

Item No: 7.	Classification: Open	Date: 22 February 2021	Meeting Name: Planning Committee
Report title:		Addendum report Late observations and further information	
Ward(s) or groups affected:		Borough and Bankside	
From:		Director of Planning	

PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

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

FACTORS FOR CONSIDERATION

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

Item 7.1 – 20/AP/0969 – Styles House

FACTORS FOR CONSIDERATION

Relationship to the Southwark Over Station Development (OSD)

4. Approval on the OSD will not be secured within a S106 agreement, if the OSD is not approved then this scheme can't be implemented. The delivery of this scheme is dependent on the approval and delivery of the OSD. The schemes can be assessed and determined independently, on their own merits

Late representations

5. One additional objection was received raising concern about construction management impacts as a result of the neighbouring Southwark OSD development. The objection also raised concern regarding the scale and

massing of the neighbouring Southwark OSD building. This will be assessed as part of the separate Southwark OSD application (20/AP/1272).

6. Environmental Protection Team (EPT) provided comments expressing concern about the noise impact assessment and the potential impact of noise from the bars and restaurants on Isabella Street. This is an existing situation and noise from these premises would be more appropriately managed through the licensing and noise nuisance regimes. They also recommended additional conditions which are presented below.
7. The GLA provided supporting comments however raised concern that the energy strategy does not comply within London Plan. These were addressed by the applicant and the applicant met with the GLA after which they submitted a revised energy strategy (dated January 2021). This contained information on solar gain as requested by GLA, and upgraded the mechanical ventilation heat recovery (MVHR) with an enhanced specification to achieve the required 'Lean' stage required savings. The changes provided in the revised energy strategy addresses the GLA's comments. The GLA Stage 1 report also requested that the 0-4 year old play space requirement be met on site. This was provided in the amended landscaping plan which provides outline of play equipment for this age group.
8. Be Lean stage energy savings was increased from 10.9% to 11.9% and Be green was increased from 37.5% to 38.2% for the whole site and from 37.3% to 38.1% for the domestic element. The non-domestic element stayed the same as a result of these aforementioned changes.
9. Planning obligations detailed in paragraph 180 of the main report will change firstly to include revised carbon offset figure reflecting the reduction from £47,424 to £45,799.50 as a result of the amended Energy Strategy (Jan 2021). Secondly, the S278 will be included as an informative due to the nature of the legal undertaking as a unilateral undertaking. Thirdly, the OSD is not required to be secured through an obligation as implementation of this permission is not possible without the OSD approval.

Clarification

Management of the community space

10. All of the community space will be managed by the Styles House TMO.

Electricity sub-station

11. The location of the electricity substation was amended and pulled back into the site from the abutting northern site's vehicle entrance.

Off-site modern methods of construction

12. Off-site modern methods of construction are being actively investigated by the applicant. Planning policy covers the operational development's environmental performance and this is detailed in the Energy Strategy.

Housing needs assessment

13. The housing needs assessment table on paragraph 75 demonstrates how dwelling mix proposed as part of this scheme has been determined based on the highest quality knowledge of local need. It outlines that 80% of current residents need 1x bed units, 18% of which are wheelchair accessible units. It was noted in the report that the wheelchair need does not indicate need for fully adaptable wheelchair units, and required varying degrees of adaptability. Secondly, 15% of respondents requested for 2-bed units, where 12% of the proposed uplift is 2-bed unit. The two respondents who requested for 3 and 4 beds are currently living in overcrowded accommodation and are waiting for housing elsewhere with greater urgency than the potential completion of this proposed building.

Policy weighting

14. The draft New London Plan was published on 30 November 2017 and consultation closed on 2nd March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan in December 2019. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Intend to Publish London Plan. These concerns have been addressed within the Publication London Plan which was approved by the Mayor in December 2020. This is a new, stand-alone publication version of the Plan which is due to be published once approval has been received from the Secretary of State. On publication, it will become the Spatial Development Plan for London and part of the statutory Development Plan for Greater London.

Conditions

Additional condition recommended:

Before the first use of the community centre hereby approved, details of a noise mitigation strategy to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90 5min at 1m from the facade of nearby residential premises at all third octave bands between 63Hz and 8kHz shall be submitted to the Local Planning Authority for approval. The development shall be completed in accordance with any scheme approved and maintained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non-residential premises in

accordance with the National Planning Policy Framework 2019, Strategic Policy 13 'High environmental standards' of the Core Strategy (2011) and saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Amendments to conditions recommended:

15. Remove Green Walls (condition 7) to be included in soft landscaping condition instead (condition 24).
16. Change wording to condition 10 (piling), to:

Before any work related to piling takes place, a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for works) has first been submitted to the Local Planning Authority in writing to be agreed. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure that the development does not harm groundwater resources in line with the National Planning Policy Framework (NPPF) (Paragraph 170). The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

Split joint (cycle and car parking/storage details) condition 5 into two separate (cycle storage) and (car parking) conditions:

Before the installation of cycle parking, details of 54 secure/enclosed cycle parking spaces 11(20%) of which must be contained in Sheffield cycle racks including 2(two) for disabled users, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with: the National Planning Policy Framework 2019; Strategic Policy 2 (Sustainable Transport) of the Core Strategy 2011, and; Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan 2007.

Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the car parking scheme showing 4 car parking spaces including 3 (three) disabled car parking with at least 1 (one) disabled bay and the standard bay equipped with active electric vehicle charging points and the remaining 2(two) disabled bays fitted with the passive EVCPs shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the car parking shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To ensure the permanent retention of the parking areas, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties in accordance with: the National Planning Policy Framework 2019; Strategic Policy 2 (Sustainable Transport) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 5.2 (Transport Impacts) and 5.6 (Car Parking) of the Southwark Plan 2007.

17. Amend condition 8 (surface water drainage):

The development shall be carried out in accordance with the approved Surface Water Management (2850 P1 dated: 23/03/2020) report unless otherwise agreed with the LPA.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with the National Planning Policy Framework (NPPF) (Paragraph 170). Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

18. Delete reference to “at least one storey high” in condition 3 (sample panels).

Before any above grade work, full-size sample-panels of all external facing materials (including cladding, windows and associated junctions) to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework

2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

19. Delete reference to “brick” to allow for flexibility in nesting options for condition 16 (Swift nesting).

Details of Swift nesting brick/boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No fewer than ten nesting brick/boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The brick/boxes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Swift nesting brick/boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

20. Amendment to Details of refuse storage facilities condition 17 to:

Before the first occupation of the development hereby permitted begins, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved refuse storage facilities shall be provided and made available for use by the occupiers of the development and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with: the

National Planning Policy Framework 2019; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 3.7 (Waste Reduction) of the Southwark Plan 2007.

21. Amend condition 21 (Basement Impact Assessment) to a compliance condition:

The development shall be carried out in accordance with the approved Basement Impact Assessment (2850 REV P4 dated: 15/05/2020) unless otherwise agreed with the LPA.

Reason:

To ensure that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood risk and ensure safety of the future occupants of the proposed development, to reduce the amount of surface water run-off from the site, to provide safe refuge and ensure safety of the future occupants of the proposed development in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

22. Amend condition 23 (Arboricultural method statement) to a compliance condition with trigger wording:

The development shall be carried out in accordance with the approved Arboricultural Method Statement (ref: 10398 dated 23rd March 2020) unless otherwise agreed with the LPA.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

23. Insert beginning of condition 13 (remediation strategy) which was omitted from Appendix four as:

Site Contamination - pre-approval

Prior to the commencement of any below grade works, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment including a site walkover survey, identification of contaminants of the land and controlled waters and develop a conceptual model of the site with conclusion and recommendations whether a Phase 2 intrusive investigation is required.. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.

c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.

d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.

e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

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