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<b>Item No.</b> 6.1	<b>Classification:</b> OPEN	<b>Date:</b> 3 November 2020	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 18/AP/4194 for: Full Planning Application  <b>Address:</b> SKIPTON HOUSE, 80 LONDON ROAD, LONDON SE1 6LW  <b>Proposal:</b> Part retention, part demolition, reconfiguration and re-cladding of existing building and extension to create six additional storeys to accommodate office space (Use Class B1) at upper floor levels, a gym (Use Class D2) and flexible retail/commercial uses (Use Class A1/A2/A3) at ground floor level with associated cycle parking, landscaping, ancillary servicing and plant and all associated works		
<b>Ward(s) affected:</b>	St Georges		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 04/04/2018	<b>Application Expiry Date</b> 04/07/2018		
<b>Earliest Decision Date</b> 06/05/2018	<b>Extension until</b>		

## **RECOMMENDATION**

1. That planning permission be granted, subject to conditions and referral to the Mayor of London and the applicant entering into an appropriate legal agreement.
2. In the event that the requirements of (1) are not met by 12 March 2021 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 196 of this report.

## **EXECUTIVE SUMMARY**

3. The proposal comprises alterations to and extension of the existing building to increase the current building height from 7 storeys to 13 storeys with the retention of the existing basement. The proposal would provide flexible retail on the ground floor and office space above and comprise 41,750 sq. metres of office space (Class B1), 780 sq. metres of gym (Class D2) and 993 sq. metres of flexible retail/commercial floor space (A1/ A2/A3).
4. The scheme would provide new active frontages in a key location next to the underground station and bus stops as well as a substantial uplift in new office floorspace offering new job opportunities in the borough and reinforcing the role of the Elephant and Castle town centre.
5. The scheme would deliver both affordable workspace and affordable retail which in combination would total 9.8% of the uplift in office floorspace. The affordable space would be offered at a discount of 30% below market rates for a period of 30 years.
6. The overall design and height of the scheme is well considered and would provide a high quality building within an open position overlooking the newly re-configured Elephant and Castle peninsula..
7. The scheme would bring the opportunity to rationalise the public realm around the base of the building, and the current entrance and exit from the Bakerloo line would be unaffected. The public would be able to use a new public route through a colonnade at the front of the building as an alternative to the perimeter pavement.
8. Consideration has been given to the impact of the proposed alteration and extension of the building upon the listed buildings and structures in close proximity to the site, principally Metro Central Heights, the Michael Faraday

memorial at the centre of the peninsula and the Metropolitan Tabernacle. The increase in height and alterations are not considered to dominate or result in any adverse impacts on the setting of the listed buildings.

9. The proposal is not considered to impinge on the setting of the Elliot Row Conservation Area which lies 190m from the site, nor is it considered to impact the setting of St Georges Circus and West Square conservation areas set further away from the application site.
10. There would be some impacts on some neighbouring residents in terms of daylight and sunlight however these are considered to be acceptable within the context of the BRE guidelines and the surrounding townscape.
11. A total of 1,129 consultation letters were sent out to residents and businesses in the area. A total of 25 responses were received, of these 23 were opposed to the development and 2 made general comments. The objections were largely around the impacts of extending the building in terms of height and the potential harm resulting to residential amenity, however there were some comments made about the design and additional disruption from development in the area. The details of the objections raised are discussed in paragraphs 213 - 219 of the officer report.
12. The proposal would implement energy strategies to secure a 36% overall carbon emissions reduction over the Building Regulations 2013. This would be based on a 15% saving in energy demand and a 21% saving from renewable energy.
13. It is proposed that the new office development and the ground floor gym will achieve a BREEAM 'excellent' rating, whilst the proposed smaller retail units would achieve BREEAM a rating of 'Very Good'. It should be noted that unlike the gym and office space the retail units are all under 500sq m, as such a BREEAM level of 'Very Good' would be acceptable within the context of the emerging New Southwark Plan.
14. Overall, the benefits of the proposal are considered to outweigh any potential harm and it is recommended that planning permission be granted, subject to conditions and a S106 Agreement. Due to the height of the building, any resolution would be required to be referred to the Mayor of London

## **BACKGROUND INFORMATION**

15. On 12 July 2016, the Planning Committee resolved to grant planning permission (subject a legal agreement and referral to the Mayor of London) for the redevelopment of Skipton House, plus a larger site comprising Perry Library, 250 Southwark Bridge Road and Keyworth Street Hostel to provide buildings ranging from 8 40 storeys (maximum building height of 146.3m AOD) comprising retail uses (Use Classes A1/A3/A4) at ground floor,

multifunctional cultural space (Use Classes D1/D2/Sui Generis) and flexible retail/fitness space (Uses Classes A1/A3/A4 and D2) below ground, and office use (Use Class B1) and 421 residential units (Use Class C3) on upper levels, new landscaping and public realm, a publicly accessible roof garden, ancillary servicing and plant, cycle parking and associated works (application reference 15/AP/5125)

16. The s106 agreement was never completed and the application was subsequently withdrawn by the applicant on 27 June 2018.

### **Site location and description**

17. The site measures 0.5 ha in area and comprises a 6 – 7 storey office building situated behind the Bakerloo line entrance to the Elephant and Castle underground station with elevations fronting London Road to the south west, Ontario Street to the west and Newington Causeway to the east.
18. The existing building was constructed in the early 1990's and comprises 20,250 sq metres of B1 office floorspace, currently occupied by the Department of Health. The main entrance to the building is from London Road, and vehicular access to service the building lies to the rear on Ontario Street.
19. The area is characterised by a mix of uses and building types, including residential, education, office and retail uses. The surrounding existing building heights range from 3 to over 40 storeys. The neighbouring 40 storey development at 251 Southwark Bridge Road, (formerly Eileen House) has been completed and occupied. To the north of 251 Southwark Bridge Road is the Ministry of Sound venue and night club.
20. The site is located within Zone 1 and has an 'excellent' Public Transport Accessibility Level (PTAL) rating 6B, which represents the highest level of connectivity to public transport with access to numerous buses, underground and a rail station.
21. The site has the following designations:
  - Central Activity Zone
  - Air Quality Management Area
  - Elephant and Castle Major Town Centre
  - Elephant and Castle Opportunity Area
  - Kennington Road and Elephant and Castle Archaeological Area (partly).
22. There are no listed buildings or structures within the application site, however there are a number of heritage assets within the local area. The

closest of these are:

- Metro Central Heights, Newington Causeway (Grade II listed building);
- Michael Faraday Memorial, Elephant and Castle (Grade II listed building).

23. There are other heritage assets in the wider setting namely:

- Inner London Crown Court, Newington Causeway (Grade II listed building);
- Metropolitan Tabernacle, Newington Butts (Grade II listed building)
- Elliot's Row, St George's Circus and West Square Conservation Areas.

### Details of proposal

24. The application seeks to retain and extend the existing building to increase the amount of office accommodation on the upper floors, with a mix of retail and a gym at ground floor comprising;

- 6no. additional storeys on top of the existing Skipton House to provide a total of 41,625 sq. metres GIA office space ( uplift of 21,375 sq. metres)
- New external cladding
- Reconfiguration of the internal layout of the building with new cores on either side of a 10 storey atrium. Stepped floors within the atrium to provide a managed gallery space and a winter garden on the 7<sup>th</sup> floor.
- 803sq. metres gym space.
- 837 sq. metres of flexible retail/commercial space (A1 shops/A2 professional and financial services and/or A3 restaurant)
- Improvements to the adjacent realm.

Table: Existing and proposed floorspace

	<b>Existing floor space</b>	<b>Proposed floor space (GIA)</b>
<b>Employment (B Class)</b>	19,848sq.metres, excluding basement	41,625sq. metres
<b>Gym (Class D2)</b>	0 sq. metres	803.1sq. metres
<b>Retail (Class A1/A2/A3)</b>	0 sq. metres	836.6 sq. metres
<b>Total</b>	19,848sq. metres	43,264sq. metres

#### Increase of office floorspace

25. Through the reconfiguration of the existing building and the additional 6 storeys the proposal is able to offer a significant increase in office floorspace.
26. The proposal seeks to simplify the existing layout, which currently comprises 4 cores and an irregular atrium plan, by reconfiguring the floorspace to create a regular layout arranged around a central rectangular 10 storey atrium space with two circulation cores. This will provide more flexible space able to attract a range of businesses to the building.
27. Whilst the application does represent an uplift in office floorspace it would provide approximately 7,000 sq. metres less office space than the previous application (15/AP/5125).

#### Ground floor flexible retail and gym

28. The ground floor would provide a mix of retail space with flexible use classes to include shops (A1); professional and financial services (A2); and restaurant (A3). The proposed retail space will be arranged within 5 units with frontages onto London Road/Ontario Street and Newington Causeway
29. The proposed gym would be located to the north of the ground floor of the building with a dual aspect frontage onto Ontario Street with the entrance from Newington Causeway on the east side. An additional internal entrance from the central atrium would also be provided.
30. The proposal would include affordable office and retail floorspace equivalent to 9.8% of the increased office floor area.

#### Extension and building design improvements

31. The proposal would refurbish the existing building with the removal of the existing cladding on the façade and the re-cladding of the building in its entirety, including the additional storeys. In addition to the reconfiguration of the ground floor to rationalise the cores and provide the central atrium, a new ground floor entrance is proposed from Newington Causeway.
32. The proposed extension would raise the height of the existing building by 6 storeys, from 28 metres (AOD) to 57.69 (AOD), this would include rooftop plant set back from the main facades of the building.
33. The new entrance to the building would be relocated from the south (London Road) to the eastern façade (Newington Causeway). The existing building has a poor relationship with the street at ground level and the proposal would provide around 200 metres of active frontage as a result of the

proposed ground floor uses and new entrance arrangements.

34. Central atrium

The proposed central atrium would allow access to the new retail uses and gym at ground floor level. Balconies are proposed to the upper floors and, in addition to the lifts, a criss-cross staircase will link the ground floor to the upper floors. In addition the atrium will be used as a space for managed cultural events and exhibitions.

Public realm and landscaping

35. Through the provision of an activated street frontage and new entrance, the relationship of the building to the street would be greatly improved. The retail units to the south elevation are proposed to open out on to a redesigned public space between the south west corner of the building and the Bakerloo underground station.

Parking and servicing

36. The development will be car free, with no vehicular parking proposed apart from one disabled space. There is an existing car park in the basement, however it is proposed that this would be reconfigured to provide cycle parking. A total of 622 new covered cycle parking spaces would be provided in the basement.
37. The cycle parking would consist of a mix of two-tiered cycle storage racks (272) and Sheffield stands (39). Access to the cycle parking area will be from a separate cycle entrance on Ontario Street. Cycle lockers and showers will also be provided.

Energy and sustainability

38. In terms of sustainability, the existing building is inefficient. While the proposal is not entirely a new build scheme it is proposed to incorporate a variety of sustainability features both to the existing footprint of the building and the new floors to enhance its overall efficiency.

**Planning history**

Address	Ref	Status	Description
Skipton House, Perry Library, Keyworth St Hostel	15/AP/425 7	12.01.2016  Decision issued confirming that the scale	Scoping opinion in respect of an Environmental Impact Assessment for the redevelopment of the site

		and likely effects of the development would constitute EIA development and an Environmental Statement would be required.	
Skipton House, 80 London Road, Perry Library, 250 Southwar k Bridge Road; & Keyworth Street Hostel, 10 Keyworth Street, London SE1	15/AP/5125	12.07.2016 Resolution to grant subject to S106 and Referral to the Mayor. Application withdrawn by applicant.	Demolition of the existing buildings and creation of 2 levels of basement (plus mezzanines) and the erection of buildings ranging from Ground Floor plus 7 to ground floor plus 39 stories (maximum building height of 146.3m AOD) comprising retail uses (Use Classes A1/A3/A4) at ground floor, multifunctional cultural space (Use Classes D1/D2/Sui Generis) and flexible retail/fitness space (Uses Classes A1/A3/A4 and D2) below ground, and office use (Use Class B1) and 421 residential units (Use Class C3) on upper levels, new landscaping and public realm, a publically accessible roof garden, ancillary servicing and plant, cycle parking and associated works
Skipton House	18/EQ/0177	Meetings held, formal letter not issued.	Demolition/replacement of existing facades/cores of Skipton House and removal of existing basement car park. Creation of new facades and remodelling of the building alongside the creation of a further five stories of accommodation providing approx. 45,380 sq. m office space (Class B1a) and 1,371

			sq. m of retail space (Class A1). Various public realm improvements.
Skipton House	18/AP/3402	Decision issued confirming that this development would not be considered EIA development	Scoping opinion in respect of an Environmental Impact Assessment for the redevelopment of the site to provide a 13 storey office building

### Planning history of adjoining sites

Address	Ref	Status	Description
5-9 Rockingham Street	19/AP/0750	Granted with legal agreement	Demolition of existing buildings and erection of a 21-storey building (max height 70.665m) with basement and associated roof plant to provide 6,042.3sqm (GIA) of new commercial floor space and redevelopment of 3 railway arches to provide 340.1sqm of flexible commercial space (A1,B1,D1,D2) with associated cycle parking storage, waste/recycling stores and new public realm.
Elephant and Castle Shopping Centre	16/AP/4458	10.01.2019. Granted with legal agreement. Not yet implemented.	Phased, mixed-use redevelopment of the existing Elephant and Castle shopping centre and London College of Communication sites comprising the demolition of all existing buildings and structures and redevelopment to

			comprise buildings ranging in height from single storey to 35 storeys (with a maximum building height of 124.5m AOD) above multi-level and single basements, to provide a range of uses including 979 residential units (use class C3), retail (use Class A1-A4), office (Use Class B1), Education (use class D1), assembly and leisure (use class D2) and a new station entrance and station box for use as a London underground operational railway station; means of access, public realm and landscaping works, parking and cycle storage provision, plant and servicing areas, and a range of other associated and ancillary works and structures.
Footway adjacent Skipton House, Ontario Street	09/AP/23 33	08.12.2009 Granted.	Installation of a cycle hire docking station.
Eileen House 80-94 Newington Causeway	09/AP/03 43	1.12.2011. Building now constructed and occupied (known as 251 Southwark Bridge Road)	Demolition of existing building and erection of a 41 storey building and a separate 8 storey building for 270 private flats, 65 intermediate flats, 4,785 sq. m of B1 office and 287sq. m of retail (A1 – A5) 34 disabled car parking spaces 44 motorcycle spaces and 4111 cycle spaces within 2

			basement levels, plus associated servicing and public realm improvements including the creation of a residents' garden and University Square.
89-93 Newington Causeway	09/AP/19 40	16.11.2011. Building constructed and occupied	Demolition of the existing building and erection of a 22 storey mixed use building incorporating a 65sq. m café/kiosk (A3) over the ground and mezzanine floors, 366 sq. m of B1 office over the ground to second floors, with 38 residential units above, 50 cycle spaces ground and mezzanine levels and six visitor cycle spaces.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

39. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
  - Equalities issues;
  - Design, layout and impact on townscape views and heritage assets
  - Public realm, landscaping and trees;
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
  - Transport;
  - Flood risk and water resources;
  - Noise and vibration;
  - Archaeology;
  - Wind;
  - Air quality;
  - Ground conditions and contamination
  - Fire safety;
  - Planning obligations (S.106 undertaking or agreement);
  - Mayoral and Borough community infrastructure levy (CIL);
  - Sustainable development implications;
  - Statement of community involvement.

## **Legal context**

40. 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.
41. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

## **Planning policy**

### **Adopted planning policy**

#### National Planning Policy Framework (NPPF)

42. The revised National Planning Policy Framework ('NPPF') was published in 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
43. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications
44. Chapter 2 - Achieving sustainable development  
Chapter 6 - Building a strong, competitive economy  
Chapter 7 - Ensuring the vitality of town centres  
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

45. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
46. Policy 2.10 – Central Activities Zone – Strategic Priorities  
Policy 2.11 – Central Activities Zone – Strategic Functions  
Policy 2.13 – Opportunity areas and intensification areas  
Policy 2.15 - Town Centres

Policy 2.18 – Green infrastructure: The multifunctional network of green and open spaces  
 Policy 3.2 – Improving health and addressing health inequalities  
 Policy 4.2 - Offices  
 Policy 4.3 - Mixed use development and offices  
 Policy 4.7 - Retail and Town Centre Development  
 Policy 4.8 - Supporting a Successful and Diverse Retail Sector  
 Policy 4.9 – Small shops  
 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 5.4 - Electricity and gas supply  
 Policy 5.5 - Decentralised energy networks  
 Policy 5.6 - Decentralised energy in development proposals  
 Policy 5.7 – Renewable energy  
 Policy 5.9 - Overheating and cooling  
 Policy 5.10 - Urban greening  
 Policy 5.1 - Green roofs and development site environs  
 Policy 5.12 - Flood risk management  
 Policy 5.13 - Sustainable drainage  
 Policy 5.17 – Waste capacity  
 Policy 5.21 - Contaminated land  
 Policy 6.3 – Assessing the effects of development on transport capacity  
 Policy 6.9 - Cycling  
 Policy 6.10 - Walking  
 Policy 6.13 - Parking  
 Policy 7.1 - Building London’s Neighbourhoods and Communities  
 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 7.19 – Biodiversity and Access to Nature  
 Policy 7.21 - Trees and woodlands  
 Policy 8.2 - Planning obligations  
 Policy 8.3 - Community infrastructure levy

#### Core Strategy 2011

47. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant

policies of the Core Strategy 2011 are:

Strategic policy 1 - Sustainable development  
Strategic policy 2 - Sustainable transport  
Strategic policy 3 – Shopping, leisure and entertainment  
Strategic policy 10 - Jobs and businesses  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

48. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). 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. The relevant policies of the Southwark Plan 2007 are:

Policy 1.1 - Access to employment opportunities  
Policy 1.4 – Employment sites outside of preferred office locations and preferred industrial locations.  
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 3.9 - 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 3.18 - Setting of listed buildings, conservation areas and world heritage sites  
Policy 3.19 - Archaeology  
Policy 3.20 - Tall buildings  
Policy 3.28 – Biodiversity  
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

### Supplementary Planning Documents

49. Elephant and Castle SPD/Opportunity Area Planning Framework (2012)  
Sustainable design and construction SPD (2009)  
Sustainability assessments SPD (2009)  
Sustainable Transport SPD (2010)  
Section 106 Planning Obligations/CIL SPD (2015)

### Greater London Authority Supplementary Guidance

50. Crossrail Funding SPG (2016)  
Central Activities Zone SPG (2016)

### **Emerging planning policy**

#### Draft New London Plan

51. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made. Until the London Plan reaches formal adoption it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
52. GG5 - Growing a good economy  
SD6 - Town centres and high streets  
SD7 - Town centres: development principles and Development Plan Documents  
D1 - London's form and characteristics  
D8 - Tall buildings  
E3 - Affordable workspace

#### New Southwark Plan

53. 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 consultation closed in May 2019. These two documents

comprise the Proposed Submission Version of the New Southwark Plan.

54. These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version. This version will be considered at the Examination in Public (EiP).
55. It is anticipated that the plan will be adopted in late 2020 following an EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
56. Policy SP2 – Regeneration that works for all  
Policy SP3 – Best start in life  
Policy SP4 – Strong local economy  
Policy SP5 – Healthy active lives  
Policy SP6 – Cleaner, greener, safer  
Policy P13 – Design quality  
Policy P15 – Designing out crime  
Policy P16 – Tall buildings  
Policy P17 – Efficient use of land  
Policy P29 – Office and business development  
Policy P30– Affordable workspace  
Policy P34 – Town and local centres.  
Policy P44 – Healthy developments  
Policy P49 – Highways impacts  
Policy P50 – Walking  
Policy P52 - Cycling  
Policy P53 – Car parking  
Policy P54 – Parking standards for disabled people and the mobility impaired  
Policy P55 – Protection of amenity  
Policy P60 – Trees

**Principle of in terms of land use**

57. A mixed use, employment-led development with flexible retail or gym/leisure uses on the ground floor is supported in this location. The site is within the

Central Activities Zone (CAZ) and a Major Town Centre. The proposed development would provide over 43,500sqm of commercial floorspace. This is considered to be a significant benefit associated with the proposed development. The A class retail uses would provide active frontages at the ground floor level, along what is currently a poor street frontage.

58. Policy 2.11 of the London Plan relates to the Strategic Functions of the CAZ. It states that Boroughs should ensure that development proposals to increase office floorspace within the CAZ include a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in the Plan. Policy 2.13, relating to Opportunity Areas, requires optimisation of residential and non-residential output and should contribute towards meeting the minimum guidelines for housing and/or indicative estimates for employment capacity, as appropriate. However, 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. In this case, the retention of the main building form precludes the option of a mixed use scheme incorporating housing. Developments should also realise scope for intensification associated with existing or proposed public transport accessibility making better use of existing infrastructure and promote inclusive access including cycling and walking. The indicative employment capacity given for the Elephant and Castle Opportunity Area is specified as 5000 jobs, though this target has been increased to 10,000 jobs in the emerging draft new London Plan.
59. The Elephant and Castle Opportunity Area SPD (E&COA SPD) sets out detailed guidance on how strategic policies should be interpreted and delivered in the Elephant and Castle context. SPD 4 states that provision of new business space will be supported and must be designed flexibly to accommodate a range of unit sizes to help meet the needs of the local office market and SME businesses to remain in the area as they grow. SPD21 states that developments in the Central Area (in which this site is located) should provide active ground floor uses and increase the number of employment opportunities on the site.
60. Policy SPD1 of the E&COA SPD states that new retail development will be supported in the town centre and should strengthen links into the town centre by providing active uses on the main roads to the centre including London Road and Newington Causeway. SPD7 states that private leisure facilities will be supported as part of a mix of uses in large developments.

#### Employment uses

61. The proposed development would result in an uplift of 21,375 sq. m. of office floorspace on the site (with a total provision of 41,625sqm) as well as the provision of retail and gym space on the ground floor. This is supported in local and regional planning policies which encourage the provision of

employment uses within the CAZ and close to existing public transport infrastructure. The proposed increase in office floor space would make a significant contribution towards the regeneration of Elephant and Castle as a town centre and employment destination.

62. Policy AV.09 of the New Southwark Plan encourages the promotion of Elephant and Castle as a major town centre and a Central London location that attracts global business, research, teaching, shops, flexible business spaces and cultural activities. The proposal seeks to meet a number of these objectives and would improve the existing office space, providing a more open floorplate within an improved modern exterior. This would significantly boost office floorspace and the potential for new jobs within the area, with the potential to attract large scale occupiers to the refreshed and extended building.

#### Affordable office and retail floorspace

63. Although not yet adopted, draft London Plan policy E2 can be attributed weight in the determination of this application. Policy E2 requires the provision of a range of low-cost Class B1 business spaces to meet the needs of micro, small and medium sized enterprises and to enable firms to start up and expand. The policy states that '*development proposals for new B1 business floorspace greater than 2,500sqm, or a locally determined lower threshold in a development plan document, should consider the scope to provide a proportion of flexible workspace....*'.
64. Emerging policy P30 of the submitted New Southwark Plan expects major developments to provide at least 10% of the gross new employment floorspace as affordable workspace on site at a discounted rent for a period of at least 30 years. The policy contains three clarifications/criteria which are relevant to this application.
65. Firstly, the policy clarifies that for buildings which are being extended rather than redeveloped, the requirement relates to the quantum of new additional floorspace which is being created (ie the uplift in B Class floorspace).
66. Secondly, the policy states that in exceptional circumstances affordable retail space may be provided as an alternative to affordable workspace. This would only be acceptable if there is a demonstrable need for the affordable use which is being proposed, and with a named occupier
67. In relation to Elephant and Castle area, the reason behind the policy recognises a specific need for affordable office (as opposed to industrial) space which could cater for sectors including technology, digital and marketing within affordable managed office space.
68. The Skipton House development would reconfigure, re-clad and extend the existing building, creating an uplift in office floorspace of 17,540sqm GIA if

the basement 'back of house' space is excluded. 10% of this increase in usable floorspace would therefore equate to 1,754sqm.

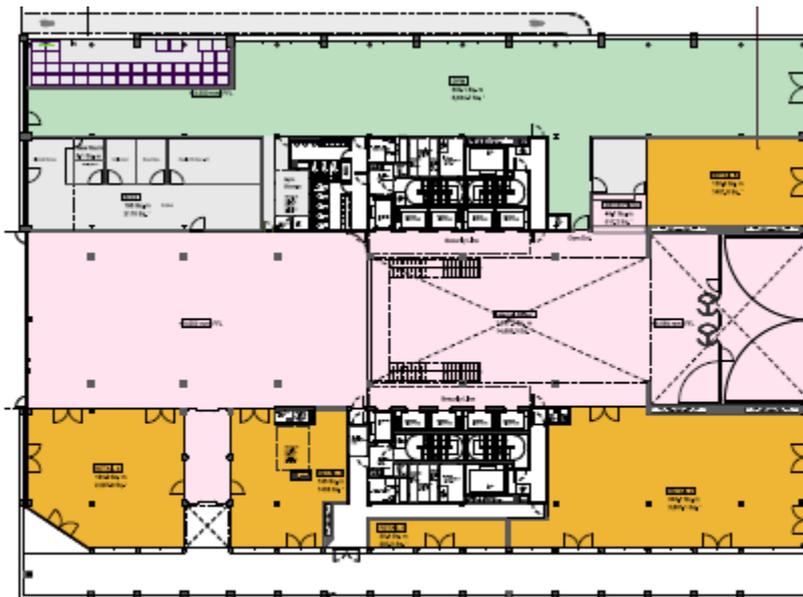
69. The application would provide 1,720sqm of affordable space, which would equate to 9.8% of the uplift in office GIA. This would be provided as a combination of office and retail space.
70. 883sqm of affordable office space would be provided as a flexible area at first floor level. This would be capable of being subdivided into a number of small or micro units. Rental terms would be 70% of the market rent for the space; the applicant estimates that a full market rent would be £50 per sqft. 70% of market rent would therefore equate to £35 per sqft. A rent free period of 6 months would be offered to incoming tenants.
71. The retail space would be provided as 5 retail units on ground floor level facing London Road. These units range in size from 36 to 340 sqm. The application defines them as being within Class A1, A2 or A3 (retail sales, services, or café/restaurant). These retail units would be provided at 70% of a market rent; since a market rent would be in the region of £30 per sqft, the discounted (affordable) rent would be £21 per sqft. A rent free period of 1 month would be offered to incoming tenants.
72. The retail space would be restricted to 'eligible tenants', defined in the s106 agreement as either a (i) trader displaced by the Elephant and Castle Shopping Centre redevelopment (ii) a registered charity, social enterprise or voluntary sector organisation; (iii) a business trading from or living at an address in the Borough, with no more than three premises. It is recognised that the timing of development may mean that the space would not benefit retailers displaced from the now vacant Shopping Centre.
73. The council's local economy team have supported this hybrid approach. Looking forward to the range of other redevelopment proposals being brought forward within the Elephant and Castle town centre, this affordable retail would expand the diversity of the affordable retail space available, and could be beneficial as 'move-on' space for small retailers who may need to be relocated as other short-life projects such as Castle Square reach the end of their life.
74. For both the affordable workspace and affordable retail, the following terms would be secured through the s106 agreement:
  - The space would be provided on affordable terms for a period of 30 years from first occupation;
  - No more than 50% of the market rate office floorspace can be occupied until the affordable space has been made ready for occupation;
  - The service charges payable by the tenant would be controlled;
  - The specification for the fit-out of the units will be agreed;

- The occupiers of the affordable space will have access to other property services such as cycle stores, showers and loading facilities;
- The space is marketed to eligible occupiers both prior to and following practical completion of the building;

75. A specialist Workspace provider would be appointed to manage the space, unless the building owner brings forward an acceptable alternative proposal to manage the space themselves.

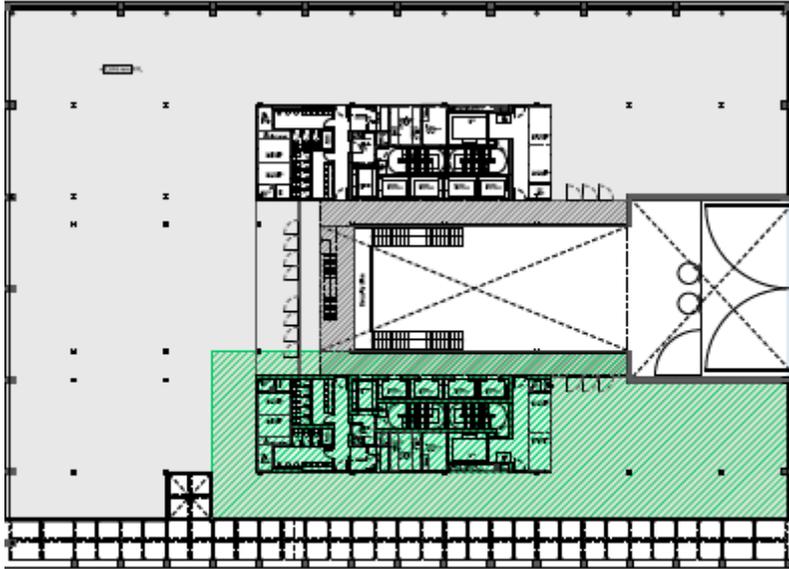
**Affordable floorspace: summary table**

<b>Class B1 space (1st floor)</b>	<b>Class A space (all ground floor)</b>
883 sq. metres	Unit 2 340 sq. metres
	Unit 3 36.4 sq. metres
	Unit 4 135 sq. metres
	Unit 5 194.9 sq. metres
	Unit 6 130.2 sq. metres
<b>Total 883sq. m</b>	<b>Total 836.6 sq. metre</b>



Ground Floor Affordable Retail Units

837m2 equates to 4.8% Total Uplift in GIA



 Affordable Workspace Location

Indicative area of First Floor Affordable Workspace

883m<sup>2</sup> equates to 5% Total Uplift in office GIA

76. The affordable retail and workspace provision is considered to be an appropriate response to the nature of the building and the character and needs of the Elephant and Castle area, and is supported by the Local Economy Team. It is considered to satisfy the requirements of emerging NSP policy P30 and the London Plan, and is therefore acceptable.
77. The development would therefore provide a significant increase in employment floorspace within the CAZ and the core area of the E&COA. The proposed alterations to the layout of the existing building rationalising the number of cores and increases the efficiency of the existing space while also providing flexible layout that could serve a range of multiple tenancy options. This is in accordance with the relevant planning policies for this type of use and a key material benefit of the proposals.
78. Commercial uses would be provided on the ground level, these uses with new frontages would provide activity along this small section of public realm. The proposed mix of uses and the active frontages associated with these would accord with the requirements of the E&COA SPD and would strengthen the links into the town centre.

#### Conclusion on Land Use

79. The mix of uses proposed for the development would accord with the relevant planning policies. The increase in employment space would make a

significant contribution towards the floorspace required to meet the existing and emerging jobs target for the Opportunity Area as set out in the London Plan. The development would include affordable office space in line with emerging NSP and draft London Plan policies. The provision of active town centre uses and permeability through the site at the ground floor level would also strengthen routes towards the centre of the area in accordance with the E&COA SPD.

### **Environmental Impact Assessment**

80. A screening request in respect of a 13 storey office block was made under LBS Ref 18/AP/3402. The result of the screening request was that the proposed development would not constitute EIA development and accordingly does not need to be supported by an Environmental Statement.

### **Design, layout and impact on townscape views and heritage assets**

81. The proposal would strip back the existing building, retaining the frame structure, and extend and re-clad the building in a unified style. At a maximum of 57.8m high, the extended building would be defined as a tall building under the council's policies.
82. The NPPF requires good design as a key aspect of sustainable development. Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The NPPF also provides advice regarding the conservation and enhancement of the historic environment. Where a proposal will lead to substantial harm to a heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm.
83. The relevant London Plan design policies are 7.4 (Local character) and 7.6 (Architecture). These policies seek high quality architecture that responds positively to the character of the area, respects existing heritage as well as being of being of a scale, proportion and design which activates and appropriately defines the public realm. Buildings should also optimise the potential of sites. Policy 7.7 of the London Plan provides the criteria for where tall buildings should be located. These should be located within the CAZ, Opportunity Areas, or town centres that have good access to public transport. Tall buildings should only be considered if they are the most appropriate way to achieve the optimum density in highly accessible locations, are able to enhance the qualities of their immediate or wider settings, or if they make a significant contribution to local regeneration.
84. The E&COA SPD guideline 17 states that tall buildings in the opportunity area will help signal its regeneration with the tallest buildings being situated in focal points in views towards the centre of Elephant and Castle. Moving

away from the tallest points, they should diminish in height to manage the transition down to the existing context. The proposed development would be much lower than the previous proposal for the site (under 15/AP/5125) and it will not be out of scale given the emerging context for this area. In addition it has a commanding and open position at the edge of the large open space at the heart of the Elephant and Castle.

85. In terms of the locational requirements for tall buildings the site is situated within a highly accessible location, an Opportunity Area and a town centre. The principle of a tall building in this location has already been established to some extent with the 2015 planning application, agreed for approval subject to a legal agreement, which included a series of tall buildings up to a maximum of 146.3m in height. Whilst the agreement to approve this previous taller scheme is a material consideration, it is still necessary to test the current application against all the requirements of saved policy 3.20 of the Southwark Plan, which requires that all tall buildings should:
- i. Make a positive contribution to the landscape; and
  - ii. Be located at a point of landmark significance; and
  - iii. Be of the highest architectural standards; and
  - iv. Relate well to its surroundings, particularly at street level
  - v. Contribute positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.

#### Public realm

86. The extensive pavement space in front of the building is to be improved to provide a high quality pedestrian area that will be a positive addition to the Elephant and Castle public realm. However the additional accommodation within the building means a greater number of users of the Elephant and Castle area in general. The ground floor of the building where it faces London Road will be set back to form an additional area of public realm in the form of an arcade. This coincides with a line of shops along this façade. This will create an improved route across the space in front of the building from London Road to Newington Causeway.

#### Architecture

87. The dated granite cladding is to be stripped off and replaced with dark gridded structural framework with large windows between as the principal elevational treatment. The structural framework is quite deep, which will give depth to each façade and will also shade windows, thus limiting reflections and making the building seem quite transparent.
88. The building will need to be retro-fitted with modern services which are required to be positioned within existing floor zones. These servicing zones are to be concealed on the elevations of the building by low cast concrete

plinths set within the framework. This detail will constitute a neutral feature which will preserve the apparent thinness of the exposed building frame.

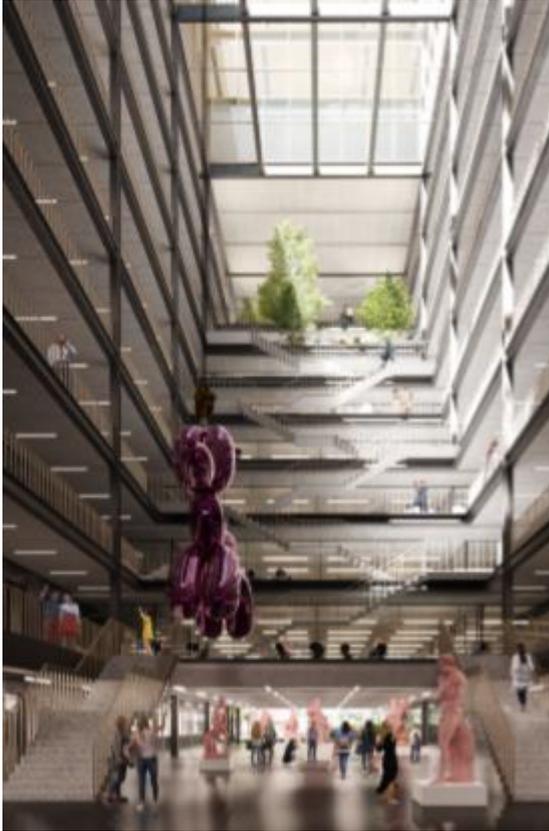
89. The three top floors of the extended building are to have higher floor-to-ceiling heights and more vertical proportions imparted by vertical mullions. These floors will provide an effective compositional 'top' to the building. Overall, the detailing of the façades is well thought through and carefully considered. It will give a rhythm to the building and a transparency that will be quite assertive and more engaging than the current facade.



Proposed view from south east

### Entrance

90. The main entrance of the building is to be moved round the corner to the east (Newington Causeway) elevation such that it is aligned with the orientation of the building from east to west. It is recessed slightly into the façade and is of generous double height proportions. It will constitute an attractive feature in itself.
91. As importantly, the entrance will allow managed public access into a large and spectacular interior atrium. When the building is open, building users and visitors will be able to travel along the length of the atrium and out under the arcade of the south elevation.



*Central atrium*

### **Impact on Heritage Assets**

92. The Planning (Listed Buildings and Conservation Areas) Act 1990 and S66 in particular, imposes the duty on local planning authorities to have special regard to the desirability of preserving or enhancing a listed building and its setting or any features of special architectural or historic interest which it possesses. Further, special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is also reflected in the NPPF (2019), which requires all development to conserve or enhance heritage assets and their settings and avoid causing harm. Designated heritage assets include Statutory listed buildings and designated conservation areas. The NPPF asserts in paragraphs 190 and 192, that Planning Authorities should identify the significance of affected heritage assets and their settings and assess how these are affected by a development, and then in paras 193-196, if any harm is identified, how that harm can be considered in the balance.

#### Impact on listed buildings

93. The site is in close proximity to a number of listed buildings and structures- principally Metro Central Heights, a large brutalist residential building on the opposite side of Newington Causeway, and the Michael Faraday memorial at the centre of the roundabout. The Metropolitan Tabernacle facing

Newington Butts is around 200 metres away from Skipton House.

94. Metro Central Heights was designed in the 1960's as a part of the wider urban redevelopment of the Elephant and Castle area. It was never conceived as a centre piece or focal point in itself. Given this, and the wide road of Newington Causeway that separates Metro Central Heights from Skipton House, and the already large size and height of Metro Central Heights, the increase in height of Skipton House will not be such that it dominates or obscures Metro Central Heights. The proposal will not thus have an undue affect on the setting of the listed building. Furthermore the council has already approved a number of large developments within the Elephant and Castle area including the at 251 Southwark Bridge Road and the Elephant and Castle Shopping Centre, and the enlarged Skipton House would be seen as part of a wider change in the context of Metro Central Heights.
95. The Faraday Memorial is a single storey structure that sits as a sculptural object, originally in the middle of the roundabout and now part of the wider public space. This concept, and with it the structure's setting, will not be harmed by the proposal.
96. The Tabernacle is also in reasonably close proximity to Skipton House. This is a classical building with a central portico. Its setting has been much altered by the Elephant and Castle road system (which it predates) and by a number of tall buildings in close proximity, particularly the adjoining One the Elephant development. Within this context, the additional height of Skipton House will not cause any harm.

#### Conservation Areas

97. Part of Elliot Row Conservation Area is close to Skipton House with most of that conservation area, and St Georges Circus and West Square Conservation Areas, a little further away. However the narrow streets of Elliot Row plus large intervening buildings are such that the scheme will not be obvious and will not impinge unduly on the special character of the conservation areas.

#### Design Review Panel

98. The pre-application version of the proposal was presented to the Southwark Design Review Panel in 2018. The Panel were supportive of the increased height and massing of the building. The Panel thought it an appropriate scale for its prominent site adjacent to the Elephant and Castle roundabout and that the extended building would have some real presence. The Panel supported the overall aesthetic, although there was concern around the potential for the building to achieve BREEAM excellent. Concern was also raised around the relationship between the building and the underground station entrance structure.

99. The submitted scheme has responded to some of the concerns and an entrance/exit door has been added to the London Road frontage, and the new office and gym elements of the scheme are able to obtain a BREEAM Excellent rating.

#### Townscape and visual impact

100. The proposal, although considered as a tall building, would be most visually prominent in the immediate area, for example at the southern end of Newington Causeway, along London Road and in views at the Elephant and Castle public space.
101. The site is not over sailed by any strategic viewing corridors, however, the building falls within townscape view 23A of Westminster World Heritage Site from the Serpentine Bridge, as defined by the London View Management Framework (LVMF) SPG. As part of the design and access statement, the applicant has presented this view and the proposal would not be visible as it would be obscured by the Houses of Parliament.

#### Conclusion on Design Issues

102. The proposed development is situated within an Opportunity Area with excellent public transport accessibility and a location where tall buildings are considered to be appropriate. At 13 storeys in height it would make a positive contribution to landscape, would have high quality architecture and relate well to surroundings at the ground floor level. The proposed additional floors would not be visible in strategic views and the proposal is not considered to harm the Grade II listed heritage assets of the Metropolitan Tabernacle or the Faraday Memorial. Equally the proposed extension is not considered to harm the nearby conservation areas of Elliotts Row, St Georges Circus and West Square. It should also be noted that in their Stage 1 response the GLA support the principle of the tall building and consider that there would be no harm to the setting of the nearby listed buildings.
103. The building, in terms of its location, its architectural design, and its response to the local streetscape, is considered to meet the requirements for a tall building set out in saved policy 3.20. Given its setting within a group of existing and planned very tall buildings, its height would have no impact on the London skyline. Whilst the contribution to the public realm is limited due to the retention of the existing structure, it does contribute new active frontages and the ability to move across the site via a new arcade/colonnade. Overall, the building is considered to make a positive contribution to the character of the Elephant and Castle town centre.

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

104. Strategic policy 13 of the Core Strategy 'High environmental standards' seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved policy 3.2 of the Southwark Plan states that permission will not be granted for development where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

### Daylight, sunlight and overshadowing

#### Daylight

105. The impact of the proposed development on neighbours' amenity has been a significant concern of local residents, particularly those within Metro Central Heights. A full daylight and sunlight assessment has been submitted with the application. The report assesses the scheme based on the Building Research Establishment (BRE) guidelines on daylight and sunlight. The conclusions of this state that the reductions in daylight and retained daylight levels are commensurate with this urban locality. Officers have reviewed the daylight and sunlight assessment and note that while there are some impacts on the buildings surrounding the site, these are not unusual within built up town centre locations where buildings of scale are considered to be appropriate.
106. The BRE Guidance provides a technical reference for the assessment of amenity relating to daylight, sunlight and overshadowing. The guidance within it is not mandatory and the advice within the guide should not be seen as an instrument of planning policy.
107. The BRE sets out three detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. 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 (VSC) can be reduced by about 20% of the original value before the loss is noticeable.
108. This is supplemented by 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

109. In considering the impact upon sunlight, the test is based upon a calculation of annual probable sunlight hours (APSH) for all window faces within 90 degree of due south. The BRE guidelines state that a window should receive a minimum of 25% of the annual probable sunlight hours, of which, 5% should be received in winter months. Where window sunlight levels fall below this recommendation, the window should not lose more than a 20% of its former value and the reduction in sunlight over the whole year should not be greater than 4% of the ASPH.
110. Another method of calculation is the Average Daylight Factor (ADF) which is a more detailed assessment and considers the amount of sky visibility on the vertical face of a window, but also the window size, room size and room use. The recommendations for ADF in dwellings are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. The BRE recommends that whilst ADF is an appropriate measure for new buildings and master-planned areas, VSC/NSL should be principally used to assess impact on existing buildings.
111. The Mayor of London’s ‘Housing SPG’ (March 2016) advises that the BRE guidelines should be applied with an appropriate degree of flexibility and sensitivity to higher density development, especially in opportunity areas, town centres, large sites and accessible locations. It suggests that account should be taken of local circumstances, the need to optimise development and scope for the character and form of an area to change over time.
112. The NPPF (2019) states that planning decisions should support development that makes efficient use of land, taking into account the identified need for different types of housing and other forms of development.
113. The daylight and sunlight assessment considers the impact on daylight for the following buildings:

Table 1 VSC calculations

Residential Buildings Assessed	Windows Tested	Non-BRE Compliant (VSC)	Compliant
Metro Central Heights – North Block	168	28 (16.67%)	140 (83.33%)

Metro Central Heights – South Block	180	0	180 (100%)
Metro Central Heights – West Block	195	52 (26.67%)	143 (73.33%)
Metro Central Heights – East Block	82	0	82 (100%)
Metro Central Heights – Vantage Block	153	0	153 (100%)
251 Southwark Bridge Road (Former Eileen House)	974	69 (7.08%)	905 (92.92%)
Elephant and Castle PH	39	2 (5.13%)	37 (94.87%)
Gaywood Estate– Perronet House	264	31 (11.74%)	233 (88.26%)
11-19 (odd) Princess Street	21	0	21 (100%)
8-22 (even) Gaywood Street	56	0	56 (100%)
Gaywood Estate Laurie House	35	0	35 (100%)
Gaywood Estate London Road	81	0	81 (100%)
<b>Total</b>	2,248 (100%)	182 (8.1%)	2,066 (91.9%)

#### Vertical Sky Component

114. The VSC transgressions are generally isolated to the lower floors of 251 Southwark Bridge Road, Metro Central Heights North and West Blocks and Perronet House as these blocks directly face the proposal site. The

recessed balconies within 251 Southwark Bridge Road constrain its own sky visibility above the window. The infringements within the Metro Central Height – North Block are mainly located in compromised areas in the recessed ground and first floor, under the overhanging balconies or on the elevation obstructed by the West block and bridge joining those two blocks.

115. In respect of the main rooms affected, within 251 Southwark Bridge Road the living rooms and bedrooms are generally served by two or more windows so even where some windows fail, the room itself still would appear well-lit (as demonstrated by the No Skyline results). There are some instances where this is not the case and there are several areas where it fails on the 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> floors. Generally these infringements are fairly minor particularly to the living spaces, however there are more significant failings to some of the bedrooms on floors 3 to 8.
116. The bedrooms within no. 251 would have the more significant failings, on the same floors facing Skipton house where the reduction would equate to half of the original value. It is noted that the levels of light to the affected windows are already very low, given the use as bedrooms it is considered that some flexibility should be applied.
117. There were no significant impacts demonstrated within Metro Central Heights (South, East or Vantage Blocks). Within Metro Central Heights (North Block) the impacts are to bedroom and living room windows on the ground to seventh floor levels. The most significant changes are to bedroom windows on the ground, first and second floors where the existing values are already low and the change is more pronounced, seeing a reduction in the original values ranging from 20.6% to 43%. The impact to living rooms occurs on the second floor again where the existing daylight levels are low and the reduction relative to the original values ranges from 22% to 43%. There are some minor breaches to windows serving the bedrooms and living rooms over the third, sixth and seventh floors but these are largely by just over 20% with the exception of a living room on the seventh floor which has a reduction of 28% of its original value. This reduction would be classified as 'minor adverse' and would generally have limited impact on the overall enjoyment of the property.
118. Metro Central Heights West Block- The proposal was found to affect bedrooms, kitchens and living rooms on the first, second, third, fourth, fifth, sixth and seventh floors. On the first floor six bedrooms and two living rooms would not meet the criteria with losses ranging from 21% to 41%; on the second floor six rooms are affected, two living rooms, two kitchens and two bedrooms. The VSC loss to these windows would vary from 21% to 31%, however the kitchens would still have good levels of daylight within an urban area with retained VSC levels of 19.80% and 23.50%. As the floor levels rise, on the third floor four bedrooms, two living rooms and a kitchen are noted as not meeting the BRE guideline of 20% reduction, however the highest level of loss is to a kitchen at 29%, but the kitchen would still have a

VSC of 22.70% which is still considered good. On the fourth floor of this block eight rooms would fail to comply; five bedrooms; two living rooms and a kitchen. The range of losses are 22% to 41%, generally these rooms still retain reasonable levels of light, however it is noted that one of the living rooms affected will see a reduction in VSC from 23% to 13.51% and although it is noted that the room would pass the no sky line tests there would be a loss of amenity to occupants of this flat. Eight rooms are affected on the fifth floor; five bedrooms, two living rooms and a kitchen, with losses ranging from 23.5% to 43.5%, although the rooms most affected are bedrooms, which are generally less sensitive. Three rooms are affected on the sixth floor and one room on the seventh floor, however these are only minor infringements and the affected rooms would still receive good access to daylight.

- 119. There is only one minor infringement (with a loss of 20.64%) to the VSC to a first floor bedroom noted at the Elephant and Castle Public House.
- 120. Within Perronet House there are minor infringements to a bedroom and living room window on the first floor, but these rooms would still benefit from good levels of daylight. There are further impacts to rooms on the third to the ninth floors, generally these represent relatively minor changes, although it is noted that there are some more significant changes to three bedrooms on the 4<sup>th</sup>, 6<sup>th</sup> and 8<sup>th</sup> floor where the percentage reduction ranges from 35% to 37%.
- 121. Overall the VSC shows of the 2,248 windows tested 2,066 (91.9%) would satisfy the BRE guidelines for VSC.

Table 2 No Sky Line Calculations

Residential Buildings Assessed	Rooms Tested	Non-BRE Compliant (NSL)	Compliant
Metro Central Heights – North Block	122	6 (5%)	116 (95%)
Metro Central Heights – South Block	159	0	159 (100%)
Metro Central Heights – West Block	154	1 (0.6%)	153 (99.4%)

Metro Central Heights – East Block	77	0	77 (100%)
Metro Central Heights – Vantage Block	113	0	113 (100%)
Former Eileen House	209	7 (3%)	202 (97%)
Elephant and Castle PH	31	2 (6.5%)	29 (94.4%)
Gaywood Estate–Perronet House	177	0	177 (100%)
11-19 (odd) Princess Street	21	3 (14%)	18 (86%)
8-22 (even) Gaywood Street	48	1 (2%)	47 (98%)
Gaywood Estate Laurie House	35	0	0 (100%)
Gaywood Estate London Road	76	12 (15.7%)	64 (84.3%)
<b>Total</b>	<b>1222 (100%)</b>	<b>32 (2.6%)</b>	<b>1190 (97.4%)</b>

122.

As with the VSC, the NSL transgressions are generally isolated to the lower floors of 251 Southwark Bridge Road, and Metro Central Heights – North for the reasons of their design as noted in paragraph 122 of the report. The south-east side of The Gaywood Housing Estates, London Road demonstrates an infringement of 12 windows, however all but three affected rooms will be left with NSL over 50% and the three remaining rooms will be left with NSL between 49 and 50%, which can be considered acceptable in an urban environment.

#### Average Daylight Factor

123. The ADF results were provided for all of the dwellings, however this test is generally used for new build or recently consented schemes rather than for existing dwellings. It could arguably be useful in relation to 251 Southwark Bridge Road, where a pass rate of 73.2% was suggested, but it is recommended that little weight be given to these findings.

Residential Buildings Assessed	Windows Tested	Non-BRE Compliant (APSH)	Pass
Metro Central Heights – North Block	30	11 (36.6%)	19 (63.3%)
Metro Central Heights – South Block	66	0	66 (100%)
Metro Central Heights – West Block	45	2 (4.4%)	43 (95.6%)
Metro Central Heights – East Block	28	0	28 (100%)
Metro Central Heights – Vantage Block	32	0	32 (100%)
Former Eileen House	41	11 (26.8%)	30 (73.2%)
Elephant and Castle PH	11	0	(100%)
Gaywood Estate–Perronet House	0	0	0
11-19 (odd) Princess Street	10	0	10 (100%)
8-22 (even) Gaywood Street	0	0	0
Gaywood Estate Laurie House	20	0	20 (100%)
Gaywood Estate London Road	4	0	4(100%)
<b>Total</b>	323 (100%)	37 (11.45%)	286 (88.55%)

Table 3 – Annual Probable Sunlight Hours

124. In respect of 251 Southwark Bridge Road one reason for the impact to sunlight to rooms is due to the deep recessed splayed balconies which mask a large percentage of its own sky visibility and therefore sunlight penetration. For Metro Central Heights North there are a number of windows located beneath projecting enclosed balconies which reduce the amount of sunlight

available to these windows. Therefore while these units will experience a decline in annual probable sunlight hours, and as stated this is partly as a result of the design of the respective buildings. Overall the properties will receive good levels of sunlight throughout the year.

125. The levels of winter sunlight would be reduced to some of the rooms within Metro Central Heights North Block, the results show that there will be a loss of Winter sun to some of the flats up to the sixteenth floor. In some rare instances all of the Winter sun will be lost as a result of the proposal, but this is where the existing levels of Winter sun are very low, eg. one hour. Additionally three of the five instances where this occurs, the living rooms affected are served by multiple windows, which would still receive good levels of Winter sun. The other two windows affected are bedrooms on the third and fourth floors.
126. The proposed development would have some impact to the levels of Winter sun currently enjoyed by the flats within 251 Southwark Bridge Road, generally the losses are not significant and are within rooms with multiple windows. It is noted that the Winter sun levels remain unaffected to the other neighbouring residential properties tested.

#### Conclusion on daylight and sunlight

127. The site is in a dense Central London area, identified as an Opportunity Area where substantial change is anticipated. The neighbouring daylight and sunlight assessments demonstrate a 91.9% compliance with the vertical sky component, and a 97.4% compliance with the no sky line test. The impacts in terms of sunlight are largely confined to 251 Southwark Bridge Road and Metro Central Heights North Block, the majority 88.5% of the rooms assessed will satisfy the BRE guidelines in terms of daylight and sunlight.
128. It is acknowledged that the proposed increase in height to the existing building would result in some impacts to the adjoining buildings in terms of daylight and sunlight, however the overall impacts are largely due to the existing balconies and overhangs and the majority of the adjoining properties will not be significantly impacted by the proposal. Furthermore the previously agreed development for the site included three separate buildings ranging from seven storeys to 39 storeys in height this would have resulted in more significant impacts when compared to the current scheme.
129. It was acknowledged in the 2015 scheme that the impact on daylight would be significant to Eileen House/251 Southwark Bridge Road affecting units over floors 3 to 26. The proposed scheme being significantly reduced in height and by not incorporating the adjoining site to the north results in the building being set further away from 251 Southwark Bridge Road by approximately 25m. This results in an overall improvement to the impact upon existing residential amenity to all of the affected neighbouring dwellings.



Images from application 15/AP/5125

### **Overlooking and privacy of neighbouring properties**

130. The council's residential design standards SPD states that a minimum separation distance of 12m should be secured at the front of a building and any elevation which fronts onto a highway, to ensure that there will be no detrimental impact in terms of loss of privacy and outlook. These standards apply to habitable facing windows, whereas the application is for a non-residential scheme. Nonetheless the issue of overlooking can be experienced by existing residential neighbours regardless of the use(s) to be introduced in a new development.
131. The site is bounded by roads on all elevations. The nearest residential uses will be those situated within 251 Southwark Bridge Road to the north ( 55m away at its closest point to the windows to these new flats); Metro Central Heights (situated over 40m away) and Perronet House on the opposite side of London Road (45m from the nearest windows of the proposed development). Each of these buildings is sufficiently distant from the application site to ensure that their reasonable privacy is maintained. The site has a closer relationship with the buildings immediately to the north on Ontario Street and Keyworth Street, but as the proposal is an extension of the existing the additional height will not fundamentally change the relationship, and as these neighbouring buildings are not in residential use the issue of harm to residential amenity does not arise.

### **Noise and vibration (construction / operational impacts)**

132. The noise and vibration impacts from the site would be highest during the

demolition of the existing buildings and substructure works and lowest during the internal fit out and landscaping. Traffic noise from construction would increase noise levels, particularly along Southwark Bridge Road and Newington Causeway. A Construction Environmental Management Plan (CEMP) would be prepared to reduce excessive noise as far as is possible. The noise impacts from demolition and construction would be temporary in nature and it is not envisaged that any long term disturbance would be caused. The CEMP will allow for coordination with TfL and the council's highways team to take account of other projects due to take place within the vicinity, The retention of much of the existing structure will reduce the amount of noise, disruption and traffic which would be associated with full redevelopment, which is a benefit of the current proposals. The demolition element is expected to last for 8 months with the remaining programme to be completed within 16 months.

133. There would be an increase in the number of visitors and workers as a result of the retail provision, new gym and new offices. However, it is unlikely that there would be any demonstrable harm caused to residential amenities from their comings and goings. The site is located within a busy major town centre environment and adjacent to a busy transport hub where high levels of activity and some noise would be expected.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

#### Noise

134. The NPPF states that planning decisions should *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development*. It also states *that planning decisions should recognise that development will often create some noise and existing business wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established*.
135. The nearest noise generating neighbour is the Ministry of Sound nightclub situated on Gaunt Street. Unlike the previous residential proposal for this site, the current scheme with its commercial uses is unlikely to conflict with the operations of the existing nightclub; the commercial elements (with the possible exception of the gym) would generally operate at differing hours to the nightclub operation.

#### **Transport issues**

136. The NPPF states that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

137. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved Policy 5.1 of the Southwark Plan states that major developments generating a significant number of trips should be located near transport nodes. Saved Policy 5.2 advises that planning permission will be granted for development unless there is an adverse impact on transport networks; and/or adequate provision has not been made for servicing, circulation and access; and/or consideration has not been given to impacts of the development on the bus priority network and the Transport for London (TfL) road network.
138. E&COA SPD14 states that a transport assessment is required for all major applications. This should detail the likely impact on all the transport network including walking and cycling, and demonstrate how development can mitigate those impacts.
139. The application site has excellent levels of public transport accessibility which is reflected in the PTAL rating of 6b which is the highest possible level. London Road, Elephant and Castle peninsula and a part of Newington Causeway all form part of the Transport for London Road Network (TLRN) where Transport for London is the Highway Authority. There is also a Cycle Super Highway (CS7) which crosses London Road and runs along Ontario Street onto Keyworth Street.
140. The development would provide a new main entrance onto Newington Causeway. Secondary pedestrian entrances would be provided onto London Road and Ontario Street. Vehicular access to the site would remain unchanged from Ontario Street, however the existing basement parking would be removed and the site would be car free, except for a wheel chair car parking space. The basement would accommodate some on site servicing, waste storage, cycle parking and staff shower facilities.
141. The proposal would provide a compliant level of cycle parking in accordance with the Draft New London Plan and New Southwark Plan standards. The basement car parking will be accessible via the existing ramp directly accessible from Ontario Street. A cycle lane is proposed to be demarcated on the ramp to encourage separation between service vehicles and cycles.

#### Vehicle Trip Movements

142. The existing building at the time of the survey was occupied with solely office floorspace. It showed the basement accommodated the following arrivals over the course of a day: 19 cars; 47 LGV's, 125 cycles and 14 motorbikes. On-street servicing for large service vehicles takes place on Ontario Street.
143. The removal of the parking bays would allow space for extensive cycle parking and associated shower facilities to be provided. The proposed enlargement of the building is predicted to produce 45 and 40 two-way

vehicle movements in the morning and evening peak hours correspondingly and, generate the following service vehicle movements over the course of a typical day (07:00 to 19:)

Use	Arrivals	Departures	Total
Office	50	53	103
Retail	5	5	10
Gym	1	1	2

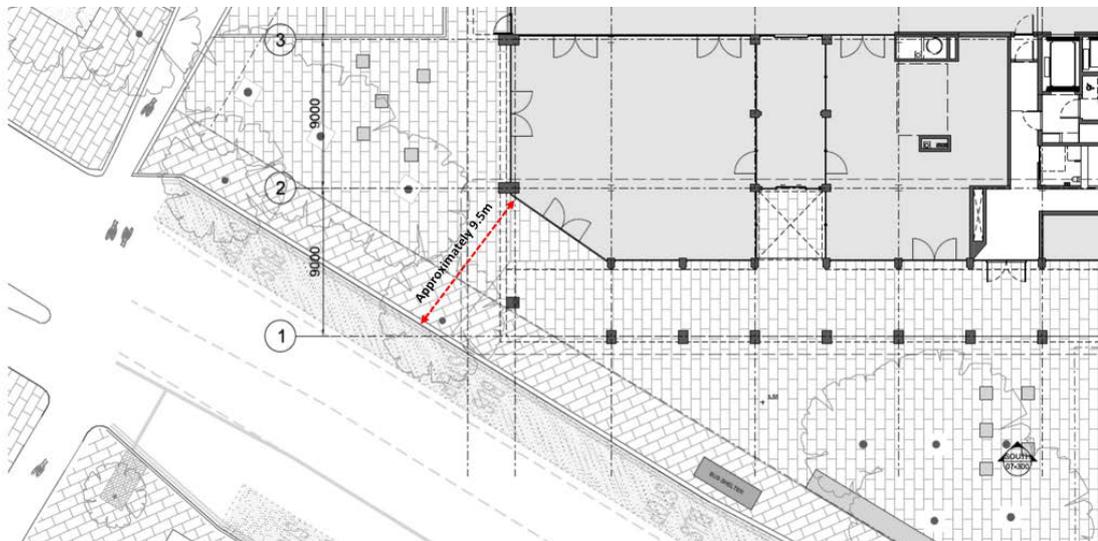
144. The majority of the above delivery vehicle movements (90%, comprising 51 arrivals and 53 departures are predicted to be done by light goods.
145. Officers are satisfied that subject to a comprehensive and robust Delivery and Servicing management plan being secured, vehicular trip generation from the proposed development would not have a negative impact on traffic movements in the opportunity area.

#### **Impacts on public transport**

146. The development site is located within immediate proximity to Elephant and Castle Underground Station and is close to Elephant and Castle Rail station. The proposed development would result in an increase in the working population in the local area leading to an increase in the number of journeys undertaken on the public transport network. However the Transport Assessment concludes that there would be no adverse impact on public transport capacity.
147. TfL have raised no objections on this point but would anticipate contributions to be made via the Section 106 in respect of the new Northern Line ticket office. London Underground has requested that a condition be imposed to deal with the specific construction constraints arising from developing within close proximity to the underground station, this is referred to in the consultations section of the report.
148. Elephant and Castle SPD Policy 11 states that among other matters proposed development should;
- Make pedestrian and cycle connections in the surrounding area
  - Link new and existing public and open spaces creating a network of space that act as a focus for activity and draw people through the area.
  - Use existing and new landmarks and views to help direct pedestrians to key locations such as transport interchanges, public spaces and major roads, as well as providing good quality way finding signs that follow the principles of Legible London.
149. Cycle Super Highway 7 (CS7) runs immediately west and north of the site

along Ontario Street and Keyworth Street onto Southwark Bridge Road. There is a London Cycle Hire docking station on Ontario Street, which currently provides 15 hire bicycles.

150. The proposed development would result in an increase in cycle movements to and from the site particularly within peak hours. The applicants have agreed to a section 106 contribution of £100,000 towards cycle hire expansion. A payment of £10,000 is also agreed for Legible London signage.
151. In relation to pedestrian movement the proposal would create a colonnade alongside the public highway, which would permit unrestricted access by pedestrians except during one day closure per year that is aimed at precluding an assumed public right of way.. It is agreed with the applicant that there would be a plan setting out the area of occupation for any tables and chairs so as to safeguard ample space for pedestrians, including wheelchairs, and this would be secured by condition. The colonnade is shown on the plan below;



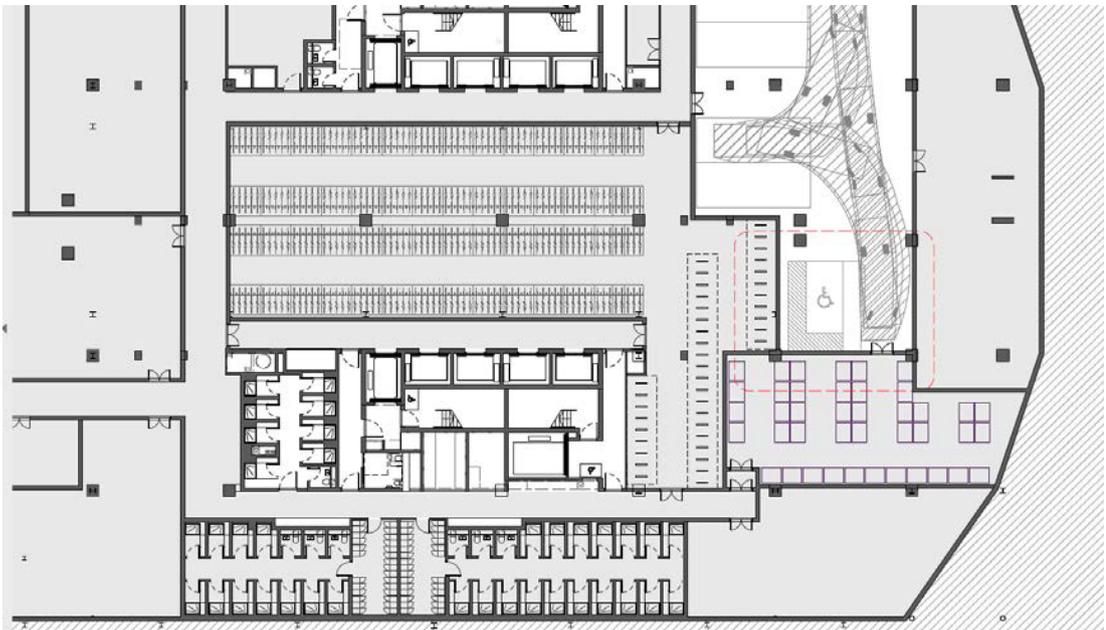
#### Access

152. Vehicular access to the site would be unchanged, from Ontario Street. The existing basement car park would be removed to accommodate LGV site servicing, cycle parking, waste storage and staff changing and shower facilities.
153. The basement cycle parking will be accessible via the existing basement ramp and is directly linked to the adjacent CS7. A cycle lane will be demarcated on the ramp to encourage separation between service vehicles and cycles. Cyclists will have their own point of access to the building.

#### Car Parking

154. The proposed development would be car-free, as it fulfils the criteria for dedication as such, including the excellent public transport accessibility level in this area.
155. Originally no wheelchair parking was provided, as was the case with the 2015 scheme, however following advice a disabled parking bay was added within the basement. This was considered acceptable. In addition a dropping-off space for wheelchair users would be located at the southern end of Ontario Street, which will have a level access into the ground floor of the building.

#### Wheelchair parking space



#### Cycle Parking

156. The development would incorporate secure and covered on-site parking for cyclists with 622 long stay cycle parking spaces on the basement and ground floor levels. The cycle parking will be directly accessible from CS7. Short stay cycle parking will be provided externally, on the highway and in the immediate vicinity of Skipton House, this will form part of the S278 works.

#### Servicing

157. The existing basement has a height restriction of 3.225m, therefore larger HGVs will service Skipton House from Ontario Street. as they do currently. Servicing currently takes place on street with no timing restrictions. The applicant has indicated that they are willing to accept a condition to restrict HGV service vehicle movements so that they are not permitted to arrive on

site before 09:30 and not permitted to service Skipton House after 17:00. Details of this servicing arrangement would also be subject to conditions discharging the Delivery Service Plan, which would be subject to consultation with TfL

158. No restriction would be imposed upon light goods vehicles delivering to Skipton House with these vehicles to being directed to use the proposed basement loading bay  
Refuse
159. In response to comments from the council, a waste store has been provided at ground floor level. The waste stores have been designed on the basis of a daily collection.
160. In combination, the ground and basement storage areas provide sufficient space to accommodate in excess of 90 Eurobins. In terms of the requirements for waste storage fewer than 40 Eurobins would be required to be collected on a daily basis from the Skipton House, meaning that the development will be provided with an excess level of storage. Both the basement store and the ground level store are sufficiently sized to accommodate one day of waste generated by the development. The revisions proposed have been agreed with the relevant LBS officers.
161. The ground floor storage area will be accessible from Ontario Street, with access to the bin store located less than 10 metres from the highway. Eurobins will be moved from the basement floor to the ground floor for collection.

#### Travel Plan

162. A framework travel plan has been submitted as part of the application. The design, nature location and layout of the development generally favours sustainable travel by workers and visitors to the site, save the wheelchair parking space and drop off.
163. Most of the vehicle movements will be associated with deliveries and servicing of the development. The travel plan must be delivered in conjunction with delivery, servicing and waste management arrangements. The Plan should aim to reduce the overall trips to the site, use of cargo bikes to replace smaller motorised transport trips. Reviews will be required after the initial 6 months of occupation and on an annual basis thereafter.

#### **Conclusion on Transport Matters**

164. The proposal will reduce private car travel by the removal of the parking bays in the basement. Improvements will also result from the restriction of on street HGV servicing to outside of peak hours and keeping LGV servicing within the site. The proposal would encourage cycling with ample spaces

provided as well as showering and changing facilities. It is considered that with appropriate conditions the proposal would support sustainable travel patterns whilst increasing the employment potential of the site.

### **Ecology and biodiversity**

165. Saved Policy 3.28 of the Southwark Plan requires that biodiversity is taken into account in all planning applications and encourages the inclusion of features which enhance biodiversity.
166. London Plan Policies 5.10 and 5.11 require green roofs and other green infrastructure to be incorporated within major schemes, this is reiterated within the New London Plan.
167. The site currently has a low ecological value when considering the footprint of the existing buildings, the extent of hardstanding and intensively managed amenity landscape being present on the site. A habitat study undertaken found only some ecological value provided by the mature and semi mature street trees around the site. It was recommended that as many trees as possible be protected and that any trees lost should be replaced through new planting.
168. In addition to the external landscaped area there would be a large winter garden provided in the atrium to incorporate natural elements into the building, enhancing the quality of the spaces. This large winter garden will be supplemented by smaller planted balconies on the upper floors of the proposed development. A biodiversity champion is proposed to be appointed to monitor and limit environmentally detrimental activities as well as training the workforce on the project to raise awareness of environmental impacts during construction.



*7<sup>th</sup> floor winter garden*

### Trees

169. There are 14 trees within the application site and 9 trees within close proximity of the site. The proposal would result in the loss of two trees to the south of Ontario Street. Both species are Tree of Heaven, one is a category C tree (T17) and one a category B tree (T18). T17 has a large tear wound at 3 m, with a limited crown and lifespan. T18 is classified as a category B tree, however this is due to its location in a heavily built up environment with a limited tree presence rather than the inherent qualities of the tree itself. It is assessed as having a heavily asymmetric crown form with poor form and potential.
170. The proposal would introduce new landscaping within the public realm which would include feature benches and plinths with a new planting area proposed along Newington Causeway. A contribution of £32,819 has been calculated to offset their removal based on the CAVAT calculation methodology. This would be included within the terms of the S106 Agreement.

171. The winter garden would provide an additional opportunity for planting, comprising mainly of shrubs and small trees.

### **Air quality**

172. The majority of the borough, including the application site, is within an Air Quality Management Zone due the significant presence of traffic generated pollutants. As a result, developments are required to take account of any impacts upon air pollution as a result of, and during construction of, a proposed development.
173. There are potential adverse impacts upon local air quality during the construction phase, particularly from dust generation and additional construction traffic vehicle movements. However, these would be temporary in nature and can be mitigated as far as possible through measures secured as part of the Construction Environmental Management Plan. During this phase it is not expected that that the volume of construction traffic from this development, or combined with other construction sites, would have a significant adverse impact upon local air quality when compared with existing traffic flows in the area. The mitigation measures proposed to offset the generation of dust include procedures such as vehicle wheel washing, screens, water spraying and regular monitoring. These measures would be implemented as part of the Construction Environmental Management Plan (CEMP).
174. The development is considered 'neutral' in terms of air quality for both building and transport emissions, as the proposed development would be car free, with the exception of one disabled parking space. The removal of 77 car parking spaces from the development is a positive aspect of the proposals, and would offset the increase in service traffic serving the extended building.

### **Wind**

175. The Pedestrian level wind and microclimate assessment has reviewed the implications of the proposal on wind conditions within and immediately surrounding the site, and the suitability of these in relation to pedestrian comfort and safety. For the completed development, all tested locations on the ground and elevated levels are predicted to be suitable for their intended use (i.e. sitting, standing, and walking). One entranceway, (251) was found to be windier with a comfort exceedance in the baseline scenario and not as a result of the proposed development.

### **Archaeology**

176. Policy 3.19 of the Southwark Plan requires an archaeological assessment and evaluation to be submitted for planning applications affecting sites within

the Archaeological Priority Zones (APZ). The eastern half of the application site lies within the Kennington Road and Elephant and Castle APZ and, accordingly, a desk-based archaeological assessment of the site had been undertaken as part of the previous application.

177. The previous documentation demonstrated that the site has a low to moderate potential to contain localised archaeological remains, particularly at the edges of the site which are unaffected by the existing basements associated with the current buildings. Officers are satisfied that appropriate archaeological mitigation measures can be secured by conditions. With such measures in place, the residual impacts of the proposed development both during demolition, construction and when operational are considered to have a negligible impact on archaeological remains.

### **Flood risk and surface water run-off**

178. Strategic Policy 13 of the Core Strategy allows development to occur in the protected Thames flood zone as long as it is designed to be safe and resilient to flooding. The policy further requires major development to reduce surface water run-off by at least 50%.
179. The site lies within Flood Zone 3, in an area benefitting from River Thames tidal defences. A Flood Risk Assessment (FRA) has been submitted with the application. The FRA provides a sequential test for the development and proposes preparing a Flood Warning and Evacuation Plan.
180. In respect of surface water run off, the proposed development includes the harvesting of grey water and is generally considered to meet the requirements of the London Plan Policy 5.15 and Draft London Plan Policy S15.

### **Sustainability and Energy**

181. The London Plan Policy 5.2 sets out that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: Be lean (use less energy); Be clean (supply energy efficiently); Be green (use renewable energy). This policy requires major commercial development to achieve a carbon dioxide improvement of 35% beyond Building Regulations Part L 2013, as specified in Mayor's Sustainable Design and Construction SPG.
182. Policy 5.3 states that developments should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process. London Plan Policy 5.7 states that major development should incorporate on-site renewable energy generation, wherever feasible.

183. Strategic Policy 13 of Core Strategy states that development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change.
184. An energy statement has been submitted which provides an initial assessment of the energy demand and carbon dioxide (CO<sub>2</sub>) emissions from a baseline building and estimates the expected energy and CO<sub>2</sub> emissions savings associated with the proposed development. This sets out that the proposed development will reduce carbon emissions by 36% just above the 35% improvement beyond Buildings Regulations Part L 2013.

Be lean (reduce energy demand)

185. This would be achieved by incorporating passive and active measures:
- High efficiency lighting with occupancy sensors and daylight dimming;
  - Maximising daylighting to reduce artificial lighting loads and drive down electrical loads
  - Low fabric u-values and air permeability rates. To reduce heat loss.

The methods adopted would lead to a 15% saving in energy demand.

Be clean measures (supply energy efficiently)

186. From the earlier application, initial discussions were held with Lendlease and E.ON about opportunities for connection to the district heating network served by the Energy Centre at Elephant Park. The outcome of these discussions suggest that it would be more practical and viable for that system to connect to other developments closer to Elephant Park prior to connecting to Skipton House, but that there might still be an option to connect to Skipton in the future. An appropriately worded section 106 clause will be used to secure a future connection to the District Wide Heating Network should it arise.
187. The scheme will produce heat via on-site premium efficiency boilers. The proposed gas boiler and service hot water plant located in the basement will serve the entire development.

Be green measures (use renewable energy)

188. The report submitted identified photovoltaics (PV) and heat pumps as the most feasible technology. The provision of 400 PV panels is proposed on the roof of the office. The potential for heat pumps as a low carbon option for heating water has since been added. This would give a 21% saving, which together with the savings from energy demand, (15%) equate to a 36% cumulative saving.

189. Taken together, the Be Lean, Be Clean and Be Green measures would achieve a total carbon reduction of 36%, with 21% of the savings made through renewable energy. Taking into account SAP10 the proposal would exceed the requirements of the policy.

### **Other sustainability matters**

190. BREEAM

The measures proposed would result in the provision of a BREEAM (excellent) rating for the Gym and office block, whilst the smaller retail units will result in a BREEAM (very good) rating.

### Cooling and overheating

191. Policy 5.9 of London Plan states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy:

1. minimise internal heat generation through energy efficient design
2. reduce the amount of heat entering a building in summer through orientation, shading, fenestration, insulation and green roofs and walls
3. manage the heat within the building through exposed internal thermal mass and high ceilings
4. passive ventilation
5. mechanical ventilation
6. Low carbon active cooling systems (ensuring they are the lowest carbon options).

192. The proposed measures to reduce the overheating risk and demand for cooling include the following:

- Minimising use of artificial lighting through efficient design
- Internal light fittings controlled by daylight and /or occupancy sensors.
- Provision of external shading to block solar heat.
- Use of underfloor air distribution system.
- High level openings at the winter garden and the central atrium, as well as perimeter balconies on upper floors to purge heat passively.
- Mechanical ventilation with energy recovery wheels.
- Increased ventilation rates that deliver free cooling for extended periods.

### **Planning obligations (S.106 undertaking or agreement)**

193. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advises that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the

Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be

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

194. Following the adoption of Southwark's Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

Planning Obligation	Mitigation	Applicant Position
Archaeology	£11,171	Agreed.
Employment during construction	39x Unemployed Borough Residents in sustained construction employment 39x Borough Residents trained in Short Courses 9x Construction Industry Apprenticeships or NVQ Starts or make a payment of £187,050	Agreed
Employment in the development	Provide 136 sustained jobs for unemployed Southwark residents made up of (129 B1) (7 A1) or make a payment of £567,600	Agreed
Transport for London	The applicant must pay for the re-location of the cycle hire docking station as well as an additional 49 cycle docking spaces (£100,000). A	Agreed.

	contribution will also be required for updated/new legible London signage. (£10,000).	
Transport for London	Northern Line station ticket hall improvements £769,500	Agreed.
Trees	CAVAT calculation for the removal of two trees £32,819	Agreed.
Bus Contribution	£90,000 x 3 years £270,000	Agreed
Delivery and Servicing Management Bond	£22,138	Agreed

195. In addition to the financial contributions the legal agreement will also secure:
- An employment, skills and business support plan
  - Employment in construction / completed development provisions including fall-back contribution if targets not met
  - Provision of Affordable Retail and B1 office Space, as detailed in drawing reference (13550-A-L01\_SK2)
  - Parking Permit Exemption
  - Construction Environmental Management Plan;
  - Construction Logistics Plan;
  - Site Wide Energy Strategy;
  - Tables and chairs location Plan;
  - Landscaping and public realm improvements delivery strategy, including s278 works;

The agreement will also secure an admin charge of 2% of the total contributions.

196. In the event that an agreement has not been completed by 12 March 2021, the committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

In the absence of a signed S106 legal agreement there is no mechanism in place to mitigation against the adverse impacts of the development through

contributions and it would therefore be contrary to 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 the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

197. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail. While Southwark's CIL will provide for infrastructure that supports growth in Southwark.

### **Community involvement and engagement**

198. The developer undertook consultation with the local community (resident/business/stakeholders) prior to submission of the application.
199. A public exhibition was held at Avonmouth House on 29 October 2018 between 16:00 and 20:00. The exhibition was advertised via 4,913 letters to local residents and key stakeholders.
200. Prior to the public exhibition the applicant held stakeholder meetings with London South Bank University Business Development Manager. It was considered that a partnership arrangement could be achieved with the offer that South Bank might be able to facilitate employment and apprenticeship opportunities.
201. The applicant also met with Councillor Johnson Situ, as cabinet member for growth, planning and housing.
202. As part of its statutory requirements the Local Planning Authority 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. Details of consultation and any 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 external consultees**

203. Summarised below are the consultation responses raised by external consultees, along with an officer response:

Environment Agency: No objections.  
Response: Noted.

204. Greater London Authority: The GLA fully support the proposed land use and the provision of affordable workspace. In heritage terms the GLA consider that there would no harm to heritage assets.

Response: The proposed affordable workspace would be secured via a legal agreement. Additional information was submitted to address the GLA concerns around flood resilience and the supplementary information was considered acceptable to fully address any previous concerns.

London Underground: No objection in principle subject to conditions

205. The following issues were raised by TfL in respect to the transport matters for the proposed development:

- The footway width on London Road resulting from the Skipton House development;
- Landscaping within the highway and its impact on pedestrian amenity;
- The provision of a colonnade on the site's London Road frontage;
- Potential conflict between HGVs and users of the Cycle Superhighway 7;
- Strategy for refuse collection and servicing;
- Car parking for use by disabled badge holders;
- The impact of the development on highway trees on London Road and Ontario Street; and
- S106 Contributions.

Following further information provided by the applicant, TfL raise no objections to the application subject to conditions and contributions towards an increase to the existing cycle hire docking station, the new Northern Line ticket hall and towards legible signage.

**Response:** The applicant has responded to the comments raised by TfL and agreed to the contributions and to provide further information for approval by TfL as required.

206. Metropolitan Police: Raise no objections; confident that the proposal will be able to obtain secure by design status.

**Response:** This will be added as a condition to any planning permission.

207. Thames Water: No objections raised in respect of waste. In relation to water, the development is located within close proximity to a strategic water main it is recommended that an informative advising of the need to refer to their guidance on development close to Thames Water assets.

**Response:** Noted.

208. Historic England: No comments to make refer to Council's own conservation specialist.

**Response:** Noted.

### **Consultation response from neighbours and representees**

209. In response to public consultation, a total of 25 responses have been received. Of these, 22 were in objection and three were general comments in respect of the application. Summarised below are the objections raised by members of the public with an officer response:

210. Objection – The development would result in a harmful loss of daylight and sunlight to nearby residents.

**Response** – The report sets out that the proposed extension to the building will result in some loss of amenity to nearby dwellings. However, the daylight and sunlight assessments demonstrate a 91.9% compliance with the vertical sky component, and a 97.4% compliance with the daylight no sky line test. The impacts in terms of sunlight are largely confined to Eileen House and Metro Central Heights North Block, the majority 88.5% of the rooms assessed will satisfy the BRE guidelines in terms of daylight and sunlight. Whilst adverse impacts have been identified at some properties they are not considered to be significantly adverse, and generally do not impact upon principal living accommodation and would not detrimentally harm residential amenity or room functionality.

211. Objection – Loss of privacy / view, the proposal would require us to close our curtains to maintain privacy and block our views.

**Response** – Planning does not protect private views. With regards to privacy, this is dealt with in the officer report. Overall it is considered that there would be sufficient distance maintained between the Skipton House and the adjoining buildings, the closest of which are not in residential use, with substantially more distance maintained between the proposal site and the closest residential buildings.

212. Objection – The development would cause considerable disruption to a number of residential blocks which will be disturbed by both the short-term noise and dust from the demolition and construction phases, as well as long term by increase in traffic and people. Support the refurbishment of the existing building but not the additional floors.

**Response** – All developments cause a degree of disturbance during their construction as a result of associated demolition, site clearance and construction works. These types of disturbance are generally unavoidable in

order to allow development to take place however they are short term and temporary and can be effectively managed by condition. The applicant would be required to submit a Demolition and Construction Environmental Management Plan and a Construction Logistics Plan in advance of any work taking place in order to ensure that any potential for disturbance can be managed and minimised. The retention of the building structure, rather than wholesale redevelopment, would reduce the impact from vehicles associated with demolition and construction. Once the development is complete it is not anticipated that there would be any adverse impacts as the scheme would be car free, as a largely office building there would not necessarily be large number of people visiting the site during the evenings or at weekends such that would diminish residential amenity.

213. Objection – Large commercial vehicles will cause additional traffic while accessing the site. There would be a potential danger to cyclists and pedestrians due to this. No specific consideration has been given to the current plans for the Elephant and Castle redevelopment, which will impact traffic in the area.

**Response** – TfL are the highway authority responsible for the roads and cycling routes within the immediate area. As a central body they will have sight of and manage the traffic implications from all developments within the locality. Specific to this scheme, issues raised around pedestrian comfort have been addressed by the applicants and the delivery and servicing plan, which will be secured by condition and determined in consultation with TfL, will contain specific measures to protect cyclists' safety.

214. Objection – The absolute massing and the proposal's failure to accommodate surrounding buildings is disappointing. There has been little or no attempt to reduce the impact of this development, instead the pursuit of floorspace has compromised the design and the way it would sit in the environment.

**Response** - The scale and massing of the proposed building would not be harmful and is not considered to be inappropriate in this location. It should also be recognised that the earlier version of the scheme was substantially taller than the current application. The overall building design is considered to improve the appearance of the building and this has been a view taken by the Design Review Panel and the GLA.

215. Objection – Support for the refurbishment of the building but question the need for more office space, so object to the extension, there is already too much development in the area this will add to the disruption

**Response** - The area would benefit from new retail, gym and office space. These uses are welcomed within this central location and are part of the council's overall objective to increase employment opportunities within the Elephant and Castle area.

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

216. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
217. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
218. 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.
219. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

220. 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.

221. This application has the legitimate aim of providing new offices and retail opportunities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

**Positive and proactive statement**

222. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
223. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

<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
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	NO

**CONCLUSION**

224. The principle of refurbishing and extending the existing Skipton House to provide additional office space is supported by current and emerging planning policy. The development would provide new employment opportunities, and the new retail space would enliven a currently inward-looking façade at an important approach to the Bakerloo station entrance. The uses, and the enhanced business offer, would support the council's objective of consolidating the Elephant and Castle as a Major Town Centre.

225. The development is in an appropriate location for a tall building, being centrally located at the heart of Elephant and Castle Opportunity Area. Officers are satisfied that the proposal is of the highest architectural standard, furthermore, the proposal provides an appropriate response to context and would not harm the character or setting of the nearby conservation areas or listed buildings. Careful consideration has been given to the impact of the proposal on townscape views, and the impact of the increased height is not considered to cause harm to nearby listed buildings or surrounding conservation areas.
226. It is recognised that the development of this size and scale has the potential for localised environmental impacts. Following mitigation measures, there are likely to be some adverse impacts association with the construction phases but these impacts would be short term. The extent of the impacts are limited to some extent by the decision to retain and re-use the core building structure. The development would result in some adverse impacts to the daylight and sunlight of a number of properties closest to the site. However the impacts would not amount to such significant harm that would justify the refusal of planning permission on those grounds.
227. Other policies have also been considered but, as set out in the report, no impacts and/or conflicts with planning policy have been identified that couldn't adequately be dealt with by planning obligation or condition. Having regard to all the policies considered and any other material planning considerations it is recommended that planning permission is granted subject to conditions and the completion of a legal agreement, and referral to the Mayor of London.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2168-693 Application file: 18/AP/4194 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5513 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendations

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Sonia Watson, Team Leader Major Applications Team	
<b>Version</b>	Final	
<b>Dated</b>	19 October 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, 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>		20 October 2020