Burial Ground. It would step down from the high point of the West Building to provide a façade consisting of a series of layers in different planes. The detailing would be more restrained, but this again would allude to the robustness of

traditional warehouse/ industrial buildings that once stood on this site and nearby.



Figure 32: Visualisation of the south facade of the Woods Yard Building, showing retail units with storeys of office above, taken close to the intersection of Wood's Yard with Redcross Way.

260. The residential and workspace buildings framing Calvert's Yard and St Margaret's Lane would be of a robust straightforward brick architecture. Owing to the narrowness of the alleyways in which they would stand, only oblique views would be obtained of the whole height of these buildings. In these views, the foreshortened rhythm of windows deep set into masonry would form the main elevational feature.



Figure 33: Visualisation of St Margaret's Lane. The Residential East Building is to the left and the St Margaret's Lane Workspace to the right, with a gantry-style bridge connecting the two.

### Design evolution and heritage considerations

261. When initially commenting on the application, Historic England and The Conservation Area Advisory Group recognised the benefits of the proposal, expressing the view that it was a high quality and responsive scheme for the infilling of an empty site that currently detracts from the character of the area. However, both consultees had substantive concerns about the height and mass of the scheme and its effects on its conservation area context.
262. During the course of the application, the two tallest buildings, the Viaduct Building and West Building, were lowered by a storey. Additionally, the top parts of these buildings and the Southwark Street Building were made more recessive through a different architectural treatment. The resultant buildings remain larger than their surroundings. However, this is not a single monolithic block but a varied ensemble of buildings that partly create their own streetscape character. Crucially, in the mainly oblique views from the east —where the scheme is seen within the very strong context of the Borough High Street Conservation Area— the lowered silhouette of the buildings will not now, due to distance and oblique viewing angles, fill the sky to a noticeably greater extent than existing foreground buildings. In this respect, the Hop Exchange, opposite the site on Southwark Street, will retain a magnificent and assertive street presence and setting of the lower foreground buildings that line the southern side of Southwark Street (some listed) will be protected.



*Figure 34: Visualisation of the West Building, as seen looking eastwards along Southwark Street. The Menier Chocolate Factory can be seen to the right-hand side of the image.*

263. From the west, the highest West Building will still be prominent, rising above the listed

building of the Menier Chocolate Factory. However, the scheme will be seen against a partial backdrop of the Shard, Guys Hospital and other large buildings such that its silhouette against the sky will not be substantially greater than that formed by these more distant buildings. It will be closer and therefore more prominent, but not to an undue extent.

264. A range of more distant views have been analysed as part of the Landscape and Visual Impact Assessment submitted with the scheme. As might be expected given the mid-range height of the buildings within this wider context, the scheme will not be prominent in these wider views.
265. In summary, by filling in a gap site that at present detracts from the character of this part of Borough High Street Conservation Area with a design that is derived from and which responds to its context, the overall character of the conservation area and with it the setting of several listed buildings, will be enhanced. The most prominent listed buildings in the area, the Hop Exchange and the Chocolate factory, will retain their streetscape dominance. In this respect the scheme has regard to the setting of listed buildings, and will preserve and enhance the character of the Borough High Street Conservation Area, in line with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### Tall buildings

266. The highest parts of the scheme would be over 30 metres in height, and as such would fall within the scope of the council's adopted tall buildings policy, Saved Policy 3.20 of the Southwark Plan. This policy expects tall buildings to be located in the CAZ and Opportunity areas, and in places with good public transport accessibility. It also has specific requirements for tall buildings to make a positive contribution to the landscape, be located at a point of landmark significance, relate well to their surroundings (particularly at street level), and contribute positively to the London skyline, as well as demonstrating excellent design.
267. Through its layout and in particular the rich sequence of external spaces produced by the configuration and arrangement of the buildings, the scheme would make a positive contribution to the landscape. The development would be located at a point of landmark significance at its terminus against the railway viaduct, which marks a full stop to this particular character area. The development would relate well to its surroundings, as described at length above. The criterion which requires a positive contribution to be made to London's skyline is not relevant in that the proposal would not be a singular and very tall landmark building, but a collection of buildings of moderate height which respond most directly to their immediate context.
268. In summary, the scheme is fully in compliance with Saved Policy 3.20.

#### Impact on London and Borough views

269. The site lies in the background region of Protected View 1A.2 of the London View Management Framework (Alexandra Palace viewing terrace to St Paul's Cathedral, as seen from the north-eastern car park). The tallest of all buildings within the development, the West Building, would rise to a maximum height of 44.20 metres AOD. This would be lower than the Protected View threshold of 51.10 metres AOD,

and as such the existing composition of the view would not be harmed.

270. With respect to the Borough Views proposed by the New Southwark Plan, the site lies in the Wider Setting Consultation Area of Borough View 1 (One Tree Hill to St Pauls Cathedral) and Borough View 2 (Nunhead Cemetery to St Pauls Cathedral). The height and scale of the proposed development would ensure it sits comfortably in its immediate context, not in excess of the threshold planes of either view. Consequently, the viewer's ability to recognise and appreciate St Paul's Cathedral would be maintained from both of these vantage points.
271. In summary, the scheme is compliant with Policy 7.11 (London View Management Framework) of the London Plan and Policy P21 (Borough Views) of the emerging New Southwark Plan.

### **Publicly-accessible realm, landscaping and trees**

272. Two new squares, Calvert's Yard and Woods Yard, two new laneways, Union Walk and St Margaret's Lane, and a short section of the Low Line would all be delivered as part of the development. The hard and soft landscaping of these new external spaces would include various surface treatments, trees, planting beds, fixed outdoor furniture, water fountains and other features of interest such as a rain garden. The spaces will be suitably framed by active frontages and certain areas will be given over to market stalls and 'spill out' dining. This will make for a rich, vibrant and attractive publicly-accessible realm.
273. Having reviewed the design and access statement and landscaping proposals, the council's Urban Forester considers the materials and specifications to be of a high quality, with appropriately-selected trees and other soft planting. To facilitate the proposed development, two low quality, Category C trees are to be removed (one in Crossbones Burial Ground and one immediately to the north of the sub-station) but all others would be retained. Further, the new trees would deliver a net increase in canopy cover as required by relevant London Plans and draft New Southwark Plan policies. In light of the outline proposals being acceptable, conditions are recommended in respect of landscaping and tree protection measures.
274. The publicly-accessible spaces are to be open 24 hours a day. As is customary for publicly-accessible privately-owned space, the landowner will retain legal rights to close the spaces to the general public one day per year to prevent the acquisition of public rights of way.

### **Crossbones Burial Ground**

275. Within the boundaries of the application site is Crossbones, an unconsecrated medieval burial ground and now a garden of remembrance, which is designated as Other Open Space by the Southwark Plan. The New Southwark Plan proposes to retain this designation. It is currently managed and maintained by the local charity Bankside Open Spaces Trust (BOST), who also take responsibility for a number of other open spaces in the north of the borough. They manage Crossbones under a short-term lease from Transport for London. A key stakeholder in the burial ground is Friends of Crossbones, a group of local people concerned with the protection of Crossbones as a space of historic and archaeological importance. BOST and Friends

of Crossbones work in partnership.



*Figure 35 (above left): View from within Crossbones. Figure 36 (above right): View looking west along Union Street, with the southern boundary wall and entrance gate of Crossbones visible in the foreground.*

276. The Southwark Open Space Strategy 2013 identifies a deficiency in the availability of natural green space in the Bankside, Borough and London Bridge area. It notes that just 1.22 hectares of green space are available per 1,000 population (which will fall to 0.97 hectares per 1,000 population in 2026, presumably due to population growth) compared to a standard of 1.5 hectares per 1,000 population. The Open Space Strategy seeks to address this deficiency by, among other things, improving access to and the standard of existing sites. In meeting this objective, it names Crossbones Burial Ground specifically.
277. Saved Policy 3.27 (Other Open Space) of the Southwark Plan provides protection for open spaces that are of local/neighbourhood importance. It sets out that development on Other Open Space will only be permitted where the following criteria would be met:
- i. It is ancillary to the enjoyment of Other Open Space, and;
  - ii. It is small in scale, and;
  - iii. It does not detract from the prevailing openness of the site or from its character, and;
  - iv. It positively contributes to the setting and quality of the open space, and;
  - v. Where appropriate, it enhances public access to open spaces, or;
  - vi. Land of equivalent or better size and quality is secured within the local catchment area for similar or enhanced use before development commences (subject to certain provision)

### Physical improvements

278. As explained in the introductory paragraphs of this report, the application proposes a number of physical improvements to Crossbones. The landscape architects have produced the proposals in accordance with the principles established by a masterplan that emerged from a series of workshops between TfL, BOST and the Friends of Crossbones that took place in 2017.
279. In respect of the burial ground's perimeter enclosure, new sections of concrete walling and railings would be inserted, and a coping would be added to the top of existing stretches of wall. Within the garden itself, 'light touch' changes would be undertaken including extended planting zones, improved hard surfaces and the provision of new lighting and irrigation systems. These works would be funded by the developer and would be completed to the reasonable satisfaction of the council prior to first occupation of the Landmark Court development.
280. These works are very small in scale and would not introduce any new substantial structures to the burial ground. The changes would sensitively upgrade and enhance the garden environment while also improving its outward appearance, all without detracting from its sense of openness or wider setting. For these reasons, the proposed physical improvements are considered to meet criteria *i* to *iv* of Saved Policy 3.27. The following section of this report sets out how the proposal complies with criterion *v* (enhanced public access).

### Long-term management and enhanced public access

281. The applicant has committed a package of funding for managing and maintaining Crossbones in the long-term, and intends to delegate these responsibilities to a Not for Profit Organisation (NPO) through a lease agreement. The financial contribution would be for purposes such as garden maintenance and improvement, staffing, allocation of central management costs, the use of lighting and utilities costs. The funding could also be used as leverage or match funding if the NPO makes grant applications to other funding bodies.
282. At the time of writing this report, the applicant identified the local organisation BOST, who currently manage and maintain the space under a short-term lease, as an appropriate partner. Negotiations are currently underway between the two parties to define the respective responsibilities and various other terms of such a lease. Given that no formal agreement has yet been entered into, there is no guarantee that BOST will be the final lessee, although the applicant is actively engaged in negotiations with BOST.
283. Presently, Crossbones is open when stewards are available, which is usually between midday and 2pm Wednesday to Fridays and some weekend days. Special events are occasionally held in the burial ground outside of these hours. Broadly speaking, therefore, the space is open for between six and eight hours each week, or roughly between 310 and 370 hours per year.
284. The funding the applicant has agreed to provide would be sufficient to enable the appointed NPO to open the burial ground between the minimum following hours:

- 11am to 3pm seven days a week in winter (1 October to 31 March);
- 11am to 6pm on five days of the week and 12:30pm to 7:30pm on the other two days of the week in summer (1 April to 30 September).

This equates to 968 hours per year.

285. As such, it is considered that the proposal would secure a good level of improved public access, thereby satisfying criterion v.

286. The Section 106 Agreement will stipulate certain terms the applicant must offer the nominated NPO through the lease. These obligations will relate only to the adequate resourcing and enhanced opening hours of the burial ground, as these are considered to 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;

thereby meeting the statutory tests in Regulation 122. All other aspects of the lease fall outside the remit of planning, and will be for the parties to resolve between themselves through the appropriate separate legal process.

### **Ecology and biodiversity**

287. Ecological surveys accompanied the application, including a bat emergence survey showing there to be no bats present on the site, which the council's ecologist has reviewed and deemed to be robust. The ecology report makes a number of recommendations which have been addressed in the Landscape and Public Realm document, such as the inclusion of planting, bug hotels and log piles, all of which will help to attract nature.

288. A condition is recommended requiring bat and bird nesting features to be incorporated into the building fabric, as is a condition relating to green roofs.

### **Transport and highways**

#### Car parking

289. London Plan Policy 6.13 (Car Parking) states that in locations with high public transport accessibility, car-free developments should be promoted while still providing adequate parking for disabled people. Southwark Saved Policy 5.6 (Car Parking) requires all developments to minimise the number of spaces provided and for developments to justify the amount of car parking sought.

290. The CPZ in place in this location provides adequate daytime parking control in this vicinity. The proposed development would be car free except for two disabled spaces, which would be provided in Woods Yard. Given the site location and high PTAL Rating this is an acceptable approach. Electric Vehicle Charging points should be provided for the disabled bays, and this will be required by condition.

#### Car club membership

291. The developer has agreed to offer residential occupiers Car Club Membership, restricted to the primary occupier, for the first three years in the life of the development. This will be secured in the Section 106 Agreement.

#### Cycle parking

292. Cycle parking provision should be in accordance with London Plan Standards as well as Strategic Policy 2 (Sustainable Transport) of the Core Strategy and Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan. The emerging strategy for cycling and cycling parking standards in the borough is set out in Policy P52 (Cycling) of the New Southwark Plan.
293. The applicant has proposed 374 long stay and 113 short stay cycle parking spaces, including 30 Sheffield cycle racks on the ground floor. The basement would also provide changing/shower facilities for cyclists. While this cycle parking provision meets that required by the adopted London Plan, it forms 68% of the 717 cycle parking spaces recommended in the New Southwark Plan. The Transport Policy Team considers that the New Southwark Plan target should be met, and considers that the designated cycle storage areas can realistically accommodate such provision.
294. In light of the above, a condition is recommended requiring the applicant to submit details of the 717 cycle parking spaces (of which 100 spaces must be provided by 50 Sheffield cycle racks on the ground floor), together with final details of the cycle parking facilities.

#### Temporary loss of cycle docking points

295. There is an existing TfL cycle docking station on Southwark Street, the 'Hop Exchange' docking station, which would need to be temporarily relocated during construction. The replacement cycle docks would need to be in place and operational prior to any construction works commencing at the application site. TfL and the applicant have agreed to explore options for where this temporary station could be provided within the vicinity. Should temporary relocation not prove possible, the applicant would need to compensate TfL for the loss of revenue during the closure. A Section 106 clause will require the applicant to engage with TfL to identify suitable relocation sites and cover the costs of providing the temporary docking points, or pay a compensatory sum should temporary relocation not prove feasible.

#### Improving access to cycle hire options

296. The applicant has agreed to contribute £15,000 towards westward expansion of the 'Hop Exchange' docking station. Owing to the temporary loss of some or all of these docking points during the construction of the proposed development, the expansion funds will not be utilised until the docking station is reinstated. This contribution of £15,000 will be secured in the Section 106 Agreement.

#### Servicing

297. The application was accompanied by a Transport Assessment, in which the matter of

servicing is addressed. Servicing would largely take place within the site using the integral loading bay, access to which would be from Redcross Way. Deliveries would be timed and would only take place outside of peak hours to minimise the effect on the local transport network. Large vehicles would service the site from a proposed loading bay on Southwark Street to be provided by converting a series of existing on-street parking bays, which Transport for London consider acceptable. The proposed servicing arrangements are supported by the council's Transport Policy and Highways Development Management Teams.

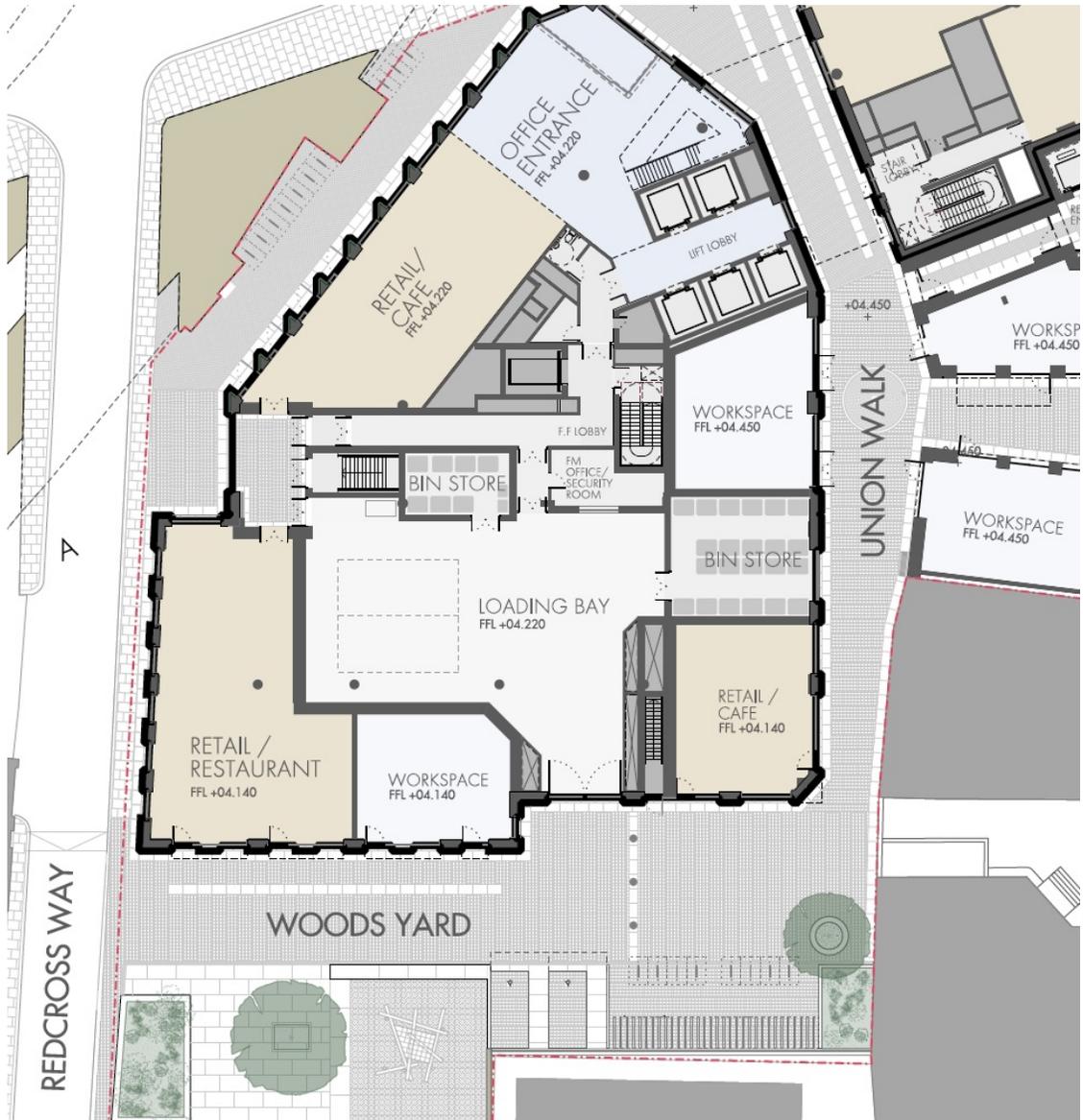


Figure 37: Ground floor layout showing the internal loading bay. To access the bay, vehicles would travel southbound along Redcross Way, turn left off the highway into Woods Yard, traverse the space and enter the loading bay via the double doors.

- 298. The anticipated servicing activity would be 79 deliveries (two-way movements) per day. As a precautionary measure, a Delivery and Servicing Management Bond will be secured so that highways impacts can be monitored over the course of the first two

years of operation.

299. The submission and approval of a formal standalone Delivery and Servicing Management Plan (DSP) is to be required by condition.

#### Refuse storage arrangements

300. As set out in the applicant's Operational Waste and Recycling Management Strategy, the commercial component of the proposed development would incorporate a ground floor central store, sufficient in capacity to accommodate two days worth of refuse. Commercial refuse collection would take place on a daily basis and the estate management company would be responsible for transferring bins to the appropriate collection point.
301. With respect to the residential component of the proposed development, the Residential East Building and 15 Southwark Street would each have dedicated communal refuse stores at ground floor level adequate in size to accommodate the anticipated volumes of residual waste and recycling. On refuse collection days, the estate management company would transfer bins from the store rooms to the appropriate collection point on a towing tug.
302. Both the commercial and residential arrangements are considered acceptable. Compliance with the Operational Waste and Recycling Management Strategy will be required by condition.

#### Improvements to local footway and highway environment

303. The Transport Policy Team has required that the applicant contribute towards a range of highway safety measures together with improvements to pedestrian/cycle routes in the vicinity of this development.
304. Through a S38/278 Agreement, the applicant will be required to provide the following highway improvements and safety measures:
- dedicate a 1.5 metre wide area of widened footway along Redcross Way to supplement the existing footway and create a resultant width of at least 2.5 metres;
  - construct a raised table on Redcross Way;
  - provide a pedestrian refuge at the western end of the segment of Southwark Street footway onto which the site fronts (to allow pedestrians to cross more safely to the northern side of Southwark Street).

#### Transport experience

305. The design and layout of the development responds to and delivers the Mayor's 10 Healthy Street indicators. The objectives of Vision Zero, which is the Mayor's strategy for reducing road danger for everyone and creating streets safe for walking and cycling, would also be met by the proposed development. TfL considers the development to have set a high standard in ensuring a safe and healthy transport experience.

306. TfL has asked that the applicant design a scheme of lighting, and take responsibility for its subsequent installation, to be attached to the southwestern side of the railway bridge coterminous with the northwest boundary of the application. The illumination this would provide to the proposed section of Low Line would make for an enhanced, safer and more pedestrian- and cycle-friendly environment. These details will be required by condition.

#### Legible London signage

307. The applicant has agreed, at the request of TfL, to make a contribution of £12,000 towards providing new and refreshed Legible London signage. £12,000 would provide funds for new sign within/adjacent to the development and three existing map refreshes nearby. This will be secured in the Section 106 Agreement.

#### **Environmental matters**

##### Construction management

308. The applicant has submitted an outline construction management plan, which includes a brief demolition management methodology. This document has been reviewed by the relevant transport and environment consultees, who have deemed it to be satisfactory as a framework document.
309. In order to ensure that increases in traffic, noise and dust associated with the demolition and construction phases of the development are minimised, a full demolition environmental management plan and a full construction environmental Management Plan are to be required by condition.

##### Air quality

310. The site is located in an air quality management area. An air quality assessment was submitted with the application, which considers the air quality impacts arising from the construction and operational use of the development. The report concludes that subject to the offered mitigation the effects on air quality during construction and operation are considered to be negligible.
311. The council's environmental protection team has reviewed the submission and advised that there is no objection to the proposal subject to recommended conditions.

##### Light pollution

312. No undue light pollution effects would result from the occupation and use of the proposed commercial and residential buildings. A compliance condition, requiring any external lighting to comply with the relevant ILP standards, is recommended.

##### Flood risk, flood resilience and sustainable urban drainage

313. The application site is located within Flood Zone 3 but is outside the area of residual risk and benefits from the Thames tidal defences. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable, subject to conditions relating to contamination, piling, verification of remediation, and

into-ground infiltration associated with the sustainable drainage system.

314. Having reviewed the outline Drainage Strategy and found it acceptable, the council's flood risk management team requires the full drainage strategy to be supplied prior to commencement of development. This will be secured by condition.
315. The proposed development would incorporate a large basement. Accordingly, the application was accompanied by a basement impact assessment (BIA), which the council's flood risk management team has reviewed. In line with the recommendations of the BIA, the team has requested that a condition be attached to any grant of consent requiring an updated BIA to be supplied to the LPA once groundwater levels have been identified by on site ground investigation.

#### Land contamination

316. The application was accompanied by a preliminary land contamination risk assessment, which the council's environmental protection team has assessed and deemed acceptable. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the council for approval, with further remediation measures to apply if contamination is found to be present.

#### Archaeology

317. The site lies at an exceptionally interesting location within the Tier 1 'North Southwark and Roman Roads' Archaeological Priority Area (APA). This APA is the most archaeologically significant part of Southwark and contains complex deeply stratified multi-phase archaeology dating from prehistoric times to the modern day. The high archaeological potential of the site has been demonstrated by numerous excavations undertaken previously on the site, which revealed considerable depths of archaeological remains primarily dated to the Roman period and included areas of Roman buildings and a number of Roman burials. Saved Policy 3.19 of the Southwark Plan requires applications for development in APAs to be accompanied by an archaeological desk-based assessment (DBA) and an evaluation report.
318. Previous excavations within the site, generally at the northeast, have indicated that over reclamation deposits the earliest Roman features were Roman timber-framed buildings, which were replaced by a large masonry building in AD 74 and recorded during the excavations in the 1980s. The structure contained many rooms including hypocausts, and tessellated and mosaic floors and at the east end was a corridor surrounding a courtyard area. The building was decorated with imported marbles and wall plaster; the most spectacular plaster was of Hercules wrestling with the Nemean lion. The building was interpreted as a 'mansio' which provided accommodation for the imperial posting service and other officials and travellers along the Roman road into the city of Londinium. The substantial Flavian (AD first century) masonry building was followed by two phases of clay and timber buildings, of mid-second century date. The building went out of use in the mid-fourth century and the area was used as a Roman cemetery. Dark earth deposits overlay the Roman sequence.
319. Roman remains were left in situ on the site after the 2005 evaluation and included the mosaic floor and burials and it is likely that further extensive Roman remains are present on the site. Well preserved structural masonry remains of Roman buildings

and burials would be of high significance.

320. The former St Saviour's Additional Burial Ground also referred to as Cross Bones Burial Ground is located at the south of the site, beside Redcross Way. The development proposals for the site will not extend into the former burial ground and post-medieval burials within this area of the site will not be disturbed. However the buried heritage risk for the site is high derived from the potential presence of Roman burials, at least three Roman burials are thought to remain in situ on the site from the 2005 evaluation: two in Trench 5 and another in Trench 7 (MoLAS 2005, 8 and 10). Additionally, other Roman burials have previously been recorded on the site in the 1980s and in later excavations and further may be present on the site in areas not previously investigated.
321. As high archaeological potential is recognised across the site this endorses the need for further information to properly understand the nature and significance of the buried remains. On present evidence it is reasonable to expect that the site will contain archaeological remains that will inform national and Greater London archaeological research objectives — that is non-designated heritage assets of archaeological interest in NPPF terminology.
322. The applicants have submitted an archaeological desk based assessment (DBA) by MoLA and dated March 2019. The desk based assessment is sufficient to fulfil the requirement for a DBA. This document also details the results of earlier archaeological works on the site and the additional phase of pre-determination evaluation undertaken by MoLA for the applicant in February 2019 in support of this planning application.
323. The application scheme is for a large basement and if this were consented the applicant must be mindful that if very significant archaeological remains are encountered and these cannot be preserved in situ (under a foundation design condition), they must be prepared to pay for and manage the full archaeological excavation of these remains entirely and/or potentially lift and preserve off-site or in the new development these important remains. A condition (programme of archaeological mitigation) is recommended to secure this Other requirements may also be made to carry out full archaeological mitigation.
324. The report shows that very significant archaeological remains do survive on this site. It is likely that they will survive in localised pockets across the site. The applicant should anticipate full archaeological excavation over the entire area impacted by the proposed scheme. This will involve all works, including post-excavation analysis and deposition of the site archive
325. In this instance, on balance, there is sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission provided that the recommended conditions are applied to any consent.
326. A financial sum to cover the council's costs for the monitoring of the archaeological works will be secured in the Section 106 Agreement.

### **Energy and sustainability**

## Energy

327. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and Policy 5.7 requires the use of on-site renewable technologies, where feasible. The residential (new build) element of the proposal would be expected to achieve zero carbon, and the commercial aspect a 35% reduction against part L of the Building Regulations 2013.
328. Core Strategy Policy 13 sets out Southwark's approach to ensuring that new developments tackle climate change. The approach is generally consistent with London Plan Policies but also requires new commercial developments to meet BREEAM 'Excellent'.
329. An Energy and Sustainability Statement based on the Mayor's hierarchy has been submitted by the applicant.
330. The Energy and Sustainability Statement demonstrates how the targets for carbon dioxide emissions reduction are to be met. A combination of 'Lean' and 'Green' (but no 'Clean') measures have been employed in an attempt to achieve the reduction in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy 2011 and the Southwark Sustainable Design and Construction SPD.
331. In terms of meeting the "Be Lean" tier of the hierarchy, energy efficient lighting, plant and appliances have been specified to help reduce active energy reliance. A high standard of detailing of the building envelope will achieve air tightness and optimise thermal performance to reduce heat loss. Finally, the new build residential and commercial elements of the development will include mechanical ventilation with heat recovery. The fabric and buildings services design would be such that, through energy efficiency alone, the site would meet Building Regulations Part L 2013 target emissions rates
332. As no connection to a district heating network or on-site CHP system is proposed, no carbon savings are reported from the "Be Clean" stage of the energy hierarchy. Although no connection to a district heating network is being proposed because one does not exist in the vicinity at present, futureproofing will nevertheless be required by planning obligation.
333. With respect to the "Be Green" tier of the hierarchy, air source heat pumps would serve the base hot water demand for office and new-build residential areas (with direct electric water heaters meeting the remaining hot water demand) and all of the hot water demand for the four flats in the refurbished 15 Southwark Street building. Photovoltaic array would be fitted on the roof of the Viaduct building.
334. The total shortfall in savings relative to London Plan targets is 39 tCO<sub>2</sub>/year, which is a cumulative total over 30 years of 1,175 tCO<sub>2</sub>. This generates a £70,510 in-lieu payment, which breaks down as:
  - £30,611 for the non-domestic element (17 tonnes per year at a rate of £60/tonne for 30 years)

- £32,686 for the new-build domestic element (18 tonnes per year at a rate of £60/tonne for 30 years)
- £7,213 for the refurbished domestic buildings (4 tonnes per year at a rate of £60/tonne for 30 years).

335. The carbon offset fund could be used for a variety of upgrades and retrofitting throughout the borough, with examples including the installation of photovoltaic panels on existing buildings, insulation improvements, energy efficient street lighting, tree planting, LED lightbulb exchanges, homeowner grants to replace boilers, and funds for community-led sustainability projects.

#### BREEAM

336. Strategic Policy 13 of the Core Strategy requires the commercial element of the development to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken (this is contained within the applicant's Energy and Sustainability Statement) which demonstrates that an "excellent" standard can be achieved which meets the policy requirement and is therefore acceptable. A condition to secure this is therefore recommended.

#### **Socio-economic impacts**

337. In accordance with adopted planning policies there would be a requirement for this development to deliver during the construction phase 57 sustained jobs to unemployed Southwark residents, 57 short courses, and 14 construction industry apprentices. Upon completion, 156 sustained jobs for unemployed Southwark Residents would also be required. These obligations will be secured through the Section 106 Agreement.

338. The development would create between 1636 and 1775 direct jobs (FTE). As such, the scheme will generate a significant uplift in employment provision on site. The workers would also generate considerable spend in shops and services in the local area, which is a major and enduring benefit of the development.

#### **Planning obligations**

339. Saved Policy 2.5 (Planning Obligations) advises that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 is reinforced by the Section 106 Planning Obligations and CIL SPD 2015, which sets out in detail the type of development that qualifies for planning obligations.

340. In accordance with the Section 106 Planning Obligations and CIL SPD, the following contributions have been agreed with the applicant in order to mitigate the impacts of the development:

Planning obligation	Mitigation	Applicant's position
<b>Affordable Housing</b>		
AFFORDABLE (SOCIAL RENT AND INTERMEDIATE) HOUSING PROVISION	<p>Provision of <b>16</b> affordable units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> <li>• 12 units (4 x one-bedroom flats, 4 x two-bedroom flats, 4 x three-bedroom flats) to be social rent tenure</li> <li>• 4 units (1 x one-bedroom flats, 2 x two-bedroom flats, 1 x three-bedroom flats) to be London Living Rent tenure.</li> </ul> <p>The specific units to be provided within each of these two tenures shall be stated in the Agreement.</p> <p>Income thresholds and eligibility criteria for the tenures would be included.</p> <p>Restrictions on occupancy of market units to ensure early delivery of affordable housing units.</p> <p>Suitable marketing of the London Living Rent for the duration of the Intermediate Housing Pre-Completion Marketing Period and the Intermediate Housing Marketing Period to households within Southwark's local income thresholds.</p> <p>Disposal of any of the London Living Rent units permitted to higher London Plan income households only if at the end of the Marketing Period there has not been uptake. Evidence of no uptake to be supplied to the council before disposal to higher income households is permitted.</p>	Agreed
VIABILITY	Early Stage Review Mechanism to be included, as per the requirements of the Mayor.	Agreed
EQUAL ACCESS FOR ALL RESIDENTS TO ALL FLOORS	Equal access for all residents of the main residential block, irrespective of the tenure of their dwelling, to all external space (walkways, communal outdoor space, communal play space, cycle store, refuse store and lifts).	Agreed
WHEELCHAIR HOUSING PROVISION	Provision of four wheelchair housing units (one social rent, two London Living Rent and one open market).	Agreed

	<p>Suitable marketing of the two London Living Rent units and one social rent unit designated as Wheelchair Accessible Units for the duration of the Marketing Period for Wheelchair Accessible Dwellings</p> <p>No disposal of any of the Wheelchair Accessible Unit to those not in need of wheelchair housing unless evidence of marketing exercise has been submitted to and approved by the LPA at the end of the marketing period.</p>	
PLAY SPACE	To maintain the play space and provide residents with free access to all parts of it throughout the year for the duration of the development.	Agreed
OUTDOOR AMENITY SPACE	To maintain the communal amenity space and provide residents with free access to all parts of it throughout the year for the duration of the development.	Agreed
<b>Archaeology</b>		
ARCHAEOLOGY: MONITORING CONTRIBUTION	A sum of <b>£11,171</b> by the developer on signing of the Section 106 Agreement towards monitoring providing technical archaeological support during the works on and in the vicinity of the site.	Agreed
<b>Trees and Landscaping</b>		
CAPITAL ASSET VALUE FOR AMENITY TREES PAYMENT	A sum of <b>£5,605</b> (subject to CAVAT indexation) paid by the developer to account for the removal of the two Category C trees (one willow and one birch). This CAVAT sum is a net calculation, having taken into account the value of the proposed replacement tree planting.	Agreed
<b>Employment and workspace</b>		
LOCAL ECONOMY: CONSTRUCTION PHASE JOB/CONTRIBUTIONS	<p>Development to:</p> <ul style="list-style-type: none"> <li>• Deliver <b>57 sustained jobs</b> to unemployed Southwark residents,</li> <li>• Deliver <b>57 short courses</b>, and;</li> <li>• Take on <b>14 construction industry apprentices</b> during the construction phase.</li> </ul> <p><u>Or</u> make the pro-rata Employment and Training Contribution which, at maximum, would be £274,650. This breaks down as:</p>	Agreed

	<ul style="list-style-type: none"> <li>• <b>£245,100</b> against sustained jobs;</li> <li>• <b>£8,550</b> against short courses, and;</li> <li>• <b>£21,000</b> against construction industry apprenticeships.</li> </ul>	
LOCAL ECONOMY: CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	The Plan would be expected to detail: <ul style="list-style-type: none"> <li>• Methodology of training, skills, support etc.</li> <li>• Targets for construction skills and employment outputs</li> <li>• Methodology for delivering apprenticeships</li> <li>• Local supply chain activity methodology</li> </ul>	Agreed
LOCAL ECONOMY: POST-COMPLETION (IN- USE) PHASE JOBS/CONTRIBUTIONS	Development to: <ul style="list-style-type: none"> <li>• Deliver <b>156 sustained jobs</b> to unemployed Southwark residents,</li> </ul> Any shortfall is to be met through the End Use Shortfall Contribution which, at maximum, would be <b>£670,800</b> . This is calculated on the basis of <b>£4,300</b> per job.	Agreed
LOCAL ECONOMY: POST-COMPLETION (IN- USE) PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	The Plan would be expected to detail: <ul style="list-style-type: none"> <li>• Methodology for filling the Sustained Employment Opportunities (SEOs) and apprenticeships roles</li> <li>• Milestones and profiles for filling the SEOs and apprenticeships</li> <li>• Identified skills and training gaps to gain sustained employment in the completed development</li> <li>• Methods to encourage applications from suitable unemployed Borough residents by liaising with the local Jobcentre Plus and employment service providers</li> </ul>	Agreed
AFFORDABLE WORKSPACE: UNITS TO BE DEDICATED, LENGTH OF DEDICATION, DISCOUNTED RENTAL VALUES, INCENTIVES AND ELIGIBLE OCCUPIERS	The following commercial units (together with access to and use of the workspace core as well as ancillary and servicing areas) within the Landmark Court development shall be dedicated as Affordable Workspaces at a discounted rental of no more than 70% of local market rents: <p><u>St Margaret's Lane Workshop Building</u></p> <ul style="list-style-type: none"> <li>- Second Floor: Unit 01</li> <li>- First Floor: Unit 03</li> <li>- Ground Floor: Units 09, 10 and 12</li> </ul> <p><u>Residential East Building</u></p> <ul style="list-style-type: none"> <li>- First Floor: Unit 02</li> <li>- Ground Floor: Units 04, 05, 06, 07 &amp; 08</li> </ul>	Agreed

	<p><u>Woods Yard Building</u> - Ground Floor: Units 13 and 14</p> <p>All the thirteen above Affordable Workspace Units shall be retained on the above terms for a period of 30 years.</p> <p>No service charge shall be levied in addition to the rents stipulated above.</p> <p>All Affordable Workspace Units shall be offered on a rent-free basis for the first nine months of tenancy [this will include an option to provide a capital contribution for fit out rather than the rent free period to those tenants who would prefer it]</p> <p>Eligible “Affordable Workspace Occupier” to be defined as: <i>“An occupier from a specific sector that has a social, cultural or economic development purpose. This would include charities, voluntary and community organisations or social enterprises; creative and artists’ workspace; rehearsal and performance space and makerspace; occupiers for disadvantaged groups starting up in any sector; occupiers in support of educational outcomes through connections to schools, colleges or higher education; existing businesses in Southwark who need to relocate; small businesses located in Southwark; and start-ups or small businesses otherwise identified by the workspace provider to be agreed with the council.”</i></p>	
<p>AFFORDABLE WORKSPACE: MINIMUM SPECIFICATION OF UNITS</p>	<p>Prior to occupancy, each Affordable Workspace Unit is to be fitted-out to a minimum specification that ensures DDA compliance and the ability for tenants to open/operate immediately.</p>	<p>Agreed</p>
<p>AFFORDABLE WORKSPACE: MANAGEMENT PLAN</p>	<p>Produce and submit an Affordable Workspace Management Plan.</p> <p>The Affordable Workspace Management Plan shall include a strategy for marketing the Affordable Workspace Units. The strategy should respond to local demand and prioritise existing businesses. This shall include how marketing will be conducted in the event that an occupier vacates the premises and a new occupier is sought.</p> <p>Market the Affordable Workspace Units in accordance with the marketing strategy</p>	<p>Agreed</p>

	<p>contained in the Affordable Workspace Units Management Plan.</p> <p>Appoint a Workspace Provider to manage the day-to-day operation of the Affordable Workspace Units.</p>	
<b>Transport and Highways</b>		
PUBLIC REALM AND WORKS TO THE BOROUGH ROAD NETWORK	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit the Section 278 specification and estimated costs to the Local Highways Authority for approval. This shall comprise the following works, and all shall be constructed in accordance with SSDM standards:</p> <ul style="list-style-type: none"> <li>• Construction of a raised table on Redcross Way</li> <li>• Repave the footway with new kerbing on the eastern side of Redcross Way to a minimum width of 2.5 metres between the railway bridge and Crossbones Burial Ground</li> <li>• Repave/repair as necessary the footway fronting the development on Union Street to a minimum width of 2.0 metres</li> <li>• Installation of new posts and signs related to the proposed access/egress point between Redcross Way and Woods Yard</li> <li>• Upgrade street lighting to current LBS standards, including on private roads.</li> <li>• Change all utility covers on footway areas to recessed type covers, only where paving works are being carried out.</li> <li>• Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development.</li> <li>• Reconstruct any redundant vehicle crossovers as footway along Redcross Way in accordance with the SSDM requirements.</li> </ul> <p>Prior to commencement of highway works, the developer is to enter into a Highway Agreement for the purposes authorising the works etc.</p> <p>Prior to construction, an Approval In Principle (AiP) is to be submitted to the Structures Team</p>	Agreed

	for approval, because the proposed basement adjoins a public highway.	
WORKS TO THE TfL ROAD NETWORK	The developer is to enter into a Section 278 Agreement with TfL to provide the following: <ul style="list-style-type: none"> <li>• a pedestrian refuge on the western segment of the stretch of Southwark Street onto which the site fronts;</li> <li>• the conversion of the parking bays on Southwark Street immediately to the front of the site into a loading bay, and;</li> <li>• reconstruction of the footway section abutting the development site on Southwark Street</li> </ul>	
DELIVERY AND SERVICING MANAGEMENT BOND	<p>For a period of two years from 75% occupancy the daily vehicular servicing activity of the site is to be monitored and returns made on a quarterly basis. If the site meets or better its own baseline target (79 two-way movements per day) the Bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development.</p> <p>The Delivery and Servicing Management Bond will be <b>£8,172</b>, calculated on the basis of £100 per 500 square metres GFA of commercial floorspace and £100 per residential unit.</p> <p>The Bond is to be paid to the council prior to occupation of any part of the development.</p> <p>The council will retain £1,600 of the £8,172 Bond for assessing the quarterly monitoring. This means the refundable sum will be £6,572.</p>	Agreed
TfL DOCKING STATION CONTRIBUTION	<b>£15,000</b> to contribute towards expansion of the TfL cycle docking station on the footway to the front of 25-33 Southwark Street to allow for westward expansion.	Agreed
LEGIBLE LONDON SIGNAGE	<b>£12,000</b> to contribute towards provision of Legible London signage within the vicinity of the site.	To be agreed
CYCLE CLUB SCHEME	Membership of a cycle hire scheme licenced by the highway authority for a period of 3 years from the date of first occupation will be available for free to all residents of the 36 dwellings.	Agreed
CAR CLUB SCHEME	Membership of a Car Club Operator scheme (to	Agreed

	be one of the council's approved car club partners) for a period of 3 years from the date of first occupation will be available to the primary occupier of each of the 36 dwellings.	
DELIVERY AND MANAGEMENT OF PUBLICLY-ACCESSIBLE REALM	<p>Publicly-accessible realm is to be designed to incorporate principles of Secured by Design.</p> <p>Publicly-accessible realm to be designed to an adoptable standard.</p> <p>Certificate to be served on the council upon completion of the layout out, construction and/or planting of those parts of the public realm which are to be managed and maintained by the developer.</p> <p>Any defects reported within 12 months are to be rectified.</p> <p>Developer covenants to manage, maintain and allow public access except for a limited period in certain circumstances (fire, flood, carrying of essential maintenance etc.) and shall close the route (with prior notification to members of the public) for up to one day per year so as to prevent public rights of way being obtained.</p>	Agreed
SAFEGUARDED FUTURE PEDESTRIAN CONNECTION TO CALVERT'S BUILDINGS AND ST MARGARET'S YARD	<p>Developer is bound to not develop against (or in any other way block):</p> <ol style="list-style-type: none"> <li>a) the section of boundary wall between the site and Calvert's Buildings, and;</li> <li>b) the section of boundary wall between the site and St Margaret's Buildings.</li> </ol> <p>To do otherwise would prevent the formation of an opening to link these Mews to the application site should an agreement be struck in the future with either or both of these adjacent landowners</p>	Agreed
<b>Crossbones Burial Ground</b>		
LONG-TERM PROTECTION OF SPACE	<p>The Owner covenants with the council from the grant of the Planning Permission:</p> <ol style="list-style-type: none"> <li>a) Not to undertake or permit any development to be undertaken on the Crossbones Burial Ground in perpetuity other than: <ul style="list-style-type: none"> <li>• the works permitted by the Planning Permission in relation to Crossbones Burial Ground; and</li> <li>• such other works as may be necessary from time to time to</li> </ul> </li> </ol>	Agreed

	<p>enhance and maintain the Crossbones Burial Ground and to enable the provision of managed public access.</p> <p>b) Not to apply for any planning permission that would contravene the above restriction.</p> <p>This would be supported by a restriction on the title.</p>	
MANAGEMENT OF BURIAL GROUND BY NON-PROFIT ORGANISATION	<p>Developer is bound to enter into a lease, of minimum duration 30 years, to a non-profit organisation to manage and maintain the Burial Ground.</p> <p>In the event of the tenant breaking their lease, a lease of the same terms should be offered to a suitable alternative non-profit organisation, to be agreed by the council.</p>	To be agreed
INITIAL BURIAL GROUND OPERATIONAL COMMITMENTS	<p>Contribution of £25,000 from the developer to cover the non-profit organisation's costs for the first six months of opening ("The Initial Period") of:</p> <ul style="list-style-type: none"> <li>• staffing the burial ground during opening hours;</li> <li>• the maintenance of the Burial Ground</li> <li>• the provision of educational programmes</li> <li>• the use of lighting and utilities.</li> </ul>	To be agreed
LONG-TERM BURIAL GROUND MANAGEMENT PLAN	<p>Six months prior to occupation of the development, the developer shall submit to the council the Burial Ground Management Plan for approval.</p> <p>The Burial Ground Management Plan shall set out the operational management and maintenance arrangements of the Burial Ground by the non-profit organisation once The Initial Period has elapsed.</p> <p>The Management Plan shall include but shall not be limited to:</p> <p>a) the terms upon which the management organisation will be granted a leasehold interest in the Burial Ground, including:</p> <ul style="list-style-type: none"> <li>• the lease length, which shall, as minimum be 30 years;</li> <li>• the frequency of renewal which shall, as a minimum, be no less frequent than every 5 years, and;</li> </ul>	

	<ul style="list-style-type: none"> <li>• tenant-only breaks in the lease on a 12-monthly basis.</li> </ul> <p>b) the hours that the Burial Ground will be open to the public which shall, as a minimum, be between:</p> <ul style="list-style-type: none"> <li>• 11am to 3pm on each of the seven days of the week in winter (1 October to 31 March)</li> <li>• 11am to 6pm on five days of the week and 12:30pm to 7:30pm on the other two days of the week in summer (1 April to 30 September)</li> </ul> <p>c) arrangements for access, cleaning, drainage, maintenance, lighting, and reasonable conduct rules;</p> <p>d) ongoing funding (to be a specified 'per annum' sum) to the non-profit organisation throughout the lifetime of the lease to be used for the maintenance and improvement of the Burial Ground, the provision of educational programmes, and the use of lighting and utilities;</p> <p>e) ongoing funding (to be a specified 'per annum' sum) throughout the lifetime of the lease to ensure two members of staff can be at or in the vicinity of the Burial Ground during opening hours;</p> <p>f) such other matters as the council may reasonably require.</p> <p>"Non-profit Organisation" to be defined as:</p> <ol style="list-style-type: none"> <li>i. <i>BOST</i>;</li> <li>ii. <i>a charity or community benefit society with experience of managing and maintaining public sites, or;</i></li> <li>iii. <i>such other not-for-profit organisation approved by the council in writing.</i></li> </ol>	
INITIAL WORKS	<p>At its own cost, the developer is to carry out and complete the improvement works to the Burial Ground, as depicted on the planning application drawings, to the reasonable satisfaction of the council within twelve months of implementation of the development..</p> <p>As part of and in addition to the initial works, the developer shall provide to the Burial Ground adequate fencing/wells, connection to mains water supply, external electricity sockets, foul water drain, handwashing facilities, storage, railings on north and west perimeter, disabled access from Redcross Way and a private noticeboard for railings on Redcross Way.</p>	Agreed

Energy		
FUTUREPROOFING FOR CONNECTION TO DISTRICT CHP	Prior to occupation, a CHP Energy Strategy must be approved setting out how the development will be designed and built so that all parts of it will be capable of connecting to any future District CHP.	Agreed
CARBON OFFSET	<p><b>£70,510</b> in-lieu payment (calculated on the basis of the most recent Energy Strategy) for a total shortfall of 1175tonnes/CO<sub>2</sub>, which comprises:</p> <ul style="list-style-type: none"> <li>• £30,611 for the non-domestic element (17 tonnes per year at a rate of £60/tonne for 30 years)</li> <li>• £32,686 for the new-build domestic element (18 tonnes per year at a rate of £60/tonne for 30 years)</li> <li>• £7,213 for the refurbished domestic buildings (4 tonnes per year at a rate of £60/tonne for 30 years)</li> </ul> <p>Development as built is to achieve the respective carbon reduction for the non-domestic, new-build domestic and refurbished domestic elements, as set out in the submitted Energy Strategy.</p>	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

341. These obligations are necessary to make the development acceptable in planning terms, mitigating for its adverse impacts. In the event that a satisfactory legal agreement has not been entered into by 30 October 2020 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

*“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Section 106 Agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with Saved Policy 2.5 ‘Planning obligations’ of the Southwark Plan (2007), Strategic Policy 14 ‘Delivery and implementation’ of the Core Strategy (2011), Policy 8.2 ‘Planning obligations’ of the London Plan (2016), and Southwark Council’s Planning Obligations and Community Infrastructure Levy SPD (2015).”*

### **Mayoral and Borough Community Infrastructure Levies**

342. 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 Borough 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 investments in London as a whole, while the Borough CIL will provide for infrastructure that supports growth in Southwark.

343. The gross amount of CIL (pre-relief) is approximately £8,451,419.14, consisting £4,499,479.43 of Mayoral CIL and £3,951,939.71 of Borough CIL. If CIL relief procedures have been followed correctly after planning permission is granted, it is expected around £682,531.35 of Social Housing Relief might be claimed, of which £72,893.59 of MCIL relief and £609,637.76 of Borough CIL relief.
344. That is, the anticipated CIL receipt for this scheme is circa £7,768,887.79 net of relief. It should be noted that this is an estimate, and the floor areas will be checked when the related CIL relief claim is submitted after planning approval has been obtained.

### **Community involvement and engagement**

345. This application was accompanied by a statement of community involvement. The documents confirm that the following public consultation was undertaken by the applicant prior to submission of the application:
- Three-day public exhibition in July 2018;
  - Three-day public exhibition in October 2018;
  - Two separate one-day drop-in sessions once proposals had been finalised in February 2019;
  - Newsletters distributed to local residents, business and community groups ahead of each round of exhibitions or drop-in sessions;
  - Individual stakeholder meetings with the following:
    - Friends of Crossbones;
    - Bankside Open Spaces Trust;
    - Better Bankside;
    - Catholic Church Most Precious Blood;
    - Southwark Cathedral;
    - Southwark Living Streets;
    - Living Bankside;
    - Borough Market Trustees;
    - United St Saviours
    - Southwark Diocesan Board of Education;
    - The Bridge;
    - Maidstone Mews Residents' Association;
    - The Boot & Flogger;
    - The O'Meara Group;
    - The Ragged School;
    - Mr Neil Coyle MP, Bermondsey and Old Southwark;
    - Cllr Adele Noakes, Cllr Victor Chamberlain and Cllr David Noakes, Councillors for Borough and Bankside;
    - Cllr Johnson Situ, Southwark Cabinet Member for Growth, Development

and Planning;

- Three-day canvassing exercise of the local area, and;
- A telephone consultation line, email address and website were all operated.

346. Issues raised as result of the public consultation included:

- Building heights;
- Design approach (questioning whether it should more closely reflect the architecture of surrounding buildings and replicate historical detailing, brick tones and facades);
- Potential overlooking and overshadowing impacts;
- Proposed management plan for Crossbones (access, supervision and opening times etc.);
- Provision of affordable housing, and;
- Existing oversaturation of office space within the local area.

347. The applicant has also provided an engagement summary for the development consultation charter, which is now a validation requirement. It details the extent of pre-application consultation and demonstrates that the applicant has made acceptable efforts to engage with those affected by the proposals. As part of its statutory requirements, the council, sent letters to surrounding residents, displayed site notices in the vicinity, and issued a press notice publicising the planning application. Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process

348. Details of consultation and re-consultation undertaken by the local planning authority in respect of this application are set out in the appendices. The responses received are summarised later in this report

### **Consultation responses from members of the public**

349. In response to public consultation and re-consultation, a total of 23 representations have been received. One individual submitted two comments and as such there are 22 unique representations. Of the 22 unique representations:

- Three were in support
- 13 were in objection (of which one was a petition, discussed in detail below)
- six were neutral.

A large number of the responses came from key local stakeholders. These are BOST, Friends of Crossbones and the Trustees of Borough Market.

350. It should be noted that of the 13 objections, four related solely to concerns about the treatment and/or protection of Crossbones Burial Ground. One objection was also submitted by a consultant acting on behalf of multiple residents of Triangle Court.

### Petition

351. The petition was prepared by BOST and received a total of 2286 signatures (917 on site and 1369 online). It, called on the Greater London Authority to acknowledge its own role (being the landowner through TfL) as the custodian of Crossbones and

secure its long-term protection. In summary, it asked the GLA to ensure:

- Crossbones remains a destination and a sanctuary, not a thoroughfare;
- An appropriate management body is appointed as the steward of the site throughout the lease term.
- A long term (299 year) lease and associated management agreement are secured.
- That funding be assured throughout the life of the lease for wardens and maintenance

352. Florence Eshalomi, the London Assembly Member for Lambeth and Southwark, presented the petition to the Mayor on behalf of her constituents on 31 October 2019.

353. In his response letter, issued on 19 December 2019, the Mayor said:

*“The proposal sets out that the long-term owners of the homes and offices at Landmark Court will be responsible for funding the long-term maintenance and operation of Crossbones Graveyard and Memorial Garden. This secures a sustainable and long-term responsibility for funding and management. The proposal also includes offering BOST a longer lease term of 30 years, i.e. to approximately 2050. This may enable BOST to raise additional funds to further extend the opening hours”.*

354. The Mayor’s letter concluded that the suggested 299 year lease was not an essential mechanism for protecting the burial ground, noting firstly that the Other Open Space designation afforded Crossbones very high policy protection, and secondly that the Section 106 Agreement would strengthen this protection by restricting the development of the space in perpetuity.

#### Public comments

355. Summarised below are the material planning considerations raised by members of the public. In each instance, an officer response has been provided.

356. Housing provision and affordable housing:

- In this location, Discount Market Sale (DMS) properties would be beyond the financial reach of those in need of affordable housing.
  - **Officer response:** As detailed in the ‘Affordable Housing and Development Viability’ section of this report, the applicant changed the intermediate housing product mid-way through the application from DMS to London Living Rent. London Living Rent is recognised as a genuinely affordable intermediate housing product.
- Provision of social housing and truly affordable housing products should be optimised.
  - **Officer response:** As detailed in the ‘Affordable Housing and Development Viability’ section of this report, the applicant made the decision mid-way through the planning process to improve the affordable housing offer from 35% to 50%. As per the preceding paragraph, the applicant also changed the intermediate housing product to London Living Rent. As such, it is considered that the delivery of affordable housing has

been optimised.

- The Mayor of London previously announced that approximately 120 social rented homes could be delivered on the site, yet the application proposes a comparatively small number of social rented properties
  - **Officer response:** The LPA recognises that a GLA press release dating from 2016 stated “*The Mayor today visited the Landmark Court site in Southwark, which is owned by Transport for London and is land he believes is ripe for using to build at least 120 new homes.*” The Mayor refers here to the potential for 120 homes, not 120 social rented homes. This press release was not a firm commitment, but rather an early appraisal of the site’s capacity as part of a nascent vision for cross-London housing delivery on public land. That vision ultimately materialised into the five site portfolio detailed in the ‘*Affordable Housing and Development Viability*’ section of this report. Although the LPA recognises that the total number of properties proposed by 19/AP/0830 is considerably less than the 120 referred to by the Mayor, as explained in the ‘*Affordable Housing and Development Viability*’ section of this report, the portfolio approach will ensure all 961 homes pledged by the Mayor (including 50% in affordable tenures) will be delivered London-wide. In terms of meeting borough aspirations for housing delivery, the 36 proposed homes, of which 50% would be affordable, is considered an adequate quantum taking account of the mix of other appropriate uses the development would deliver in this CAZ and town centre location.
- 36 is an insufficient number of dwellings to outweigh the development’s detrimental amenity (daylight/sunlight and outlook) impact on existing residents
  - **Officer response:** The number of proposed dwellings is considered acceptable having regard to the land use priorities that apply in this location. This is explained in detail in the ‘*Principle of the proposed development in terms of land use*’ part of this report. The benefits and disadvantages of a development will always be weighed in the balance when forming a view on the acceptability of a proposal. Landmark Court would comprise high quality buildings that, despite affecting daylight and sunlight, would bring some benefits to the outlook and sense of place of the surrounding dwellings. When these amenity improvements are taken together with the wider substantial economic, social and townscape benefits of the scheme, it is not considered that the daylight and sunlight harm and the total number of proposed dwellings represent defensible grounds for refusing planning permission.

357. Retail (Flexible Class A1-A4 & D2) units:

- The potential Class A offer is relatively large in terms of overall floor space
  - **Officer response:** The quantum of retail floorspace is considered commensurate to the size of the site. The distribution of the various proposed uses across the site is considered to be well-balanced, and not unduly weighted towards retail.
- It is unclear which of the commercial units would be designated for retail use;

- **Officer response:** As explained in the 'Overview of proposed floorspace' section of this report, the flexible retail/cultural uses would be primarily arranged around the periphery of the site in the units fronting Southwark Street, Redcross Way and Woods Yard. A condition is recommended to restrict a proportion of the units to Class A1 use to ensure an adequate provision of conventional retail on site. A further condition will limit the number of units that can be occupied for Class D2 purposes and Class A4 purposes. All other units will have a flexible use permitting D2 occupiers as well as A1-A4
- Each of the commercial units should be restricted to a particular Class A use to ensure a better split/balance of types of retail
  - **Officer response:** Being able to market commercial units across a range of use classes is important for appealing to a range of tenants, optimising uptake and ultimately ensuring commercial viability. It is not considered necessary to tie each commercial unit to a specified Class A sub-class because any combination of the sub-classes would neither conflict with policy nor raise any other planning concerns. To ensure diversity in the retail/cultural offer, however, and as per the preceding paragraph, conditions will be imposed to: designate some of the units for Class A1 purposes only; limit the number of units that can be used as drinking establishments, and; limit the number of units that can be taken up by Class D2 occupiers.
- Large high street chains, supermarkets and other large-scale food uses in Class A1 use should be restricted from occupying the site for the lifetime of the development
  - **Officer response:** There is a diverse mix of retail uses in the vicinity, including a considerable number of independent operators. There is, therefore, no oversaturation of large-scale and/or chain operators such that a restriction of this kind would be warranted.
- Class A5 uses (i.e. hot food takeaways) should be restricted because they would not be in-keeping with the character of the surrounding Conservation Area
  - **Officer response:** The application does not propose any Class A5 uses
- Retail design guidelines should be imposed to guide the design of individual shop frontages and subsequent changes over time.
  - **Officer response:** Any major changes to shop frontages and signage would require planning permission and advertisement consent respectively, and thus the LPA would retain control over any such future changes on a unit-by-unit basis.

#### 358. Markeplace:

- The envisaged type of retail the market stalls would offer is unclear.
  - **Officer response:** The market stalls would be restricted to Class A1 use. It is not considered necessary or proportionate to prescribe to any further extent the type of retail offered by any of the market stalls.

- The marketplace has the potential to dilute the Borough Market experience, for example by having branding or a retail offer that competes directly with the Borough Market traders.
  - **Officer response:** Comprising nine pitches, the marketplace would be of a small scale and would pose very little threat to the distinctiveness, brand or reputation of Borough Market. Therefore, to impose criteria such as how the stalls should be branded would be excessive and onerous.
- Selection of market traders should be controlled by a set of standards/criteria to keep the Calvert's Yard offer distinct from that of Borough Market.
  - **Officer response:** As per the response to the preceding objection, the small scale of the proposed marketplace means it would not dilute, detract from, or otherwise undermine the distinctiveness of Borough Market, even if the future traders were to sell similar types of goods as existing Borough Market traders. For the LPA to impose selection trader criteria/standards would be unwarranted for a marketplace of such a small scale.
- The marketplace would be in contravention of the 1756 Act which established Borough Market, and which includes a clause (Clause X (10)) making it an offence to sell meat or other provisions within 1000 yards of the Market, except in sellers' own shops.
  - **Officer response:** Any contravention of the 1756 Act that the marketplace may represent would be a legal matter falling outside the remit of planning. Thus, it is not a relevant consideration in the determination of 19/AP/0830.
- Evening or late night opening of the proposed market has the potential to create disturbance from servicing, noise nuisance and littering.
  - **Officer response:** A condition is recommended to control hours of operation.

359. Neighbour amenity impacts:

- Woods Yard would alter the outlook and privacy for the properties in Maidstone Buildings Mews that have west-facing windows
  - **Officer response:** Although Woods Yard would extend up to the west elevation of Wiltshire House, a planting bed and tree have been proposed at this eastern edge of the space to protect the outlook and privacy of the occupiers of the dwellings. This, it is considered, would secure an adequate level of amenity for the occupiers of these nearby buildings.
- The applicant's daylight and sunlight report inappropriately compares the results of the 'existing vs proposed' scenario to the results of the mirror-massing results. As the latter is a hypothetical baseline, to use it as a comparative measure is inaccurate, misleading and not in accordance with the BRE methodology.
  - **Officer response:** The 'Daylight and sunlight impacts' section of this report provides a summary of the mirror massing test results provided by the applicant simply for contextual purposes. Only very limited weight can be given to these test results, as explained in the main body of the report.

The assessment of the impact on surrounding occupiers has been conducted by officers, and the conclusions have been drawn, exclusively in respect of the 'existing vs proposed' daylight and sunlight results.

- The daylight and sunlight report indicates that the assessors have been unable to source internal plans of the Triangle Court flats but residents have not been approached for direct access or to obtain plans
  - **Officer response:** Confirmation of the internal layout of the flat at the northern end of the block has been provided by a resident during the course of the planning application process. As this dwelling is the most impacted of all Triangle Court flats, and because this committee report concludes that the impact is on balance acceptable, there is no need at this stage for the internal layout of the other flats to be obtained.
- The daylight and sunlight impact on the first and second floor duplex flat located at the northern end of Triangle Court is unacceptable
  - **Officer response:** The 'Daylight and sunlight impacts' section of this report addresses the impact on this property in detail.
- Any temporary markets held in Woods Yard should, if approved, be of limited regularity to minimise disruption to visitors and residents.
  - **Officer response:** The issuing of temporary events licences falls within the remit of the Local Licensing Authority. Therefore, it would be for this department to decide the appropriate frequency, days and times of year of such events. Any licence will be issued with full regard to residential amenity.

#### 360. Construction traffic management:

- Trustees of Borough Market Southwark should be party to discussions on the development of the CEMP (to be required by condition) to better help it to monitor and protect impacts on trader operations for the duration of construction.
  - **Officer response:** To place such a specific obligation on the developer is not considered necessary, as the final CEMP will be expected to demonstrate that consideration has been given to the amenity and operations of neighbouring sites. However, an informative will be added to the decision notice reminding the applicant to engage with the Trustees of Borough Market in the preparation of the CEMP.
- A restriction should be imposed requiring construction traffic to avoid the set up/delivery slots of the main market at Borough Market.
  - **Officer response:** The Final CEMP will be expected to account for local servicing and delivery peaks.
- Dust and noisy works have the potential to harm the operations of nearby Borough Market.
  - **Officer response:** The Final CEMP will be expected to address such risks and propose appropriate mitigation.

- As the Landmark Court development has the potential to be in construction simultaneously with the Bank End development and other large-scale development proposals currently under consideration by the LPA, there is potential for cumulative construction impacts to arise.
  - **Officer response:** The Final CEMP will be expected to address such risks and propose appropriate mitigation

361. Design, architecture, impact on heritage assets and effect on views:

- The development would be significantly taller than the surrounding buildings and disproportionate to the prevailing scale and massing in this location.
- The height and massing of the proposed buildings on Southwark Street are excessive for this location.
- The development would not relate well to its surroundings at street level.
  - **Officer response to all the foregoing:** The issues of height, scale, massing, street level conditions and relationship to the surrounding buildings are addressed in the section entitled '*Design, layout, impact on views and heritage, and tall building considerations*'. Important to note is that, in response to the above objections and similar concerns from other consultees, the applicant lowered the height of a number of the tallest buildings.
- The development would have an overbearing impact, in particular on Triangle Court and other Redcross Way properties.
  - **Officer response:** The relationship of the Woods Yard and West Buildings to Triangle Court —although certainly a significant intensification on the existing condition— would not be overbearing, nor would it create a harmful sense of enclosure or result in an unpleasant outlook for these existing dwellings.
- The development would cause harm to the Conservation Area and the setting, of other nearby heritage assets.
  - **Officer response:** As explained in the '*Design evolution and heritage considerations*' section of this report, it is considered that all heritage assets and their settings would be preserved
- The development would cause undue harm to local and wider views and panoramas
  - **Officer response:** As explained in the '*Design, layout, impact on views and heritage, and tall building considerations*' section of this report, it is considered that no local or London views would be harmfully impacted.

362. Public realm:

- A strategy for signage and a detailed wayfinding strategy should be required by condition/obligation (which Trustees of Borough Market Southwark requests to be involved in).
  - **Officer response:** A contribution to the Legible London signage strategy would be secured through the s106 agreement.

363. Status of the land:

- The application treats Crossbones as being the only part of the site that is burial ground. However, parts, if not all, of the Landmark Court site are legally protected under the Disused Burial Grounds Act 1884, and thus the appropriateness of developing the land is questioned.
  - **Response from Council's Archaeologist:** Following archaeological evaluation in 2005, there is no physical evidence in the form of post-medieval inhumations from other archaeological trenches previously investigated for the burial ground extending further north onto the Landmark Court application site. Therefore, we do have a clear evidence base that the post-medieval cemetery did not extend into the area proposed for redevelopment under the current planning application. Ground testing shows the new build elements of the proposal will not have any below ground impact on the Cross Bones burial ground. The only effect on the post-medieval cemetery is a surface proposal for landscaping and enhancing the area. The applicant has provided a robust archaeological Desk Based Assessment in support of their planning application. They have also carried out a further stage of pre-determination archaeological evaluation on the site, this exercise also provided clear evidence that the Cross Bones graveyard does not extend into the area proposed for development.

364. Crossbones:

- The height, scale and massing of the proposed development would have an overbearing impact on Crossbones and its setting, reducing its openness and overshadowing the burial ground.
  - **Officer response:** The Woods Yard Building, and the remainder of the development further beyond, would be located to the north of Crossbones. The intervening public space of Woods Yard would provide a sizeable separation gap. No excessive overshadowing would, therefore, occur. The modulation of the Woods Yard Building, whereby one smaller mass would sit in front of the main bulk of the building, together with the step-down in height from the proposed buildings to the north, is a sensitive response to the current openness and secluded character of Crossbones. As such, the qualities of the burial ground would be preserved. It follows that there would be no contravention of Objectives D1 and D4 of the Southwark Open Spaces Strategy, nor any conflict with the relevant heritage, design and open space policies.
- An almost hidden space with a tranquil character, Crossbones is used by most visitors for reflection and contemplation. Any proposed changes should be granted only if they would preserve or enhance the existing space.
  - **Officer response:** The proposed alterations to Crossbones would be 'light touch' in nature, and have been produced in collaboration with and to the satisfaction of BOST and Friends of Crossbones. As such, it is considered that the character of the space would be preserved.
- A raised planting area is proposed that would cut half way across the shrine,

not suitably respecting it.

- **Officer response:** The shrine would be retained within the planting. Although minor surface changes would be made within the Burial Ground, there is nothing to suggest that these would affect the shrine.
- The proposals should not retain the shrine, as it thematises the space in a way that does not necessarily reflect the full and diverse histories and stories of those buried at Crossbones.
  - **Officer response:** The collaborative design approach between the developer, BOST and Friends of Crossbones resolved that the shrine should be retained because of its community value. In planning terms, there is no objection to its retention.
- No entrance gate should be located on the northern side of the Burial Ground, as this will create a thoroughfare and detract from the secluded feel of the space.
  - **Officer response:** During the course of the application process, the originally-proposed northern entrance was removed in response to concerns raised by members of the public. Although the application still proposes an access point into the burial ground close to Redcross Way, this would be for occasional/emergency use only.
- The provision of stewards will be imperative to maintaining the atmosphere and experience of the burial ground, and for ensuring littering and antisocial behaviour so not take hold.
  - **Officer response:** The Section 106 Agreement will require the applicant to commit to annual funding throughout the lifetime of the lease to ensure stewardship. This sum must be sufficient to ensure two stewards can be within the vicinity of the garden during opening hours.
- There is no need to provide stewards on site, as they surveil visitors and make them feel uncomfortable, while also consuming financial resources that could be better used for planting and general maintenance etc.
  - **Officer response:** Longstanding antisocial behaviour issues have blighted the burial ground. Further, the information and insight stewards can offer to visitors is considered by some to be an integral part of the experience of Crossbones. As such, a level of stewardship proportionate to the small scale of the space is considered appropriate. The developer has agreed to provide for two stewards within the vicinity of the site during opening hours. This can be jointly reviewed over time in line with the visitor experience. Officers do not consider that such provision would intrude on the visitor experience.
- The developer should grant a lease that is at least equivalent in length to that for the adjoining development (i.e. 299 years) and enter into a management agreement with BOST.
  - **Officer response:** The Section 106 Agreement will bind the developer to a 30 year lease with the NPO, with a rolling lease review every five years, thereby ensuring at no time would the remaining lease duration be any less than 25 years. This has been negotiated on the understanding that for

the purposes of non-capital fundraising, NPOs need to be able to demonstrate a lease of at least 25 years. This will allow the nominated NPO to finance their activities through a combination of the developer contribution and funding from other sources. As the council understands, the desire among stakeholders for a 299 year lease is primarily to protect the space as a Graveyard in perpetuity. However, Crossbones benefits from the Other Open Space designation within adopted and emerging local policy, which provides it with a degree of protection. The developer considers that a long lease, especially one as long as 299 years (which would effectively be a grant of freehold), would render it much more difficult to ensure the elected NPO fulfils their obligations in the long-term. It is on this basis that 30 years has been offered, which is five years more than the developer initially proposed. In determining this planning application, the priorities of the LPA are to secure adequate resourcing and enhanced opening hours of the burial ground, so as to comply with Saved Policy 3.27 and the overriding principles of the NPPF. The LPA considers that these aims would be fulfilled by the terms and 30-year length of the lease, the proposed extended opening hours and the developer funding commitments. Therefore, to require a longer lease from the developer through the Section 106 Agreement would be beyond the remit of planning. It should also be noted that the developer has agreed, to a covenant through the Section 106 Agreement, not to develop the burial ground and preserve it as open space in perpetuity.

- Funding should be assured throughout the life of the lease for general maintenance and upkeep.
  - **Officer response:** The Burial Ground Management Plan, to be required through the Section 106 Agreement, will set out the funding for operational management and maintenance of the Burial Ground by the NPO after the Initial (six month) Period has elapsed.
- The applicant should, through a planning condition, be obliged to consult and agree with BOST all reserved matters that affect Crossbones before the relevant reserved matters applications are submitted to the council for approval.
  - **Officer response:** Only applications for outline planning permissions may be granted subject to reserved matters. In respect of applications for full planning permission (such as 19/AP/0830) 'conditions' are the mechanism by which any matters for determination at a subsequent time are secured. It is recommended that permission be granted for 19/AP/0830 subject to numerous conditions; however, it is not considered that any of these conditions would necessitate prior engagement with BOST except for the hard and soft landscaping scheme for Crossbones. Thus, the wording of this particular condition will ensure the developer engages in consultation with BOST prior to applying to discharge these details, and provides evidence of this in their submission.

#### 365. Pre-application engagement from the developer

- During the pre-application consultations held by the Developers in July 2018, local people raised particular concerns, but these concerns are not fairly/fully

reflected in the application documents.

- **Officer response:** If local residents' concerns have not been accurately or fully captured by the applicant's Statement of Community Involvement, then respondents can raise these as specific concerns about the final scheme. Notwithstanding, the document demonstrates in a good level of detail how various aspects of the scheme have evolved in direct response to the feedback obtained through pre-application engagement. In addition, the Local Planning Authority has conducted statutory consultation, giving residents an opportunity to raise any concern that might not have been reflected in the applicant's Statement of Community Involvement.
- Local people were unaware of the consultation carried out by the developer in October 2018 and February 2019.
  - **Officer response:** The applicant's Statement of Community Involvement explains that newsletters were distributed to local residents, business and community groups before each round of exhibitions or drop-in sessions to raise public awareness of the events. This is considered an adequate effort to inform local people about upcoming consultation events.

#### 366. Legitimacy of validating and determining the planning application

- A historic planning application, 14/AP/2757, sought planning permission to lay out a memorial garden on the disused burial ground. Shortly after planning permission was granted, TfL exhumed 150 skeletal remains to erect hoarding to separate the garden from remaining parts of the property. The objection contends that the exhumation licence under which these works were conducted was legally invalid because the MoJ's right to issue exhumation licences does not extend to not to this type of burial ground. From this position, the objector holds that the exhumations were in breach of the Disused Burial Grounds Act 1884 and that a planning enforcement investigation should have been conducted by Southwark Council, as the statutory enforcement authority for disused burial grounds within its own area. From this premise, the objector questions whether 19/AP/0830 should have ever been validated.
  - **Officer response:** Since communication first began on the matter in 2014, the Planning Enforcement division has been aware of the objector's claim that any exhumation licence issued by the MoJ in respect of this site would be legally invalid. However, to date, the Planning Enforcement team has not considered it necessary to open an enforcement investigation. Only where an enforcement notice has been served would it be defensible to invalidate a planning application at the same site. In light of there being no live enforcement investigation, there is little prospect of an enforcement notice being served in respect of the exhumation works which took place approximately five years ago. Thus, it would have been unjustified to invalidate the application when it was first received, and indeed it remains the case at the time of writing this report that there is no clear reason for invalidation.

#### Consultation responses from internal and divisional consultees

367. The key matters raised by responses from internal and divisional consultees are summarised below. It should be noted that, in each case, the final /most recent

consultation response is provided. An officer's response has been provided to each.

368. Archaeologist:

- No objection, subject to appropriate conditions and Section 106 obligations (note: the Archaeologist's detailed comments have been provided in the section of this report entitled 'Archaeology').
  - **Officer response:** All suggested conditions and obligations will be secured.

369. Conservation Area Advisory Group

- Not supportive of the proposed heights. The buildings step up too high and become too tall at the corner. Advise a reduction in height of the Southwark Street building by one storey and the West and Viaduct Buildings by two.
  - **Officer response:** Heights have since been lowered, as detailed in the main body of this report, and are now considered acceptable.
- Welcome the re-introduction of the historic lanes and alleyways through the development (including retention and use of paving materials). Advise that the routes should remain open and accessible to the general public, and that a public route be achieved connecting northwards through to Southwark Street.
  - **Officer response:** The proposed central north-to-south route, Union Walk, would provide a connection to Southwark Street, as would the reinstated arched gateway at 15 Southwark Street. All spaces would be publicly accessible in perpetuity, as secured in the Section 106 Agreement.
- Welcome the general approach of the architectural language, but not convinced by the pared back appearance. Advise that the elevations should be more exuberant, reflecting something of the character of the neighbouring Chocolate Factory. Suggest introduction of cast-iron columns at ground floor to improve articulation and interest of facades.
  - **Officer response:** Further refinement of the facades has been undertaken in the interim. As detailed in the main body of this report, the architectural language of the amended scheme is considered acceptable.
- Concern regarding the material quality and coloured pre-cast concrete. Advise need for colourfast pigmentation or a switch to stone. Use of white brick for the rear courtyard elevations is welcomed, but a glazed white brick would be best to maintain a clean, bright finish. Important that the materials and detailing are secured.
  - **Officer response:** Detailed drawings and material samples will be required by condition.
- Lack of detail in the proposed landscaping improvements to Crossbones. Also unclear how these would be secured and who is to deliver them. Encourage further detailed consultations on the designs and suggest the opportunity to include a water-feature and/or SUDs to improve its contribution to local ecology.
  - **Officer response:** The outline proposals have been produced in close

collaboration with key stakeholders. This process did not identify any appetite for introducing a water feature or SUDS features. Detailed landscaping drawings are required by condition.

370. Ecology team:

- No objection, subject to recommended conditions.
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

371. Environmental Protection Team;

- No objection, subject to conditions relating to: construction management; acoustic performance; hours of use of commercial terraces; odour control; plant noise; servicing hours; external lighting; contaminated land, and; compliance with the submitted Air Quality Assessment;
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

372. Flood Risk Management Team:

- No objection, subject to recommended conditions relating to the drainage strategy and the Basement Impact Assessment.
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

373. Highways Development Management and Highways Licensing Teams:

- Drawings should be provided of: swept path analysis showing how vehicles would exit from Woods Yard onto Redcross Way in forward gear; visibility splays onto/off Redcross Way, and; dimensions showing the width of this access/egress.
  - **Officer response:** Satisfactory drawings have been provided by the applicant. Detailed design will be secured through the Section 39/278 works.
- A footway at least 2.0 metres wide should be provided along the segment of Redcross Way that spans from the railway bridge to Crossbones.
  - **Officer response:** The Transport Policy Team has asked for the footway to be 2.5 metres in width given predicted increases in pedestrian traffic. Therefore, through the Section 106 Agreement, the developer will be bound to agree to provide a 2.5 metre wide stretch of footway as part of Section 38/278 works.
- The proposed gates on the northern boundary of Crossbones should be designed to open inwards or slide horizontally.
  - **Officer response:** Details of the gate design have been provided showing that it would open into the burial ground.
- If consent is granted the developer must enter into a S278 agreement to

complete the following works:

- Repave the footway including new kerbing fronting the development on Redcross Way and Union Street.
  - Construct proposed and existing crossovers.
  - Reconstruct any redundant vehicle crossovers as footway along Redcross Way.
  - Install any new post and signs related to the proposed vehicle entrance/exit located in Redcross due to the one way system along Redcross (special attention should be paid to the existing cycle contra-flow).
  - Promote a TMO to amend parking arrangements on Redcross Way and relocate lost bays. Works to include road markings and signage.
  - Change all utility covers on footway areas to recessed type covers.
  - Upgrade street lighting to current LBS standards, including on private roads.
  - Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development.
  - **Officer response:** This will be included as an informative on the Decision Notice.
- All streets and spaces must be surfaced in conformity with the SSDM (adoptable) standards, surfacing design must ensure no surface water flows onto public highway, and a joint condition survey should be conducted by the applicant in collaboration with the Highway Development Team.
    - **Officer response:** All these general comments are noted, and will be captured on the decision notice as informatives.

374. Local Economy Team:

- 10% of the employment space must be provided as affordable workspace
  - **Officer response:** This has been negotiated with the applicant, and will be secured in the Section 106 Agreement.
- The developer must deliver 57 sustained jobs, 57 short courses, and take on 14 construction industry apprentices during the construction phase. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £274,650 if not delivered. The developer must also submit for approval a Construction Phase Employment, Skills and Business Support Plan.
  - **Officer response:** This is to be secured in the Section 106 Agreement.
- The developer must deliver 156 sustained jobs. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £670,800 (based on £4,300 per job). The developer must also submit for approval a Post-Completion Phase Employment, Skills and Business Support Plan.
  - **Officer response:** This is to be secured in the Section 106 Agreement.

### 375. Transport Policy Team

- The developer should contribute towards improvement to the riverboat services near this development.
  - **Officer response:** This matter is being discussed with Transport for London presently. If TfL consider a contribution to be appropriate, this will be secured through the Section 106 Agreement
- The developer should fund residents' membership of a cycle hire scheme and a Car Club Operator scheme. Both should be funded for three years.
  - **Officer response:** This is to be secured in the Section 106 Agreement.
- The applicant should enter into a Section 278 Agreement with TfL to: provide a pedestrian refuge on Southwark Street; provide a loading bay on Southwark Street, and; reconstruct the Southwark Street footway that abuts the site.
  - **Officer response:** This is to be secured in the Section 106 Agreement, along with the other Section 38/278 works separately requested by the Highways Development Management Team.
- A north-south route (with controlled access) should be created running through Crossbones burial ground.
  - **Officer response:** BOST, Friends of Crossbones, other local stakeholders and a number of representations received during the course the planning process have objected to a route through Crossbones, sharing the view that it would transform the burial ground into a thoroughfare and detract from the secluded quality of the space. Although the application proposes a gate in the northern boundary wall, this would only be used for occasional/emergency purposes. Given that Redcross Way provides easy pedestrian access from the development site to Union Street, it is not considered essential in the interests of pedestrian permeability to create a north-south route transecting the burial ground.
- Unrestricted public access to the various proposed pedestrian routes and squares within the Landmark Court development must be secured in perpetuity.
  - **Officer response:** The Section 106 Agreement will secure unfettered public access.
- A Delivery and Servicing Management Bond should be secured.
  - **Officer response:** This is to be secured in the Section 106 Agreement.
- Swept path analysis should be submitted for approval showing that the proposed on-site servicing area would be adequate in size to allow light vans to enter and exit the site in forward gear.
  - **Officer response:** This swept path analysis has been provided (refer to drawing 60570756\_APPENDIX C, dated October 2019).
- The proposed two-metre wide strip of footway along Redcross Way would be inadequate to accommodate the anticipated pedestrian traffic. A width of 2.5 metres should therefore be provided.

- **Officer response:** The Section 106 Agreement will specifically require that, as part of the Section 38/278 works, a 2.5 metre wide stretch of footway is provided.
- Cycle storage details for 717 spaces in secure shelters, including 50 Sheffield cycle stands (providing 100 spaces), should be submitted.
  - **Officer response:** This will be secured by condition.
- A Delivery and Servicing Plan should be submitted.
  - **Officer response:** A full Delivery and Servicing Plan will be secured by condition.
- The CEMP will need to be revised to include a series of specific commitments (transport operators standards, scheduling of deliveries etc.).
  - **Officer response:** A full Construction Environmental Management Plan will be secured by condition, with bespoke wording to include these specific additional requirements.
- It is unclear from the available plans where the disabled car parking spaces would be positioned.
  - **Officer response:** The two spaces will be provided in Woods Yard.

376. Urban Forester:

- The two individual, low quality, Category C trees (T6 and T7) to be removed can be more than adequately replaced as part of landscaping to ensure there is a net increase in canopy cover. Good quality landscape materials and specifications including trees and other soft planting have been proposed.
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

377. Waste Management Team:

- The distances between the bin stores and the refuse collection points are unclear.
  - **Officer response:** The distances are in excess of 10 metres in all cases. However, the Operational Waste and Recycling Management Plan sets out a robust strategy for transferring waste to a collection point within 10 metres of the public highway.
- The bin store doors are shown opening outward onto public highway, which is unacceptable.
  - **Officer response:** An informative will be included on the Decision Notice remind the applicant that, notwithstanding the approved drawings, all refuse store doors should not open onto any part of the public highway or publicly-accessible realm.

## Consultation responses from external consultees

### 378. Environment Agency:

- No objection subject to recommended conditions.
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

### 379. Historic England:

Historic England advised in April 2019 that, for the principal reasons outlined below, the proposals were not supported. The applicant then amended the proposal by a reducing the height and massing of the Viaduct Building, the West Building and the Southwark Street building. Historic England was re-consulted, but no re-consultation response has been received.

*“Historic England recognises that this large gap site at Landmark Court presents an exciting opportunity to reconnect the townscape along Southwark Street and improve the character of the Borough High Street Conservation Area and the setting of nearby listed buildings. However, due to the scale, massing and design of the development as a whole, we are unconvinced that the scheme in its current form would preserve the character of this key part of the conservation area, or the setting of nearby listed buildings. We are therefore unable to support these proposals, and recommend that revisions are made in order to respond more successfully to the surrounding historic environment.”*

- **Officer response:** It is considered that the proposed development, as amended would achieve a high quality of design that preserves and enhances the Conservation Area in which the site is location as well as the setting of all nearby heritage assets. Detailed justification is given in the section of this report entitled ‘*Design, layout, impact on views and heritage, and tall building considerations*’. As requested in Historic England’s original consultation response, the LPA will inform Historic England of the committee date and send a copy of the committee report at the earliest opportunity.

### 380. GLA [Stage I response]:

The Stage I response advised that the proposed development was not in compliance with the London Plan for the principal reasons outlined below. The GLA considered there to be good scope for remedying these deficiencies.

- The number of proposed dwellings should be optimised, given the strategic focus on housing delivery in the London Bridge, Borough and Bankside Opportunity Area.
  - **Officer response:** Since receipt of the Stage I response, the total number of homes has been increased from 35 to 36. It is nevertheless recognised that 36 falls short of the 100 homes envisaged by the Mayor’s portfolio approach. However, the site’s location close to one of London’s busiest transport hubs suggests that it is reasonable, in line with the weighting in

the Mayor's CAZ SPG, to prioritise commercial uses on this site. 36 homes would make a valuable contribution to local housing supply.

- The affordable housing offer is supported (note: at the time of the Stage I response, the developer was proposing 38% affordable housing by habitable room with a 72: 28 tenure split).
  - **Officer response:** Since receipt of the Stage I response, the affordable housing offer has been raised to 50%, with a 70:30 split between social rent and London Living Rent. This represents a much improved offer and one that remains compliant with the London Plan.
- The proposed affordable workspace is welcome. Rents should be capped at affordable levels in perpetuity.
  - **Officer response:** It is recognised that Policy E3 of the Draft New London Plan recommends securing affordable workspace “in perpetuity or for a period of at least 15 years by planning or other agreements”. In respect of 19/AP/0830, a period of 30 years at discounted market rent has been negotiated. 30 years aligns with the aspirations of the emerging New Southwark Plan affordable workspace policy and exceeds the minimum threshold of 15 years advised by the draft London Plan. As such, and taking into account the draft status of the New London Plan, it is not considered defensible to require the provision of the affordable workspace in perpetuity.
- Conditions must be imposed to ensure accessible and inclusive design is achieved.
  - **Officer response:** The Design and Access Statement (specifically Section 10) explains how the proposal has been designed to achieve safe, secure, inclusive and accessible internal and external environments. It is not considered necessary to impose any conditions in respect of this matter because the ‘approved plans’ condition, which will require the development to be built out fully in accordance with the submitted plans, will be sufficient to this end.
- Further revisions and information are required before the proposals can be considered compliant with energy policies.
  - **Officer response:** Since receipt of the Stage I response, further correspondence has taken place between the applicant and the GLA. Some issues were resolved through these exchanges. Additional information was submitted in November 2019 to address the outstanding concerns. Although no response has yet been received from the GLA, it is considered that the energy strategy is now sound. Any further issues can be identified through the Stage II referral process.
- The impact on the adjacent cycle docking station, details of the proposed Southwark Street loading bay, and a contribution towards a pedestrian crossing and healthy streets scheme must be secured by conditions or in the Section 106 Agreement.
  - **Officer response:** All will be secured by conditions or in the Section 106 Agreement.

381. London Underground:

- No objection subject to a recommended condition for safeguarding LU tunnels and structures within close proximity of the site.
  - **Officer response:** A suitably worded condition is recommended.

382. Metropolitan Police:

- No objection subject to a two-part condition recommended condition.
  - **Officer response:** The suggested condition has been included on the Draft Decision Notice.

383. Natural England:

- No comment.

384. Thames Water:

- No objection subject to two recommended conditions.
  - **Officer response:** All suggested conditions have been included on the Draft Decision Notice.

385. Transport for London:

- The railway bridge adjacent to the site would benefit from a scheme of illumination.
  - **Officer response:** A suitably worded condition is recommended.
- A Construction Logistics Plan, Demolition Logistics Plan and full Delivery and Servicing Plan should be secured in the Section 106 Agreement. In respect of these documents, smart procurement and collaboration with other sites in the area should become firm commitments.
  - **Officer response:** All three documents will be secured by conditions rather than in the Section 106 Agreement. The conditions will be worded to require smart procurement and cross-site collaboration.
- The developer should contribute towards Legible London signage, a new pedestrian crossing on Southwark Street and expansion of the 'Hop Exchange' cycle hire station,
  - **Officer response:** All of these obligations will be captured in the Section 106 Agreement.
- Applicant should engage with the TfL Cycle Hire Team to arrange mitigation and re-provision of the lost 'Hop Exchange' docking points during construction.
  - **Officer response:** The applicant has initiated this engagement. A suitably worded clause in the Section 106 Agreement will ensure that the docking points are relocated temporarily or, if this proves unfeasible, that TfL is reimbursed for the lost revenue.

- A cycle parking management plan should be required by condition.
  - **Officer response:** A condition has been recommended requiring this document to receive the LPA's approval prior to first occupation of any part of the development.

### **Community impact and equalities assessment**

386. 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.
387. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
388. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
389. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

### **Human rights implications**

390. This planning application engages certain human rights under the Human Rights Act 2008 (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.
391. This application has the legitimate aim of redeveloping this site for a range of mixed-use buildings comprising office, workspace, retail/café floorspace and residential units together with publicly-accessible realm. 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.

<b>Positive and proactive engagement: summary table</b>	
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?	YES
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

### **Conclusion**

392. This application would enable the beneficial re-use of one of Bankside’s longest standing undeveloped sites, repairing a gap in a prominent stretch of Southwark Street and bringing forward the restoration of the decaying 15 Southwark Street.
393. The proposal would deliver a high quality mixed use development incorporating a significant amount of employment floorspace, together with a range of flexible retail/cultural units and affordable workspace. It would also provide 36 high quality dwellings with a policy compliant level of affordable housing. Not only is this compliant with Southwark Plan and Core Strategy policies but it also fulfils the aspirations for the site, as set out in the New Southwark Plan Site Allocation. The principle of redevelopment is therefore strongly supported.
394. Community expectations for this site to deliver approximately 100 homes are recognised. However, the 36 dwellings proposed by this application accords with the site allocation and is considered adequate given the importance of delivering workspace in this location so close to the London Bridge transport hub. The delivery of 50% of these homes in social rent and London Living Rent tenures is welcomed and a major benefit of the proposed development.
395. The design of the proposed development evolved as a result of extensive discussions throughout the lifetime of this application, and in response to concerns raised by Historic England, CAAG and members of the public. The final proposal is considered to be of an appropriate density, height, mass, articulation, elevational treatment and relationship to neighbouring buildings. It will provide a high quality and distinctive addition to the townscape, preserving the Borough High Street Conservation Area and the setting of all nearby heritage assets.
396. It is recognised that there would be a substantial impact upon the daylight and sunlight enjoyed by some of the residential occupiers of surrounding buildings. On balance, while recognising the impacts, it is concluded that the merits of the scheme, and the context within which it would sit, would not justify the refusal of planning permission.
397. It is considered that the quality of outlook and levels of privacy for surrounding

occupiers would remain acceptable. Other amenity considerations, such as odour and noise associated with operations on the proposed flexible retail/cultural units and marketplace can be controlled through appropriate conditions.

398. While a small number of public representations have raised concerns about servicing and construction management, the framework documents adequately demonstrate that transport and environmental impacts will be mitigated. Detailed strategies in these respects will be secured post-approval. As a precautionary measure, a bond will be secured so that highways impacts can be monitored over the course of the first two years of operation. Further highways and transport mitigation is to be secured through the Section 106 Agreement.
399. With respect to Crossbones Burial Ground, the landscaping proposals and improvements to the perimeter wall were produced in collaboration with BOST and the Friends of Crossbones and will sensitively enhance the space and preserve its character as a secluded garden of remembrance. The applicant will be bound by the Section 106 Agreement to, firstly, provide an NPO with a 30-year lease to maintain and operate the space, and secondly, agree an annual funding package to enable the NPO to fulfil these responsibilities. Long-term, the funding will be drawn down from service charges on the proposed offices. These provisions will enable the burial ground to be opened for four hours every day of the week in winter and seven hours every day of the week in summer, which is a significant improvement on the present opening hours. This will greatly improve public access to this local open space.
400. In line with the requirements of the NPPF, the council has applied the presumption in favour of sustainable development. The proposal would accord with sustainable principles and would make efficient use of a prominent vacant brownfield site to deliver a high quality development that is in accordance with the council's aspirations for the area. It is therefore recommended that Members grant permission, subject to conditions as set out in the attached draft decision notice, referral to the GLA, and the timely completion of a Section 106 Agreement.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 1145-15 Application file: 19/AP/0830 Southwark Local Development Framework and Development Plan Documents	Planning Division, Chief Executive's Department, 160 Tooley Street, London, SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5535 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken and replies received
Appendix 2	Draft decision notice
Appendix 3	Floorspace schedule

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Patrick Cronin, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	27 May 2020	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		28 May 2020