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Item No. 6.1	Classification: Open	Date: 21 November 2020	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 20/AP/1537 for: Full Planning Application Address: BLACKFRIARS CROWN COURT, 1-15 POCOCK STREET, LONDON, SOUTHWARK, SE1 0BT Proposal: Development of site, involving part demolition, alterations and extensions to the existing building and basement, including the change of use from Class D1 to Class B1, to provide a seven-storey building with rooftop pavilions comprising: office floorspace (Class B1); retail spaces (Class A1); a cafe (Class A3); a restaurant (B1/A3); a bar (Class A4/B1); leisure uses including a publicly accessible roof terrace (Class D2); other external amenity spaces and landscaping; a new entrance on Loman Street and route through the building; plant, and; other associated works.		
Ward(s) or groups affected:	Borough & Bankside		
From:	Director of Planning		
Application Start Date	03.06.2020	Application Expiry Date	02.09.2020
Earliest Decision Date	09.07.2020	PPA End Date	Spring 2020

RECOMMENDATION

1.
 - a) That full planning permission be granted for 20/AP/1537, subject to conditions, referral to the Mayor of London, and the applicant entering into a satisfactory legal agreement.
 - b) That in the event that the legal agreement is not been entered into by 22 March 2021 the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 372 of this report.

EXECUTIVE SUMMARY

2. Located east of Great Suffolk Street and west of Southwark Bridge Road, the application site is in the Central Activities Zone, an Opportunity Area and the Borough and Bankside District Town Centre. It is occupied by a four-storey former court building which, having been deemed surplus to requirements by the Ministry of Justice following a consolidation of their property portfolio, has stood vacant since late 2019. Planning permission was recently granted (19/AP/7572) to change the use of the existing building to offices. Although not within a Conservation Area, the site is close to and thus affects the setting of the King's Bench, Union Street and Liberty of the Mint Conservation Areas. Other nearby heritage assets include 55 Great Suffolk Street and the London Fire Station, which are both Grade II listed.
3. The developer—who has brought forward other developments in Southwark including the Binary Building and the Bottle Factory—proposes to demolish the majority of the existing court building leaving the original walls and staircores in place, and extend upward to provide a building of seven storeys with additional rooftop structures. The proposed development would deliver a substantial quantum of Grade A office floorspace, retail/dining uses, and a range of new community spaces in the form of an auditorium, pavilion and landscaped garden terrace. The application also proposes a new publicly-accessible central route at ground floor level housed in a full-height atrium, together with hard and soft landscaping improvements around the building's perimeter.
4. 27 members of the public have commented on the application. Three objected, one made a neutral comment and 23 expressed support for the proposals. The main material planning considerations raised by the three objections were:
 - housing for local people would be a more appropriate form of development and less harmful to the quality of life of surrounding existing residents;
 - the building is of an excessive height and would inappropriately further densify this part of the borough;
 - harmful impacts on neighbours' amenity, including loss of daylight/sunlight; infringed privacy and increased noise from the use of the proposed building.
 - worsened local wind and micro-climate conditions;
 - increased pressure on the local highway network and parking; and
 - increased footfall on the local pedestrian network.
5. With the applicant having evidenced that sufficient capacity exists elsewhere in Southwark and across London for court activities, the existing Class D2 building can be released for an alternative appropriate use. The new office

floorspace is appropriate given the site's CAZ and town centre designations, and 10% of the new office space would be offered as affordable workspace. The main office use would be complemented by a range of retail/dining and community uses which would bring active frontages and generate additional day and evening activity, while the central ground floor route through the building would make a significant contribution to local pedestrian permeability.

6. The proposal is to be commended for its sustainable design and exemplary incorporation of greening. The design approach includes retaining and repurposing as much of the existing structure as possible, using sustainably sourced cross laminated timber (CLT) and highly recycled steel to provide the new building frame, and optimising passive technologies to ventilate, light and thermally regulate the internal spaces. The building would be of a comfortable scale for its context, with a rich and dynamic architectural design, while the rooftop gardens and pavilions would combine to create a characterful and engaging roofline. The high standard of architecture and urban design would significantly improve the local townscape, while also preserving the character and setting of nearby heritage assets.
7. The proposal would result in substantial adverse daylight and sunlight impacts to a number of nearby residential windows, which should be accorded weight in determining the application. The main body of the report sets out in detail the degree of impact and the mitigating factors. In respect of outlook and privacy impacts, the report sets out why the separation distances between the development and surrounding dwellings are considered adequate.
8. The proposed pavilion and garden terrace, both of which would be free-to-access by the general public, would provide opportunities for informal socialising, gardening, growing and educational programmes. Further social infrastructure would be provided by an auditorium at ground floor level, which would offer 50% of the time slots to community groups, not-for-profit and cultural projects at a discounted price. Other roof spaces would be used as outdoor space for the office tenants, or for restaurant/dining use. In combination these rooftop facilities would create a unique and attractive modern office offer, while also providing significant and enduring public benefits.
9. As the report explains, the proposal would make efficient use of a substantial under-utilised site to deliver a high quality and sustainable development that accords with the Council's aspirations for the area. In addition to the economic benefits brought by this proposal, such as the significant uplift in office space and attendant job creation, a range of financial contributions will be secured to offset the impacts of the development and assist with local and London-wide infrastructural investment.

BACKGROUND INFORMATION

Site location and description

10. The application site is a 0.58 hectare rectangular-shaped plot of land located in the Borough and Bankside ward. It is bounded by:
- Loman Street to the north;
 - Sawyer Street to the east;
 - Pocock Street to the south; and
 - Two buildings (55 Great Suffolk Street and The Bacon Factory) to the west, beyond which is Great Suffolk Street.

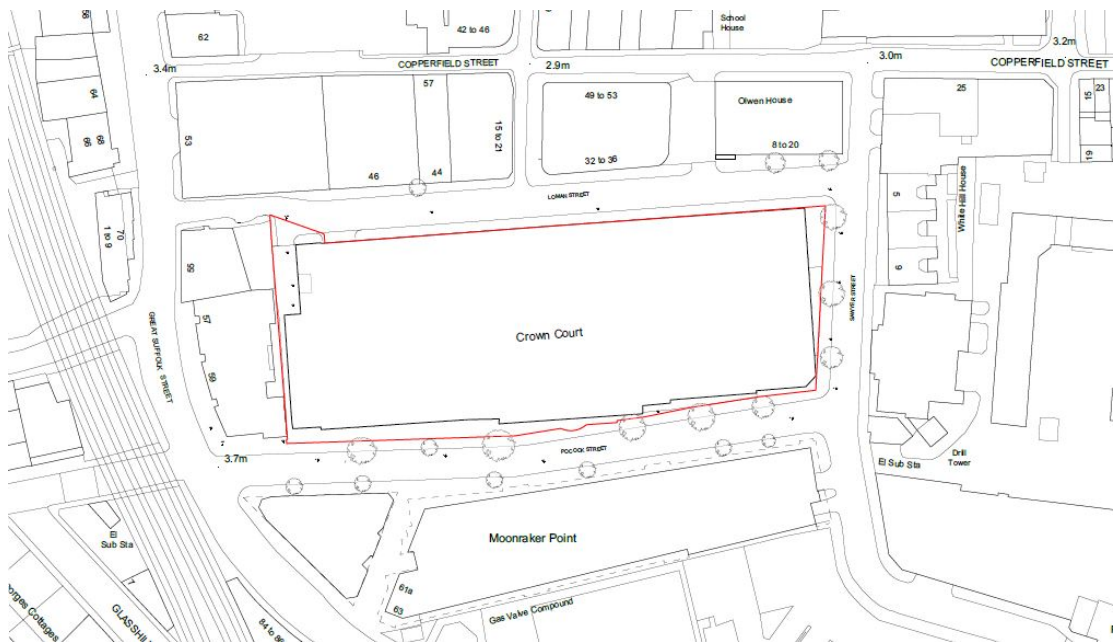


Figure 1 (above): Site location plan, showing the site boundary edged in red.

11. The site is currently occupied by a building ranging in height from two to four storeys, with one further storey at basement level. The building was originally constructed in the immediate post-war period for use as a printworks by HM Stationary Office. In 1993 it was refurbished to become Blackfriars Crown Court. Following the closure of the Court in December 2019, the Ministry of Justice disposed of the site as part of the rationalisation of their portfolio. The building comprises 14,459 square metres of Class D1 floorspace.



Figure 2 (above): View of the existing Blackfriars Crown Court building, as seen looking westwards along Loman Street.

12. The surroundings are varied in terms of land use and building height. The buildings to the north of the site lining Loman Street are all in commercial use and are between two and five storeys high. Along the northern half of Sawyer Street, where buildings range from two to six storeys, there is a mixture of residential and commercial uses. The southern half of Sawyer Street bisects the site of the former Southwark Fire Station , which is currently undergoing development: on the eastern plot a new secondary school and flats rising to a maximum of 10 storeys is being constructed, while the western plot will provide the outdoor sports and leisure space for the school and local community, including a sports hall building broadly equivalent to three residential storeys. Pocock Street, to the south of the application site, is lined by two student housing blocks: the first, 61A Great Suffolk Street occupies a triangular plot and is ten-storeys while the other, Moonraker Point, is a much longer 'slab' block ranging from eight to ten storeys. Enclosing the application site along its western boundary are the Bacon Factory, a seven-storey building comprising commercial uses at ground level with residential units on the floors above, as well as a currently vacant five-storey warehouse at 55 Great Suffolk Street.
13. Victorian warehouses and modestly-proportioned historic industrial buildings are a common feature of the vicinity, and are reflective of the medium-rise nature of the site's immediate context. Further to the north of the site, in the area beyond the railway line connecting London Bridge to Waterloo, the character changes markedly and features much more intensive high-rise development. Approximately 400 to 500 metres to the northwest of the site is Blackfriars Road, where a pattern of taller buildings is also emerging.



Figure 3 (above): Aerial view of the site and immediate surroundings, looking southwestwards. The site is shown edged in red.

14. The site falls within:
 - Central Activities Zone (CAZ);
 - Bankside, Borough and London Bridge Opportunity Area;
 - Bankside and Borough District Town Centre;
 - Better Bankside BID Area;
 - “North West” Multi-Ward Forum Area;
 - Flood Zone 3 (in an area benefitting from flood defences);
 - Air Quality Management Area; and
 - Community Infrastructure Levy Charging Zone 2.
15. Once the New Southwark Plan has been adopted, the site will also be subject to the following designations:
 - South Bank Strategic Cultural Quarter.
16. In respect of heritage designations, the site contains no listed structures and is not within a Conservation Area. Although the site is not within an Archaeological Priority Zone, when the New Southwark Plan is adopted the site will adjoin the North Southwark and Roman Road Archaeological Priority Area, as its boundary would run along Sawyer Street and Loman Street.
17. The nearest Conservation Area is King’s Bench, the boundary of which is at its closest point approximately 50 metres from the application site. In views along Pocock Street, the site and King’s Bench Conservation Area can be seen in the same viewframe. Other Conservation Areas that the site affects the setting of are Union Street and the Liberty of the Mint, both to the east of the site at approximate respective distances of 75 metres and 125 metres.

18. There are two listed buildings within close proximity to the site. These are 55 Great Suffolk Street [Grade II listed, status awarded 13 February 2009] to the west of the site and the London Fire Station [Grade II listed, status awarded 17 September 1998] to the east of the site. The site can be seen in the same context as both of these listed structures, and as such affects their setting. Other listed buildings further from the site but whose setting has the potential to be affected by the proposal are Drapers Almshouses [Grade II listed, status awarded, 2 March 1950], Gables Cottages [Grade II listed, status awarded 8 October 1973] and the Welsh Congregational Chapel [Grade II listed, status awarded 17 September 1998].
19. The site is not within any London Strategic Viewing Corridors or any of the Borough Views defined by the New Southwark Plan.
20. The Pocock Street and Sawyer Street footways adjacent to the site host nine trees. Three are Category A (highest quality) trees, two are Category B (moderate quality) and four are Category C (low quality).
21. With respect to transport designations, the application site is:
 - Within PTAL Zone 6B, meaning it has the highest possible public transport accessibility level;
 - Within two Controlled Parking Zones (Zone C1, operational between 08:00hrs-18:30hrs Monday to Friday and 09:30hrs-12:30hrs Saturday and Zone C2, operational 08:00hrs-18:30hrs Monday to Friday);
 - Within 5 metres of numerous permit holder parking bays (on Pocock Street, Sawyer Street and Loman Street); and
 - Within 5 metres of dedicated disabled bays (on Pocock Street and Sawyer Street).
22. Southwark underground station lies approximately 400 metres to the west of the site, while Borough underground station can be found to the east at a similar distance. The two nearest stations offering mainline railway services are Waterloo, 700 metres to the west, and London Bridge, 750 metres to the east. Regular bus services operate along Blackfriars Road, Southwark Street and Southwark Bridge Road. The pedestrian routes around the application site provide easy access to the bus stops and underground stations.
23. Four dedicated cycle lanes exist nearby: Cycle Superhighway 7 on Southwark Bridge Road, Cycleway 6 on Blackfriars Road, Cycleway 4 on Union Street and Quietway 1 on Webber Street. There are Sheffield stand facilities on Risborough Street, Loman Street, Pocock Street and Sawyer Street which together provide in excess of 50 cycle spaces. Within 50 metres of the site on Great Suffolk Street there is also a Santander docking station.

Details of proposal

24. Full planning permission is sought to redevelop the existing building to provide an eight storey office-led scheme with one further storey of accommodation at basement level. The redevelopment would entail demolition of the majority of the existing building, leaving the basement and the original printwork walls and staircores in place. Accounting for rooftop plant, the proposal would stand 41.78 metres AOD high at its maximum point.



Figure 4 (above): Bird's eye visualisation of the proposal, taken from the junction of Sawyer Street and Loman Street looking southwestwards.

25. The development would deliver:
- 32,578 square metres of Grade A office floorspace (Class B1), of which a 3,302 square metre portion would be affordable workspace, together with rooftop landscaped amenity areas for office tenants;
 - a 1,465 square metre publicly-accessible route at ground floor level, housed within a seven-storey high atrium;
 - up to five 'micro' retail enterprise units (Class A1) within the publicly-accessible route;
 - a 482 square metre café (Class A3) at ground and first floor levels;
 - a 174 square metre community auditorium (Class D2), offering a 50-seat capacity for events and exhibitions, at ground floor and first floor levels;
 - a rooftop community facility (Class D2), comprising;
 - an entrance pavilion incorporating a large open-plan space for general recreation, informal meetings and teaching/educational

purposes;

- a landscaped garden terrace with food growing facilities;
- a potting shed, intended to be used as a seed bank and for the storage of gardening equipment;
- a staircase for departing visitors, taking them from the potting shed down to the street level;
- a 166 square metre rooftop café-bar (Flexible Class B1/A4) with outdoor seating area, for use by office tenants during working hours but open to the public outside of these times;
- a 279 square metre rooftop restaurant (Flexible Class B1/A3) with outdoor seating area, available for public hire in the evenings and at weekends but otherwise exclusively for use by office employees;
- a small rooftop swimming pool ancillary to the restaurant; and
- associated provision of cycle parking, refuse storage, on-site disabled parking and servicing facilities.

26. The proposed building would occupy the same footprint as the existing Crown Court. The original brick towers would be retained and incorporated into the new building as a means of visually subdividing the new building form within views along Pocock Street and Loman Street. The perimeter wall of the original printworks would also be retained and re-imagined as a 'plinth' to the new storeys above. New glazing and openings would be inserted into the perimeter wall to create a less defensive and more interactive street-level condition.



Figure 5 (above): Visualisation looking eastwards along Pocock Street. The retained brick walls of the original Court building, with sections of glazing inserted, form a 'plinth' to the new storeys above.

27. Each of the new storeys above the 'plinth' would exhibit a distinctive outward

expression, produced through a variety of projection depths and finishing materials, creating a tiered building form. Along the eastern and western boundaries, the fifth and sixth floors would be stepped-back from the storeys below, creating a 'shoulder line' at the threshold between fourth and fifth floor level.

28. Distributed across the three terracing rooftop levels would be a collection of barns and pavilions, as well a 'feature' raised metal drum (designed to mimic a water tower) close to the northeastern corner.



Figure 6 (above): Visualisation of the proposed east façade. A shoulder line is created by the stepped-back nature of levels 04, 05 and 06, while the various pavilions, trees and raised metal drum give the building its eccentric roof profile.

29. A wide-ranging palette of facing materials is proposed. At ground floor level, additional texture would be added to the retained perimeter walls through new and reclaimed brickwork insertions. The new storeys from second to seventh floor, which make up the main body of the building, would be faced in new and reclaimed brick, timber, various metals including an obsidian green weathered aluminium, mesh and glazing. At rooftop level, the majority of the structures would be clad either in metal or timber, the exceptions being the two feature elements, the café-bar and raised drum, which would be clad in bronze and industrial grey aluminium respectively.
30. Greenery would be a central element of the building's character. It would be provided around the base of the building in a range of planting beds, at second floor level as cill planters, and on the three rooftop levels in the form of shrubs, lawns, balustrade planting and a number of new trees.

31. In terms of the building's internal layout, the basement would be split between office floorspace and a centralised 'back of house' facility comprising cycle and refuse storage facilities, servicing areas and other ancillary facilities. At ground floor level, the existing entrance on Pocock Street would be widened and a new entrance on Loman Street formed, together with the creation of a pedestrian route bisecting the building and connecting Pocock Street to Loman Street. Within this publicly-accessible central route would be up to five micro retail enterprise units. The route would be framed by the glazed frontages of the café, auditorium space and offices. The six floors above would be given over to office floorspace, with the glazed atrium at their core.

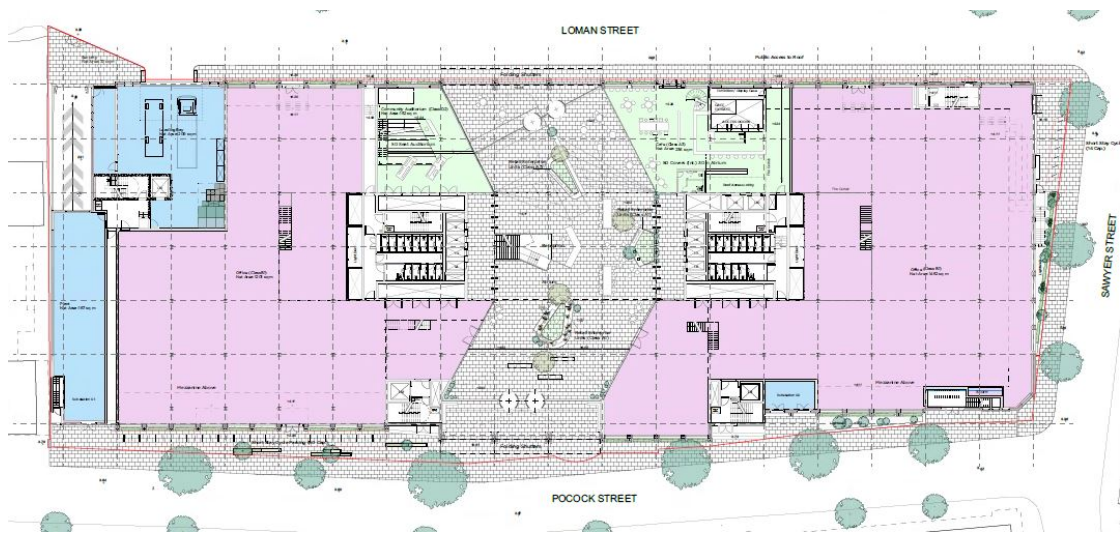


Figure 7 (above): Ground floor plan of the proposed building, showing the publicly-accessible central route, framed by the café, auditorium and office space.

32. The rooftop level would follow the general organisation of the floors below, being laid out in three zones. The western zone would be the "tenant wellbeing terrace", for exclusive use by the employees of the offices. It would include a range of internal office spaces within a landscaped terrace space, together with a single-storey plant room. The central zone would comprise the restaurant and café-bar, each of which would have an associated terrace for outdoor dining. The restaurant would be located on the southern part of the central zone and the café-bar on the northern part, separated by the glazed roof of the central atrium. Set within the atrium roof would be a small swimming pool, ancillary to the restaurant and equipped with a dedicated changing area. A collection of incidental meeting spaces (one housed within the raised metal drum) would be arranged around the north and east edges of the central zone, providing additional facilities for the office users. The eastern zone, which would be set two storeys lower than the western and central zones, would feature the community pavilion and community garden terrace.

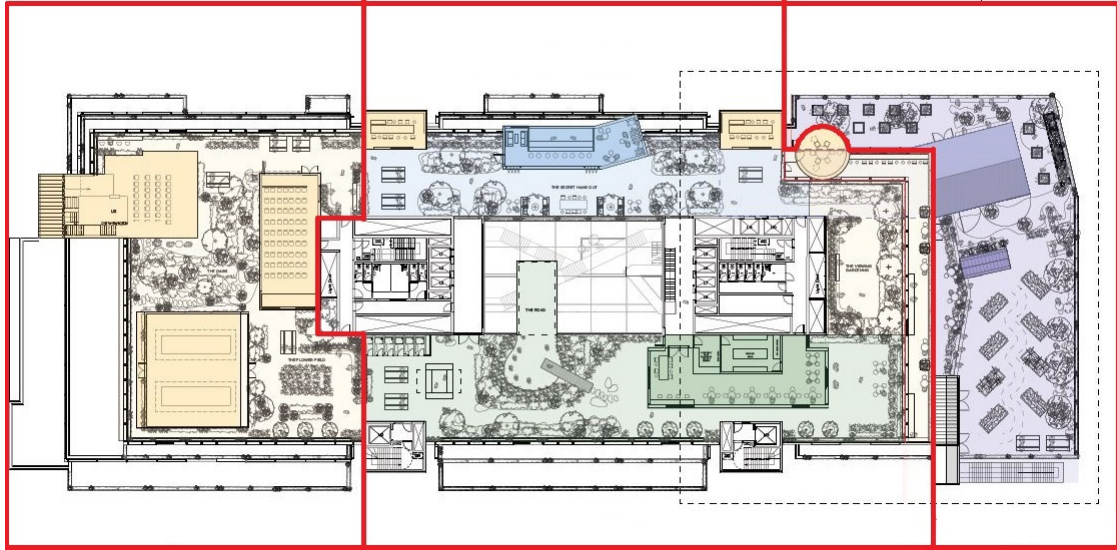


Figure 8 (above): Organisational arrangement of the rooftop, with the red line subdivisions showing the three (west, central and east) zones.

33. The community pavilion and garden terrace would be operated by building management, in a joint initiative with community partners or by a local non-profit organisation under lease from the building owner. The garden terrace would provide opportunities for relaxation, food growing and gardening. The pavilion, featuring a glazed gable façade oriented northeastwards to take advantage of views of the London skyline, would provide a flexible and multi-functional space to be used for informal socialising, community meetings, gatherings and education. Both the pavilion and the garden would be open seven days a week to the general public.



Figure 9 (above): Visualisation of the community garden terrace. The potting shed can be seen in the foreground to the left of the image, with the greenhouse to the right hand side with the pavilion immediately behind it.

34. Visitors would use a dedicated set of lifts to access the community pavilion and garden terrace. These lifts would be located in the ground floor café, accessible either via the central route or through a dedicated entrance on Loman Street. A completely separate set of lifts, accessible from the central route, would serve the offices on levels 01 to 06 of the building.
35. Public realm improvements around the building would include footway and carriageway resurfacing, the creation of new raised tables at key junctions, and the provision of short-stay cycle stands on the Sawyer Street and Loman Street footways. All nine street trees around the site perimeter would be retained and pruned as necessary.
36. At the western end of Loman Street the existing ramped vehicular access would be retained as part of the redevelopment, to become a dedicated entrance to the basement-level end-of-journey cycle facility. In connection with this, the kerbline at the western end of Loman Street would be built-out with a crossover to afford cyclists ease of entry and exit from the basement.
37. Servicing would take place on site from an internal loading yard, the entrance doors to which would be located at the western end of Loman Street in a broadly similar location to the existing loading yard. Two disabled parking bays would also be provided within the proposed loading yard.

Overview of proposed floorspace

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

Use Class	Floor(s)	Description of unit/space	GIA / NIA (sq. m)
B1 (office)	-01 to 06	Open-plan office floorplates and rooftop meeting spaces	24,161
	02 to 06	<i>External amenity terraces</i>	2,273
B1 (ancillary to office)		Storage, plant etc.	8,417
<u>Total Class B</u>			<u>34,851</u>
A1 (retail)	00	Retail enterprise units	51
A1 (ancillary to retail)		Storage, plant etc.	18
A3 (café)	00	Café	358

A3 (ancillary to café)		Storage, plant etc.	124
<u>Total Class A</u>			<u>551</u>
B1/A3 (flexi restaurant)	06	Rooftop restaurant	208
	06	<i>Rooftop restaurant terrace</i>	567
B1/A3 (ancillary to flexi restaurant)		Storage, plant etc.	71
B1/A4 (flexi café-bar)	06	Rooftop café-bar	122
	06	<i>Rooftop café-bar terrace</i>	384
B1/A4 (ancillary to flexi café-bar)		Storage, plant etc.	44
<u>Total Flexible Class A/B</u>			<u>1,396</u>
D2 (leisure)	00 to 01	Community auditorium	174
	04	Community pavilion, potting shed and greenhouse	353
	04	<i>Community garden terrace</i>	612
D2 (ancillary to leisure)	00 to 04	Storage, plant etc.	163
<u>Total Class D</u>			<u>1,302</u>
<u>TOTAL PROPOSED GIA and NIA (sq. m)</u>			<u>38,100</u>

Amendments

39. The applicant entered into extensive pre-application discussions with the Local Planning Authority. This included a presentation of the scheme to the Design Review Panel. Through the course of this pre-application engagement, the proposal underwent a number of changes. The evolution of the proposal is detailed in the applicant's Design and Access Statement, including (from page 65 onwards) the further design development that took place between the formal closure of the pre-application enquiry in May 2020 and the submission of the full planning application the following month.
40. The proposal has also undergone some changes during the application process, as summarised below:

- reduction to the height of the rooftop plant, reducing the maximum height of the building by 0.6 metres from 42.38 to 41.78 metres;
- incorporation of a waste holding room on the ground floor level;
- omission of the one proposed on-street disabled bay, and provision of two on-site disabled bays instead;
- omission of integrated street lighting, at the request of the Council's Highway Development Management Team, with the existing lighting columns to be relied on instead; and
- changes to the short-stay (on street) cycle storage.

Planning history of the application site

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

<p>Application reference no.: 19/EQ/0347 Application type: Pre-application Enquiry</p> <p>Development description: Pre-application enquiry for: the redevelopment of the site, involving the demolition of the majority of the existing Court building (Class D1), to provide an eight-storey office-led building comprising 32,560 square metres of Class B1 floorspace, a café (Class A3), three 'micro' retail spaces (Class A1), an events/exhibition space (Class D2), a rooftop community facility and garden (Class D2), a rooftop restaurant (Flexible Class B1/A3) and bar (Flexible Class B1/A4) arranged around an ancillary swimming pool, associated facilities (cycle parking, refuse storage, servicing etc), landscaping and public realm works.</p> <p>Decision: Pre-application Enquiry Closed Decision date: 13.05.2020</p>
<p>Application reference no.: 19/AP/7572 Application type: Full Planning Permission</p> <p>Development description: Change of use from existing Use Class D1 (Non-residential institution) to Use Class B1 (Office) with A1/A3 units on part of the ground floor, removal of first floor mezzanine and insertion of new first floor, external alterations to the existing building, including removal of existing steps and ramps to Pocock Street entrance to create a graded entrance, and associated works including the addition of roof terraces and planting at roof level.</p> <p>Decision: Granted with Legal Agreement Decision date: 27.07.2020</p>
<p>Application reference no.: 20/AP/0422</p>

Application type: EIA Scoping Opinion Request

Development description:

Request for an Environmental Impact Assessment (EIA) Screening Opinion for: the adaptive re-use and extension of Blackfriars Crown Court for a range of commercial uses.

Decision: **Scoping Opinion Issued: EIA not required**

Decision date: 19.03.2020

Planning history of adjoining sites

42. The following cases of planning history for nearby sites, listed in reverse chronological order, are relevant:

32-36 Loman Street

Application reference no.: 19/AP/1404

Application type: Full Planning Permission (FUL)

Development description:

Demolition of the existing four storey office building with basement and redevelopment of the site to provide a new seven storey office building plus basement (Use Class B1).

Status: **Pending Legal Agreement**

Decision date: Pending

Notes:

- This planning application was considered by the Main Planning Committee, who resolved to grant permission subject to the completion of a satisfactory legal agreement, at a meeting on 3 December 2019.

46 Loman Street, London, SE1 0EH

Application reference no.: 18/AP/3462

Application type: Full Planning Permission (FUL)

Development description:

Erection of an infill extension at 3rd and 4th floors and the construction of an additional storey 5th floor level (with lift shaft and staircore above) for office use, together with changes to the Loman Street and Copperfield Street facades and the installation of a roof terrace at 6th floor level.

Decision: **Granted**

Decision date: 19.12.2018

Notes:

- This planning permission was subsequently modified through two non-material amendment applications (20/AP/0609 and 20/AP/1599) fenestration, elevation and plant enclosure changes.
- This consented development was implemented on 4th May 2020.

Southwark Fire Station, 94 Southwark Bridge Road, SE1 0EG

Application reference no.: 18/AP/2863

Application type: Full Planning Permission (FUL)

Development description:

Construction of a two-storey temporary school building until September 2021

Decision: **Granted for Limited Period**

Decision date: 01.11.2018

Notes:

- This consented development has been implemented.
- The grant of planning permission requires the removal of the temporary school building no later than 30th September 2021, or within one month of the Haberdashers' Askes Borough Academy school's relocation to its permanent home (at the 'Grotto' plot within the Southwark Fire Station Complex), whichever is earlier.

Southwark Fire Station, 94 Southwark Bridge Road, SE1 0EG

Application reference no.: 17/AP/0367

Application type: Full Planning Permission (FUL)

Development description:

Redevelopment of the site including alterations and extensions to listed buildings for a mixed use scheme to provide a new secondary school with 6th form (up to 1150 pupils), 199 residential units in buildings up the 10 storeys in height, 234 sqm of flexible commercial or community use (Class A1, A3, B1, D1, D2), a 139 sqm Gym, associated landscape and public realm works, cycle parking, disabled parking and servicing access; and the redevelopment of land at Grotto Place for the provision of a new sports hall (1,452sqm) and external multi use games facility and landscaping.

Decision: **Granted with Legal Agreement**

Decision date: 02.11.2018

Notes:

- This consented development was implemented on 30th January 2019.

55 Great Suffolk Street

Application reference no.: 17/AP/4668

Application type: Full Planning Permission (FUL)

Development description:

Change of use from warehouse use (Use Class B8) to a mixed use scheme comprising office (use class B1) at ground floor and 7 x residential units (use class C3) on the upper floors (3 x 2bed, 3 x 3bed and 1 x 4 bed) with small terrace areas at roof level; landscaping; cycle and refuse storage facilities and associated works.

Decision: **Granted**

Decision date: 18.10.2018

Notes:

- This application was accompanied by, and granted concurrently with, a listed building consent (re: 17/AP/4715).
- This consented development has not been implemented.

Olwen House, 8-20 Loman Street

Application reference no.: 18/AP/1944

Application type: Full Planning Permission (FUL)

Development description:

Change of use from police surveillance operation centre (Sui Generis) to offices (Use Class B1a) including façade alterations, plant and associated works.

Decision: **Granted**

Decision date: 09.08.2018

Notes:

- This planning permission was subsequently modified through two minor material amendment applications (ref nos.: 18/AP/2976 and 18/AP/3506), which together altered the exterior design of the building and the scope of the public realm upgrades.
- This consented development, now constructed and in occupation, is known as the Binary.

53 Great Suffolk Street

Application reference no.: 14/AP/3550

Application type: Full Planning Permission (FUL)

Development description:

Reconfiguration of façade and roof extension of existing building (B1 office use) to the corner of Great Suffolk Street and Loman Street. Demolition of single-storey building (B1 office use) to junction with Great Suffolk Street and Copperfield Street and replacement with four storey plus basement building to provide addition 1821m2 GIA of office floor space across the two buildings.

Decision: **Granted with Legal Agreement**

Decision date: 31.05.2015

Notes:

- This consented development has now been constructed and is in occupation.

57-59 Great Suffolk Street

Application reference no.: 14/AP/1159

Application type: Full Planning Permission (FUL)

Development description:

Erection of a two storey roof extension to existing building to provide x8 no new residential dwellings with associated private amenity spaces plus cycle and refuse storage. Photovoltaic panels would be installed onto the roof

Decision: **Granted**

Decision date: 14.10.2014

Notes:

- This planning permission, now constructed and in occupation, is known as the Bacon Factory.

61-63 Great Suffolk Street, SE1 0BU

Application reference no.: 10/AP/1255

Application type: Full Planning Permission (FUL)

Development description:

Demolition of the existing warehouse buildings and redevelopment to provide two mixed use buildings. The first is a triangular building of 10 storeys (9 storeys plus a mezzanine floor) to a maximum height of 30.84m with 718m2 of commercial space (Use Classes A, B1) at ground and mezzanine levels and 127 self contained single occupancy student studio units above. The second is a predominantly 8 storey building (7 storeys plus a mezzanine floor) plus three split level rooftop pods to a maximum height of 29.7m (or 9/10

storeys) with 1512sq.m of commercial space (Use Classes A, B1, D) at ground and basement levels and 84 student apartments (cluster flats) containing 543 single bedrooms and 1 self contained single occupancy student studio unit above (resulting in a total 671 bed spaces overall). Also provided is 2541sq.m basement area containing 15 disabled parking spaces and 362 cycle spaces with a further 64 visitor cycle spaces outside the main building, a gym (Class D2), commercial storage, plant area plus provision for the upgrade of the adjacent Grotto Podiums park/open space.

Decision: **Granted with Legal Agreement**

Decision date: 09.08.2010

Notes:

- 10/AP/1255 was preceded by two planning applications proposing buildings of a similar arrangement, scale and use, the reference numbers for which are 08/AP/1034 and 09/AP/1647. Both applications were approved by the Local Planning Authority with legal agreements, but neither was implemented.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

43. The main issues to be considered in respect of this application are:
- Environmental impact assessment;
 - Principle of the proposed development in terms of land use;
 - Affordable workspace;
 - Impact of proposed development on amenity of adjoining occupiers;
 - Design, layout and impact on heritage assets;
 - Landscaping and trees;
 - Ecology and biodiversity;
 - Transport and highways;
 - Environmental matters;
 - Energy and sustainability;
 - Water resources and flood risk;
 - Archaeology;
 - Socio-economic impacts;
 - Planning obligations;
 - Mayoral and Borough Community Infrastructure Levies;
 - Community involvement and engagement;
 - Consultation responses from members of the public;
 - Consultation responses from internal and divisional consultees;
 - Consultation responses from external consultees;

- Community impact and equalities assessment;
 - Human rights;
 - Positive and proactive statement, and;
 - Other matters.
44. These matters are discussed in detail in the ‘Assessment’ section of this report.

Legal context

45. 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.
46. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Adopted planning policy

National Planning Policy Framework (NPPF)

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

London Plan 2016

50. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

- Policy 2.1 - London in its global, European and United Kingdom context
- Policy 2.9 - Inner London
- Policy 2.10 - Central activities zone (strategic priorities)
- Policy 2.11 - Central activities zone (strategic functions)
- Policy 2.12 - Central activities zone (predominantly local activities)
- Policy 2.13 - Opportunity areas and intensification areas
- Policy 3.1 - Ensuring equal life chances for all
- Policy 3.2 - Improving health and addressing health inequalities
- Policy 3.16 - Protection and enhancement of social infrastructure
- Policy 4.1 - Developing London's economy
- Policy 4.2 - Offices
- Policy 4.3 - Mixed use development and offices
- Policy 4.6 - Support for and enhancement of arts, culture, sport and entertainment
- Policy 4.7 - Retail and town centre development
- Policy 4.8 - Supporting a successful and diverse retail sector and related facilities and services
- Policy 4.10 - New and emerging economic sectors
- Policy 4.11 - Encouraging a connected economy
- Policy 4.12 - Improving opportunities for all
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.5 - Decentralised energy networks
- Policy 5.6 - Decentralised energy in development proposals
- Policy 5.7 - Renewable energy
- Policy 5.8 - Innovative energy technologies
- Policy 5.9 - Overheating and cooling
- Policy 5.10 - Urban greening
- Policy 5.11 - Green roofs and development site environs
- Policy 5.12 - Flood risk management
- Policy 5.13 - Sustainable drainage
- Policy 5.14 - Water quality and wastewater infrastructure
- Policy 5.15 - Water use and supplies
- Policy 5.16 - Waste net self-sufficiency
- Policy 5.17 - Waste capacity

- Policy 5.18 - Construction, excavation and demolition waste
- Policy 5.21 - Contaminated land
- Policy 6.1 - Strategic approach (transport)
- Policy 6.3 - Assessing effects of development on transport capacity
- Policy 6.4 - Enhancing London's transport connectivity
- Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
- Policy 6.7 - Better streets and surface transport
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.11 - Smoothing traffic flow and tackling congestion
- Policy 6.12 - Road network capacity
- Policy 6.13 - Parking
- Policy 7.1 - Lifetime neighbourhoods
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.5 - Public realm
- Policy 7.6 - Architecture
- Policy 7.7 - Location and design of tall and large buildings
- Policy 7.8 - Heritage assets and archaeology
- Policy 7.11 - London View Management Framework
- Policy 7.12 - Implementing the London View Management Framework
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy
- Policy 8.4 - Monitoring and review

Relevant London-level Supplementary Planning Documents/ Guidance and Strategies

51. The relevant London-level supplementary planning documents and guidance documents are as follows:
- Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
 - Mayor of London: Central Activities Zone (SPG, 2016)
 - Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
 - Mayor of London: Climate Change Adaptation Strategy (2011)
 - Mayor of London: Crossrail Funding (SPG, 2016)
 - Mayor of London: Planning for Equality and Diversity in London (SPG, 2007)

- Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
- Mayor of London: Social Infrastructure (SPG, 2015)
- Mayor of London: Sustainable Design and Construction (SPG, 2014)
- Mayor of London: The Control of Dust and Emissions During Construction and Demolition (SPG, 2014)
- Mayor of London: Transport Strategy (2018)
- Mayor of London: Use of Planning Obligations in the Funding of Crossrail (SPG, 2016)

Core Strategy 2011

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

- Strategic Targets Policy 1 - Achieving growth
- Strategic Targets Policy 2 - Improving places
- Strategic Policy 1 - Sustainable development
- Strategic Policy 2 - Sustainable transport
- Strategic Policy 3 - Shopping, leisure and entertainment
- Strategic Policy 10 - Jobs and businesses
- Strategic Policy 11 - Open spaces and wildlife
- Strategic Policy 12 - Design and conservation
- Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

53. With the exception of Policy 1.8 (Location of retail outside town centres), the Council resolved in 2013 to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy. Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant saved policies of the Southwark Plan 2007 are:

- Policy 1.1 - Access to employment opportunities
- Policy 1.4 - Employment sites
- Policy 1.7 - Development within town and local centres
- Policy 2.1 - Enhancement of community facilities
- Policy 2.5 - Planning obligations
- Policy 3.1 - Environmental effects
- Policy 3.2 - Protection of amenity
- Policy 3.3 - Sustainability assessment
- Policy 3.4 - Energy efficiency

- Policy 3.6 - Air quality
- Policy 3.7 - Waste reduction
- Policy 3.8 - Waste management
- Policy 3.9 - Water
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in design
- Policy 3.13 - Urban design
- Policy 3.14 - Designing out crime
- Policy 3.15 - Conservation of the historic environment
- Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- Policy 3.19 - Archaeology
- Policy 3.20 - Tall buildings
- Policy 3.22 - Important local views
- Policy 3.28 - Biodiversity
- Policy 3.31 - Flood defences
- Policy 5.1 - Locating developments
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking
- Policy 5.7 - Parking standards for disabled people and the mobility impaired
- Policy 5.8 - Other parking

Relevant local-level Supplementary Planning Documents

54. The relevant supplementary planning documents and guidance documents from the local development plan are as follows:
- Design and Access Statements (SPD, 2007)
 - Section 106 Planning Obligations and Community Infrastructure Levy (SPD, 2015 with 2017 Addendum)
 - Sustainability Assessment (SPD, 2009)
 - Sustainable Design and Construction (SPD, 2009)
 - Sustainable Transport (SPD, 2010)

Relevant Conservation Area Appraisals

55. Two Conservation Area Appraisals are relevant to the site:
- Union Street (appraisal adopted 2010)
 - Liberty of the Mint (appraisal adopted 2018)

Emerging planning policy

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

New London Plan

57. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan, which was published in December 2019..
58. 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.
59. The draft New London Plan is at an advanced stage. Policies contained in the Intend to Publish (ItP) London Plan published in December 2019 that are not subject to a direction by the Secretary of State carry significant weight. 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.
60. The policies from the 'Intend to Publish' version relevant to this application, all of which are informed by the six Good Growth Objectives, are:
- Policy SD1 - Opportunity Areas
 - Policy SD4 - The Central Activities Zone (CAZ)
 - Policy SD5 - Offices, other strategic functions and residential development in the CAZ
 - Policy SD6 - Town centres and high streets
 - Policy SD7 - Town centres: development principles and Development Plan Documents
 - Policy D1 - London's form, character and capacity for growth
 - Policy D2 - Infrastructure requirements for sustainable densities
 - Policy D3 - Optimising site capacity through design-led approach
 - Policy D4 - Delivering good design
 - Policy D5 - Inclusive design
 - Policy D8 - Public realm
 - Policy D9 - Tall buildings
 - Policy D10 - Basement development
 - Policy D11 - Safety, security and resilience to emergency

- Policy D12 - Fire safety
- Policy D14 - Noise
- Policy S1 - Developing London's social infrastructure
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E3 - Affordable workspace
- Policy E9 - Retail, market and hot food takeaways
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth
- Policy G4 - Open space
- Policy G5 - Urban greening
- Policy G6 - Biodiversity and access to nature
- Policy G7 - Trees and woodlands
- Policy G8 - Food growing
- Policy SI 1 - Improving air quality
- Policy SI 2 - Minimising greenhouse gas emissions
- Policy SI 3 - Energy infrastructure
- Policy SI 4 - Managing heat risk
- Policy SI 5 - Water infrastructure
- Policy SI 6 - Digital connectivity infrastructure
- Policy SI 7 - Reducing waste and supporting the circular economy
- Policy SI 8 - Waste capacity and net waste self-sufficiency
- Policy SI 12 - Flood risk management
- Policy SI 13 - Sustainable drainage
- Policy T1 - Strategic approach to transport
- Policy T2 - Healthy Streets
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling
- Policy T6 - Car parking
- Policy T6.2 - Office parking
- Policy T6.3 - Retail parking
- Policy T7 - Deliveries, servicing and construction
- Policy T9 - Funding transport infrastructure through planning

New Southwark Plan

61. For the last 5 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.
62. 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 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.

63. In April 2020 the Planning Inspectorate provided their initial comments to the New Southwark Plan Submission Version. It was recommended that a further round of consultation takes place in order to support the soundness of the Plan. Consultation on the Proposed Changes to the Submitted New Southwark Plan and additional evidence base documents started in August until 2 November 2020.
64. The Examination in Public (EiP) is expected to take place in early 2021 and the amendments within the Proposed Changes to the Submitted New Southwark Plan will be considered along with the consultation responses received at each stage of public consultation. It is anticipated that the plan will be adopted later in 2021 following the EiP.
65. 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.

Summary on emerging policy

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

ASSESSMENT

Consultation summary

68. The table below summarises the representations received from the general public in respect of this planning application:

Consultation responses: Summary table		
No. of representations: 28		No. of unique representations: 27
Of the unique representations:		
In objection: 3 All 3 came from addresses within Southwark	Neutral: 1 This comment came from an address within Southwark	In support: 23 Of which, 17 came from addresses within Southwark

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

Proposed use:

- Housing for local people would be a more appropriate form of development and less destructive to the quality of life of surrounding existing residents.

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

- The building height is excessive.
- The area is already overly dense with buildings.

Local economic impacts:

- Small businesses from minority groups may be at risk of being pushed out of the area as it undergoes gentrification.

Neighbours' amenity:

- Loss of daylight/sunlight.
- Loss of privacy.
- Increased noise from the use of the proposed building.
- Increased pollution from the use of the proposed building.
- Increased noise and pollution resulting from traffic and servicing vehicle movements.
- Exacerbated local wind conditions.
- Damper local micro-climate.

Transport and highway impacts:

- Increased pressure on the local highway network and parking.
- Increased footfall on the local pedestrian network.

70. The main reasons for support raised by the public comments are:
- The development will bring more people (employees and visitors) to the site, increasing spending in the area and supporting local businesses.
 - The development will bring more employment opportunities for people in the local area
 - The rooftop community pavilion and garden terrace element will provide pleasant spaces and broader community value, enabling more community groups to access flexible spaces on an ad hoc basis.
 - The proposed green and public spaces will enhance the local environment and provide public recreation benefits.
 - The building design is high quality and creative.
 - The developer has proactively and extensively consulted with local groups and organisations.
 - The developer has positively evolved the building design in response to the views obtained through pre-application engagement with the local community.

Environmental impact assessment

71. The applicant made a Screening Opinion request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme. The reference number for the Screening Opinion is 20/AP/0422.
72. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 set out the circumstances in which development must be underpinned by an Environmental Impact Assessment (EIA). Schedule 1 of the Regulations sets out a range of development, predominantly involving industrial operations, for which an EIA is mandatory. Schedule 2 lists a range of development types for which an EIA might be required due to the potential for significant environmental impacts to arise. Schedule 3 sets out that the significance of any impact should include consideration of the characteristics of the development, the environmental sensitivity of the location and the nature of the development.
73. The range of developments covered by Schedule 2 includes 'Urban development projects' where: the area of the development exceeds 1 hectare and the proposal is not dwellinghouse development, or; the site area exceeds 5 hectares. The application site is 0.6 hectares and therefore does not exceed the Schedule 2 threshold.
74. Consideration, however, should still be given to the scale, location or nature of development, cumulative impacts and whether these or anything else are likely to give rise to significant environmental impacts. The proposed

application is the partial demolition of the existing Class D1 former Crown Court building, refurbishment of and alterations to the retained elements together with upward extension to provide a seven-storey mixed-use development. Its scale is appropriate to its urban setting and it is unlikely to give rise to any significant environmental impacts.

75. For the above reasons, an EIA is not required in this instance. This was confirmed by the Local Planning Authority on 5th April 2019 in response to the screening opinion sought under 20/AP/0422. The Officer Report for 20/AP/0422, which available from the Council's online Public Access for Planning Register, provides the full assessment that led to that decision.

Principle of the proposed development in terms of land use

76. The proposed development would provide over 33,000 square metres of office, retail and dining floorspace, with the capacity to create around 2550 jobs. It would also deliver a range of community facilities in the form of an auditorium, a rooftop pavilion providing meeting and social spaces, and a landscaped garden terrace, together with a new publicly-accessible central route at ground floor level.

Current land uses and proposed loss of Class D1 floorspace

77. The existing lawful use of the entirety of the Crown Court building and all land within its curtilage is Class D1. Saved Policy 2.1 of the Southwark Plan states that planning permission for a change of use from Class D community facilities will not be granted unless:
- i. The applicant demonstrates to the satisfaction of the Local Planning Authority that the community facility is surplus to the requirements of the local community and that the replacement development meets an identified need; or
 - ii. The applicant demonstrates that another locally accessible facility with similar or enhanced provision can meet the identified needs of the local community facility users.
78. In recent years, the Ministry of Justice conducted a property portfolio rationalisation exercise. Documentation supplied by the applicant evidences that, as part of this exercise, Blackfriars Crown Court was deemed surplus to requirements, with the Ministry concluding that court activities could be adequately accommodated by optimising the efficiency of the retained assets within their portfolio. In April 2020 the sale of Blackfriars Crown Court to the applicant was completed.
79. On account of this evidence, which demonstrates that across Southwark and London there is sufficient capacity for court activities in other court buildings,

together with the fact that the scale of the building would not lend itself easily to another Class D1 use, it is considered that criterion *ii* of Saved Policy 2.1 has been satisfied. This enables the court building to be released for an alternative appropriate use.

80. This evidence was used to inform the Council's decision on application 19/AP/7572, which permitted the change of use of the existing building to Class B1 office space.

Proposed mix of uses

81. The application site is located within: the Central Activities Zone (CAZ); Bankside, Borough and London Bridge Opportunity Area; and the Bankside and Borough District Town Centre. It is not an allocated site in either the Saved Southwark Plan or the NSP.
82. London Plan Policy 2.10, Strategic Policy 10 of the Core Strategy and emerging Policy P26 of the New Southwark Plan identify sites within the CAZ and Opportunity Areas as appropriate for accommodating the significant growth needed to meet business demand. The aforementioned policies require development proposals at the very least to maintain existing levels of business floor space but, where possible, increase office floor space. Proposals should also bring forward a mix of other complimentary uses as well as residential to enhance the offer, vitality and long term vibrancy of central London. This application proposes the delivery of a substantial quantum of office floor space, which is welcome in principle. Complementing the office floorspace would be range of retail and dining spaces, a community pavilion and garden terrace, a community auditorium and affordable workspace. These would generate additional day and evening activity, adding to the vibrancy and vitality of the area, while also providing important services for the resident and working populations. This is entirely appropriate for this central London location.
83. In order to support the vibrancy and vitality of the CAZ, London Plan policies 2.11 and 4.3 promote mixed use development, including housing, alongside increases in office floorspace. The Mayor's Central Activities Zone SPG contains additional guidance on maintaining an appropriate mix of uses within the CAZ, setting out the weight that should be afforded to office use and CAZ strategic functions relative to residential. The proposal is for partial demolition of the existing building rather than wholesale redevelopment, leaving a relatively deep floorplate not well suited to accommodating residential uses and their attendant outlook and daylight demands. Taking account of the generous range of community and Class A uses the proposal would incorporate, and that a building taller than that currently proposed could not be accommodated without harming the amenity of surrounding occupiers, the current proposal is considered to be an efficient and effective use of the site.

Furthermore, there are other larger sites within this part of the borough coming forward for mixed use development, some of which have the capacity to deliver a significant number of new dwellings.

84. In summary, the principle of redeveloping the existing building to provide a mixture of office, retail, dining and community uses would support the role and functioning of the Central Activities Zone and the Borough and Bankside District Town Centre. It would also be consistent with the policies for the Opportunity Area and bring into productive and optimised re-use this currently vacant building.
85. The acceptability of each of the individual uses is considered below.

Community (Class D2) floorspace

86. The proposed development would not result in the complete loss of Class D space from the application site because the new building would incorporate two Class D2 community facilities. The first of these is the pavilion and garden terrace located within the eastern zone of the roof. The other is the community auditorium at the northern entrance to the atrium.
87. Saved Policy 2.2 (Provision of New Community Facilities) of the Southwark Plan 2007 permits new community facilities where they would be available for use by all members of the community and it would not be detrimental to the amenity of present and future surrounding occupiers. Saved Policy 1.7 (Development Within Town and Local Centres) supports the provision of a range of town centre uses, including leisure, community, civic and cultural facilities where the scale and nature would be appropriate to the character and function of the locale, and subject to full consideration of transport impacts and the provision of amenities for users of the facility, such as public toilets. These aims are reinforced by Policy 3.2 (Improving Health and Addressing Health Inequalities) of the London Plan 2016, which promotes the “delivery of new facilities and services, including places for meetings between all members of a community”.
88. Policy GG1 (Building Strong and Inclusive Communities) of the Intend to Publish New London Plan promotes “the crucial role town centres have in the social, civic, culture and economic lives of Londoners” and supports the delivery of places that provide “opportunities for building relationships during the daytime, evening and night-time”. Policy S1 (Developing London’s Social Infrastructure) of the Plan requires new facilities to be easily accessible by public transport, cycling and walking. The policy also encourages new social infrastructure in high streets and town centres.
89. Policy P34 (Town and Local Centres) of the NSP requires new development in town and local centres to “ensure the provision of main town centre uses

including markets, community, civic, leisure and cultural uses are located in town centres and local centres”. Policy P46 (Community Uses) welcomes the delivery of new community facilities provided they are available for all members of the community.

Community pavilion and garden terrace

90. The application proposes a community pavilion at fourth floor level, opening onto and interconnected with the community garden terrace. The pavilion would be a flexible internal space capable of hosting community meetings and classes. A self-serve donation-based coffee and tea station would be provided to invite local people to socialise and spend time in the space. The applicant’s intention is to deliver a high quality new community asset, but one that feels informal and welcoming for local people.



Figure 10 (above): Visualisation of the community pavilion

91. The garden terrace would be a landscaped area on the eastern portion of the roof providing opportunities for relaxation, socialising, gardening and food growing. Within the garden terrace would be a potting shed and greenhouse, providing covered ancillary/storage facilities. In total, the pavilion, greenhouse, potting shed and garden terrace would provide 924 square metres of internal and external free-to-access space for the community.
92. The pavilion and garden terrace would be operated as part of the building management and potentially through a joint initiative with community partners. The developer is in discussion with potential partners and expressions of interest have been received.

93. The pavilion and garden terrace would be accessible to the public during summer (April 1st to September 30th) between the following times:
- 08:00hrs to 21:00hrs on Mondays to Wednesdays;
 - 08:00hrs to 22:00hrs on Thursdays and Fridays;
 - 10:00hrs to 22:00hrs on Saturdays;
 - 10:00hrs to 20:00hrs on Sundays.
94. During winter (October 1st to March 31st), the hours of opening would be:
- 08.00hrs to 20.00hrs on Mondays to Fridays;
 - 10:00hrs to 20:00hrs on Saturdays;
 - 10:00hrs to 18:00hrs on Sundays.
95. From a fire safety perspective, the capacity of the community facilities at fourth floor level would be limited to 100 people when the office is fully occupied; however, the maximum capacity would expand to 200 people outside of office hours and weekends. As the community garden and pavilion is more likely to be used on weekday evenings at the weekends, the lower capacity levels during working hours are considered acceptable.
96. A Public Access and Management Framework has been supplied with the planning application, a particularly important element of which is the outline access strategy. This explains that although access to the garden terrace would be monitored by staff for fire safety reasons, the space would be fully accessible to the public with no dedicated booking system or keycard/fob entry. The building-wide services team would be responsible for monitoring capacity and directing guests, a role they would perform from a booth at the base of the lifts within the ground floor café. This access strategy is considered to be well thought through, and would ensure truly free-to-access spaces. The finer details of the strategy will be secured by condition, but will be expected to conform to the principles set out in the Framework.
97. These proposed Class D2 facilities would provide high quality town centre uses of significant community and civic value, fully in accordance with Saved Policies 1.7 and 2.2 of the Southwark Plan, Policy 3.2 of the London Plan 2016, and the emerging relevant policies within the NSP and Intend to Publish New London Plan. The opening hours offered by the applicant are generous in the context of the various other community and public benefits the proposal will bring, but are also neighbourly having regard to the amenity of surrounding residential occupiers.

Community auditorium

98. The application proposes a 152 square metre auditorium space, fronting Loman Street with a return elevation onto the central covered route. The

majority of the floorspace would be provided at ground floor level, with a small galleried area at first floor level. The auditorium would operate from 7am to 10pm seven days a week.

99. Falling within Class D2, this proposed leisure facility would provide a space for public, bookable functions and events capable of accommodating up to 50 people. This small scale conference and events space is intended to be a commercial revenue-generating enterprise, but the developer has committed to offering 50% of the time slots to community groups/not for profit and cultural projects at a discounted price, with rotation of slots occurring on a month-to-month basis to ensure more high value slots are shared with these parties.
100. To ensure that that the local community is aware of and reaps full benefit of the auditorium, the applicant has agreed to advertise on local radio, within the window of the proposed space, in the local press and on social media. Local people will be able to book online through an east-to-access system. These measures are considered sufficient to raise local awareness of the space and thereby promote take-up.
101. As with the community pavilion and community garden terrace, the proposed auditorium would deliver an active frontage and a town centre use to the site, as required by the adopted and emerging local plans. Offering beneficial rates and equity of access for local groups, it would form a valuable new piece of social infrastructure, fully in accordance with London Plan Policy 3.2, as well as Saved Policies 1.7 and 2.2 of the Southwark Plan. This proposed new facility also accords with Policies GG1 and S1 of the Intend to Publish New London Plan, to which significant weight can be afforded, as well as Policies P34 and 46 of the NSP, to which limited weight can be attributed.

Summary

102. In summary, these high quality community facilities —the longevity and success of which will be buttressed by robust access, management and/or marketing strategies— are strongly welcomed as a major benefit of the proposed development.

Retail (Class A1, A3 and A4) floorspace

103. The site lies in a popular area for retail and restaurant/café operators, being located only a few hundred metres from the busy commercial hubs of Bankside, Blackfriars Road and Borough High Street. The strong Class A offering of the local area is reflected in its District Town Centre designation.
104. The site is also within the CAZ. Policy 2.10 of the London Plan sets out a strategic priority to support and improve the retail and leisure offer of the CAZ

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

105. This application proposes a café unit (Class A3) fronting a stretch of Loman Street with a return elevation onto the central route, designed to draw passers-by into this publicly-accessible covered space. In addition, five 'micro' retail enterprise 'pop up' units (Class A1) are proposed, to be dispersed across the central route. These would be offered at zero rent and for entrepreneurs in receipt of Government enterprise grants. The retail enterprise units are intended to encourage pedestrian through-traffic and in so doing strengthen the connection between the commercial uses on Pocock Street and the busy commercial hubs further to the north around Union Street and Southwark Street. The range of active frontages and town centre uses proposed, which would complement the surrounding existing commercial uses, accords with development plan policies and aspirations for the area, and as such is welcomed.
106. The application also proposes a café-bar and restaurant. The restaurant would provide 50 covers internally, with the opportunity for a further 50 covers externally on the associated poolside terrace. The café-bar would provide 25 covers internally and 70 covers externally. While both of these dining facilities would be for the exclusive use of office tenants during working hours, at the weekends and from 6:30pm each weekday, both would be open to the general public. The café-bar would be a walk-in venue, whereas the restaurant would be available either on a table-by-table bookable basis or for private hire. The swimming pool would not be available for public use for management reasons. It is because of this partly private, partly public nature that the applicant seeks flexible Class B1/A3 use for the café-bar and flexible Class A4/B1 use for the restaurant.
107. The town centre uses provided by the restaurant and café-bar are appropriate in this part of the borough, which has proven popular with dining operators. Both venues would add to the vitality and vibrancy of the development itself and help make the building a destination during weekday evenings and at the weekend. Accordingly, no issues are raised in principle to either of the flexible Class A uses proposed.

108. Issues such as hours of use, amenity impacts for surrounding residents and management/access are dealt with in subsequent parts of this report.

Office (Class B1) floorspace

109. The CAZ, within which the site is located, contains London's geographical, economic and administrative core. The London Plan 2016 recognises office use as being appropriate in the CAZ and identifies capacity for 25,000 jobs in the Opportunity Area. This is further supported by the 'Mayoral Supplementary Planning Guidance - Central Activities Zone (2016)'.
110. The proposed scheme would deliver a high quality office development, generating over 33,000 square metres GIA of new employment floorspace. This could create approximately 2500 new jobs once the development is operational. The principle of redevelopment is therefore strongly supported. The delivery of a substantial quantum of modern and flexible Grade A open-plan office accommodation is welcomed as a significant benefit of the scheme in accordance with adopted local and regional policy, while also meeting the Core Strategy objective of increasing the number of jobs in Southwark.

Affordable (Class B1) workspace

111. Although not yet adopted, Policy E2 (Providing Suitable Business Space) of the Intend to Publish New London Plan can be attributed weight in the assessment of this application. Policy E2 requires the provision of a range of low-cost Class B1 business space to be supported to meet the needs of micro, small and medium sized enterprises and to enable firms to start up and expand. The policy states "development proposals for new B1 business floor space greater than 2,500sqm, or a locally determined lower threshold in a local development plan document, should consider the scope to provide a proportion of flexible workspace suitable for micro, small and medium sized enterprises".
112. Policy E3 (Affordable Workspace) of the Intend to Publish New London Plan deals specifically with affordable workspace. The policy states "In defined circumstances, planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purposes". The policy identifies the circumstances in which it would be appropriate to secure affordable space. Part B of the policy specifically identifies the CAZ as an important location for securing low cost space for micro, small and medium sized enterprises.
113. Emerging Policy P30 (Affordable Workspace) of the New Southwark Plan deals with affordable workspace. Criterion 2 of the policy requires major development proposals to deliver at least 10% of the gross new employment

floorspace as affordable workspace on site at a discounted market rent for a period of at least 30 years. The policy recognises that there are many different forms that such space could take depending on the site location, characteristics and existing/proposed uses. Only where on-site provision would be impracticable are developers permitted to make an in lieu payment

114. The total quantum of Class B1 floorspace, including shared and ancillary facilities, is 33,023 square metres GIA. Under the terms of Policy P28, 10% of office floorspace within the proposed Blackfriars Crown Court development should be dedicated as 'affordable workspace'. Set out below is a schedule of the applicant's proposed affordable workspace offer:

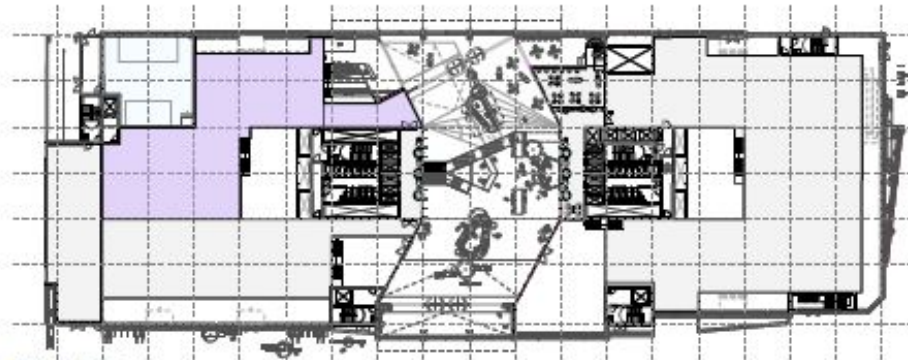
Affordable workspace: summary table		
Dedicated Class B1 space		
<u>Unit reference and description</u>	<u>Floor</u>	<u>GIA (square metres)</u>
01: Self-contained unit within the east wing	Basement	1062.0
02: Northwest portion of the floorplate	Level 00	650.0
03: Northwest portion of the floorplate	Level 01	549.0
Total:		2261.0
Ancillary servicing and facilities space		
<u>Description</u>	<u>Floor</u>	<u>GIA (square metres)</u>
10% of the total floorspace (11,205 sq.m) occupied by plant, cycle storage, waste storage and other ancillary facilities	Basement	1041.0
Total:		1041.0
Total GIA of all Affordable Workspace:		3,302.0
Affordable Workspace as a percentage of all Class B1 floorspace (32,578 square metres GIA)		10.1%

115. All affordable workspace areas would be restricted to Class B1 which is fully in accordance with Policy P30 of the New Southwark Plan. This use class encompasses offices, research/development facilities of products and processes, and light industry appropriate in a residential area.

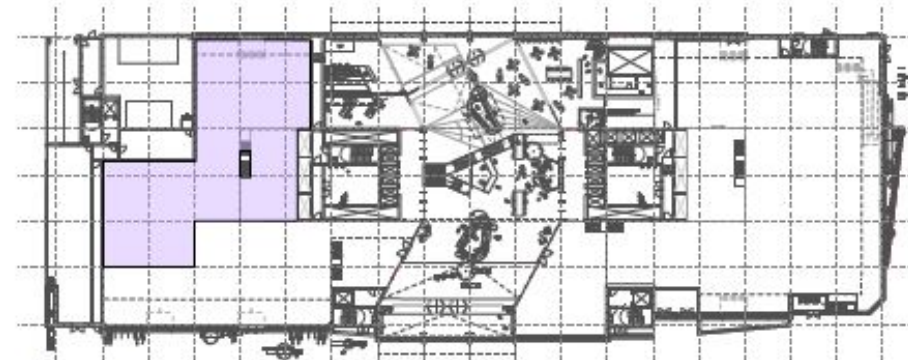
116. To ensure flexibility and to appeal to a wide range of prospective tenants, the units have been provided in a variety of sizes and at different levels of the development. All of the proposed affordable workspace areas have been designed to be let to more than one occupier.
117. The affordable workspace would be provided for 30 years, over the course of which the rental levels for each occupier would 'staircase' as follows:
- 0-6 months at peppercorn rent;
 - 6-13 months at 38% of the Local Open Market Rent;
 - 14-22 months at 57% of the Local Open Market Rent; and
 - from month 23 onwards at 75% of the Local Open Market Rent.
118. The developer wishes to retain the flexibility to self-operate the affordable workspace, rather than be obligated to appoint one of the Council's recognised Workspace Providers to fulfil these responsibilities. To demonstrate that the developer has a sound business model, prior experience of marketing and managing workspace, and connections with local business, the developer provided an Outline Affordable Workspace Marketing and Management Strategy document.
119. The marketing element of the Outline Strategy adequately explains:
- How prospective business communities, including less visible fledgling enterprises, would be targeted/identified;
 - That creative, film and media sectors would likely be targeted as these sectors generally struggle to find appropriate and affordable accommodation.
 - The channels and methods of marketing;
 - The metrics by which interested parties would be prioritised should there be significant levels of interest in the affordable workspace;
 - How marketing will be conducted on an ongoing basis following first full occupation, to minimise periods of vacancy during the 30 year lifetime of the affordable workspace.
120. The management element of the Outline Strategy adequately details:
- The support SME and new start up businesses and companies would be given;
 - The provision, management of and access to facilities (cycle storage, refuse storage, loading and unloading facilities etc.);
 - Additional commercial benefits for occupiers, including free-of-charge use of the commercial rooftop spaces and atrium.
121. The Section 106 Agreement will include a dedicated 'affordable workspace'

schedule. This will ensure, among other things, that:

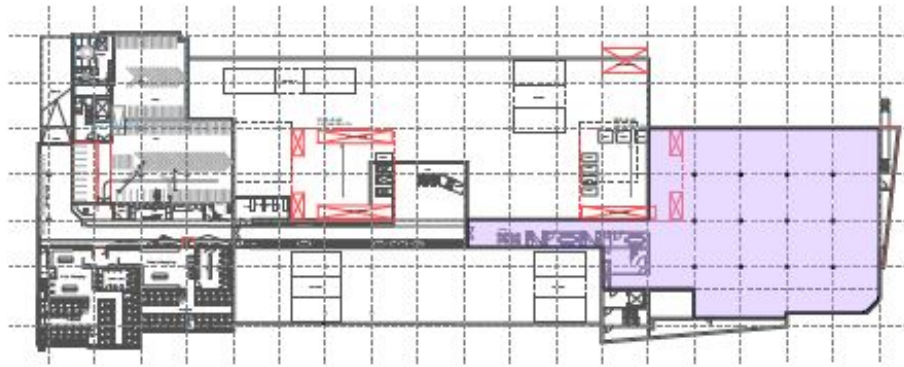
- the workspace is provided for a 30-year period at the 'staircasing' rental levels detailed above;
- no more than 50% of the market rate Class B1 floorspace can be occupied until the affordable workspace has been fitted-out to the agreed specification ready for occupation;
- a Full Management Plan and a Full Marketing Strategy, based on the principles set out in the Outline versions already submitted by the developer, are secured in advance of the marketing period and first operation of the workspace;
- the service charges payable by the tenant will be capped; and
- the rates payable by the tenant will be capped.



First Floor



Ground Floor



Basement

Figure 11 (above): Layouts of the basement, ground and first floors of the proposed development, with those areas to be dedicated as affordable workspace shown in purple

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

122. Strategic Policy 13 of the Core Strategy 2011 seeks to ensure that all 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 2007 states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted 2015 Technical Update to the Residential Design Standards SPD 2011 expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
123. The residential uses closest to the site, and therefore most susceptible to privacy, outlook, noise and odour impacts from the proposed development, are:
- the Whitehill Houses at 5-9 Sawyer Street;
 - the under-construction Southwark Fire Station redevelopment;
 - the student accommodation within Moonraker Point and 61A Great Suffolk Street;
 - the Bacon Factory; and
 - the potential future dwellings at 55 Great Suffolk Street, consented in 2018 but as yet unimplemented.
124. The relationship of these properties to the application site is shown below:



Figure 12 (above): Site location plan with the surrounding sensitive residential buildings identified in yellow. These are (1) Whitehill Houses at 5-9 Sawyer Street, (2) the under-construction Southwark Fire Station redevelopment, (3) Moonraker Point and 61A Great Suffolk Street, (4) The Bacon Factory at 57-59 Great Suffolk Street, and (5) 55 Great Suffolk Street. Non-residential nearby buildings are highlighted in blue.

125. There is also a residential building to the north of the application site at 38 Copperfield Street. However, by reason of its distance from the site, as well as the physical and visual separation provided by the intervening medium-rise commercial buildings on Loman Street, these dwellings would not be at risk of privacy, outlook, noise and/or odour harm. As such, 38 Copperfield Street has not been assessed in this report.

Privacy

126. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
 - a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.

These rules are principally designed to apply where the 'facing' buildings are both in residential use.

Impact on Whitehill Houses at 5-9 Sawyer Street

127. No part of the proposal would stand any closer than 18.2 metres to the front façade of the Whitehill Houses. This separation distance exceeds the 12 metre minimum advised by the Residential Design Standards for buildings which face each other across a highway, and thus is considered acceptable.
128. The applicant has made further efforts to reduce any potential overlooking from the proposed community garden terrace towards the Whitehill Houses by chamfering the boundary along its northeastern corner; this widens the separation distance to as much as 22.2 metres and would help orient visitors' views towards the northeast, away from Whitehill Houses. In addition, natural screening in the form of perimeter planting set upon a balustrade fixed 520mm inboard of the perimeter is proposed. This planting would occasionally break to allow for seating areas but furniture in these pockets would encourage people to sit rather than stand.
129. Although the pavilion would be glazed on its northeast and southeast elevations, which is in the general direction of Whitehill Houses, it would be set back from the roof edge by approximately 5.9 metres. This, in combination with the pavilion's elevated positioning, would make it difficult to obtain views downward towards these nearby residential properties. A distance of approximately 24.3 metres, measured as the bird flies, would separate the pavilion from Whitehill Houses, which significantly exceeds the recommendations of the Residential Design Standards.

Impact on the Southwark Fire Station redevelopment

130. The Southwark Fire Station redevelopment will, once completed, introduce an eight storey high elevation hard against the back of the Sawyer Street pavement. Due to the elevation being angled obliquely to the Blackfriars Crown Court development, the distance separating the two buildings would widen from approximately 11.7 metres to a maximum of 14.8 metres.
131. Where newly or recently constructed residential buildings stand against their boundary line and therefore rely on the openness of the surroundings to provide adequate amenity to occupiers, it is not reasonable to require future development on surrounding sites to be less intensive simply to retain that level of amenity. In light of this, the converging relationship between the two buildings whereby for a short stretch the recommended 12 metre gap would not be achieved is considered acceptable, particularly given that the breach would be relatively small at only 0.3 metres. Another important factor is that the opposing windows would not face directly towards each other due to the non-parallel relationship of the two buildings, lessening any prospect for invasive mutual overlooking.

Impact on Moonraker Point and 61A Great Suffolk Street

132. The south elevation of the proposal would not be quite parallel with the north elevation of the student accommodation blocks opposite, Moonraker Point and 61A Great Suffolk Street. For this reason, and due also to the tiered/projecting nature of the storeys within the proposed development, the separation distance to these student housing blocks would widen and narrow along the course of Pocock Street.

133. The plan below depicts the relationship between the buildings. As well as including typical dimensions, the plan shows the closest points at Levels 03/03M, 04 and 05:

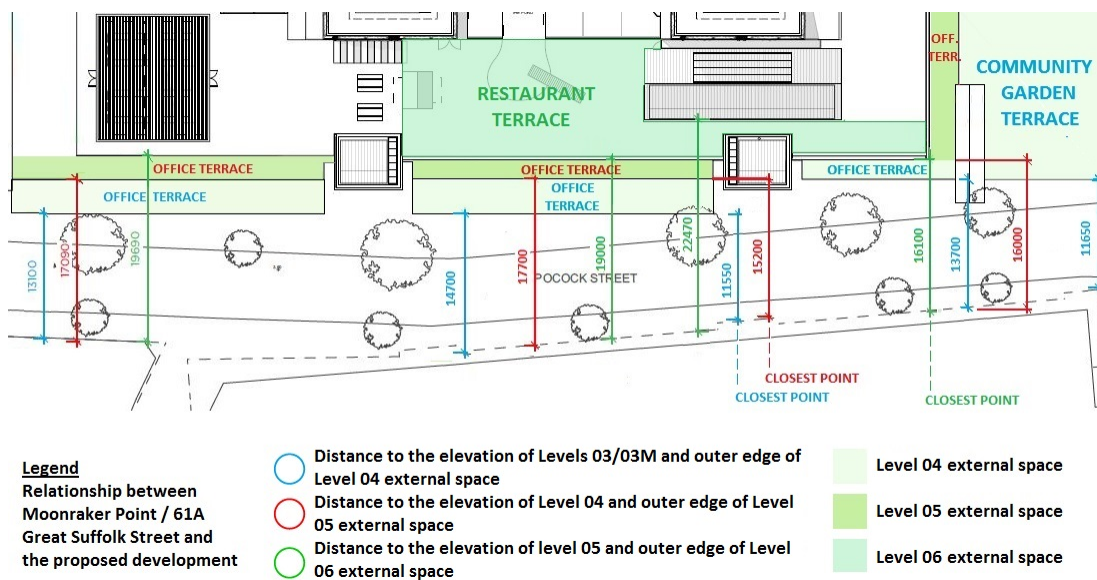


Figure 13 (above): Plan showing the proposal's relationship to Moonraker Point and 61A Great Suffolk Street.

134. As the plan shows, level 03/03M of the proposal creates the closest relationship to the façade of the student housing opposite, leaving a gap of approximately 11.55 metres. This fails to accord with the 12 metre separation distance advised by the Residential Design Standards. Important to note, however, is that this proximity of less than 12 metres occurs only for a short stretch between the two buildings. Moreover, unlike at Level 03 where the floorplate would extend up to the glazing, Level 03M would incorporate various floor voids around the building perimeter, including at the two closest points (11.55 metres and 11.65 metres) from Moonraker Point; these voids increase the effective separation distance to more than 12 metres. Although at Level 03 it would still be possible for an office employee stood close to the window to obtain views towards the student accommodation opposite at a distance of less than 12 metres, the functional use of the proposed floorspace must also be acknowledged. Firstly, as the proposed development would be a place of work, building users are unlikely to dwell at windows. Secondly, the

space would be used largely by day, during which hours the students opposite are more likely to be at university or out of their flat.

135. Further along Pocock Street, the separation distance between level 03/03M and the student housing blocks would widen to a maximum of approximately 15.50 metres. Owing to the terracing nature of the upper floors of the proposal, the maximum distance between these facing building would be 19.10 metres at level 04 of the proposal and 21.70 metres a level 05 of the proposal. This is acceptable for rooms facing each other across a highway.

136. Not shown on Figure 13 is the external staircase that would guide departing visitors from the community garden terrace to the street level. It would be positioned on the southern façade of the building, directly opposite Moonraker Point. However, it would be clad in a translucent metallic mesh with no clear-glazed elements. Clear views outward in the direct of the student flats would not, therefore, be possible. To ensure an adequate screening effect would be achieved, it is recommended that a condition be attached to the Decision Notice requiring a sample of the mesh to be submitted to and approved by the Local Planning Authority.



Figure 14 (above): Community garden stair

137. In summary, it is considered that the proposed development would not cause harmful overlooking of the student accommodation at Moonraker Point and 61A Great Suffolk Street.

Impact on Bacon Factory

138. To the west of the site is the nine-storey Bacon Factory, which contains residential uses on all but the ground floor. The main five-storey base of the proposal would be separated from this neighbouring building's largely windowless flank wall by 1.65 metres and from its main rear façade by 9.30 metres. Above the proposal's five-storey base would be a further three storeys, but these would not extend up to the common boundary.

139. In recognition of the modest 9.30 metre separation distance, all windows on the western elevation of the proposed building would be obscured, preventing any direct overlooking. Additionally, unlike on the south and north facades, no commercial 'strip' terraces have been proposed on the building's west

elevation, and the useable part of the tenant amenity terrace at level 06 would be set-in generously from the western edge of the roof to prevent invasive views being obtainable towards the Bacon Factory flats. For these reasons, the privacy of all rear-facing windows at the Bacon Factory would be protected.

Impact on 55 Great Suffolk Street

140. West of the site and immediately to the north of the Bacon Factory is 55 Great Suffolk Street. This warehouse is currently vacant but, as explained in the 'Planning History' section of this report, consent was granted in 2018 (ref. nos.: 17/AP/4668 and 17/AP/4715) for its conversion. The consented scheme incorporates residential uses on the four upper floors and within the roof space. The approved internal layout includes a number of habitable rooms with site-facing windows.
141. To eliminate potential mutual overlooking between the proposed development and these future residential units at 55 Great Suffolk Street, the application proposes no clear-glazed windows or terraces on the western elevation. As such, the privacy of potential future occupiers would be protected.

Summary on privacy impacts

142. In summary, the development would not give rise to an unacceptable level of overlooking of existing or proposed residential uses in the surrounding area.

Outlook and sense of enclosure

Impact on Whitehill Houses at 5-9 Sawyer Street

143. The proposal has been designed to 'step down' towards the eastern boundary to a shoulder line of five storeys. The three set-back upper storeys are particularly deeply recessed to accommodate the community garden terrace.
144. As mentioned in an earlier section of this report, no part of the proposal would stand any closer than 18.2 metres to the front façade of the Whitehill Houses. Due to the chamfered northeastern corner of the proposal, this distance would widen to 22.2 metres. For central London, this is a neighbourly relationship between facing buildings. As such, a good quality of outlook would continue to be enjoyed by the residents of Whitehill Houses.

Impact on the Southwark Fire Station redevelopment

145. The five storey base of the proposal would, at its southeast corner, stand as close as 11.7 metres to the dwellings at third and fourth floor level within the Southwark Fire Station redevelopment opposite. However, this corner-facing

relationship means the occupiers of the flats would benefit from long oblique views westwards along Pocock Street and/or northwards along Sawyer Street, providing good depth of outlook and sense of openness. The Fire Station flats at fifth floor level and higher would benefit from broad and expansive views over the community garden terrace. As such, a good quality of outlook would be safeguarded for all dwellings within this new nearby development.

Impact on Moonraker Point and 61A Great Suffolk Street

146. Along its southern edge, the proposed building would stretch the full 125 metre length of the site's Pocock Street frontage. As a single building, this unbroken form will inevitably have an imposing presence along Pocock Street and will affect the quality of outlook from the north-facing windows in Moonraker Point. However, similarly to the western and eastern edges of the building, the applicant has made efforts to step back the massing along the southern edge on the uppermost three storeys. This creates a shoulder line 20.8 metres above the street level, punctuated only by the pair of extended staircore towers.
147. Although this is a relatively intense relationship between facing buildings, it is not uncommon in central London. Moreover, all the student flats are positioned at first floor level or higher, and are set above a double-height ground floor storey. This elevated positioning means occupiers of the first floor flats would be able to obtain some views of the sky when stood close to the inner face of their window.
148. Another important consideration is that, due to the high quality design of the proposed building, the students would look out onto an interesting Pocock Street elevation. The stepped roofline and incorporation greenery would also provide some relief to the extensive façade length.
149. Taking account of all of the above, it is considered that the occupiers of Moonraker Point and 61A Great Suffolk Street would not experience a harmful loss of outlook or increased sense of enclosure.

Impact on the Bacon Factory

150. The main five-storey base of the proposal would be separated from the Bacon Factory's flank wall (which contains only one window, at seventh floor level) by 1.65 metres. The comparatively lower height of the proposed Blackfriars Crown Court development would ensure this the outlook from this one high level neighbouring window remains unharmed.
151. The distance from the five-storey base of the proposal to the Bacon Factory's main rear façade, which is set further to the west than the flank, would be 9.30

metres. Owing to the three uppermost storeys of the proposed development stepping back from the common boundary, the gap would widen incrementally with each additional storey of the building, as follows:

- 16.3 metres from the Bacon Factory to level 04 of the proposal,
 - 23.1 metres from the Bacon Factory to level 05 of the proposal; and
 - 24.9 metres from the Bacon Factory to the level 06 plant enclosure.
152. Internal layouts of the Bacon Factory have been obtained from the Council's Planning Register. These indicate that the flats at first to fourth floor level contain only bedrooms and hallways on the west (site-facing) side of the building. Hallways are not habitable rooms, and thus their quality of outlook need not be taken into account. Bedrooms, given their principal purpose of sleeping, are used largely during night-time hours so do not require the same quality of outlook as living rooms, dining rooms or kitchens. The 9.30 metre distance separating the lower floor bedrooms from the proposed development is, therefore, acceptable.
153. Only from fifth floor upwards does the Bacon Factory contain principal (living, kitchen or dining) spaces facing towards the application site; these rooms, by reason of their elevated positioning and taking account of the terracing nature of the upper storeys, to either side of the brick tower, would benefit from a good quality of outlook.

Impact on 55 Great Suffolk Street

154. As consented, the first, second and third floors of 55 Great Suffolk Street would each contain a two bedroom flat on the eastern half of the floorplate, all of the habitable rooms within which would face towards the site. The entire fourth floor level and roof space would be occupied by a large triple-aspect four-bedroom penthouse, no rooms within which would have a solely eastward outlook.
155. By reason of its low-level positioning, the consented east-facing flat at first floor level within 55 Great Suffolk Street would be most susceptible to curtailed outlook and increased sense of enclosure. Within this flat, the most sensitive window would be the closest-but-one to the Bacon Factory. It serves an open-plan living/kitchen/dining room.
156. As the below first floor contextual plan shows, the distance from the window to the wall of the Bacon Factory's servicing yard would be approximately 7.1 metres. Set a few metres further beyond the wall would be the body of the proposed building, with the nearest two-storey element at a distance of approximately 12.4 metres, stepping up to five storeys approximately 3 metres beyond this:

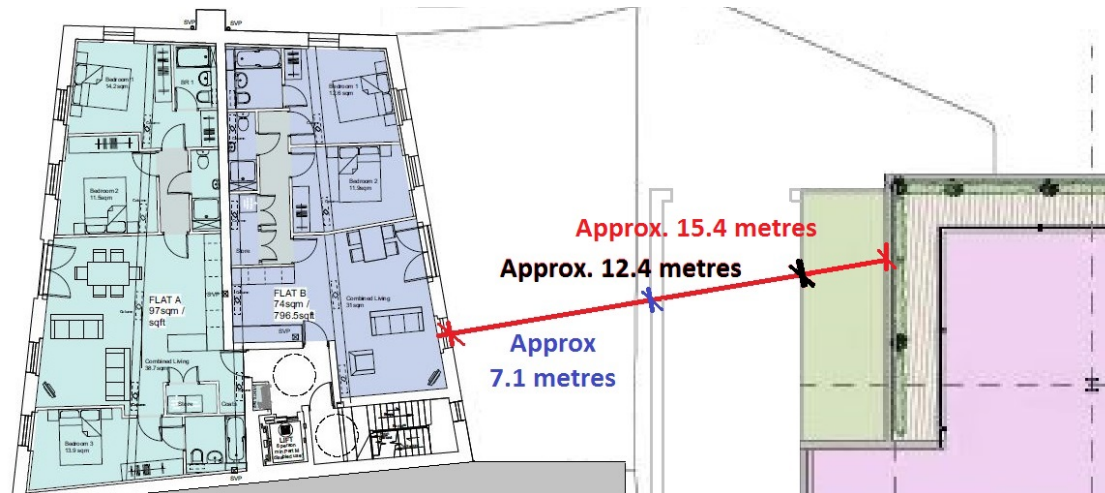


Figure 15 (above): Plan showing the proposal's relationship to the first floor configuration of 55 Great Suffolk Street, as consented under ref. nos. 17/AP/4668 and 17/AP/4715.

157. This window at 55 Great Suffolk Street faces northeastwards, not directly towards the west elevation of the proposal. As the plan shows, the room in question would also be served by a second window with a Juliet balcony, which would have a slightly less obstructed and more open outlook than the affected window. The fact that the room would benefit from two glazed apertures, taken together with the proposal's tiered design which creates separation distance not untypical of central London, would afford the future occupiers an adequate quality of outlook and sense of openness.

Summary on outlook and sense of openness impacts

158. In summary, the proposal is located in an area characterised by a dense urban grain and its height would be in general conformity with much of the surrounding built context. The massing of the proposal has been stepped down along its eastern, southern and western edges in consideration of the residential uses opposite such that none of the surrounding residential uses which look towards the site would experience a harmfully diminished quality of outlook or sense of openness.

Noise

159. The application was accompanied by a Noise Impact Assessment which details measures for mitigating noise and disturbance from plant (power, heating and cooling machinery), other equipment, the various commercial uses within the proposed building and the commercial terraces. The Council's Environmental Protection Team has reviewed the Noise Impact Assessment.
160. In respect of plant, which would be located at roof and first floor level with a

generator on ground floor, the Environmental Protection Team is satisfied with the Noise Impact Assessment and its conclusions. To ensure the installed plant and its acoustic enclosure is of an adequate specification, the Team has recommended the imposition of an attenuation condition.

161. With respect to noise from the roof terraces, the applicant's assessment accounts for sound from people and music, applying a worse case scenario modelled on other similar roof terraces. The modelling shows that, although the requisite daytime noise levels would be achieved, the levels would not meet the criteria at night. For this reason, the Environmental Protection Team has requested that the use of all terraces ceases no later than 22:00 each day, which the applicant has agreed to.
162. As such, the hours of use of the community garden terrace (in the eastern roof zone) would be:
 - Monday to Wednesday - (Winter) 08:00 to 20:00; (Summer) 08:00 to 21:00
 - Thursday and Friday - (Winter) 08:00 to 20:00; (Summer) 08:00 to 22:00
 - Saturday - (Winter) 10:00 to 20:00; (Summer) 10:00 to 22:00
 - Sunday - (Winter) 10:00 to 18:00; (Summer) 10:00 to 20:00
163. Both the café-bar and the restaurant (in the central roof zone) would be open between the following hours:
 - Monday to Wednesday 07:00 to 23:30 (with the terrace to close at 22:00)
 - Thursday and Friday - 07:00 to 00:00 (with the terrace to close at 22:00)
 - Saturday - 08:00 to 00:00 (with the terrace to close at 22:00)
 - Sunday - 08:00 to 23:00 (with the terrace to close at 22:00)
164. The hours of use of the tenant wellbeing amenity space (in the western roof zone) would be:
 - Monday to Sunday 07:00 to 22:00.
165. The noise impact assessment considers background noise only, and sets out limits for amplified noise that would ensure the criteria in Section 5.6 of Southwark Council's Noise Technical Guidance are met. The roof terraces would not be suitable for live music/performances or other events, and for the avoidance of doubt it is recommended that a condition is imposed to expressly prohibit this.
166. In summary, and having given regard to the mixed use character of the area, the Environmental Protection Team is satisfied that the proposed intensification of use would not give rise to unacceptable noise or disturbance, subject to conditions relating to noise attenuation and the hours of use of the

commercial roof terraces.

Odour

167. To protect the surrounding dwellings from odour disturbance, a condition is recommended requiring the Local Planning Authority's approval of a scheme of extraction and ventilation for the restaurant any other uses within the building where hot food preparation is to take place, such as the café.

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

Daylight

168. The BRE Guidance sets out the rationale for testing the daylight impacts of new development through various tests. The first and most readily adopted test prescribed by the BRE Guidelines is the Vertical Sky Component assessment (VSC). This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27%, which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by approximately 20% of the original value before the loss is noticeable.
169. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method, which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
170. The BRE Guidelines state that Local Planning Authorities may give regard to a 'mirror-massing' assessment as an alternative benchmark in a scenario where the neighbouring buildings have windows that are unusually close to the site boundary and therefore take more than their fair share of light. The 'mirror-massing' test is concerned with identifying whether a larger relative daylight reduction may be unavoidable even with a relatively modest obstruction opposite, and must be in addition to —not instead of— an assessment of the impact of the proposed massing against the existing baseline condition.
171. As recognised by the BRE Guidance, existing windows with balconies above them typically receive less daylight because the balcony cuts out light from an area of sky that would otherwise be available. The guidance states that "even a modest obstruction may result in a large relative impact on the VSC, and on

the area receiving direct skylight". In such circumstances, the guidance permits the use of VSC calculations without the balconies in place. As with mirror-massing, a 'without balconies' assessment must be in addition to —not instead of— an assessment of the impact of the proposed massing against the existing baseline condition. Building features that can have a similar obstructive effect include louvres and protruding fins.

172. 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 per cent for kitchens, 1.5 per cent for living rooms and 1 per cent for bedrooms. The BRE recommends that while ADF is an appropriate measure for new buildings and master planned areas, VSC/NSL should be principally used to assess impact on existing buildings.

Properties assessed for daylight impacts

173. This planning application was accompanied by a daylight and sunlight assessment undertaken in accordance with the BRE guidelines. The document assesses the extent to which the proposed development would affect the dwellings in the following buildings:

- Whitehill Houses at 5-9 Sawyer Street;
- The under-construction Southwark Fire Station redevelopment;
- Moonraker Point and 61A Great Suffolk Street;
- The Bacon Factory at 57-59 Great Suffolk Street; and
- 55 Great Suffolk Street.

174. The applicant's daylight and sunlight assessment also undertook testing of 38 Copperfield Street, which is a building to the north of the site in residential use. However, by reason of its distance from the site, as well as the physical and visual separation provided by the intervening medium-rise commercial buildings on Loman Street, 38 Copperfield Street would not be at risk of any daylight harm. Therefore, this report gives no further consideration to the daylight impacts on this residential property.

175. The 'present day' environment modelled by the applicant's daylight and sunlight assessment includes the Southwark Fire Station redevelopment, which is currently under construction, in its completed form.

176. For ease of reference, re-provided below is the map of residential buildings showing their relationship to the application site:



Figure 16 (above): Site location plan with the surrounding sensitive residential buildings identified in yellow. These are (1) Whitehill Houses at 5-9 Sawyer Street, (2) the under-construction Southwark Fire Station redevelopment, (3) Moonraker Point and 61A Great Suffolk Street, (4) The Bacon Factory at 57-59 Great Suffolk Street, (5) 55 Great Suffolk Street. Non-residential nearby buildings are highlighted in blue.

Summary of VSC impacts for sensitive surrounding residential properties

177. The table below summarises the daylight impacts to surrounding properties as a result of the proposed development being built-out in the present day context (i.e. an 'existing vs proposed' scenario). VSC and NSL have been used to analyse the daylight effects of the proposal on all surrounding residential buildings with the exception of the Southwark Fire Station redevelopment, where the ADF methodology has been employed.
178. Where the property in question is very close to the application site, the table also includes the results of the mirror-massing testing, and compares these to the 'existing vs proposed' results. Where the property in question incorporates balconies or protruding fins, a comparison has been provided between the 'existing vs proposed' results and the 'without balconies' results.

Property	Number of windows that would experience a VSC reduction (as a percentage of the baseline VSC value)			
	No loss or a loss of up to 20%	20%-29.9% (minor adverse impact)	30%-39.9% (moderate adverse impact)	40% + (substantial adverse impact)
Whitehill Houses at 5-9 Sawyer Street				
Total no. windows tested: 24				
Proposed development, built in the existing site context	11	7	6	0
<i>Note: Mirror-massing testing not appropriate, as Whitehill Houses are not set sufficiently close to its boundary line opposite the site.</i>				
Moonraker Point and 61A Great Suffolk Street				
Total no. windows tested: 372				
Proposed development, built in the existing site context	104	39	72	157
Proposed development, imagining Moonraker Point and 61A Great S.S. 'without balconies'	120	56	68	128
Comparison of impacts: proposed scheme vs. 'without balconies'	+16	+17	-4	-29
Proposed development, built in replacement of a 'mirror mass'	359	2	5	6
Comparison of impacts: proposed scheme vs.	+255	-37	-67	-151

'mirror mass'				
55 Great Suffolk Street				
Total no. windows tested: 34				
Proposed development, built in the existing site context	18	9	6	1
<i>Note: Mirror-massing testing not appropriate, as 55 Great Suffolk Street is not sufficiently close to the application site</i>				
The Bacon Factory at 57-59 Great Suffolk Street				
Total no. windows tested: 27				
Proposed development, built in the existing site context	16	5	6	0
Proposed development, built in replacement of a 'mirror mass'	27	0	0	0
Comparison of impacts: proposed scheme vs. mirror-massing	+11	-5	-6	N/A

Summary of ADF impacts for sensitive surrounding residential properties

179. ADF is an acceptable methodology to employ when measuring the daylighting impacts on new-build properties for which the layout and internal finishes are known. The only nearby residential property for which such testing is appropriate is the Southwark Fire Station development, currently under construction. The ADF impacts are summarised in the table below:

Property	Rooms that would experience a loss of ADF to less than the level advised by BRE guidance			
	Bedroom	Living Room	Kitchen or Liv/Din/Kit	Total
Southwark Fire Station redevelopment (under construction)				
Total no. rooms tested: 32				
Existing vs proposed	0	0	1	1

Impact on Whitehill Houses at 5-9 Sawyer Street

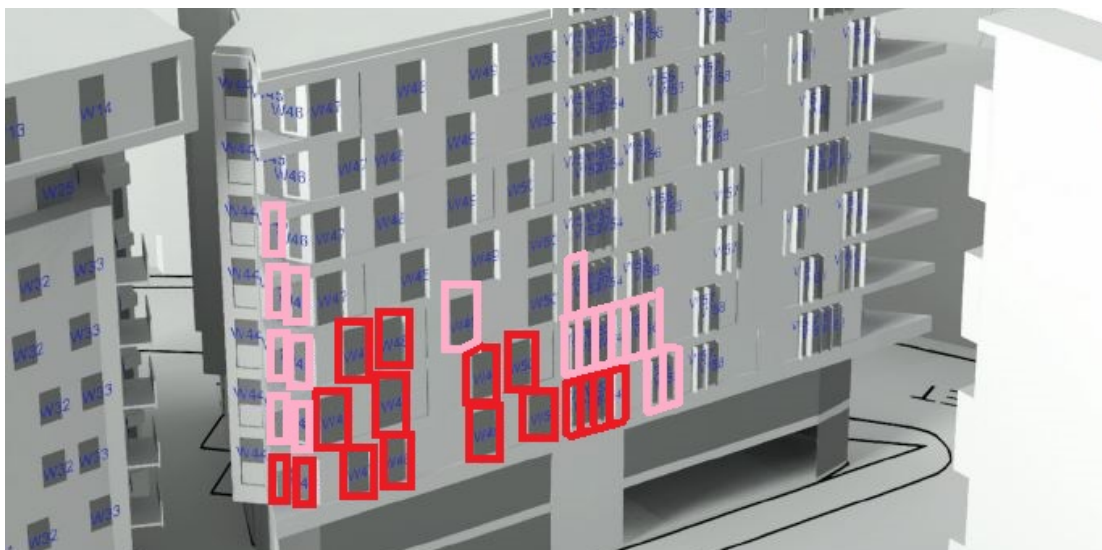
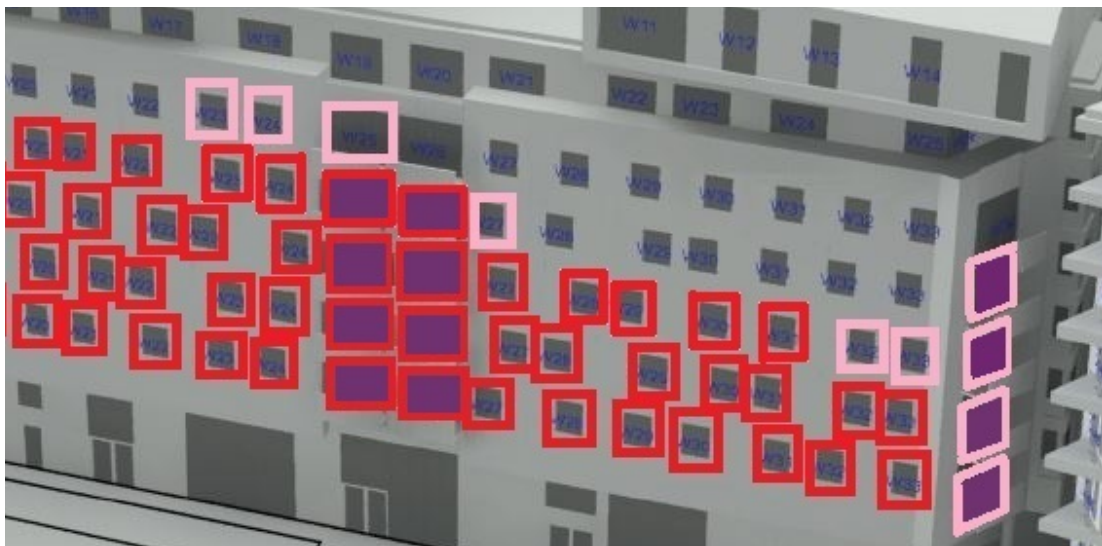
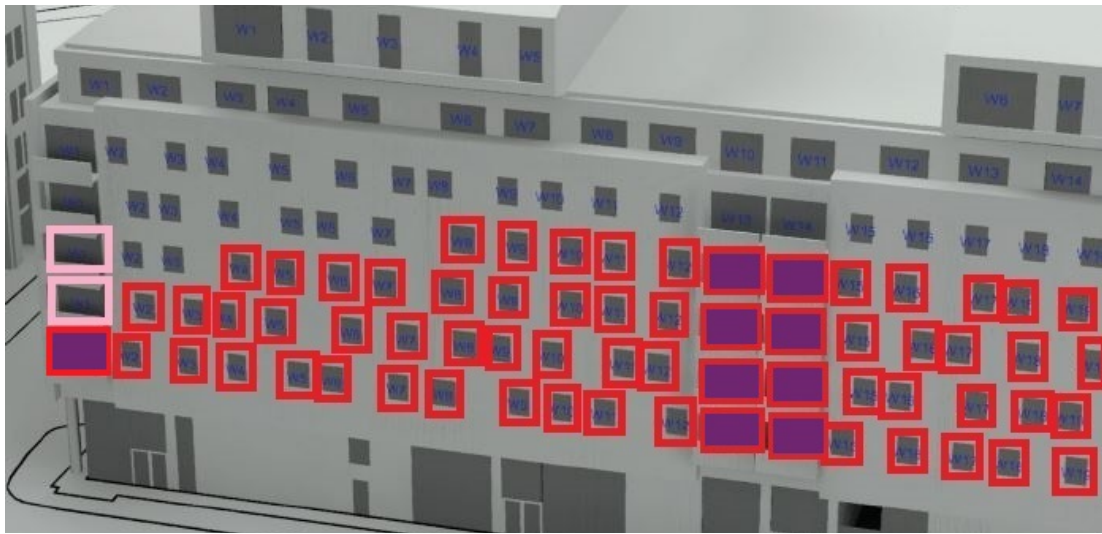
180. Whitehill Houses are a trio of four-storey terraced tenements located to the east of the application site. Following historical internal reconfiguration, the three blocks today contain 19 separate properties. There are 24 windows within the front west-facing elevation of Whitehill Houses; in the absence of up-to-date floor plans, and for caution's sake, all of these 24 windows will be assumed to serve habitable rooms.
181. The applicant's daylight and sunlight assessment shows that, while none of the windows would experience a substantial adverse loss of VSC, six would be affected to a moderate adverse extent and seven to a minor adverse extent.
182. The lowest resulting absolute VSC would be experienced by two lower ground floor windows and one upper ground floor window at 9 Sawyer Street – the resulting values would be 12.4%, 15.2% and 14.0% respectively. Although these are lower than the levels recommended by the BRE guidance, they are not uncommon for central London. Taking account of the positioning of these windows at low level, and the fact that all three currently achieve less than the 27% VSC recommended by the BRE guidance, the resulting VSC levels would not harmfully alter occupiers' living conditions.
183. The other three windows (one window at lower ground floor level, one at upper ground floor level, and one at first floor level) to experience a moderate adverse impact would retain absolute VSCs above the 16%. For an urban environment, 16% is considered adequate.
184. The applicant's daylight and sunlight assessment includes NSL results for Whitehill Houses. These results are based on assumptions about the internal layout of these dwellings, and as such only limited weight should be given to them. The results suggest 15 of the 24 habitable room windows would retain less than 80% of their original NSL, thereby failing to accord with the BRE

recommendations. Some rooms would see NSL reduced to 40%.

185. It is important to note, however, that the rooms currently benefit from an uncharacteristically good area of sky visibility because the land directly opposite (the application site) contains a building that stands to the equivalent of three residential storeys, making it unusually low rise not just in the context of its immediate surroundings, but also in view of its location in Central London. Thus, any reasonable development of the land would have a substantial effect on the NSL of these rooms.
186. In conclusion, the application site currently contains a building equivalent in height to three residential storeys, which has the effect of creating unusually good levels of daylight and sunlight for these neighbouring dwellings. A degree of impact on these good levels of light is to be expected from any optimal redevelopment of the application site. Having regard to the BRE guidance, which should be applied more flexibly in urban environments, and while the significance of the daylight impacts to some rooms within Whitehill Houses are recognised, it is considered that the daylight impacts would not cause undue harm to residential amenity.

Impact on Moonraker Point and 61A Great Suffolk Street

187. These two neighbouring buildings contain commercial units at ground floor level with all upper floors given over to student accommodation. The accommodation comprises 84 student flats collectively containing 543 single bedrooms, as well as 128 single occupancy flats. A total of 372 windows (265 rooms) face towards the application site.
188. With respect to VSC, 157 windows would experience substantial adverse impacts as a result of the proposed development. The specific windows affected are depicted in the window maps below. Of these 157 windows, 133 serve bedrooms and 24 serve communal (living/dining/kitchen) rooms. The 24 communal living rooms are all within Moonraker Point: 4 are positioned on the passageway return elevation and the other 20 are identifiable on the window maps by their wide rectangular shape.
189. The windows edged in red would experience a 'substantial' adverse impact irrespective of whether balconies and fins are taken into consideration, whereas for those edged in pink the impact would lessen to a 'moderate' or 'minor' adverse impact were it not for the balconies and fins.



Figures 17, 18 and 19 (above): Window maps depicting substantial adverse

VSC impacts to the north elevation of Moonraker Point (east end), the north elevation of Moonraker Point (west end) and the north elevation of 61A Great Suffolk Street.

190. With respect to NSL, the applicant's daylight and sunlight assessment shows that 179 of the 265 site-facing rooms at Moonraker Point and 61A Great Suffolk Street would experience losses in excess of the BRE guidance. Of the 179 affected windows:
- 22 would experience a minor adverse impact (70-79.9% of previous value)
 - 24 would experience a moderate adverse impact (60-60.9% of previous value), and;
 - 133 would experience a substantial adverse impact (59.9% or less of previous value).
191. As mentioned in a preceding paragraph, the BRE advises that features intrinsic to the design of a building affecting the occupiers' receipt of daylight can be taken into account. The 'without balconies' assessment provided by the applicant is, therefore, a relevant consideration. It shows that when the balconies and fins are removed from the elevations of Moonraker Point and 61A Great Suffolk Street, the VSC results improve as follows:
- 300 (81%) of 372 windows would meet BRE targets or retain an absolute VSC above 15%;
 - 368 (99%) of 372 windows would retain an absolute VSC above 10%.
192. Of the four windows whose absolute VSC would remain below 10%, one – which currently has a VSC of 8%– would not be worsened by the proposed development. The other three windows, by reason of their arrangement around the tight passageway that separates the two blocks, have low absolute VSC levels at present. The arrangement of the student blocks themselves is, therefore, the principal factor in the low absolute VSC of these three windows; the further reduction caused by the proposed development is proportionately small and an inevitable consequence of any meaningful development of the application site. It should also be noted that each of the three windows serves a room that benefits from daylight through other glazing on the main elevation.
193. The BRE guidelines advise that if the absolute VSC of a window is "less than 5%, it is often impossible to achieve reasonable daylight, even if the whole window wall is glazed". It is important, therefore, to consider any windows where absolute VSC would be reduced to such a level. 20 of the 152 substantially adversely impacted rooms would see their absolute VSC reduced to less than 5%. These windows, all of which serve communal (living/kitchen/dining) rooms, are shaded purple on the above windows maps. All 20 windows are oversailed by a balcony. The applicant's daylight and

sunlight assessment shows that with these elevational obstructions removed, the retained absolute VSC of all 20 windows would improve to above 5%: the lowest absolute value would be 6.8% and the highest would be 19.7%. 15 of the 20 windows would improve to an absolute VSC over 10%.

194. This demonstrates that the inherent design of the student housing blocks contributes in part to these very low absolute resulting VSC levels. Given that the 20 affected rooms would be communal spaces more likely to be used in the evenings when artificial light would be relied on in any case, these losses, although very significant, are on balance considered acceptable.
195. To put the daylight effects of the student housing blocks' own design in context, the aperture to experience the lowest absolute VSC that is affected neither by an oversailing balcony nor an elevational fin is W12 at first floor level. Its resulting absolute VSC would be 9.6%, and it would be the only unobstructed window within either of these student housing blocks to not achieve at least 10%.
196. As mentioned above, the applicant has supplied the results of a mirror massing assessment. 61A Great Suffolk Street and the main body (first to fifth floor levels) of Moonraker Point extend out to the Pocock Street boundary line, with the balconies projecting further still. By standing hard against the boundary line in this way, the two buildings are reliant on the openness of the application site to an unneighbourly degree, both for daylight/sunlight and outlook. Given that the two buildings were constructed relatively recently, it is reasonable to consider the 'mirror massing' results.
197. These reveal that, compared with the impacts to Moonraker Point caused by a mirror image development, the proposed development would result in 237 of the windows achieving either a better or unchanged VSC. The comparatively better VSC levels resulting from the proposal indicate its scale is in keeping with its context
198. The BRE recommends that the 'mirror massing' scenario be used to measure VSC impacts only, not NSL impacts. It is nevertheless noteworthy that the mirror massing shows that for 188 of the rooms, the proposed development would result either in no change or an improvement to the proportion of the room where the sky is visible. This further testifies to the neighbourly scale of the proposed development.
199. In summary, by causing 157 windows to undergo a substantial adverse loss of VSC and 133 windows to undergo a substantial adverse loss of NSL, the proposed development would have significant daylight impacts on the occupiers of this student housing complex. Although the flats are occupied on a temporary (term-time) basis, the bedrooms are used for study and will be dwelt in for longer periods of the day than a bedroom within a conventional

dwelling. Therefore, low light levels for these particular room types would be harmful to amenity and wellbeing. As such, weight should be given to these impacts in determining this planning application.

200. However, as the mirror massing and 'without balconies' assessments demonstrate, the assertive relationship of these student housing blocks to their surroundings make them overly-reliant on the openness of the application site for daylight, while the buildings' elevational design has a restricting effect on the level of daylight received by occupiers. The 'without balconies' assessment shows that, were it not for features inherent to the design of these blocks, 81% of the 372 windows would retain an absolute VSC above 15%, and all but four would retain an absolute VSC above 10%. The 'mirror massing' shows that, compared with the impacts to Moonraker Point caused by a mirror image development, the proposed development would result in 237 of the windows achieving either a better or unchanged VSC.
201. When taken together, the results of the mirror massing and 'without balconies' assessments suggest that the proposal strikes an acceptable scale and relationship to these two neighbouring buildings. To produce meaningfully improved daylight levels within the student housing blocks would require the proposal to be set back from Pocock Street and /or lowered in height to an extent that it would neither achieve an efficient use of land nor respond appropriately to the urban scale of its context.
202. On account of the above, and having given regard to the daylight levels that can typically be expected in a dense central London context, it is considered that the impacts would not be of such magnitude to warrant refusal of the proposal, especially when balanced against the various wider benefits the proposed development would bring as detailed throughout this report.

Impact on the Bacon Factory at 57-59 Great Suffolk Street

203. Plans obtained from the Council's Public Access for Planning Register indicate that residential accommodation within the Bacon Factory is located no lower than second floor level. There are 66 site-facing windows within the building, of which eight serve the first floor commercial floorspace and 26 serve non-habitable rooms. Only at fifth and sixth floor level are there windows that serve living/kitchen/dining spaces; all habitable room windows at second, third, fourth, seventh and eight floor levels serve bedrooms.
204. In terms of VSC losses, 6 would experience a moderate adverse impact and 5 would experience a minor adverse impact. All moderate adverse impacts would be experienced by bedrooms, a room type with daylight demands not as great as other habitable rooms due to their primary function of providing sleeping accommodation. Although two of the windows to undergo a minor

adverse impact serve a living/kitchen/dining space, the retained absolute VSCs would be 18.2 and 21.8, which are not uncommon values in urban locations.

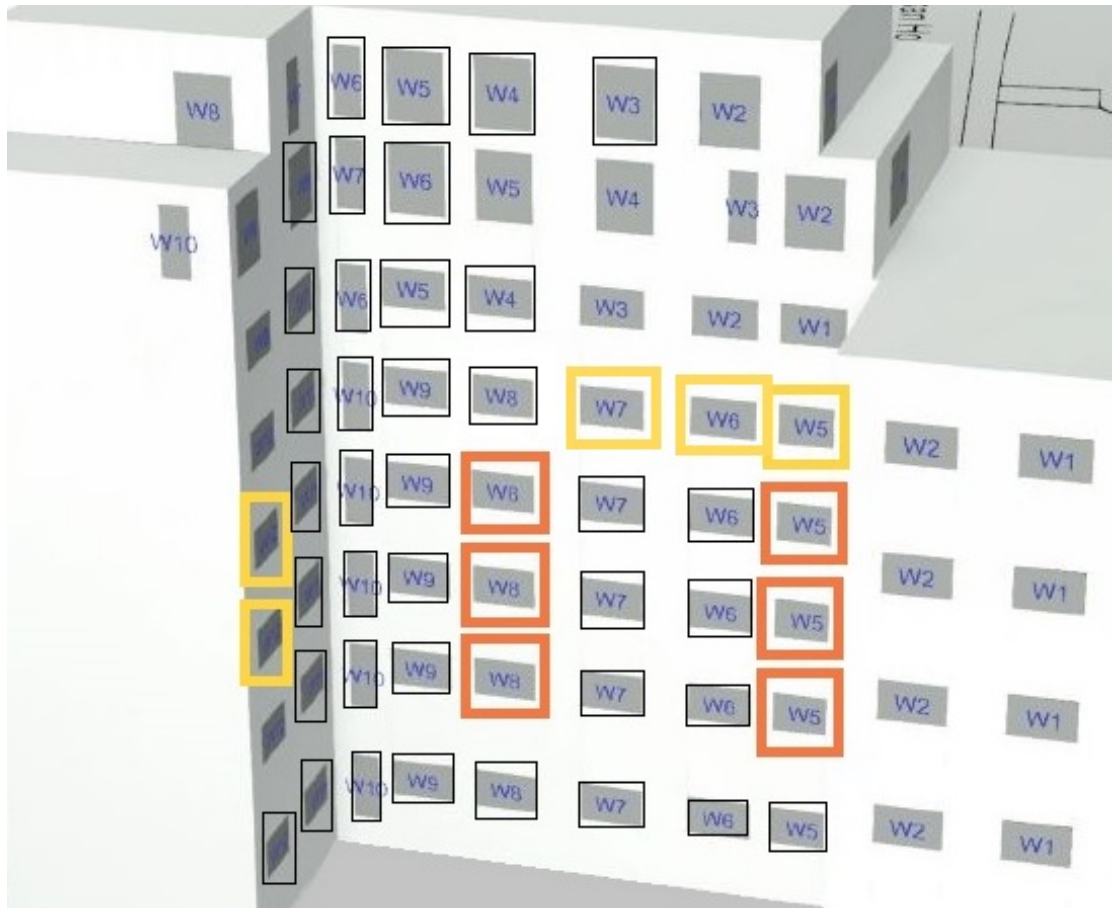


Figure 20 (above): Window map of the Bacon Factory highlighting the habitable room windows to experience a moderate adverse VSC impact (in orange) and a minor adverse VSC impact (in yellow). Non-habitable rooms are edged in black.

205. The rear elevation of the Bacon Factory stands relatively close to the common boundary, and as such it is acceptable to give consideration to the mirror massing assessment provided by the applicant. This shows that the proposed development would have a lower level of impact upon the Bacon Factory than would be caused by a mirror image of itself.
206. In terms of NSL, five rooms –all of which are bedrooms– would experience losses in excess of 20%. Of these, the greatest NSL losses would be experienced by Room 2 and Room 6 at second floor level, where the losses would be 59.8% and 56.6% respectively. Changes of this magnitude would cause a noticeable difference to how the users experience the affected rooms. However, it must also be recognised that owing to the existing Crown Court’s low rise nature, the rear-facing rooms at the Bacon Factory currently

benefit from an uncharacteristically good area of sky visibility. Thus, any reasonable development of the application site would inevitably affect the NSL of rooms within the Bacon Factory, particularly those on the lower floors. In this context, and while fully acknowledging that the minor and moderate adverse losses of NSL would have a noticeable effect on the users of these rooms, the impacts are not considered to be sufficiently harmful to warrant withholding permission

207. In summary, while a number of VSC and NSL losses in excess of BRE guidelines would occur, the greatest impacts would be experienced by bedrooms, a room type the BRE recognises as being less sensitive to daylight loss. The 'mirror massing' results, which suggest the proposal bears a neighbourly relationship to the Bacon Factory, support this conclusion.

Impact on 55 Great Suffolk Street

208. 55 Great Suffolk Street, formerly in storage/distribution use and currently vacant, benefits from planning permission for conversion to office use at ground floor and residential use on all upper floors. The planning permission is extant and thus could be implemented. The applicant has duly assessed the impact on the future potential habitable room windows. Of the 34 windows tested at 55 Great Suffolk Street, one would experience a substantial adverse VSC reduction, six a moderate adverse VSC reduction and nine a minor adverse VSC reduction.
209. The one window to be substantially adversely impacted would (assuming the building is redeveloped as per the extant planning permission) serve a living/kitchen/dining room. In absolute figures, this window's VSC would reduce from 24.4 to 12.8. Although this is a low absolute VSC for a principal living space, it should be noted that the room would also receive light through two other windows (W3 and W4). It is also relevant that the dwelling does not yet exist, and as such there is no in-situ occupier who will directly experience the change in daylight quality.

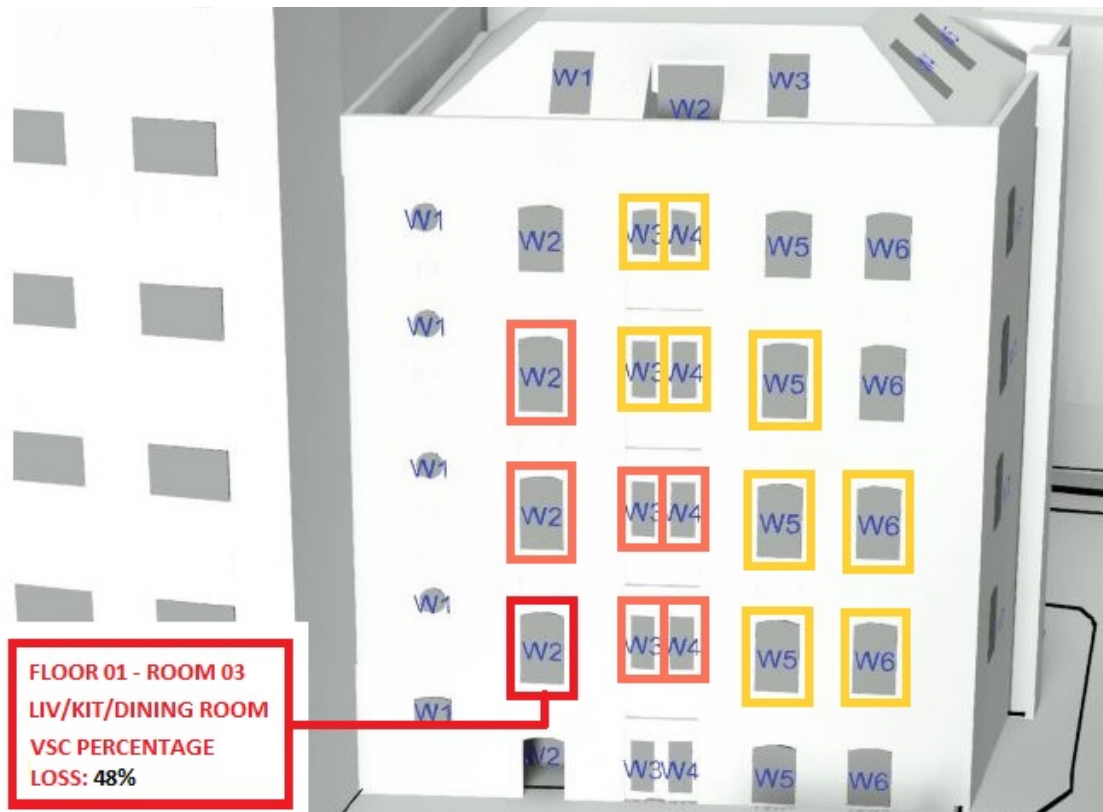


Figure 21 (above): Window map of the east elevation of 55 Great Suffolk Street, highlighting (in red) the one habitable room window that would experience a substantial adverse loss of VSC.

210. An important further consideration is the NSL assessment, the results of which show that all eleven site-facing habitable rooms would continue to receive good levels of daylight well in excess of BRE targets. This suggests that the scale and height of the proposal, and its relationship to 55 Great Southwark Street, would not be unneighbourly.
211. In summary, and while recognising that a number of VSC losses in excess of BRE guidelines would occur, with window W2 at first floor level bring particularly impacted, good levels of NSL would be retained. On balance, it is considered that the level of impact experienced by these rooms would not be significantly harmful.

Impact on currently under-construction Southwark Fire Station redevelopment

212. The Southwark Fire Station redevelopment will, once completed, introduce an eight storey block fronting Sawyer Street adjoined to the north by the Whitehill Houses. Commercial uses will be provided on the lowest three storeys of the block, with the floors above to be exclusively residential. The applicant's daylight and sunlight report has assessed the 49 site-facing residential windows for ADF impacts. The majority of these windows serve single-aspect

flats.

213. Despite the applicant's daylight and sunlight assessment suggesting all sensitive rooms within the Fire Station redevelopment would meet the relevant ADF thresholds set out in the BRE Guidance, the data shows one room would not receive the level of daylight recommended by the BRE. The room in question is the open-plan living/kitchen/dining room within Flat C0304. Open-plan living/kitchen/dining rooms should achieve an ADF of at least 2.0. As a result of the proposed redevelopment of Blackfriars Crown Court, the room's ADF would reduce from 2.3 to 1.8.



Figure 22 (above): Window map of the Southwark Fire Station redevelopment, highlighting the one room that would experience a loss of ADF to less than the level advised by the BRE guidance.

214. It is recognised that when consented, the dwellings within the Fire Station redevelopment achieved compliant ADF levels because of the good daylight availability resulting from the relatively low-rise nature of the Blackfriars Crown Court site to the northwest. Any reasonable redevelopment of the Blackfriars Crown Court site would, therefore, result in a loss of ADF. Although the reduction of ADF from 2.3 to 1.8 would have an impact on the quality and natural brightness of the room in question, it would not do so to the extent that

the typical functions carried out within the room would become impracticable without the sustained use of artificial light. Accordingly, the loss is not considered to be of such significance that harm would be caused to the amenity of the occupiers.

Sunlight

215. The applicant's daylight and sunlight report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guide states that nearby windows must be assessed using the three-stage process set out below to determine if, as a result of the development, the sunlight levels would reduce to an extent that the room may feel colder and less pleasant.
216. The first stage is to determine if the window would experience:
- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH), (i.e. less than 371.5 hours) or;
 - a reduction in sunlight to less than 5% Winter Probable Sunlight Hours (WPSH) (i.e. less than 22.3 hours) or;
 - both of the above.
217. If one of the above criteria is triggered, the next stage is to determine if:
- the window's resulting APSH is less than 0.8 times its former value, or;
 - the window's resulting WPSH is less than 0.8 times its former value, or
 - both of the above.
218. Where one of the criteria in Stage 2 is met, the final stage is to determine if:
- the sunlight received by the window over the whole year would reduce by more than 4% of APSH (i.e. to less than 59.44 hours).
219. Only if all three thresholds have been exceeded can it be considered that the sunlight level would be reduced to an extent that the room may feel colder and less pleasant.

Properties assessed for sunlight impacts

220. Assessed as part of the report due to their risk of sunlight loss are the south-facing windows at the following addresses:
- Whitehill Houses at 5-9 Sawyer Street; and
 - 38 Copperfield Street

221. The ‘Daylight Impacts’ section of this report did not assess the impact on 38 Copperfield Street because the applicant’s daylight and sunlight assessment showed there would be no daylight losses in excess of BRE guidance. There would, however, be sunlight losses in excess of the guidance to some rooms within 38 Copperfield Street as result of the proposed development. The map to the right depicts the location of 38 Copperfield Street in respect of the application site.



Figure 23 (above): Site location plan with 38 Copperfield Street identified in yellow. Non-residential buildings in between the site and 38 Copperfield Street are highlighted in blue.

Summary of APSH and WPSH impacts for sensitive surrounding residential properties

222. The table below summarises the sunlight impacts to the surrounding properties with south-facing windows as a result of the proposed development being built-out in the present day context (i.e. an ‘existing vs proposed’ scenario):

No. of windows that would experience sunlight losses in excess of BRE guidance					
APSH losses in excess of BRE			WPSH losses in excess of BRE		
20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substantial adverse impact)	20% - 29.9% loss (minor adverse impact)	30% - 39.9% loss (moderate adverse impact)	40% loss or over (substantial adverse impact)
Whitehill Houses [24 windows (of a total of 24) have been assessed]					
2	5	12	5	4	10

Total no. of impacted windows: 19			Total no. of impacted windows: 19		
30 Copperfield St [17 windows (of a total of 24) have been assessed]					
0	0	0	3	0	0**
Total no. of impacted windows: 0			Total no. of impacted windows: 3		
<p><i>** The applicant's report suggests two windows would undergo a substantial adverse percentage change to 0%. However, this is an anomaly of the presentation format. While the two windows would indeed have a resulting WPSH of zero, their starting/existing WPSH is zero. There would, therefore, be no change.</i></p>					

Impact on Whitehill Houses at 5-9 Sawyer Street

223. 19 of the 24 habitable room windows at Whitehill Houses would experience APSH losses in excess of the BRE guidance, with 12 to be affected to a substantial adverse extent. Of these 12 windows, four are at 7 Sawyer Street and eight are at 9 Sawyer Street. The greatest impact would occur at the right-hand upper ground floor window at 9 Sawyer Street, where the APSH would be reduced to 13% of its original value.
224. The extent of these APSH losses is fully recognised. However, it should also be noted that all windows at Whitehill Houses are located on the west elevation of the building nearly facing due west; this orientation means that, at present, the windows mainly receive sun mainly in the late afternoon. These existing sunlight levels are partly attributable to the relatively low-rise nature of the existing Crown Court building. Therefore, any increase in height to the building on the application site would inevitably lessen the receipt of sunlight to the Whitehill Houses. On balance, and noting that the BRE guidelines should be applied flexibly in urban contexts, it is not considered that the APSH would cause undue harm to the users of the rooms.
225. 19 of the 24 habitable room windows at Whitehill Houses would experience a loss of WPSH in excess of the BRE guidelines. Of these 19 windows, ten would be impacted to a substantial adverse extent: one is at 5 Sawyer Street, three are at 7 Sawyer Street and six are at 9 Sawyer Street. In three instances, the resulting WSPH would be reduced to zero hours.
226. The windows to experience substantial adverse impacts have low WPSH at present (39 hours at most), with the three windows to be reduced to zero hours of winter sunlight having particularly low existing WPSH (1 hour each) at present. Any reduction to these low existing sunlight levels would therefore generate a large percentage change. Taking account of the low absolute WPSH levels at present, the resulting change is unlikely to be noticeable to

room users.

227. In summary, and while the significance of the losses is recognised, having had regard to the particular context of Whitehill Houses, it is not considered that the sunlight impacts would cause undue harm to the occupiers of these dwellings.

38 Copperfield Street

228. It is understood that this property, originally commercial in use, was converted approximately 10 years ago to contain live-work apartments. Although there would be no losses of APSH in excess of the BRE guidance as a result of the proposed development, two windows at 38 Copperfield Street would experience a 'minor adverse' loss of WPSH.
229. Both of the windows to incur minor adverse impact are located at low level and rely on the relatively modest height of the Crown Court building to receive winter sunlight. Any densification and/or additional height on the application site would inevitably affect these winter sunlight levels, but for both of the affected windows the impacts are considered acceptable having regard to the dense central London context.

Daylight and sunlight summary

230. It is recognised that the proposed development would cause daylight impacts in excess of the BRE guidance to a number of the surrounding properties. This is a negative impact on neighbour amenity which should be accorded some weight in determining the application. However, when interpreting these losses, regard must be had to the existing low-rise character of the site and its location within an otherwise dense central London environment. Many of the most impacted properties stand very close to the site boundary and thus are overly reliant on it for their receipt of light, or have design features that significantly limit the existing internal light levels, as a result of which any meaningful development on neighbouring land would generate sizeable percentage losses. On balance, and noting the BRE advice that the guidelines should be applied with a degree of flexibility in urban environments, it is not considered that the losses, and the degree of harm to amenity, would warrant withholding planning permission.
231. Sunlight exceedances would occur at 38 Copperfield Street and Whitehill Houses, including some substantial adverse impacts to the latter. In most cases, this is a consequence of the affected windows receiving relatively low sunlight at present due to its orientation nearly due west. Any development of the application site would, therefore produces a large percentage loss. When the absolute existing and proposed winter hours are examined in detail, the changes would in most cases not be noticeable to the users of the room, and

where noticeable changes would occur the impact on the occupiers' amenity would not be significantly harmful.

232. While the extent of the daylight and sunlight impacts is recognised, the modest scale of the existing Crown Court creates uncharacteristically high internal light levels for these dwellings that would inevitably be reduced by any reasonable and efficient redevelopment of the land. The retained levels of light for the surrounding properties are not untypical for a central London and would not cause undue harm to residential amenity.

Design, layout, impact on heritage and tall building considerations

Context

233. The application site comprises a substantial, low-rise building that occupies almost the entire street block. The architecture of the building reflects its time and previous civic use. The elevations are distinctly post-modern in style with a neo-classical portico entrance and brickwork facades dressed with fake colonnades and chunky stone cladding. The building has an inward focus, with limited entrances and high-level windows, a blind rear elevation and heavily secured basement vehicle entrance. As such, it presents a distinctly coarse-grained built form that is generally disengaged from its immediate setting.



Figure 24 (above): The Pocock Street elevation of the existing Crown Court building.

Proposed layout

234. The design approach is to re-use the existing foundations, concrete frame and

heavy floorslabs, and to remodel the existing brickwork elevations at ground and first floor levels. An upward extension of the structure is proposed using a lightweight hybrid system of cross-laminate timber (CLT) and steel to provide new additional floorspace.

235. This approach in effect retains the extensive footprint and back-of-pavement condition, and would add to an already significant, singular built form. This coarse-grained character would be relieved, however, by the proposed central route. This would significantly open up the building and improve its engagement with the surrounding streets, directly linking Pocock Street to Loman Street. Housed within the seven-storey high atrium and to be open to the public during the daytime, the new central route would have the character of a pedestrian street or arcade, not dissimilar to a station concourse.
236. The new route would align with Risborough Street and is welcome in urban design terms, providing improved permeability and good connectivity northwards towards the river. The meandering character of the wider pedestrian link created by the proposal would not be untypical of Southwark's historic street patterns. The entrances are generously scaled and inviting, and legible within the streetscene.



Figure 25 (above): Visualisation of the Pocock Street entrance into the central route.

237. In addition to the new central street, the building's elevations would be 'opened up' with full height windows onto the street and separate ground floor office entrances onto each of the street facades, offering good informal surveillance and animation of the adjoining public realm. Loman Street in particular would be well-activated with the addition of a new café and auditorium space located either side of the new main entrance, bringing a focus to the new route opposite Risborough Street.

238. Lastly, in their treatment, the upper floor elevations themselves would go some way to relieving the coarse-grained character of the built form. The retention and upward extension of the existing cores as brick ‘towers’ would break up the massing into three distinct elements when viewed along Pocock and Loman Street, suggesting a series of adjoining blocks rather than a single building. The Loman Street elevation would be especially effective, with the upper elevations setting in around the towers.
239. Overall, while the footprint and general form may well be substantial, the layout represents a thoughtful adaption of the original building. The generally transparent language of the ground floor, with large-scale openings, new entrances and a publicly-accessible route would make for an engaging building at street level with good permeability, and for good urban design.

Built form and scale

240. Regarding the scale, the increase in height with the additional part five/six commercial storeys would be significant, taking the overall building height to 41.78 metres AOD (including plant), which is above the threshold for a tall building. As such, there is a policy requirement for a building of exceptional design quality and new public open space commensurate with its scale.
241. At eight commercial storeys (including the pavilions at rooftop level), the scale would be notably taller than the adjacent buildings, though not to such an extent that the building would appear out of context or visually disruptive. The context is varied, with the neighbouring buildings standing to a height generally between 25 and 31 metres. Those to the south and west generally rise to a height of between 8 and 10 residential storeys, while those to the north (32-36 Loman Street) and east (Whitehill Houses) are more modest in height at 4 to 5 storeys.

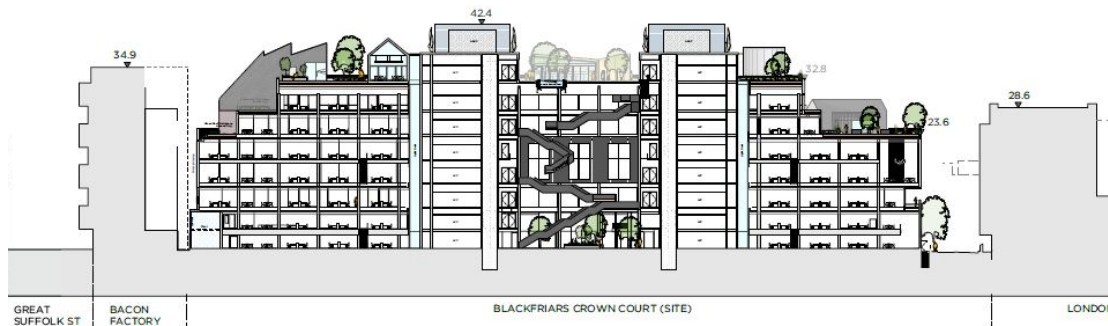


Figure 26 (above): West-to-east section through the proposed development, showing its height relative to the Bacon Factory and the under-construction Southwark Fire Station redevelopment

242. A key feature of the proposed development is the extensive articulation of its built form, with the expression of a five-storey building to shoulder height, a tiered design on the upper two main floors, and a disaggregated form of accommodation at rooftop level. The shoulder height of approximately 21 metres would bring a comfortable three-dimensional scale to the street and strike a good relationship with the buildings opposite. The upper floors would be set back sufficiently behind the main façade line to significantly reduce their visibility in immediate views from street level and not appear overbearing. While the final floor would comprise a series of discrete rooftop pavilions and plant that are occasionally seen, they would be perceived not as bulk but as incidental features that add interest to the roofline.
243. A further easing of the perceived scale of the building would be provided by the articulation the main elevations, with a good sense of base, middle and top. The set-in and glazed treatment of level 02 would be particularly effective in achieving this visual hierarchy, providing a clear delineation of the retained base of the building and the new volume above.
244. Overall, the proposed articulated massing is used to good advantage, with the vertical ordering and setback upper levels bringing a more human scale to an otherwise large-scale development, allowing it to sit well within its immediate context.

Architectural treatment

245. The elevational architecture would be engaging and energetic, successful in its composition, and making for a contemporary, high quality design. At ground and first floor (mezzanine) level, the base of the existing building would be stripped back of its late 1980s, post-modern alterations to reveal the original elevations of the 1950s government printworks. The latter has a handsome, robust architecture of the early post-war period, with its attractive brickwork and composition of openings. The 'restoration' of its appearance would bring a familiar, municipal/industrial character to the architecture and a sense of history that would sit well within the wider townscape context of this part of Bankside. The brickwork piers and fair-faced concrete lintels would be re-exposed, and the infills sensitively remodelled with larger openings and replacement fenestration in a derivation of the earlier industrial-style steel windows. Intriguingly, where some original windows are no longer required, they would be adapted as blind windows, allowing their original form to remain visible for visual interest.
246. The new addition above would have a contrasting architecture, with a distinctive change in material finishes and detailed designs. The main massing would be presented as a double-height volume not dissimilar in footprint to the ground and first floors, but visually separated from the

brickwork base by the second floor façade, to be set-in on all sides and finished in seamless glazing. This transparent margin would be effective in 'releasing' the main volume above to express its own architectural identity. The double-height volume, containing the third floor and mezzanine (levels 03 and 03M), is to be finished in profiled metalwork and would possess a strong horizontality and dramatic scale, emphasised by the oversized glazed openings and large pivot windows. These storeys would be engaging and quasi-industrial in appearance. While the metalwork is distinctive with its dark green tones, the choice of finishes nonetheless sits well alongside the weathered stock tones of the brickwork below.

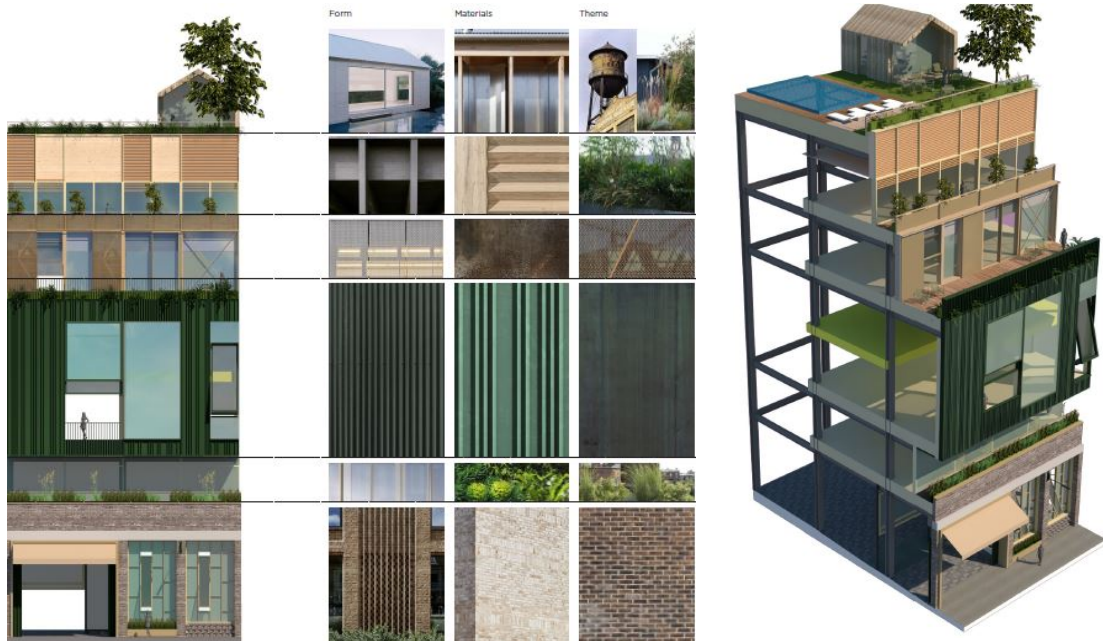


Figure 27 (above left): Truncated elevation. Figure 28 (above centre): The materials palette. Figure 29 (above right): Axonometric section, showing how the tiered façade steps in and out.

247. Above this, levels 04 and 05 would tier back to reduce their massing and visual impact, which is complemented by their lighter, more transparent finishes. Level 04 would feature copper-coloured metal panels and large windows screened in matching metal meshwork to bring a translucent quality to the facades. Level 05 would be finished in timber panelling, with timber framed windows and louvres that offer similar warm tones, but a distinct change in texture. The metal meshing and louvres would provide solar shading for the offices, which is important on these upper levels.
248. Finally, the top floor (level 06) is conceived as a collection of discrete rooftop pavilions and lightweight structures, arranged within garden settings. The structures would contain office meeting rooms, a café-bar, a restaurant, facilities ancillary to the swimming pool, and a community building with gardens. The structures would be individual and distinctly vernacular in

design, comprising a variety of charred, natural and painted timber clad facades with picture windows and bi-fold doors, and timber shingled or profiled metal roofs. At this level the brickwork towers would be topped with glazed boxes; these would provide further office meeting rooms, as would the raised metal drum, which is designed to read as a converted water tank. The pavilion containing the bar is notable for slightly over-sailing the perimeter of the roof, adding an element of visual drama to the Loman Street elevation.



Figure 30 (above): The Loman Street elevation of the proposed building. Visible at rooftop level are the raised metal drum and bronze-clad oversailing café-bar.

249. The lively pavilions and raised metal drum would bring a flourish and delight to the top, with their informal and dynamic character. The inclusion of an outbound staircase from the community garden terrace would add to the expressive, unconventional design of the rooftop, and if well-handled in detail would bring a 'sculptural' element to the southeast corner of the building. Importantly, the structures are well-designed and would remain sufficiently discrete in their design and spacing, so as not to read as a jumble of sheds or visually coalesce into an additional floor. Furthermore, owing to all being small in scale and most set-back from the roof edge, the structures would not overly distract from the host architecture below.
250. A key feature of the proposed development is the central route at ground level. The treatment of the new route would be both inviting and engaging, featuring generously scaled six-bayed entrances, a double-height ceiling and 20 metre wide pathway. Its configuration would allow passers-by to obtain direct visual links to the opposing entrance, actively improving the prospect of public use. Importantly, the route is designed to feel like an extension of the public realm, with the floorscape finished in granite setts and gently ramped to run continuous with the adjoining pavements. The brickwork of the building's elevations would be returned into the entrances and feature elsewhere in the atrium, suggesting two discrete buildings facing onto a central public space.



Figure 31 (above): Visualisation of the central route. It would be housed in an atrium crosscut by staircases, and animated by hanging plants and galleried upper levels.

251. A café and public auditorium would line the entrance onto Loman Street and spill out into the new route, with additional pop-up retail concessions, informal seating and planting contributing to the space. The full-height central atrium, providing good natural lighting of the public route, would contain a series of serpentine staircases. These, together with the glass bottom swimming pool set into the atrium roof, would add drama to the space. The atrium and route would be climate controlled, using stack ventilation and large timber sliding sash windows; timber passing doors, set back within the main entrances, would be relied on during colder weather. The route itself is to remain open during the daytime and would be secured out of hours using fretted-metal, bi-fold screens.

252. Regarding the functional quality of the new offices, a high specification is proposed, with large office floorplates, multiple cores and opportunities for double-height spaces or mezzanine floors. The additional office entrances at ground floor would bring further flexibility to the designs. The typical internal ceiling height is 2.85 metre clear for the upper floors, with the third floor offering a particularly generous space with 3.5 metre clearance or, with the mezzanine omitted just shy of 7 metres. The offices would be naturally ventilated and, despite the deep floorplan, would achieve good light levels through a combination of large window openings, the central atrium and sun-pipes that thread down to illuminate the lower levels. The internal finishes are mostly in timber, bringing warmth and texture to the designs. Breakout spaces

arranged around the atrium and the rooftop meeting rooms, gardens and tenant facilities will add to the building's appeal.

253. Overall, the architecture is well considered and sustainable with its repurposing of the existing building's main structure and use of CLT. It replaces an out of date building that did little for its townscape context; its coarse-grained form and secured design offering little animation to the surrounding streets. The development opens up the ground floor to provide a more engaging building and greater public permeability. Its scale is comfortable within its immediate context, while the elevational designs are lively and appealing; the outbound staircase, rooftop pavilions and gardens adding joyful moments to the design. The accommodation is high quality. The proposals are of a sufficiently high standard of architecture and urban design, and would be a significant improvement in the local townscape.

Tall buildings

254. The highest parts of the scheme would be over 30 metres in height, and as such would fall within the scope of the Council's adopted tall buildings policy, Saved Policy 3.20 of the Southwark Plan. This policy expects tall buildings to be located in the CAZ and Opportunity areas, and in places with good public transport accessibility. It also has specific requirements for tall buildings to make a positive contribution to the landscape, be located at a point of landmark significance, relate well to their surroundings (particularly at street level), and contribute positively to the London skyline, as well as demonstrating excellent design.
255. Emerging Policy P16 (Tall Buildings) of the NSP requires the design of all buildings of 30 metres height or greater to, amongst other things:
- be located at a point of landmark significance;
 - have a height that is proportionate to the significance of the proposed location and the size of the site; and
 - make a positive contribution to the London skyline and landscape, taking into account the cumulative effect of existing tall buildings and emerging proposals for tall buildings.
256. In terms of public facilities, Policy P16 requires all new buildings of 30 metres or more in height to:
- provide a functional public space that is appropriate (in quantum) to the height and size of the proposed building; and
 - provide a new publicly accessible space at or near to the top of the building and communal facilities for users and residents where appropriate.

257. Although Policy P16 can only be attributed limited weight because the NSP is not yet adopted, Policy D9 of the Intend to Publish New London Plan, to which substantial weight can be given, similarly requires the incorporation of free to enter publicly-accessible areas within tall buildings. Policy D9 advises that such spaces should “normally be located at the top of the building to afford wider views across London”.

Design quality of the tall building

258. With respect specifically to the first design requirement of Saved Policy 3.20, which requires a positive contribute to the landscape, the proposal is considered to be compliant. The development would provide a number of significant extensions to the public realm, most notably the new ground floor public route and the rooftop community space. The new through-route would provide an engaging, publicly-accessible space improving northward permeability to Risborough Street and Bankside beyond. The attractive garden terrace and the associated community building, with their panoramic views northeastward towards London Bridge, would also deliver landscape benefits. With long-term public access to these spaces secured through the Section 106 Agreement, the landscape contribution is commensurate with the scale of development.
259. The second requirement of Saved Policy 3.20 is that the building be located at a point of landmark significance. The site is not of strategic importance such that a particularly tall building would be justified. However, given the building’s limited visibility within its context, the height is considered appropriate to its surroundings in spite of being over the 30 metre threshold.
260. The third requirement of Saved Policy 3.20 is that the building achieves the highest architectural standard. The scheme is an extensive re-adaptation of an existing building that cleverly utilises the building’s underlying structure, and reveals and remodels the host architecture to form an attractive base for a new structure above. The additional volume is threaded skilfully into the base and, while contrasting and distinctive in character, combines to form a coherent new architecture that is convincing in its compositional quality and high standard of office accommodation. The designs are engaging and dynamic, and well executed in terms of their attention to detail and visual richness. For these reasons, the building would be of the highest architectural standard.
261. The next requirement of the policy is that the tall building relates well to its surroundings. The proposal would achieve this, both in terms of its base and its general design. The retained and remodelled base has a familiarity and the attractive patina of its weathered stock brickwork and fenestration that relates well to its context. It also has a public focus that is evident, with the perforate design of the street frontages and new pedestrian route that draws people into

the building with its sense of openness and permeability, and the seamless flow of paving that continues from the street into the building itself. The upper volume has a quasi-industrial appearance that picks up on the former industrial/warehouse character of its context; whilst its massing is well-considered, with its strong articulation and evident shoulder line that relates well to the buildings opposite and brings a coherency to the street.

262. The final requirement is that the building positively contributes to the London skyline. The articulation of the roofline with the pavilions, raised water tank, glass boxes, an outbound staircase and extensive gardens and trees brings a dynamic finish to the building that is engaging without dominating the host architecture. The designs are joyful and memorable, and if delivered to a high quality, should present a distinctive silhouette on the local skyline. In addition, it can be argued that the rooftop gardens positively contribute to the London skyline by providing a rooftop viewing gallery that is open to the public and provides views towards the City and London Bridge.
263. Overall, the development’s design sufficiently meets the policy criteria for a new tall building. However, a significant outcome of a tall building is its visibility and while this is not necessarily harmful in itself, the potential effects on the ‘receptor’ heritage assets are of special concern. Full consideration is given to these effects in the subsequent sub-section of this report entitled ‘Heritage and Townspace Implications’.

Public space offer of the tall building

264. Although the proposed development is not significantly higher than the surrounding buildings, it occupies a substantial area of land, and as such is considered to be of a scale that warrants a generous public space offer.
265. The table below sets out the spaces within and around the proposed building that would be publicly-accessible. The square meterage of each space is also expressed as a percentage of the site area.

Publicly-accessible space: summary table		
Dedicated publicly-accessible spaces		
<u>Description of space and location</u>	<u>Area (square metres)</u>	<u>Percentage of development boundary</u>
Level 00: Route through the building	707	12%
Level 00: External space around the building	680	11.5%

(within title boundary)		
Level 04: Community pavilion, potting shed and greenhouse (internal spaces)	312	5%
Level 04: Community garden terrace (external space)	612	10%
Total:	2311	38.5%
Ancillary/circulation areas serving the publicly-accessible spaces		
<u>Description of space and location</u>	<u>Area (square metres)</u>	<u>Percentage of development boundary</u>
Level 00: Loman Street access lobby to the community garden terrace	78	1%
Multiple Levels: Access stair to the community garden terrace	27	0.5%
Total:	105	1.5%
Total (dedicated and ancillary) public space:	2416	40%

266. Other parts of the proposal open to the public include the café and community auditorium at the Loman Street entrance to the building, as well as the sixth floor café-bar and restaurant. However, because these facilities would have a commercial function (semi-commercial in the case of the auditorium) they would not be truly free-to-use publicly-accessible space. It is for this reason that they are not listed in the above table.
267. The various free-to-use proposed facilities include internal, covered and outdoor landscaped spaces, and all would achieve a very high quality of design. Each space would have opening hours appropriate to its use and proximity to surrounding uses. Critical supporting facilities such as toilets would also be provided. In addition, the Section 106 Agreement will require the organisation responsible for managing the pavilion and garden terrace to provide educational and community programmes, enhancing the offer of the publicly-accessible facilities.
268. In summary, it is considered that the overall community space offer, amounting to 40% of the total site coverage, would be meaningful and commensurate to the scale of the building, fully in accordance with Saved Policy 3.20 of the Southwark Plan and Policy D9 of the Intend to Publish New London Plan. Despite only limited weight being attributable to the New Southwark Plan tall buildings policy at present, it is nevertheless noteworthy

that the proposal would fully accord with this emerging policy.

Heritage implications

269. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to consider the impacts of proposals upon a conservation area and its setting and to pay “special regard to the desirability of preserving or enhancing the character or appearance of that area”. Section 66 of the Act also requires the Authority to consider the impacts of a development on a listed building or its setting and to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The NPPF provides guidance on how these tests are applied, referring in paras 193-196 to the need to:

- give great weight to the conservation of the heritage asset (and the more important the asset, the greater the weight);
- evaluate the extent of harm or loss of its significance; and
- where necessary, weigh this against the public benefits of the scheme.

Para 197 goes on to advise taking into account the effect of a scheme on the significance of a non-designated heritage asset.

270. The planning application includes a zone of visual influence (ZVI) and a townscape visual impact analysis (TVIA) that provides a map and 18 townscape images of the development, including seven verified images, when viewed from locations in and around the Bankside and Borough areas. In large part, this is because of the nearby railway viaducts and other large buildings positioned to the north, west and south of the site that tend to mask the development from wider view; but also because of the tight, historical urban form of the surrounding streets that offers limited visual prospects.

271. Significantly, the site does not align with any of the protected strategic views of St Paul’s or the protected borough views of the Cathedral. It is also sufficiently distant from the River Thames not to appear in the backdrop to the Tower of London World Heritage Site or any of the riverside prospects. Nonetheless, it does remain visible in a number of nearby and middle distance views, particularly to the east, where it affects the settings of designated heritage assets.

Impacts on listed buildings

272. The application building is within the vicinity of several listed buildings, most notably 55 Great Suffolk to its immediate west, Draper’s Almshouses in Glasshill Street and the Rushworth Street Estate to the southwest, Gables Cottages in Sudrey Street to the southeast and the Southwark Fire Station

complex and welsh Congregational Chapel to the east.

273. Regarding the Grade II listed buildings in Glasshill Street and Rushworth Street as well as the Grade II listed Gable Cottages, the development is screened from view by the intervening townscape, which includes the not dissimilarly scaled buildings of 61A Great Suffolk Street, Moonraker Point and the Bacon Factory and by the railway viaduct. In these instances, the development would have no or negligible visual impact on these heritage assets.
274. 55 Great Suffolk Street is a rare, unaltered mid-19th century warehouse, and sits at the junction with Loman Street, backing towards the application building. Separating 55 Great Suffolk Street from the existing building is short service street and basement vehicle ramp. It is notable that Loman Street widens to the rear of the listed building, with the result that the application building sits back in the streetscape, partly exposing the rear of the listed building.
275. The proposed development would maintain the current physical and visual separation between the two buildings, particularly with the new additional floors tiering back from the listed building. Similarly, due to the street alignment, the new development would remain distinctly rearward of the listed building and would not challenge its scale when viewed obliquely from the junction of Great Suffolk Street with Loman Street (views 11 and 12 on the map (Figure 32) at para 282).
276. More of the warehouse's rear elevation would become obscured by the additional massing when viewed from intersection of Loman Street and Risborough Street (view 9). However, the impact remains partial and would not be unexpected with any development of the application site. Importantly, the retained physical separation and setbacks of the upper floors ensure that the elevation is revealed as you approach building (view 10). As such, the effect of the development on the setting of the listed building would negligible, and its architectural integrity and significance would remain unaffected.
277. The Southwark Fire Station Complex is Grade II listed and comprises:
- the four-storey gothic revival building (1878, Alfred Mott);
 - its southern five-storey extension with attic dormers (1911, WE Brooks);
 - the converted former workhouse, Winchester House (1777, George Gwilt); and
 - the fire drill tower (1880, Alfred Mott).
278. The Fire Station is valued for its special interest as an early prototype for London Fire Brigade stations and the exemplary elevational treatments. The former workhouse, which was adapted for the fire service as a training centre,

is of special interest for its grand Georgian architecture and forecourt setting. The complex included a series of buildings to the rear that are currently being redeveloped mainly for residential alongside the conversion of the fire station to a new secondary school for use.

279. The proposed office building would sit diagonally opposite the enabling residential blocks on Sawyer Street, which due to their approved scale would itself obscure the grade II fire station buildings in the view eastwards along Pocock Street (view 3) and intervene between the listed building and the proposed office building in the view northwards from Sawyer Street as it dog-legs towards Southwark Bridge Road (view 5). In these views, the proposed development would not affect the settings of the listed buildings.
280. The key views, however, are from the east and are of the listed buildings' main elevations onto Southwark Bridge Road. As illustrated in views 15 and 16, the proposed office development would sit within the backdrop of Winchester House and would be seen breaching its roofline. The building's uppermost floors, with its collection of rooftop pavilions, plant room and greenery, would rise above the elegantly terminated historic building, presenting a disparate series of forms and finishes. While in itself engaging on the skyline, the proposed development would nonetheless sit uneasily above the roofline and detract from the ordered appearance of the classical architecture. To an extent the impact would be moderated by the school's residential development that will encroach above the historic roofline to one side and partly obscure the development's appearance. Furthermore, the design details have been amended during the course of the application to reduce the height of the plant screen, which is welcome. Nonetheless, the majority of the impact would remain and would be harmful to the setting of the grade II listed building. That harm is considered to be less than substantial.
281. Lastly, the Grade II listed Welsh Congregational Chapel (1872/3) on Southwark Bridge Road is located to the east of the site, just beyond the Fire Station complex. The chapel sits mid-terrace on the bend of the road, facing southwards. Its setting as a listed building would be unaffected by the development when seen head-on, the proposed building being out of view to the west. The chapel is, however, part of an attractive townscape group of buildings within the Union Street Conservation Area, which is a separate assessment (see below).

Impacts on Conservation Areas (including non-designated heritage assets)

282. The application site is not within a conservation area, but the conservation areas of King's Bench, Liberty of the Mint and Union Street are located nearby. The submission provides verified views from within each of these conservation areas.



Figure 32 (above): Map showing the 18 key views from which the Heritage Townscape Visual Assessment modelled the impact of the proposed development

283. The effects of the development on the King's Bench Conservation Area to the west of the application site are best illustrated in views from Surrey Row (view 1) and Rushworth Street (view 2). From these locations the proposed building would be mostly obscured by the Bacon Factory Building that presently terminates the axial views along the street. The new building would be glimpsed to one side of the converted factory building and, though partly obscuring the Shard, the latter's pinnacle would still be seen. The impact on the views out of the conservation area and its setting would be negligible.
284. The view from the junction of Mint/ Webber Street (view 16) is from the edge of the Liberty of the Mint Conservation Area, looking across Mint Park with the Grade II listed fire station complex in the foreground. As discussed above, the new development would breach the rooftop of Winchester House; for most of the year, however, the view of the buildings would be obscured by extensive tree cover within the park. During winter the development would be visible on the skyline, although it would be perceived as part of the wider backdrop of taller buildings alongside the residential development linked to the new school. The view is not identified in the Conservation Area Appraisal as a key view, and the impact on the heritage setting would be marginal.
285. Lastly, two views are provided from the Union Street Conservation Area within its sub-area 5 close to the junction of Southwark Bridge Road with Marshalsea Road. Views 14 and 15 take in the curve of the street, which is lined by late Victorian townhouses with original shopfronts, the Grade II listed Welsh Congregational Chapel and the former Fox and Hounds Public House at 108 Great Guildford Street. The views include Winchester House, which is adjacent to the conservation area and adds to the attractive historic townscape. The proposed building would be seen to one side of the public house and above Winchester House, sitting in the middle distance with its

rooftop pavilions, plant enclosure and water tank distinctly visible on the skyline. The dynamic rooftop paraphernalia would sit in contrast to the well-ordered, classical architecture of this positive townscape group, drawing the eye and disrupting the setting. Although in time the new residential development will appear on the edge of this scene, the application proposals would nonetheless be harmful, but to a less than substantial degree.

286. Overall, the proposed development is relatively benign in terms of its effects on heritage assets within this part of the borough. It does, however, cause moderate harm to the setting of the Grade II listed Winchester House and to the setting of parts of the Union Street Conservation Area. Where the harm is less than substantial, this should be weighed against the planning benefits of the scheme. Those benefits would include the enhanced architecture and urban design qualities of the new building.

Design Review Panel

287. The proposals were considered by the Council's Design Review Panel at the pre-application stage on two occasions in 2020, first in January and then in April. On both occasions the Panel supported the scheme's strong ambition to re-purpose the building and create a sustainable development. They welcomed the energy and enthusiasm of the architecture, but suggested the need for some rationalisation. The Panel supported the height and massing, believing the proposition of the five-storey shoulder height to be sound. However, questions were raised in respect of the atmosphere of the new internal street and the access and management strategy for the rooftop community garden terrace and pavilion. Also highlighted was the core objective of providing high quality, low carbon office space.
288. The scheme architects responded positively to the Panel's feedback. They have made adjustments to the elevations, simplifying and/or better defining their finishes, and to the detailing of the internal 'street' and to the outbound staircase and lifts that access the rooftop gardens. The adjustments have been made to officers' satisfaction. The management plan for the community gardens has been progressed. The applicants have reviewed the quality of the office accommodation, but believe they have achieved a high specification.

Designing-out crime

289. Saved Policy 3.14 of the Southwark Plan 2007 and Policy 7.3 of the London Plan 2016 require development proposals to reduce opportunities for crime and create and maintain safe internal and external environments. The mixed use character of the proposed development, with private and public demises provided on multiple floors of the building, with some sharing certain facilities, requires a robust security strategy.

290. Mentioned throughout the Design and Access Statement are the various ways in which opportunities for crime have been designed-out, along with a detailed security strategy for the building (on page 202). The latter explains that electronic access control measures will be implemented strategically across the development with particular focus on entry points and changes in demise. This will be supplemented by a balance of natural (e.g. overlooked space), technological (e.g. video surveillance systems) and human surveillance (e.g. routine patrols).
291. The Metropolitan Police's Secure by Design Officer has assessed the proposals and is confident that certification can be attained. To ensure certification is ultimately achieved, the imposition of two-part 'Secured by Design' condition is recommended.

Fire safety

292. Policy 7.13 (B) of the London Plan 2016 requires development proposals to contribute to the minimisation of potential physical risks, including those arising as a result of fire. Policy D12 of the Intend to Publish New London Plan expects all development proposals to achieve the highest standards of fire safety and to this end requires applications to be supported by an independent Fire Strategy, produced by a third party suitably qualified assessor.
293. A Fire Strategy was submitted with the application, supported by an outline architectural specification and drawings. Among other things, the Fire Strategy details the building construction, means of escape, features that reduce the risk to life, access and facilities for firefighting, and compliance with Building Regulations Approved Document B. The Strategy was produced by fire risk engineering consultancy Atelier Ten; as evidenced on page 2 of the document, a certified fire risk engineer (an Associate of the Institute of Fire Engineers) has checked and approved the contents.
294. As part of the GLA Stage I process, the Fire Strategy was assessed and deemed to be adequate. Therefore, the relevant fire risk minimisation policies of the adopted and emerging London Plans are deemed to have been satisfied. A condition is recommended to ensure the construction and in-use operation of the building are carried out in accordance with the Fire Strategy.

Public realm, landscaping, trees and urban greening

Public realm

295. Around the perimeter of the site, the public footway would be upgraded in high-quality paving. This paving would continue onto the application site and up to

the façade of the building with no differentiation in materiality, thereby providing a seamless footway of a generous width. Additional greenery would be provided in new planters integrated within the ground floor window reveals.

296. The Section 106 Agreement will secure unfettered access to all parts of the footway (public and privately-owned), and for it to be finished to adoptable standards.
297. All nine trees on the Sawyer Street and Pocock Street footways would be retained and protected during construction works. Arboricultural supervision and monitoring will be required throughout the construction works, to be recorded in a Site Supervision Schedule. A condition will require the Schedule to be submitted for the Local Planning Authority's approval within 28 days of completion of the development.
298. While the trees' retention is welcomed, the proposed building would affect their long-term growth. Accordingly, a contribution of £9,790 has been secured from the developer to fund the Council's costs for the future routine pruning of the trees.

Landscaping

299. The scheme includes extensive new hard and soft landscaping at various levels of the building.
300. The ground level of the proposed building would incorporate a generously-sized publicly-accessible route. To lend the space the character of a traditional street, the surfacing –which would be graded to gently ramp down and connect with the surrounding footways– would be finished in high quality granite setts. The proposed bedded planting, together with a feature tree, would successfully soften this dramatic new covered publicly-accessible space.



Figure 33 (above): Visualisation of the central route, taken from its threshold with the Pocock Street footway.

301. Terraces at levels 02, 04 and 05 would incorporate planting along their inner edged, helping to create a visual link between the planters at street level and the greenery on the rooftop.
302. The top of the building has been conceived as a multi-levelled 'urban forest', arranged in three zones and populated by pavilion structures, a raised metal drum and a centrepiece swimming pool. The community garden terrace, which would occupy the eastern zone, would offer allotment opportunities, as well as areas of lawn with trees and shrubbery. The tenant gardens, on the western zone, have been arranged as a series of themed garden spaces with a more extensive horticulture. The central zone would be more intensively hard surfaced with perimeter planting providing softening. This functional landscaped roof would provide a variety of significant, diverse and attractive new outdoor spaces, and is welcomed as a significant benefit of the scheme.

303. Having considered the materials and specifications proposed at this stage, the Council's Urban Forester is satisfied that high quality spaces would be delivered, supported by appropriately-selected indicative trees and other soft planting species. The final hard and soft landscaping scheme is to be secured by condition.
304. The roof deck construction has been detailed to incorporate over 20 tree pits, many of a generous depth and capable of supporting mature specimens. A structural strategy accompanied the planning application, which evidences that the building has been engineered to withstand the significant loading arising from this green infrastructure. The proposed introduction of over 20 trees represents a significant greening of the application site, and is welcomed.

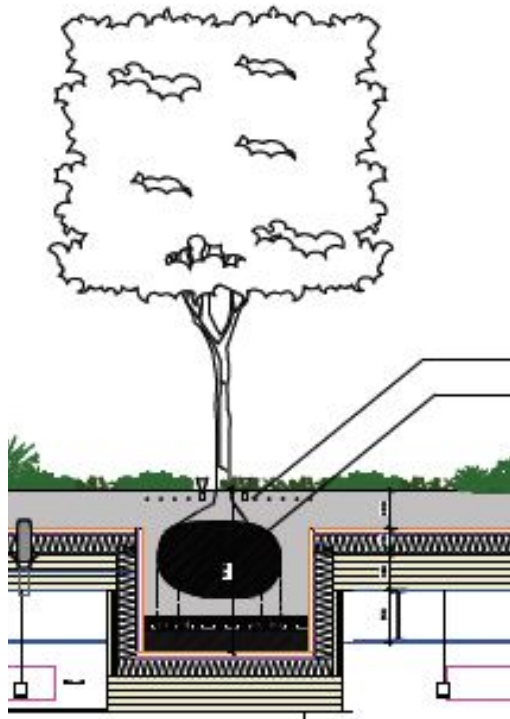


Figure 34 (above): Illustrative section through the roof deck, showing a typical tree pit depth

Green infrastructure, ecology and biodiversity

Urban greening

305. Policy G5 of the Intend to Publish New London Plan, to which substantial weight can be attributed, states that urban greening should be a fundamental element of site and building design. It requires major developments which are predominantly commercial to achieve an Urban Greening Factor (UGF) score of 0.3.
306. A green roof system that will double as a blue roof, thus contributing to the irrigation system, has been proposed. With extensive natural cover, the proposed development would achieve an urban greening factor of 0.45, therefore exceeding the Intend to Publish New London Plan target of 0.3.
307. The urban greening factor spreadsheet forms an appendix to the Energy Strategy. A condition requiring compliance with the Energy Strategy will ensure the roof construction is built-out to achieve the 0.45 urban greening factor.
308. In line with a request made jointly by the Council's Ecologist and Urban Forester, a condition is recommended requiring the Local Planning Authority's approval of a strategy for the continued maintenance and irrigation of the

green walls.

Ecology and biodiversity

309. The application was supported by a preliminary ecological assessment, which the Council's Ecologist has reviewed and deemed satisfactory. Conditions are recommended to secure an Ecological Management Plan is approved by the Local Planning Authority prior to above grade works commencing. Additional conditions are recommended to secure the provision of eight internal bat bricks/tubs and 12 internal swift bricks within the building fabric to support local biodiversity

Transport and highways

Trip generation

310. All major development proposals must be supported by a Transport Assessment, as stipulated by Saved Policies 2.2 (Provision of New Community Facilities) and 5.2 (Transport Impacts) of the Southwark Plan 2007.
311. The applicant has submitted a Transport Assessment that predicts zero net additional vehicle movements in connection with the proposed development. The Council's Transport Policy Team's own analysis suggests the figure would be higher, at 40 (morning peak hours) and 28 (evening peak hours) net additional two-way vehicle movements. In spite of this disparity, the Transport Policy Team is comfortable that these levels of vehicular traffic would not have any noticeable adverse impact on the local highway network, especially in light of the mitigation measures the applicant has proposed in their Travel Plan.

Car Parking

312. London Plan Policy 6.13 (Car Parking) states that in locations with high public transport accessibility, car-free developments should be promoted while still providing adequate parking for disabled people. Southwark Saved Policy 5.6 (Car Parking) requires all developments to minimise the number of spaces provided and for developments to justify the amount of car parking sought.
313. Some objections from local people have raised concerns that, as a consequence of the development, there will be additional strain on local on-street parking facilities.
314. The CPZ in place in this location provides adequate daytime parking control in this vicinity. The proposed development would be car free except for two disabled spaces, which would be provided in the dedicated on-site loading yard. The two spaces would be managed by security and reception staff at the main office building to ensure accessibility at all times. Given the site's location

and high PTAL rating this is an acceptable approach. Electric Vehicle Charging points should be provided for the disabled bays, and this will be required by condition.

315. A Section 106 obligation will ensure only Blue Badge holders will be eligible to use the spaces, and will also require the developer to notify all prospective occupiers of the commercial (market and affordable) floorspace and all other uses about this restriction to Blue Badge holders.

Cycle parking

316. Cycle parking provision should be in accordance with London Plan Standards as well as Strategic Policy 2 (Sustainable Transport) of the Core Strategy and Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan. The emerging strategy for cycling and cycling parking standards in the borough is set out in Policy P52 (Cycling) of the New Southwark Plan.
317. The applicant has proposed 475 long stay cycle parking spaces (of which 5% would be in a Sheffield stand format). This would be located at basement level, which would be accessed via a cycle ramp from Loman Street. The shutter access to the basement would be a secure door that can only be opened by cyclists who have been issued with a fob/passcode. In addition to the long-stay provision, 74 short-stay Sheffield stand cycle parking spaces would be distributed across the ground floor of the site. All cycle stands on the public footway have been positioned so as not to reduce effective footway widths to less than 2.4 metres.
318. Generous and high quality end-of-journey (shower/changing/locker/bicycle repair) facilities would be provided in the basement for the benefit of all employees.
319. A condition requiring the provision of the cycle facilities before the first occupation of the building is recommended.

Improving access to cycle hire options

320. The applicant has agreed to contribute £220,000 towards the provision of a new TfL (Santander) docking station within the vicinity of the site. The applicant has already identified potential nearby sites where a docking station could be located, and these discussions will continue separately with TfL. The £220,000 contribution will be secured in the Section 106 Agreement.

Servicing

321. Servicing would take place within the site using the integral loading yard, access to which would be from Loman Street. Delivery and servicing vehicles

would be routed from Great Suffolk Street onto Loman Street, and enter the integral loading yard in reverse gear to load/unload. Deliveries would only take place outside of peak hours to minimise the effect on the local transport network. A 'Goods In' manager would marshal vehicles entering and exiting the servicing area. The proposed servicing arrangements are supported by the Council's Transport Policy and Highways Development Management Teams.

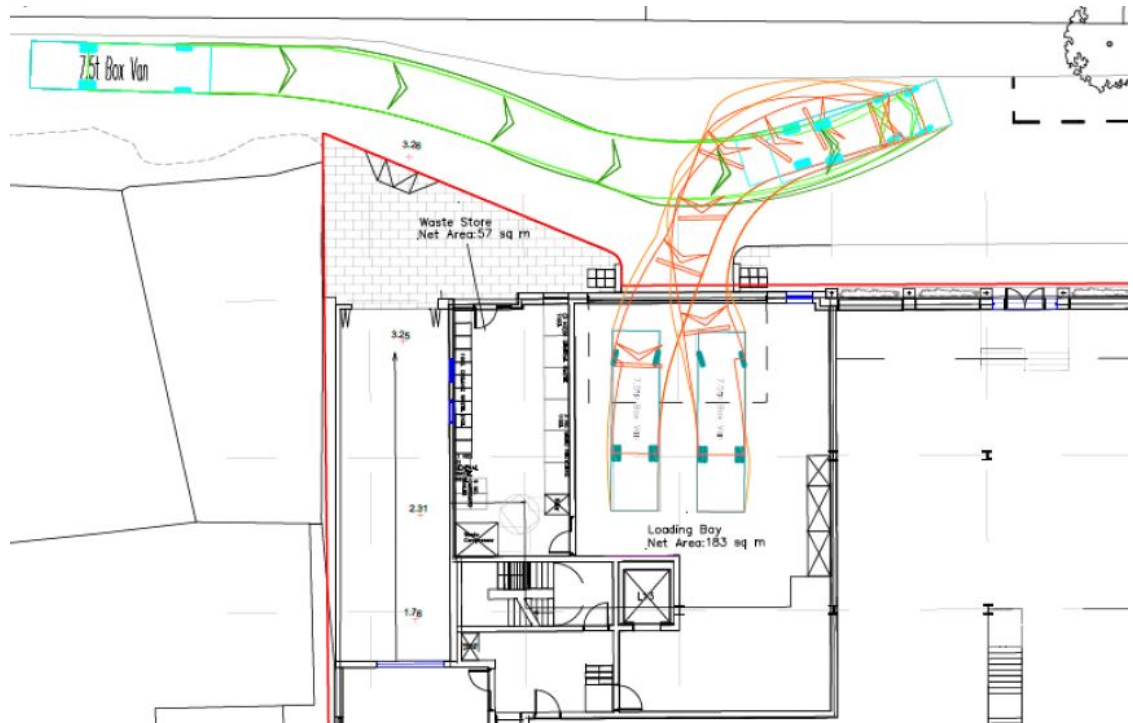


Figure 35 (above): Plan of the integral loading yard, showing that the yard could accommodate two 7.5 tonne lorries at any one time, with tracking showing how the vehicles would reverse into the yard.

322. For all the various uses within the development, the total servicing activity estimated by the Transport Policy Team would be 104 (two-way) movements per day. As a precautionary measure, a Delivery and Servicing Management Bond will be secured so that highways impacts can be monitored over the course of the first two years of operation.

Refuse storage arrangements

323. As set out in the applicant's Delivery and Servicing Plan (DSP), the commercial component of the proposed development would incorporate a basement store sufficient in capacity to accommodate two days worth of refuse. Commercial refuse collection would take place on a daily basis and the estate management company would be responsible for transferring bins from the basement level store to a holding room at ground floor level, from where refuse would be collected. The location of the holding room, at the western end of Loman Street and adjacent to the loading bay entrance, has been chosen to

allow a larger (26 tonne) collection vehicle to dwell on the highway without obstructing traffic flow.

324. This arrangement has been assessed and deemed acceptable by the Council's Waste Management Team and Transport Policy Team. A final DSP will be secured by condition.

Improvements to local highways and transport infrastructure

325. To mitigate the impact of the development, a contribution sufficient to fund a package of improvements to local transport and highways infrastructure has been requested by the Council's Transport Policy Team. The requested sum is £195,000. Approximately one third would fund re-surfacing of vehicle, cycle and pedestrian routes around the site, with the other two thirds to be invested in local bus services operated by TfL. An itemised costed list of the sought improvements can be found in the 'Planning obligations: summary table' at para 373 of this report. Negotiations are ongoing with the applicant, who at this stage has agreed to a minimum contribution of £60,000.
326. Through a Section 38/278 Agreement, the applicant will be required to carry out a series of highway improvements and safety measures. These are listed in the 'Planning obligations: summary table' at para 373 of this report. The applicant has agreed to carrying out all the requested Section 38/278 works.

Legible London signage

327. The applicant has agreed, at the request of TfL, to make a contribution of £15,000 towards providing new and refreshed Legible London signage. TfL have requested that the implementation of this new wayfinding should be via Southwark Council, as the relevant highways authority. This will be secured in the Section 106 Agreement.

Environmental matters

Construction management

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

Flood risk, resilience and safety

330. The application site is located within Flood Zone 3 but is outside the area of residual risk and benefits from the Thames tidal defences. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable, subject to conditions relating to contamination, piling, verification of remediation, and into-ground infiltration associated with the sustainable drainage system.
331. In terms of flood resilience and safety, no concerns have been raised by the Council's Flood Risk Management Team to the potential water exclusion strategies, flood resilience measures and/or business continuity plan as set out in the applicant's Flood Risk Assessment. The finalised set of flood resilience and safety measures are to be secured through a Flood Resilience Report condition.

Sustainable urban drainage

332. The Council's Flood Risk Management Team has reviewed the urban drainage proposals and found them to be acceptable. Compliance with the Drainage Strategy will be required by condition.
333. From a water efficiency perspective, the GLA has expressly requested that rainwater harvesting form part of the final drainage proposals in order to reduce consumption of wholesome water across the entire development site. The Drainage Strategy expressly refers to rainwater harvesting measures. As such imposing a compliance condition will bind the developer to carry these rainwater harvesting measures through to the build-out.

Land contamination

334. The application was accompanied by a preliminary Land Contamination Risk Assessment, which the Council's Environmental Protection Team has assessed and deemed acceptable. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the council for approval, with further remediation measures to apply if contamination is found to be present. At the request of the Environmental Protection Team, the condition has been worded to expressly require consultation with the Environment Agency at condition discharge stage.

Air Quality

335. The site is located in the Air Quality Management Area. An Air Quality Assessment (AQA) was submitted with the application, which considers the air quality impacts arising from the construction and operational use of the development. The AQA concludes that subject to the offered mitigation the

effects on air quality during construction and operation are considered to be negligible.

336. The Council's Environmental Protection Team has reviewed the AQA and raised no objection to the proposal subject to recommended conditions.

Light Pollution

337. The applicant has supplied a Lighting Strategy as an appendix to the Design and Access Statement. The document, which is in outline form at this stage, discusses how upward light and light spillage to neighbours would be controlled. It also maps the predicted luminance/brightness of façade and rooftop lighting. Commitments are made to use lighting designed to meet Category E4 ("urban area") standards and the recommendations of the 'ILP Guidance on Reduction of Obtrusive Light (2020)'.



Figures 36, 37, 38 and 39 (above left): Envisaged lighting formats for the community garden terrace. Figure 40 (above right): Proposed indicative

lighting layout for the community garden terrace, with the red dots indicating the location of all proposed light sources

338. Specifically in respect of the roof-level lighting, which has the potential to cause disturbance to surrounding occupiers, the indicative proposals are for most luminaires to be positioned at low level. On all three rooftop zones, lighting would be focussed around the seating areas, supplemented by bollards for wayfinding and isolated miniature spotlights to subtly emphasise feature trees. The lighting heats maps within the Lighting Strategy show that, by orienting sources to cast light horizontally or downward rather than outward or to the sky, spill would be minimised.
339. The Strategy explains that the building landscape and roof garden lighting would be programmed to turn on automatically at dusk. Mid-evening the luminaires would be dimmed to a lower level to minimise impact on neighbours. There would be also a pre-determined turn-off time later into the evening.
340. The Environmental Protection Team has raised no objection to the proposals outlined in the Lighting Strategy. The final proposals, including the pre-determined dim-down and turn-off times, will be agreed through the Final Lighting Strategy, to be approved by the Local Planning Authority prior to first occupation of the building. This will be secured by condition.

Archaeology

341. A Desk-based Assessment (DBA) was submitted in support of the application that includes an assessment of site investigation works undertaken within the development footprint.
342. Section 5.2.6 of the DBA details deposits of 'fine black ash'. In other sites within Southwark this is a key indicator of groundworks dating to the 1950s. It has been seen at sites including the 1950s developments of Brandon House and Bankside 4, adjacent to the Tate where it is assumed to be ash from coal-fired power stations in London. Often this is associated with first phase post-war redevelopment.
343. The DBA identifies the potential for prehistoric environmental remains preserved within alluvial deposits identified on site. There is a potential for Roman material to be present, due to the high underlying gravels. The site is to the extremities of the areas currently assumed to be exploited by the romans, but historic material has been identified in the vicinity of the site.
344. The site has been located on the street frontage of a secondary routeway thorough post-medieval Southwark. Material present on site is likely to relate to land management and exploitation before the use of the site for industrial

purposes.

345. Two later twentieth century redevelopments indicate the site has the potential to be significantly impacted by recent development. The presence of fly ash deposits confirms the extent of post-war works.
346. The Council's Archaeologist has advised that should permission be granted, conditions be attached relating to archaeological evaluation, mitigation and reporting. The DBA has detailed the likely material to be present, and as such a foundation design condition is not necessary.

Energy and sustainability

347. Policy 5.2 of the London Plan 2016 requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and Policy 5.7 requires the use of on-site renewable technologies, where feasible. As an exclusively-commercial development, this proposal would be expected to achieve a 35% reduction against part L of the Building Regulations 2013.
348. Policy 13 of the Core Strategy sets out Southwark's approach to ensuring that new developments tackle climate change. The approach is generally consistent with London Plan Policies but also requires new commercial developments to meet BREEAM 'Excellent'.

Whole life cycle and carbon capture

349. Having been designed to carry a much higher load than the existing Crown Court, the structural base of the building has been retained by the applicant. With its flexible gridded layout, this pre-existing structure can be extended and adapted with minimal structural intervention. To maximise this opportunity, the extension upwards would be formed of lightweight structure that combines cross laminated timber (CLT) floors with steel frame. In addition to being lightweight, sustainably sourced CLT has carbon sequestering properties, therefore offsetting and delaying some of the embodied carbon emissions associated with the construction works. To ensure this, at least 90% of timber products used in the project will be FSC or PEFC certified.
350. By inheriting and adopting parts of the foundations, structural elements and the façades of the existing building it expands, the proposed development would avoid waste and significantly reduce its embodied carbon footprint. Retaining part of the existing building in this way has the added benefit of reducing the total number of vehicle movements connected with the demolition and construction stages.

Energy and carbon emission reduction

351. An Energy and Sustainability Statement based on the Mayor's hierarchy has been submitted by the applicant. This details how the targets for carbon dioxide emissions reduction are to be met. A combination of 'Lean' and 'Green' (but no 'Clean') measures have been employed in an attempt to achieve the reduction in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy 2011 and the Southwark Sustainable Design and Construction SPD.

Be Lean

352. In terms of meeting the "Be Lean" tier of the hierarchy, a range of passive and active measures are proposed. The passive measures include:

- high thermal envelope performance to reduce uncontrolled heat transfer through the building fabric;
- balanced distribution of glazing on façades providing access to daylight and natural ventilation in building perimeter;
- openable windows throughout the building to maximise natural ventilation;
- a top-lit central atrium to channel daylight into the centre of the floorplan and boost natural ventilation potential through stack ventilation;
- movable exterior shading where windows are at greater exposure to solar radiation and higher overheating risk;
- exposed thermal mass of the cross-laminated-timber structure that dampens indoor temperature fluctuations;
- highly insulated green roofs; and
- feature atrium stairs that aim to discourage lift use.

353. The active measures include:

- total energy recovery from exhaust air stream;
- waste water heat recovery from showers;
- demand controlled ventilation;
- high efficacy lighting system, fittings and controls; and
- air source heat pumps with integrated heat recovery for simultaneous heating and cooling at high efficiency.

354. The reduction in carbon emissions achieved through these 'demand reduction' measures will reach 15%. This meets the 15% reduction target proposed in the emerging GLA policies.

Be Clean

355. As no connection to a district heating network or on-site CHP system is

proposed, no carbon savings are reported from the 'Be Clean' stage of the energy hierarchy. Although no connection to a district heating network being proposed because one does not exist in the vicinity at present, futureproofing will nevertheless be required by planning obligation.

Be Green

356. With respect to the "Be Green" tier of the hierarchy, the applicant has proposed the following technologies:

- air source heat pumps sized to meet heating and cooling loads; and
- rooftop mounted 300 kWp photovoltaic array for electricity generation, with roof coverage optimised (50 kWp panels were originally proposed but the performance was improved to 300kWp mid-way through the application)

357. With carbon emissions being reduced by 31% through these 'Be Green' measures, the applicant has demonstrated that opportunities for renewable energy by producing storing and using renewable energy on-site have been maximised.

Be Seen

358. Introduced as part of the Intend to Publish New London Plan, 'Be Seen' is the newest addition to the GLA's energy hierarchy. It requires developments to predict, monitor, verify and improve their energy performance during actual operation. In respect of 'Be Seen' measures, the Energy and Sustainability Statement commits to:

- conducting a predicted operational energy use analysis during the design stage (and then measuring actual operational energy use once the development is in use, benchmarked against the in-design analysis);
- using full metered electricity and water supplies; and
- using sub-meters to measure electricity, heating and cooling energy use, which would feedback energy consumption to each user group/ functional space/tenancy within the building.

Total energy savings

359. Following the emerging updated GLA energy hierarchy the proposed development would reduce on-site carbon emissions by 46% over a notional building minimally compliant with the Building Regulations 2013. This demonstrates the strong energy-saving and sustainable credentials of the proposed development. To ensure these savings are realised, the Section 106

Agreement will include an obligation requiring the development to be constructed in accordance with the Energy and Sustainability Statement.

Circular Economy

360. Policy GG5 (Growing a Good Economy) of the Intend to Publish London Plan promotes the benefits of transitioning to a circular economy as part of the aim for London to be a zero-carbon city by 2050. Policy D3 (Optimising Site Capacity Through the Design-Led Approach) requires the principles of the circular economy to be taken into account in the design of development proposals in line with the circular economy hierarchy. Policy SI7 (Reducing Waste and Supporting the Circular Economy) of the Intend to Publish New London Plan requires referable applications to develop circular economy statements.

Start and end of building life

361. To explain how the materials, components and products to be used in the construction of the development will not only be sourced, but also disassembled and disposed of at the end of their useful life, the applicant has provided:
- a Pre-Demolition Waste Audit Report;
 - a Bill of Materials, describing the materials to be used in the construction of the development and their derivation, including a commitment for recycled content to comprise at least 20% of the total;
 - a Letter of Commitment, pledging to submit a Post-Completion Report within 3 months of completion of the development;
 - a Final Destination Facilities List, providing the name/addresses of the facility and whether each material would be recycled or go to landfill; and
 - a Recycling and Waste Reporting table.

The latter is accompanied by a commitment to achieve the Mayor's policy targets of recycling and reusing 95% of construction, excavation and demolition waste.

362. The submitted information also explains that the façade, structural steelwork and CLT are all designed for disassembly.
363. To convey the disassembly and reuse strategy to whomever is ultimately responsible for the building's deconstruction, the applicant proposes to use a Deconstruction Guide.

Mid-life building adaption

364. A Functional Adaptability Strategy supports the application, which sets out the measures taken to accommodate future changes of use of the building over its lifespan. Among other things, the gridded floor layouts allow for creation of voids and insertion of mezzanines, the facades have been designed independent of the structure to enable easy future replacement, and services have been distributed to facilitate multiple separate users at a future time.

In-Use Waste and Recycling Management

365. An Operational Waste and Recycling Management Strategy (OWRMS) has been supplied with the application. It explains how recycling and re-use will be maximised, and waste production minimised, in the day-to-day operation of the development. As required of business uses by the Mayor's London Environment Strategy, the applicant has targeted a 75% municipal recycling rate. To ensure this is achieved, the OWRMS includes short and medium-term targets.

Summary

366. As part of the Stage 1 process, the GLA's Energy Team has assessed all the submitted Circular Economy information. The development meets and, in some instances exceeds, the requirements of Policies D3 and S17 of the Intend to Publish New London Plan.

BREEAM

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

Socio-economic impacts

368. In accordance with adopted planning policies there would be a requirement for this development to deliver during the construction phase 63 sustained jobs to unemployed Southwark residents, 63 short courses, and 15 construction industry apprentices. Upon completion, 219 sustained jobs for unemployed Southwark Residents would also be required. These obligations will be secured through the Section 106 Agreement.
369. The development has the potential to create up to 2500 direct jobs (FTE). As such, the scheme will generate a significant uplift in employment provision on

site. The workers would also generate considerable spend in shops and services in the local area, which is a major and enduring benefit of the development.

Planning obligations

370. Saved Policy 2.5 (Planning Obligations) advises that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 is reinforced by the Section 106 Planning Obligations and CIL SPD 2015, which sets out in detail the type of development that qualifies for planning obligations.
371. In accordance with the Section 106 Planning Obligations and CIL SPD, the following contributions have been agreed with the applicant in order to mitigate the impacts of the development:

<u>Planning Obligations: Summary Table</u>	
<u>Obligation</u>	<u>Mitigation / Terms</u>
Operation of the Atrium Concourse	
FIRST OPERATION	<p>The first use of the Atrium Concourse shall begin no later than first occupation of the office component of the development.</p> <hr/> <p>Applicant's Position: AGREED</p>
PUBLIC ACCESS	<p>The developer is to provide full unrestricted public access to the Atrium Concourse between the agreed opening hours, to be:</p> <ul style="list-style-type: none"> - 06:30 - 20:00 Monday-Friday; - 09:30 - 20:00 Saturday; and - 10:00 - 18:00 Sunday <p>The developer is to manage, maintain and allow public access to the Atrium Concourse except for a limited period in circumstances of public safety (fire, flood, health and safety requirements, etc.), maintenance, adverse weather conditions etc.</p> <p>The developer is entitled to close the route (with prior public notification) on Christmas Day, Boxing Day and/or New Year's Day each year to prevent public rights of way being obtained.</p>

	<p>The developer shall be entitled to close the Atrium Concourse for a specified number of days a year for private events with fourteen days prior notification of such days being given to the Council and to members of the public.</p>
	<p>Applicant's Position: AGREED</p>
<p>Operation of the Retail Enterprise Spaces</p>	
FIRST OPERATION	<p>Up to five retail enterprise spaces shall be available for 15 years from Occupation of the office component of the Development.</p>
	<p>Applicant's Position: AGREED</p>
DISCOUNTED RENT LEVELS AND TENANCY DURATION	<p>Up to five retail enterprise spaces shall be available to eligible tenants at zero rent</p> <p>The timing of each tenancy must be linked to the length of the Enterprise Grant but in any event shall be no longer than two years.</p>
	<p>Applicant's Position: AGREED</p>
ELIGIBLE OCCUPIERS	<p>"Retail Enterprise Tenant" to be defined as: Young entrepreneurs funded by Enterprise Grants (including any Grant provided by the Developer).</p>
	<p>Applicant's Position: AGREED</p>
MANAGEMENT AND MARKETING	<p>The Developer will create a working group/board (made up of the Developer, occupier(s) & the Enterprise Grant giver) to determine occupants and to ensure their proposal is a correct/appropriate use of the retail enterprise space.</p>
	<p>Applicant's Position: AGREED</p>
<p>Operation of the Community Auditorium</p>	
FIRST OPERATION	<p>The first use of the Community Auditorium shall begin no later than 75% occupancy of the office component of the Blackfriars Crown Court development.</p>

	Applicant's Position: AGREED
MANAGEMENT AND MARKETING	<p>Prior to first use of the Community Auditorium, the developer is to submit a Community Auditorium Marketing and Management Strategy and operate the space in accordance with that Strategy.</p> <p>The 'management component of the Strategy shall explain how the booking system would reserve 50% of the time slots (including high value time slots) for use by community groups, not for profit and cultural projects at a discounted rate.</p> <p>The 'marketing' component shall detail:</p> <ul style="list-style-type: none"> - the platforms (local radio, local press, social media, within the Auditorium window, on the relevant community premises Council webpages) through which the Community Auditorium would be marketed; and - the frequency/duration of marketing.
	Applicant's Position: AGREED
Operation of the Community Pavilion and Garden Terrace	
FIRST OPERATION	<p>The first use of the Community Pavilion and Garden Terrace (incl. potting shed and greenhouse, dedicated lift/stair access and toilet facilities) is to begin no later than 75% occupancy of the office floorspace.</p>
	Applicant's Position: AGREED
LONG-TERM PROTECTION	<p>The developer covenants:</p> <ol style="list-style-type: none"> a) Not to undertake or permit any development to be undertaken on the Community Pavilion and Garden Terrace (incl. potting shed and greenhouse) for the lifetime of the development other than: <ul style="list-style-type: none"> - the works permitted by the planning permission; and - such other works as may be necessary from time to time to enhance and maintain the Community Pavilion and Garden Terrace and to enable the provision of managed public access. b) Not to apply for any planning permission that would

	<p>contravene the above restriction.</p> <hr/> <p>Applicant's Position: AGREED</p>
LONG-TERM MANAGEMENT	<p>The developer is to set up a non-profit organisation to manage and maintain the Community Pavilion and Garden Terrace for the lifetime of the development.</p> <p>Prior to occupation of the development the developer is to submit a Public Access Management Plan setting out how the Community Pavilion and Garden Terrace will be managed, to include the following:</p> <ol style="list-style-type: none"> a) Details of the non-for profit organisation that will manage the Community Pavilion and Garden Terrace. b) Payment by the Developer of the Community Pavilion and Garden Terrace Operational Fund to the not-for-profit organisation on an annual basis until the not-for-profit organisation becomes profitable. c) The minimum operational obligations of the not-for-profit organisation, namely: <ul style="list-style-type: none"> - providing managed public access to the Community Pavilion and Garden Terrace throughout the agreed opening hours; - providing the minimum number of persons necessary to staff the Community Pavilion and Garden Terrace (security, stewards, administration staff, cleaners etc.) throughout the agreed opening hours; - ensuring the ongoing maintenance (planting, pruning etc.) of the Community Pavilion and Garden Terrace, and; - delivering the specified number of educational/ community programs/ events per annum. <p>The Community Pavilion and Garden Terrace are to be operated in accordance with the Public Access Management Plan for the lifetime of the Development.</p> <hr/> <p>Applicant's Position: AGREED</p>
ONGOING OPERATIONAL SUPPORT	<p>The developer is bound to contribute £20,000 per annum to the Community Pavilion and Garden Terrace Operational Fund to cover/subsidise the non-profit organisation's operational costs of management of the Pavilion and Garden Terrace until the not-for profit organisation becomes profitable. Once the not-for profit</p>

	<p>organisation becomes profitable, any income shall be used to manage the Community Pavilion and Garden and to fund positive charitable projects based at the development for the local community.</p> <p>The Community Pavilion and Garden Terrace Operational Fund shall be sufficient to:</p> <ol style="list-style-type: none"> a) fund the salaries of the minimum number of persons necessary to staff the Community Pavilion and Garden Terrace; b) support a basic level of ongoing maintenance (planting, pruning etc.) of the Community Garden Terrace; c) enable the provision of a specified number of educational/community programmes/events per annum; and d) cover the costs of use of lighting and utilities. <p>-----</p> <p>Applicant's Position: AGREED</p>
<p>INITIAL WORKS</p>	<p>At its own cost, the developer is bound to deliver the Pavilion together with the greenhouse, potting shed and hard- and soft-landscaped garden areas, as well as critical associated infrastructure prior to first occupation of any part of the Blackfriars Crown Court development.</p> <p>-----</p> <p>Applicant's Position: AGREED</p>
<p>PUBLIC ACCESS</p>	<p>The developer is to provide full unrestricted public access to the Community Garden Terrace (incl. potting shed and greenhouse) between the agreed opening hours, save that:</p> <ul style="list-style-type: none"> - up to 35% of the garden can be cordoned off at any one time for events run by the not-for profit organisation); and - the pavilion may be used for private events run by the not-for profit organisation (but with safeguarded free and uninterrupted passage for the public through the Pavilion to the Community Garden Terrace). <p>The developer is to manage, maintain and allow public access to the Atrium Concourse except for a limited period in circumstances of public safety (fire, flood, health and safety requirements, etc.), maintenance, adverse</p>

	<p>weather conditions etc.</p> <p>The developer is entitled to close the space (with prior public notification) on Christmas Day, Boxing Day and/or New Year's Day each year to prevent public rights of way being obtained.</p> <p>Prior to first occupation of the development the developer shall submit to and receive the Council's approval of the Final Public Access Management Plan. This Plan shall be in accordance with the management, security and safety principles set out in the Public Access and Management Framework submitted with the planning application.</p> <p>Applicant's Position: AGREED</p>
<p>Trees, Landscaping and Public Realm</p>	
<p>ONGOING STREET TREE PRUNING FUND</p>	<p>A sum of £9,790 (subject to indexation) paid by the developer to account for the Council's costs for pruning the street trees adjacent to the site.</p> <p>Applicant's Position: AGREED</p>
<p>Employment and Training</p>	
<p>CONSTRUCTION PHASE JOBS AND TRAINING</p>	<p>The development is to:</p> <ul style="list-style-type: none"> - Deliver 63 sustained jobs to unemployed Southwark residents; - Deliver 63 short courses; and - Take on 15 construction industry apprentices during the construction phase. <p>Or the developer shall make the pro-rata Employment and Training Contribution which, at maximum, would be £302,850. This breaks down as:</p> <ul style="list-style-type: none"> - £270,900 against sustained jobs; - £9,450 against short courses; and - £22,500 against construction industry apprenticeships. <p>Applicant's Position: AGREED</p>
<p>CONSTRUCTION PHASE</p>	<p>The Plan would be expected to detail:</p> <p>a) Methodology of training, skills, support etc.</p>

EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	<ul style="list-style-type: none"> b) Targets for construction skills and employment outputs. c) Methodology for delivering apprenticeships. d) Local supply chain activity methodology.
Applicant's Position: AGREED	
POST-COMPLETION (IN-USE) PHASE JOBS AND TRAINING	<p>The development is to deliver 219 sustained jobs to unemployed Southwark residents,</p> <p>Any shortfall is to be met through the End Use Shortfall Contribution which, at maximum, would be £941,700. This is calculated on the basis of £4,300 per job.</p>
Applicant's Position: AGREED	
POST-COMPLETION (IN-USE) PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	<p>The Plan would be expected to detail:</p> <ul style="list-style-type: none"> a) Methodology for filling the Sustained Employment Opportunities (SEOs) and apprenticeships roles. b) Milestones and profiles for filling the SEOs and apprenticeships. c) Identified skills and training gaps to gain sustained employment in the completed development. d) Methods to encourage applications from suitable unemployed Borough residents by liaising with the local Jobcentre Plus and employment service providers.
Applicant's Position: AGREED	
Affordable Workspace	
UNITS TO BE DEDICATED	<p>The dedicated affordable workspace is to comprise:</p> <ul style="list-style-type: none"> a) Basement Level: <ul style="list-style-type: none"> - Self-contained unit within the east wing (1,062 sq. metres NIA) b) Ground Floor Level: <ul style="list-style-type: none"> - Northwest portion of the floorplate (650 sq. metres NIA) c) First Floor Level: <ul style="list-style-type: none"> - Northwest portion of the floorplate (549 sq. metres NIA) <p>All ancillary and servicing areas are to be available to the relevant affordable workspace occupants on the same</p>

	terms/basis as the market office occupiers.	
	Applicant's Position: AGREED	
DISCOUNTED RENT LEVELS AND LEASE DURATION	<p>Rental levels of the affordable workspace are to be:</p> <ul style="list-style-type: none"> - 0-6 months at peppercorn rent; - 6-13 months at no more than 38% Local Open Market Rent; - 14-22 months no more than 57% Local Open Market Rent; - 23 months onwards at no more than 75% Local Open Market Rent; <p>(excluding any rates and reasonable service and building management charges) (Indexed Linked from date of Agreement) per square foot net lettable area per annum.</p> <p>The affordable workspace is to be provided, at the rental levels set out above, for a 30 year term to commence no earlier than completion of the affordable workspace unit(s) in question.</p>	
	Applicant's Position: AGREED	
KEY TERMS OF LEASE	Rent Review	Five yearly upward only, RPI linked.
	Service charges	Cap in negotiation
	Break clause	In negotiation
	Applicant's Position: Agreed on rent review; service charges cap and break clause still in negotiation	
MINIMUM SPECIFICATION OF UNIT(S)	<p>Prior to occupancy, each Affordable Workspace Unit is to be provided to the Council's minimum specification. It prescribes the standards of:</p> <ul style="list-style-type: none"> - Fit-out (floor, ceiling, windows, doors, power, lighting etc.) specification at point of occupancy - Telecommunications - Means of escape - Lift - Delivery/servicing arrangements - Cycle Storage 	

	<ul style="list-style-type: none"> - Regulations (DDA etc.) compliance <p>Applicant's Position: AGREED</p>
<p>FINAL MANAGEMENT PLAN</p>	<p>Produce and submit a Final Affordable Workspace Management Plan.</p> <p>In the event that the developer decides to self-operate the workspace, the Final Affordable Workspace Management Plan shall be based on the principles set out in the Outline Affordable Workspace Management and Marketing Strategy submitted as part of the planning application.</p> <p>In the event that the developer decides not to manage the day-to-day operation of the workspace, a Workspace Provider shall be appointed to fulfil this role and submit a Final Affordable Workspace Management Plan detailing their management plan.</p> <p>Applicant's Position: AGREED</p>
<p>FINAL MARKETING PLAN</p>	<p>Produce and submit a Final Affordable Workspace Marketing Plan.</p> <p>In the event that the developer decides to manage the day-to-day operation of workspace, the Final Affordable Workspace Marketing Strategy shall be based on the principles set out in the Outline Affordable Workspace Management and Marketing Strategy submitted as part of the planning application.</p> <p>In the event that a Workspace Provider is appointed to manage the workspace, the Provider shall submit a Final Affordable Workspace Marketing Plan detailing their marketing plan.</p>

Applicant's Position: AGREED	
Transport and Highways	
BLUE BADGE RESTRICTION	<p>The two parking spaces in the internal loading yard shall be reserved exclusively for Blue Badge holders.</p> <p>Prospective occupiers of the commercial (market and affordable) floorspace and all other uses, shall be notified that the one parking space will be prohibited from use except by Blue Badge holders. This notification shall be provided in the material used for marketing and the terms of all leases.</p>
Applicant's Position: AGREED	
HIGHWAY AND PUBLIC REALM (S278) WORKS	<p>Prior to implementation, with the exception of any site clearance/demolition and archaeological investigative works, the developer is to submit the s278 specification and estimated costs to the Local Highways Authority for approval. This shall comprise the following works, and all shall be constructed in accordance with SSDM standards:</p> <ul style="list-style-type: none"> - Repave the entire footway including new kerbing fronting the development on Loman Street, Sawyer Street, and Pocock Street (which, as per the 'Town Centre' designation shall be completed using granite natural stone slabs and 300mm wide granite kerbs); - Upgrade the existing vehicle crossover on Loman Street; - Construct the footway buildout on Loman Street including dropped kerbs for cycle access; - Reinstate redundant vehicle crossover on Loman Street as footway; - Upgrade uncontrolled pedestrian crossings at Loman Street and Pocock Street at their junctions with Sawyer Street to current standards (including realignment of tactile paving); - Relocate the existing gully outside the extents of the vehicular access on Loman Street; - Refresh road markings following kerb installation; - Change all utility covers on footway areas to be recessed type covers; and - Repair any damage to the highway due to construction activities for the development

	<p>including construction work and the movement of construction vehicles.</p> <p>Prior to commencement of highway works, the developer is to enter into a Highway Agreement for the purposes authorising the works etc.</p> <p>Prior to Implementation, an Approval in Principle (AIP) shall be submitted for approval by the Council's Highways Authority (specifically the Structures Team).</p>
	<p>Applicant's Position: AGREED</p>
<p>LOCAL PUBLIC REALM UPGRADES CONTRIBUTION</p>	<p>The developer is to pay a contributory sum of £195,000 towards necessary local public realm improvements to the Borough Road Network and the TLRN. The works shall include the following (with itemised costing):</p> <ul style="list-style-type: none"> - Provision of an extended raised table at the crossroads of Union Street and Great Suffolk Street (£30,000.00) - Extended raised entry treatment at the junction of Loman Street with Great Suffolk Street (£15,000.00) - Extended raised entry treatment at the junction of Loman Street with Sawyer Street (£15,000.00) - Contribution towards improvements in local buses (£135,000) <p>Works are to be carried out by the relevant highway authority within the next 5 years.</p>
	<p>Applicant's Position: Agreed to all but the local buses contribution, meaning the agreed minimum sum is £60,000; negotiations on the local buses contribution are ongoing</p>
<p>TfL DOCKING STATION CONTRIBUTION</p>	<p>£220,000 to contribute towards the provision of a new TfL cycle docking station and/or the expansion of an existing TfL docking station in the location shown in the plan (agreed between TfL and the Developer appended to this agreement).</p>
	<p>Applicant's Position: AGREED</p>
<p>LEGIBLE LONDON</p>	<p>£15,000 to contribute towards provision of Legible London signage within the vicinity of the site and in particular the</p>

SIGNAGE	<p>replacement of signage indicating the Crown Court with signage indicating the Development.</p> <p>Applicant's Position: AGREED</p>
<p>DELIVERY AND MANAGEMENT OF PUBLICLY-ACCESSIBLE EXTERNAL REALM</p>	<p>All Publicly-accessible external realm is to be designed to incorporate principles of Secured by Design and to an adoptable standard.</p> <p>Certificate to be served on the Council upon completion of the layout out, construction and/or planting of those parts of the publicly-accessible external realm which are to be managed and maintained by the developer.</p> <p>Any defects reported within 12 months are to be rectified.</p> <p>Developer covenants to manage, maintain and allow public access except for a limited period in emergency circumstances or for essential maintenance.</p> <p>The developer shall be entitled to close the route (with prior notification to members of the public) for up to one day per year so as to prevent public rights of way being obtained.</p> <p>Applicant's Position: AGREED</p>
Energy	
<p>FUTURE-PROOFING FOR CONNECTION TO DISTRICT HEATING NETWORK</p>	<p>Prior to occupation, a CHP Energy Strategy is to be approved setting out how the development will be designed and built so that all parts of it will be capable of connecting to any future District Heating Network.</p> <p>Applicant's Position: AGREED</p>
<p>CARBON OFFSET</p>	<p>Development as built is to achieve the respective carbon reduction for the new-build and refurbished non-domestic elements, as set out in the submitted Energy Strategy.</p> <p>Applicant's Position: AGREED</p>
Administration	<p>Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.</p>

372. These obligations are necessary to make the development acceptable in planning terms, mitigating for its adverse impacts. In the event that a satisfactory legal agreement has not been entered into by 22 March 2021 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

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

Mayoral and Borough Community Infrastructure Levies

373. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Borough CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, while the Borough CIL will provide for infrastructure that supports growth in Southwark.
374. The gross amount of CIL is approximately £3,669,002.15. This comprises £3,580,565.06 of Mayoral CIL and £88,437.09 of Borough CIL.
375. It should be noted that this is an estimate based on information provided by the applicant, and the floor areas including ancillary areas will be checked when CIL Additional information and Assumption of liability forms are submitted after planning approval has been obtained.

Community involvement and engagement

376. This application was accompanied by a Statement of Community Involvement. The documents confirm that the following public consultation was undertaken by the applicant prior to submission of the application:
- Distribution of an initial flyer to 3,773 addresses (3,193 residential and 580 business), inviting local residents and businesses to a 'meet the team' event that introduced the early proposals to the public;

- Staging of the 'meet the team' event on Saturday 14th December 2019 from 10am-2pm - this was attended by six members of the public , from whom feedback was obtained;
- Distribution of a second flyer to the same 3,773 recipients inviting them to a public exhibition that offered an opportunity to examine the developing proposals;
- Staging of the two-day public exhibition of the developing proposals on Thursday 6th February 2020 from 4pm-8pm and Saturday 8th February from 10am-2pm - across the two days 35 members of the public attended, from whom feedback was obtained;
- Distribution of a third flyer to the same 3,773 recipients inviting them to take part in an 'at a distance' consultation event (necessary due to the COVID-19 pandemic) to examine the detailed proposals
- Additional promotion of the 'at a distance' consultation event using local press, online and on social media;
- Sending personalised 'proposal update' letters to nine local businesses, community groups and politicians;
- Staging of the 'at a distance' event using the dedicated project website with the option to comment by post, through which feedback was obtained from eight people;
- Providing PDF exhibition boards and feedback forms by email at the request of anyone unable to attend the exhibition.

377. Issues and requests raised as result of the public consultation included:

- Providing the garden terrace on the fourth floor rather than a portion of the sixth floor (rooftop) level;
- Ensuring the design of the atrium was welcoming and engaging;
- Including a quiet space for local residents to relax in within the garden terrace;
- Respecting the residential properties in the area to prevent overlooking;
- Respecting the listed building;
- Include space in the public atrium for talks, lectures and speeches;
- Placing planters on the green space so that produce (herbs, vegetables etc.) can be grown by and for local residents;
- Ensuring that access is provided to local people in need of safe outdoor amenity space;
- Allowing events and additional uses to take place inside the public atrium; and
- Ensuring minimised noise, mess and disruption during the construction of the proposed development.

378. The applicant has also provided an Engagement Summary for the Development Consultation Charter. It is appended to the applicant's Statement of Community Involvement. It details the extent of pre-application consultation

with the local community and demonstrates that the applicant has made robust efforts to engage with those affected by the proposals.

379. As part of its statutory requirements, the Council, sent letters to surrounding residents and issued a press notice publicising the planning application. Due to the COVID-19 pandemic, it was not possible, and may not have been especially effective in any case, to display notices in the vicinity of the site. As a compensatory measure, neighbour letters were sent to a wider than usual radius (740 addresses in total). Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process.
380. Details of consultation undertaken by the Local Planning Authority in respect of this application are set out in the appendices. The responses received are summarised later in this report

Consultation responses from members of the public

381. In response to public consultation and re-consultation, a total of 28 representations have been received. One individual submitted two comments and as such there are 27 unique representations. Of the 27 unique representations:
- three were in objection;
 - one was neutral; and
 - 23 were in support.
382. It should be noted that of the 23 representations in support, 6 were submitted by people residing outside of Southwark.

Objections

383. Summarised below are the material planning considerations raised by the three public objections and one neutral comment. In each instance, an officer response has been provided.
384. Proposed uses:
- Good quality affordable housing should be provided instead:
 - **Officer response:** The 'Principle of the proposed development in terms of land use' part of this report explains in detail why commercial uses have been prioritised on the site in favour of residential, and why certain site constraints would not lend the site particularly well to accommodating residential use. The benefits and disadvantages of a development will always be weighed in the balance when forming a view on the acceptability of a proposal.

Blackfriars Crown Court would comprise high a quality building that would bring substantial economic, social, community and townscape benefits. The development would deliver a good mix of uses appropriate in this CAZ and town centre location, including substantial new community facilities, such that the non-provision of housing (and, with it, affordable housing) is considered acceptable.

- Most workers associated with commercial/office/retail developments have no connection to the locality other than it being a place of work. This brings residential amenity and community erosion issues for existing residents.
 - **Officer response:** There is a requirement for the development to provide employment and training opportunities to local people, both during the construction phase and when the development is in use. As such, a percentage of those associated with the development would be local people. Specific amenity issues arising from the development are discussed in the applicable earlier parts of this report.

385. Neighbour amenity impacts:

- The daylight and sunlight impact for surrounding properties would be harmful.
 - **Officer response:** The 'Daylight and sunlight impacts' section of this report addresses the impact on all surrounding properties and concludes that, while there would be some substantial losses, the retained levels of light are in most instances not untypical for central London and none would not cause a level of harm to residential amenity which would justify refusal of planning permission, particularly when considering the wider benefits of the scheme..
- Local residents would be subject to noise from the rooftop uses, people passing by windows late at night, workers.
 - **Officer response:** To protect the amenity of surrounding residents, conditions are recommended to prohibit the playing of live music on any of the external rooftop spaces, and that they cease use no later than 22:00 each day. It is recognised that the development would generate additional local footfall, and that as a result more people may pass by street-fronting residential windows in the vicinity of the site; however the majority of pedestrian journeys are likely to be westbound from the site, where commercial uses predominate at ground level. On balance, the noise impacts arising from guests walking to and departing the premises would not cause undue disturbance to local residents.
- The development would produce harmful wind climate conditions.

- **Officer response:** The scale of the proposed development does not warrant the provision of an Environmental Impact Assessment. As such, a wind microclimate assessment did not accompany the application. The scale of the development and the context within which it would sit would not give rise to a noticeable change in local wind conditions.
- The development would result in a damper micro-climate, which would exacerbate human health issues (asthma/breathing problems).
 - **Officer response:** The scale of the proposed development does not warrant the provision of an Environmental Impact Assessment. As such, an air environment assessment did not accompany the application. The scale of the development and the context within which it would sit would not give rise to a noticeable change in respect of the particular air qualities (moisture/humidity) of concern to the objector. On this basis, there is nothing to suggest that pre-existing medical conditions such as asthma among the local population would not be worsened as a result of the proposed development. As mentioned in the 'Environmental Impacts' part of this report, an Air Quality Assessment was supplied as part of the application and deemed to be robust. Planning conditions will ensure odour, vibration, dust and noise are minimised both in construction and once the development is operational.

386. Transport:

- Users of the development would make use of parking locally, reducing availability for existing residents.
 - **Officer response:** The 'Transport Impacts' section of this report addresses the impact on local parking. The development would be car-free (save for two on-site Blue Badge bays) and there is a CPZ in place in this location. The applicant has also submitted a Framework Travel Plan setting out measures for promoting journeys to and from the development to be undertaken on foot, by bike or using public transport. For these reasons, there would be no harmful impacts on parking availability within the vicinity.
- The development would increase traffic on the local highway network.
 - **Officer response:** The 'Transport Impacts' section of this report addresses traffic generation. It explains that, as calculated by the Council's Transport Policy Team, 40 (morning peak hours) and 28 (evening peak hours) net additional two-way vehicle movements are estimated on a daily basis. As the development would be car-free, the majority of these movements would be made by servicing vehicles. These levels of vehicular traffic would not have any noticeable adverse impact on the local highway network, especially

in light of the mitigatory measures the applicant has proposed in their Travel Plan.

- The development would increase pedestrian footfall in the vicinity of the site.
 - **Officer response:** The proposal would generate additional footfall, especially between the site and transport hubs of Blackfriars Road and Southwark Station to the east. However, the footway environment locally is capable of accommodating the additional numbers, and a series of public realm improvements (footway resurfacing, raised tables etc.) within the vicinity of the site have been secured through the Section 106 Agreement to ensure the effects arising from the development are adequately mitigated and to create a safe and pleasant pedestrian experience.

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

- The area is already overly dense with buildings.
 - **Officer response:** The issues of height, scale, massing and relationship to the surrounding buildings are addressed in the section entitled 'Design, layout, impact on heritage and tall building considerations'. The surroundings are indeed of a dense nature, but this is characteristic of and to be expected in Central London. While it would fill the entirety of the plot, the proposed building would maintain the same footprint as the existing Crown Court and, in creating strong street frontages, would reflect the tightly-knit urban grain produced by the majority of nearby buildings.
- The height of the proposed building is excessive.
 - **Officer response:** The issues of height, scale, massing and relationship to the surrounding buildings are addressed in the section entitled 'Design, layout, impact on heritage and tall building considerations'. At 41.78 metres AOD, the proposal would be broadly in-keeping with the height of the surrounding buildings, and as such would not represent a dominant or overly-dense form of development for this part of the borough.

388. Local economy:

- Jobs and apprenticeships should be secured both in-construction and once the development is operational.
 - **Officer response:** As detailed in the 'Socio-economic impacts' section of this report, the developer would be required to provide during the construction phase 63 sustained jobs to unemployed Southwark residents, 63 short courses, and 15 construction industry apprentices. Upon completion, the developer would be required to

provide 219 sustained jobs for unemployed Southwark residents. These obligations will be secured through the Section 106 Agreement.

Comments in support

389. A number of positive comments have also been received, which in summary include:

- The development will bring more people (employees and visitors) to the site, increasing spending in the area and supporting local businesses.
- The development will bring more employment opportunities for people in the local area.
- The office space will be attractive and accessible for entrepreneurs.
- The partly public recreation, partly commercial nature of the development will provide opportunities for local community groups to engage with each other and local businesses.
- The rooftop community pavilion and garden terrace element will provide pleasant spaces and broader community value, enabling more community groups to access flexible spaces on an ad hoc basis.
- The proposed green and public spaces will enhance the local environment and provide public recreation benefits.
- The building design is high quality and creative.
- The developer has proactively and extensively consulted with local groups and organisations.
- The developer has positively evolved the building design in response to the views obtained through pre-application engagement with the local community.

Consultation responses from internal and divisional consultees

390. The key matters raised by responses from internal and divisional consultees are summarised below. It should be noted that, in each case, the final /most recent consultation response is provided. The LPA's response has been provided to each.

391. Arboricultural Services Team:

- No objection, subject to securing a sum for the ongoing pruning off the street trees around the site.
 - **LPA response:** This will be secured as an obligation within the Section 106 Agreement.

392. Archaeologist:

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

393. Ecology Team:

- No objection, subject to recommended conditions relating to ecological management, bat and swift nesting features and green walls.
 - **LPA response:** All suggested conditions have been included on the Draft Decision Notice.

394. Environment and Leisure (Asset Management) Team:

- The proposed street lighting on Loman Street, which would be integral to the façade, is not acceptable and should be removed. Instead, the existing on-street lighting columns should be retained, but a provision made with the Section 278 works to obligate the developer to pay for upgrades to the columns where these are needed.
 - **LPA response:** The integrated lighting has been removed in favour of retaining the on-street lighting columns. The Section 278 works will include an audit of on-street lighting assets.

395. Environmental Protection Team;

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

396. Flood Risk Management Team:

- No objection, subject to a recommended condition relating to the drainage strategy.
 - **LPA response:** The suggested condition, requiring compliance with the drainage strategy, has been included on the Draft Decision Notice.

397. Highways (Construction Environmental Management) Team:

- No objection to the outline CEMP. A Final CEMP should be supplied post-approval.

- **LPA response:** A Final CEMP will be secured by condition.

398. Highways (Development Management) and Highways Licensing Teams:

- The proposed servicing access / vehicle crossover should not exceed 6.20 metres in width as per SSDM requirements. Confirmation required.
 - **LPA response:** The crossover width is less than 6.20 metres in width,
- Pedestrian-vehicle inter-visibility splays must be provided at the vehicle access off Loman Street.
 - **LPA response:** These have been provided by the applicant and show compliant splays.
- The proposed short stay cycle stands on Sawyer Street would obstruct pedestrian movements when occupied.
 - **LPA response:** The stands have been relocated such that 2.4 metre effective footway widths would be retained when bicycles are parked, enabling free pedestrian movement along the Sawyer Street footway.
- There are proposed external planting areas in Sawyer Street and Pocock Street that do not form part of the main structure and could be demolished to improve footway widths.
 - **LPA response:** These form an integral part of the building design and have greening and biodiversity benefits. As good sized footways would be achieved, it is not considered necessary to omit these planters.
- A disabled bay has been proposed on Loman Street. The allocation of kerbspace for disabled parking is not supported. Disabled bays should be provided on-site.
 - **LPA response:** The originally proposed on-street bays have been relocated to the integral loading yard. A total of two bays will be provided. This arrangement will be managed by estate/reception staff to ensure no clash between servicing vehicles and car users
- Some doors on the ground floor of the development open outwards onto the footway. This would obstruct pedestrian movement and it is advised that doors on the ground floor level be designed to open inwards or slide horizontally.
 - **LPA response:** The applicant has inset all but two emergency escape doors. In-setting the emergency escape doors, and in so doing creating alcoves, would generate opportunities for rough sleeping and litter gathering, contrary to good design and the recommendations of the Metropolitan Police's Secure by Design

Team. Emergency escape doors would not be used regularly, and as such it is acceptable for these doors to both swing outward.

- If consent is granted the developer must enter into a Section 278/38 Agreement to complete works to the footways and highways in the vicinity of the site.
 - **LPA response:** The developer has agreed to all the requested works. Completion of these works as part of the separate subsequent Section 278/38 works has been included as an obligation within the Section 106 Agreement.
- All streets and spaces must be surfaced in conformity with the SSDM (adoptable) standards, surfacing design must ensure no surface water flows onto public highway, and a joint condition survey should be conducted by the applicant in collaboration with the Highway Development Team.
 - **LPA response:** All these general comments are noted, and will be captured on the decision notice as informatives.

399. Local Economy Team:

- 10% of the employment space must be provided as affordable workspace
 - **LPA response:** This has been negotiated with the applicant, and will be secured in the Section 106 Agreement.
- The developer must deliver 63 sustained jobs, 63 short courses, and take on 15 construction industry apprentices during the construction phase. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £302,850 if not delivered. The developer must also submit for approval a Construction Phase Employment, Skills and Business Support Plan.
 - **LPA response:** This is to be secured in the Section 106 Agreement.
- The developer must deliver 219 sustained jobs. A contribution must be paid in lieu of this provision, commensurate to the shortfall and up to a maximum of £941,700 (based on £4,300 per job). The developer must also submit for approval a Post-Completion Phase Employment, Skills and Business Support Plan.
 - **LPA response:** This is to be secured in the Section 106 Agreement.

400. Transport Policy Team:

- The introduction of folding shutters at the entry/exit points of the central

route through the proposed development is unacceptable

- **LPA response:** The shutters at the two entrances to the central route would be lowered only at closing times or in the event of bad weather, but in the latter scenario free unrestricted access for the public would be maintained via the entry portals.

- A holding area should be provided for waste at ground floor level
 - **LPA response:** The applicant has amended the proposal to incorporate a holding area adjacent to the integral loading yard.

- The 'Healthy Streets' assessment has highlighted deficiencies in the local public realm, warranting a contribution from the developer towards a series of local public transport infrastructure improvements encompassing footway reconstruction, road resurfacing and creation of extended raised tables.
 - **LPA response:** The applicant has agreed to local public transport infrastructure improvements and a series of Section 278/38 works.

- Cycle storage facilities must be amended to include at least 6 disabled and 4 cargo bicycle spaces
 - **LPA response:** The cycle storage proposals have been amended to provide the minimum number of disabled and cargo bicycle spaces.

- The proposed cycle storage and associated facilities should be amended to provide 700 secure/enclosed cycle parking spaces, of which 140 should be Sheffield stand format.
 - **LPA response:** The applicant has altered the cycle storage proposals to optimise the number of spaces to 536. Although this falls short of the requested 700, it complies with the London Plan requirement and is therefore considered acceptable. A compliance condition is recommended to ensure the facilities are delivered as per the application drawings.

- A Travel Plan should be supplied post-approval.
 - **LPA response:** A Final Travel Plan will be secured by condition.

- A Final Delivery and Servicing Plan should be supplied post-approval.
 - **LPA response:** A Final Delivery and Servicing Plan will be secured by condition.

- A Final CEMP should be supplied post-approval.
 - **LPA response:** A Final CEMP will be secured by condition.

- Disabled car parking spaces must be provided on-site, and should be supported by EVCP points.

- **LPA response:** The originally proposed on-street bays have been relocated to the integral loading yard. A total of two bays will be provided. This arrangement will be managed by estate/reception staff to ensure no clash between servicing vehicles and car users. A scheme for EVCPs will be required by condition.

401. Urban Forester:

- Good quality landscape materials and specifications including trees and other soft planting have been proposed. Conditions should be attached relating to detailed hard and soft landscaping, tree protection measures, arboricultural site supervision and green wall maintenance.
 - **LPA response:** All suggested conditions have been included on the Draft Decision Notice.

402. Waste Management Team:

- There must be adequate stopping distance for a 26 tonne lorry on Loman Street to enable pick-up from the waste store.
 - **LPA response:** There is extensive double-yellow kerblines on both sides of Loman Street (to be extended with the footway build-out at the top of the cycle ramp) , enabling a collection vehicle to dwell on street without restricting passage of vehicles on the other lane of the carriageway.

Consultation responses from external consultees

403. The key matters raised by responses from external consultees are summarised below. It should be noted that, in each case, the final /most recent consultation response is provided. An officer's response has been provided to each.

404. Environment Agency:

- As no sleeping accommodation was included with the proposed development, the EA raises no objection, noting that the applicant has confirmed with that finished floor levels on section drawings are in metres AOD.
- The EA recommends that flood resistant and resilient measures are incorporated in to the design and construction of the development proposals
- The EA recommends conditions relating to contamination, piling, verification of remediation, and into-ground infiltration associated with the sustainable drainage system.
 - **LPA response to all of the above:** All requested conditions, including a Flood Resilience Plan condition, will be attached to the

decision notice in the event that permission is granted.

405. GLA:

- It is questioned whether the final stage of the staircasing affordable workspace charging system would, at 75% of the local market rate, be genuinely affordable.
 - **LPA response:** The applicant contends that the final stage (year 2 to year 30) of the staircasing charging system would, at 75% of the local market rate, reduce the actual/ absolute rent payable by a tenant to an amount viable for the targeted business communities. The applicant makes this argument by benchmarking the actual/ absolute rent range against the typical market rate range identified in *the 'Housing and Affordable Workspace Policies Further Viability Sensitivity Testing'* from the New Southwark Plan Evidence Base. It is also important to take into account the generous initial (up to month 23) discount, as well as the recently-consented change of use application 19/AP/7572, which incorporates affordable workspace on exactly the same staircased terms. As such, and taking into account the site's higher value SE1 location, the proposed rental discount is considered to be reasonable, and is supported by the Council's Local Economy team..
- The developer should also specifically define the use of the affordable workspace in line with Part A of Policy E3 of the Intend to Publish New London Plan.
 - **LPA response:** The affordable workspace would be limited to Class B1 uses, and the applicant intends to target the hospitality, creative, film and media sectors as there is demand from these industries for business space in this part of the borough.
- The community uses provided by the Pavilion, Garden Terrace and Auditorium are supported. Further details of access and management are required, and should be secured through the appropriate mechanism.
 - **LPA response:** Access for the community for the lifetime of the development will be secured in the Section 106 Agreement. A marketing and management strategy will be required for the Community Auditorium, while the details of the Community Pavilion and Garden Terrace will be finalised in a separate public access management plan.
- 50% of the Community Auditorium availability must be reserved for community groups/cultural groups or not-for-profits at a discounted rate. Rental discount and the mechanism to book this space should be agreed

- **LPA response:** The applicant has agreed to provide 50% of the available slots at a discounted rate. Exact details about the operation and marketing of the facility will be provided in the Community Auditorium Marketing and Management Strategy, to be secured through the Section 106 Agreement.
- In design terms, the applicant has evolved the scheme in response to pre-application advice. The final scheme is of an acceptable height, massing and architectural resolution. Key details relating to architecture and materials should be secured
 - **LPA response:** Conditions relating to materials and detailed design are recommended.
- The harm caused to the Grade II listed 55 Suffolk Street would be outweighed by the public benefits, namely creation of economic activity and employment, and provision of community uses within the site.
 - **LPA response:** Noted. The LPA concurs that the harm to 55 Suffolk Street, and all other nearby heritage assets, would be outweighed by the public benefits as expanded on in the 'Design, layout, impact on heritage and tall building considerations'
- The greening and roof terrace gardens must be easy to maintain over the lifespan of the building.
 - **LPA response:** An ecological management plan, ensuring long-term appropriate maintenance of the landscaping, will be secured by condition.
- The rooftop café-bar and restaurant would be open later than the atrium, yet access to the rooftop facilities would be via the atrium lifts. Therefore, clarity is required as to how the public would access the café-bar and restaurant after the atrium closing time.
 - **LPA response:** The applicant has confirmed that, although each evening the atrium would close to general public access, the building management/security team would staff the two atrium entrances and permit access to those visiting the rooftop café-bar and restaurant. In respect of the ground floor café, once the atrium closes each evening, access and egress would continue to be possible through the Loman Street entrances.
- The applicant's Fire Strategy should include details of the qualifications of the assessor, details of the materials to be used, information on evacuation routes and assembly point, and location of fire appliances to be incorporated within the building.
 - **LPA response:** The Fire Strategy has been updated to include all of the above. The GLA has since reviewed the amended Fire Strategy and deemed it to be acceptable.

- The LPA should ensure that all circulation routes are step-free, and that all corridors, lobbies and lifts meet Part M standards. The LPA should appropriately secure this.
 - **LPA response:** The applicant's Design and Access Statement indicates inclusive access has been designed-in. There is nothing to suggest that the building would not meet the requirements of Part M of the Building Regulations.
- Further circular economy information is required pre-determination. The required items are a bill of materials, operational waste management proposals, plans for implementation, an end-of-life strategy for the building and a post-completion report.
 - **LPA response:** The requested information has been provided by the applicant. The GLA has since reviewed these documents and deemed them to be acceptable.
- Further energy information is required pre-determination. The required items are a carbon emissions excel spreadsheet, district heating network connection information, the route network and location of the energy centre, photovoltaic performance and a specification for the proposed heat pumps.
 - **LPA response:** The requested information has been provided by the applicant. The GLA has since reviewed these documents and deemed them to be acceptable.
- The applicant should consider incorporating rainwater harvesting into the drainage strategy to meet the aims of the Sustainability Strategy.
 - **LPA response:** Rainwater harvesting is included in the sustainable urban drainage system, which the Council's Flood Risk Management Team has reviewed and deemed to be acceptable.
- The applicant should submit a breakdown of the UGF calculation along with a supporting drawing showing surface cover types.
 - **LPA response:** The requested information has been provided by the applicant. The GLA has since reviewed these documents and deemed them to be acceptable.
- Transport recommendations and requests have been provided by TfL
 - **LPA response:** TfL provide detailed recommendations separately, and the LPA response to these is provided in a subsequent part of this report.

406. Historic England:

- No comments. HE advises that the views of the LPA's specialist

- conservation advisers be relied upon.
- **LPA response:** No comments are noted.

407. London Fire Brigade:

- LFB requests hard copies of plans indicating: the intended use of each room; all fire resisting partitions; all exit routes; all areas covered by escape lighting; the position of fire exit signage; the position of fire alarm call points and indicator panel; the position and type of automatic fire detectors; if the fire alarm system is linked to that in the rest of the building; the position and type of first aid fire fighting equipment; any other fire safety provision pertinent to the project
- **LPA response:** The request was passed to the applicant, who has since attempted to make contact with the LFB to explain that it is not possible at the present time to provide the sought information, as not until advanced design and Building Regulations approval stages would the fire strategy be resolved to this level of detail. The applicant has submitted a Fire Strategy with their application, which the GLA has assessed and deemed to be satisfactory. Compliance with the Fire Strategy will be required by condition. It is considered that this meets the relevant fire safety policies and is sufficient for planning purposes. If necessary, further correspondence outside of the planning process can take place between LFB and the applicant on this matter.

408. London Underground Infrastructure Protection Unit:

- No comments but, as Network Rail assets are close to this site, they should be consulted to ascertain what affect if any the proposals would have on the railway
- **LPA response:** No comments from LUIPU are noted. Separate consultation was carried out with Network Rail (as detailed below).

409. Natural England:

- No comments. NE advises that the views of the LPA's specialist ecological advisers be relied upon.
- **LPA response:** No comments are noted.

410. Network Rail:

- No comments.
- **LPA response:** No comments are noted.

411. Metropolitan Police:

- A two-part Secured by Design condition should be attached to the decision notice, in the event that permission is granted.
 - **LPA response:** The requested two-part condition will be attached to the decision notice in the event that permission is granted.

412. Thames Water:

- Applicant should either confirm that capacity exists off site to serve the development or agree to be bound to a condition requiring a housing and infrastructure phasing plan agreed with Thames Water in respect of foul water, surface water and the existing water network infrastructure.
 - **LPA response:** This matter is being negotiated currently between the developer and Thames Water. Thames Water has indicated to the LPA that there is likely to be sufficient capacity and that, if so, there will not need to impose any phasing plan conditions.
- In respect of the proposed foul water rate, the point at which surface water discharges into the network should be clarified, and a breakdown of foul discharge rate for each location should be provided.
 - **LPA response:** The rate has been confirmed by the applicant. Evidence of Thames Water confirming satisfaction in writing has been supplied by the applicant. This matter is therefore considered resolved.

413. Transport for London:

- Healthy Streets improvements should be agreed with Southwark Council. This should include Legible London signage/map refresh for up to £15,000 and improved lighting around the junction of Pocock Street and Great Suffolk Street.
 - **LPA response:** The applicant has agreed to a set of local public realm improvements. These will be secured through either the Section 106 Agreement or the Section 278 Agreement, whichever is the more appropriate mechanism. This includes £15,000 towards Legible London signage but does not include improved lighting around the junction of Pocock Street and Great Suffolk Street, as the developer argues that “It is the Council’s responsibility to make sure their streets meet basic lighting standards [...] We do not consider that this existing problem is this development’s responsibility to fix”
- Proposals to repave the footway along Loman Street, Sawyer Street, and Pocock Street and stop up redundant crossovers are also supported and should be secured via Section 106 and/or Section 278 agreement with the Council.
 - **LPA response:** Through a Section 106 obligation, the applicant will be required to carry out these works through a Section 278

Agreement.

- To help achieve Healthy Streets aims, the Community Pavilion and Garden Terrace be secured as publicly-accessible space.
 - **LPA response:** Public access during the agreed opening times will be secured in the Section 106 Agreement.
- Welcomed improvements mid-way through the application process include the introduction of angled two-tier racks, improved aisle widths, increased provision of Sheffield stands (at normal and wider spacing), and the introduction of additional long-stay cycle provision (cycle lockers for foldable bikes and four cargo bikes).
 - **LPA response:** The LPA notes TfL's positive response to the cycle storage changes made by the applicant through the course of the application process.
- Vertical cycle racks are undesirable for reasons of security, user impracticability and lack of flexibility. Further, their proposed location within the corridor area is not especially secure. At least a proportion of the vertical stackers should be replaced with angled two-tier racks or Sheffield stands.
 - **LPA response:** The cycle storage arrangements have been amended by the applicant, resulting in the total number of vertical racks reducing to 44 (representing 9.4% of total provision). It is considered that there is no scope to reduce the number of vertical racks further without compromising the design and layout of the scheme unacceptably.
- The proposed end-of-journey facilities (showers, lockers, dryers etc) and the cycle parking should be secured in any permission.
 - **LPA response:** Provision of the end-of-journey facilities will be secured by condition.
- Access and security arrangements at the bottom of the access ramp should be confirmed
 - **LPA response:** Entrance shutters would ensure the end-of-journey cycle facility is secure and weatherproof. A fob system would enable employees to enter and depart the facility
- A contribution of £220,000 is sought towards a new Santander Cycle Hire docking station to be located within the nearby public realm
 - **LPA response:** The applicant has agreed to this contribution, which will be secured through the Section 106 Agreement.
- The applicant should clarify how the shared access arrangements for waste storage and cycle parking will be managed to minimise conflict of

use issues.

- **LPA response:** The applicant has confirmed in writing that waste will not be moved from the basement-level refuse store through the basement-level cycle store during peak times, thereby minimising possible conflict with cyclists entering and exiting the building. This will form part of the building management strategy. Furthermore, through the course of the application process the applicant has amended the ground floor layout so that a dedicated waste holding room is provided alongside the integral loading yard. This would further minimise the number of waste transfer movements taking place between the basement and ground floor levels.
- A full CLP and DSP, each based on the respective outline versions submitted with the application, should be secured by condition.
 - **LPA response:** Conditions requiring the applicant to submit a full CLP and full DSP are recommended.

414. UK Power Networks:

- Noting that the nearby substation will remain in its location and will not be affected, UK Power Networks has no objections.
 - **LPA response:** No objections noted.

Community impact and equalities assessment

415. 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.

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

Human rights implications

- 419. 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.
- 420. This application has the legitimate aim of part-demolishing the existing building on the site, and extending and redeveloping it, to provide a mixed-use development comprising office, workspace, retail and dining uses, together with various community spaces and publicly-accessible realm. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Positive and proactive engagement: summary table	
Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES

CONCLUSION

- 421. This application would bring into productive and optimised re-use this currently vacant building, providing a complementary mixture of office, retail, dining and community uses that would support the role and vibrancy of the Central Activities Zone and the Borough and Bankside District Town Centre. It would

provide a policy-compliant level of affordable workspace suitable for new and small businesses.

422. The scheme would deliver high-quality community facilities in the form of a free-to-enter rooftop pavilion and terrace garden, commanding dramatic views towards London Bridge, and providing opportunities for relaxing, informal socialising, food growing and gardening. This valuable new piece of social infrastructure would be supported by a Community Auditorium, the use of which would be discounted for community groups. These generous high-quality facilities would be in addition to a new publicly-accessible central route providing improved pedestrian permeability and opportunities for local people to sit and relax.
423. In design terms, the building is to be commended for its sustainable approach, whereby the existing building's main structure would be repurposed and a new CLT frame introduced to provide additional storeys. It would replace an out-of-date building that does little for its townscape context. The development would open up the ground floor, create greater public permeability, and provide a more engaging building at street level. Its scale is acceptable within its immediate context, with lively and appealing elevations and a dynamic but not obtrusive roofline. The proposals are of a high standard of architecture and urban design, and would be a significant improvement in the local townscape, while also preserving the character and appearance of nearby Conservation Areas and listed buildings.
424. It is recognised that there would be a substantial impact upon the daylight and sunlight enjoyed by some of the residential occupiers of surrounding buildings. On balance, while recognising the impacts, it is concluded that the merits of the scheme, and the context within which it would sit, would not justify the refusal of planning permission.
425. It is considered that the quality of outlook and levels of privacy for surrounding occupiers would remain acceptable. Planning conditions will safeguard surrounding dwellings from potential amenity harm such as odour, light disturbance and noise associated with the operation of the pavilion, garden terrace, flexible restaurant, flexible café-bar and tenant wellbeing amenity terrace at rooftop level.
426. While a small number of public representations have raised concerns about increased traffic and parking strain, the proposal would be car-free (save for two on-site disabled bays) and the site is within a Controlled Parking Zone. The applicant's Framework Travel Plan outlines a robust set of measures to encourage sustainable journeys, and the detailed strategy will be secured post-approval. Trip generation concerns have also been raised by local residents. In response to this, and as a precautionary measure, a bond will be secured so that highways impacts arising from deliveries and servicing can be monitored over the course of the first two years of operation. Further highways

and transport mitigation is to be secured through the Section 106 Agreement.

427. With respect to energy and sustainability, the proposed development would inherit and adopt parts of the existing Crown Court's foundations, structure and façades, and as a consequence waste would be minimised and the embodied carbon footprint significantly reduced. In terms of the new elements of the proposed structure, reused and recycled materials have been prioritised, as have materials with low embodied carbon such as sustainably sourced cross laminated timber (CLT) and highly recycled steel. Another strong environmental credential of the proposal is its approach to urban greening, which forms a fundamental aspect of site and building design. The proposal's exemplary contribution to local green infrastructure should be commended.
428. In line with the requirements of the NPPF, the Council has applied the presumption in favour of sustainable development. The proposal would accord with sustainable principles and would make efficient use of a prominent vacant site to deliver a high quality development that is in accordance with the Council's aspirations for the area. It is therefore recommended that Members grant permission, subject to conditions as set out in the attached draft decision notice, referral to the GLA, and the timely completion of a Section 106 Agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: Application file: 20/AP/1537 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 5535 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken and replies received
Appendix 2	Replies received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Patrick Cronin, Senior Planning Officer	
Version	Final	
Dated	5 November 2020	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		5 November 2020