

Former Biscuit Factory and Bermondsey Campus

in the London Borough of Southwark

planning application no. 17/AP/4088

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 (“the Order”) and Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposal

Full planning permission for demolition, alterations and extension of existing buildings and erection of new buildings comprising a mixed-use scheme providing up to 1,418 Build to Rent residential units, up to 3,436 sq.m. (GEA) of flexible retail floorspace (Class A1/A3/A4), up to 14,666 sq.m. (GEA) of flexible commercial (Class B1) floorspace, up to 869 sq.m. (GEA) of flexible educational and community floorspace (Class D1/D1) and up to 3,311 sq.m. (GEA) of multi-use floorspace (Class A1/A3/A4/D1) within retained Block BF-F, a new secondary school, in buildings ranging from 5 to 35 storeys in height as well as the creation of a single storey basement. The development also includes communal amenity space, landscaping, children’s playspace, car and cycle parking, installation of plant, new pedestrian, vehicular and servicing routes, the creation of two new pedestrian routes through the Railway Arches and associated works; and,

Outline planning permission (with all matters reserved) for the part demolition and part retention of existing buildings and erection of two new buildings comprising a mixed-use scheme, providing up to 130 Build to Rent residential units and up to 780 sq.m. (GEA) of flexible multi-use floorspace (Class A1/A3/A4/D1/Sui Generis), and other associated works.

The applicant

The applicant is **Grosvenor Britain & Ireland** and the architects are **KPF** and **Cottrell & Vermeulen**.

Recommendation summary

The Deputy Mayor for Planning, Regeneration & Skills, acting under delegated authority as Local Planning Authority for the purpose of determining this application;

- i. grants conditional planning permission in respect of application 17/AP/4088 for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;

- ii. delegates authority to the Head of Development Management to issue the planning permission and attach, add, delete or vary, the final detailed wording of the conditions and informatives as required with any material changes being referred back to the Deputy Mayor, and authority to negotiate, agree the final wording, and sign and execute, and complete the section 106 legal agreement;
- iii. delegates authority to the Head of Development Management to agree any variations to the proposed heads of terms for the section 106 legal agreement;
- iv. delegates authority to the Head of Development Management to refer it back to the Deputy Mayor in order to refuse planning permission, if by 21 May 2020, the section 106 legal agreement has not been completed;
- v. notes that the approval of Reserved Matters pursuant to the outline component of the planning permission would be submitted to, and determined by, the Mayor or Deputy Mayor;
- vi. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by Southwark Council;
- vii. notes that Southwark Council will be responsible for the enforcement of the conditions attached to the planning permission;

Subject to referral to the Secretary of State for Housing, Communities and Local Government under The Town and Country Planning (Consultation) (England) Direction 2009.

Drawing numbers and documents

1. Site and Phasing Plans	
Site Location Plan	2607-KPF-MPLN-XX-DR-PLN-A-0010_A
Hybrid Application Boundary Plan	2607-KPF-MPLN-XX-DR-PLN-A-0011_C
Phasing Plan – All Phases	2607-KPF-MPLN-XX-DR-PLN-A-0015_A
Phasing Plan - Phase 1	2607-KPF-MPLN-XX-DR-PLN-A-0016_A
Phasing Plan - Phase 2	2607-KPF-MPLN-XX-DR-PLN-A-0017_A
Phasing Plan - Phase 3	2607-KPF-MPLN-XX-DR-PLN-A-0018_A
Phasing Plan - Phase 4	REMOVED
Site Plan - Demolition	2607-KPF-MPLN-XX-DR-PLN-A-0020_A
Block Plan - Existing	2607-KPF-MPLN-XX-DR-PLN-A-0065_A
Site Basement Plan- Existing	2607-KPF-MPLN-B1-DR-PLN-A-0069_A
Site Ground Floor Plan - Existing	2607-KPF-MPLN-00-DR-PLN-A-0070_A
Level 01 Floor Plan - Existing	2607-KPF-MPLN-01-DR-PLN-A-0071_A
Level 02 Floor Plan - Existing	2607-KPF-MPLN-02-DR-PLN-A-0072_A
Level 03 Floor Plan - Existing	2607-KPF-MPLN-03-DR-PLN-A-0073_A
Level 04 Floor Plan - Existing	2607-KPF-MPLN-04-DR-PLN-A-0074_A
Level 05 Floor Plan - Existing	2607-KPF-MPLN-05-DR-PLN-A-0075_A
Site Elevations - Existing	2607-KPF-MPLN-XX-DR-ELE-A-0080
Site Elevations & Sections – Existing	2607-KPF-MPLN-XX-DR-SEC-A-0081
Proposed Site Basement Plan- Proposed	2607-KPF-MPLN-B1-DR-PLN-A-0099_A
Site Ground Floor Plan - Proposed	2607-KPF-MPLN-00-DR-PLN-A-0100_C
Site Typical Plan - Proposed	2607-KPF-MPLN-XX-DR-PLN-A-0140_C
Site Roof Plan - Proposed	2607-KPF-MPLN-RF-DR-PLN-A-0150_C
2. Plot BC-01- Proposed Building BC-6 Compass School Southwark	
Site Plan Proposed	2607-CVA-BC01-00-DR-PLN-A-0100_C
Ground and First Floor Plans Proposed	2607-CVA-BC01-XX-DR-PLN-A-0101_A
2F/3F Plan as Proposed	2607-CVA-BC01-XX-DR-PLN-A-0102_A
4F/5F Plan as Proposed	2607-CVA-BC01-XX-DR-PLN-A-0103_A
6F/ Roof Plans as Proposed	2607-CVA-BC01-XX-DR-PLN-A-0104_A
Street Elevations as Existing: West, South and East	2607-CVA-BC01-XX-DR-ELE-A-0201
Street Elevations as Proposed West, South and East	2607-CVA-BC01-XX-DR-ELE-A-0301_A
Street Elevations as Proposed West, South and East	2607-CVA-BC01-XX-DR-ELE-A-0302_A
Courtyard Elevations as Proposed	2607-CVA-BC01-XX-DR-ELE-A-0303_A
Sections as Proposed	2607-CVA-BC01-XX-DR-SEC-A-0304_A
Detail Elevation as Proposed: West	2607-CVA-BC01-XX-DR-DET-A-0401_A
Detail Elevation as Proposed: South	2607-CVA-BC01-XX-DR-DET-A-0402_A
Detail Elevation as Proposed: East	2607-CVA-BC01-XX-DR-DET-A-0403_A
3. Plot BC-02- Proposed Building BC-5	
Ground Floor Plan - Proposed	2607-KPF-BC02-00-DR-PLN-A-0100_B

Upper Ground & Level 01-02 Floor Plan - Proposed	2607-KPF-BC02-XX-DR-PLN-A-0101_B
Level 03 & 04 Floor Plan – Proposed	2607-KPF-BC02-XX-DR-PLN-A-0103_B
Roof Level & Upper Roof Plan - Proposed	2607-KPF-BC02-RF-DR-PLN-A-0105_A
Northwest & Southeast Elevations - Proposed	2607-KPF-BC02-XX-DR-ELE-A-0201_A
Keeton's Road & Southwest Elevations - Proposed	2607-KPF-BC02-XX-DR-ELE-A-0202_A
North-South & East-West Sections - Proposed	2607-KPF-BC02-XX-DR-SEC-A-0250_A
Part Section & Elevation Details - Proposed	2607-KPF-BC02-XX-DR-DET-A-0301_A
4. Plot BC-03 – Proposed Building BC 1234	
Ground Floor Plan - Proposed	2607-KPF-BC03-00-DR-PLN-A-0100_D
Upper Ground Floor Plan - Proposed	2607-KPF-BC03-0M-DR-PLN-A-0101_B
Level 01 Floor Plan - Proposed	2607-KPF-BC03-01-DR-PLN-A-0102_B
Level 02 Floor Plan - Proposed	2607-KPF-BC03-02-DR-PLN-A-0103_B
Level 03 Floor Plan - Proposed	2607-KPF-BC03-03-DR-PLN-A-0104_B
Level 04 Floor Plan - Proposed	2607-KPF-BC03-04-DR-PLN-A-0105_A
Level 05 Floor Plan - Proposed	2607-KPF-BC03-05-DR-PLN-A-0106_B
Level 06 Floor Plan - Proposed	2607-KPF-BC03-06-DR-PLN-A-0107_B
Level 07 Floor Plan - Proposed	2607-KPF-BC03-07-DR-PLN-A-0108
Level 08 Floor Plan - Proposed	2607-KPF-BC03-08-DR-PLN-A-0109
Level 09 Floor Plan – Proposed	2607-KPF-BC03-09-DR-PLN-A-0110
Roof Plan - Proposed	2607-KPF-BC03-RF-DR-PLN-A-0111_A
East Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0201_B
West Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0202_B
South Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0203_B
North Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0204_B
West Internal Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0205_B
East Internal Elevation - Proposed	2607-KPF-BC03-XX-DR-ELE-A-0206_B
East-West Section - Proposed	2607-KPF-BC03-XX-DR-SEC-A-0250_A
North-South Section - Proposed	2607-KPF-BC03-XX-DR-SEC-A-0251_B
Part & Section Elevation Details - Proposed	2607-KPF-BC03-XX-DR-DET-A-0301_B
5. Plot BF-01 – Proposed Building BF-D&E	
Ground Floor Plan - Proposed	2607-KPF-BF01-00-DR-PLN-A-0100_B
Mezzanine Plan - Proposed	2607-KPF-BF01-0M-DR-PLN-A-0101
Level 01 Plan - Proposed	2607-KPF-BF01-01-DR-PLN-A-0102_A
Level 02 Plan - Proposed	2607-KPF-BF01-02-DR-PLN-A-0103_A
Level 03 Plan - Proposed	2607-KPF-BF01-03-DR-PLN-A-0104_B
Level 04-07 Plan - Proposed	2607-KPF-BF01-04-DR-PLN-A-0105_B
Level 08-10 Plan - Proposed	2608-KPF-BF01-08-DR-PLN-A-0109
Level 11 Plan - Proposed	2607-KPF-BF01-11-DR-PLN-A-0112
Level 12-18 Plan - Proposed	2607-KPF-BF01-12-DR-PLN-A-0113_A

Roof Level Plan - Proposed	2607-KPF-BF01-19-DR-PLN-A-0120
Upper Roof Level Plan - Proposed	2607-KPF-BF01-RF-DR-PLN-A-0121
Southwest Elevation - Proposed	2607-KPF-BF01-XX-DR-ELE-A-0201_B
Clements Road Elevation - Proposed	2607-KPF-BF01-XX-DR-ELE-A-0202_B
Southeast & North-east Elevations - Proposed	2607-KPF-BF01-XX-DR-ELE-A-0203_C
Internal Elevations - Proposed	2607-KPF-BF01-XX-DR-ELE-A-0204_B
Southwest Section - Proposed	2607-KPF-BF01-XX-DR-SEC-A-0250_A
Northwest Section - Proposed	2607-KPF-BF01-XX-DR-SEC-A-0251_A
Part & Section Elevation Details	2607-KPF-BF01-XX-DR-DET-A-0301_B
6. Plot BF-02 – Proposed Building BF-F	
Ground Floor Plan - Proposed	2607-KPF-BF02-00-DR-PLN-A-0100_B
Mezzanine Plan - Proposed	2607-KPF-BF02-0M-DR-PLN-A-0101_A
Level 01 Floor Plan – Proposed	2607-KPF-BF02-01-DR-PLN-A-0102_A
Level 02 Floor Plan - Proposed	2607-KPF-BF02-02-DR-PLN-A-0103_B
Level 03 Floor Plan - Proposed	2607-KPF-BF02-03-DR-PLN-A-0104_B
Level 04 Floor Plan – Proposed	2607-KPF-BF02-04-DR-PLN-A-0105_B
Level 05 Floor Plan – Proposed	2607-KPF-BF02-05-DR-PLN-A-0106_B
Level 06 Floor Plan - Proposed	2607-KPF-BF02-06-DR-PLN-A-0107_B
Level 07 Floor Plan - Proposed	2607-KPF-BF02-07-DR-PLN-A-0108_B
Level 08 Floor Plan - Proposed	2607-KPF-BF02-08-DR-PLN-A-0109_A
Roof Plan Level - Proposed	2607-KPF-BF02-09-DR-PLN-A-0110_A
Upper Roof Level Plan - Proposed	2607-KPF-BF02-RF-DR-PLN-A-0111
Southeast Elevation - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0201_A
Southwest Elevation - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0202_A
Clements Road Elevation - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0203_B
Northeast Elevation - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0204_A
Courtyard Elevations 1 - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0205_A
Courtyard Elevation 2 - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0206_B
Lightwell Elevations - Proposed	2607-KPF-BF02-XX-DR-ELE-A-0207_A
North-South Section - Proposed	2607-KPF-BF02-XX-DR-SEC-A-0250_A
East-West Section - Proposed	2607-KPF-BF02-XX-DR-SEC-A-0251_A
Part & Section Elevation Details - Proposed	2607-KPF-BF02-XX-DR-DET-A-0301_A
7. Plot BF-03 – Proposed Buildings BF-OQ and P	
Ground Floor Plan - Proposed	2607-KPF-BF03-00-DR-PLN-A-0100_C
Mezzanine Floor Plan - Proposed	2607-KPF-BF03-0M-DR-PLN-A-0121
Level 01-L05 Floor Plan - Proposed	2607-KPF-BF03-01-DR-PLN-A-0101_B
Level 06 Plan - Proposed	2607-KPF-BF03-06-DR-PLN-A-0106_C
Level 07 Plan - Proposed	2607-KPF-BF03-07-DR-PLN-A-0107_C
Level 08 Plan - Proposed	2607-KPF-BF03-08-DR-PLN-A-0108_C
Level 09-12 Floor Plan - Proposed	2607-KPF-BF03-09-DR-PLN-A-0109_C

Roof Level Plan - Proposed	2607-KPF-BF03-13-DR-PLN-A-0113_C
BF-OQ - Southeast Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0201_B
BF-Q - Southwest Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0202_C
BF-OQ - Northwest Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0203_C
BF-O - Northeast Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0204_B
BF-Q - Northeast Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0205_C
BF-O - Southwest Elevation- Proposed	2607-KPF-BF03-XX-DR-ELE-A-0206_B
BF-P Southeast Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0207_C
BF-P - Southwest Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0208_B
BF-P - Northwest Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0209_C
BF-P - Northeast Elevation - Proposed	2607-KPF-BF03-XX-DR-ELE-A-0210_B
BF-P - Northeast Elevation – Proposed	2607-KPF-BF03-XX-DR-ELE-A-0211_B
BF-O&Q - Eastwest Section - Proposed	2607-KPF-BF03-XX-DR-SEC-A-0250_B
BF-P - Eastwest Section - Proposed	2607-KPF-BF03-XX-DR-SEC-A-0251_C
Part Section & Elevation Details	2607-KPF-BF03-XX-DR-DET-A-0301_B
8. Plot BF-04 – Proposed Building BF-RST	
Basement Plan - Proposed	2607-KPF-BF04-B1-DR-PLN-A-0099_A
Ground Floor Plan - Proposed	2607-KPF-BF04-00-DR-PLN-A-0100_B
Mezzanine Floor Plan - Proposed	2607-KPF-BF04-0M-DR-PLN-A-0101_A
Level 01 Floor Plan - Proposed	2607-KPF-BF04-01-DR-PLN-A-0102_C
L02-03 Floor Plan - Proposed	2607-KPF-BF04-02-DR-PLN-A-0103_C
L04 Floor Plan - Proposed	2607-KPF-BF04-04-DR-PLN-A-0105_C
L05 Floor Plan - Proposed	2607-KPF-BF04-05-DR-PLN-A-0106_C
L06-08 Floor Plan - Proposed	2607-KPF-BF04-06-DR-PLN-A-0107_C
L09 Floor Plan - Proposed	2607-KPF-BF04-09-DR-PLN-A-0110_C
L10-16 Floor Plan - Proposed	2607-KPF-BF04-10-DR-PLN-A-0111_C
L17 Floor Plan - Proposed	2607-KPF-BF04-17-DR-PLN-A-0118_C
L18 Floor Plan - Proposed	2607-KPF-BF04-18-DR-PLN-A-0119_C
L19 Floor Plan - Proposed	2607-KPF-BF04-19-DR-PLN-A-0120_C
L20 Floor Plan - Proposed	2607-KPF-MPLN-20-DR-PLN-A-0121_C
L21 Floor Plan - Proposed	2607-KPF-BF04-21-DR-PLN-A-0122_C
L22 Floor Plan - Proposed	2607-KPF-BF04-22-DR-PLN-A-0123_C
L23 Floor Plan - Proposed	2608-KPF-BF05-23-DR-PLN-A-0124_C
L24 Floor Plan - Proposed	2607-KPF-BF04-24-DR-PLN-A-0125_C
L25 Floor Plan - Proposed	2608-KPF-BF04-25-DR-PLN-A-0126_C
L26 Floor Plan - Proposed	2607-KPF-BF04-26-DR-PLN-A-0127_C

L27 Floor Plan - Proposed	2607-KPF-BF04-27-DR-PLN-A-0128_B
L28 Floor Plan - Proposed	2607-KPF-BF04-28-DR-PLN-A-0129
L29 Floor Plan - Proposed	2607-KPF-BF04-29-DR-PLN-A-0130
L30 Floor Plan - Proposed	2607-KPF-BF04-30-DR-PLN-A-0131
L31 Floor Plan - Proposed	2607-KPF-BF04-31-DR-PLN-A-0132
L32 Floor Plan - Proposed	2607-KPF-BF04-32-DR-PLN-A-0133
L33 Floor Plan - Proposed	2607-KPF-BF04-33-DR-PLN-A-0134
L34 Floor Plan - Proposed	2607-KPF-BF04-34-DR-PLN-A-0135
Roof Plan - Proposed	2607-KPF-BF04-RF-DR-PLN-A-0136
Southwest Elevation and Courtyard - Proposed	2607-KPF-BF04-XX-DR-ELE-A-0201_C
Northwest Elevation and Courtyard - Proposed	2607-KPF-BF04-XX-DR-ELE-A-0202_C
Northeast Elevation and Courtyard - Proposed	2607-KPF-BF04-XX-DR-ELE-A-0203_C
Southeast Elevation and Courtyard - Proposed	2607-KPF-BF04-XX-DR-ELE-A-0204_C
Internal Courtyard Elevations - Proposed	2607-KPF-BF04-XX-DR-ELE-A-0205
North-South Section	2597-KPF-BF04-XX-DR-SEC-A-0250_A
East-West Section	2607-KPF-BF04-XX-DR-SEC-A-0251_A
Part Section & Elevation Details	2607-KPF-BF04-XX-DR-DET-A-0301_C
9. Plot BF-06 Proposed Buildings BF-U & BF-V (parameter plans)	
Development Building Zones Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0012_B
Horizontal Limit Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0013_B
Vertical Limits Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0014_B
Access Arrangements Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0015_B
Landscape & Public Realm Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0016_B
Land Uses At Ground Floor	2607-KPF-BF06-XX-DR-PLN-A-0017_B
Proposed Land Uses Above Ground	2607-KPF-BF06-XX-DR-PLN-A-0018_B
Canopy Parameter Plan	2607-KPF-BF06-XX-DR-PLN-A-0019_B
10. Plot BF-07 Proposed Building BF-W	
Ground Floor Plan - Proposed	2607-KPF-BF07-00-DR-PLN-A-0100_C
Mezzanine & L01 Floor Plans - Proposed	2607-KPF-BF07-XX-DR-PLN-A-0101_C
L02-04 & L05-14 & L15 Floor Plans - Proposed	2607-KPF-BF07-XX-DR-PLN-A-0103_B
Roof Level & Upper Roof Plan - Proposed	2607-KPF-BF07-RF-DR-PLN-A-0113_B
Southwest Elevation - Proposed	2607-KPF-BF07-XX-DR-ELE-A-0201_B
North & Northwest Elevations - Proposed	2607-KPF-BF07-XX-DR-ELE-A-0202_B
Northeast & Southeast Elevations - Proposed	2607-KPF-BF07-XX-DR-ELE-A-0203_B
North-South Section - Proposed	2607-KPF-BF07-XX-DR-SEC-A-0250_B
East-West Section - Proposed	2607-KPF-BF07-XX-DR-SEC-A-0251_B
Part Section & Elevation Details - Proposed	2607-KPF-BF07-XX-DR-DET-A-0301_B
11. Landscape General Arrangement Plans	
General Arrangement Key Plan	LA-DR-100-P05

General Arrangement Plan	LA-DR-101-P05
General Arrangement Plan	LA-DR-102-P05
General Arrangement Plan	LA-DR-103-P05
General Arrangement Plan	LA-DR-104-P05
General Arrangement Plan	LA-DR-105-P05
General Arrangement Plan	LA-DR-106-P05
General Arrangement Plan	LA-DR-107-P05
General Arrangement Plan	LA-DR-108-P05
General Arrangement Plan	LA-DR-109-P05
General Arrangement Plan	LA-DR-110-P05
General Arrangement Plan	LA-DR-111-P05

October 2017 Documents (original planning application submission)	June 2018 Documents (amendments to planning application)	September 2019 (Addendum Submission to GLA)
Planning Statement		Planning Statement Addendum
Design and Access Statement (including Design Guidelines)	Design and Access Statement Addendum	Design and Access Statement (including Design Guidelines) (superseding the originally submitted Design and Access Statement);
Environmental Statement and Appendices	Statement of EIA Conformity	Environmental Statement Addendum and Appendices
Transport Assessment	Transport Assessment Addendum	Transport Assessment Addendum;
Financial Viability Assessment		Financial Viability Assessment (superseding the previously submitted Financial Viability Assessment);
Affordable Housing Statement		Affordable Housing Statement (superseding the previously submitted Affordable Housing Statement);
Energy Assessment (including Overheating Report)		Energy Assessment Addendum (including Overheating Report);
Sustainability Statement		Sustainability Statement Addendum;
Internal Daylight, Sunlight and Overshadowing Assessment		Internal Daylight, Sunlight and Overshadowing Assessment Addendum;
Daylight and Sunlight Assessment;	Daylight and Sunlight Assessment Addendum;	Daylight and Sunlight Assessment Addendum;
Retail and Leisure Assessment		Retail and Leisure Assessment Addendum;
Health Impact Assessment		Health Impact Assessment Addendum
Equalities Statement		Equalities Statement Addendum
Acoustic Planning Report		Acoustic Report Addendum

Utilities Statement		Utilities Statement Addendum
Waste Management Strategy		Waste Management Strategy Addendum
Draft Construction Management Plan		Draft Construction Management Plan Addendum
Arboricultural Impact Assessment	Revised Arboricultural Impact Assessment (superseding that originally submitted)	Arboricultural Impact Assessment Addendum
Statement of Community Involvement		Statement of Community Involvement Addendum
Planning Application Form		Revised Planning Application Form (for information only)
Community Infrastructure Levy Form		Revised Community Infrastructure Levy forms
Structural Impact Assessment		Structural Impact Assessment Addendum for Building BF-F
Basement Impact Assessment		
Local Legacy Strategy		

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Deputy Mayor must consider in determining whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Deputy Mayor for Planning, Regeneration & Skills, acting under delegated authority as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Southwark's committee report dated 6 February 2019 (as updated by Southwark Council's Addendum Reports 1 and 2), the draft decision notice setting out four reasons for refusal and all consultation responses and representations made on the case both to Southwark Council and the GLA. The below reasons set out why this application is acceptable in planning policy terms:

- i. The proposed masterplan-led approach to the comprehensive redevelopment of the former Biscuit Factory site and Bermondsey Campus is strongly supported in principle. The optimisation of this accessible, under-utilised former industrial site and intensification of the extant planning permission to provide new jobs, retail opportunities, an uplift in homes and affordable homes and a high-quality replacement secondary school is consistent with the vision for Bermondsey, draft site allocation NSP 10 and the broader objectives of the adopted London Plan and the Mayor's Intend to Publish London Plan. The proposal would make a significant contribution towards the Borough's housing and affordable housing delivery targets and would provide appropriate levels of complementary employment, retail and community uses. In line with the Healthy Streets approach together with draft site allocation NSP10, the proposed development would activate and enhance the Low Line walking route along the railway viaduct and would provide a new link between Bermondsey underground station and the Biscuit Factory site along Keeton's Road. The proposed pedestrian and cycle routes through the railway arches would improve connectivity between Jamaica Road and Bermondsey Station with The Blue Local Town Centre and neighbourhoods south and west of the railway. Should these archway routes not be delivered, the applicant has committed to a financial contribution towards enhancing the

existing routes beneath the railway viaduct on Southwark Park Road and St James Road. On this basis, the application complies with London Plan Policies 2.9, 2.17, 3.1, 3.3, 3.16, 3.18, 4.1, 4.2, 4.3, 4.6, 4.7, 4.9, Policies H1, H11, S3, E1, E2, E3, E4, E5, E9, HC5, HC6 of the Mayor's Intend to Publish London Plan, Strategic Policies 4, 3, 5 and 10 and the Southwark Core Strategy, saved Southwark Policies 2.2, 2.4 and draft Policies P28, P29, P30, P31, P35 and P39 of the New Southwark Plan.

- ii. The scheme would provide 1,548 residential Build to Rent units, of which 482 would be affordable (35% by habitable room, 31.1% by unit). The proposed tenure split exceeds the preferred tenure split for Build to Rent homes set out in Policy H13(c) of the Mayor's intend to publish London Plan, by providing 30% of social rent equivalent homes. Notwithstanding this, as the proposal does not meet the tenure split requirements of the draft New Southwark Plan, the application has been considered under the Viability Tested Route. GLA officers are satisfied that the 35% affordable housing offer, as proposed, is in excess of the maximum viable level at this time. An early implementation review (2 years) and late-stage review mechanism (75% of occupation) would allow any surplus to be used to provide additional social rented equivalent units or discount market rented units on-site or used for an off-site affordable housing contribution if exceptional circumstances are justified. The affordability criteria complies with the London Plan and would be secured in perpetuity. The proposed Build to Rent units would be appropriately secured by way of a 20-year covenant, with necessary requirements in relation to clawback, tenancies and unified ownership and management secured. The housing proposed is of a high quality, and of an appropriate density and mix for the location, taking into account the characteristics of the site and surrounding area. On this basis, the application accords with London Plan Policies 3.8, 3.9, 3.10, 3.11 and 3.12; Policies H1, H4, H6, H11 of the Mayor's Intend to Publish London Plan, the Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017), Strategic Policy 6 of Southwark's Core Strategy, saved Southwark Policy 4.4 and Policies P2, P4 and P14 of the draft New Southwark Plan.
- iii. The design and layout principles are well-considered and would appropriately optimise the development capacity of the site. The proposals achieve a high quality of placemaking, with well-defined new public routes, landscaped areas, designated playspace and high-quality public realm, which would be well-overlooked and benefit from good levels of sunlight. The height and massing strategy responds to the site characteristics and the existing context. Whilst there is a conflict with the locational requirements for tall buildings set out in London Plan and Local Plan policy, GLA officers consider that the proposal complies with the relevant design criteria for tall buildings and enables optimisation of a currently under-utilised site. The tall buildings have been appropriately sited to provide distinctive and high-quality landmarks, aiding wayfinding and signifying the entrances to the improved Low-Line, potential new routes through the railway arches and the central area of public realm at the heart of the former Biscuit Factory site. The proposals have been subject to extensive design scrutiny. The architecture and materials will ensure a distinctive and high-quality development which relates well to the historic character of the site and will contribute positively to the regeneration of the surrounding area. The harm to designated heritage assets is considered to be 'less than substantial' and outweighed by the considerable public benefits of the scheme. No harm would be caused to strategic or local views. On this basis, whilst there is a conflict with part of saved Southwark Policy 3.20 and London Plan Policy 7.7, this is not considered to give rise to a conflict with the development plan as a whole. The application accords with London Plan Policies 6.10, 7.4, 7.5, 7.6, Policies D1, D3, D4, D8, D9, HC1 and HC4 of the Mayor's intend to public London Plan, saved Policies 3.11, 3.13, of the Southwark Plan, and is in general accordance with draft New Southwark Plan Policies P12, P13, P14, P15, P16, P17, P18, P19 and draft site allocation NSP10.
- iv. The proposals have been subject to extensive design scrutiny which has resulted in improvements to the residential quality of the scheme. The re-positioning of buildings,

redistribution of massing and internal reconfiguration of buildings has significantly improved privacy, outlook, daylight and sunlight levels to the proposed units. Whilst dual aspect units have been maximised where possible, the proposed design ensures that all single-aspect north-facing units would benefit from generous floor-to-ceiling heights, good outlook, access to amenity space and BRE compliant levels of daylight. In addition to extensive public realm and communal amenity space, 89% of all units now benefit from private external amenity space, with a further 7% of units benefiting from internalised amenity. Ventilation strategies and noise insulation within the building's facade ensures that the amenity of units facing the railway viaduct are protected. Overall, the proposed development would deliver a high quality of residential accommodation in line with London Plan Policies 3.5 and 7.14, Policy D4 and D6 of the Mayor's Intend to Publish London Plan, saved Policy 4.2 of the Southwark Plan, policies P14 and P65 of the draft New Southwark Plan, the Mayor's Housing SPG and Southwark's Residential Design Standards SPD.

- v. The proposed development has embedded the principles of inclusive access and would comply with the relevant inclusive design housing standards. As such, the proposal complies with London Plan Policies 3.8, 7.2 and 7.6, Policies D5 and D7 of the Mayor's Intend to Publish London Plan, saved Policy 4.3 of the Southwark Plan, policies P7 and P12 of the draft New Southwark Plan and the Accessible London SPG.
- vi. The level of harm caused to surrounding residential amenity would be acceptable given the inner-London urban setting and the requirement to optimise the development potential of the site, which is supported by London Plan and the Mayor's Intend to Publish London Plan Policies. Whilst the technical assessment demonstrates that various neighbouring properties would experience a substantial impact to their daylight and sunlight levels, in most cases, this either occurs where the neighbouring property experiences uncharacteristically high baseline daylight and sunlight levels for an urban environment, and are therefore more susceptible to change, or where the neighbouring property includes deep overhanging walkways or balconies, which currently hinder the ability to see visible sky from the windows/rooms. Any reduction in the height and massing of the proposal to address the neighbouring daylight and sunlight impacts would need to be significant, as minor amendments would not make a material difference to the daylight and sunlight implications of developing the site. Significantly reducing the height and massing of the proposal would be a disproportionate response to the daylight and sunlight impacts and would fail to optimise the development potential of the site. Whilst the impacts on the daylight and sunlight received by neighbouring properties are acknowledged, in line with the NPPF and the Mayor's Housing SPG, a degree of flexibility must be adopted in the application of BRE guidelines to optimise housing capacity on large urban sites. On balance, GLA officers consider that the resultant harm to surrounding daylight and sunlight levels would not outweigh the delivery of the public benefits brought forward by the development. Furthermore, the overshadowing impacts associated with this development are acceptable; the development would not cause an undue loss of privacy; and issues of noise and disturbance would be adequately mitigated through planning conditions. The impact of the proposals on surrounding residential amenity would be acceptable, and the proposals therefore complies with London Plan Policies 7.6, 7.7 and 7.15, Policies D3, D4 and D14 of the Mayor's Intend to Publish London Plan, Strategic Policy 13 of Southwark's Core Strategy, saved Southwark Policy 3.2, draft New Southwark Plan policies P55 and P65, the Mayor's Housing SPG (2016) and Southwark's Residential Design Standards SPD.
- vii. The proposed development has demonstrated that a high standard of sustainable design and construction would be achieved, minimising carbon dioxide emissions, using energy efficiently and including renewable energy, in accordance with the London Plan energy hierarchy. The development would deliver sustainable urban drainage, ecology and urban greening benefits over the existing situation at the site. As such the scheme complies with the policies contained with Chapter 5 and Policies 7.7, and 7.19 of the London Plan, Policies G5, G6, G7, SI1, SI2, SI3,

SI4, SI5, SI7, SI8, SI12, SI13 of the Mayor's Intend to Publish London Plan, Sustainable Design and Construction SPG, Strategic Policies 11 and 13 of Southwark Core Strategy, saved Policies 3.1, 3.3, 3.4, 3.28 of the Southwark Plan, and draft Policies SP6 and policies P58, P59, P60, P61, P66, P67, P68 and P69 of the draft New Southwark Plan.

- viii. The proposal for a high-density, residential-led mixed use development in a very accessible location would represent a pattern of development that would reduce the need to travel, particularly by car, and this is reflected in the car-free (with the exception of Blue Badge) nature of the residential element of the scheme which is supported by strategic and local planning policy. The quantum of proposed car parking is acceptable subject to a suitable framework of controls including a car parking management plan, provisions for restricting resident parking permits for new residents, electric vehicle charging points, travel plans and car club spaces/membership alongside promotion of and support for sustainable travel. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use, providing a large area of public realm that will improve the permeability of the site for pedestrians and cyclists, and providing appropriate mitigation as required. The proposed north-south pedestrian route from Bermondsey London Underground station along with the bus service enhancement secured within the section 106 have the potential to increase the Public Transport Accessibility Level at the south-western end of the site and will improve access to local facilities and services on the site and in the vicinity. Cycle parking provision complies with the minimum standards in the Intend to Publish London Plan. An appropriate package of transport mitigation measures are proposed in terms of walking, cycling, bus capacity and frequency improvements, together with travel plan incentives, safety, deliveries, servicing and construction. Subject to the transport mitigation measures being delivered, the application generally supports the transport objectives set out in the draft site allocation NSP10 and accords with the transport Policies 6.1, 6.2, 6.3, 6.9, 6.10, and 6.13 of the London Plan, Policies T1, T2, T3, T4, T5, T6 and T7 of the Intend to Publish London Plan, Strategic Policy 2 of Southwark's Core Strategy and saved Southwark Policies 5.2, 5.3 and 5.6, and policies P48, P49, P50, P51, P52, P53 and P54 of the draft New Southwark Plan.
- ix. The Environmental Statement (ES) and addendum provides an assessment of the likely significant effects of the proposal on the environment during the construction and operational phases. The ES, addendum and supporting documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. The supporting documents in particular also appropriately respond to and address Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site. Given the context of the site, the environmental impact of the development is acceptable in view of the general compliance with relevant, London Plan and local policy standards and where applicable, the relevant British Standards.
- x. Appropriate, relevant, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental, and socio-economic impacts are mitigated, in line with London Plan Policy 8.2, Saved Local Plan Policy 2.5 and Southwark's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015), and policies IP1, IP2 and IP3 of the draft New Southwark Plan.
- xi. Accordingly, the proposals are considered to accord with the development plan when considered as a whole and, on balance, the other relevant material considerations which point towards refusal are not sufficient to justify refusal of planning permission.

Recommendation

- 3 That the Deputy Mayor acting as under delegated authority as Local Planning Authority, grants planning permission in respect of application 17/AP/4088, subject to referral to the Secretary of State, the prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives are set out in the draft decision notice appended to this report.
- 4 That the Deputy Mayor delegates authority to the Head of Development Management to issue the planning permission and attach, add, delete or vary the final wording of the conditions and informatives as required.
- 5 That the Deputy Mayor agrees that the Head of Development Management, be given delegated authority to negotiate and complete the section 106 legal agreement, the principles of which have been agreed with the applicant as set out in the heads of terms detailed below.
- 6 That the Deputy Mayor delegates authority to the Head of Development Management to refuse planning permission if, by 21 May 2020, the section 106 legal agreement has not been completed
- 7 That the Deputy Mayor notes that the approval of Reserved Matters pursuant to the outline component of the planning permission would be submitted to, and determined by, the Mayor or Deputy Mayor;
- 8 That the Deputy Mayor notes the approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Southwark Council (the "Council").
- 9 That the Deputy Mayor notes that the Council will be responsible for the enforcement of the conditions attached to the permission.
- 10 That the Deputy Mayor notes that the decision will be subject to referral to the Secretary of State for Housing, Communities and Local Government under The Town and Country Planning (Consultation) (England) Direction 2009.

Section 106 Legal agreement

- 11 The following heads of terms have been agreed as a basis for the planning obligations to be contained within the section 106 legal agreement.

Affordable housing

- 12 The following affordable housing obligations would be secured by legal agreement:
- As discussed in the housing section of this report, the Section 106 agreement would secure the applicant's offer of 35% affordable housing by habitable room, comprising: 342 Discount Market Rent (DMR) units (976 habitable rooms); and 140 social rent equivalent (SRE) units (421 habitable rooms), in accordance with the following approved unit mix:

Tenure	1 bedroom		2 bedrooms		3 bedrooms		4 bedrooms		Total	
	Units	HB	Units	HB	Units	HB	Units	HB	Units	HB
DMR	123	246	146	438	73	292	0	0	342	976
Social Rent Equivalent	43	86	57	171	36	144	4	20	140	421
Total AH	166	332	203	609	109	436	4	20	482	1,397

- an agreed schedule of affordable housing delivery tenure and unit size by block.
- phasing triggers for affordable housing delivery linked to the occupation of market units (private rent).
- early stage 'non-implementation' review mechanism.
- late stage review mechanism (75% of occupation).
- definitions, eligibility and affordability for Social Rent Equivalent and DMR units and retention of these units in accordance with these requirements in perpetuity.
- Build to Rent covenant and clawback and management plan.

Transport

13 The following transport obligations would be secured by legal agreement:

- A financial contribution of £300,000 for local bus service enhancements.
- A financial contribution of £440,000 for the installation of two TfL Cycle Hire docking stations together with serviced sites within the development. Three years free membership (from first occupation) of the cycle hire scheme for each dwelling.
- A bond of £69,124 payable in the event of non compliance with the Delivery and Servicing Plan.
- Requirement to enter into a section 278 agreement with Southwark Council for required highways works.
- Reasonable endeavors to deliver the proposed northern and southern archway routes.
- The upgrade of the Southwark Park Road and St James's Road railway under bridges via S278 agreement in the event that the proposed archway routes are not delivered within agreed triggers.
- An on and off site wayfinding strategy including £25,000 financial contribution towards Legible London signage.
- Funding for public consultation on an area and/or hours of operation extension to the existing adjacent Controlled Parking Zone (CPZ) and costs associated with traffic management order and replacement signage and road markings, together with a restriction on future residents being eligible for permit within this CPZ.
- Site-wide Travel Plan, School Travel Plan, School Travel Demand Management Plan and monitoring.
- Car and cycle parking design and management plan.

- Delivery and servicing plan/monitoring plan.
- Construction logistics plan.
- Car club provision and free membership.

14 Other obligations:

- Completion and ongoing maintenance of all public open spaces and public routes (including the roof terrace), with rights of public access to these (subject to limited closures) and the proposed pedestrian and cycle routes within the scheme and the provision of two public water fountains.
- Carbon off-set payment of £1,137,000 (subject to a revised energy strategy being submitted).
- Connection to SELCHP (South-East London Combined Heat and Power). Site-wide heat network connecting to all uses and all buildings (including commercial and retail units). Building by building connection/delivery.
- Support for initiative to secure the vitality of the Blue Shopping Centre, including a restriction on occupation of units within scheme by retailers from the Blue.
- Provision of a secondary school within phase 1, subject to EFSA funding.
- Local employment, training and skills obligations covering the construction period.
- Affordable workspace provisions.
- Financial contribution of £100,000 towards off-site playspace.
- Community and cultural use strategy including the ground floor event space within Block BF-F.
- The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured.

Conditions to be secured¹

15 The following list provides summary of the subject matter of the conditions and informatives to be attached to any planning permission which is to be granted:

1. Reserved Matters to be submitted
2. Compliance with approved plans and documents (outline)
3. Timing of reserved matters submission
4. Expiry of reserved matters commencement
5. Quantum of development (outline)
6. Affordable housing (outline)
7. Expiry of planning permission
8. Approved plans and documents
9. Environment Statement Mitigation Measures
10. Phasing of development
11. Quantum of development (full and outline)
12. Retail controls
13. Demolition and construction hours

¹ Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

14. Demolition management plan
15. Construction management plan
16. Land contamination verification report
17. Archaeology building recording
18. Archaeology foundation design
19. Archaeological reporting
20. Archaeological evaluation
21. Archaeological mitigation
22. Drainage strategy
23. Thames Tideway – foundations, piling and ground structures
24. Flood warning and evacuation plan
25. Water efficiency
26. Internal noise levels within residential units
27. Mechanical ventilation heat recovery system
28. Noise: non-residential units
29. Noise: school
30. Noise: entertainment
31. Noise: fixed plant and equipment
32. Protection from vibration
33. Hours of operation: non-residential
34. Hours of operation: outdoor sports
35. Kitchen extract systems
36. Air quality and dust management plan
37. Building and site management
38. Operation waste management and recycling strategy
39. External materials and mock ups
40. Detailed elevations, balconies and privacy screens
41. Solar glare
42. Landscaping, public realm and play space
43. Provision of amenity space and play space
44. Boundary treatment
45. Landscape management plan
46. Tree protection plan
47. Green/brown roofs
48. Lighting strategy
49. Biodiversity, habitat and ecology
50. Accessibility and adaptability strategy
51. Accessible housing (full)
52. Accessible housing (outline)
53. Secured by design
54. Car and cycle parking management plan
55. Cycle parking detail (full)
56. Cycle parking detail (outline)
57. On-site vehicle routes design
58. On and off site way-finding strategy
59. Delivery and servicing plan
60. BREEAM (non-residential uses)
61. PV panels
62. Submission of revised energy strategy
63. Wind mitigation measures
64. Architect retention
65. Connection to site wide heat network
66. Community use agreement for school facilities

Informatives

- 1. S106 agreement
- 2. CIL
- 3. Thames Water
- 4. Thames Tideway Guidelines for Developers
- 5. Network Rail infrastructure protection
- 6. Engagement with Highways England and Transport for London
- 7. Deemed discharge
- 8. Pre-commencement conditions

Publication protocol

16 This report has been published seven clear days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Deputy Mayor's decision on this case will be made available on the GLA website:

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/biscuit-factory-public-hearing>

Site description

17 The application site, identified in Figure 1 below, is 5.4 hectares in area and is located within the North Bermondsey ward of the London Borough of Southwark. The site is located south of Jamaica Road, bound to the north by Clements Road and Tranton Road, to the east by Drummond Road, to the west by Keeton's Road and to the south and south-west by the London Bridge to Deptford railway viaduct and associated railway arches east of St James Road and Blue Anchor Lane.

18 The historic use of the Biscuit Factory site was industrial, however for some years the buildings have been used in a more fluid manner for a mix of commercial uses. Whilst some of these uses could be considered industrial, they only comprise a small element of the existing use. As such no part of the site is considered to be industrial land.

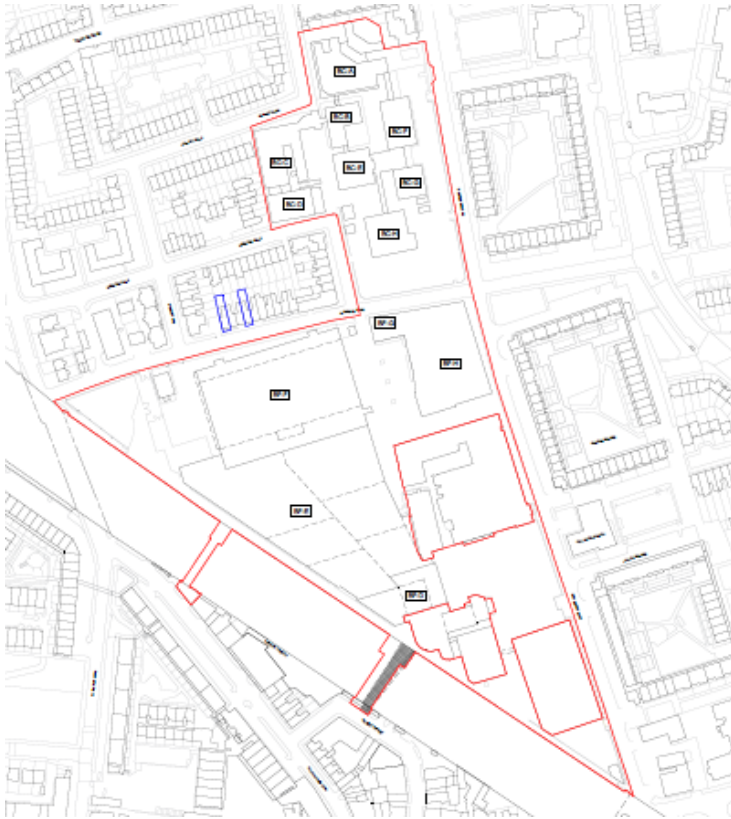


Figure 1 – application site boundary

19 The site comprises two main plots located north and south of Clements Road; the former Biscuit Factory site and the Bermondsey Campus site:

20 The former Biscuit Factory site is a 3.8 hectare triangular parcel of land, located to the south of Clements Road and bounded by the railway arches to the south-west and Drummond Road to the east. The site was historically occupied by the Peek Frean Biscuit Factory, which ceased operation in 1989. As demonstrated in Figure 2, the site currently comprises five linked buildings, collectively known as the Tower Bridge Business Complex (Blocks BF-D to BF-H shown in blue). The buildings range in height from one to seven storeys and are in use as a variety of business/commercial uses and meanwhile uses such as Go-Karting and an Art’s Café. Whilst some mature trees are located in the central car parking/courtyard area, the surrounding public realm is predominantly hardstanding associated with car parking and servicing.

21 Whilst outside the site boundary, the former Biscuit Factory site also includes eight existing buildings owned and operated by Workspace PLC (Blocks BF-A, B, C, J, K, L, M, N and Plot 5 shown in orange). Plot 5 of the Workspace Campus is a 5,576 sq.m. commercial building (Class B1) which was delivered by the applicant for Workspace PLC, in line with planning permission 15/AP/3729. The Workspace buildings are outside the ownership of the applicant and do not form part of the proposed development.



Figure 2: Existing building naming and zoning

22 The Bermondsey Campus site is 1.6 hectares in area and is located to the north of Clements Road, bound by Drummond Road to the east, and Keeton’s Road, Collett Road and Webster Road to the west. This site was formally occupied by Lewisham and Southwark College (LeSoCo) campus, however is now occupied by the Compass School Southwark. The site contains eight buildings (9BC-A to BC-H) ranging in height from one to three storeys, four of which are occupied by the Compass School. The other buildings are occupied by temporary tenants including the Old Vic Theatre, workspace provider 3Space and Assemble architects.

23 As demonstrated in Figure 1, the site boundary also encompasses three brick railway arches, approximately 45 metres long and 5-9 metres wide, beneath the railway viaduct. These arches are owned by a joint-venture between Telereal Trillium and Blackstone Property Partners and managed by the Arch Company and are not currently publicly accessible. They are designated Strategic Industrial Land (SIL).

24 A summary of the existing uses at the site are detailed within Table 1. Many of these uses are temporary with buildings occupied on short term lets prior to the redevelopment of the site:

Table 1: existing land use (within application red line boundary)

Use Class	Floor area (Sq.m.) (GIA)
Commercial (Class B1)	5,534

Commercial (Class B1/B2)	19,198
Commercial and storage (Class B1/B8)	2,767
Education (Class D1)	6,376
Sui generis	8,697
Restaurants and cafes (Class A3)	288
Total:	42,860

25 The site has a natural ground level between 2 metres and 3 metres above ordnance datum (AOD). There are no Tree Preservation Orders in place on or around the site, however there are 65 trees within the site boundary and 81 local authority street trees adjacent to the site.

26 The application site is set within an urban, albeit predominantly low-rise residential area containing a mix of terraced properties and housing estates. Immediately to the north and west lies predominantly two and three-storey housing with a mix of Victorian properties and more recent 1980s and 1990s low-rise developments. To the east lies the 1970's Four Squares Estate, which comprises a series of residential blocks characterised by part 4 storey/part 7 storey perimeter blocks, each situated around their own communal courtyard.

27 Beyond the immediate residential context, the character of the area has a wide variety of uses and varying urban grain, building scale and form. This includes a range of shops and services along Jamaica Road to the north and within The Blue to the south-west, Southwark Park Primary School and Southwark Park approximately 170 metres to the east. The River Thames is approximately 560 metres to the north of the site and the boundary with the adjoining London Borough of Lewisham is located 700 metres to the south-east.

28 The railway viaduct archways extending along the site's western and south-western boundary are designated as Strategic Industrial Land (SIL). Land to the south/south-west of the railway viaduct is mixed in character, including a range of residential typologies and local retail, markets, and services within The Blue Town Centre, a designated Local Shopping Centre within Southwark's Core Strategy.

29 The site's current Public Transport Access Level (PTAL) ranges from 3 (at the south) to 5 (at the north) (on a scale of 0 to 6b, where 6b is the most accessible), with the majority of the site covered by PTAL 4. Bermondsey (London Underground) station is approximately 400 metres north of the site. There is no other station within reasonable walking distance (960m) The P12 bus service (between Canada Water and Brockley Rise via Peckham) is also accessible from the site, with the nearest bus stop located 250 metres to the east and stops for the 1 (between Tottenham Court Road and Canada Water) and 381 (between Waterloo and Peckham) a similar distance to the south and west. Two night bus services also stop close to the southern end of the site. In addition Jamaica Road, about 400 metres from the northern part of the site, has stops served by the 47 (Bellingham – Shoreditch), 188 (North Greenwich – Russell Square) 381 (as above) and the C10 (Canada Water – Victoria) and two night bus services.

30 Cycleway 4 (between Tower Bridge and Greenwich) will run east-west close to the site; The section between Tower Bridge and Rotherhithe, along Jamaica Road, closest to the site , is currently under construction and is due to open later in 2020.

31 At a strategic level, the site is identified as a Business Improvement District (BID). The railway viaduct and arches adjacent to the site are designated as Strategic Industrial Land (SIL) and the land to the south/south-west of the railway is identified as an area of regeneration and BID. Southwark Park located to the east is identified as protected open space. The Old Kent Road Opportunity Area extends from the south-eastern corner of the site.

32 The site is not allocated for development within the adopted Southwark Plan, however it is identified as allocated site NSP10 within the emerging draft New Southwark Plan (NSP) for comprehensive mixed-use development including the following:

- New homes (Class C3);
- New and replacement business floor space, including space for small and medium enterprise (B Use Class);
- Replacement school;
- Two new links to the Blue under the railway viaduct;
- Active frontages with town centre uses (Class A1, A2, A3, A4, D1, D2) at ground level, enhancing the adjacent Low Line walking route;
- Provide a new link between Bermondsey underground station and the Biscuit Factory site down Keeton’s Road; and,
- Enhance the adjacent Low Line walking route to the railway viaduct.

33 The site is not located within a conservation area and does not contain any statutorily listed structures. However, there are a number of heritage assets in the locality, including the Grade II* Listed Church of St James on Thurland Road; Grade II Listed St Crispin with Christchurch on Southwark Park Road; Grade II Listed Southwark Park School on Southwark Park Road; Grade II Listed ground of buildings at no’s 124-130 Jamaica Road; and, three Conservation Areas- Wilson Grove, to the north; Edward III’s Rotherhithe, to the north east; and, Thoburn Square, to the south-west.

34 A northern portion of the Bermondsey Campus site is over-sailed by Strategic view 6A.1 from Blackheath Point to St Paul’s Cathedral (Grade I) and Protected Vistas Extension 4A.1 from Primrose Hill summit to St Paul’s Cathedral, as identified within the Mayor’s London View Management Framework SPG.

Details of the proposal

35 The revised scheme is a hybrid planning application for the comprehensive, phased, masterplan-led redevelopment of the site. The proposed development comprises the retention of existing Workspace PLC commercial buildings (outside the site boundary); part retention and extension of factory building BF-F and Block BF-U; demolition of the remaining 11 buildings at the former Biscuit Factory and Bermondsey Campus site; and, redevelopment to provide up to 1,548 Build to Rent residential units, flexible employment and retail floorspace, a 600-place secondary school and complementary leisure and community uses.

36 A breakdown of the proposed land uses (by use class) is provided within Table 2:

Table 2: proposed floorspace

Land Use	Proposed development sq.m. (GEA)
Residential (Class C3)	173,279 (1,548 units)

Retail (Class A1/A3/A4)	3,436
Commercial (Class B1)	14,666
School (Class D1)	6,973
Community and Leisure (Class D1/D2)	869
Flexible retail and multi-use floorspace Block BF-F only (Class A1/A3/A4/D1)	3,311
Flexible retail and multi-use floorspace (Class A1/A3/A4/D1/sui-Generis)	780
Total:	203,314

37 The proposed masterplan layout with the existing Workspace buildings (shown in orange) is demonstrated in Figure 3. The proposal includes the construction of 15 buildings over 9 plots (Grosvenor building plots and school plot) within the site boundary. In addition to this, the masterplan layout includes the provision of prominent areas of new public realm, significantly improved permeability through the site and new connections to the surrounding area.

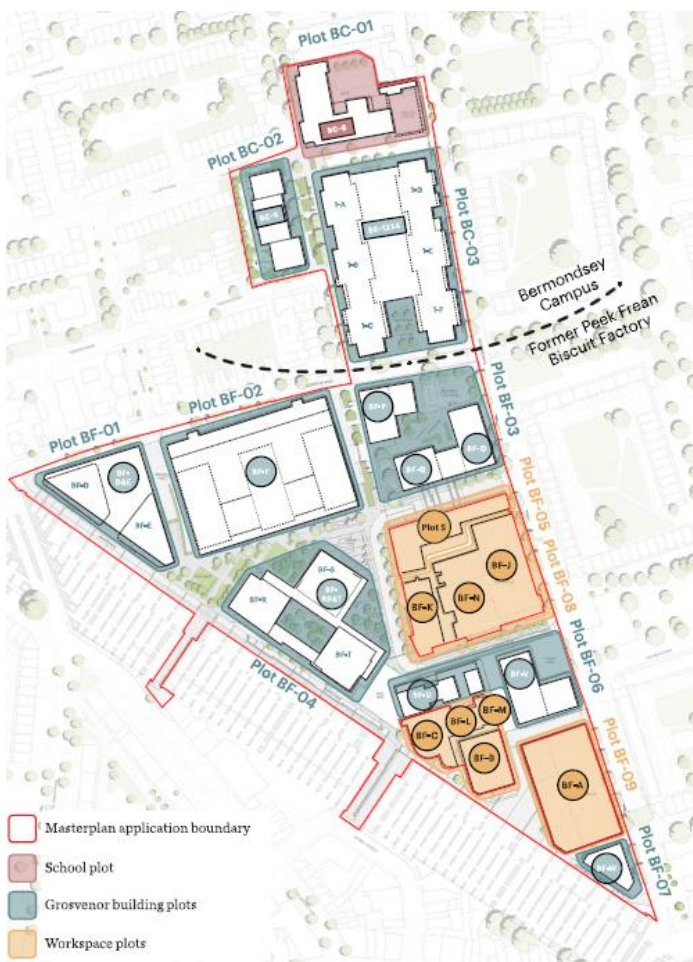


Figure 3: proposed masterplan layout with existing Workplace buildings

38 Primary and secondary pedestrian routes are demonstrated within Figure 4. The masterplan layout would introduce a pedestrianised route, extending from the southern end of Keeton's Road, which would improve north-south access to Bermondsey Station. In addition to this, the proposal would enhance the Low Line route beside the rail viaduct through the introduction of pedestrian and cycle routes and the use of active ground floor uses. This area is referred to as 'Shard Walk'. Two new pedestrian routes are proposed through currently blocked railway arches beneath the viaduct, providing improved access to Blue Anchor Lane and Bombay Street to the south-west of the site. Whilst these pedestrian routes form part of the proposed development, the delivery of this aspect of the development is reliant on the agreement of the owners of the arches.



Figure 4: proposed pedestrian routes

39 The massing of the scheme varies with buildings ranging in height between three and 35 storeys. The tallest buildings (Block BF-RST) would be located within the center of the former Biscuit Factory site, adjacent to the railway viaduct. Building heights reduce to between three-10 storeys on the Bermondsey Campus site to respond to the adjacent residential character.

40 The proposed buildings are designed in a range of materials to suit and complement the different character areas. The proposed facade designs and materials have been influenced by the adjacent Railway Arches and former industrial buildings. Proposed building material includes a strong emphasis on brickwork, expressed in different typologies with additional detailing through metal and stone features.

41 The proposed development would deliver new public realm within the site, including civic spaces, public yards and courtyards, pedestrianised streets, cycle routes and publicly accessible play space. A large triangular civic space, referred to as the West Yard, is proposed at the base of proposed Block BF-RST and BF-F. This area includes hard and soft landscaping and the provision of

playspace, surrounded by active ground floor uses. Smaller public spaces are proposed around Blocks BF-RST (North Yard, Main Yard and East Yard), each with its own identity and varied environment. A further 636 sq.m. of publicly accessible roof terrace would be provided within retained warehouse Block BF-F.

42 Vehicular access and egress to the site would be provided via Clements Road and Drummond Road. The proposed development would provide 21 blue badge parking spaces (13 spaces within Block BC-1234 and 8 spaces at street level) and 4 car club spaces but otherwise would be car free. In addition, 19 spaces are to be retained on the site albeit for use by occupiers and visitors to the Workspace buildings which are not part of the site. This total of 44 represents a reduction of 436 spaces from the current car parking provision on the site.

43 The outline component of the proposal relates to Blocks BF-U and BF-V, located within the former Biscuit Factory site. The outline element would provide:

- up to 130 residential units;
- up to 780 sq.m. of flexible multi-use floorspace (Class A1/A3/A4/D1/Sui Generis) at ground floor; and
- delivery of the 'main yard'.

44 The proposed buildings will be designed within parameters including height, footprint (horizontal and vertical limits), access, landscape and public realm, and land use mix, however all matters will be reserved for later approval.

45 Proposed Block BF-U includes the part retention of the existing building and an extension at roof level. Proposed Block BF-V would be constructed along the eastern edge of the development site, with a frontage to Drummond Road. The maximum height of the proposed buildings is up to 10 storeys for Block BF-U and up to 9 storeys for Block BF-V.

46 The detailed component covers the remainder of the site and involves the construction of 13 buildings, some of which are linked at ground floor, and the retention and refurbishment of factory Block F-F. The detailed component of the proposal would provide:

- 1,418 residential units;
- 600 pupil replacement secondary school;
- 3,436 (GEA) of flexible retail floorspace (Class A1/A3/A4);
- 14,666 (GEA) of flexible business/employment floorspace (Class B1);
- 869 (GEA) of flexible D1/D2 floorspace; and,
- 3,311 (GEA) of flexible, multi-use floorspace within Block BF-F (Class A1/A3/A4/D1).

47 Proposed linked Blocks BF-RST, located within the centre of the former Biscuit Factory site, provide buildings of nine to 35 storeys which are linked at podium level and situated around an internal courtyard. Active retail uses are provided at ground floor, with residential units above. Block BF-RST is served by a single-storey basement, which is accessed via a ramp descending from Clements Road, between Blocks BF-DE and BF-F. The basement hosts commercial and residential cycle storage, refuse storage and servicing areas.

48 Proposed Blocks BF-D&E are located at the western edge of the site, directly adjacent to the Railway Arches. This block is formed of two triangular wings ranging in height between 11-19 storeys, linked by a podium at lower levels. Active retail uses would be provided at ground floor, with two floors of offices and residential above.

49 Proposed Block BF-F is the retained, refurbished and extended former warehouse building situated along Clements Road. It is proposed to convert the ground floor to flexible and open plan retail/community/cultural space and provide offices and residential accommodation at upper levels. A publicly accessible roof terrace would be provided at level 3.

50 Proposed Blocks BF-OQ and BF-P form two L-shaped blocks ranging in height from eight to 13 storeys, set around a landscaped public courtyard/playground at the corner of Clements Road and Drummond Road. Retail and community uses are provided at ground floor with residential at upper levels.

51 Proposed Block BF-W (16 storeys) is located at the southern end of the site, on a small triangular plot. Workspace floorspace would be provided at ground and mezzanine levels, with residential accommodation above.

52 Proposed Block BC-1234 would be the largest building on the Bermondsey Campus site. The building includes two parallel blocks of varying heights (5-10 storeys), situated around a raised garden above a podium level containing a mix of retail, community, cultural and commercial uses.

53 To the west of Block BC-1234 sits a smaller building, Block BC-5, which is a four-storey residential building. Retail units are provided at ground floor fronting the extended pedestrianized Keeton’s Road.

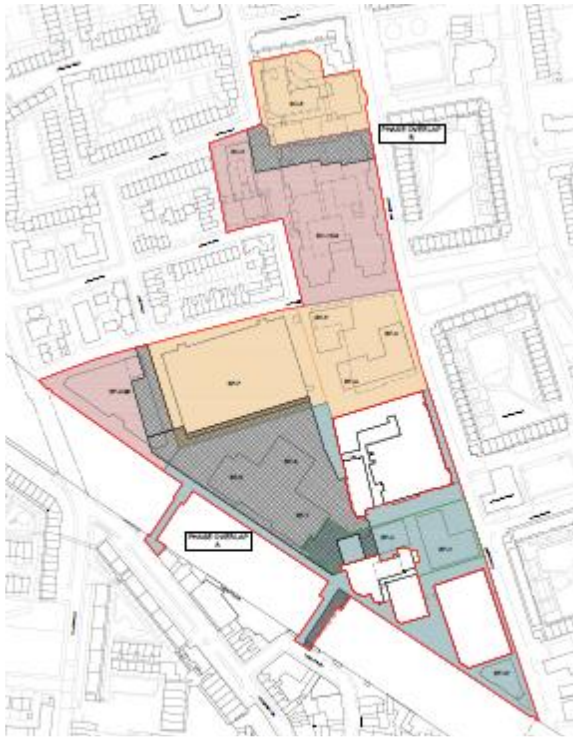
54 At the northern extent of the site, proposed Block BC-6 would accommodate the secondary school for 600 pupils. The school includes a three-storey wing onto Keeton’s Road, extending to a maximum of six storeys with an elevated sports hall and multi-use games area (MUGA).

Phasing

55 The proposed development would be phased as follows:

Table 3: proposed phasing strategy

Phase	Existing buildings to be demolished	Proposed buildings to be constructed
Phase 1	BC-A, BC-B, BF-F (part), BF-E, BF-D (part), BC-F, BF-G, BF-H	BC-6 (school), BF-F, BF-O, BF-P, BF-Q
Phase 2		BF-W, BF-R,S,T, BF-U, BF-V
Phase 3	BC-C, BC-D, BC-E, BC-G, BC-H	BF-DE, BC-1234, BD-5



■ PHASE 1
 ■ PHASE 2
 ■ PHASE 3
 ■ OUTLINE COMPONENT
 ■ OVERLAP BETWEEN ADJACENT PHASES

Figure 5: proposed phasing

Summary of proposed development:

56 A summary of the proposed building heights is provided in table 4:

Table 4: summary of proposed building heights

Building	Levels	Total Storeys	Maximum building height (m AOD)
BC-1234	G/UG+9	5-10	22.50 – 39.29
BC-5	G/UG+4	5	25.75
BC-6 (school)	G+5	3-6	7.25 – 27.34
BF-D	G/M+10	11	49.725
BF-E	G/M+18	19	76.225
BF-F	G/M+8	9	42.74
BF-O	G/M+7	8	37.90
BF-P	G/M+8	9	39.255
BF-Q	G/M+12	13	52.125
BF-R	B+G/M+8	9	43.07
BF-S	B+G/M+34	35	123.39
BF-T	B+G/M+25	26	93.34
BF-U (outline)	G+7	Up to 8	35.4
BF-V (outline)	G/M+7	Up to 8	37.61
BF-W	G/M+15	16	64.37

57 A summary of the proposed land uses is provided below:

Table 5: proposed land use

Land Use	Proposed development sq.m. (GEA)
DETAILED COMPONENT	
Residential (Class C3)	160,176 (1,418 units)
Retail (Class A1/A3/A4)	3,436
Commercial (Class B1)	14,666
School (Class D1)	6,973
Community and Leisure (Class D1/D2)	869
Multi-use floorspace Block BF-F only (Class A1/A3/A4/D1)	3,311
OUTLINE COMPONENT	
Residential (Class C3)	13,103 (130 units)
Multi-use floorspace (Class A1/A3/A4/D1/sui-Generis)	780
OVERALL TOTALS	
Floorspace	203,314
Public realm (public yards, courtyards & publicly accessible roof terrace (Block BF-F))	10,476
Dedicated play space	1,180
Cycle parking spaces (short and long stay)	3,501
Parking spaces (blue badge, car club, Workspace parking)	44

Relevant planning history

58 In October 2013, Workspace PLC secured hybrid planning permission for a residential led-mixed-use redevelopment of the former Biscuit Factory site (Southwark ref: 12/AP/2737 GLA ref: PDU/2845/02). This permission included the provision of up to 800 homes in buildings up to nine storeys and up to 8,240 sq.m. of commercial floorspace (use classes A1, A2, A3, B1, B8, D1 and D2), plus associated highway and public realm works, landscaping, car and cycle parking and related infrastructure works. A certificate of lawfulness (Southwark ref: 16/AP/5015) was issued in February 2017, confirming that permission 12/AP/2737 has been lawfully implemented at the site.

59 The wider Biscuit Factory site has been subject to various change of use and temporary planning permissions, including but not limited to: Southwark Ref: 11/AP/3584 for the retention of an Arts and Performance Exhibition Centre (Class D2) (dated 24.02.12) and, Southwark Ref: 11/AP/4232 for the change of use from storage (Class B8) to Indoor Climbing Centre (Class D2) (dated 05.04.12).

60 In 2013, following the grant of planning permission 12/AP/2737, the applicant acquired the former Biscuit Factory site from Workplace PLC, with the exception of eight office buildings, which have been refurbished and are retained by Workspace PLC. As part of the land deal, and pursuant planning permission 15/AP/3729, the applicant delivered approximately 5,500 sq.m. of commercial floorspace for Workspace PLC within 'Plot 5', part of the former Biscuit Factory but not within the current application site boundary.

61 As part of a wider site assembly process, the applicant also acquired the Bermondsey Campus site, to the north of the former Biscuit Factory site.

Current application

62 The current scheme was subject to extensive pre-application discussions with GLA officers and LBS officers. On 13 October 2015, a formal pre-planning application meeting was held at City Hall focusing on strategic level London Plan issues for the masterplan redevelopment of the site, incorporating the Bermondsey Campus to the north. Follow-up meetings were held on 27 March 2017 and 31 August 2017.

63 The GLA's pre-application advice report of 4 February 2016 (GLA ref: D&P/3776/03/GC) strongly supported the principle of the proposed development, which sought to maintain and grow the core employment areas of the previously approved Workspace PLC masterplan, whilst providing a more comprehensive redevelopment to increase housing supply and deliver a new secondary school. Notwithstanding this, the applicant was advised that any future planning application would need to address the matters raised within the advice report, with respect to various matters associated with employment; mix of uses; education facilities; housing/affordable housing; urban design; sustainable development and, transport.

64 The current application was submitted to Southwark Council on 23 October 2017 (LPA ref: 17/AP/4088 and GLA ref: GLA/3776a). This application sought planning permission for:

'Full planning permission for demolition, alterations and extension of existing buildings and erection of new buildings comprising a mixed use scheme providing up to 1,217 residential units, up to 3,795 sqm GEA of flexible Class A1/A3/A4 (retail and food and drink uses) floorspace, up to 11,979 sqm GEA of flexible Class B1/B2 (business and industrial) floorspace, up to 896 sqm GEA of flexible Class D1/D2 (community/assembly/leisure) floorspace, and up to 3,882 sqm GEA of multi-use floorspace (A1/A3/A4/D1) and a new/replacement secondary school, in buildings ranging from 4 to 28 storeys in height as well as the creation of a single storey basement. The development also includes a basement parking and servicing area, communal amenity space, landscaping, children's playspace, car and cycle parking, installation of plant, new pedestrian, vehicular and servicing routes, the creation of two new pedestrian routes through the Railway Arches and associated works; and,

Outline planning permission (with all matters reserved) for the part demolition and part retention of existing buildings and erection of two new buildings comprising a mixed use scheme providing up to 125 residential units and up to 781 sqm GEA of flexible Class A1/A3/A4/D1/Sui Generis Uses and other associated works'.

65 Stage 1: On 13 November 2017, the Mayor of London received documents from Southwark Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. The application was referred under Category 1A, 1B and 1C of the Schedule to the Order 2008:

- *Category 1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.*

- *Category 1B: Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building outside of Central London and with a total floorspace of more than 15,000 square metres.*
- *Category 1C: Development which comprises or includes the erection of a building more than 30 metres high and is outside the City of London.*

66 On 22 May 2018, the Mayor considered planning report GLA/3776a/01. This report advised Southwark Council that, whilst the residential-led mixed-use redevelopment and intensification of the site was strongly supported in principle, the application did not comply with the London Plan or the draft London Plan and the issues raised relating to affordable housing, affordability of affordable products, affordable workspace, residential quality, sustainable development, air quality, ambient noise and transport should be addressed.

67 Specifically, in relation to housing, the Mayor's Stage 1 representation stated that the application did not qualify for the 'Fast Track Route' criteria for Build to Rent schemes and as such, the applicant's Financial Viability Assessment would be interrogated by GLA officers in discussion with Southwark Council. In terms of affordability, the report stated that the proposed intermediate (DMR) rent levels must be revised to provide deeper discounts, including London Living Rent (LLR), in line with London Plan Policy 3.10, draft London Plan Policy H13 and the Affordable Housing and Viability SPG. It also stated that the proposed Build to Rent units must be subject to a 15-year covenant, with an appropriate clawback mechanism secured in any section 106 agreement and a detailed management plan secured.

68 In relation to urban design and residential quality, the Mayor's initial Stage 1 representation required the applicant to increase the number of balconies to residential units. Further information was also sought in terms of affordable workspace; phasing of the school; culture/creative uses or the programming of cultural events; sustainable development; air quality and ambient noise and transport.

69 Following the Mayor's Stage 1 report and further post-submission discussions with Southwark Council officers, the applicant submitted the following amendments to the proposal: additional balconies to residential units; minor amendments to facade detailing; re-configuration of playspace; amendments to tree planting and protection measures; amendments to transport strategy to prevent right-turning from Clements Road into Shard Walk; minor adjustment to unit mix including loss of one residential unit; and, amendments to the quantum and allocation of wheelchair adaptable units.

70 On 6 February 2019, Southwark Council officers recommended the refusal of the application, which was endorsed by Members of the Planning Committee, in line with the officers' recommended reasons for refusal. The draft decision notice cited the following reasons for refusal:

1. *The development fails to provide the maximum reasonable amount of affordable housing, and the affordable housing offered would be at a cost which would not be affordable to those in greatest housing need. As such, the development does not maximise the delivery of affordable housing as required by saved Southwark Plan policy 4.4 'Affordable housing', Core Strategy policy SP6 'Housing for people on different incomes' and London Plan policy 3.12 'Negotiating affordable housing on individual private residential developments', or the Mayor's Affordable Housing and Viability SPD 2017. In addition, the development does not comply with the specific requirements for Private Rented Housing set out in the submission version (2018) of the New Southwark Plan policy P4 'Private rented homes' in terms of the tenure split or the period for which the PRS housing is secured, or with the draft new London Plan 2017 policy H13 'Build to Rent' in terms of the type of DMR homes being offered. As such, the development would fail to offer genuinely affordable housing to meet a recognised and acute housing need.*

2. *The development is above the density range for an urban area set out in Saved Southwark Plan policy 4.1 'Density of residential development' and London Plan policy 3.4 'Optimising housing potential', but does not provide an exemplary quality of accommodation for its future residents to combat the potential negative impacts of high density living. Specifically, the development provides a high proportion of single aspect dwellings, including dwellings which have a northerly aspect, or a constrained outlook, and dwellings with the sole aspect towards a large railway viaduct so subject to noise and overheating. A significant proportion of flats also do not have access to private amenity space. The qualitative aspects of the housing design would not meet the expectations of the draft London Plan 2017 policies D4 'Housing Quality and Standards' and D6 'Optimising housing density' as well as the standards for amenity space and aspect contained in Saved Southwark Plan (2007) policy 4.2 'Residential Quality' and the Southwark Residential Design Standards SPD 2015. As such, the development would not provide a suitably high quality of residential amenity for future occupiers, and increase the likelihood of use of mechanical heating, cooling and ventilation due to the aspect and need to mitigate noise and overheating.*
3. *The 'blind spots', convoluted and illogical internal routes proposed for pedestrians/cyclists and motorised vehicles would exacerbate pedestrian-vehicle and vehicular conflict and subsequently create adverse impact on highway safety, contrary to the Saved Southwark Plan 2007 Policies 5.2 'Transport impacts' part ii and 5.3 'Walking and cycling' parts i and ii, Strategic Policy 2 'Sustainable transport' of the Core Strategy 2011 plus New Southwark Plan 2018 Policies P11 'Design of places' parts 1.5 and 1.7, P47 'Highways impacts' part 4 and P48 'Walking' part 3.*
4. *In the absence of a clear agreement with the owners of the arch spaces, the proposed development would not secure the delivery of the two pedestrian routes through the viaduct which are a requirement of site designation NSP10 of the Submission Version of the New Southwark Plan.*

71 Stage 2: On 7 May 2019, the Mayor considered a planning report reference GLA/3776a/02. The report concluded that having regard to the details of the application, the development was of such a nature and scale that it would have a significant impact on the implementation of the London Plan policies on housing and affordable housing, and consequently there were sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The Mayor agreed with this recommendation.

72 The GLA's Stage 2 report identified that there were outstanding matters that needed to be resolved, including delivery of the maximum level of affordable housing, affordability of the homes, residential quality, affordable workspace, contribution towards culture/creative uses, climate change and transport. Since the Mayor issued this direction, GLA officers have worked with the applicant to resolve the outstanding issues by securing revisions to the scheme to increase the level of affordable housing and range of affordable housing tenures proposed and the affordability levels as well as seek to address the other matters raised at Stage 1 and in Southwark Council's reasons for refusal.

73 Following the Mayor's decision to call in the application, the applicant has made the following amendments to the scheme:

- an increase in the number of residential units from 1,342 to 1,548 (+206);
- the provision of 35% affordable housing (habitable rooms) (increased from 27.37%);

- changes to affordable housing tenure mix to provide 30% of the affordable offer as social rent equivalent homes and 70% as discounted market rent;
- an increase in employment floorspace (Class B1) from 12,023 sq.m. to 14,666 sq.m (GEA) (+2,643 sq.m.);
- a reduction in flexible retail floorspace (Class A1/A3/A4) from 3,795 sq.m. to 3,436 sq.m. (GEA) (-359 sq.m.);
- a reduction in flexible multi-use floorspace (Class A1/A3/A4/D1) in building BF-F from 3,882 sq.m. to 3,311 sq.m. (GEA) (-571 sq.m.);
- an increase in height between 1-7 storeys of Blocks BF-RST, BF-W, BF-DE, BF-OPQ, BF-F, BF-5 and BF-U&V; with associated amendments to elevational treatment and massing;
- alterations to the configuration of public realm, landscaping and playspace;
- alterations to the footprint of Blocks BF-RT and BF-DE;
- replacement of all standard residential car parking with blue-badge (wheelchair accessible) parking spaces;
- improvements to residential quality including the addition of 392 private balconies to residential units;
- alterations to transport and servicing strategy;
- an addition of 683 cycle parking spaces; and,
- revision to application site boundary to include an additional alternative railway arch.

74 On 20 September 2019, the applicant submitted the abovementioned revisions to the application and additional documents in response to GLA comments and representations made during the public consultation.

75 Re-consultation on amended plans: A 30 day re-consultation was carried out on 25 September 2019 in line with statutory requirements, notifying interested parties on the amendments to the proposal.

76 Site visit: The Deputy Mayor will undertake an accompanied site visit on 19 February 2020 with GLA and TfL officers, representatives from the Council and the applicant team.

77 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case. The Deputy Mayor's decision on this case, and the reasons for it, will be made available on the GLA's website www.london.gov.uk.

Relevant legislation, policies and guidance

78 In determining this application, the Deputy Mayor must determine the application for planning permission in accordance with the requirement of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. In particular, the Deputy Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area consists of the Southwark Core Strategy (2011), saved policies of the 2007 Southwark Plan and the 2016 London Plan (Consolidated with Alterations since 2011).

79 The Deputy Mayor is also required to have regard to national planning policy and guidance, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies. The following are therefore also relevant material considerations:

80 On 1 December 2017, the Mayor published his draft London Plan for public consultation. Consultation on the plan closed on 2 March 2018. On 13 August 2018, the Mayor published a version of the draft Plan that includes his minor suggested changes. The draft London Plan was subject to an Examination in Public (EiP), which was undertaken between 15 January and 22 May 2019. On 21 October 2019 the Panel of Inspectors Report of the EiP was published, including a series of recommendations. In December 2019 the GLA issued a response to the Panel's comments and recommendations and the Intend to Publish version of the London Plan was released, which incorporated the suggested changes put forward by the Mayor before, during and after the EiP sessions. In line with paragraph 48 of the NPPF, the weight attached to the Intend to Publish London Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging plan to the NPPF.

81 In June 2017 Southwark released the 'New Southwark Plan: New an amended preferred option policies'. Initial consultation was undertaken between June and September 2017. The 'New Southwark Plan Proposed Submission Version' was published in December 2017 and consultation took place until February 2018. In response to consultation, the Council released a set of Amended Policies for the Proposed Submission Version which was consulted on from January-May 2019. The New Southwark Plan Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State on 16 January 2020. An EiP is expected to take place in summer 2020.

82 The relevant planning policies and guidance at the national, regional and local levels are noted in the following paragraphs.

National planning policy and guidance

83 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy framework. First published in 2012, the Government published a revised NPPF in July 2018 and further revised in February 2019. The NPPF defines three dimensions to sustainable development: an economic role – contributing to building a strong, responsive and competitive economy; a social role - supporting strong, vibrant and healthy communities; and, an environmental role - contributing to protecting and enhancing the natural, built and historic environment. The sections of the NPPF which are relevant to this application include:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 16. Conserving and enhancing the historic environment

84 A key component of the NPPF is the presumption in favour of sustainable development. In terms of decision making, this means approving applications that accord with the development plan without delay; or, where there are no relevant development plan policies, or where such policies are out-of-date, granting permission unless either: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a

whole; or where NPPF policies that protect areas or assets of particular importance provide a clear reason for refusing a proposed development.

85 The National Planning Practice Guidance is also a material consideration.

Spatial Development Plan and guidance

86 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.9 Inner London
- Policy 2.15 Town centres
- Policy 2.17 Strategic Industrial Locations (SIL);
- Policy 2.18 Green infrastructure;
- Policy 3.1 Ensuring equal life chances for all;
- Policy 3.2 Improving health and addressing health inequalities;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people’s play and informal recreation facilities;
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 3.17 Health and social care facilities;
- Policy 3.18 Education facilities;
- Policy 3.19 Sports facilities;
- Policy 4.1 Developing London’s economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.4 Managing industrial land and premises;
- Policy 4.6 Support for 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;
- Policy 4.9 Small shops
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.4A Electricity and gas supply;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;

- Policy 5.10 Urban greening;
- Policy 5.11 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 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated land;
- Policy 6.1 Strategic approach;
- Policy 6.2 Providing public transport capacity and safeguarding land for transport;
- Policy 6.3 Assessing the effects of development on transport capacity;
- 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 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 6.14 Freight;
- 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 7.13 Safety, security and resilience to emergency;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;
- Policy 8.2 Planning obligations; and
- Policy 8.3 Community Infrastructure Levy.

87 As set out above, policies in the Mayor's Intend to Publish London Plan (December 2019) must be taken into account as a material consideration in the determination of the application, but the weight attached to these should be reflective of the criteria set out in paragraph 48 of the NPPF, which is highlighted above. These are, the stage of preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF.

88 The Examination in Public on the London Plan was held between 15 January and 22 May 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor and this was published on the GLA website on 21 October 2019.

89 The Examination in Public Panel Report recommends some changes to the text of the draft London Plan policies, which are reflected in the relevant appraisal sections below; however, in terms

of the policies relevant to matters considered in this case, these are not significant and are addressed throughout this report. The GLA issued a response to the Panel's comments and the Intend to Publish version of the London Plan was released in December 2019. Since the emerging plan is well advanced towards adoption and consistent with the NPPF, significant weight can now be attached to the policies of the draft London Plan relevant to this case. The following policies in the Mayor's Intend to Publish London Plan are considered to be relevant:

- Policy SD10 Strategic and local regeneration;
- Policy D1 London's form, character and capacity for growth;
- Policy D2 Infrastructure requirements for sustainable densities;
- Policy D3 Optimising site capacity through the design-led approach;
- Policy D4 Delivering good design;
- Policy D5 Inclusive design;
- Policy D6 Housing quality and standards;
- Policy D7 Accessible housing;
- Policy D8 Public realm;
- Policy D9 Tall Buildings;
- Policy D10 Basement development;
- Policy D11 Safety, security and resilience to emergency;
- Policy D12 Fire Safety;
- Policy D13 Agent of change;
- Policy D14 Noise;
- Policy H1 Increasing housing supply;
- Policy H4 Delivering affordable housing;
- Policy H5 Threshold approach to applications;
- Policy H6 Affordable housing tenure;
- Policy H10 Housing size mix;
- Policy H11 Build to Rent;
- Policy S1 Developing London's social infrastructure;
- Policy S2 Health and social care facilities;
- Policy S3 Education and childcare facilities;
- Policy S4 Play and informal recreation;
- Policy S5 Sports and recreation facilities;
- Policy S6 Public toilets;
- Policy E1 Offices;
- Policy E2 Providing suitable business space;
- Policy E3 Affordable workspace;
- Policy E4 Land for industry, logistics and services;
- Policy E5 Strategic Industrial Locations (SIL);
- Policy E9 Retail, markets and hot food takeaways;
- Policy E11 Skills and opportunities for all;
- Policy HC1 Heritage conservation and growth;
- Policy HC3 Strategic and local views;
- Policy HC4 London View Management Framework;
- Policy HC5 Supporting London's culture and creative industries
- Policy HC6 Supporting the night-time economy
- Policy G1 Green infrastructure;
- Policy G5 Urban greening;
- Policy G6 Biodiversity and access to nature;

- Policy G7 Trees and woodland;
- Policy SI1 Improving air quality;
- Policy SI2 Minimising greenhouse gas emissions;
- Policy SI3 Energy infrastructure;
- Policy SI4 Managing heat risk;
- Policy SI5 Water infrastructure;
- Policy SI7 Reducing waste and promoting a circular economy;
- Policy SI12 Flood Risk Management;
- Policy SI13 Sustainable drainage;
- Policy T1 Strategic approach to transport;
- Policy T2 Healthy streets;
- Policy T3 Transport capacity, connectivity and safeguarding;
- Policy T4 Assessing and mitigating transport impacts;
- Policy T5 Cycling;
- Policy T6 Car parking;
- Policy T6.1 Residential parking;
- Policy T6.2 Office parking;
- Policy T6.3 Retail parking;
- Policy T6.5 Non-residential disabled persons parking;
- Policy T7 Deliveries, servicing and construction;
- Policy T9 Funding transport through planning; and
- Policy DF1 Delivery of the plan and planning obligations.

90 The following published strategic supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Affordable Housing and Viability SPG (August 2017);
- Housing SPG (March 2016);
- Social Infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- London View Management Framework SPG (March 2012);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Shaping Neighbourhoods: character and context SPG (June 2014);
- Sustainable Design and Construction SPG (April 2014);
- Town Centres (July 2014);
- Shaping Neighbourhoods: play and informal recreation SPG (September 2012);
- All London Green Grid SPG (March 2012);
- Planning for Equality and Diversity in London (October 2007);
- Mayor's Environment Strategy (May 2018);
- Mayor's Housing Strategy (May 2018); and
- Mayor's Transport Strategy (March 2018).

Local planning policy and guidance

91 Southwark Council's Core Strategy DPD (2011) and saved policies from the 2007 Southwark Plan provide local development plan planning policies for the area. The relevant policies are:

Core Strategy DPD (2011)

- Strategic policy 1 Sustainable development;
- Strategic policy 2 Sustainable transport;
- Strategic policy 3 Shopping, leisure and entertainment;
- Strategic policy 4 Places for learning, enjoyment and healthy lifestyles;
- Strategic policy 5 Providing new homes;
- Strategic policy 6 Homes for people on different incomes;
- Strategic policy 7 Family homes;
- Strategic policy 10 Jobs and businesses;
- Strategic policy 12 Design and conservation; and,
- Strategic policy 13 High environmental standards.

Southwark Plan (2007) (saved policies)

- Policy 1.1 Access to employment opportunities;
- Policy 1.2 Strategic and preferred industrial locations;
- Policy 1.4 Employment sites outside of preferred office locations and preferred industrial locations;
- Policy 1.5 Small business units;
- Policy 1.7 Development with town and local centres;
- Policy 1.10 Small scale shops outside town centres;
- Policy 1.11 Arts, culture and tourism uses;
- Policy 2.2 Provision of new community facilities;
- Policy 2.4 Educational deficiency- provision of new educational establishments;
- Policy 2.5 Planning obligations;
- Policy 3.1 Environmental effects;
- Policy 3.2 Protection of amenity;
- Policy 3.3 Sustainable 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 3.28 Biodiversity;
- Policy 4.2 Quality of residential accommodation;
- Policy 4.3 Mix of dwellings;
- Policy 4.4 Affordable housing;
- Policy 4.5 Wheelchair affordable housing;
- Policy 5.1 Locating developments;

- Policy 5.2 Transport impacts;
- Policy 5.3 Walking and cycling;
- Policy 5.4 Public transport improvements;
- Policy 5.6 Car parking;
- Policy 5.7 Parking standards for disabled people and the mobility impaired.

92 As set out above, Southwark Council are currently in the process of preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The Council concluded consultation on the Proposed Submission version on 27 February 2018. The 'New Southwark Plan Submission Version-Proposed Modifications for Examination 2019-2034' was released in January 2020 and was submitted to the Secretary of State on 16 January 2020. The plan is expected to undergo Examination in Public in summer 2020. Whilst GLA officers acknowledge that the policies contained within the plan have undergone various revisions as a result of public consultation, the New Southwark Plan is not yet an adopted plan and has not been through examination and as such, has limited weight. Furthermore, GLA officers note that emerging policies P1, P4 and P30, were especially contentious during consultation and were subsequently revised. In this respect, officers assume that these policies will be subject to scrutiny by the Secretary of State. The following emerging policies are relevant to this application: The following emerging policy is relevant to this application:

- Policy SP1 Quality affordable homes;
- Policy SP2 Regeneration that works for all;
- Policy SP3 Best start in life;
- Policy SP4 Strong local economy;
- Policy SP5 Healthy active lives;
- Policy SP6 Cleaner, greener, safer;
- Policy P1 Social rented and intermediate homes;
- Policy P4 Private rented homes;
- Policy P7 Wheelchair accessible and adaptable housing;
- Policy P12 Design of places;
- Policy P13 Design quality;
- Policy P14 Residential design;
- Policy P15 Designing out crime;
- Policy P16 Tall buildings;
- Policy P17 Efficient use of land;
- Policy P18 Listed buildings and structures;
- Policy P20 Conservation of the historic environment and natural heritage;
- Policy P22 Archaeology;
- Policy P26 Education places;
- Policy P27 Access to employment and training;
- Policy P28 Strategic protected industrial land;
- Policy P29 Office and business development;
- Policy P30 Affordable workspace;
- Policy P31 Small shops;
- Policy P32 Business relocation;
- Policy P33 Railway arches;
- Policy P34 Town and local centres;
- Policy P35 Development outside of town centres;
- Policy P39 Betting shops, pawnbrokers and pay day loan shops;
- Policy P44 Healthy developments;

- Policy P45 Leisure, arts and culture;
- Policy P46 Community uses;
- Policy P49 Highways impacts;
- Policy P50 Walking;
- Policy P52 Low line routes;
- Policy P52 Cycling;
- Policy P53 Car parking;
- Policy P54 Parking standards for disabled people and the mobility impaired;
- Policy P55 Protection of amenity;
- Policy P58 Green infrastructure;
- Policy P59 Biodiversity;
- Policy P60 Trees;
- Policy P61 Reducing waste;
- Policy P63 Contaminated land and hazardous substances;
- Policy P64 Improving air quality;
- Policy P65 Reducing noise pollution;
- Policy P66 Reducing water use;
- Policy P67 Reducing flood risk;
- Policy P68 Sustainability standards;
- Policy P69 Energy;
- Policy IP1 Infrastructure;
- Policy IP2 Transport infrastructure; and
- Policy IP3 CIL and S106.

93 Draft site allocation NSP10 within the NSP encompasses the entire development site as well as the railway arches between St James Road and Drummond Road. The required uses are detailed within paragraph 32.

94 The following adopted Southwark SPDs are also relevant to the proposal:

- Sustainable Design and Construction SPD (Southwark Council, 2009);
- Sustainability Assessment SPD (Southwark Council, 2009);
- Sustainable Transport SPD (Southwark Council, 2010);
- Residential Design Standards SPD (Southwark Council, 2011);
- Affordable Housing SPD (Southwark Council, 2008);
- Section 106 Planning Obligations/CIL SPD (Southwark Council, 2015);
- Development Viability SPD (Southwark Council, 2016)

Community Infrastructure Levy

95 Local planning authorities in London are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Southwark Council's CIL came into effect on 1 April 2015. Since then, Southwark CIL charging schedule has been revised to ensure that the Council can secure sufficient funding for infrastructure to support growth in the Old Kent Road Opportunity Area, including the Bakerloo Line extension in the Old Kent Road area. The Revised Southwark CIL Charging Schedule was brought into effect on 1 December 2017 and is charged at a rate of £53-£435 per sq.m. for residential uses, £136 per sq.m. for retail (A1-A5, sui generis) uses and £76 per sq.m. for office uses. Health, education and community uses include a nil charge. Following the adoption of a new charging schedule, MCIL 2 rates now apply to planning

permissions granted from 1 April 2019. Accordingly, a rate of £60 per sq.m. would apply to all eligible development. CIL liability would be subject to relief for affordable housing.

Response to consultation

96 As part of the planning process Southwark Council undertook two separate rounds of public consultation. The application was initially publicised in November 2017 by sending notifications to 1,792 addresses in the vicinity of the site, as well as posting site notes close to the site and publishing press notices. A further round of public consultation was undertaken on 15 June 2018 in response to minor amendments made to the proposal, detailed within paragraph 69 above. The consultation also included all relevant statutory bodies, neighbouring boroughs and amenity groups. All consultation responses received in response to Southwark Council's local consultation process, and any other representations received by Southwark Council and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Deputy Mayor has been briefed on the amount and content of all consultation responses, including the comments, objections and issues raised.

97 In addition, the Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Southwark Council

98 Greater London Authority (including Transport for London): The Mayor's initial consultation stage comments (GLA report ref: GLA/3776a/01) and the Mayor's Stage 2 decision (GLA report ref: D&P/4279/02) are set out in aforementioned reports and are summarised in the 'Relevant case history' section above.

99 Transport for London: commented as part of the Mayor's Stage 1 and 2 response, and also provided a separate direct response to Southwark Council, setting out issues in relation to the overprovision of car parking, coach/taxi drop-off and pick-up location for the proposed school, walking and cycling routes, cycle parking and cycle hire contribution, bus capacity, servicing and construction, travel planning and Mayoral CIL. Suggested conditions, section 106 obligations and financial contributions were also detailed. The detailed consideration of these points is set out in the Transport section below.

Response to re-consultation:

- Long-stay cycle parking must be increased to 2,364 spaces in line with draft London Plan Policy T5. Cycle parking and the provision of showers, lockers and changing facilities for the commercial uses must be secured by condition;
- Further detailed changes have been made to the transport strategy in terms of: crossing point on Drummond Road; right-turn from Clements Rad; additional loading bays on Shard Walk; traffic calming measures; raised table at Clements Road/Webster Road; and, pedestrian links. TfL raised no objections to these amendments.

100 Parliamentary under Secretary of State for the School System: Strong support for the school element of the proposal. The design of the school complies with Building Bulletin 103 guidance and will have a positive impact on the local community. The current programme provides for a handover of the school building in September 2021, by which date the school would have been in temporary accommodation for over 8 years. The delay and/or refusal of the application will mean considerable uncertainty for the school and the delay to the school transferring to its permanent building.

101 Historic England: No significant concerns regarding the impact of the tall buildings cluster on LVMF views. A small degree of harm would occur to the setting of the Grade II* listed Church of St James. This harm should be weighed against the public benefits of the scheme. Issues relating to height should be addressed and the development should be considered in line with national and local policy guidance, and on the basis of the specialist conservation advice of the Council. The detailed consideration of these points is set out in the Heritage section below.

102 London Underground: No comment. Network Rail assets should be contacted regarding the potential impact to their adjacent assets.

103 Environment Agency: No objection. The basement of the development must be in line with Southwark SFRA Appendix G. The submitted FRA should be updated to reflect new model data for the tidal Thames floodplain. Flood resilience and flood warning measures detailed within the FRA must be adhered to.

Response to re-consultation: The submitted drawings demonstrate that all sleeping accommodation remain at upper ground floor or higher. The amendments to the proposal will not pose an increase in potential groundwater contamination. No further comments.

104 Metropolitan Police: The proposal as presented should be able to achieve the security requirements of Secured by Design.

Response to re-consultation: The development is progressing positively with regards to Secured by Design and crime prevention. A Secured by Design condition is recommended.

105 Ministry of Housing, Community and Local Government: No comments to make on the Environmental Statement.

106 Southwark CCG: An additional GP facility is not required on the Biscuit Factory site. A financial contribution towards adding additional capacity towards existing practices may be required.

107 Sport England: Objects to the proposal. The application conflicts with Objectives 1 and 3 as it does not provide new opportunities to meet the needs of current and future generations and results in the loss of a climbing wall. Sport England will withdraw its objection if further information is provided regarding the relocation of the climbing wall. Details of on-site provision for indoor and outdoor sports facilities, or improvements to nearby existing sports facilities must be secured within the section 106 agreement. As detailed within the Council's committee report, the replacement climbing wall has opened within existing building A of the Biscuit Factory, in anticipation of the masterplan coming forward.

108 Thames Tideway: No objection, subject to assurances that there would be no likely effect on the consented Thames Tideway Tunnel.

Individual neighbourhood responses

109 At the time of making a decision on the proposal, Southwark Council reported that it has received a total of 148 objections and 24 letters of support in response to two rounds of public consultation undertaken in November 2017 and June 2018 on the original application. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Deputy Mayor in advance of the hearing.

110 The main concerns and issues raised in objection to the proposals are summarised below and grouped by topic headers used in this report:

Land use principle

- The proposed capacity of the school will have a negative social impact on the surrounding area.

- Lack of shopping amenity.
- Excessive retail provision.
- There is no need for Covent Garden style outlets on this site which will be unaffordable to much of the community.
- Lack of consideration for existing businesses- the retail offer within the development must complement and support the Blue, rather than compete with it.
- Insufficient community space.
- The cumulative impact of the proposal and the Canada Water proposals must be considered.

Housing mix, affordable housing and build to rent units

- Insufficient affordable housing, which does not comply with the Southwark's 35% affordable housing target.
- The proposal would not provide social rented homes, contrary to Southwark and London Plan Policy.
- Rent levels for affordable homes (average of 75% market rent) would not be genuinely affordable and would not be achievable to a family on average income.
- Overprovision of studio flats.
- Build to Rent accommodation will result in a transitory population with high turnover of residents on short term tenancies and will not integrate into the local community.

Urban design, tall buildings, heritage and views

- The proposed buildings at a height of 28 storeys would significantly exceed the height of neighboring buildings and would be out of keeping with the character of the area. Particular concerns with: Clements Road; Webster Road; Keeton's Road; and, Blue Anchor Lane.
- Overdevelopment of the site.
- Building heights should be limited to between 6/7/9/10 storeys in keeping with the surrounding area.
- The proposal would provide limited greenspace which would not create a healthy environment for the new residents.
- Detrimental impact on views from St James Church.
- Density of development is excessive.
- Poor quality design – buildings on Plot D and E are unsightly; buildings too close the pavements; pastiche arches; blank facade at ground floor on Webster Road.
- The proposal will ruin the historic look and feel of Bermondsey.
- Design Review Panel have impacted negatively on the proposed architecture.

Residential quality

- Insufficient outdoor amenity space/green space.
- Proposed studio units are substandard.

Impacts to surrounding residential amenity

- Proposed height of buildings would overshadow neighboring buildings and result in a loss of daylight and sunlight to properties on: Clements Road; Storcks Road; Webster Road; Four Squares Estate; Blue Anchor Lane; Bridgestone House; Marsden Square; and, William Ellis Way.
- The proposed massing and scale will have an overbearing impact on surrounding residential properties.
- Privacy impacts on nearby residential properties.
- The commercial and residential cycle storage on the ground floor will create noise and nuisance for the surrounding properties.

- The proposal would not benefit existing residents in the area and would drive up rents.

Parking and highways impact

- The development would fail to provide an adequate number of on-site parking spaces. This will result in overspill parking on local roads, with future residents likely to park on the adjacent streets.
- The proposal would exacerbate existing congestion and road/parking network capacity problems at: Jamaica Road; Drummond Road; around the school; The Blue; Rotherhithe roundabout; and, Webster Road.
- Road safety issues associated with additional traffic on local network.

Public transport infrastructure

- The development would result in significant additional strain on local public transport services, Jubilee Line trains from Bermondsey station and local buses, which are already over capacity during peak periods.

Walking and cycling

- The walkway from Bermondsey station to The Blue should be pedestrian only.
- Proposed pedestrian and cycle routes should link in with surrounding areas.

Environmental

- Pollution impacts from construction phase and traffic congestion.
- Impacts of wind tunneling from tall buildings.
- Noise and nuisance from: 24-hour cycle storage, school, construction traffic and railway.
- Proposed restaurants will increase noise pollution, litter and pests.
- The proposed wall of buildings would increase the noise from the trains for those residents living on the southern side of the tracks.
- Air/dust pollution from construction phase.

Community safety

- Crime will increase in the area as a result of the development.

Social infrastructure

- The scale and quantum of development would result in unacceptable strain on local infrastructure and services, particularly schools, GP surgeries, sports facilities, hospitals and dentists which are already over capacity.

Public consultation

- The public consultation was misleading as, no details were provided on buildings height or daylight impacts.
- Too many plans on website, difficult to view proposal.

111 The main comments in support to the proposals are summarised below:

- The provision of new pedestrian routes in the area;
- Provision of new homes in an accessible location;
- Generation of job opportunities;
- Welcome the regeneration of this part of Southwark;

- Provision of new school;
- Good use of brownfield site; and,
- Good public realm proposals and new greening proposed.

Other responses to the Council, including residents' groups and elected members

112 Ward Councillors for North Bermondsey: support many positive aspects of the planning application, however raise concerns regarding:

- Proposed heights, which would be overbearing for neighbouring homes and would fundamentally change the character of the area;
- The provision of affordable housing, which does not meet Soutwark Policy and the affordability of the homes. A proportion of the units should be provided at council rents and priority should be given to existing Bermondsey residents;
- Impact of proposed density on GP surgeries, public transport, parking;
- The proposed school would occupy a smaller plot than initially proposed;
- The new retail units must complement and support The Blue, rather than compete with it.

113 An objection was received from Councillor Stephanie Cryan (Rotherhithe Ward) regarding the non-policy complaint level of affordable housing and proposed affordability of homes.

114 An objection was received from Councillor Bill Williams (Rotherhithe Ward) regarding the non-policy compliant provision of affordable housing and affordability of homes.

115 Bermondsey Business Improvement District Resident Group raised concerns regarding the impact of the new retail space on the Blue and its retail units. Business rents must be set at realistic levels to attract and support SME and start-up businesses.

116 An objection was received from 4 Squares Leaseholder Action Group, which can be summarised as follows:

- The proposed 600 pupil school would have a severe impact on the traffic congestion. A detailed social impact plan must be prepared to demonstrate how these issues will be addressed satisfactorily.
- Historical court case ruled that development on the site must be restricted to 6 storeys. This court judgement must be overturned to allow the proposal to proceed legally. *GLA officer comment: This is understood to be in reference to the previous planning permission, not a court decision.*
- Loss of light and outlook for all properties on the east side of Drummond Road. The value of these flats will be reduced.
- Height and proximity of the proposed buildings is excessive and inappropriate.
- Consultation period must be extended.
- Parking provision is minimal and insufficient.
- It was initially proposed that Grosvenor would provide a new medical centre, as existing centres are already oversubscribed. This is paramount as a condition to the approval; however it is no longer proposed.
- Lack of shopping amenity associated with the development. Sufficient shopping amenity must be provided for the benefit of existing and new residents.

117 Keetons Estate TRA: Objected to the application on the following grounds:

- Excessive height which will block light to neighbouring properties;
- Whilst new housing and retail is welcomed, this will lead to parking problems;
- Additional population will place strain on existing infrastructure such as GP surgeries and schools;
- Proposed discounted market rents are too expensive for the people of Bermondsey.

118 Big Local Works support the proposal. The applicants have worked hard to understand the needs of the local community and support business enterprise training. The development would provide much needed housing and areas for community use.

119 Southwark Conservation Area Advisory Group commented as follows:

- The site is one of the last and most impressive former industrial sites in Southwark and greater London.
- Having one architectural practice handle such a large site is a real problem. The proposed buildings are banal and featureless. Southwark must advocate for better, higher quality detailing.
- The Victorian brick viaducts must be improved. Whilst links to The Blue through two rail viaducts are welcomed, a further central link should be incorporated.
- The retention of the main biscuit factory buildings, inclusion of a secondary school and improvements to hard surfaced courts and the church on Drummond Road are welcomed.
- Concern regarding the height of the proposed buildings and the impact on overshadowing and townscape views.
- Concerns regarding residential quality, including lack of external balconies and ventilation of hallways. Omission of balconies contributes to the full and repetitive nature of the facades.
- Lack of private external green space.
- Street elevations had blank walls at pedestrian level, resulting in a lack of natural surveillance and a feeling of insecurity for passing pedestrians. As a minimum, front doors should be sites at ground level.
- More green roofs are encouraged. Tree planting along Drummond Road and Clements Road needs to go further to include both sides of the road.

Representations made to the Mayor of London

Re-consultation exercise (September 2019)

120 The Mayor took over the planning application for his own determination on 7 May 2019. A re-consultation exercise took place on 25 September 2019 for 30 days in relation to revisions to the scheme that had been updated since the original consultation exercise which are summarised in paragraph 73. Letters were sent to all those consulted by the Council within the initial and second round of consultation, in addition to all those who had responded to the planning application thus far. A press notice was posted in Southwark News and site notices were erected.

121 Responses: A total of 34 responses were received by the Mayor and/or the GLA, of which 17 responses objected to the application, including one letter from residents of 27 Blue Anchor Lane

with 26 signatures, 15 responses were in support and 2 respondents queried aspects of the scheme. These responses have been made available to the Deputy Mayor and have been taken into account in this report.

122 In summary, the issues raised in objection to the revised scheme can be broadly categorised as follows:

Land use

- There is no provision of light industrial workspace or affordable workspace in the redevelopment;

Environmental

- Impacts of noise pollution and sound reflections; the Noise Impact Survey does not mention reflected noise;
- Air pollution resulting from the increase in cars and service vehicles;

Parking, highways and public transport impact

- Additional vehicular traffic and under provision of parking;
- Additional strain on the Jubilee Line and local bus routes, which is already at capacity and will experience further crowding as a result of the Canada Water and Old Kent Road developments;
- Highways safety concern for pedestrians on Webster Road;
- Concerns that the pedestrian routes within the railway arches will not be delivered, which would severely hamper the potential benefits for the current retail provision around the Blue;

Height, density and design

- Excessive building heights which are out of keeping with the surrounding area;
- Increasing height to improve affordable housing is not an acceptable approach;
- Overdevelopment and over density;
- The design quality of the yards and arches has been reduced following comment from the DRP;
- The banding of building along Drummond Road looks weak and dreary;
- Black window frames should be reviewed;

Impacts to surrounding amenity

- Material loss of light/overshadowing, privacy and overlooking to properties on Webster Road, Clements Road, Blue Anchor Lane and Collett Road;
- Concerns regarding the accuracy of the light impact assessment which has not been independently reviewed;
- Noise pollution and sound reflection as a result of the tall buildings adjacent to the railway line;
- Potential impact to light and noise pollution to the primary school, St James, within the Lucey Way Estate;

Housing mix, affordable housing and build to rent units

- Shortfall in family sized units;
- Build to Rent housing is unsupported by Southwark Council's Local Plan;

- The affordable housing offer should be compliant with Core Strategy SP6. On this basis, the development should provide 977 habitable rooms for social rent and 419 habitable rooms of intermediate housing. The applicant's offer is a shortfall of 556 habitable rooms of social rent and overprovision of 557 habitable rooms intermediate;
- Social rent equivalent rents are higher than social rent levels within the draft New Southwark Plan;
- The revised affordable housing offer is still not in keeping with the current local plan policy or the emerging local plan policy and does not meet the needs of the population of Southwark;
- Affordable housing statement does not mention a tenant's break clause after 6 months;
- The Built to Rent covenant is for 15 years, which is half the required of the emerging policy NSP P4;
- The revised proposal makes no change in the amount of dual aspect units; the concern over the predominance of single-aspect housing remains;
- The social rent equivalent units would only be offered on tenures for 1-5 years and as assured shorthold tenancy (AST), not an assured or secure tenancy;
- Southwark has approved developments which will guarantee the required number of affordable housing for the Borough – Canada Water, Ruby Triangle;
- Concerns regarding ability of developers to manage the services/tenants when the scheme is completed;
- Studio flats are considered to be substandard accommodation.

Other

- Additional strain on severely overstretched GP services and schools;
- Lack of meaningful consultation by developers.

123 A letter of objection was received from the residents of 27 Blue Anchor Lane, which included 26 signatures from residents. Objections related to: overdevelopment, noise pollution and sound reflection, air pollution and affordable housing. These concerns have been addressed throughout the relevant sections of this report.

124 The responses received in support for the revised scheme are summarised as follows:

- Grosvenor have engaged repeatedly and transparently with the community;
- The proposal will save the area from inevitable decline and will be vital for both local residents and the wider Bermondsey area;
- The revised proposals have addressed all the reservation expressed at Southwark Planning meeting;
- The proposal is a mix of old Bermondsey and new people, private and supported housing;
- Support for the new cultural and retail spaces as well as new meeting places and green area;
- The proposal will create new homes, jobs, public amenities and stimulate economic growth.

125 Letter of support from the Principal and Chair of Compass School Southwark:

- The school's intake received a boost in 2018, with a record number joining in year 7. The expectation of a new building in 2021 was a major driver of this;
- A new purpose-built school will enable the school funds to be focussed on educational provision rather than being disproportionately impacted by the costly upkeep of unsuitable premises;
- The surrounding area is in need to investment and development; and,
- The availability of good local accommodation will support teachers and other key workers.

126 General letter of support from the Manager of The Blue Bermondsey.

127 Letter of support from the Bermondsey Community Kitchen - increased business and local employment opportunities, housing, new secondary school. Letter of support from Big Local Works (charity) – proposal would deliver much needed positive change to the area, in addition to new homes, a new school, new public amenities, workspace. The proposal would create new jobs and stimulate greater local economic activity.

128 Letter of support from Telereal Telerium (owners of the railway arches) – supportive of the development and recognise the benefits that it will bring, along with the redevelopment of the arches, to the local area.

Statutory consultee responses

129 Thames Tideway: No objection to the revised scheme, subject to recommended condition regarding details of foundations, piling and ground structures and an informative regarding the Tideway Guidelines for Developers.

130 Met Police: No further comments, subject to a suitably worded Secured by Design condition requiring full Secured by Design accreditation.

131 Sport England: Maintains previous objection due to conflict with objective 3 in that the proposed development does not provide new opportunities to meet the needs of current and future generations.

132 Historic England: The amended scheme would include an increase in height between 1-7 storeys. This would appear at odds with the prevailing building heights of this area, and your Council should be satisfied that the proposed scale complies with your strategic tall building policies for the area. Historic England has no significant concerns regarding the impact of the development on LVMF assessment point 6A.1, St Paul's Cathedral from Blackheath Point. The proposed development would be clearly visible within the churchyard of the Grade II* listed Church of St James (View 16). The significant increase in scale created by this development would have a small degree of harm to the setting of the Grade II* listed church. This harm should be weighed against the public benefits of the scheme in determining the application in accordance with Paragraph 134 of the NPPF.

133 London Underground Infrastructure Protection: No further comments.

134 Environment Agency: No objection to the proposal, subject to conditions and informative.

135 Department of Education (Lord Agnew): Strong support for the proposed school. A refusal of the planning application will mean considerable uncertainty for the school and further delay to the school transferring to its permanent building.

136 Thames Water: Water and wastewater conditions required regarding network capacity to accommodate the proposed development, no construction within 5.0 metres of a strategic water main and submission of a piling method statement. Informative required regarding development within 15 metres of an underground water asset.

137 London Fire Brigade: An undertaking should be given that, access for fire appliances, as required by Part B5 of the Building Regulations Approved Document and adequate water supplies for firefighting purposes, will be provided.

Southwark Council

138 A formal consultation response considering the revised proposal was received from Southwark Council on 11 February 2020. In addition to this, Council officers have participated in a series of lawyer-led meetings to discuss the proposed S106 agreement.

139 The Council acknowledged the applicant's efforts to address the concerns raised within the four suggested reasons for refusal and refer to the significant benefits which could arise from the redevelopment, which were recorded in the committee report dated 6 February 2019. The extent to which the revised proposal addresses the suggested reasons for refusal is considered to vary, while the increased scale of the buildings in itself raises new impacts which the Council consider must be weighed against the benefits of the scheme.

140 The Council's comments are summarised below, with further detail provided in relevant sections of the report:

Affordable housing:

141 Whilst the increased provision of affordable housing provides the minimum quantum required by the adopted and draft local plan, the type of affordable housing does not meet the requirements of draft Policy P4 due to the shortfall in social rent equivalent housing and the provision of Discount Market Rent rather than London Living Rent. Notwithstanding this, the Council's external viability consultants (Avison Young) who were commissioned to review the updated viability appraisal, confirm that the current offer is the maximum the scheme can support on the current day costs and values.

142 Further comment was provided regarding the rental terms for the intermediate units, which are not considered to reflect those in the greatest housing need; the 20-year covenant period for the private rental homes which falls short of the 30-year requirement within draft Policy H6; and the exclusion of service charges from the social rent equivalent rental levels. The Council considers that early and late stage reviews are essential and queries the justification as to why the reviews, as drafted, secure improvements in affordability rather than a provision for an increase in total quantum of affordable housing.

Arch Routes

143 The Council maintain their position regarding the delivery of the arch routes and express concern regarding the commitment to secure these routes and delivery timeframes within the current drafting of the S106 agreement.

Highway safety concerns

144 The Council consider that the changes to servicing and transport routing within the site has resolved their previous concern regarding pedestrian and cycle safety. S106 obligations are required for the following: funds to review and amend local on street parking controls, public transport improvements, cycle hire provisions and free membership to all residents, and a commitment (within a s278 agreement) to deliver a series of identified highways works.

Housing quality

145 The increased proportion of dual aspect units is noted. Whilst the provision (60.4%) is not considered to be 'exemplary', the Council acknowledges the difficulty in providing dual-aspect units in schemes with high numbers of studio and one-bedroom units. The significant increase in the

number of flats with private outdoor amenity space is supported. Overall, the shortfalls in quality of accommodation are considered to be negative factors which must be weighed against other benefits of the scheme in the planning balance.

146 In addition to discussing the suggested reasons for refusal, the Council's response provides commentary on the following:

- Delivery of the school: the replacement school is recognised as a significant benefit of the development, however, concern is raised regarding the certainty that the school will be delivered (by the Secretary of State). The Council would expect the terms of the S106 to safeguard the land for school development.
- Affordable workspace: the 5.7% provision of Class B floorspace as affordable workspace falls short of the 10% expected under draft Policy P28. Concerns were also raised regarding the term for which the space is offered, fit-out and rental levels.
- West Yard: whilst the improvements to the residential quality of Block BF-RST are welcomed, the associated impacts on the public realm of the West Yard are considered to be disappointing.
- Increased height: the degree of prominence has increased due to the additional height across many of the plots. The proposed height is challenging in a location which is not the CAZ, and Opportunity Area or town centre. The two tallest towers will be viewed as incongruous features on the skyline and dominant in many local views. The increased scale is not balanced by an increase in public realm, or additional public benefits beyond the increased affordable housing.
- Heritage impact: concern was raised regarding the impact on three key views; view 3 from Tower Bridge, views 8 and 9 from Southwark Park and view 16 from the Grade II listed St James Church. The Council do not conclude whether they consider the public benefits of the scheme outweigh this harm.
- In addition to the points above, a list of S106 obligations are suggested.

Representations summary

147 All the representations received in respect of this application have been made available to the Deputy Mayor however; in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above. The key issues raised by the consultation responses, and the various other representations received, are addressed under the relevant topic headers within this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

148 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are termed "EIA applications". The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

149 The applicants submitted a Scoping Report (submitted July 2017) outlining the scope of the Environmental Statement (ES) prior to the submission of the application to Southwark Council. Following consultation with the relevant consultation bodies, Southwark Council issued a Scoping Opinion on 26 September 2017. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential effects that would need to be included in the ES that was required to be submitted with the application.

150 The submitted ES is divided into four volumes covering the 1) main assessment text; 2) the townscape, heritage and visual impact assessment; 3a) technical appendices (including sunlight, daylight and overshadowing, archaeology, transport, air quality, wind, contamination, noise and vibration, ecology and biodiversity, waste, water resources and flood risk and socio-economic effects); and 3b) transport assessment. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

151 An addendum to the ES was submitted by the applicant on 20 September 2019 to accompany the revisions to the application.

152 During the original application, Southwark Council instructed external consultants Land Use Consultancy (LUC) to provide a critical review of the ES. The GLA has also engaged LUC to review the ES addendum. Under the various subject headings, this report refers to the content and analyses contained within the ES and comments upon its findings and conclusions.

Principal planning issues

153 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Deputy Mayor must consider are:

- Land use principles (including mixed use development, retail, employment, and residential uses);
- Housing (including delivery of affordable housing, tenure, mix, density, quality);
- Design (including urban design, public realm, play space, views);
- Heritage (Including the setting of listed buildings and conservation areas, and archeology);
- Inclusive design;
- Neighbouring amenity (including daylight and sunlight, overshadowing, privacy/overlooking, noise/disturbance);
- Sustainable development (including climate change mitigation and adaption, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage);
- Other environmental issues (including noise, air quality and waste management);
- Transport, including parking provision;
- Socio-economic issues; and
- Mitigating the impact of development through planning obligations.

154 These issues are considered within the following sections of the report.

Land use principles

155 The principle of redeveloping the former Biscuit Factory site to provide a residential and employment-led mixed-use masterplan was established within extant planning permission 12/AP/2737, dated 24 October 2013 (GLA ref: PDU/2845/02). At the time of granting permission, the release of the site as a strategic Preferred Industrial Location (SIL/PIL) to enable mixed-use redevelopment was considered acceptable, in line with the relevant policies of the NPPF, London Plan (2011), Southwark Core Strategy (2011) and the saved policies of the Southwark Plan (2007).

156 Planning permission 12/AP/2737 has been formally implemented and partially delivered on site. This was confirmed by certificate of lawfulness application 16/AP/5015, dated 8 February 2017.

157 Since the grant of the extant permission 12/AP/2737, the National Policy Framework (February 2019), National Planning Practice Guidance and the London Plan (consolidated with alterations since 2011)(2016) have been adopted. In addition to this, the Mayor's Intend to Publish London Plan 2019 and emerging New Southwark Plan (Submission Version: Proposed Modifications for Examination, January 2020) are also now material planning considerations. Notwithstanding this, the changes brought forward within these policy documents do not impact the principle of the redevelopment, which has already been considered acceptable under implemented permission 12/AP/2737.

158 The principle of optimising this inner-London site for residential and mixed-use development reflects London Plan Policy 2.9 and the Good Growth objectives of the Mayor's Intend to Publish London Plan. These policies place an emphasis on the intensification of land to support additional homes and workspaces, through promoting higher density development, particularly in areas well-connected to jobs, services infrastructure and amenities by public transport, walking and cycling.

159 Section 4 of the Southwark Core Strategy broadly seeks to strengthen the local characteristics of Bermondsey through the addition of new schools, community facilities, open spaces, leisure, arts and culture, sports, health centres, youth facilities and tourist activities. The draft New Southwark Plan provides an area vision for Bermondsey (AV.03) as a highly accessible inner-London neighbourhood, characterised by modest worker houses associated with the historic Rotherhithe docks and manufacturing industries, employment clusters (such as The Blue and Jamaica Road) and home to historic riverside areas and open spaces. The area vision states that development in Bermondsey should:

- Provide as many homes as possible while respecting the local character. There may be opportunities for taller buildings on key development sites;
- Improve cycling and walking routes, such as the Thames Path;
- Enhance the environment of Tower Bridge Road as a gateway leading to Tower Bridge;
- Contribute towards the development of the Low Line, a new public realm corridor adjacent to historic railway arches, with lively accessible space for creativity, new jobs and retail;
- Improve existing and create new cycle and walking routes, including the Thames Path;
- Provide flexible workspaces for small and medium enterprises, particularly creative industries to strengthen Bermondsey's reputation as an existing, vibrant and creative place to work; and,
- Improve traffic flow on the road network, particularly on Jamaica Road.

160 In addition to this, the Bermondsey Area Vision of the New Southwark Plan identifies allocated site NSP 10 'Biscuit Factory and Campus' as a key development opportunity site within

Bermondsey. Specifically, draft site allocation NSP 10 identifies the former Biscuit Factory and Bermondsey Campus for comprehensive mixed-use development including the following:

- Provide new homes (C3);
- Support new and replacement business floorspace, including for small and medium enterprises (B use class);
- Provide a replacement school (D1);
- Provide two new links to The Blue under the railway viaduct;
- Provide active frontages with town centre uses (A1, A2, A3, A4, D1, D2) at ground floor level, enhancing the adjacent Low Line walking route;
- Provide a new link between Bermondsey underground station and the Biscuit Factory site down Keaton's Road; and,
- Enhance the Low Line walking route adjacent to the railway viaduct.

161 The proposed plan-led approach to the comprehensive redevelopment of the former Biscuit Factory site and Bermondsey Campus lends strong support to the proposal, in principle. The optimisation of this accessible brownfield site and intensification of the extant permission to provide new jobs, retail opportunities, an uplift in homes, affordable homes and a replacement school is consistent with the vision for Bermondsey, draft site allocation NSP 10 and the broader objectives of the adopted and Intend to Publish versions of the London Plan.

162 Specific land use considerations are outlined in detail below.

Housing

163 The NPPF sets out the government's priority to deliver a sufficient supply of new homes to meet housing requirements and states that planning policies and decisions should seek to make effective use of land and support the redevelopment of under-utilised land and buildings. In line with paragraph 118 of the NPPF, substantial weight should be given to the value of development of brownfield land in meeting housing need.

164 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London and sets a target for Southwark Council to deliver a minimum of 27,362 homes in the Plan period 2015-2025. In monitoring deliver against these targets, Southwark has been assigned a target of 2,736 net additional homes per year for the current plan period. The Examination in Public Panel Report recommended that this figure is further reduced to 23,550 and this has been accepted within the Mayor's Intend to Publish version of the London Plan.

165 The London Plan identifies the private rented sector (PRS) (or Build to Rent) as set to play an increasingly important role in catering to Londoner's diverse housing requirements. London Plan Policy 3.8 seeks to provide practical support to sustain the contribution of Build to Rent housing in addressing housing needs and increasing housing supply. Further to this, Policy H11 of the Mayor's Intend to Publish London Plan and the Mayor's Affordable Housing & Viability SPG recognises that the planning system should take a positive approach to the Build to Rent sector.

166 At a local level, Strategic Policy 5 of the Southwark Core Strategy requires development to meet housing needs by providing high quality new homes in attractive areas, particularly growth areas. More specifically, draft site allocation NSP10 recognises the ability of the application site to deliver new homes.

167 The Stage 2 report, dated 7 May 2019, set out Southwark's housing and affordable housing delivery over the previous 3 monitoring years for which data was available at the time, 2014-15, 2015-16 and 2016-17. Owing to the passage of time since the Stage 2, GLA officers have updated

this table to reflect the latest available data extracted from the London Development Database (LDD) in November 2019, which now includes 2017-18 and 2018-19:

Table 7: total housing delivery for Southwark Council, including conventional and non-self-contained supply and long term vacants returning to use (source: London Development Database)

Net delivery	2016- 2017	2017-2018	2018-2019	Total	Delivery
<i>Homes target</i>	2,736	2,736	2,736	8,208	69% of target
Homes delivered	2,230	221	3,208	5,659	
<i>Affordable homes target</i>	958	958	958	2,874	47% of target
Affordable homes delivered	552	184	626	1,362	

168 It is noted that the housing delivery figures set out in the supporting evidence for the New Southwark Plan (document SP113B) differ from the above table. This is because the figures in SP113B do not include ‘long term vacants returning to use’, which alter the ‘homes delivered’ figures in 2016-17 by -202 and in 2017-18 by -638 (there is no data on vacants for 2018-19). GLA officers consider it appropriate to include vacants in these figures, as this is consistent with the way housing delivery is monitored in line with Annex 4 of the London Plan.

169 As the figures in Table 7 demonstrate, whilst Southwark Council has exceeded its housing delivery target in the latest monitoring year, housing delivery over the 3 years shown is below the target. Affordable housing is also below the target. This shows that there is an identified need for housing and affordable housing in the borough, consistent with London Plan and Intend to Publish London Plan policy.

170 It is noted that the supporting evidence to the New Southwark Plan sets out how the Council proposes to address its requirement to demonstrate a 5-year housing land supply (5YHLS), although this has not yet been subject to formal Examination in Public. Notwithstanding the outcome of this process, 5YHLS, whilst an important consideration for the planning balance in line with the NPPF, does not demonstrate a guaranteed delivery of homes.

171 The proposed development would provide 1,548 Build to Rent residential units, which equates to 56.5% of the Council’s annualised housing target (2015-2025 plan period); and 66% of the Intend to Publish London Plan target (if expressed on an annualised basis). The proposed development would therefore make a significant contribution towards achieving the Council’s housing target, responding to local and strategic pan-London need for housing and affordable housing, and is in accordance with London Plan policies, Intend to Publish London Plan policies and local policies.

Education

172 Paragraph 94 of the NPPF states that a sufficient supply and choice of school places must be available to meet the needs of existing and new communities. London Plan Policy 3.18 and Policy S3 of the Intend to Publish London Plan support the provision of education facilities to meet demands of a growing population. Strategic Policy 4 of the Southwark Core Strategy supports the building of new schools and improving of existing schools to provide improved education opportunities, and states that schools will be protected where there is a long-term need. Saved Southwark Policies 2.2 and 2.4 support the provision of new and improved educational and

community facilities and draft Policy P26 of the New Southwark Plan states that development should not lead to the loss of existing educational facilities unless there is re-provision in an area of identified need or they are surplus to requirements. Draft site specific allocation NSP10 requires the re-provision of the existing school on the Bermondsey Campus site.

173 The proposed development includes the re-provision of the existing Compass Secondary School, currently located at the northern end of the Bermondsey Campus site. The Compass School opened in September 2013 and occupies buildings which were previously used by the Lewisham and Southwark College (LeSoCo). The existing buildings are in a poor condition and the configuration does not support the teaching aspirations of the school. The Department for Education (DfE) considered the existing buildings housing the Compass School as a temporary solution and agreed to fund a replacement school on the site. The Parliamentary Under Secretary of State for the School System, Lord Agnew, confirmed that at the time the school opened, the expectation was that the school would be in temporary accommodation for three years. As such, any investment in the temporary buildings was based on a short-term occupation. The current programme would provide for a handover of the school building in September 2021, by which date the school will have been in temporary accommodation for over eight years. Lord Agnew has expressed strong support for the proposal and has advised that a refusal or delay of the planning application would result in considerable uncertainty for the school. Further representations of support have been received from the Chair and Principal of Southwark Compass School.

174 The proposed school building (Block BC-6) has been arranged to be capable of being delivered within the first phase of development and would be located at the northern-most part of the site. The proposed school would be constructed prior to the demolition of the existing facilities to allow the continuity of the school operations. The school has been designed in response to the specific needs of the Compass School and the Headteacher has been involved in discussions with the Council and the Design Review Panel. The specification for the secondary school is a house-based teaching structure providing four form entry secondary education, including sixth form, for up to 600 pupils.

175 The replacement school has been designed to meet teaching requirements and space standards set out by the DfE guidance (Building Bulletin 103). Although the London Plan and Local Plan does not set minimum space standards for schools, it was confirmed by the DfE, Southwark's Design Review Panel and Lord Agnew, that the replacement school would provide a good quality of accommodation for current and future users of the premises. Detailed consideration of the design and layout of the proposed school is provided within the urban design section of this report.

176 Concerns have been received from surrounding residents regarding the impacts of the increase in pupils associated with the replacement school. Specific concern was raised regarding the traffic congestion associated with pick-up and drop-off points. These concerns are acknowledged and have been addressed within the transport section of this report.

177 In line with London Plan Policy 3.18, Policy S3 of the Intend to Publish London Plan, saved Policy 2.2 of the Southwark Plan and draft Policy P26 of the New Southwark Plan, the school has confirmed that the sports facilities will be made available for community uses outside the hours of the school's operation. A community use strategy has been secured in this respect, by planning condition. A phasing strategy has also been secured within the section 106 agreement to ensure the continuity of the school operation, and maintenance of learning environment, during the construction phase.

178 Accordingly, the proposal to deliver a bespoke, high-quality, high-density education facility for the Compass School is strongly supported in line with London Plan Policies 3.16 and 3.18, Policy S3 of the Mayor's Intend to Publish London Plan, saved Policies 2.2 and 2.4 of the Southwark Plan, draft Policy P26 of the New Southwark Plan and the site-specific allocation NSP10.

Employment

179 The NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. In line with paragraph 80, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

180 London Plan Policy 4.2 and Policy E1 of the Mayor's Intend to Publish London Plan support new office space of different sizes. Policy E2 of Intend to Publish London Plan supports the provision of a range of Use Class B business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises (particularly where more than 2,500 sq.m. of Use Class B floorspace is proposed). It is noted that the Examination in Public Panel Report recommends that "*at an appropriate range of rents*" be deleted from Policy E2, however this change has not been accepted within the Intend to Publish London Plan. Strategic Policy 10 of Southwark's Core Strategy seeks to increase the number of jobs in Southwark and create an environment where businesses can thrive. Draft New Southwark Plan Policy 29 requires that developments retain or increase the amount of employment floorspace in the CAZ, town centres, opportunity areas and where specified in site allocations. In this respect, draft site allocation NSP10 supports new and replacement business floorspace. Draft New Southwark Plan Policy P30 requires that major developments deliver at least 10% of the new employment floorspace (Class B1) as affordable workspace, to meet current local demand.

181 The site currently includes commercial buildings collectively known as the Tower Bridge Business Complex. The applicant has identified that 72 creative businesses are located within the site boundary. In land use terms, the Council consider the existing site includes approximately 27,499 sq.m. of employment floorspace, comprising 5,534 sq.m. of Class B1 space; 19,198 sq.m. of Class B1/B2 space; and, 2,767 sq.m. of Class B1/B8 space. This is generally in line with the applicant's calculation of existing floorspace provided within the Affordable Housing Statement. In addition to this, various meanwhile commercial uses are currently operating from the former Bermondsey Campus site. The applicant has confirmed that there are currently 270 employees working from the site, reflective of the level of floor space which is currently vacant or under-utilised.

182 As previously discussed, the application site was de-designated as SIL/PIL following the Council's Employment Land Review (ELR) in 2010. The ELR's recommendation for de-designation of the site to enable mixed-use regeneration is reflected within Southwark's Core Strategy. The application site sits outside the protected employment areas identified under saved Policy 1.4 of the Southwark Plan. Accordingly, given the de-designation of the site as SIL/PIL and the emerging site allocation, there are no adopted or emerging London Plan or local policies which protect the existing employment uses at the site.

183 In line with the ELR, the emerging site allocation NSP 10 identifies the site as an opportunity site that must deliver comprehensive mixed-use development, including new homes as well as new and replacement business floor space, including space for small and medium enterprises (SMEs).

184 The proposed development would deliver 14,666 sq.m. of commercial floorspace. Approximately 13,716 sq.m. (GIA) of the commercial floorspace would be provided within large, open-plan office floorplates (Class B1a), provided on the first and second floors of Blocks BF-F and BF-DE. In line with Policy E1 of the Intend to Publish London Plan, the applicant has confirmed that the proposed floorplates could be subdivided to provide a range of unit sizes. Smaller workspace units (flexible Class B1) (approximately 608 sq.m. GIA) are proposed within the ground floor of Blocks BF-DE, BF-W and BC-1234. The workspace units would benefit from generous floor-to-ceiling heights (6.2 metres) and spill-out external space. GLA officers consider that these units would be suitable for a range of SME's, including creative and artists workspace.

185 An objection has been received regarding the omission of light industrial (Class B1c) floorspace within the revised submission. GLA officers note that Class B2 (general industrial) floorspace was removed from the revised proposal in response to concerns from Southwark officers regarding the impact of B2 uses on surrounding residential amenity. Notwithstanding this, the proposal would deliver approximately 841 sq.m. of flexible Class B1 floorspace which could operate as Class B1a (office), b (research and development) or c (industrial processes).

186 The proposed commercial floorspace would complement the existing Workspace business hub which is located within the former Biscuit Factory site, outside the red line boundary. In addition to 5,576 sq.m. of commercial floorspace delivered by the applicant within Plot 5 (Southwark ref: 15/AP/3729), the Workspace hub has also received planning permission for the construction of a six-storey commercial building (Class B1), referred to as 'Building F'.

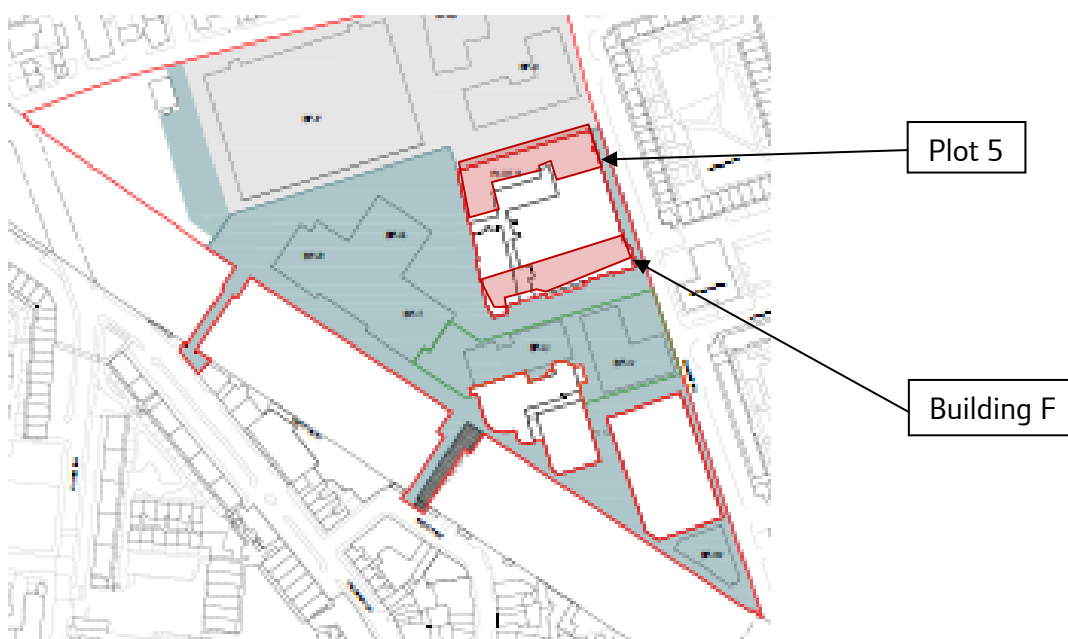


Figure 6: existing workspace buildings outlined in red

187 The proposed development would provide approximately 841 sq.m. of dedicated small business workspace in ground floor units of Blocks BC-1234, BF-W and BF-D&E. In addition to this, the open-plan office floorspace can be adapted to provide office space of different sizes. In the context of the wider draft site allocation NSP10, GLA officers are satisfied that an appropriate proportion of the employment floorspace would be available for a range of SMEs, in line with London Plan Policy 4.2, Policies E2 and HC5 of the Mayor's Intend to Publish London Plan and draft site allocation NSP10.

188 Within Southwark's committee report and the GLA Stage 2 referral, it was advised that should the application be considered acceptable, clauses to secure affordable workspace should be included within the section 106 agreement. Whilst the draft status of Southwark Policy P30 is acknowledged, Policy E3 of the Mayor's Intend to Publish London Plan can now be afforded substantial weight and supports Boroughs in developing detailed affordable workspace policies within their development plans which reflect local evidence of need and viability. Specifically, Policy E3 of the draft London Plan supports planning obligations to secure affordable workspace in Use Class B at rents maintained below the market rate for a specific social, cultural or economic development purpose, to be defined in the development plan. It is noted that the Examination in Public Panel Report recommends changes to Part F of Policy E3 and the explanatory text, which have been accepted within the Intend to Publish version. The accepted changes require planning

obligations to include mechanisms to ensure timely delivery of affordable workspace within mixed-use schemes.

189 Whilst GLA officers note that any existing affordable workspace currently operating from the Biscuit Factory site is provided on a temporary basis, pending the redevelopment of the site, given the established creative and cultural industries within the former Biscuit Factory site and surrounding area, GLA officers consider that there is a demonstratable need for a range of suitable workspaces for creative and cultural industries, including lower cost and affordable workspace.

190 In response to the emerging policies, approximately 841 sq.m. of affordable workspace, equating to 5.7% of the commercial floorspace provision in the proposed development, would be provided within Blocks BC-1234, BF-W and BF-DE. The floorspace would be appropriate for occupation by small creative businesses in technology, digital and marketing section, which the New Southwark Plan notes demand is highest for in the northern part of the Borough. Rent levels, an affordable workspace management plan (to be approved by the Council) and affordable workspace marketing strategy would be secured within the section 106 agreement. Appropriate triggers for the delivery of the affordable workspace would also be secured in line with the revised wording of Policy E3 of the intend to publish London Plan. Whilst this provision falls short of the 10% sought by draft New Southwark Plan Policy P30, given draft NSP Policy 30 can only be afforded limited weight in view of its stage of preparation, overall the proposed affordable workspace provision is considered to be acceptable in the context of the nature and layout of the Class B1 uses within the development and a financial contribution is not sought towards the shortfall.

191 Draft New Southwark Plan Policy P32 requires a business relocation strategy to be prepared in consultation with on-site businesses, where small or independent businesses are to be displaced. Whilst this document has not been submitted, GLA officers acknowledge that the existing business on the site are on 'meanwhile' short-term leases, which have been entered into with anticipation and knowledge of the forthcoming redevelopment of the site. In this context, and given the draft status of this policy, a business relocation strategy is not considered to be required in this instance.

192 A local employment agreement would be secured as part of the section 106 agreement, which would seek to promote local employment throughout both the construction phase and within the completed development, in accordance with the Council's Planning Obligations SPD.

193 Overall, the proposed employment offer would deliver approximately 1,400 new full-time equivalent jobs (a net gain of 1,130 jobs) and 14,666sq.m. of high quality B1 floorspace, within a range of flexible and multi-tenanted units, including affordable space and space suitable for SME's. The proposed employment offer is therefore supported, in line with London Plan Policies 2.9, 4.1 and 4.2, policies E1, E2, E3 and HC5 of the Mayor's Intend to Publish London Plan, Strategic Policy 10 of the Core Strategy, saved Southwark Policy 1.4, draft Policy P29 of the New Southwark Plan and draft site allocation NSP10. Whilst officers acknowledge that the proposal does not fully comply with draft New Southwark Plan Policies P30 and P32, on the basis discussed above, on balance, the proposed employment offer and creation of new jobs is strongly supported.

Retail and night-time economy

194 Paragraph 86 of the NPPF identifies that main town centre uses should be located in town centres. London Plan Policies 2.15 and 4.7 and Policies SD7 and SD8 of the Mayor's Intend to Publish London Plan set out a town centre first approach for town centre uses, including office, retail, leisure, arts and cultural uses. Strategic Policy 3 of Southwark's Core Strategy requires that a sequential test and leisure assessment is undertaken, in line with the NPPF, where the proposed development includes main town centre uses which are not: located within an existing centre; are not in accordance with an up-to-date plan; or, where the quantum of retail proposed would be over

a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq.m.). This requirement is reflected within draft New Southwark Plan Policy P35, which sets a local threshold of 1,000 sq.m.

195 Whilst the application site is outside of a designated town centre, the provision of ground floor town centre uses is supported within the draft site allocation as a means of ensuring the vibrancy of key public spaces, including the Low Line walking route. The contribution towards new local amenities for existing and future residents is also supported in accordance with the Lifetime Neighbourhood objectives and in line with Policies HC6 and E9 of the Mayor's Intend to Publish London Plan. Notwithstanding this, at the time of writing the committee report and GLA Stage 2 referral, the quantum of retail floorspace (8,240 sq.m) was considered to be significant in a location which is not within a defined shopping area. A Retail and Leisure Impact Assessment was therefore required to determine the impact of the proposed retail offer on other retail centres within the Borough. In addition to these concerns, various objections were received from residents regarding the impact of the retail offer on the Blue Local Town Centre.

196 A Retail and Leisure Assessment was submitted which concluded that in the worst-case scenarios, the proposal would result in minor reductions in trade in the identified retail centres in Southwark. Lichfield's undertook a sequential test and completed a review of the applicant's assessment, on behalf of Southwark Council. This review agreed with the applicant's assessment that subject to appropriately worded conditions, the proposed development would have an acceptable impact on neighbouring centres, including the Blue. There was also agreement between the consultants that the proposed development would provide some spin-off benefits from the increase in residents and employees on the site, generating additional turnover for businesses within Jamaica Road and the Blue Local Town Centre, due to an increase in visitors to the area. As such, subject to specific parameters outlined in paragraph 119 of the Southwark committee report and reflected below in paragraph 200, Southwark Council accepted the provision of 8,240 sq.m. of flexible retail and leisure uses within the development.

197 In line with recommendations from Southwark Council and the GLA, the revised proposal includes a reduction in the total amount of flexible retail and leisure floorspace to 7,527 sq.m. (a reduction of 953 sq.m.) and an associated increase in employment floorspace. Specifically, the revised proposal comprises 3,436 of flexible retail floorspace (Class A1, A3 and A4), a further 3,311 sq.m. of flexible multi-use space (Class A1, A3, A4 and D1) at the ground floor of Building BF-F and 780 sq.m. of flexible multi-use space (Class A1/A3/A4/D1/sui generis) within the outline component (Blocks BF-U, BF-V). An addendum to the Retail and Leisure Assessment has been provided, demonstrating that as a result of the minor reduction in retail floorspace, the impacts on existing centres are lower than that previously identified.

198 Representations of support have been received from local business owners, confirming that the applicants have engaged with residents and businesses throughout the design process. In developing their proposal for the site, the applicants have engaged with local residents and businesses. In line with London Plan Policy 4.9 and draft New Southwark Plan Policy P31, the proposed retail units would range in size, with 10% of all Class A1 retail space in units of 80 sq.m. or less, to accommodate smaller retail businesses. The applicant is also proposing a Retail Letting Strategy that would control the types of retail occupants for the site, such that they deliver a complementary offer to the Blue. The applicant has also agreed to a section 106 obligation which restricts the occupation of the approved retail floorspace by any retailer who at the date of practical completion of each building or 10 years prior, occupied floorspace within The Blue Local Centre. GLA officers are satisfied that the proposed development would not have a detrimental impact on the viability of the Blue and would provide local retail provision to meet the needs of the development and surrounding community. A letter of support has been received from the manager of The Blue.

199 In line with Policy HC6 of the Mayor's Intend to Publish London Plan, the proposed restaurants, cafes and drinking establishments (Class A3/A4) would support the night-time economy. As discussed elsewhere in this report, appropriate conditions relating to the hours of operation and internal sound insulation are required to protect the amenity of surrounding residents.

200 Subject to the following limitations, which have been agreed by the applicant and will be secured by condition, the proposed flexible retail floorspace is in line with London Plan Policies 4.7 and 4.8, Policies HC6 and E9 of the Mayor's Intend to Publish London Plan, Strategic Policy 3 of the Core Strategy, draft New Southwark Plan Policies P31 and P39, and draft site allocation NSP10:

- Class A1 to A4 floorspace should not exceed 6,567 sq.m. GIA;
- Class A1 floorspace should not exceed 5,929 sq.m. GIA;
- Class A3/A4 floorspace should not exceed 6,129 sq.m. GIA;
- No class A1 unit outside Block BF-F to exceed 500 sq.m. GIA;
- Block BF-F shall not be used as a single A1 shop unit or a national multiple food store; and,
- No pay day loans, pawnbrokers and betting shop.

Culture and creative uses

201 Whilst the site is not located within an identified Creative Enterprise Zone or a defined Cultural Quarter, GLA officers acknowledge that Bermondsey and the application site has a rich cultural and creative identity. The applicant has confirmed that there are 191 creative industries companies within a mile of the application site, and 72 creative businesses within its boundary. London Plan Policy 4.6 and Policy HC5 of the Intend to Publish London Plan seek to ensure that large-scale mixed-use developments include new cultural venues and/or facilities and spaces for outdoor cultural events and facilities and workspace for the creative industries. Strategic Policy 4 of the Southwark Core Strategy seeks to provide flexible community spaces that can be shared by a range of different communities and activities.

202 As discussed, the proposal would deliver approximately 841 sq.m of flexible Class B1 workspace within the ground floors of Blocks BC-1234, BF-DE and BF-W. Low-cost rents have been secured within the section 106 agreement to ensure that the space would be affordable to a range of SME's within the creative and cultural industries. Furthermore, the physical layout of these units, which include generous floor-to-ceiling heights (6.2 metres) and spill-out external space, ensures that this space could be used for a range of creative businesses, such as artists workspace.

203 The proposed development would also provide a unique and high-quality multi-use space for community, cultural and creative uses within Block BF-F. This area is an open-plan flexible space that occupies the majority of the footprint at ground floor level. The applicant has demonstrated how this space could be utilised as a pop-up retail arrangement, design and gallery arrangement. In line with Policy S6 of the Intend to Publish London Plan, an accessible bathroom and gender-neutral toilet would be located on the ground floor of Block BF-F for public use. A Cultural Strategy relating to the use of the ground floor of Block BF-F would be secured within the section 106 agreement.

204 On balance, the proposed development is considered to make an appropriate contribution towards creative and cultural spaces within the surrounding area and would accord with the above policy requirements.

Social infrastructure and community uses

205 London Plan Policy 3.7 seeks to ensure that large scale development (500 or more residential units) is plan-led and supported by the necessary provision of social, environmental and other infrastructure. Furthermore, the principle of matching new development with timely infrastructure provision forms a key part of the Mayor's objective to the delivery good growth in the capital, and underpins the principles of good growth within the Intend to Publish London Plan.

206 The Environmental Statement submitted in the support of the proposal estimates that the development would generate a population of up to 1,509 new residents. The applicant proposes to deliver the necessary social infrastructure to support the increased population either on-site or via financial contribution, which will be secured through the section 106 agreement or community infrastructure levy (CIL).

207 In terms of health facilities, the Southwark Clinical Commissioning Group (SCCG) were consulted on the 2017 application and confirmed that there was not a need for an additional GP surgery on site. Accordingly, in line with the Council's Regulation 123 list, a CIL payment could be used to support the existing practices in adding additional capacity.

208 In terms of on-site provision, the proposal would include a replacement secondary school, with an increased capacity of 600 pupils. A community use strategy would ensure that the school's sports and cultural facilities were available for use by the general public outside of school hours. In addition to this, the proposal would deliver approximately 896 sq.m. of community and leisure floorspace (Class D1/D2) within the ground floor of Blocks BC-1234 and BF-OPQ. Whilst the use of these areas would be determined in response to demand at the time of completion, the planning statement refers to the potential to provide an indoor leisure facility (gym), community hall and nursery. A condition relating to acoustic restrictions would ensure that the end-user would not harm the amenity of surrounding residential occupiers.

209 Proportionate financial contributions towards local healthcare and educational facilities will be secured via CIL, and this, in conjunction with the community floorspace proposed within the masterplan, provides the flexibility to deliver social infrastructure in response to need over time, in line with policy.

Links to the Blue (including Strategic Industrial Land)

210 Whilst the proposal generally aligns with draft site allocation NSP 10, one of the key requirements of the site-specific allocation is the provision of two new links to the Blue under the railway viaduct. Southwark Council raised concerns regarding the delivery of these routes in the absence of a clear agreement with the owners of the arch spaces and cited this as a reason for refusal.

211 In response to this, the applicant has advised that at the time of submission of the application (October 2017), the railway arches at the southern edge of the site were owned by Network Rail, who were considering proposals for change of use of the arches to a mix of commercial and leisure uses. However, Network Rail have since disposed of the arches to Telereal Trillium and Blackstone Property Partners (ArchCo) who are not currently pursuing a planning application for a change of use of the arches.

212 Whilst the applicant remains committed to using reasonable endeavours to deliver the pedestrian/cycle links through the railway viaduct, securing the rights to deliver these routes is challenging owing to their third-party ownership. For this reason, in order to introduce additional flexibility and increase deliverability of the arch routes, the application boundary has been amended to include an additional alternative arch, adjacent to the southern arch previously included (referred

to as option A and B). Should the delivery of the arch routes not be secured 12 months prior to practical completion of the development, the applicant has agreed to undertake highway safety and public realm improvements to existing routes beneath the railway viaducts on Southwark Park Road and St James Road. The proposed improvement works would deliver better conditions for pedestrians and cyclists and make them more attractive routes for active travel and as links with the Blue and other surrounding neighbourhoods. The cost of the proposed works and any relevant approvals would be incurred by the applicant. Should delivery of the northern arch not take place in addition to the delivery of the southern arch (option A or B) the applicant has committed to improvement works towards the upgrade of the existing route beneath the railway on St James Road. Furthermore, should the southern arch (option A or B) not come forward, the applicant has also committed to improvement works to the Southwark Park Road underbridge route, located to the south of the site. Full details of the works relating to the 'arch route alternatives' and delivery are secured, within the section 106 agreement.

213 Following submission of the revised proposal to the Mayor, Southwark Council officers have expressed concern regarding the inability of the applicant to secure an agreement with the owners of the arches and that the proposed 'arch routes alternatives' do not deliver a comparable set of links. GLA officers have been involved in discussions with Southwark's regeneration officers and ArchCo, both of whom support the principle of the new arch routes and the improved connectivity which would result to The Blue shopping centre. Notwithstanding this support, ArchCo has advised that negotiations regarding access to the arch routes would not take place until the applicant has secured planning permission.

214 GLA officers recognise the difficulty in securing the proposed arch routes given these are outside of the applicant's ownership. Furthermore, the requirement to deliver these routes is set out in draft policy and there is no conflict with the adopted development plan. Considering the significant public benefits delivered within the proposal (in particular housing and affordable housing delivery) and the complexities which surround masterplan-led development of this scale, the failure to secure guaranteed delivery of the arch routes is not considered to warrant refusal of the application. Whilst the proposed arch routes remain the preferred option, the alternative of improving the existing routes beneath the railway viaduct on Southwark Park Road and St James Road has been considered. Overall, and subject to reasonable endeavours clauses for delivery of the arch routes and appropriate fall-back to improve the routes on Southwark Park Road and St James's Road, the alternative proposal is acceptable.

Strategic Industrial Land (SIL)

215 The railway arches are all designated as SIL. London Plan Policy 2.17, Intend to Publish London Plan Policy E5, Southwark Saved Policy 1.2 and Draft New Southwark Plan Policy P28 resist development or uses in SIL that do not fall within broad industrial categories. Draft New Southwark Plan Policy P33 has similar provisions, relating to specifically to railway arches. As set out above, the future of the arches is currently uncertain, although the Council and ArchCo would need to have regard to the SIL designation as part of any plans for these spaces. Overall, whilst the use of two arches for pedestrian routes would fall outside of the scope of uses specified by the above suite of policies, it is acknowledged that other parts of the development plan promote enhanced connectivity and permeability. Furthermore, the proposed connections are specifically envisaged by draft site allocation NSP10 and were previously secured as a planning obligation within extant planning permission 12/AP/2737. As such GLA officers consider there to be no policy conflict arising from this aspect of the proposal, when considering the development plan as a whole, as well as emerging policy.

Principle of development conclusion

216 The comprehensive redevelopment of this under-utilised former industrial site to provide a high-density residential-led mixed use redevelopment, including a secondary school, affordable homes and appropriate levels of commercial, retail and community uses, accords with the planning policy and housing delivery objectives as set out in London Plan Policies 2.9, 2.17, 3.3, 3.4, 3.16, 3.18, 4.1, 4.2, 4.3, 4.6, 4.7 and 4.9, draft Policies H1, H11, S3, E1, E2, E3, E4, E5, E9, HC5 and HC6 of the Mayor's Intend to Publish London Plan, Strategic Policies 3, 4, 5 and 10 of Southwark's Core Strategy, saved Southwark Local Plan Policies 1.5, 2.2 and 2.4, and draft Policies P28, P29, P30, P31, P35 and P39, of the New Southwark Plan.

217 The proposed development would deliver in excess of new homes, a replacement school, ground floor town centre uses and replacement business floorspace, including for small and medium enterprises, in line with site allocation NSP10 of the draft New Southwark Plan. Whilst an element of low-cost workspace has been secured in line with Policy E3 of the intend to publish London Plan, this provision falls short of the 10% sought by draft New Southwark Plan Policy P30. However, this policy can only be afforded limited weight in view of its stage of preparation and overall, the proposed affordable workspace provision is considered to be acceptable and would complement the SME workspace within the wider Biscuit Factory site.

218 The redevelopment of the site would secure a new link between Bermondsey underground station and the Biscuit Factory and would enhance the Low Line walking route, in line with the draft site allocation. The Low Line route would be activated by ground floor town centre uses. Whilst the applicant has committed to using reasonable endeavours to deliver the pedestrian/cycle links through the railway viaduct, the delivery of these arch routes is not able to be guaranteed owing to the separate ownership of this land. Appropriate fall-back improvement works to the existing public highway routes have been secured should these arch routes not be delivered. Whilst there is no requirement to deliver these arch routes within the adopted local plan, failure to secure these routes conflicts with draft site allocation NSP10. However, given the significant public benefits delivered within the proposal and the complexities which surround masterplan-led development of this scale, on balance, the failure to secure guaranteed delivery of the arch routes is not considered to warrant refusal of the application subject to other mitigation.

219 Given the above considerations, the principle of the development proposed complies with the adopted development plan and generally accords with emerging draft local policy. The principle of the development is therefore supported by GLA officers.

Housing and affordable housing

Build to Rent homes

220 The proposed residential accommodation would be provided as Private Rental Sector (PRS) accommodation. This type of accommodation is also referred to as Build to Rent (BtR) within the NPPF and defined as follows:

'Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements and will typically be professionally managed stock in single ownership and management control.'

221 London Plan Policy 3.8 supports the role of PRS in addressing housing needs and increasing housing delivery. The Mayor's Affordable Housing and Viability SPG and Policy H11 of the Mayor's Intend to Publish London Plan provide specific guidance on Build to Rent schemes. It is noted that

the Panel Report did not propose any changes to Policy H11 (then H13). To qualify as Build to Rent, a scheme must meet the criteria within draft London Plan Policy H11, including the following: be comprised of over 50 units; held in a covenant for at least 15 years; be subject to a clawback mechanism, in the event of the covenant being broken; under a unified management; and tenancies of three or more years must be made available.

222 The adopted Core Strategy and saved Southwark Plan make no specific reference to Private Rental Sector housing. The 2017 submission version of the NSP, which was in place at the time the application was originally submitted to Southwark Council, included Policy P4 'private rented homes' which gives general support to PRS housing. This version of the plan was subject to public consultation between October 2017 and February 2018 and Southwark's committee report for this consultation notes that due to the number of formal objections received, little weight can be attributed to this policy in decision-making. Policy P4 was subsequently amended within the Proposed Submission Version: Amended policies January 2019. Specifically, the policy was amended to remove the requirement for affordable rented homes for incomes between £60,000 and £90,000 per year. The amended policy increased the percentage of social rent equivalent and London Living Rent homes to 15% (from 12%) and 20% (from 18%) respectively. This equates to a 43:57 split in terms of the percentage of affordable housing. Consultation on the amended policies version of the plan once again generated a number of objections, including (but not limited to), the length of covenant period, the requirement to provide low-cost rent, conflict with draft London Plan Policy H13 (now H11), and the required tenure mix. Whilst this policy remains largely unchanged within the January 2020 Proposed Modifications for Examination Version, a note has been added which specifies that where a development cannot exactly meet the figure of social rent equivalent and London living rent equivalent as set out, affordable rent capped at London Living Rent equivalent is the priority.

223 The current version of draft Policy P4 requires that new self-contained, private rented homes in developments providing more than 100 homes must, amongst other things, provide security and professional management; provide a mix of housing sizes; meet the same design standards as build-for sale; provide tenancies for private renters for a minimum of three years (with a six month break clause); be secured for the rental market for a minimum of 30 years; and provide at least 35% affordable discount market rent homes, with a tenure mix of 15% social rent equivalent and 20% London Living rent equivalent, subject to viability.

224 All of the homes are Build to Rent tenure, owned and managed by the applicant (with the exception of those buildings managed by Registered Providers as affordable housing). The homes would satisfy the criteria for Build to Rent housing set out above in Part B of Policy H11, including: a covenant period of 20 years (5 years more than the minimum requirement); unified ownership and management; flexible tenancies up to 3 years; and certainty regarding formula-linked rent and service charges.

225 In line with Policy H11 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG, the proposed Build to Rent units would be subject to a 20-year covenant and an appropriate claw back mechanism, details of which have been secured within the section 106 Agreement. GLA officers acknowledge that the covenant period falls short of the 30-year term required within draft New Southwark Plan Policy P4. However this does exceed the minimum period of 15 years within Policy H11 of the Intend to Publish London Plan. The Intend to Publish London Plan has been through Examination in Public (EiP) and the Policy H11 can now be afforded significant weight given the absence of recommendation in the Panel Report. By contrast, whilst the NSP has been amended in response consultation responses, it is yet to go through EiP and there are still a number of unresolved objections to draft Policy P4, including on the issue of the covenant period and the requirement to provide low-cost rent. As such, in line with Southwark's determination within the committee report, draft Policy P4 can only be afforded limited weight at this stage.

226 Intend to Publish London Plan Policy H11 (footnote 66) recognises that covenant periods are expected to increase as the market matures. Whilst it is noted that Southwark Council officers have raised concern regarding the proposed covenant period within their committee report and formal consultation response to the revised proposal, on balance, GLA officers are satisfied that the 20-year period provides an acceptable degree of certainty and is in line with recent Build to Rent approvals around London. Furthermore, the requirement to secure a 30-year covenant is set out in draft policy which is subject to examination, and there is no conflict with the adopted development plan.

227 GLA officers note that the purpose of the covenant and clawback would be to secure the Build to Rent units within the private rented sector for this period and require a clawback to be triggered if the covenant is broken during the prescribed minimum period, by any of the units being sold as private sale during this period. The clawback mechanism ensures that there is no financial incentive to break the covenant by requiring a financial contribution for affordable housing to be paid based on the difference in value between the residential units in rented tenure and private sale. This also takes into account the different affordable housing requirements that apply for build to rent schemes in Policy H11 of the Intend to Publish London Plan. In this scheme, where affordable housing is being provided at rents which are lower than London Living Rents, it has been agreed that any clawback payments would be paid up to the equivalent of meeting the affordable housing requirements for a 'for sale' development for the scheme as a whole.

228 The affordable housing will meet the eligibility and affordability requirements of Policy H11 of the Intend to Publish London Plan and the Affordable Housing and Viability SPG. The affordable units would be secured in perpetuity, in line with London Plan Policy 3.10, Policy H11 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG. Other provisions, including unified ownership and management, length of tenancy and certainty over rent levels are secured in the Section 106 Agreement in line with Policy H11 and draft NSP Policy P4. As such, in relation to the proposed Build to Rent units, the proposed development accords with the requirements set out in London Plan Policy 3.8 and Policy H11 of the Mayor's Intend to Publish London Plan and the Affordable Housing and Viability SPG.

Affordable housing and financial viability

229 London Plan Policy 3.11 states that the Mayor will, and boroughs should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London up to 2031, of which 60% should be social/affordable rent and 40% intermediate. Strategic Policy 6 of the Core Strategy and saved Southwark Policy 4.4 set a borough wide target of 35% affordable housing and states that the Council will seek a tenure split of 70% social rent and 30% intermediate. Draft New Southwark Plan Policy P1 maintains the 35% minimum overall policy requirement and 40% requirement (with a policy compliant tenure split) to avoid the need for a viability appraisal. In terms of tenure, this policy requires a minimum of 25% of homes within the development to be provided as social rent and 10% as intermediate housing. Notwithstanding this, it is noted that Southwark Policy 4.4 and draft New Southwark Policy P1 do not specifically relate to Build to Rent (PRS) developments.

230 London Plan Policy 3.12 requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes, taking into account a range of factors including: the requirement for affordable housing; affordable housing targets; the need to promote mixed and balanced communities; specific site circumstances; development viability; public subsidy and the resources available to fund affordable housing; and the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

231 In August 2017 the Mayor published his Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to maximising the delivery of affordable housing and introduced the 'Fast Track Route' for applications that meet or exceed the Mayor's threshold for affordable housing (by habitable room). The SPG confirms that a scheme's eligibility for the 'Fast Track Route' is subject to the affordable housing being provided on site and with an appropriate tenure mix provided. In addition, to qualify for the 'Fast Track Route', an applicant must have explored the potential to increase the level of affordable housing using grant funding and an Early Stage Review Mechanism must be secured, which seeks to incentivise the early implementation of any planning permission. Applications which are considered eligible for the 'Fast Track Approach' are not required to submit a financial viability assessment or be subject to a late stage viability review mechanism (as is required for applications which follow the 'Viability Tested Route').

232 Policy H4 of the Mayor's Intend to Publish London Plan seeks to maximise the delivery of affordable housing and sets a strategic target for 50% of all new homes to be affordable. Policy H5 of the Intend to Publish London Plan sets out the Threshold Approach (Fast Track Route) to applications. This policy requires a minimum threshold of 35% affordable housing (by habitable room), with a threshold of 50% applied to public sector owned sites and industrial land (where development results in a net loss of industrial capacity). Given that the site currently comprises a privately-owned commercial complex, the previous industrial use having ceased over 30 years ago, it is subject to the 35% affordable housing threshold set out in the Intend to Publish London Plan.

233 Policy H6 of the Intend to Publish London Plan confirms the Mayor's priority to deliver genuinely affordable housing and sets out minimum expectations in relation to tenure split. This requires at least 30% of affordable housing to comprise low cost rented units (either social rent or London Affordable Rent); 30% intermediate housing; with the remaining 40% determined by the borough. As set out above, Southwark Local Policies set out the Council's preference for a 70:30 tenure split between low cost rented housing and intermediate housing.

234 The Mayor's Intend to Publish London Plan and the Affordable Housing & Viability SPG confirm that different tenure requirements are in place for Build to Rent schemes and clarify that affordable housing provision within Build to Rent schemes may be solely intermediate Discount Market Rent housing (preferably at London Living Rent levels). This is due to the need for Build to Rent units to be retained in unified management by Build to Rent providers, as recognised by the Government's updated Planning Practice Guidance. For Build to Rent schemes to follow the 'Fast Track Route', at least 30% of the affordable housing must be at London Living Rent levels, with the remainder at a range of discounts below market rent, in accordance with Policy H11 of the Intend to Publish London Plan.

235 Whilst the adopted Core Strategy and Southwark Plan do not include any policies on Build to Rent developments, draft NSP Policy P4 addresses Build to Rent housing. As discussed above, this policy is in draft, subject to examination by an inspector and has undergone various rounds of revisions in response to objections received during public consultation. As amended, draft Policy P4, requires a tenure split of 15% of the development to be provided as social rent equivalent and a minimum of 20% as affordable rent, capped at London Living Rent (LLR) equivalent. When considered in context of the 35% requirement for affordable housing, this results in a tenure split of 43% social rent equivalent and at least 57% discounted market rent, capped at LLR. This is on a 'subject to viability' basis, so in effect constitutes a local fast track threshold for Build to Rent developments.

236 The following section provides an assessment of the evolution of the affordable housing offer since the original application was made and considers the scheme's eligibility for the 'Fast Track Route' and the proposed affordability levels.

Evolution of the affordable housing offer

237 When the Mayor considered the application at Stage 1, the application proposed 1,343 residential Build to Rent units, of which 322 units (27% by habitable room) would wholly comprise of affordable intermediate Discount Market Rent (DMR) units, proposed at an average of 75% of private market rent. In the absence of an independently verified viability position, the Mayor's Stage 1 response considered the 27% provision to be unacceptable. The applicant was also advised that deeper DMR discounts must be provided. The affordable housing offer was not amended following the Mayor's Stage 1 response.

238 Southwark Council considered that the proposal did not provide the maximum reasonable amount of affordable housing and that the affordable housing offered would be at a cost which would not be affordable to those in greatest housing need. The following was cited as a reason for refusal:

The development fails to provide the maximum reasonable amount of affordable housing, and the affordable housing offered would be at a cost which would not be affordable to those in greatest housing need. As such, the development does not maximise the delivery of affordable housing as required by saved Southwark Plan policy 4.4 'Affordable housing', Core Strategy policy SP6 'Housing for people on different incomes' and London Plan policy 3.12 'Negotiating affordable housing on individual private residential developments', or the Mayors Affordable Housing and Viability SPD 2017. In addition, the development does not comply with the specific requirements for Private Rented Housing set out in the submission version (2018) of the New Southwark Plan policy P4 'Private rented homes' in terms of the tenure split or the period for which the PRS housing is secured, or with the draft new London Plan 2017 policy H13 'Build to Rent' in terms of the type of DMR homes being offered. As such, the development would fail to offer genuinely affordable housing to meet a recognised and acute housing need.

239 At Stage 2, the Mayor made it clear that all options for increasing the level of on-site affordable housing must be secured, having regard to emerging Southwark Local Plan Policy P4 as a material consideration. Further negotiations were also required on the affordability of homes to ensure that the scheme provides genuinely affordable homes for Londoners. Since the Mayor's decision to take over the application in May 2019, GLA officers have worked with the applicant to secure additional affordable housing.

240 The revisions to the application submitted to the Mayor on 20 September 2019 seeks planning permission for 1,548 Build to Rent units, comprising 3,989 habitable rooms, of which 482 units (31%) and 1,397 habitable rooms (35%) would be affordable. This represents a 160 unit increase in the total number of affordable units proposed within the application considered by Southwark Council on 6 February 2019. The evolution of the affordable housing offer from the initial submission of the planning application to date is summarised below in Table 8.

Table 8: evolution of the affordable housing offer

	Initial submission (2017)	Amended application submitted to the GLA on 20 September 2019
Private Build to Rent	1,020	1066
Discount Market Rent	322	342
London Living Rent	0	0
Social Rent Equivalent	0	140

Total residential units	1,342	1548
Total affordable units	322	482
% Affordable (by habitable room)	27.5%	35%

241 The revised scheme submitted to the GLA in September 2019 proposed changes to the tenure and affordability of homes. Whilst the affordable homes within the original application were discount market rent proposed at a blended average market discount of 25%, the revised application includes 140 units (30%) with a much greater level of discount at social rent levels and 342 units (70%) restricted to households with a maximum household income of £60,000 per annum. Following further negotiations, the maximum household incomes for the DMR units have been further reduced in line with Southwark income caps. Specifically, in the case of the first letting of each unit, the units would be restricted to a maximum household income of £47,290 for one-bedroom units, £55,876 for two-bedroom units and £60,000 for three-bedroom units. Subsequent lettings would be subject to the maximum income upper limit specified in the London Plan Annual Monitoring Report.

242 The affordable housing is to be provided in Blocks BF-W, BF-U, BF-V, BF-OP, and BC-5. Block BC-1234 is proposed as a mixed-tenure building where DMR units would be provided alongside privately rented homes. Delivery of affordable homes by phase is detailed within the following table.

Table 9: affordable housing location and delivery

Block	Tenure	Number of units
Phase 1		
Block BF-OP	DMR	75
Block BF-OP	Social Rent Equivalent	37
Phase 2		
Block BF-V	DMR	75
Block BF-U	DMR	55
Block BF-W	DMR	9
Block BF-W	Social Rent Equivalent	49
Phase 3		
Block BC-5	Social Rent Equivalent	38
Block BC-1234	DMR	128
Block BC-1234	Social Rent Equivalent	16

Assessment of the revised affordable housing offer

243 The current application seeks planning permission for 1,548 Build to Rent residential units, including: 1,066 private Build to Rent units (2,592 habitable rooms), 342 Discount Market Rent (DMR) units (976 habitable rooms); and 140 social rent equivalent units (421 habitable rooms). Overall, this equates to 35% affordable housing by habitable room and 31.1% by unit. The quantum of habitable rooms therefore meets the 35% requirement of Policy H11 Part C of the Mayor's Intend to Publish London Plan, for the scheme to follow the Fast Track Route.

Table 10: affordable housing

Tenure	Units	Habitable rooms	% by unit	% by habitable room
Discount Market Rent (DMR)	342	976	31.1%	35%
Social Rent Equivalent	140	421		
Private Build to Rent	1,066	2,592	69%	65%
Total	1,548	3,989	100%	100%

Proposed tenure mix and affordability

244 The scheme proposes an affordable housing tenure split of 70% discount market rent units and 30% social rent equivalent (by habitable room).

Table 11: affordable housing tenure

	Units	Habitable rooms	Tenure split by unit	Tenure split by habitable room
Discount Market Rent (DMR)	342	976	71%	70%
Social Rent Equivalent	140	421	29%	30%
Total affordable homes	482	1,397		

245 The Social Rent Equivalent (SRE) rent levels would be capped at Target Rents as defined by National Formulas. Estimated rents per week (excluding service charge) are:

Table 12: estimated social rent equivalent levels compared to market rent levels

Unit size	Target Rents	% of market rent*
1 bedroom	£134 per week	£305 (44%)
2 bedroom	£160 per week	£381 (41%)
3 bedroom	£169 per week	£501 (33%)
4 bedroom	£178 per week	£618 (28%)

*Market rents based on GLA London Rents Map, which is based on 2018/19 Valuation Office Agency data. To enable comparison, monthly market rents shown in the GLA Rents Map have been multiplied by 12 and divided by 52 to provide estimated weekly rents.

246 Policy H11 of the Intend to Publish London Plan identifies that the Mayor's preference is for DMR homes to be set at London Living Rent Level to ensure city-wide consistency in approach. Whilst this policy confirms that where justified in a Development Plan, boroughs can require a proportion of affordable housing as traditional low-cost rent (social rent or London Affordable Rent) on Build to Rent schemes, it is not appropriate to seek DMR at or close to social rent levels as it is an intermediate product and is managed and allocated as such. GLA officers note that draft Policy P4 of the NSP currently conflicts with this, in that it requires 15% of the DMR units at social rent equivalent. Whilst Policy H11 of the Intend to Publish London Plan has not yet been formally adopted, officers note that the Panel Report did not propose any changes to the wording of the policy of the supporting explanatory text.

247 Whilst the potential conflict with the Intend to Publish London Plan is acknowledged, the provision of SRE housing is consistent with the Draft Southwark Plan Policy P4 and was incorporated within the proposal in response to the Council's reason for refusal relating to the tenure and affordability of the affordable homes. Whilst the GLA's preference would be for the

units to be provided as traditional social rented homes, there is no policy basis within the Intend to Publish London Plan or New Southwark Plan for this to be provided in Build to Rent schemes.

248 Furthermore, obligations in the S106 agreement would address the issue identified in the Intend to Publish London Plan by ensuring that the SRE units are not managed and allocated as intermediate housing. Specifically, the proposed units would be allocated to households in priority housing need in line with the borough’s allocation process for social rented housing. They would be managed by an affordable housing provider who will enter into a nominations agreement with the council. The units would be let for a shorthold tenancy period of 3-years, with a tenant-only break, however there would be a presumption that at the end of the 3-year period the tenancy will be renewed to the same tenant.

249 Whilst Southwark Council’s formal consultation response considers that the rents charged for SRE units should be inclusive of service charges, rents would be set according to target rents in line with national rent standards. Notwithstanding this, a section 106 obligation will require that maximum annual service charges are controlled. In line with the Council’s consultation response, any rent increases within the 3-year lease term would be limited and specified in advance to tenants.

250 The 342 intermediate discount market rent units (976 habitable rooms) would be let to eligible renters whose household incomes do not exceed the intermediate DMR income caps or to those on an intermediate housing list. In line with Southwark’s income thresholds, the intermediate DMR income caps would be restricted to £47,290 for one-bedroom units, £55,876 for two-bedroom units and £60,000 for three-bedroom units for first lettings. Subsequent lettings would be subject to the income upper limit specified in the London Plan Annual Monitoring Report. The section 106 agreement will ensure that the annual housing costs of the DMR units, including service charges, would not exceed 40% of net income. Estimated rents per week based on the first lettings income caps and 40% net income, are set out in the below table, and compared to London Living Rent levels:

Table 13: Discount Market Rent levels compared to London Living Rent Levels

Unit size	DMR Rents	London Living Rent*
1 bedroom	£354 per week	£242 per week
2 bedroom	£301 per week	£269 per week
3 bedroom	£323 per week	£296 per week

*London Living Rent – North Bermondsey Ward – Financial Year 2019/20

251 The proposed tenure split exceeds the preferred tenure split for Build to Rent homes set out in Policy H11(c) of the Mayor’s Intend to Publish London Plan, by providing 30% DMR homes at a greater depth of discount than London Living Rent, which will be provided to households on the council’s housing waiting list. The 70% provision of DMR rents capped at household incomes in line with the Mayor’s eligibility and affordability criteria will also provide a genuinely affordable product as sought by Policy H11. Notwithstanding this, whilst the affordable housing provision of 35% quantum meets the requirement of draft NSP Policy P4, it does not meet the preferred tenure split and affordability of 43% Social Rent Equivalent and 57% London Living Rent equivalent. In line with Intend to Publish London Plan Policy H6, when considering whether a proposed offer meets the Fast Track Route it is important to have regard to how the proposed tenures address local need. Supporting paragraph 4.11.10 (to Policy H11) of the Intend to Publish London Plan states that “where justified in a development plan, boroughs can require a proportion of affordable housing as low-cost rent on Build to Rent schemes”.

252 GLA officers consider that Policy H6 carries significant weight now and, in combination with Southwark's emerging policy position on Build to Rent schemes, it is considered that the requirements of draft NSP Policy P4 should be achieved in order for the scheme to be considered under the 'Fast Track Route'. The proposed development has therefore been considered under the Viability Tested Route.

Viability Tested Route

253 A Financial Viability Assessment (FVA), prepared by Quod, has been submitted in support of the amendments to the proposal, in line with Policy H5 of the Intend to Publish London Plan. This document supersedes the previous FVA which was considered and independently reviewed by GVA (now Avison Young) on behalf of Southwark Council. Avison Young have also reviewed the updated FVA in relation to the amended proposal on behalf of the Council. The Council's consultation response notes that Avison Young did not agree with all of the inputs in the applicant's FVA, but concluded that the current offer is the maximum that can be supported on a current day basis. The report also recognises that the assessment outputs are very sensitive to small changes in inputs, which can have a significant impact on overall viability. As such the council's comments state that robust early and late stage reviews are essential to ensure that the final delivery of affordable housing is maximised. The GLA Viability Team has reviewed the applicant's FVA and the reports by Avison Young. The GLA also identified aspects of the applicant's FVA that were not agreed and an updated appraisal was provided by the applicant to address this.

254 The applicant's updated appraisal demonstrates that the proposed affordable housing offer of 35%, 30:70 Social Rent Equivalent: DMR is in excess of the maximum amount that can be justified on the basis of viability alone with current day values and costs. As such, the application complies with London Plan Policy 3.12, Intend to Publish London Plan Policy H5, Strategic Policy 6 of the Core Strategy and saved Southwark Policy 4.4.

Early and Late Stage Review Mechanisms

255 Policy H5 of the Mayor's Intend to Publish London Plan clearly sets out the requirements for review mechanisms, which are necessary to secure the maximum public benefit from schemes and to incentivise delivery. These requirements are echoed in the Mayor's Affordable Housing & Viability SPG. An early stage review would be secured in the section 106 agreement, which would be triggered if an agreed level of progress on implementation is not made within two years of the permission being granted, in accordance with Policy H6 of the Intend to Publish London Plan and the SPG. Appropriate provisions would be included within the section 106 agreement to ensure that tenures are flipped to improve affordability, should the early review mechanism be triggered and this is found to be viable. Officers are satisfied that this review mechanism is required in this instance to incentivise delivery and accords with the Mayor's Affordable Housing & Viability SPG and Intend to Publish London Plan Policy H5.

256 In line with Policy H5 of the intend to publish London Plan, a Late Stage Viability Review would also be secured within the section 106 agreement, which is to be triggered when 75% of the units in the scheme are occupied. This will also result in a greater level of affordability in the event that viability improves over the lifetime of the development through the provision of additional SRE units and London Living Rent Equivalent units, both converted from DMR units. Where this is only possible by changing the tenure or discount on residential units that have already been occupied at the point of the late review, then the remaining surplus profit will be paid to the council as a financial contribution for the provision of affordable housing. Both review mechanisms would reflect the agreed viability deficit position in line with the Mayor's Affordable Housing & Viability SPG.

257 The council's consultation response questions why the reviews will not result in additional market homes being converted to affordable housing. The provision of additional Social Rent Equivalent and London Living Rent Equivalent homes through the conversion of DMR units is considered to be justified in this case in light of the priority that this gives to households in greatest housing need, and the greater affordability that arises through the provision of housing at London Living Rents which reflects the Mayor's preferred approach for intermediate housing.

Conclusion on housing, affordable housing and financial viability

258 In response to concerns raised by Southwark Council and the Mayor at both consultation Stage 1 and Stage 2, GLA officers worked with the applicant to increase affordable housing provision. The increased affordable housing offer (35%) meets adopted and emerging Southwark Local Plan targets and meets the applicable threshold level set by the draft London Plan and Mayor's Affordable Housing & Viability SPG, in terms of overall quantum.

259 Whilst the proposed tenure mix and affordability levels do not fully meet the requirements of draft New Southwark Plan Policy P4, the applicant's FVA has been scrutinised by the Council's viability advisors and the GLA Viability Team who have confirmed that the 35% affordable housing offer (30:70 split) is the maximum viable level for the proposed development, at this time. GLA officers support the proposed tenure mix and affordability levels of the affordable housing. Income and eligibility requirements would be secured at these levels within the section 106 agreement. On this basis, the application is considered to be in overall accordance with London Plan Policies 3.8, 3.9, 3.10, 3.11 and 3.12; the Mayor's Housing SPG (2016) and the Mayor's Affordable Housing & Viability SPG (2017); Policies H1, H5, H6, H11 of the Mayor's Intend to Publish London Plan; Strategic Policy 6 of Southwark's Core Strategy; and draft New Southwark Plan Policy P4.

260 Details of the affordable housing in terms of eligibility, affordability and perpetuity will be secured in the section 106 agreement, should permission be granted, with appropriate triggers to secure the delivery of affordable housing in tandem with the delivery of market homes, together with early and late viability review mechanisms as described above.

Housing size mix

261 London Plan Policies 3.8 and 3.9 state that new development should provide a mix of housing sizes and types, taking into account local and strategic housing requirements, the needs of different groups, the strategic priority for affordable family housing provision and the need to support the private rented sector. Policy H10 of the Intend to Publish London Plan states that schemes should generally consist of a range of unit sizes and sets out a number of factors which should be considered when determining the appropriate housing mix on a particular scheme. This includes housing need and demand, the nature and location of a site and the objective to optimise housing potential and deliver mixed and inclusive neighbourhoods. It is noted that the Examination in Public Panel Report recommended that Part C of Policy H12 "Boroughs should not set prescriptive area-wide dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes" should be deleted. This recommendation has been accepted within the Intend to Publish version of the plan.

262 Strategic Policy 7 of Southwark's Core Strategy and draft Policy P2 of the New Southwark Plan requires a housing mix of at least 60% of dwellings with two or more bedrooms, and 25% having at least three bedrooms in this location. No more than 5% of the units should be studios, as these can only be for private housing. Draft New Southwark Policy P4 states that build to rent developments must provide a mix of housing sizes, reflecting local need for rented property.

263 The 2017 London Strategic Housing Assessment (SHMA), which covers the period 2016 to 2041, identifies a significant need for one and two bedroom units, across all tenures. In addition to this, the Mayor’s Affordable Housing and Viability SPG notes that local policies requiring a range of unit sizes should be applied flexibly to build to rent schemes to reflect demand for new rental stock, which is much greater for one and two-bedroom units than in owner-occupied or social/affordable rented sector.

264 The proposed development would provide 1,548 build to rent units (3,989 habitable rooms), 342 units (976 habitable rooms) which would be discounted market rent (DMR) and 140 units (421 habitable rooms) would be social rent equivalent. The housing mix would be as follows:

Table 14: housing unit mix

Unit type	Market sale	Discount market rent	Social rent equivalent	total	percentage
studio	132	0	0	132	8.5%
One-bed	432	123	43	598	38.6%
Two-bed	412	146	57	615	39.7%
Three-bed	90	73	36	199	12.9%
Four-bed	0	0	4	4	0.3%
total	1,066	342	140	1,548	100%

265 The proposed housing mix falls short of the two and three bedroom local targets within Southwark adopted and emerging policy, and marginally exceeds the recommended provision for studio flats. Notwithstanding this, the proposed unit mix is supported by Southwark Council officers, in line with emerging draft New Southwark Plan Policy P4 and the guidance provided within the Mayor’s SPG regarding Build to Rent housing.

266 Having regard for the Build to Rent nature of the proposal, GLA officers consider that the development would deliver a good mix of housing tenures, types and unit sizes reflective of the local demand within the rental sector. Furthermore, the revised proposal provides 69% of social rent equivalent units within two, three and four-bedroom units, which responds positively to the priorities set out above and would make an important contribution towards local demand for family sized affordable homes. The proposed dwelling mix is therefore supported in view of density and form of the development and the site’s location and characteristics, in line with adopted and emerging London Plan and local policies.

Housing quality and residential standards

Density

267 Paragraph 122 and 123 of the NPPF provide national guidance on achieving appropriate densities, stating that development should make efficient use of land, taking into account: need for housing; local market conditions; availability and capabilities of existing and proposed infrastructure; an area’s character as well as promoting regeneration; and good design. Whilst the adopted London Plan sets defined density ranges based on the character and context of the site, Policy D1 of the Mayor’s Intend to Publish London Plan seeks to optimise the density of a site, having regard to local context, design principles, public transport accessibility, while Policy D2

requires that the density of a proposal has regard to the provision of current and planned infrastructure. Policy D3 of the Mayor's Intend to Publish London Plan and section 2.2 of Southwark's Residential Design Standard SPD (2015) requires that the higher the density of the development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the development design. In addition to this, the Mayor's Affordable Housing and Viability SPG notes that Build to Rent development can be particularly suited to higher density development near transport nodes. Draft NSP Policy P17 seeks to "maximise the efficient use of land" subject to no unreasonable impact on neighbouring sites.

268 The public transport accessibility level (PTAL) of the site ranges from three at the southern end of the site, increasing to five at the northern end, closer to Bermondsey Station (6b being the highest on the density range). TfL officers have confirmed that when taking into account the improved pedestrian routes and enhanced bus services that will come forward with the development, the majority of the site falls within PTAL 4. The site lies within an 'urban' setting, as defined by the London Plan. Consequently Table 3.2 of the London Plan sets out an indicative density range of 45-260 units (u/ha) or 200-700 habitable rooms per hectare (hr/ha) and Strategic Policy 5 of Southwark's Core Strategy sets a density range of 200 to 700 hr/ha. As discussed, the Mayor's Intend to Publish London Plan and emerging draft New Southwark Plan have removed reference to the density matrix and indicative density ranges and instead place a greater emphasis on optimising site capacity through a design-led approach.

269 Based on a residential site area of 4.59 hectares, the proposed development would result in a density of 869hr/ha, or 337 u/ha. This is above the indicative density ranges in the London Plan and Southwark Core Strategy. Notwithstanding this, in line with the emerging policies of the Mayor's Intend to Publish London Plan, the draft New Southwark Plan has identified the application site as a suitable location for growth (draft allocation NSP10) and envisages that the site could accommodate tall buildings, as well as business floorspace, retail floorspace and a replacement school. The draft site allocation suggests that high density development will come forward.

270 The site is considered suitable for high-density development; it is accessible to public transport and is within a location where residential densities are expected to be optimised. The standard of design and residential quality is also high and provides an appropriate mix of housing, with affordable housing maximised, and appropriate levels of play and amenity secured. GLA officers consider that the high-density nature of the proposed Build to Rent development represents the optimisation of a currently underutilised site and is therefore in accordance with London Plan, draft London Plan, Local Plan and emerging NSP policies with regard to development density.

Standard of accommodation

271 London Plan Policy 3.5 and Policy D6 of the Mayor's Intend to Publish London Plan seek to ensure that housing developments are of the highest quality internally, externally and in relation to their context and wider environment. London Plan Table 3.3 and Table 3.1 of the Intend to Publish London Plan, which supports these policies, sets out minimum space standards for dwellings. The Mayor's Housing SPG provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise north facing single aspect dwellings. Saved Southwark Policy 4.2 requires developments to achieve good quality living conditions. Draft NSP Policy P14 requires new residential development to achieve an exemplary standard of design and sets out detailed criteria.

272 The Council's Residential Design Standards (RDS) SPD requires that where proposals exceed maximum density thresholds or where tall buildings are proposed, the development must achieve an

exemplary standard of design. Section 2.2 of the SPD sets out criteria for exemplary design, in terms of residential design standards:

- Significantly exceed minimum floorspace standards;
- Provide for bulk storage;
- Minimize corridor lengths by increasing the number of cores and maximum of 8 dwellings per core;
- Include a predominance of dual aspect units;
- Exceed the minimum ceiling height of 2.3m;
- Have natural light and ventilation in kitchens and bathrooms’
- Exceed amenity space standards; and,
- Meet good daylight and sunlight standards.

273 Southwark Council considered that the original proposal did not provide an exemplary quality of accommodation for all of its future residents and cited this as a reason for refusal. Specific concerns were raised regarding the high proportion of single aspect dwellings, including dwellings with a northerly aspect, or a constrained outlook, and dwellings with a sole aspect towards the railway viaduct. Concerns were also raised regarding the proportion of flats that did not benefit from private amenity space. The Mayor’s Stage 2 response required the applicant to introduce balconies where feasible and provide robust justification and mitigation for any residual shortfall.

274 Scheme amendments have been secured by GLA officers following Southwark’s resolution to refuse the application and the Mayor’s decision to act as the local planning authority. An assessment of the amendments are discussed in the relevant sections below.

Internal and external space standards

275 All of the units would meet London Plan, Mayor’s Intend to Publish London Plan, Mayor’s Housing SPG, and Local Plan internal space standards, and 2.5-metre minimum floor-to-ceiling heights would be achieved. In line with the local requirements for exemplary design, a range of unit sizes have been provided across the scheme, some of which exceed the minimum internal space requirements by approximately 30 sq.m. (3-bedroom, 5 person units).

276 At the time of the Council’s resolution to refuse planning permission, 31% (375 units) of units within the detailed element of the proposal (1,217 units) did not have access to private amenity space. Following the scheme amendments, 89% of all units now benefit from external private amenity space, with a further 7% benefitting from internalised amenity. Accordingly, of the 1418 units proposed within the revised proposal (detailed element), approximately 60 units, equivalent to 4%, would not benefit from internal or external private amenity space. Of these, 40 are located within Block BF-F. As previously discussed within this report, the retained fabric of the existing factory building presents design constraints which are acknowledged by GLA officers. The additional 20 units without external amenity (or internal offset amenity) are located within proposed Block BC-1234 and is a result of the tapered profile of the building at upper levels, which makes it challenging to provide balconies or increase internal area, without disrupting the townscape. Given the small proportion of units and the generous communal amenity space provided within Block BC-1234, this is accepted.

277 The increase in private amenity space within the proposal is strongly supported and is considered to make a substantial improvement to the quality of the proposed accommodation. The significant increase in the number of flats with private outdoor amenity space was also supported by Southwark officers within their consultation response. In line with the Mayor’s guidance, the provision of internalised amenity space for 7% of the units is accepted, as it would provide a better quality of private amenity due to the external conditions such as noise from the railway and wind

tunneling. Whilst the private amenity is generally of a high-standard that meets minimum space standards, the revised proposal introduces ground floor duplex units to Block BF-F which include north facing private amenity gardens, adjacent to Clements Road. Whilst these gardens would provide an appropriate defensible space to these units, owing to the lack of privacy and north-facing orientation, the quality of amenity space would not be fully usable. Notwithstanding this, as the units within Block BF-F would be served by generous internal and external communal amenity space, on balance, the provision of amenity space for future occupiers of these units is acceptable.

278 In line with the Council’s RDS SPD, 50 sq.m. of communal amenity space must be provided for each plot, along with additional area to offset the under provision of private amenity space. Communal gardens are provided for residents of Block BC-1234 and BF-5 at podium and ground level. The remainder of the resident’s communal amenity is located at roof level to allow the ground floor to be as publicly accessible as possible. As detailed within Appendix IV of the Design and Access Statement, each plot would be served with private and communal amenity space in excess of Southwark’s requirements, with the exception of Blocks BF-OQ (25 sq.m deficit), BF-RST (1,428 sq.m deficit.) and Block BF-W (14 sq.m deficit). Southwark Council raised concerns regarding the significant shortfall in amenity space associated with Block BF-RST. Whilst this shortfall has been reduced from 1,800 sq.m. to 1,428 sq.m. as a result of the recent revisions, GLA officers note that this shortfall remains significant. Notwithstanding this, Block BF-RST would be served by an extensive area of public realm at the base of the building, including approximately 1,050 sq.m. of civic space in the North Yard, 1,865 sq.m. of mixed amenity space within the West Yard (including landscaped areas and play space), approximately 695 sq.m. of civic space within the East Yard, and 820 sq.m. within the BF-RST courtyard. On balance, and in recognition of the constraints of increasing the communal amenity space within the proposed tall buildings, GLA officers consider that the provision of communal amenity space accessible to the residents of all blocks would be adequate.

Layout and aspect

279 In line with the Council’s criteria for exemplary design discussed in paragraph 272, proposals which exceed recommended density range or include tall buildings should have a predominance of dual aspect residential units. Southwark’s committee report confirms that a predominance would generally be considered to be over 60% of units.

280 Southwark Council raised concerns regarding the proportion of single aspect units, including dwellings which have a northerly aspect, constrained outlook and dwellings with a sole aspect towards the railway. Southwark officers considered that the overall percentage of dual aspect units across the development was 55%.

281 The detailed element of the revised proposal would provide approximately 60% of units as dual aspect. Specifically, in the revised proposal, dual-aspect provision has been improved in Blocks BC-5, BF-F, BF-P and BF-RST, when compared to the original submission to Southwark Council:

Table 14: aspect and layout in detailed component of application

Block	Dual aspect ratio	Single aspect, north facing	Units per core
BC-1234	186 (71%)	No	6-7
BC-5	25 (65.8%)	No	9
BF-D&E	96 (52.5%)	Yes, 8 units (4%)	8

BF-F	64 (36%)	Yes, 6 units (3%)	11, reducing to 4 on top floor
BF-O, P&Q	117 (64%)	Yes, 7 units (3.8%)	5-8
BF-R,S&T	267 (52%)	No	8
BF-W	43 (74%)	No	4

282 The Council's RDS SPD allows for single aspect units where it can be demonstrated that the single aspect is of a standard not inferior to multiple aspects and that a high quality of design is achieved. Draft NSP Policy P14 states that single aspect dwellings will not be acceptable if they have two or more bedrooms, are north facing and where they face sources of high noise levels., The Mayor's Affordable Housing and Viability SPG allows some flexibility on some design standards for Build to Rent housing, such as the number of homes per core and the number of single aspect homes. The Council's committee report and GLA Stage 2 response raised specific concern regarding the residential quality of the single aspect units within Blocks BF-F and BF-RST.

283 In addition to the 21 single aspect units which would be north facing, the proposal would also include one-bedroom single aspect units and two-bedroom single aspect units facing the railway, contrary to draft Policy P14 of the New Southwark Plan. The difficulty in providing high levels of dual aspect units in schemes with high numbers of studios and one-bedroom flats it acknowledged by Southwark officers within their formal consultation response. GLA officers also recognise the difficulty in optimising the development capacity of large development sites, whilst balancing the requirement to provide a good quality of residential accommodation. Overall GLA officers consider that the proposal would deliver a high standard of accommodation. Specifically, the development would provide predominantly dual-aspect units and all units would benefit from good levels of internal daylight, outlook and views. In those instances where single-aspect units are overlooking the railway, a detailed mitigation strategy has been proposed to ensure these units benefit from high levels of amenity, ensuring an appropriate balance of noise mitigation, heating/cooling, and achieving good levels of daylight/sunlight. The railway viaduct spans the full southern boundary of the Site, and it is therefore inevitable that there will be a proportion of units overlooking the viaduct or in close proximity to it.

284 Within the report to committee, Southwark officers raised specific concern regarding the single aspect units within Block BF-RST which were considered to lack appropriate internal floorspace and private amenity space. Due to the minimum separation of 18.2 meters between adjacent towers, these units were considered to lack a sufficient level of privacy, outlook and daylight and sunlight. In response to these concerns, the applicant has made the following amendments:

- reshaping and detachment of Block BF-R to increase the quantum of dual aspect by 16 units and improve daylight to courtyard facing units;
- increased floorplate to both BF-S&T to accommodate enlarged core and additional inset balconies;
- two-storey reduction in height to the link between buildings BF-R and BF-T to improve daylight to courtyard facing units; and,
- introduction of external private amenity to all tower units bringing total to 98%, with internalised amenity space for mezzanine units.

285 The revisions to Block BF-RST significantly improve the standard of accommodation to the single aspect units in terms of outlook, privacy and amenity. Furthermore, the submitted addendum

to the Internal Daylight and Sunlight Assessment confirms that courtyard facing rooms have seen a meaningful improvement in daylight and sunlight levels. Overall, the proposed single aspect units within Blocks BF-RST are considered to provide a standard of accommodation which is equivalent to dual aspect units, in line with the requirements of the RDS SPD.

286 As demonstrated in Table 14, converted Block BF-F includes predominantly single aspect units, with a core to unit ratio of 11 units per floor, in excess of strategic and local policy requirements. In addition to this, a significant proportion of the units are not provided with private amenity space. Following Southwark Council's recommendation for refusal, the overall amount of dual aspect units within this block has increased from 55 to 64. The remaining single aspect units within Block BF-F include generous internal floor to ceiling heights, additional windows and would exceed the minimum floor space standards. They would not face a source of high noise levels. In addition to this, the residents would benefit from generous communal amenity space. On balance, acknowledging that the retained fabric of the existing factory building presents some genuine design constraints, the layout and residential quality of Block BF-F is acceptable.

287 Officers note that Block BC-5 includes a core to unit ratio of up to 9 units. Whilst this minor departure from local and strategic policy is noted, overall, officers do not consider that the core to unit ratio has a detrimental impact on the standard of residential accommodation within this block.

288 Overall, the revised proposal has successfully maximised dual aspect units across the development site whilst optimising development potential. Whilst the proposal would result in 21 single-aspect north-facing units, these units would benefit from generous floor-to-ceiling height, good outlook, good quality amenity space and BRE compliant levels of daylight. Furthermore, whilst the proposal also results in a small number of single-aspect units facing the railway viaduct, these units would include mechanical cooling, inset balconies and suitable amenity space via rooftop amenity areas.

Internal daylight and sunlight

289 An addendum to the Internal Daylight, Sunlight and Overshadowing Assessment has been prepared to present the relevant scheme amendments and provide an up-to-date assessment of the proposed development in line with Policy D6 of the Mayor's Intend to Publish London Plan and draft Policies P14 and P16 of the draft New Southwark Plan. Whilst internal daylight and sunlight was not in itself cited a reason for refusal, Southwark Council raised specific concern regarding the daylight levels within single aspect rooms in the courtyard of Block BF-RST and single aspect units within Block BC-1234. The revised development seeks to address the concerns raised within Southwark's committee report whilst also ensuring that the revisions to layout and massing do not introduce new impacts to daylight and sunlight levels.

290 Overall, the results of the technical assessment demonstrate that the revised proposal retains very good levels of daylight, with 87% of the proposed rooms that have been assessed achieving the recommended levels of Average Daylight Factor (ADF) or above and most rooms applicable for sunlight assessment seeing excellent levels of Annual Probable Sunlight Hours (APSH). Whilst it is noted that the assessment demonstrates minor reductions in overall compliance in Blocks BF-DE, BF-F, BF-RST and BF-W due to the revisions to the proposal, these reductions are generally a result of additional balconies and reduced fenestration to mitigate overheating concerns. As discussed within Southwark's committee report, within large-scale developments, a balance needs to be achieved between high light levels, overheating, private amenity and density. GLA officers are satisfied that the proposed revisions to layout and massing result in a significant improvement to the residential quality of the development, whilst ensuring that good levels of daylight and sunlight are maintained.

291 The addendum report specifically addresses the Council's concerns regarding daylight to Blocks BC-1234 and BF-RST. Additional testing has been undertaken to assess the impacts of the increased massing from Blocks BD-5, BF-OPQ and BF-F on Block 1234. Overall, the assessment concludes that the increased massing of surrounding blocks has not impacted the quantum of light within Block-1234. All living rooms and living/kitchen/dining rooms falling short of guidance do so as a result of a balcony provided overhead. GLA officers consider that the benefits of the provision of amenity space would outweigh any harm from the marginally reduced levels of daylight.

292 Significant amendments have been undertaken to the layout and massing of Block BF-RST in response to concerns raised by Southwark Council regarding the quality of accommodation within courtyard facing, lower level rooms. These amendments include widening the courtyard, lowering the massing of the western side of the building and increasing the proportion of dual aspect units. The amendments to Building R and widening of the courtyard have addressed Southwark Council's concerns on daylight and sunlight levels within the courtyard facing units, however in turn, the revisions have resulted in the northern facades moving closer to Blocks BF-DE and BF-F, which are therefore more obstructed. In addition to this, the outer building facades are more affected by increased massing of Blocks BF-DE, BF-F, BF-OPQ, and BF-UV. Overall, the revised assessment demonstrates an increase in the number of rooms falling short of BRE guidance for daylight levels. The assessment demonstrates a worst-case scenario where 37 of the 42 living rooms on the lowest floors would fall short of the guidance as a result of their recessed balconies and reduced sky visibility. Overall, the revisions to Block BF-RST offer an improved quality of accommodation, especially to inner courtyard units. Whilst the reduction in daylight and sunlight compliance to outer facing lower units is acknowledged, this minor reduction must be considered in the context of the significant improvements to amenity within the block, including the significant increase in provision of balconies. On balance, Block BF-RST is considered to experience acceptable levels of daylight and sunlight for a tall building, centrally located within a large-scale development site in an urban context.

293 The addendum document has undertaken an overshadowing analysis for amenity areas. Whilst there have been isolated changes in overshadowing, the findings remain generally consistent with the conclusions within the 2017 report. The development as a whole provides a variety of amenity spaces which will see differing levels of sunlight throughout the day and months. Whilst it is acknowledged that there would be some communal spaces which would not comply with the BRE guideline for sunlight, given the range of public realm areas within the site, future occupiers will have sufficient access to sunlit amenity space.

Noise and vibrations

294 Paragraph 180 of the NPPF states that new development should ensure that potential adverse impacts resulting from noise are mitigated or reduced to a minimum; and noise levels which give rise to significant adverse impacts on health and the quality of life are avoided. Further guidance is provided in the Government's Planning Practice Guidance (PPG) and the Noise Policy Statement for England (NPSE) (2010). London Plan Policy 7.15 and Intend to Publish London Plan Policy D14 seeks to ensure an acceptable environment in new residential development with regard to noise. Intend to Publish London Plan Policy D13 sets out the Agent of Change principle.

295 While the PPG and NPSE do not provide decision makers with technical or numerical values for categorising and assessing noise levels in decibels (dBs), industry standard guidelines set out in British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' recommends that daytime noise levels do not exceed 35dB and night-time values in bedrooms do not exceed 30dB. This is aligned with the World Health Organisation recommendations set out in Guidelines for Community Noise (1998). With regard to external private and communal amenity spaces, British Standard BS8233:2014 recommends that external noise levels do not exceed an upper guideline value of 55dB.

296 There is potential for the proposed development to be exposed to noise and vibrations from nearby road traffic and the railway viaduct which runs along the south-western boundary, as well as potential industrial uses from within the railway arches in the future. The section of the line running adjacent to the southwest boundary of the site is one of the main routes into and from London. As a result, the quantity of rail traffic is significant with approximately 1,450 trains passing the site during the daytime (07:00-23:00) and 190 during the night-time (23:00-07:00). In this context, it is noted that the amendments made to the proposals in September 2019 have resulted in the buildings projecting between 2.0 and 2.5 metres closer to the railway line.

297 The applicant's Environmental Statement contains a Noise and Vibration Assessment. An addendum to this document has been prepared to address the revisions to the original proposal. Updated glazing strategies have been developed for the amended proposal to ensure that the building facades will be capable of achieving the internal noise limits. Ventilation strategies have also been developed based upon providing a balance between the internal noise requirements, ventilation, daylight and internal thermal comfort. Where external noise levels are high (adjacent to the railway) the internal noise levels requirements have taken precedence over cooling via passive means. Overall, mechanical ventilation strategies are required for 25% of residential units. Technical specialists commissioned by the Council and GLA have independently reviewed the Noise and Vibration Assessment and addendum document, and the methodology and findings are considered to be robust. A condition is secured requiring the applicant to submit for approval, detailed design for the noise insulation of the building's facade and related noise mitigation and to incorporate these measures into the final build. Furthermore, subject to conditions requiring detailed specification of equipment and internal sound insulation measures, the plant, machinery and commercial uses on the ground floor would not adversely impact on residential amenity.

298 An updated noise assessment has been undertaken for the amenity areas within the development. Whilst it is noted that Southwark Council sets ambient noise requirements for private residential amenity areas of 50dB, the British Standard BS8233:2014 recommends that external noise levels do not exceed an upper guideline value of 55dB. Whilst private balconies facing Clements Road and internal courtyards (facing away from the railway viaduct) will be capable of meeting the required noise levels, for private balconies directly facing or adjacent to the railway viaduct and lower apartments closer to Drummond Road, the balcony would require fully enclosing to meet the required noise levels. The applicant has expressed that fully enclosing balconies would have fundamental implications upon design and other technical elements, such as daylighting, overheating and ventilation, and would in part remove the connection to the external environment. In order to avoid fully enclosing the amenity space, inset balconies are proposed for units overlooking the railway. GLA officers note that inset balconies provide elevated levels of screening when compared to projecting balconies, and as such, the proposed strategy/mitigation is supported. In terms of the communal amenity space, rooftop amenity within Blocks BF-DE and BF-RST would require screening to achieve the ambient noise levels. Details of the required screening would be secured as part of the landscape strategy condition.

299 The Noise and Vibration Assessment has assessed the impacts of the adjacent railway viaduct within residential dwellings. Predictions were undertaken to establish the likely levels of vibration, induced re-radiated noise and tactile vibration in the most effected buildings that form part of the development. It was found that for Blocks BF-W, BF-D&E and BF-RS&T mitigation is likely to be required. The assessment recommends a range of vibration mitigation measures which should be incorporated within the detailed design and construction phase. Further details of the type and amount of mitigation will be secured by condition. Subject to this condition, GLA officers do not consider that the proposed residential units are likely to be exposed to adverse levels of vibration.

300 In line with Policy D13 of the Intend to Publish London Plan, the responsibility for mitigating the impacts from the noise generating activities which may operate from the railway arches is on the proposed new noise-sensitive development. Whilst the proposal would introduce residential

units facing the railway arches within Blocks BF-D&E, BF-RST and BF-W, the design of these blocks would reduce the potential impacts from the activities occurring within the arches. Specifically, the blocks have been setback from the railway viaduct and are separated by a shared road. Furthermore, these blocks would include commercial units at the lower levels, with residential development located at third floor and above in Block BF-DE (18 metres AOD), first floor and above in Block BF-RST (10.9 metres AOD) and first floor and above in Block BF-W (11 metres AOD). In addition to this, where possible, residential units overlooking the railway arches are dual-aspect, with their primary outlook and amenity space located on side facing elevations. Accordingly, officers are satisfied that the proposed residential units would not compromise the uses occurring within the railway arches, or potential future industrial uses, in accordance with draft Policy D13 of the Intend to Publish London Plan.

Outlook and privacy

301 The Council's RDS SPD recommends a minimum distance of 21.0 meters between the rear elevation of properties and 12.0 meters distance between properties that face one another, including across a highway. Notwithstanding this, the Mayor's Housing SPG notes that "in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18-21 metres between habitable rooms. Whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density".

302 Whilst the minimum privacy distances would be exceeded on most blocks, the privacy distances between Block BF-RST were of most concern to the Council in respect of the original scheme. Specifically, Southwark Council identified that 29 of the units facing into the courtyard on floors 1-7 would be single aspect and 26 of these would also lack amenity space. In conjunction with the lower levels of daylight and sunlight to these units, the below compliant separation distances would result in a substandard quality of accommodation. As previously discussed, following the Council's recommendation for refusal, the applicant has made significant revisions to Block BF-RST to overcome this reason for refusal. Distances between opposite courtyard facing units has been increased from 18.2 metres to 29.5 metres and the floorplans have been offset to reduce the potential for overlooking between blocks. It is therefore considered that the previous privacy and outlook concerns for Block BF-RST have been satisfactorily addressed.

303 The privacy of residents whose flats face onto podium level communal gardens or ground floor public realm would be adequately safeguarded by planting, the details of which would be secured through the landscaping condition. Furthermore, in order to mitigate against potential overlooking between dual aspect units and private balconies within Block BC-1234, it is proposed to introduce privacy screens to a number of balconies, the details of which will be secured by condition.

Outline component

304 Proposed Blocks BF-U and BF-V have been submitted in outline. The submitted parameter plans and design guidelines form control documents which would regulate future applications for reserved matters. Whilst the detailed internal layout would be subject to assessment during reserved matters stage, GLA officers are satisfied that the proposed siting and footprint of the building, separation distances and massing parameters would enable a high quality of residential accommodation to be delivered. Defensible space around the building, private amenity, and play space have been addressed within the design guidelines and would considered in detail at reserved matters stage.

Summary of residential quality

305 Within their recommendation to committee, Southwark Council officers considered that the proposal did not provide an exemplary quality of accommodation for future residents to overcome the potential negative impacts of high density living and cited this as a reason for refusal. Members of the committee agreed with the recommendation. As discussed, in line with the London Plan, Intend to Publish London Plan, draft New Southwark Plan and draft site allocation NSP10, GLA officers consider that the proposed density is acceptable and represents optimisation of a currently underutilised site. The revised scheme has sought to address Southwark’s concerns regarding amenity space, single aspect dwellings, noise, outlook and privacy. The Council’s consultation response on the amendments broadly welcomes the improved residential quality, albeit that some of the remaining shortfalls in quality of accommodation are negative factors weighing against the scheme. However overall, the proposed development would deliver a high quality of residential accommodation, in broad compliance with London Plan Policies 3.5 and 7.15, Policies D4, D6, D13 and D14 of the Intend to Publish London Plan, saved Southwark Policy 4.2, draft NSP Policy P14, the Mayor’s Housing SPG and Southwark’s Residential Design Standards SPD, and therefore overcomes the reason for refusal.

Play space

306 Policy 3.6 of the London Plan and Intend to Publish London Plan Policy S4 require developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the Mayor’s ‘Shaping Neighborhoods: Children and Young People’s Play and Informal Recreation SPG’ and Southwark’s Residential Design Standards SPD. This requires under-five’s play space provided on-site (within 100 metres walking distance from a residential unit), provision for 5-11 year olds to be provided within 400 metres of residential units, and provision for over-12s to be provided within 800 metres.

307 Prior to the amendments to the scheme, the development included 2,155 sq.m. of dedicated playspace for ages 0 to 4 and 5-11. The recreation needs for older children were to be met off-site via a financial contribution. Both the Southwark committee report and GLA Stage 2 response considered the provision of play to be acceptable and in line with London Plan Policy and the Play and Informal Recreation SPG.

308 Prior to the recent resubmission of the revised proposal (September 2019), the GLA published an updated GLA Population Yield Calculator to support draft Policy S4 of the Intend to Publish London Plan. Based on the housing mix provided in Table 15 and the GLA’s updated play space calculator, a child yield of 402 can be expected, resulting in a requirement for 4,020 sq.m of playspace. In total, the proposed development would provide 2,190 sq.m. of on-site play, comprised of 1,360 sq.m. of doorstep play space for ages 0-4 and 830 sq.m. on-site play for ages 5-11. Play for 12+ is proposed to be provided off-site.

Table 15: play space requirements and on-site/off-site provision

Age group	Expected child yield	Play space required sq.m.	Proposed play space sq.m.	Balance
Under 5	193	1930	1360	-570
5 to 11	137	1370	830	-540
12+	72	720	0	-720
Total	402	4020	2190	-1830

309 The dedicated play provision comprises the following:

Doorstep play for 0-4-year olds:

- 150 sq.m. within a communal garden for Block BF-5;
- 360 sq.m. at podium level within Block BF-1234;
- 150 sq.m. within Salter Square;
- 200 sq.m. on the western side of Block BF-Q;
- 200 sq.m. within a communal roof terrace within Block BF-DE;
- 100 sq.m. within a roof terrace within Block BF-F;
- 100 sq.m. for outline Block BF-U; and,
- 100 sq.m. for outline Block BF-V.

Dedicated play space for 5-11-year-olds:

- 330 sq.m. of local playspace within the West Yard; and,
- 500 sq.m. of neighborhood play within Keeton's playspace.

310 The provision of playspace would be of a high-quality and would not be segregated by tenure, in compliance with the requirements of Intend to Publish London Plan Policy S4. Furthermore, the distribution of playspace across the site has been well-considered. Subject to a condition requiring further information of the detailed design and use of play equipment within these areas, the quality of the dedicated playspace is supported, in line with London Plan and Intend to Publish London Plan Policy and the Shaping Neighborhoods SPG.

311 Officers note that whilst the proposed Block BF-W would be served by a 90 sq.m. communal amenity space at roof level, this block would not benefit from dedicated doorstep play. The Mayor's SPG requires that in order to qualify as dedicated playspace for 0-4 year olds, playspace must be a minimum of 100 sq.m. Therefore, even if the entire area was given over to playspace, at the expense of the resident's communal amenity space, the provision would fall short of the minimum standards to be considered as dedicated play. Notwithstanding this, the applicant has committed to providing elements of fixed play equipment within the communal amenity space, the detailed design of which will be secured by condition. In addition to this, the existing play facilities at Shuttleworth Park are located within 90 metres of Block BF-W and would provide dedicated play for the older age groups. On balance, the proposed playspace strategy for Block BF-W is acceptable.

312 As demonstrated within Table 15, the proposed scheme includes a significant shortfall in dedicated play space for all age groups. As part of the recent revisions, the applicant has explored opportunities to increase dedicated playspace within various locations around the site. A summary of this assessment has been provided within Part E of the Design and Access Statement. This assessment found that any further increase in dedicated play provision around the site, in areas that would comply with BRE guidelines on sun exposure, would compromise the other public amenity spaces.

313 In addition to dedicated play areas, the wider application site has sought to incorporate multi-functional pedestrian spaces which offer incidental opportunities for play for users of all ages. Overall, approximately 4,745 sq.m. of incidental playspace would be provided across the site, predominantly located within the public realm at the base of Block BF-RST, within Keeton's Road pedestrianised street and within the courtyard space between Blocks BF-OPQ. These areas are easily accessible, located along primary pedestrian movement corridors and overlooked by adjacent residential and retail frontages. The play experiences include hard surfaces for ball games or chalk drawings, natural play within gardens and raised lawns, sensory play, sculptural objects providing

play and seating opportunities. Officers are satisfied that the pedestrian focus of the public realm would create a safe environment for incidental play within the development site.

314 In line with Intend to Publish London Plan Policies S1 and S3, the applicant proposes to facilitate access to the school play facilities, outside of school hours, to provide additional playspace. The school facilities include a Multi-Use Games Area (MUGA) and an indoor sports hall, amounting to approximately 800 sq.m. The details of the proposed access arrangements will be secured within the Community Use Agreement, through planning condition.

315 In terms of play opportunities within the surrounding area, the following spaces have been identified: Shuttleworth Park, Southwark Park, St James' Churchyard and Alexis Street Playspace and two MUGA's on Drummond Road, all of which provide playspace for 0-11 age group. The walking routes to these locations are detailed within Section 5.5 of the Design and Access Statement. In line with draft Policy S3, these facilities are within approximately 400 metres of the site and are accessible via safe pedestrian routes from the site.

316 GLA officers acknowledge that the increased playspace provision as required by the revised GLA Population Yield calculator were released following the original design and submission of the application to Southwark Council. As discussed above, officers are satisfied that the provision of on-site play has been successfully maximised within the current design and an extensive redesign would be required in order to meet the current playspace requirement. In this context, and also considering the range of public realm provided across the site, which includes integrated play features, in this instance, officers consider that a financial contribution of £100,000 would adequately mitigate the on-site play space shortfall. This would be secured within the S106 agreement. This contribution will be used towards improving playspace within the surrounding area, which includes all costs including fees and construction costs.

317 Accordingly, whilst the significant deficit in on-site dedicated playspace is acknowledged, GLA officers are satisfied that the masterplan design has sought to maximise dedicated play areas, whilst also providing a significant amount of incidental play across the site. Overall, the layout, distribution and design of the on-site play complies with London Plan Policy 3.6, Intend to Publish London Plan Policy S4 as well as the qualitative design principles set out in the 2016 Housing SPG and Playspace SPD. Furthermore, the intent to utilise the school facilities for out of hours play and the financial contribution towards off-site play, complies with the Intend to Publish London Plan Policies S1, S3 and S4. As such, the level of on and off-site play space is considered to be acceptable.

Urban design

318 The NPPF (at paragraph 124) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 127 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, chapter 7 of the London Plan and chapter 3 of the Mayor's Intend to Publish London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. London Plan Policy 7.1 (Lifetime neighbourhoods) sets some overarching design principles for development in London as does Policy D4 of the Mayor's Intend to Publish London Plan (delivering good design). Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (London Plan Policy 7.2/ Policy D5 of the Intend to Publish London Plan); designing out crime (London Plan Policy 7.3/ Policy D11 of the Intend to Publish London Plan); local character (London Plan Policy 7.4); public realm (London Plan Policy 7.5/ Policy D8 of the Intend to Publish London Plan); architecture (London

Plan Policy 7.6); tall and large scale buildings (London Plan Policy 7.7 and Policy D9 of the Intend to Publish London Plan).

319 In terms of local policy, Strategic Policy 12 of the Southwark Core Strategy states that development in the borough will be expected to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Saved Policies 3.11, 3.12 and 3.13 seek to provide an efficient use of land which take account of the principles of good design, including height, scale and massing, consideration of the local context, its character and townscape as well as the local views and resultant streetscape. Saved Policy 3.20 of the Southwark Plan sets out specific design requirements for tall buildings. The draft New Southwark Plan 2019 contains amended policies on design and the draft site allocation provides site specific principles for the proposed development.

320 The scheme has been considered in detail at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the Council in reporting the application to Committee. The GLA Stage 1 and 2 response strongly supported the proposed masterplan layout, which was considered to enable the delivery of a high quality, permeable, mixed-use neighbourhood. Furthermore, Southwark Council's committee report expressed support for the masterplan layout, the provision of public realm, improved pedestrian permeability and the architectural form, which was noted as being of a high quality. Overall, Southwark Council concluded that the proposed development was of an acceptable design, in line with London Plan and Local Policy.

321 Following the Mayor's recovery of the application numerous design workshops were held with the applicant and the architects. Whilst the revised proposal retains the original design principles of the masterplan, various amendments to layout, design and massing have been undertaken to respond to the reasons for refusal and the concerns raised in the Mayor's Stage 2 report.

Layout, masterplanning and public realm

Masterplan

322 The proposal is for the comprehensive, phased, masterplan-led redevelopment of the former Biscuit Factory site and Bermondsey Campus site. The masterplan broadly comprises two main character areas; a mixed-use quarter at the former Biscuit Factory site and a predominantly residential neighbourhood with a replacement secondary school, at the Bermondsey Campus site. The principal arrangement and layout of the proposed buildings and land use across the site has been retained within the revised proposal, albeit with minor amendments to building footprints where necessary. The overall proportion of the site area covered by building footprints is effectively unchanged since the previous iteration of the proposal considered by Southwark Planning Committee.

323 In line with the draft site allocation NSP10, the development would provide a new pedestrian route beginning at Bermondsey Underground Station, leading south down Keeton's Road and towards the former Biscuit Factory site. Whilst Keeton's Road is currently interrupted by the existing college grounds, the proposal would reinstate and partly pedestrianise this route, to link Jamaica Road with Clements Road to the south. Keeton's Road is proposed as the main residential and commercial spine for the development, activated by ground floor retail uses. The primary pedestrian route would continue through the former Biscuit Factory site passing through the main yard and public realm surrounding Blocks BF-RST, before entering two intended railway arch cut-throughs or continuing beside the railway viaduct as part of the Low Line. These would link Jamaica Road and Bermondsey Station with the Blue market shopping area and neighbourhoods south of the railway. In addition to the primary route, secondary routes are proposed across the site to integrate with the surrounding street network, link public spaces, provide pedestrian access to the Compass School

and activate the Low Line route. Overall, the layout of routes and spaces within the masterplan transforms the currently impermeable factory and college sites, generating a legible and permeable street grid, which would significantly enhance permeability across the site and within the surrounding area. The masterplan layout is in accordance with the design objectives of the London Plan, Intend to Publish London Plan, Local Plan Policies, draft NSP design policies and the draft site allocation.

324 In line with the site allocation and the wider aspirations of Southwark Council, the proposal would enhance the Low Line public realm corridor adjacent to the railway viaduct, referred to as Shard Walk. The Low Line would be activated by retail and town centre uses and residential lobbies along the southern elevations of Blocks BF-RST and BF-DE. As part of the proposed amendments, the footprints of proposed Blocks BF-RST and BF-DE are shifted 2.3 metres towards Shard Walk. A sheltered loggia arcade (beneath the upper floors of the building) is introduced along the southern side of the buildings, providing a covered pedestrian walkway adjacent to the retail uses. Given the shared use of Shard Walk, which would accommodate service vehicles and cyclists, the introduction of a delineated pedestrian footway is a welcomed amendment to the proposal which would create a safe and inviting environment for pedestrians, in line with London Plan Policy 6.10 and Policy D8 of the Mayor's Intend to Publish London Plan. As discussed further in the transport section below, the reduced width of Shard Walk in these locations would not impact the ability of service vehicles to access this part of the site.

325 As discussed in paragraphs 210-214, the applicant is intending to deliver two new routes under the railway in line with draft site allocation NSP10. Whilst the proposed routes through the arches remains the primary option, as an alternative, the applicant is proposing to enhance the existing routes beneath the railway viaduct on Southwark Park Road and St James's Road. The existing railway viaducts in these locations are in a poor condition and suffer from poor lighting, which in turn significantly reduces the perception of safety and overall usage of these routes. The proposal to enhance these areas, together with the activation of the Low Line, is a suitable alternative to the new archway routes. Whilst it is acknowledged that the absence of securing the new archway routes was cited as a reason for refusal within Southwark's committee report, subject to appropriate strategy of improvement works, which will be secured within the section 106 agreement, GLA officers consider the enhancement of the existing routes on Southwark Park Road and St James's Road are a suitable alternative should the new archway routes not be deliverable.

326 More generally, the proposed masterplan blocks are well-proportioned and positioned and would provide a legible distribution of uses and front entrances to reinforce the primary street network, whilst also offering a variety of secondary routes through a varied network of public realm and landscaped pocket parks. The pedestrian focus of the public realm is strongly supported, and it is welcomed that service routing has been carefully considered in order to minimise the overall impact of vehicular traffic within the heart of the masterplan.

327 Overall, the site layout principles respond well to the Council's draft site allocation and the urban design policies of the London Plan and local plan. Further detailed consideration of specific plot layouts is considered further below.

The campus plots

328 The replacement Compass secondary school would be accommodated within proposed Block BC-6 at the northern edge of the masterplan site, adjacent to the existing school. The school would be delivered within the first phase of the masterplan to enable the decant of the existing campus before its demolition. The proposed building would be bound by Flannery Court residential block to the north, Keeton's Road to the east, Drummond Road and Flannery Court to the west and to the south by new buildings within the proposed masterplan (Block BD-1234). A proposed pedestrian

link between Keeton's Road and Drummond Road would provide adequate separation between the school building and proposed mixed-use Block BC-1234.

329 The campus has been designed to address the specific needs of the school and the requirements of the Department for Education (DfE). The school building comprises a six-storey learning block at the centre of the site, with a three-storey wing and elevated sports hall, along with a rooftop MUGA. The school typology stacks standardised classrooms over numerous levels in order to achieve a more efficient building footprint. The U-shaped arrangement of the building allows for a generous south-facing playground and a sheltered courtyard to the north. The main entrance to the school is from Keeton's Road, where the main public-facing facilities are located. The building would have a high-quality finish, including brickwork and metal cladding.

330 The overall design approach is strongly supported and provides a successful model for high-density secondary schools within constrained inner London sites. The proposed building generally respects the prevailing massing and layout of the adjacent residential development, whilst providing easy to navigate, safe and highly accessible educational facilities. The main playground spaces together with the elevated MUGA and roof-top terraces ensures the school has adequate recreational facilities to meet its needs. The school has been designed to Building Bulletin 103 Area Guidelines and would include high-quality materials and finishes, details of which are secured by condition. The proposed Compass school is strongly supported in line with London Plan Policies 3.16 and 3.18, Policies S1 and S3 of the Mayor's Intend to Publish London Plan, saved Policies 2.2 and 2.4 of the Southwark Plan and draft site allocation NSP10.

331 The remainder of the Campus plot comprises two mixed-use, residential-led buildings: Block BC-1234 located between Drummond Road and Keeton's Road, and Block BC-5 which is bordered by Collett Road to the north and Webster Road to the south. Following the Mayor's decision to call in the application, minor internal and external alterations have been undertaken to both blocks. The layout and siting of these blocks would create active frontages along the proposed pedestrian streets and would reinforce the street edges along Drummond Road and Clements Road. Block BC-5 would sit comfortably with the adjacent residential development on Collett Road and Webster Road. The provision of a landscaped pedestrian route and a public square adjacent to Clements Road are strongly supported in line with London Plan Policy 7.5 and Policy D8 of the Mayor's Intend to Publish London Plan. Overall, GLA officers consider the layout of the Bermondsey Campus site has been well-considered and would accord with the London Plan and Local Plan Policies on place-making, as well as emerging policy.

Biscuit Factory plots

332 The former Biscuit Factory site would comprise six plots of buildings located around the retained Workspace buildings. The part retention and refurbishment of Blocks BF-F and BF-U is a welcomed aspect of the scheme which would provide suitable reference to the historical use of the site, which is supported by Historic England. A well-considered street pattern creates a walkable, permeable and legible layout around the proposed and retained blocks, providing access to the site from Clements Road and Drummond Road. An assessment of the Biscuit Factory plots carried out by Southwark Council within their report to committee confirmed that the layout of the site was functional and appropriate to the site and surrounding context. Following the recent amendments to the scheme, alterations have been undertaken to the footprint of Blocks BF-ED and BF-RST and the surrounding areas of public realm.

333 The proposed block layout and use of active ground floor frontages would successfully reinforce the street edge along Clements Road and Drummond Road. The inclusion of duplex units along Clements Road provides reference to the low-scale residential nature on the opposite side of Clements Road, which would activate this formerly blank frontage.

334 The proposed siting and layout of Keeton's playspace is strongly supported in terms of reinforcing the street edge and responding to the prominent location on the corner of Drummond and Clements Road. The public realm would draw pedestrians into the site and provide pedestrian links through to the North Yard. The proposed ground floor commercial space within Block BF-F would provide an additional internal route to the main public realm within the Biscuit Factory site. Whilst it is acknowledged that the amendments to the footprint of Block BF-RST would marginally reduce the scale of the West Yard, overall the public realm around the base of this block provides a high-quality and versatile community hub within the heart of the development. The applicant has introduced an open loggia area within the undercroft of this building, which provides a successfully visual and physical link to the internal courtyard to the West Yard and Main Yard. The proposed pedestrian routes within the archways appropriately align with the public realm.

335 Southwark Council raised concerns regarding 'blind-spots' and illogical routes within two areas of the former Biscuit Factory site and cited the adverse impact on highway safety as a reason for refusal. The two areas of concern are located adjacent to the retained Workspace buildings. As discussed within paragraphs 532-535, the applicant has sought to reduce the perceived conflict between cyclists, pedestrians and vehicles in these areas through a reduction in overall vehicle movements across the site, proposed traffic calming measures and creating dedicated pedestrian zones. Given the Workspace buildings sit outside the redline boundary and are not within the applicant's ownership, there is little scope to alter the environment within this area of the site. Notwithstanding this, the proposed layout successfully establishes an activity hub at the base of Block BF-RST through the provision of public realm and active ground floor retail and commercial uses. The design directs activity and pedestrian routes within the central areas of the site, reducing the need for pedestrians to travel within servicing and delivery areas of the site. Accordingly, as the areas around the retained workspace buildings are not considered to be main pedestrian desire lines, GLA officers are comfortable that the proposed development sits comfortably with the retained workspace buildings and creates an acceptable level of safety and comfort for pedestrians. Notwithstanding this, a condition has been secured requiring the details of the layout and design of any road, footway or cycleway within the site to be approved by the Local Planning Authority, prior to works commencing on each phase.

336 Overall, the layout of the former Biscuit Factory site has been successfully designed to sit alongside the retained Workspace buildings, whilst significantly improving permeability and the provision of high-quality public realm in line with London Plan, Local Plan and emerging design policies.

Public realm and landscaping

337 London Plan Policies 7.5 and 7.21, Strategic Policy 12 of the Southwark Core Strategy and saved Southwark Policy 3.3 are relevant in respect to place-making and public realm. In terms of emerging policy, Policy D8 of the Intend to Publish London Plan and draft New Southwark Plan Policy P12 require a high quality of public realm which encourages active travel.

338 The proposed development would provide approximately 30,608 sq.m. of public realm, including 18,952 sq.m. streetscape; 2,190 sq.m. of play space; 141 new trees- a significant proportion would be located along Drummond Road and Clements Road; over 1,000 sq.m. of new planting beds; and, over 500 sq.m. of new public lawns.



Figure 7: proposed public realm strategy;

339 In addition to the range of private and communal amenity areas, the proposed development includes significant areas of public realm which are demonstrated in Figure 7 and have been summarised below:

- Keeton’s Link: two sections of pedestrian streets located between Blocks BC-1234 and BC-5 and Blocks BF-F and BF-OPQ. These areas include retail spill out zones, communal playspace, public seating and communal gardens.
- School Link: a pedestrian street located between the replacement school (Block BC-6) and BC-1234. A pedestrian crossing will provide access to this area from Drummond Road.
- Salter Square: An active space which supports community-based uses at ground floor, with dedicated play, public seating and spill-out zones. Canopies of mature trees provide shade to the playspace and seating areas.
- Keeton’s Play Space: A significant area of dedicated play, suitable for all age groups.
- North Yard: The North Yard is located to the north of Blocks BF-RST and is the arrival space within the heart of the Biscuit Factory site. This space is a simple and flexible space designed to host community and resident-led events. The North Yard consists of a simple panel of paving with fixed seating and retail spill-out from the ground floor units.
- West Yard: The scale of the West Yard has been reduced as a result of the revised footprint of Block BF-RST. This area has been designed as a publicly accessible garden, and includes seating, trees, raised panels of lawn and dedicated play space.
- Block BF-RST publicly accessible courtyard: This area has been developed as a result of the revisions to the footprint of Block BF-RST. The space will provide an intimate courtyard which forms a connection between the West Yard and Shard Walk. The area is characterised by hard landscape surface treatment with islands of shrubs and tree planting and public benches.
- East Yard: The East Yard extends from the North Yard. This area is characterised by trees and planting which create pockets of sheltered seating.

- Main Yard: The Main Yard forms part of the outline component. Whilst this area catches the morning sun, it is subject to south-westerly winds and therefore requires a canopy over the space. Further details will be submitted at reserved matters stage.
- BF-F Courtyards: Two publicly accessible courtyards are proposed within the ground floor of Block BF-F. Courtyard B is a simple internal setting area while Courtyard A is a soft landscaped roof-free box.
- Block BF-F roof terrace: a 660 sq.m. of publicly accessible roof terrace with north facing view of the City of London.

340 In line with draft Policy D8 of the Intend to Publish London Plan, two public water fountains would be provided within the areas of public realm, along main pedestrian routes. This requirement would be secured within a section 106 agreement.

341 The proposed public realm, open space and planting provision on the site is generous, varied and high-quality, as are the associated pedestrian facilities and infrastructure. In line with draft Policy D8 of the Intend to Publish London Plan and draft New Southwark Plan Policy P12, the public realm has been designed with a pedestrian focus, which would provide a safe, accessible and attractive network of primary and secondary pedestrian routes. Overall, the public realm strategy meets the expectations of site allocation NSP10 and the relevant policies of the London Plan and Local Plan Policy, including emerging policy.

Conclusion

342 The layout, landscaping and masterplanning proposals would provide a good sense of place, with generous, varied and high-quality public realm, open space and landscaping. The layout of routes and spaces within the masterplan transform the currently impermeable factory and college sites, generating a legible and safe environment for pedestrians, which would significantly enhance permeability across the site and within the surrounding area, in line with the draft site allocation. It is considered that the proposals accord with London Plan Policies 6.10, 7.4 and 7.5; Policies D4 and D8 of the Intend to Publish London Plan; saved Policies 3.12 and 3.13 of the Southwark Plan, draft New Southwark Plan Policies P12 and P13, and draft site allocation NSP10.

Height and massing

343 The site is situated within an area of mixed character, with buildings ranging in height from 2-3 storeys to the north-west of the site, increasing to 4-7 storeys to the east along Drummond Road. Whilst Southwark's committee report acknowledged that the scale of the original proposal would exceed that of surrounding areas, this was not considered to be of such a prominence as to cause significant harm to the character of the area or the setting of neighbouring heritage assets. The heights and massing presented within the original submission were therefore considered acceptable by the Council.

344 Following the Mayor's recovery of the application, GLA officers engaged with the applicant through design workshops to ensure that the scheme optimises the development potential of the site and increased affordable housing provision, whilst providing the highest quality design. It was considered that additional height could be supported throughout the development, principally located centrally within the site and along the railway viaduct, at those buildings which were previously taller elements within the original submission. In line with Southwark pre-application discussions, a lower scale and massing is retained within the Bermondsey Campus site to reflect the lower scale and massing of adjacent buildings.

345 Whilst single storey increases in building heights are proposed across various buildings within the Biscuit Factory site, Blocks BF-S, BF-T, BF-R, BFE and BF-W would experience greater height increases, ranging between three to seven storeys. Prior to the Mayor’s direction to call in the application, the greatest height was situated at the centre of the site within proposed Block BF-RST. This building remains to be the tallest block within the masterplan, with seven additional storeys added to BF-S and BF-T, and one additional storey to BF-R. Accordingly, Block BF-RST now rises to 35 and 26 storeys, with a nine-storey shoulder height within BF-R.

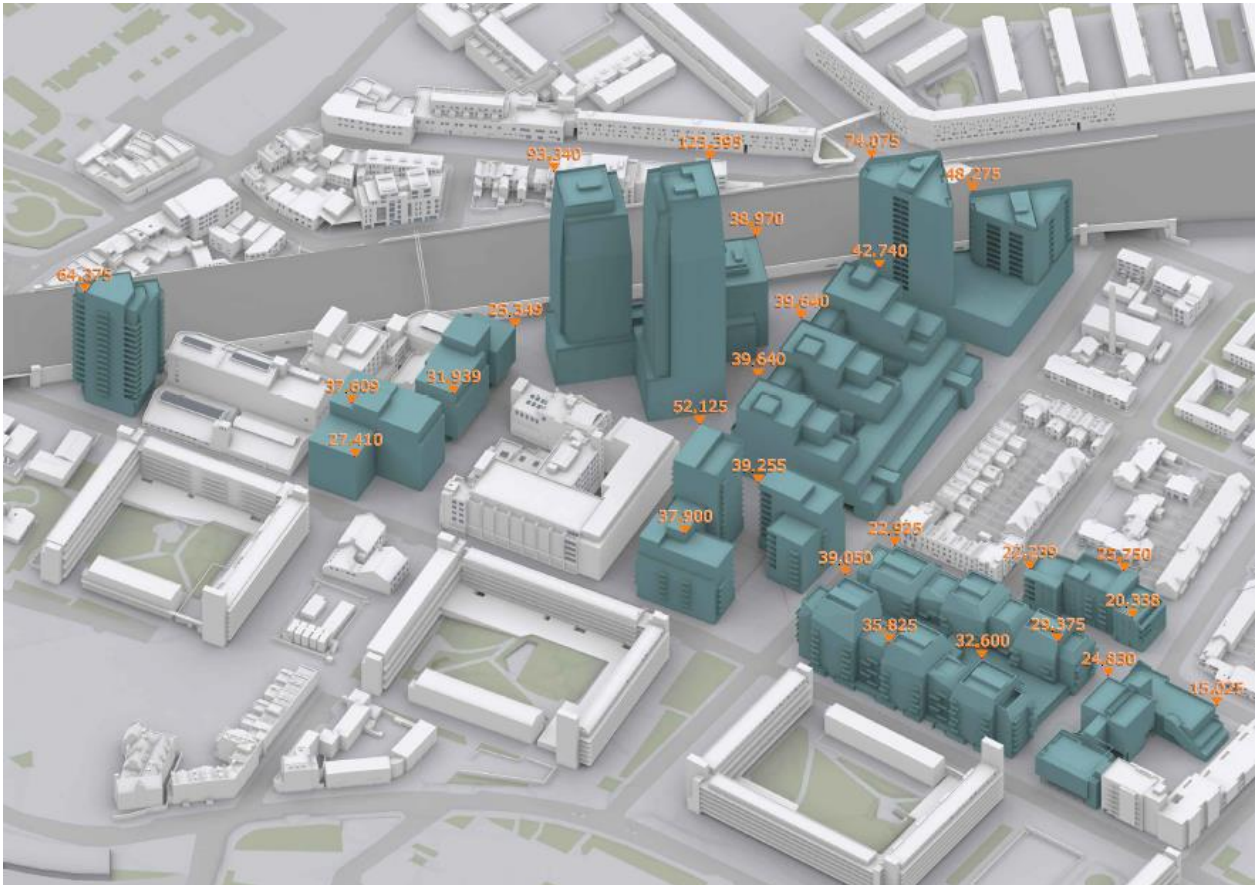


Figure 8: proposed massing

Tall buildings policy

346 London Plan Policy 7.7 states that tall buildings should be part of a plan-led approach and not have an unacceptably harmful impact on their surroundings. In terms of location, Policy 7.7 states that tall buildings should be generally limited to the Central Activities Zone, Opportunity Areas, and areas of good access to public transport, however leaves scope for tall buildings to be considered in other locations outside of these areas, subject to urban design analysis and compliance with the criteria set out in Policy 7.7. To accord with this criteria, tall buildings should:

- be located in areas whose character would not adversely be affected;
- relate well to the surrounding buildings, urban grain and public realm, particularly at street level;
- improve the legibility of an area and enhance the skyline;
- incorporate the highest standards of architecture and materials;
- provide active ground floor activities that provide a positive relationship to the surrounding streets;
- contribute to improving the permeability of the site and wider area, where possible;
- incorporate publicly accessible areas on the upper floors where appropriate;

- make a significant contribution to local regeneration;
- not adversely affect their surroundings in terms of microclimate, wind, overshadowing, noise, glare, or give rise to interference with aviation or telecommunication infrastructure; and
- not adversely impact local or strategic views.

347 Policy D9 of the Mayor's Intend to Publish London Plan goes further by requiring boroughs to determine where tall buildings can be located and identifying these on maps in development plans. This draft policy sets out criteria-based assessments in relation to visual impact, functional impact, environmental impact and cumulative impact. The policy also supports free public access where appropriate.

348 Southwark's Tall Building Policy is set out in saved Policy 3.20 of the Southwark Plan. It states that tall buildings may be granted permission in highly accessible locations within the Central Activities Zone, particularly in Opportunity Areas. Draft Policy P16 of the New Southwark Plan identifies that tall buildings are expected in Major Town Centres, Opportunity Area Cores, Action Area Cores and the Central Activities Zone and sets out a series of criteria for consideration. In addition to this, individual sites where tall buildings may be possible have been identified in the site allocations. Draft site allocation NSP10 identifies that the application site could include taller buildings, subject to consideration of impact on existing character, heritage and townscape. As such, whilst the emerging local policy lends support to the principle of tall buildings on this site, they are not supported by saved Policy 3.20 or London Plan Policy 7.7. This is considered in the 'planning balance' section at the end of this report. Notwithstanding this, it is considered important to assess the proposal against the relevant criteria for tall buildings in adopted and emerging policy.

349 Saved Policy 3.20 and draft NSP Policy P16 confirm that any building over 30 metres tall is considered a tall building, as well as any building significantly higher than surrounding buildings or their context. The following buildings within the scheme are over 30 metres in height and have been considered against the relevant tall buildings criteria:

- BC-1234: maximum height 39.29 metres;
- BF-D: maximum height 49.72 metres;
- BF-E: maximum height 76.22 metres;
- BF-F: maximum height 42.74 metres;
- BF-O: maximum height 37.90 metres;
- BF-P: maximum height 39.25 metres;
- BF-Q: maximum height 52.12 metres;
- BF-R: maximum height 43.07 metres;
- BF-S: maximum height 123.34 metres;
- BF-T: maximum height 93.34 metres;
- BF-V: maximum height 33.34 metres; and,
- BF-W: maximum height 64.37 metres.

Tall building and massing analysis

350 Notwithstanding the conclusions set out above, the following paragraphs address compliance with the criteria for each adopted and emerging policy regarding tall buildings.

Saved Policy 3.20

351 (1) makes a positive contribution towards landscape - the proposed masterplan would deliver a generous, varied and high-quality provision of public realm and landscaping. The proposed landscaping and pedestrian routes through the Campus Site provide an attractive and safe setting

for the secondary school and a place of community for the surrounding and future residents. The Salter Square amenity space, located at the southern end of Block BC-1234, would create a community meeting place, situated around the proposed ground floor community and retail units. The provision of seating areas and play space would enhance the community feel within this space.

352 The tallest buildings are located within the centre of the Biscuit Factory site and adjacent to the railway viaduct. As a result of the redevelopment of the Biscuit Factory site, a network of new routes would be established, significantly increasing permeability within the site and towards the southern side of the railway. The Biscuit Factory layout delivers a variety of high-quality public realm, which meet the requirements of London Plan and Local Plan policy. In particular, the proposed network of public spaces around the base of Block BF-RST and the Keeton's Road playspace at the base of Blocks BF-OPQ are acknowledged for their high-quality design, which would attract residents from within the site and visitors from farther afield. Mature trees and planting are also proposed across the site to soften the appearance of the buildings. Overall, the proposal is considered to make a positive contribution towards landscape, in line with the first criteria of Policy 3.20.

353 (2) located at a point of landmark significance – Southwark's committee report confirms the landmark and historical significance of the Biscuit Factory site, which was previously a vibrant mix of homes and factory buildings and a focus of the local community. At the centre of the Biscuit Factory, historical photos demonstrate a landmark clock-tower which was the focus of local views. Whilst the Biscuit Factory site still retains a sense of community focus due to the meanwhile uses which occupy the buildings, the character and significance of the site would benefit from the proposed regeneration.

354 As discussed elsewhere in this report, the proposed comprehensive redevelopment would rejuvenate the Bermondsey Campus site and Biscuit Factory site, restoring its significance within the surrounding community. The strong emphasis on public realm, active ground floor uses and enhanced pedestrian permeability would ensure that the development site would become a destination in its own right. The presence of tall buildings within the centre of the site and adjacent to the railway viaduct, would provide a landmark for the proposed community hub and public realm at the base of Block BF-RST. As such, the site is a location of townscape significance where tall buildings are appropriate.

355 (3) is of the highest architectural standard – The high architectural quality of the proposed development was detailed within Southwark's tall building assessment. Specifically, the high-standard of materials and articulation of Block BF-RST was acknowledged, and the large arched openings at the base of the building were welcomed for their link to the railway arches opposite. Notwithstanding this, Block BF-RST was not considered to comply with the tall buildings policies due to the quality of the residential accommodation.

356 Whilst proposed Block BF-RST has experienced a noticeable increase in height, the layout and massing of the building has also been revised to overcome previous concerns regarding the quality of residential accommodation. As stated within this report, the resulting layout is considered to provide a high standard of accommodation for future residents, in line with Southwark's tall building policy. Furthermore, whilst the architectural approach, which was considered to be of high-quality, remains generally consistent with the original submission, the revisions to the footprint have improved permeability and connectivity around the base of the building. Overall, the additional height and minor revisions to the elevation have not comprised the high-quality design of this building.

357 Proposed Blocks BF-DE and BF-W have also experience height increases between 3-7 storeys. The massing and layout of Block BF-DE has been amended to improve residential quality, wind performance and townscape views. The revised 'prow' at the curve of the building and the re-

distribution of the massing between the two towers appropriately increases the height and capacity of the blocks, without comprising the high-quality design. Overall, the proposal is considered to demonstrate high-quality architecture which would make a positive contribution to the townscape of the surrounding area.

358 (4) relates well to its surroundings, particularly at street level– the proposal would significantly improve the visitor experience at street level, both within the site and surrounding streets. The proposed blocks have been designed to maximise active frontages, with ground floor commercial, community and ancillary residential floorspace lining the proposed areas of public realm to provide appropriate overlooking and activity. The proposed buildings create continuous active frontages along external roads, whilst the use of ground floor private residential entrances along Clements Road relate well to the low-scale residential properties opposite. The siting of tall buildings at the centre of the Biscuit Factory site and at either end of the railway viaduct enables the activation of the Low Line, by introducing landmarks and active ground floor frontages along this route. The proposed massing has been sensitively considered to ensure that taller buildings are set away from the surrounding low-rise context. Accordingly, whilst the proposed development would be of a scale greater than the immediate surroundings, the design and siting of the tall buildings would comply with the requirements of this criteria.

359 (5) contributes positively to the London skyline as a whole, consolidating a cluster within that skyline or providing key focus within views – Southwark Council have undertaken an extensive assessment of the impact of the proposed tall buildings to the London Skyline, LVMF Views and surrounding heritage assets within their report to committee. This assessment concluded that the proposed tall buildings would result in less than substantial harm to the significance of surrounding heritage assets, which would be outweighed by the public benefits of the scheme. In terms of local townscape views, the tall buildings were considered to contribute to the legibility of the city and local destination of the site.

360 A full assessment of the additional heights on surrounding heritage assets and LVMF views has been undertaken in the Heritage section of this report. In summary, the proposal would result in less than substantial harm to the significance of surrounding heritage assets, which would be outweighed by the significant public benefits of the scheme.

361 In terms of local townscape views, the applicant has submitted a revised Townscape, Visual and Built Heritage Assessment (TVBHA) which considers the revised massing and height against 22 local townscape and LVMF views. The Borough view of the London panorama of St Paul’s Cathedral from One Tree Hill has been provided in line with draft Policy P21 of the New Southwark Plan. Officers are satisfied that the proposal would not harm this view. As demonstrated within the TVBHA, in distant views such as Southwark Park, Banyard Road, and Raymouth Road, the tall buildings would have a noticeable impact on the skyline. Notwithstanding this, GLA officers do not consider the degree of change to be harmful to the townscape and would instead contribute to the articulation of the skyline and legibility and wayfinding of the development. The high quality of design would also ensure that the proposal would not have a harmful impact on local townscape. It is noted that Southwark’s committee report considered that the proposed tall buildings would have the greatest impact on local view 15, from The Blue on Southwark Park Road. These buildings have increased in height following the amendments made in September 2019. Whilst the building would appear as a major new inclusion to the skyline, the towers would assist in wayfinding to the new area of public realm and new pedestrian routes within the archways, should these be delivered. On balance, the proposal would comply with saved Southwark Policy 3.22 and draft Policy P21 relating to local townscape views.

362 Overall, whilst the inclusions to the surrounding skyline are acknowledged, GLA officers consider that the redevelopment of this underutilised site for a scheme of high-quality architecture,

would improve the quality of the townscape, provide new high-quality public realm and would restore the local community character of the former Biscuit Factory site.

London Plan Policy 7.7

363 Whilst the site is generally outside the broad spatial areas normally considered appropriate for tall buildings within the London Plan, the proposed tall buildings are consistent with the criteria set out in London Plan Policy 7.7. The development would have an acceptable massing and relationship to the surroundings (Criteria C(b) and (c)). The proposal would serve as landmark for the new development, aid wayfinding and enhance the skyline through high-quality architecture and materials (Criteria C(d) and (e)). A high level of active frontage would be provided, as well as new routes and spaces to enhance the permeability of the site (Criteria C(f) and (g)). A publicly accessible roof terrace would be provided in Block BF-F in line with Criteria C(h). Overall, the scheme would make a significant contribution to local regeneration, through the provision of new homes, employment floorspace, retail and community uses and a varied public realm (Criteria C(i)). In accordance with the technical assessments discussed within this report and subject to mitigation recommended through conditions, the proposed tall buildings would not adversely affect the surroundings in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference (Criteria D(a)). Furthermore, as discussed within this report, the proposed development would not impact on local or strategic views. Whilst the proposal would be visible within the setting of various conservation areas and listed buildings, as discussed within the heritage section of this report, the proposal would have a negligible or less than substantial impact on their setting (Criteria E).

Draft New Southwark Plan Policy P16

364 Draft Policy P16 of the New Southwark Plan provides a set of criteria for tall buildings. As discussed above within the assessment against Policy 3.20 of the adopted Southwark Plan, the proposed tall buildings are considered to comply with the outlined criteria. Specifically, the tall buildings are located at a point of landmark significance (Criteria 2.1) and the height is considered to be proportionate to the significance of the proposed location (Criteria 2.2). The proposal makes a positive contribution to the London skyline and would not cause a harmful impact on strategic and local townscape views (Criteria 2.3 and 2.4). A functional public space would be provided around the base of Block BF-RST which would successfully create a positive pedestrian experience and a publicly accessible roof terrace would be provided within Block BF-F (Criteria 2.6, 2.7 and 3.5). The tall buildings would be of an exemplary design (Criteria 3.1), would conserve the significance of designate heritage assets (Criteria 3.2), avoid harmful and uncomfortable environmental impacts (Criteria 3.3) and would maximise energy efficiency (Criteria 3.4)

Intend to Publish London Plan Policy D9

365 An assessment of the impacts discussed within section C of Policy D9 of the Intend to Publish London Plan relating to tall buildings has been provided within this report. Specifically, the proposal would have an acceptable impact on local views and would aid legibility and wayfinding (Criteria 1.a and b), the design and materials would be of an exemplary standard (Criteria 1c), and whilst there would be no harm to most surrounding heritage assets, the harm to the Grade II* Listed St James Church is considered to be less than substantial and outweighed by public benefits (Criteria 1d). No harm would result to World Heritage Sites or buildings within the Thames Policy Area (Criteria 1e and f). The reflective glare and internal/external lighting of the tall buildings would be controlled by condition (Criteria 1.g and h). The buildings construction detailing, materials and emergency routes, entrances and servicing have been addressed (Criteria 2a, b and c). The capacity of the public transport network to accommodate the proposed development has been confirmed by TfL (Criteria 2d) and the regeneration benefits of the proposal, including economic

activity and new jobs are acknowledged (Criteria 2e and f). The proposal would not interfere with aviation, telecommunication or solar energy generation (Criteria 2g). Furthermore, the environmental impacts of the proposed development, including cumulative impacts with surrounding consented and planned development has been considered in detail within the ES, ES addendum and the review which was undertaken by external consultants (Criteria 3 and 4). In line with Criteria D, proposed Block BF-F would provide a free-to use public roof terrace.

Summary of height and massing

366 The height and massing of the scheme is considered appropriate on this site and the tall buildings have been appropriately sited to respond to the site's context and the significant areas of the emerging development. The proposed tall buildings act as landmarks, aiding wayfinding and signifying the location of the Low Line, potential new routes through the railway arches and the significant area of public realm at the heart of the Biscuit Factory site. Whilst the proposals would result in a major new inclusion to the surrounding skyline, the degree of change is not considered to be harmful to the townscape and would instead contribute to the articulation of the skyline and aid in wayfinding. Although the site is not within a location where the current London Plan or adopted Local Plan expressly supports tall buildings, the proposal is considered to comply with the relevant assessment criteria set out within saved Policy 3.20 of the Southwark Plan and Policy 7.7 of the London Plan, as well as Policy D9 of the Mayor's Intend to Publish London Plan, draft Policy P16 of the New Southwark Plan and draft Site Allocation NSP10, which confirms that the application site could include taller buildings.

367 The impact on heritage is considered separately in paragraphs 383-414 below.

Detailed design and architecture

368 London Plan Policy 7.6 and Policies D1, D3 and D4 of the Mayor's Intend to Publish London Plan requires buildings to be of the highest architectural quality and comprise materials which complement rather than necessarily replicate local architectural character. Saved Policy 3.13 of the Southwark Plan requires that developments must give consideration to townscape, local context and character. Draft Policies P12 and P13 of the New Southwark Plan states that development must provide a high standard of design with appropriate fabric, function and composition.

369 The applicant's Design and Access statement places a strong emphasis on the importance of the buildings in relating to the historic industrial character of the site. GLA officers strongly support this approach which has been successfully developed across the site and includes the retention of warehouse Block BF-F.

370 Each building has been developed with a specific material pallet and quality of architectural detailing which relates to the significance and location of the plot within the site and to its surroundings. Specifically, the architectural approach within the centre of the Biscuit Factory site and adjacent to the Low Line includes large arched openings that reflect the brick arches of the railway viaduct opposite. In contrast, the buildings within the Bermondsey Campus site and along the edge of Drummond Road include brick detailing and articulation which reflects the mansion block typology on neighbouring sites. Whilst careful consideration has been taken to ensure the base and shoulder heights of the tall buildings sit comfortably within the context of the site and surrounding area, the tower elements adopt a more angular and contemporary approach to design, which strengthens their landmark qualities and results in slender high-quality buildings.

371 The expression of the individual blocks through variance in architectural detailing, material colour and tone creates a distinct identity for each block, whilst ensuring that the buildings work together as a cohesive development. The robust composition of contrasting materials, stepped and angled elements and variation in heights across the site provides visual interest and relief in

facades. Overall, the architectural appearance of the buildings would result in a development of high-quality design when viewed from all aspects, including long distance views, in line with London Plan Policy 7.6 and Policy D3 of the Mayor's Intend to Publish London Plan and Local Plan policies.

372 The final selection of materials and quality of detailing will have a significant impact on the quality of development as a whole. In this respect, in line with Intend to Publish London Plan Policy D4 a planning condition will be secured requiring the applicant to retain the existing architect or one of equivalent standard until the development is completed. Key details such as window reveals, balconies, ground floor frontages and sample panels of facing materials will be secured through condition. Furthermore, in line with the findings of the ES, a condition will require the submission of detailed design of the facades to provide an assessment of solar glare.

373 In line with Policy D4 of the Intend to Publish London Plan, the proposal was subject to four separate design review panels throughout the evolution of the scheme. Officers are satisfied that the feedback within these sessions has been suitably reflected within the final design.

Fire safety

374 Policy D12 of the Mayor's Intend to Publish London Plan seeks to ensure that development proposals achieve the highest standards of fire safety and to ensure the safety of all building users. In line with this requirement, the applicant has developed a fire strategy which has been reviewed by GLA officers.

Designing out crime

375 Policy 7.3 of the London Plan seeks to ensure that the principles of designing out crime are integrated in the design of new development to promote a sense of security without being overbearing or intimidating. The criteria in Policy 7.3 requires new development to provide legible, convenient and well-maintained movement routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. Similarly, saved Policy 3.14 of the Southwark Plan and Policy D11 of the Intend to Publish London Plan requires developers to incorporate design principles which contribute to community safety in all new development.

376 As set out above, the provision of active frontages has been maximised within the scheme, with ground floor commercial and community floorspace lining the proposed public realm to provide appropriate levels of overlooking and activity during the day and evening. A condition is recommended to ensure that glazing within the proposed commercial, community and ancillary residential units is visually permeable and not obscured or blanked by advertisements or roller shutters, in the interests of designing out crime and encouraging surveillance. Residential core entrances would be well distributed and whilst there are some areas of servicing, cycle and refuse storage on the ground floor, these would be minimised and broken up by residential entrances and commercial uses to ensure that the public realm feels safe to use. Ground floor residential units facing the internal courtyards, communal amenity spaces and Clements Road would also be provided to generate natural surveillance and provided with well-defined private amenity spaces.

377 The Metropolitan Police Secured by Design Officer supported the proposals, subject to a condition to ensure that the scheme achieves Secured by Design accreditation. As such, the proposals are acceptable with respect to designing out crime and comply with London Plan Policy 7.3, Policy D11 of the Intend to Publish London Plan and saved Policy 3.14 of the Southwark Plan.

London View Management Framework (LVMF)

378 The Mayor has identified a list of strategic views within Table 7.1 of London Plan Policy 7.11 which include significant buildings or urban landscapes which help to define London at a strategic level. London Plan Policy 7.12 and draft Policy HC4 of the Mayor's Intend to Publish London Plan seek to protect these strategic views and require proposals to make a positive contribution to the composition of the views and their landmark elements. Policy 3.21 of the Southwark Plan, relating to strategic views, has been superseded by London Plan Policy.

379 The north-eastern corner of the Bermondsey Campus, occupied by the replacement secondary school (Block BC-5), is partially located within the Blackheath Point to St Paul's Cathedral Viewing Corridor (LVMF view 6A.1) and within the Primrose Hill summit to St Paul's Cathedral protected vistas extensions (view 4A.1). As discussed within the Mayor's Stage 1 and 2 response, the scale and massing of the proposed school building has been arranged to ensure that it would not breach the viewing plane for strategic view 6A.1 or the protected vista 4A.1. Whilst minor alterations have been undertaken to the school building as part of the recent amendments, the part of the development which lies within the alignment of the Protected Vistas of St Paul's would remain below the Threshold Plane of the Landmark Viewing Corridor and Wider Setting Consultation Areas.

380 Notwithstanding the above, the applicant has provided a verifiable views analysis of the impact of the revised proposal on strategic view 6A.1, with the proposal represented as a wire outline. The tallest elements of the proposal, which sit outside the viewing corridor and wider setting consultation area, would be visible to the left of the Shard, integrated within the varied scale of development beyond at London Bridge. Overall, the impact of the increased height of proposed Block BF-RST in the distant backdrop of the view would be marginally discernible to the viewer. Historic England has confirmed that the development would be viewed as part of the cluster of tall buildings around London Bridge, outside the LVMF Protected Vista and therefore raise no significant concerns regarding this view.

381 Overall, the proposed buildings, whilst being taller than the original submission, would feature amongst various other buildings of a similar perceived scale; would not cause harm to the setting of St Paul's Cathedral; and, would preserve the viewer's ability to recognise and appreciate the strategic landmark in LVMF views 6A.1 and 4A.1. The application therefore complies with London Plan Policy 7.12, Policy HC4 of the Intend to Publish London Plan and the London View Management SPG.

Conclusion on urban design and townscape views

382 The design and layout principles of the scheme are well-considered, appropriately optimise the development capacity of the site and respond to the development principles outline in the draft site allocation. The proposals achieve a high quality of placemaking, with well-defined new public routes, landscaped areas, designated playspace and high-quality public realm, which would be well-overlooked and benefit from good levels of sunlight. The height and massing strategy responds to the site characteristics and the existing context. The tall buildings have been appropriately sited to provide distinctive and high-quality landmarks, aiding wayfinding and signifying the entrances to the improved Low Line, new proposed routes through the railway arches and the central area of public realm at the heart of the former Biscuit Factory site. The proposals have been subject to design scrutiny. The architecture and materials will ensure a distinctive and high-quality development which relates well to the historic character of the site and will contribute positively to the regeneration of the surrounding area. No harm would be caused to strategic views. There is a conflict with the locational requirements of Saved Southwark Policy 3.20 and London Plan Policy 7.7 in respect of tall buildings. However, the application otherwise accords with London Plan

Policies 6.10, 7.4, 7.5, 7.6 and 7.7 (criteria); Policies D1, D3, D4, D8, D9 and D11 of the Intend to Publish London Plan, saved Policies 3.11, 3.13 and 3.20 (criteria) of the Southwark Plan, draft New Southwark Plan Policies P12, P13, P15 and P16, and draft site allocation NSP10.

Heritage

383 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings section 66 of the Act states that all planning decisions should “*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*”.

384 The NPPF identifies that the extent and importance of the significance of the heritage asset is integral to assessing the potential impact, and therefore acceptability. The definition of significance in this context is the value of the heritage asset in relation to its heritage interest and this may be archaeological, architectural, cultural or historic. It may also derive from a heritage asset’s physical presence as part of the townscape or its setting. Where a proposed development will lead to ‘substantial harm’ or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss. Where a development will lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

385 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council confirmed that “Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given ““*considerable importance and weight*” when the decision-maker carries out the balancing exercise.” The case also makes it clear that there is a strong presumption against granting planning permission that would harm the character and appearance of a conservation area.

386 London Plan Policy 7.8 and Policy HC1 of the Intend to Publish London Plan state that development affecting heritage assets and their setting should conserve their significance. This requirement is reflected within saved policies of the Southwark Plan which relate to the historic environment, including conservation areas, listed buildings, World Heritage Sites and their setting, particularly 3.18. Draft policies P18-P20 of the New Southwark Plan relate to the historic environment.

387 The site is not in a conservation area nor does it contain any statutorily listed buildings. There are three conservation areas within 500 metres of the site, seven statutorily listed buildings and three locally listed within a 250 metres radius. Southwark Park, located 150 metres to the east of the site, is a registered historic park and garden. The site is not located within an Archaeological Priority Area. The development would not affect the setting of any World Heritage Sites.

388 A Townscape, Visual and Built Heritage Assessment (TVBHA) has been submitted within the Environmental Statement (ES) which tests the impacts of the proposal on the setting of surrounding heritage assets and townscape including sensitive views from neighbouring conservation areas and listed buildings. The TVBHA assesses potential townscape impacts from agreed viewpoints that were selected in consultation with Southwark Council officers. The TVBHA has been updated following the amendments made in September 2019.

389 Verified views provided in accurate visual representations (AVRs) showing how the proposal would look from different locations, accurately merging the scheme into photos of the townscape have been submitted. The assessment considers the visual implications of the changes from these

viewpoints, taking into account their sensitivity and magnitude of the impact during both construction and operation phases of the development. Officers concur that all key views have been considered however it should be acknowledged the submitted representations are static and perceptions of the development would vary when moving around each location. It is also not possible to evaluate every single view point from where the development may be seen, however the views selected are considered to be those most sensitive.

390 The TVIA within the ES has been independently reviewed by technical specialists commissioned by the Council and the GLA. The methodology and findings are considered to be robust.

Conservation areas

391 As discussed above, there are seven conservation areas within the wider context of the site, three of these are within 500 metres of the site. A summary of the likely effects from the completed development on these conservation areas is detailed below:

Wilson Grove Conservation Area

392 The Wilson Grove Conservation Area lies approximately 175 metres to the north of the site at its closest point, between Jamaica Road and the Thames Riverside. The conservation area is characterised by a pocket of two-storey housing which were part of the early 20 Century slum clearance in Bermondsey. The estate is set within an area of varied redevelopment which includes higher density mid-rise blocks.

393 As demonstrated in view 6, the greatest visibility of the proposed development within the conservation area would occur where Janeway Road aligns with the tallest elements of Blocks BF-S and BF-T, at approximately 500 metres away. However, within this view, the buildings would remain below the tree line. Furthermore, due to the distance from the application site and the mid-rise nature of surrounding development to the south, the proposed development would not be discernible within most areas of the conservation area. Accordingly, GLA officers consider that the proposal would have a negligible impact on the setting of the conservation area, would preserve its character and appearance and cause no harm.

Edward III's Rotherhithe Conservation Area

394 The Edward III's Rotherhithe Conservation Area lies approximately 320 metres to the north and north-east of the site at its closest point. The conservation area is characterised by large areas of landscape green space, the Scheduled Monument of Edward III's Manor House and King's Stairs Gardens connecting Southwark Park to the Thames. The setting to the south includes taller post-war tenement buildings along Jamaica Road.

395 As demonstrated within view A7, the proposed development would be screened by trees, even in the winter months, and therefore the impact on the conservation area would be barely discernible. The viewer's appreciation of the Scheduled Monument of Edward III's Manor House would be preserved. Accordingly, GLA officers consider the proposal would have a negligible impact on the setting of the conservation area, would preserve its character and appearance and cause no harm.

Thorburn Square Conservation Area

396 Thorburn Square Conservation Area is located approximately 300 metres to the south-west of the application site. The conservation area sits within an area of post-war housing, mostly low

and mid-rise but with some taller development to the west of Balaclava Road and north of Southwark Park Road.

397 The tallest elements of the proposal would be visible within the conservation area, however as demonstrated within view A11, the visibility would be limited and would generally only occur at gaps in the streetscape. Whilst there would be greater visibility of the development along Southwark Park Road (view 14), the buildings would be seen in relation to the established taller modern setting to the north. On balance, GLA officers consider the proposal would have a negligible impact on the setting of the conservation area, would preserve its character and appearance and cause no harm.

Listed buildings

398 As discussed above, there are seven designated structures within a 500 metres radius of the application site. The applicant has undertaken an assessment of the effects of the proposed development on these designated historic structures within the TVBHA.

399 The Grade II listed terraces at 124-130 Jamaica Road (5) and Southwark Park School (6) are located within 250 metres of the application site. As demonstrated in view 18, the proposal would not be visible in direct relation to the listed terrace in the most significant close views from Jamaica Road. As such, the significance of this designated structure would be preserved. In terms of the listed school building, the proposal would be partially visible in relation to the Four Squares Estate, in westerly views from the school. Whilst GLA officers acknowledge that the proposal would make a change to the middle-distance setting of the school, overall, the proposal would not detract from the appreciation of the heritage significance of the school.

400 The Grade II* listed Church of St Augustine (a), Grade II listed former vicarage to the Church of St Augustine (2b), and the railway bridge on Spa Road (3) are also located within a 500 metre radius of the application site. Due to distance of the application site from these structures and the effect of cumulative schemes, the proposed development would have a negligible impact on the setting of these designated structures and their significance would not be harmed.

View 3: Grade I Listed Tower Bridge

401 This viewpoint is taken from the north bastion on the Grade I Listed Tower Bridge, across the river towards the south bank. As demonstrated in view 3, the top of Block BF-S and BF-T would be visible on the south bank of the Thames, at a distance of approximately 1.5 kilometres

402 The Council's consultation response raised specific concern in relation view 3 from Tower Bridge, where the two tallest towers rise above the riverfront of Butlers Wharf, causing harm through an impact which Southwark officers consider to be moderate and adverse.

403 The Southbank of the river is strongly defined by the mid-rise scale of buildings at Shad Thames including the Anchor Bewhouse and the Grade II listed Butlers Wharf former warehouses. Some of the former warehouses are also Grade II listed beyond St Saviours Dock along Bermondsey Wall. Accordingly, officers note that the townscape of the setting at Shad Thames has a distinctive architecture with high historic value. The value of the view ranges from high in the foreground along the Southbank to medium in the more distant backdrop. As demonstrated in view 3, whilst the tops of the lower buildings within the proposal would integrate with the lower level river frontage and would therefore not make a noticeable change to the composition of the view, the tallest blocks BF-S and BF-T would be visible in the backdrop of the view. Whilst officers acknowledge that the proposal would be the tallest building within long-range views from Tower Bridge, when viewed cumulatively with the more distant consented schemes at Chambers Wharf and Canada Water, the proposal would not appear dominant or out of character with existing and

emerging development. Overall, the proposal would form part of the emerging skyline and river side townscape within the long-range backdrop of this view and would not result in an adverse effect on the composition of this view or have an adverse effect on the viewer. There would be no harm to the significance of the heritage assets set out above.

St James' Church Grade II* Listed

404 St James' Church, designed by James Savage and based on a Greek Temple, was completed in 1829 when it was originally known as Bermondsey New Church. The church is built in stock brick with yellow stone dressings. The church's distinctive tower on the west end is an important local landmark.

405 The impacts of the increased height and massing on St James' Church has been assessed within the revised TVBHA. As demonstrated within View 16, the tallest elements of Blocks BF-RST and BF-DE would be visible through and above the foreground trees and above the roofline of the surrounding low-rise homes, when viewed from the western side of the church. When compared to the proposal considered by Southwark Planning Committee, GLA officers acknowledge that the revised proposal would have a greater visibility in this view due to the increased heights and revised massing of Block BF-E, which would infill the space between Blocks BF-D and BF-S. Notwithstanding this, GLA officers agree with the findings of the TVBHA which consider that the magnitude of impact as a result of the revisions would not materially change. The proposed development would form part of a secondary townscape in the middle-distant setting beyond the church and would not overly detract from the viewers ability to appreciate the church within its churchyard setting. The high-quality facade treatment of the proposed buildings, appropriate material palette and the presence of mature foliage within the churchyard, further mitigate the viewer's perception of the development, especially during the summer months. Historic England consider that the development would cause a small degree of harm to the setting of the Grade II* listed church and should be weighed against the public benefits of the scheme.

406 Having reviewed the revised TVBHA, GLA officers consider the harm to the significance of the Grade II* listed church to be 'less than substantial'. This harm must be given considerable importance and weight. However, it is clearly and convincingly outweighed by the public benefits the scheme would deliver, in line with Paragraph 196 of the NPPF. As set out in the planning balance section at the end of this report and elsewhere, these include the regeneration of the site; a significant amount of good quality housing, including 35% affordable housing; a replacement secondary school; new high-quality public spaces and well-designed buildings; business, retail and community units, including affordable workspace; transport enhancements and improved permeability; as well as economic and regenerative benefits to the wider area.

St Crispin with Christchurch Grade II Listed

407 As identified within the January 2020 revisions to draft site allocation NSP10, the site is located within proximity to the Grade II listed St Crispin with Christchurch. Specifically, this heritage asset is located to the west of the proposed school building and Block BC-1234, along Southwark Park Road. The most significant views of the church are close views from Southwark Park Road. An assessment of harm to this heritage asset has been undertaken within the applicant's TVBHA, which concluded that the proposal would result in negligible harm to the setting and significance of the Grade II listed building. Updated views were also provided following the revisions to the draft site allocation. Whilst the northern end of the Bermondsey campus buildings would be partially visible within the backdrop to the church in views from Southwark Park Road, given the limited scale of these buildings (4-10 storey maximum height), the proposal would integrate with the scale of existing development, including the part 4/part 7 storey Four Squares Estate. Accordingly, in line with the assessment within the TVBHA, GLA officers consider that the impacts of the scheme on

the setting and heritage significance of the listed building would not be harmful. No concerns regarding potential harm to the significance of this heritage asset were raised by Historic England or Southwark Officers within their committee report.

Registered Parks and Gardens and Locally listed buildings

408 Southwark Park is Grade II listed on the Historic England Register of Historic Parks and Gardens. The park was laid out between 1865 and 1869 by the Metropolitan Board of Works and was later designed by Alexander McKenzie in 1867. Views 7 (Southwark Park at the bandstand), 8 (Southwark Park at the Carriage Drive) and 9 (Southwark Park at the western end of the Carriage Drive) and 11 (Southwark Park at the Oval) within the TVBIA demonstrate the visibility of the proposed development within the park. Southwark's formal consultation response raised specific concern in relation to view 8 and 9 from the Bridle path in Southwark Park. Specifically, the towers are considered to create a more strident incursion into this Registered Park, classified by Southwark officers as moderate and adverse.

409 Whilst the proposal would largely be screened by mature planting during the summer and winter months, officers note that proposed Block BF-T would be partially visible within views 7 and 8 from within Southwark Park. The visibility of this building is acknowledged, however the height of the block remains below the established treeline on both sides of the road. View 9 is also taken from the access road, to the west of view 8. Proposed Blocks BF-S and BF-T would be clearly visible through and above the tree line during both summer and winter months. The proposed development would also be partially visible above the treeline within view 11, from the oval, however this would be viewed in context of the 31 storey Maydew House, located at the edge of the park.

410 Whilst the prominence of Blocks BF-S & T within these views is acknowledged, especially at the western end of the park (view 9), in this instance, GLA officers do not consider that the visibility of the blocks results in harm to the significance of the park setting. Specifically, the proposal must be considered in context of the cumulative development in the area which includes mid-rise buildings of low architectural merit. Furthermore, when considering the east facing setting of the park, officers acknowledge that the recently approved Canada Water redevelopment would result in a prominent addition to the backdrop of the view. The high-quality design and appearance of Blocks BF-S&T and the contribution towards local wayfinding is supported by GLA officers.

411 There are three locally listed buildings within a 500 metre radius of the application site: the former Drummond Street Baptist Church, Building BF-A of the existing Biscuit Factory and nos 13-33 Clements Road and 96-98 Webster Road. All of these buildings are considered to have a low-medium sensitivity to change and as such, the proposed development would not have an adverse effect on their setting or harm their significance.

Archaeology

412 An assessment of the likely significant effects of the proposed development in terms of buried heritage assets (archaeological remains) has been considered within Chapter 7 of the ES, in line with London Plan Policy 7.8 and saved Policy 3.19 of the Southwark Plan. The assessment methodology has been reviewed and is considered acceptable. Whilst the site is located outside of an Archaeological Priority Area (APA), as the proposal is for extensive redevelopment, planning conditions are necessary to secure the investigation and recording of archaeology to be undertaken in accordance with a Written Scheme of Investigation, prior to demolition/development.

Conclusion on heritage assets

413 GLA officers conclude that the proposals would not harm the significance of almost all identified heritage assets and the amendments made to the height of the scheme following the Mayor's direction to call in the application do not cause any additional material harm. Whilst a small degree of harm would result to the significance of the Grade II* St James' Church due to the impact on its setting, the degree of harm would be less than substantial. Although considerable weight and importance must be attached to this harm, the limited nature of the harm is clearly and convincingly outweighed by the significant public benefits delivered by the scheme. The proposals would preserve the setting of the church, in accordance with saved Southwark Policy 3.18, and conserve the significance of this Grade II* listed asset in accordance with London Plan Policy 7.8 and Intend to Publish London Plan Policy HC1. In coming to these conclusions, GLA officers have taken account of the statutory duties contained in the Planning (Listed Buildings and Conservation Areas) Act 1990.

414 The application is therefore considered to be in accordance with the NPPF; Policy 7.8 of the London Plan; Policy HC1 of the Intend to Publish London Plan; saved policies 3.18 and 3.19 of the Southwark Plan. Draft policies P18-P20 of the New Southwark Plan include a requirement to both conserve and enhance, however these policies can only be afforded limited weight owing to their early stage of preparation.

Inclusive design

415 London Plan Policy 7.2 and Policy D5 of the Intend to Publish London Plan requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 requires that buildings and structures meet the principles of inclusive design, and Policy 3.8 and Policy D7 of the Intend to Publish London Plan require that ninety percent of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and ten per cent of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. These requirements are reflected in saved Policy 4.3 of the Southwark Plan and emerging draft Policy P7 of the New Southwark Plan. The Mayor's SPG "Accessible London: Achieving and Inclusive Environment" provides guidance on the implementation of these policies.

416 Details of access and inclusivity have been provided within Volume 2 of the Design & Access Statement, which focuses on the inclusive design measures within the public realm and buildings. The application drawings and landscape drawings also show how key inclusive design features would be incorporated.

417 10% of housing units (142) within the detailed component of the proposed development would be designed to accord with the M4(3) Wheelchair User Standard established in Part M of the Building Regulations. An additional 10% (13 units) of M4(3) units would be secured within outline Blocks BF-U and BF-V. The wheelchair user units would be provided between all residential phases, with a choice of tenure, size and floor level. All other units would meet Building Regulation requirement M4(2), apart from 26 residential units on levels 2 and 3 of retained Block BF-F which would require additional access steps and as such, would meet Building Regulation M4(1). This inherent constraint is acknowledged and it is accepted that not all units can fully comply with M4(2). The accessibility standards would be secured by condition and the section 106 agreement would detail a range of marketing requirements to raise awareness of the availability of these units for individuals reliant on this type of accommodation through the rental market.

418 The submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout. Whilst the vehicle route along Shard Walk would be a shared surface, the revised design has incorporated a separated, covered pedestrian walkway for parts of this route. Where a dedicated pedestrian path has not been provided, there would be corduroy tactile paving running alongside which would alert blind or partially-sighted people. Level access would be provided to all commercial uses and residential lobbies. Overall, the submitted drawings and landscape drawings demonstrate that appropriate levels and gradients can be provided across the site to ensure an inclusive environment throughout the scheme. The wider public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation.

419 The development proposes 44 car parking spaces, of which 21 would be reserved as Blue Badge accessible parking spaces. 13 spaces would be located within Block BC-1234, and 8 spaces would be located in various locations within the public realm. The accessible car parking provision meets the requirements of the London Plan and Intend to Publish London Plan. A parking design and management plan, secured through the section 106 agreement, will set out measures to monitor and increase this provision, if necessary. A minimum of 15% of long-stay cycle parking and all short-stay parking will be provided as Sheffield stands to allow adaptive cycle to be secured.

420 The proposal would achieve a high level of accessible and inclusive design and would comply with London Plan Policies 3.8, 7.2 and 7.6, Policies D5 and D7 of the Intend to Publish London Plan, the Accessible London SPG, saved Policy 4.3 of the Southwark Plan and draft NSP Policy P7.

Neighbouring amenity impacts

421 A core principle of the NPPF is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 and Policy D3 of the Intend to Publish London Plan states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. London Plan Policy 7.15 and Policy D14 of the Intend to Publish London Plan seeks to reduce and manage noise associated with development.

422 Strategic Policy 13 of Southwark's Core strategy seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for development where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight. Draft NSP Policy P13 seeks to ensure adequate daylight, sunlight, outlook and microclimate for existing residents, whilst Policy P55 states that development should not be permitted where it causes an unacceptable loss of amenity.

423 The application site is set within a predominantly low-rise residential area. Immediately to the north and west of the Bermondsey Campus site lies predominantly two and three storey housing on Keeton's Road, Collett Road and Webster Road. Flannery Court, a seven-storey residential block, forms the northern boundary of the Campus site and would be located immediately to the north of the proposed school building. Residential development on Clements Road, opposite the northern boundary of the former Biscuit Factory site, is characterised by a uniform terrace of two-storey residential dwellings and the flank elevations of buildings fronting Storks Road. Residential development to the east of the site along Drummond Road comprises a series of residential blocks characterised by part4/part 7 storey perimeter blocks, known as the Four Squares Estate. The railway viaduct provides a 65-metre minimum separation between the south-western boundary of

the application site and the residential development on the southern side of the railway viaduct, along Blue Anchor Lane and Bombay Street.

424 Concerns were received from neighbouring residents within Southwark Council's statutory consultation periods regarding the impact of the proposed development on surrounding outlook, privacy, sunlight and daylight. In response to these concerns, Southwark Council undertook an extensive assessment into the impact of the proposed development on the amenity of adjoining occupiers within paragraphs 369-498 of the committee report. Whilst the harm arising from the development in terms of properties experiencing a loss of sunlight and daylight beyond BRE recommendations was acknowledged, these impacts were weighed against the public benefits of the proposal. On balance, Southwark officers did not consider that amenity impacts would warrant the refusal of planning permission.

425 Following the recent revisions to the proposal, an additional round of neighbourhood consultation was undertaken by the GLA. Further concerns were raised by surrounding residents of Clements Road, Webster Road, Collet Road and Blue Anchor Lane regarding the impacts of the additional height, massing and density on surrounding residential amenity. GLA officers note that the bulk of the additional height and massing is concentrated within the centre of the former Biscuit Factory site within Block BF-RST, with an additional storey provided at the rear of Block BF-F. Furthermore, the proposed revisions to the massing of Block BF-DE has resulted in the reduction of four storeys from Block D, which is situated adjacent to Clements Road. Minor increases in height are also proposed for Blocks BC-5, BF-OPQ and BF-W, which sit adjacent to properties on Drummond Road, Webster Road and Collette Road. The following assessment considers the impacts of the revised scheme on surrounding residential amenity.

Daylight, sunlight and overshadowing

426 The applicant has submitted a Daylight, Sunlight, Overshadowing and Solar Glare Assessment within Chapter 11 of the Environmental Statement (ES), which considers the impact of the proposal upon existing nearby properties and also the resultant daylight and sunlight levels within the proposed residential units and public spaces. An addendum to the Daylight and Sunlight Assessment has been updated to reflect amendments made to the scheme. This assessment concludes that isolated areas around the site will see a change in daylight and sunlight as a result of the massing alterations. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component (VSC) and No Sky Line (NSL) for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight. This Assessment has been reviewed externally by Delva Patman Redler, commissioned by the Council and GLA, and is considered to provide a robust assessment.

427 Given the location and surroundings, the residential properties with the potential to be most impacted as a result of the proposal are listed below:

- Flannery Court
- 2 Collett Road
- 4 Collett Road
- 1-7 New Concord House
- 97-103 (odd) St James Road
- 6, 6a, 16-34 (even) Webster Road
- 57-67 (odd) Webster Road
- 92 Storks Road
- 40 Keeton's Road
- Lockwood Square West
- Lockwood Square North
- Lockwood Square East
- Lockwood Square South
- Marden Square West
- Marden Square East
- Marden Square South
- Layard Square West
- Layard Square North
- 325 Southwark Park Road
- 22-29 Blue Anchor Lane (odd)
- 35 Blue Anchor Lane

- 86-94 (even) Webster Road
- Marden Square North
- 1-17 Salisbury Court
- 1-16 Alfred Court

Daylight

428 The Vertical Sky Component Test (VSC) assesses the potential for daylight into a building by quantifying the amount of sky visible from within a room which is unobstructed by buildings and is measured from a centre point of a window pane. The BRE guidelines suggest that if the VSC is greater than 27%, sufficient skylight should reach the window in question. In terms of assessing the impact of a proposed development, the BRE guidelines state that occupants of the existing building shall experience a materially noticeable reduction in the amount of skylight they receive where there the VSC with the development will be both less than 27% and less than 0.8 times its former value, with the guidelines suggesting that 'moderate adverse impacts' likely to be expected where the level of reduction is above 30% and 'substantial adverse impacts' above 40%.

429 It should also be noted however that the 27% VSC recommended guideline is based on a low-density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable.

430 The VSC assessed 3,119 residential windows serving 2,192 rooms around the site. The proportion of windows in compliance with the recommended BRE guidelines for VSC has reduced from 2,504 (80.2%) to 2,312 (74.1%) as a result of the proposed revisions to massing and height. Of the windows which would experience a loss of daylight, 5.3% would experience moderate adverse impacts and 10.7% would experience substantial impacts. The additional harm would result to properties on Webster Road, Blue Anchor Lane and Rock Grove Way.

431 No-sky line (NSL) is a measure of the expected level of daylight penetration and distribution within a room, which is calculated by dividing those areas which can receive direct sunlight, from those which cannot. BRE guidelines state that if the no-sky line moves so that the area of the existing room which does receive direct skylight is reduced to less than 0.8 times its former value (reductions of 20% or more), then this will be noticeable to the occupants, and more of the room may appear poorly lit.

432 The NSL assessed 2,192 residential windows around the site. Whilst the proportion of windows in compliance with the BRE guidelines has reduced marginally from 1,969 (90%) to 1,955 (89.2%), the number of windows experiencing substantial adverse impacts has marginally decreased. Of the windows which would experience a loss of daylight, 1.5% would experience moderate adverse impacts and 5.1% would experience substantial impacts.

433 Having regard for the findings of the VSC and NSL tests, the following 29 properties would experience substantial adverse impacts to one or more windows. A summary of the impact to these properties is discussed as follows:

- 1-54 Flannery Court: The majority of the affected rooms are located at ground or first floor or are located under balconies or overhanging structures which hinders their ability to see visible sky. The design of this building therefore restricts the buildings ability to see sky and as a result, any additional massing being added to the application site will result in daylight losses that exceed BRE guidelines.
- 2 Collett Road: The majority of the affected windows serve non-habitable rooms. Reductions in VSL are disproportionate due to the low existing levels of daylight to existing windows, due to overhanging canopy.

- 1-7 New Concord House: Affected windows currently experience uncharacteristically high daylight levels for an urban environment. Although percentage reductions are in excess of BRE targets, the retained daylight values are considered to be acceptable for the urban location of the site.
- 1-8 Wesley Court: Affected windows currently experience uncharacteristically high daylight levels for an urban environment as a result of the low-density site located opposite. The affected rooms are therefore more susceptible to changes in daylight levels.
- 59 Webster Road: Light to bedroom window reduced to 17.5% VSC, which is considered to be commensurate with the urban environment.
- 61 Webster Road: Light to bedroom window reduced to 16.9% VSC, which is considered to be commensurate with the urban environment (20% VSC considered as 'reasonably good').
- 86, 88, 90, 92 and 94 Webster Road: These properties face an underdeveloped low-density site and therefore experience an uncharacteristically high baseline therefore making the rooms more susceptible to change.
- Lockwood Square West/North/East/South: Levels of existing daylight are restricted due to deep overhanging walkway and as such, the actual declines in VSC appear as high overall percentage reductions. A 'no balcony assessment' undertaken for these properties which demonstrates once the overhanging obstructions are removed, the rooms experience improved levels of daylight.
- New Place Square South/West/North/East: Affected windows facing the proposed development serve kitchens, living rooms and bedrooms. All affected windows have low existing VSC levels below 4%.
- Marden Square West/North/South: Affected rooms facing the proposed development serve kitchens. Windows experience existing low-levels of light due to deep overhang walkway. Accordingly, a modest obstruction may result in a large relative impact to the VSC and NSL.
- Layard Square South: Affected rooms facing the proposed development serve kitchens. Windows experience existing low-levels of light due to deep overhang walkway. Accordingly, a modest obstruction may result in a large relative impact to the VSC and NSL.
- 21, 27-29 Blue Anchor Lane: Despite a reduction of 3-4% VSC as a result of the revised proposal, the majority of windows would continue to enjoy retained VSC levels in excess of 20%.
- 1-4, 5-8, 9-12, 14-15, 16-17 Salisbury Court: Affected windows facing the development serve kitchen, living room and bedrooms. Ground floor windows will experience reductions in excess of 40%, however due to uncharacteristically high existing values, retained daylight levels are acceptable for urban environment.
- 1-6 Alfred Court: Of the six windows which do not meet BRE criteria (in excess of 40%), the absolute percentage change would be marginal and would not constitute a material change.

434 Overall, where breaches in the guidance occurs, the technical assessment demonstrates that in most cases, this is due to either low existing values of daylight which produce disproportionate percentage alterations, or the constraints imposed by the existing design of the neighbouring properties, which include deep overhanging walkways and balconies. Where relevant, a 'no balcony' assessment has been undertaken to demonstrate that once the overhanging obstructions are removed, the rooms experience improved levels of daylight. These justifications have been supported by Delva Patman Redler in their review. Furthermore, as is the case with properties on Salisbury Court, Webster Road and Wesley Court, due to existing daylight levels which are uncharacteristically high for an urban environment, the affected windows are therefore more susceptible to changes in massing and produce disproportionate values in term of loss of daylight. Overall, the retained levels of daylight are generally commensurate with a high-density urban environment.

Sunlight

435 In relation to sunlight and overshadowing, the Daylight and Sunlight Assessment and addendum document sets out an analysis of Average Probable Sunlight Hours (APSH) of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window receives for the whole year less than 25% of the APSH, including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

436 The APSH assessed 1,829 residential windows around the site. The proportion of windows in compliance with the recommended BRE guidelines for APSH has reduced very marginally from 1,659 (90.7%) to 1,641 (89.7%). Of the windows which would experience a loss of sunlight, 5.7% would experience substantial adverse impacts annually and 6.7% would experience substantial impacts during winter months.

437 In line with the Council's assessment, the most substantial effects occur to the following properties. A summary of the impact to these properties is discussed as follows:

- 1-54 Flannery Court: a number of affected windows would not comply with BRE guidelines in relation to total APSH and winter. A 'no balcony' assessment demonstrates that a large proportion of sunlight is lost as a result of the existing projecting balconies.
- 92 Storks Road: two windows (kitchen and living room) will not meet BRE guidelines in terms of winter months.
- Lockwood Square West/North/East/South: a number of windows would experience 40% reductions in total APSH and during winter months. Existing projecting balconies in Lockwood Square North block existing summer sun.
- Marden Square West: All affected windows would experience alterations in excess of 40% in total APSH and within winter months. However, Marden Square West is only just within the 90 degrees of due south criteria, therefore the rooms are more susceptible to change.
- Layard Square East: This property would see a reduced level of sunlight as a result of the revisions to massing/height. 3 Windows would experience 40% reduction in total APSH and a further 6 would experience a 40% loss in winter months.
- 1-4, 5-8, 9-12, 14-15 16-17 Salisbury Court: Affected rooms would experience reductions of over 40% APSH.

438 The number of properties experiencing a loss of sunlight beyond BRE recommendation, including those experiencing 'major' impacts (in excess of 40%), is acknowledged by GLA officers as harm arising from the development. Notwithstanding this, the proportion of properties which fall within an acceptable level of impact (89.7%), is supported in light of the high-density form of development and the constrained urban setting.

Daylight and sunlight conclusion

439 The BRE Guidance is intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, the Guidance states: *"This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location."* It is also important to note that the NPPF requires that a flexible approach should be taken in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).

440 The applicant's Daylight and Sunlight Assessment and addendum document have been independently reviewed by Delva Patman Redler, who are satisfied that an extensive and robust assessment has been undertaken.

441 The proposed development would achieve 74% compliance with BRE guidelines for VSC, 89.2% compliance with BRE guidelines for NSL and 89.7% compliance for APSH. Notwithstanding these high levels of compliance, officers acknowledge that the proposal would result in a substantial adverse impact to daylight and sunlight levels to some surrounding properties (detailed above). The most significant of these impacts would be experienced by residents at Lockwood Square West, Marden Square West and Salisbury Court. Notwithstanding this, the retained levels of daylight and sunlight are generally in line with other schemes of a similar nature within an urban context.

442 Given the under-utilised character of the application site, the urban setting of the surrounding area and the high-density form of the proposed development, which is supported by London Plan and emerging local plan policies, some degree of change to existing daylight and sunlight conditions must be expected. In line with the Mayor's Housing SPG, a degree of flexibility must be adopted in the application of BRE guidelines to optimise housing capacity on large urban sites. On balance, GLA officers consider that the resultant harm to surrounding daylight and sunlight levels would not outweigh the delivery of the public benefits brought about by the development.

Overshadowing

443 The applicant's ES and 2019 addendum document also looks at the impact of the scheme in terms of overshadowing to amenity and public spaces. The BRE Guidance suggests that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. The path of the sun is tracked to determine where the sun would reach the ground and where ground would be overshadowed. BRE Guidance recommends that at least 50% of a garden or amenity area should receive at least 2 hours of sunlight at the Spring Equinox (21 March) to appear adequately sunlit, or else the area which receives 2 hours of direct sunlight on 21 March should not be reduced to less than 0.8 times its former value (i.e. reduced by more than 20%).

444 Two overshadowing assessment were undertaken as part of the applicant's original ES; Sun Hours on Ground and Transient Overshadowing. 129 areas were assessed, 11 of these are public or communal areas of amenity. In total, 91 of the 98 properties assessed would be fully compliant with BRE guidelines with over 50% of the amenity area receiving 2 hours of sunlight reductions of less than 20%. The seven remaining gardens are located at 101 St James's Road, 14-15 Salisbury Court, 92 Stork's Road, 13, 15, 19 and 25 Clements Road. Five of these gardens would experience an alteration of 29% or less and so equate to minor adverse effect. The private gardens of 92 Stork's Road, 101 St James's Road and 14-17 Salisbury Court would experience an alteration of greater than 40%, which is considered to be a major adverse impact. These gardens are currently overshadowed by dwelling on the east and west and therefore receive most of their sunlight from the south across the low-density site. In this respect, any alterations or development on the site would be expected to result in a degree of overshadowing to these properties. Whilst the addendum document notes that Southwark Park, Layard Square play area, Marden Square play area and properties on Webster Road and St James's Road would experience technical changes from the revised height and massing of the scheme, the overall magnitude of impact or likely scale of effect remain unchanged. GLA officers consider that the overshadowing impacts would not outweigh the delivery of the public benefits brought about by the development.

Privacy

445 Southwark Council's Residential Design Standards SPD recommends a minimum separation distance of 12 metres between the fronts of buildings and any buildings which front a highway, and a minimum of 21 metres at the rear. The Mayor's Housing SPG (March 2016) notes that commonly used minimum separation distances between habitable rooms of 18-21 metres are yardsticks, however advocates a more flexible approach to managing privacy.

446 The proposed buildings would maintain policy compliant separation distances to neighbouring buildings, with the exception of Block BC-5 and 86-96 Webster Road and 21 Collett Road and Block BC-6 (school building) and Flannery Court. Southwark's committee report concluded that the impact on these adjacent properties was of an acceptable level. GLA officers note that there have been no alterations to the siting or building footprints of Blocks BC-5 or BC-6 within the recent revisions, and as such, the relationship between these blocks and the adjacent properties remains as previously considered. Notwithstanding this, the outlook and privacy impacts to these properties is considered below:

447 86-96 Webster Road: Proposed Block BC-5 would replace an existing commercial building located adjacent to the rear boundary of no's 86-96 Webster Road. The proposed development would increase the separation distance between the rear elevation of Block BC-5 and the boundary with these properties to between 9-15 metres and the distance between the rear elevations between 15-24 metres. The rear garden depth of Block BC-5 (10 metres) is in excess of surrounding rear gardens and as such, the separation distances between the properties is acceptable and generally in keeping with the layout of the surrounding area. Whilst there would be some degree of additional overlooking and loss of privacy to the rear gardens of these properties as a result of the proposed upper floor windows, the existing mature vegetation along this boundary and proposed boundary planting would help to mitigate this impact. Overall, the proposed increase in separation distances as a result of the proposal are welcomed and the degree of impact experienced to these occupiers is acceptable.

448 The flank elevation of no. 21 Collett Road would be located between 12-13 metres from the rear elevation of Block BC-5. This represents an increased separation from the existing commercial building on the site which is located between 2-3 metres from the flank elevation. As discussed above, whilst some degree of overlooking and loss of privacy would result to the rear garden of no. 21 Collett Road as a result of the upper floor windows of Block BC-5, the acceptable garden depth of Block BC-5 and proposed boundary planting would help to mitigate against this harm. Accordingly, subject to a condition securing full details of boundary planting, the impact experienced by this property is of an acceptable degree.

449 The proposed school building (Block BC-6) would sit opposite the south and east facing elevations of Flannery Court. Whilst the separation distances would not comply with the Residential Design Standards SPD, the relationship is commensurate with the character of the area. Whilst officers acknowledge that there would be some perception of overlooking during the day, the school would generally not be occupied in the evenings and weekends. In this respect, officers do not consider the relationship to result in a detrimental loss of privacy to the residents of Flannery Court.

Noise

450 The applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

451 During the construction phase, there will inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts will be

temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in a construction environmental management plan (CEMP) (covering hours of works, use of Best Practicable Means, “quiet piling” techniques, erection of hoardings etc). The submission and implementation of the CEMP will be secured by condition.

452 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be generated from commercial, community uses, school, public realm and noise from plant and services. Officers note that small scale, individual commercial and community units are compatible with residential uses and consider that any noise impacts can be adequately controlled via the imposition of conditions limiting the opening hours for any Class A1/A3/A5/D1/D2 uses. A condition requires details of plant and machinery associated with the development. This will ensure that noise from plant will be at least 5dB below background noise level, measured at the nearest residential premises, along with other mitigation such as screening.

453 Concerns have been received from surrounding residents of Blue Anchor Lane regarding the noise impacts caused by the height, location and massing of the tall building. Specifically, residents are concerned that the continuous wall of building along the railway viaduct would result in the reflection of noise from passing trains onto the low-lying buildings across the tracks. The applicant’s ES Addendum details the external noise levels associated with the completed development on surrounding properties, including residents of Blue Anchor Lane. This assessment concludes that there would be a negligible scale of effect on off-site receptors from School MUGA noise, entertainment noise, changes in road traffic levels and completed development vibration. These findings have been confirmed by technical specialists engaged by the Council and GLA.

Basement development

454 Draft Policy D10 of the Intend to Publish London Plan requires Boroughs to establish policies in their Development plan to address the negative impacts of large-scale basement development beneath existing buildings. Specifically, this policy identifies the impact of basements on land stability, localised flooding, drainage, and noise and vibrations. The impacts on surrounding residential amenity must be addressed. In line with draft Policy P13 of the New Southwark Plan, basement development must not have an adverse archaeological, amenity or environmental impact.

455 The proposal includes a single storey basement beneath Block BF-RST (approximately 3,390 sq.m.). The basement would provide cycle parking, plant and services and storage. The impact of the basement on subterranean groundwater flow, land stability, surface water flow and flooding was assessed within the Basement Impact Assessment originally submitted to Southwark Council and was considered to be minimal. An addendum to the Structural Impact Assessment was submitted in September 2019 concluding no change to the original assessment. The noise and vibrations associated with the excavation and construction of the basement has been considered within the Environmental Statement and addendum document.

456 The noise and vibrations impact on surrounding residential occupiers would be temporary during the construction period and would be controlled through the implementation of measures approved by the Council within the demolition and construction environmental management plan (DCEMP). This would include controls covering hours of works and the use of ‘quiet piling’ techniques. The Environment Agency have reviewed the proposal and have recommended standard conditions relating to ground contamination, flood proofing and foundation design. The operation of the basement would not lead to disturbance to surrounding residents in terms of noise and vibrations given the low number of vehicle and HGV trips which would be generated. Accordingly, subject to the conditions mentioned above and the detail to be approved within the DCEMP, the proposed basement is considered to be an efficient use of land which would not lead to unacceptable harm in terms of surrounding residential amenity or environmental impacts.

Neighbouring amenity impacts conclusion

457 The assessment above has been based on the information provided by the applicant and analysis by borough officers and GLA officers. On balance and having regard to the increase in scale proposed following amendments to the scheme, given the context and scale of impact, the proposal would not result in a level of sunlight or daylight loss to neighbouring residential properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are acceptable; the development would not cause an undue loss of privacy; and issues of noise and disturbance would be adequately mitigated through planning conditions. The impact of the proposals on the residential amenity of existing residents close to the site would be acceptable, and the proposals therefore comply with London Plan Policies 7.6 and 7.15, Policies D3 and D14 of the Intend to Publish London Plan, Strategic Policy 13 of Southwark's Core Strategy, saved Southwark Policy 3.2, draft NSP Policies P13 and P55 and the Residential Design Standards SPD.

Sustainability and climate change

458 London Plan climate change policies, set out in chapter 5, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.1 sets out the strategic approach to reducing carbon emissions in London, and Policy 5.2 sets out an energy hierarchy for assessing applications. Policy 5.2 sets a minimum target for carbon dioxide emissions reduction in new buildings of 35% beyond Part L of the Building Regulations (as amended 2013) for commercial buildings and zero-carbon for residential buildings. London Plan Policy 5.3 requires future developments to meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

459 Climate change policies within the Intend to Publish version of the London Plan are set out in chapter 9 and require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, minimise carbon dioxide emissions and meet the highest standard of sustainable design. The policies go further than the current London Plan setting more stringent standards regarding air quality, greenhouse gas emissions, energy infrastructure, water infrastructure and waste and the support for the circular economy. Policy G5 states that all major development proposals should contribute to the greening of London.

460 The Mayor's Sustainable Design & Construction SPG sets out how these policies should be implemented. This is reflected within Strategic Policy 13 of the Southwark Core Strategy which requires development proposals to achieve high environmental standards. The Draft New Southwark Plan includes a number of policies relating to sustainability, including P58 (green infrastructure), P59 (biodiversity), P67 (flood risk), P68 (sustainability standards) and P69 (energy).

Energy

Energy strategy

461 In reporting the application at Stage 1, it was noted that the proposed energy strategy comprised energy efficiency measures (including a range of passive design features and demand reduction measures); prioritised district connection to SELCHP with an on-site CHU as a fall-back option; and, renewable technologies comprising photovoltaic panels. Whilst the principles of the energy strategy were supported; a number of technical clarifications were sought in relation to energy efficiency, futureproofing and renewable energy.

462 Whilst the Council's committee report also generally supported the proposed energy strategy, it was noted that the proposal would fall short of the policy requirements for carbon dioxide emissions reductions. Specifically, the proposal would deliver a 39% reduction in carbon dioxide savings across the whole site, including a 9% reduction for the non-residential element and a 55% reduction for the residential element. Accordingly, a contribution of £1,014,000 towards the Council's carbon off-set fund was required.

463 An updated energy strategy was submitted by the applicant as part of the revised application submitted in September 2019, setting out how the development proposes to reduce carbon emissions beyond that of the previously considered proposal. The applicant also sought to address the technical clarifications raised by GLA officers during Stage 1 referral.

464 Energy efficiency (Be Lean): A range of passive design features and demand reduction measures are proposed as part of the development to reduce energy demand, including enhanced thermal envelope performance, high efficiency double glazed windows, window to wall ratio limited to 40:60, and the potential for passive ventilation maximised. The demand for cooling and the overheating risk will be minimised through a number of methods including recessed balconies, building orientation, solar glazing, solar shading and energy efficient appliances. In addition to this, a mechanical ventilation heat recovery (MVHR) system would serve all the residential blocks and the school. All windows would be openable, even where alternative forms of cooling are provided. The potential for passive/natural ventilation potential has been maximised, taking into account noise and air pollution issues from the railway.

465 The applicant's Overheating Risk Assessment has been updated to align with the GLA's Energy Assessment Guidance (October 2018) which recommends the application of CIBSE TM59 for assessing the risk of residential overheating. The overheating assessment demonstrates that 96% of living rooms and 63% of bedrooms comply with the overheating risk criteria. On balance, this is acceptable in this particular instance, given the site layout constraints and requirement for windows adjacent to the railway to be closed due to noise concerns.

466 In terms of performance, the applicant's updated Energy Strategy demonstrates that a site wide reduction of 5.3% is achieved for the revised design (4% domestic and 17% non-residential). This is an improvement on the original proposal which represented a 0% improvement on the Part L 2013 baseline for Be Lean. In response to GLA stage 1 comments, technical details on the individual fabric energy efficiency assumptions have been provided. Whilst the non-residential savings achieve the 15% carbon savings target on Part L baseline set out in Policy SI2 of the Intend to Publish London Plan, the residential element of the proposal is unable to achieve the 10% target due to the requirement for active cooling for some units with south facing facades, which have acoustic considerations given proximity to the railway. GLA officers are satisfied that the revised proposal ensures that reductions in carbon dioxide savings from energy efficiency measures have been maximised.

467 Supply energy efficiently (Be Clean): In line with London Plan Policy 5.6 and Policy SI3 of the Intend to Publish London Plan, the applicant intends to connect the proposed development to SELCHP (South East London Combined Heat and Power, an energy to waste incineration plant). The applicant has confirmed that negotiations with SELCHP have been ongoing. A connection to SELCHP would result in the proposed development achieving a 49% reduction to regulated carbon emissions over the Part L 2013 baseline.

468 The intended heat strategy is to facilitate a connection to SELCHP that will provide guaranteed heat to the domestic buildings and the school. Heating and cooling for the office space is proposed by a Variable Refrigerant Flow (VRF) system. The retail units would be provided as shell only, however the design intent is that heating and cooling would also be supplied by separate VRF systems. GLA officers consider that the proposed development should maximise the contribution

from the district heating network. Connection to the retail and commercial areas should be facilitated, should the future tenants wish to connect to the district heat network. Accordingly, a condition has been secured to ensure that connections to the site wide network are maximised across the site and future proofed for connection to a wider district heating network. Details of how heat loads are to be connected should be submitted to the planning authority prior to commencement of works on site.

469 Use renewable energy (Be Green): The applicant has investigated the feasibility of a range of renewable energy technologies and has identified photovoltaics (PV) as the most suitable renewable technologies. A total of 350 sq.m. of PV panels are proposed. The PV panels would provide a net carbon dioxide emissions improvement of 0.5% over the Part L 2013 baseline. The applicant has advised that the roof area available for PV panels is limited to 350 sq.m. to balance the requirement for green roofs, amenity areas and plant services. GLA officers consider that green roof areas can be used for PV in a bio-solar arrangement. A condition is therefore secured to demonstrate that PV has been maximised across the site, including the provision of bio-solar PV where this is feasible.

470 Overall savings: Based on the energy assessment submitted, a reduction of 1,169 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development, is expected for the proposed development, equivalent to an overall saving of 55%. Specifically, 1,014 tonnes of carbon dioxide per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development for the residential element, equivalent to an overall saving of 62%. For the non-residential element, the savings would be 155 tonnes per annum, or 31%. The carbon dioxide savings therefore fall short of the targets set within Policy 5.2 of the London Plan for the commercial element and for the residential zero-carbon requirement. Accordingly, a 610 tonne domestic emissions shortfall and 22 tonne non-domestic shortfall must be offset. A contribution is therefore required to make up for this deficit, which has been estimated at £1.137m and will be paid into Southwark's carbon offset fund, to be secured in the section 106 agreement.

471 A condition also requires an updated energy strategy to be submitted and approved prior to occupation for each phase. This will enable a more accurate assessment of the carbon dioxide savings to be made at that time.

Flood risk and drainage

472 London Plan Policy 5.12 and Policy SI12 of the Intend to Publish London Plan seeks to ensure that developments address flood risk and incorporate flood resilient design. London Plan Policy 5.13 and Policy SI13 of the intend to publish plan states that developments should use sustainable urban drainage systems (SUDS) and should ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy. Strategic Policy 13 of the Core Strategy sets a target that major developments should reduce surface water runoff by more than 50%. Draft NSP policies P67 sets out criteria to ensure that flood risk is not increased by developments and that new development is resilient to flooding.

473 The application is supported by a Flood Risk Assessment (FRA) and drainage strategy as part of the ES which assesses any likely significant effects of flooding and drainage. The site is located within Flood Zone 3 (high probability of flooding), within an area benefiting from Thames Tidal defences. The proposed uses for the site have a flood vulnerability classification of 'more vulnerable', and as such, an exception test is required.

474 The Council's flood risk officer and GLA Environment Team have confirmed that the proposed development would meet the Exception Test in line with NPPF guidelines. Appropriate mitigation measures and flood resilient construction is proposed for the areas at risk of flooding. In

line with the Flood Risk Assessment and addendum documents, finished floor levels for sleeping accommodation shall be set no lower than the maximum likely water level of 3.18 metres above Ordinance Datum. A Flood Warning and Evacuation Plan is secured by condition.

475 A dedicated surface water drainage strategy has been proposed. The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures such as infiltration in soft landscaping areas, permeable paving blocks, green and blue roofs and beneath ground water storage tanks to improve the existing surface water run off levels. These measures would restrict peak surface water flows to greenfield rates in line with London Plan, Intend to Publish London Plan and emerging NSP policy. A condition has secured the submission of a detailed drainage strategy, for approval by the local authority.

476 The GLA Environment Team has agreed the FRA, including the surface water drainage strategy. A condition is proposed to ensure the development is carried out in accordance with this. Thames Tideway have also recommended a condition regarding foundations, piling and below ground structures and an informative relating to Tideway Guidelines. The Environment Agency (EA) have no objection to the proposal, subject to conditions relating to groundwater, contamination, surface water drainage and flood risk. Subject to these conditions, the proposal accords with the NPPF, London Plan Policies 5.12 and 5.13, Policies SI12 and SI13 of the Intend to Publish London Plan, Strategic Policy 13 of the Core Strategy and draft NSP Policy P67.

Sustainability strategy

477 The applicant has submitted a Sustainability Report for the site, which sets out a number of climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, transport, ecology and biodiversity, waste management and landscape. The remaining themes are considered as follows:

478 BREEAM: The applicant is targeting a BREEAM “excellent” rating for the non-residential floorspace. It is recommended that the commitment relating to BREEAM is secured by way of planning condition, in line with the requirements of Strategic Policy 13 of the Southwark Core Strategy and draft NSP Policy P68.

479 Water use demand: The applicant has set out the measures that would be incorporated into the scheme to reduce the water demand of the development, including water metering and use of water efficient appliances and fittings. The strategy proposes that the office and school elements of the development will have a 25-40% reduction in consumption compared to baseline. The residential dwellings will also have water efficient sanitary fittings installed to meet a water consumption rate of 105 litres or less per person per day. This is welcomed in accordance with London Plan Policy 5.15, Policy SI5 of the Intend to Publish London Plan and draft New Southwark Plan Policy P66. The implementation of these measures will be secured by condition.

480 Materials and construction waste recycling: The applicant has set out commitments using deconstruction techniques where possible in order to recycle materials, and to use local sources for materials where possible. A site waste management plan would be implemented, with targets to be agreed for recycling waste and reduced waste to landfill. The commitments within the site waste management plan would be secured by condition.

Trees and urban greening

481 London Plan Policies 5.10 and 7.21 seek to retain existing trees of value, or mitigate their loss, and require developments to incorporate urban greening measures. Policies G5 and G7 of the Intend to Publish London Plan go beyond the London Plan policies by embedding urban greening

measures and retention of existing trees of quality into the planning process. As set out in Policy G5 the Mayor has developed a generic Urban Greening Factor model to assist boroughs and developers in determining the appropriate provision of urban greening for new developments. This is based on a review of green space factors in other cities. The factors outlined in Table 8.2 of the policy are a simplified measure of various benefits provided by soils, vegetation and water based on their potential for rainwater infiltration as a proxy to provide a range of benefits such as improved health, climate change adaptation and biodiversity conservation. Strategic Policy 11 of Southwark's Core Strategy seeks to improve, protect and maintain a network of open spaces and green corridors. In addition to this, draft New Southwark Plan Policy P58, identifies the benefits of urban greening, whilst Policy P60 seeks to retain and protect significant existing trees.

482 An Arboricultural Impact Assessment (AIA) has been submitted with the application. An addendum document was provided in September 2019 to reflect the revisions to the proposal. The AIA identifies that there are currently 65 existing trees within the site boundary and 81 local authority street trees adjacent to the site. The proposed works would require the removal of 16 trees (plus one group) within the site boundary and three street trees along Drummond Road. A number of local authority street trees would also require management in the form of crown lifting and pruning. The applicant's AIA confirms that of the trees to be removed, one tree is classed as moderate quality and the remaining trees are either of low quality or not suitable for retention. There are no existing Tree Preservation Orders in place for trees on the site. 141 new trees would be planted within the boundary of the site, equating to a 192% increase. Where a street tree would be lost as a result of the proposed works, a replacement tree will be planted as close as possible to the location of the lost tree, in accordance with the Southwark Streetscape Design Manual. The proposed tree planting will result in a net increase of 135 trees which would provide a mature canopy coverage of approximately 15,000 sq.m. (28% site coverage), which exceeds the 10% target within Intend to Publish London Plan Policy G7.

483 Whilst there would be some loss of existing landscaping and reduction in the scale of existing street trees to enable the proposed works, the applicant has sought to maximize the quantum of urban greening and tree planting across the masterplan site. The development would include substantial areas of landscaping, including shrub and herbaceous planting, amenity lawns, rain gardens, street trees and intensive and extensive biodiverse roofs. The urban greening factor of the proposal has been calculated in accordance with Intend to Publish London Plan Policy G5 which recommends a target score for residential development of 0.4 and 0.3 for commercial development. It is noted that Southwark Council don't yet have an urban greening target score for the borough. The urban greening score for the proposal is 0.3. While this falls short of the Mayor's target for residential development, the proposal provides a significant uplift in greening and trees on the existing site and utilises all greening measures identified by the Mayor. On balance, given the uplift in green cover and tree planting, the urban character of the scheme and the proposed use and function of the public realm, and the below ground constraints, it is considered that the proposal successfully maximises urban greening provision and the level of green space is considered to be acceptable.

484 The proposed development would deliver an increase in greenspaces and tree planting, within a high-quality landscape strategy. Subject to a condition requiring a full landscaping and maintenance scheme to be submitted and approved to ensure the proposals are carried through to the build out, the application is considered to be policy compliant in respect of urban greening and trees. A tree management contribution would also be secured within the s106 agreement to facilitate the additional pruning of street trees.

Ecology and biodiversity

485 London Plan Policy 7.19 and Policy G6 of the Intend to Publish London Plan require developments to make a positive contribution to the protection, enhancement and creation of biodiversity. Policy G7 seeks to ensure all developments protect and enhance the borough's natural environment and increase the quantity and quality of the borough's biodiversity. Saved Policy 3.28 of the Southwark Plan states that the Local Planning Authority will take biodiversity into account in the determination of planning applications and will encourage the inclusion of features which enhance biodiversity; this is echoed in draft NSP Policy P59.

486 The site does not fall within the boundaries of any statutory or non-statutory sites of nature conservation and is not designated for any nature conservation purposes. A preliminary ecological assessment and bat survey have been carried out and forms part of the applicant's ES. These assessments confirm that there was no evidence of roosts within the buildings and that the existing site is predominantly covered by buildings and hard landscaping and as such, offers little in the way of biodiversity. The existing site is considered to have a negligible ecological value.

487 The proposed development therefore presents an opportunity for ecological enhancements and green infrastructure across the masterplan site. The submitted ecological statement recommends the provision of the following measures to ensure that the proposed development makes a positive contribution towards the enhancement of biodiversity:

- Provision of bat boxes and a lighting strategy;
- Mechanisms for securing the protection of birds during construction (Construction Method Statement);
- Landscape planting and biodiverse roofs;
- Provision of 20 nest boxes or features; and,
- Provision of native trees and hedgerows to support the provision of wildlife corridors.

488 The ES/ES addendum have been reviewed by independent experts commissioned by the Council and the GLA who agree with the findings. The harm to biodiversity would be limited and the benefits of the proposals, including mitigation measures, are considerable and outweigh this harm. Subject to the recommended conditions to secure the mitigation and enhancement of biodiversity, the proposal accords with the NPPF, Policy 7.19 of the London Plan, Policies G6 and G7 of the Intend to Publish London Plan, Saved Policy 3.28 of the Southwark Plan and draft NSP Policy P59.

Conclusion on climate change and sustainability

489 Whilst the proposed development would fall short of the carbon dioxide reduction targets of the Intend to Publish London Plan, a condition has been secured requiring the submission of an updated energy strategy prior to occupation of the development, which maximises carbon dioxide reductions. A contribution towards the borough's off-set fund will be required to make up for any deficit. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve high standards in sustainable design, construction and urban greening/trees. In this respect, the development is in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Other environmental issues

Air quality

490 Paragraph 181 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, with further guidance provided in the Government's Planning Practice Guidance (PPG).

491 A core priority of the Mayor's Environmental Strategy (2018) is to improve London's air quality and protect public health by reducing exposure to poor air quality, particularly for the most disadvantaged and those in priority locations such as Air Quality Focus Areas, and outlines a range of initiatives that seek to improve the capital's air quality over time, including the Ultra Low Emissions Zone (ULEZ). London Plan Policy 7.14 and SI1 of the Intend to Publish London Plan state that London's air quality should be significantly improved and exposure to poor air quality reduced, especially for vulnerable people. Policy SI1 states that development proposals should not create unacceptable risk of high levels of exposure to poor air quality and should ensure design solutions are incorporated to prevent or minimise increased exposure to existing air pollution. Saved Policy 3.6 of the Southwark Plan states that planning permission will not be granted for development that would lead to a reduction in air quality. Draft NSP Policy P64 requires development to achieve air quality neutral standards and address air quality impacts on future occupiers.

492 The whole of Southwark, including the application site, is within an AQMA. The applicant has submitted an assessment of the proposal's impact on air quality, set out in the Environmental Statement. This assessment looks at the impacts of demolition and construction, and traffic generated by the scheme, as well as the impact of existing and future traffic pollution on the health and comfort of future occupiers of the development. An Air Quality Neutral Assessment has been submitted. The Assessment has been reviewed by independent technical specialists commissioned by the Council and the GLA and is considered to provide a robust assessment of the baseline and future air quality levels for the site and proposed development.

493 Relevant Air Quality Objectives set by the Air Quality Standards Regulations (2010) and the associated EU Directive set limits at 40µg/m³ for both nitrogen dioxide NO₂ and particulate matter PM₁₀ (in terms of micrograms per cubic metre) at locations of relevant public exposure. The annual mean background concentrations of NO₂ and PM₁₀ and the maximum increases as a result of the development have been modelled within the ES. The assessment concludes that the annual average estimates of 34 µg/m³ for NO₂ and approximately 18.7 µg/m³ for PM₁₀ and within the set limits.

494 *Construction Phase:* During the demolition and construction works, there is the potential that emissions of dust, vehicle movement and construction plant could result in a loss of amenity at nearby existing residential properties and those parts of the proposed development built and occupied in the early phases. However, with the implementation of suitable mitigation, including following best practice to reduce dust emissions from works, it is anticipated that the likely effects from dust effects and vehicle emissions could be mitigated so as not to be significant. As such, planning conditions are recommended that require the approval and implementation of a Dust Management Plan and a Construction Environmental Management (CEMP), prior to undertaking any works on site. Subject to these conditions, the likely temporary effects on air quality during the construction period are acceptable.

495 *Operational Phase:* Air quality impacts once the proposed development has been completed would arise due to emissions from road traffic movements associated with the proposed development. The applicant undertook dispersion modelling to quantify the pollutant concentrations at the site and assess potential exposure of future users. The modelling indicates

that the effect of traffic emissions to annual mean NO₂ concentrations is approximately 0.2 µg/m³ and as such, would not result in a significant increase in pollutant concentrations at existing off-site receptor locations. At on-site receptors, concentrations across the proposed development are predicted to meet relevant health-based limits. Overall, it is considered that the completed proposed development would not give rise to a significant effect on air quality at either off-site existing receptors or at future on-site receptors. Consequently, no embedded mitigation is required for the proposed residential units in terms of air quality impacts.

496 Having reviewed the applicant's air quality study, GLA officers consider that identified air quality impacts can be suitably mitigated via the proposed mitigation and therefore the proposal is considered to meet the Air Quality Neutral Standard. Southwark Council officers concurred with this assessment. In conclusion, the application complies with the requirements of the NPPF, London Plan Policies 3.5 and 7.14, Policy SI1 of the Intend to Publish London Plan, saved Policy 3.6 of the Southwark Plan and draft NSP Policy P64.

Noise and vibrations

497 Paragraph 180 of the NPPF states that new development should ensure that potential adverse impacts resulting from noise are mitigated or reduced to a minimum; and noise levels which give rise to significant adverse impacts on health and the quality of life are avoided. London Plan Policy 7.15 and Policy D14 of the Intend to Publish London Plan state that development should manage noise to improve health and quality of life by avoiding significant adverse noise impacts on health and quality of life; mitigating and minimising existing and potential adverse noise impacts within the vicinity of new development; separating new noise sensitive development from major noise sources through the use of screening, internal layout, set back distances; and where this is not possible, adverse effects should be controlled and mitigated by incorporating good acoustic design principles. The Mayor's Environment Strategy aims to reduce the number of people adversely affected by noise and includes policies and proposals to support this aim. Draft NSP Policy P65 seeks to ensure that noise impacts do not adversely affect quality of life and that construction impacts are mitigated.

498 Chapter 10 of the applicant's ES and addendum contains a Noise and Vibration Assessment which reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases. The Noise and Vibration Assessment has been independently reviewed by technical specialists commissioned by the Council and GLA and the methodology and findings are considered to be robust.

499 *Construction Phase:* During the construction phase, there will inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts will be temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in a construction environmental management plan (CEMP) (covering hours of works, use of Best Practicable Means, "quiet piling" techniques, erection of hoardings etc). The submission and implementation of the CEMP will be secured by condition.

500 *Operational Phase:* During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be confined to noise from entertainment uses (Class A2/A3/A4), the school and associated facilities, and plant and services. A condition is secured requiring details of plant and machinery associated with the development to be approved. This will ensure that noise from plant will be at least 5dB below background noise level, measured at the nearest residential premises, along with other mitigation such as screening.

501 The potential noise impacts from the school MUGA/playground and entertainment uses has been modelled as worst-case scenarios within the ES addendum. Whilst the noise generated from

MUGA activities would be lower than background vehicle movement during the day, it is recommended that the external facilities are not used into the night-time period (after 23:00) and usage during evening on Sundays (after 21:00) should also be managed as this may cause disturbance to surrounding residential properties. Whilst the proposed entertainment uses would have a negligible impact on existing neighbouring residential properties due to separation distances, internal insulation between floors is required where new retail/restaurant uses are to be located within the same building as new residential units. Conditions are therefore required to limiting the hours of operation for any Class A2/A3/A4 (café/restaurant/bar) uses.

Wind microclimate

502 London Plan Policy 7.7 and Policy D9 of the Intend to Publish London Plan state that tall buildings should not affect their surrounding adversely in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Draft policy P16 of the New Southwark Plan also states that new tall buildings must avoid harmful and uncomfortable environmental impacts.

503 The applicant's ES and ES addendum assess the likely impacts of the proposed development on wind and microclimate, in terms of pedestrian comfort and safety. Wind tunnel tests were undertaken to assess and quantify the pedestrian level wind microclimate at the site against the Lawson Comfort Criteria. Sensitive receptors that were assessed include locations at ground floor around the site, including surrounding footways and public spaces. Within the scheme itself, proposed open spaces and a significant number of proposed private amenity spaces (balconies) were tested.

504 Overall, wind conditions in and around the proposed development show that the spaces are mostly suitable for their intended uses with 11 isolated areas of stronger than desired wind conditions during the windiest season. It was determined that wind mitigation measures are necessary in several instances to ensure that wind levels do not breach the levels suitable for the intended pedestrian use and to ensure the safety of pedestrians and cyclists. Following iterative tunnel testing, a list of mitigation measures was determined (in item 12.46 of the 2019 ES and the Technical Appendix 12.1) so that wind conditions were acceptable at all measured locations. Proposed measures include the positioning of mature vegetation, canopies, screens, and hedge/dense planting. Subject to a condition securing these mitigation measures, the wind conditions within the proposed development would represent a negligible impact.

Waste

505 London Plan Policy 5.17 requires adequate provision for waste and recycling storage and collection and Policy 5.18 requires applicants to produce site waste management plans to arrange for the efficient handling of construction, excavation and demolition waste and materials. Policy S17 of the Intend to Publish London Plan seeks to reduce waste and increase material reuse and recycling and promotes a circular economy. The policy also sets several waste targets including a strategic target of zero biodegradable waste or recyclable waste to landfill by 2026. Further relevant criteria is set out in draft NSP Policy P61.

506 Construction waste: The applicant has committed to resource efficiency and material management during construction, including targets for directing construction waste away from landfill, and planning conditions are recommended to ensure that contractors adhere to this plan.

507 Operational waste: The applicant has prepared a Waste Management Strategy and addendum document for the site. This has the following key themes:

- Assumptions that Southwark Council would collect residential waste once a week for each waste stream;
- Commercial waste will be collected for each waste by a private contractor;
- Each residential unit will be fitted with waste segregation units of the relevant size within the kitchen;
- Taller buildings will be sited with waste chutes that are designed to be within 30 metres of every front door. The waste chute would be fitted with a tri-separator system;
- Whilst each plot would have a specific waste strategy. Each residential block would be provided with a dedicated bin store at basement, ground or first floor accommodating communal bin storage for each waste stream;
- An on-site Facilities Management team will be responsible for regularly monitoring refuse storage areas and for exchanging full to capacity and empty bins as required; and,
- Adequate provision is made for commercial waste, with separate bin stores distributed across the scheme and access for collection vehicles via the nearest loading bay.

508 The Council's waste officer has not provided comment on either the previous scheme design, or this scheme as presented which has since been amended to increase the capacity of bin stores commensurate with the increase in unit numbers. However, waste storage and collection arrangements were not cited as a reason for refusal by Southwark Council. Whilst the general principles of the waste management strategy are acceptable, further detailed information is required by condition, to be submitted and approved by the Council.

Contaminated land

509 London Plan Policy 5.21 and draft NSP Policy P63 supports the remediation of contaminated sites and bringing contaminated land back into beneficial use.

510 The applicant's 'Phase II Environment Site Assessment: Investigation Stage 1' has been reviewed by the Environment Agency and by external consultants as part of the ES. As with most previously developed sites with a history of industrial uses, the report has identified some elevated concentrations of lead and hydrocarbons in the ground and groundwater, however these are currently assessed as not being a significant risk to controlled waters.

511 To minimise risk to human health and controlled water regulators, planning conditions have been secured requiring the following: a site investigation scheme to identify any contamination risks; remediation strategy which would detail any required remediation works; a requirement to submit a remediation strategy should any contamination not previously identified be found; restrictions to piling and other foundation designs; and, Construction Environmental Management Plan.

Transport

512 Chapter 9 of the NPPF sets out the Government's aim to promote the use of sustainable modes of transport. When considering the transport implications of development proposals, the NPPF states that decision-makers should ensure that site specific opportunities available to promote sustainable transport modes have been taken up; safe and suitable access to site would be achieved for all users; and any significant impacts from development on transport network (in terms of capacity or congestion) or highways safety can be mitigated to an acceptable degree. Paragraph 109 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or where residual cumulative impacts on the road network would be severe. Paragraph 110 of the NPPF sets out additional criteria which should be addressed which includes pedestrian, cycle and inclusive access.

513 London Plan Policy 6.1 sets out a strategic approach for transport in London. This includes the aim to encourage patterns of development that reduce the need to travel, especially by car, through the use of maximum car parking standards; seeking to improve the capacity and accessibility of public transport, walking and cycling, including step free access; encouraging shifts to more sustainable modes of travel and improving the public realm and street space management to promote sustainable travel. Policy 6.3 states that the impact of development proposals on transport capacity and network should be fully assessed and not adversely affect safety, with schemes appropriately phased where transport capacity is insufficient to allow for the expected trip generation. Other relevant transport policies are Policies 6.7, 6.9, 6.10, 6.11, 6.13 and 6.14 which cover buses, walking and cycling, traffic congestion parking and freight. Policy 8.2 of the London Plan sets out the Mayor's priorities for planning obligations and states public transport improvements should be given the highest importance, alongside affordable housing.

514 The Mayor's Transport Strategy (2018) (MTS) seeks to promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places. The MTS aims to ensure that by 2041, 80% of all Londoners' trips will be made on foot, by cycle or by public transport. Policy T1 of the intend to publish London Plan requires development proposals to support this overarching aim, as do a range of other policies in the Mayor's Intend to Publish London Plan on 'Healthy Streets' (Policy T2), cycling (Policy T5), parking (Policy T6, T6.1-T6.5), deliveries and servicing and construction (T7) and funding necessary transport mitigation measures (Policy T9). Policy T4 of the intend to publish London Plan requires transport impacts to be assessed and mitigated and avoid road danger.

515 Southwark's Core Strategy Policy 2 on Sustainable Transport seeks to encourage walking, cycling and the use of public transport rather than travel by car. This is intended to help create safe, attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution. This policy requires the submission of a transport assessment to demonstrate that schemes minimise their impact, minimise car parking and maximise cycle parking. Saved Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 requires the needs of pedestrians and cyclists to be considered and 5.6 establishes maximum parking standards. The Draft New Southwark Plan contains a range of relevant transport policies, including P48 (public transport), P49 (highways impacts), P50 (walking), P51 (Low Line routes), P52 (cycling) and P53 (car parking).

516 The main transport issues are; mode shift, the healthy streets approach and vision zero, capacity on the public transport network, impacts on the local and strategic highway network, walking and cycling routes, public realm and arrangements for access and servicing as well as the adequacy of supporting measures including the travel plan.

Trip generation and mode split

517 The applicant's updated Transport Assessment Addendum (TAA) (2019) predicts that the scheme as a whole will generate a total of 1,276 trips during the morning peak hour (08.00 to 09.00) and 1,252 trips during the afternoon peak hour (17.00 to 18.00), with the majority of trips expected to be made by either public transport, walking and cycling (95.3% during AM peak; and 95.6% during the PM peak). In total, the TA expects 2,528 daily trips to be generated across all transport modes, of which 117 would comprise vehicle-based trips (4.6%) and the remaining 2,411 (95.3%) would involve walking, cycling, and/or public transport. The assessment of the likely trip generation and modal split is considered acceptable. The projected mode share is in line with Policy T1 of the intend to publish London Plan which sets a target for inner London of 95% of all trips to be undertaken by non-car modes by 2041.

Site access and highways impact

518 Vehicular access to the site is demonstrated in Figure 9 below. Overall, the site will include seven access points; one egress, three accesses and three access/egress.

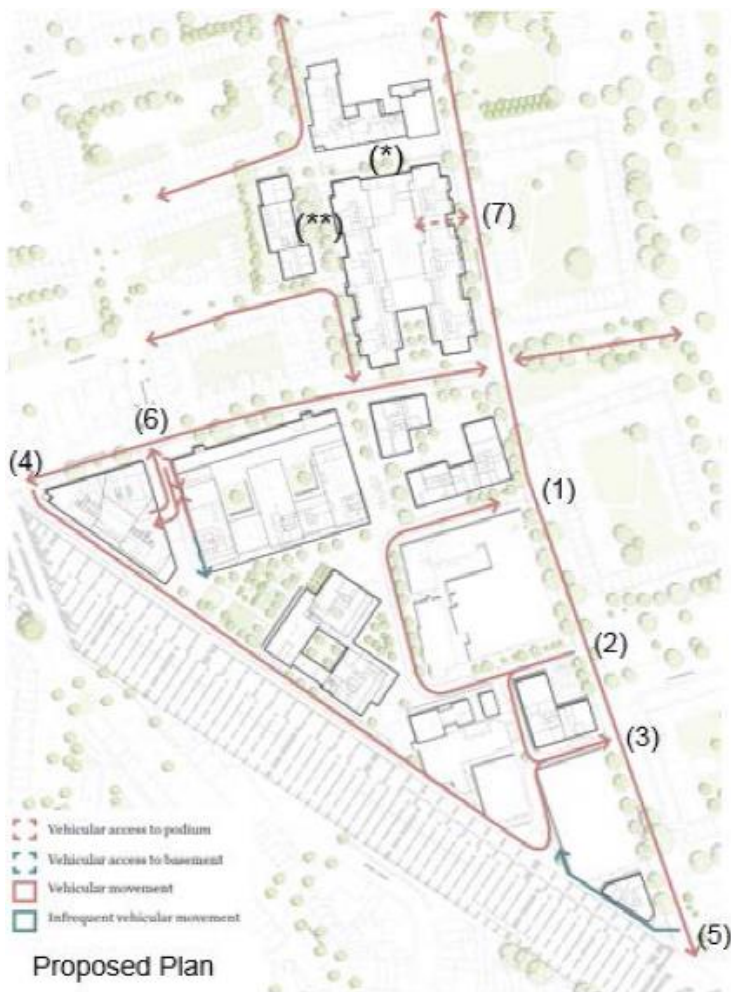


Figure 9: proposed vehicle circulation

519 The principal vehicle routes through the site include:

- The Low Line access from Clements Road (4) and egress onto Drummond Road between existing workspace buildings (3);
- A new vehicle access point is to be created on Drummond Road (1) for the Biscuit Factory as well as to maintain the vehicle access to Plot 5 (2) to create a loop road (Access Loop);
- The southern vehicle access point adjacent to the Workspace Buildings is retained (3) for servicing vehicles, access and egress to the retained Workspace parking,;
- Access and egress to internal car parking within Block BC-1234 (7); and,
- Access and egress to undercroft loading bays at Plot BF-DE (6) and basement car park/servicing under BF-RST.

520 The proposed approach to site access and vehicular movement is supported. The applicant will be required to enter into a section 278 agreement with the Council for highway works associated with the development, including the site accesses, repaving and tree planting, the requirement for which will be secured through the section 106 agreement.

521 Officers acknowledge that concerns have been received from surrounding residents regarding the traffic congestion associated with school drop-off and pick-ups. Given the good PTAL of the area and the absence of general parking spaces alongside controls over on street parking, TfL officers have confirmed that the majority of trips associated with the school would comprise public transport, walking or cycling. The requirement to submit a School Travel Plan and School Demand Management Plan would ensure sustainable travel, in particular walking and cycling and spread trips over longer periods. In these respects, the proposal does not raise concerns in terms of traffic and parking congestion on existing highways.

Deliveries and servicing

522 An outline Delivery and Servicing Plan (DSP) was submitted as part of the masterplan application, which included information on the delivery strategy for the site and proposes bespoke measures to help reduce the impact of delivery vehicles on the road network. The final DSP will be secured by condition.

523 The proposed development includes a combination of loading bays both on-site and on-street. The original Masterplan TA demonstrated that there was spare capacity in many of the loading bays to accommodate the expected demand. The TAA expects residential servicing trips to increase slightly from the original TA from 199 trips to 229 throughout the day. The non-residential servicing trips are expected to increase by 13 trips from 186 trips to 199 trips. This represents an uplift of 15% points and 7% points respectively from the original application. The assessment of the likely trip generation is considered acceptable, taking into account the characteristics of the site and the proposed development including the changes made to the proposal.

524 The servicing arrangements for the original application were accepted in principle by Southwark Council, however, one of the reasons for refusal related to a 'pinch point' on Shard Walk at the Workspace building, which the Council considered to pose a risk of conflict between pedestrian, cyclists and other vehicles. In response to this, the applicant has committed to reduce the number of service vehicles using this route and increase pedestrian and cyclist safety through various measures. Specifically, following discussions with TfL officers, a loading bay has been removed from the south-western side of an existing Workspace building adjacent to Shard Walk, and the length of the loading bays along Shard Walk have been reduced. In turn, the capacity of the service yard in Block BF-DE and the loading bays on the Access Loop Road will be maximised. TfL officers confirm that the number of loading bays provided along Shard Walk is appropriate for the servicing activity anticipated in this location. Furthermore, TfL officers have confirmed that the reduced width of some areas of Shard Walk would not impact the ability of service vehicles in accessing this area. As a result of these revisions, servicing along Shard Walk is expected to decrease by up to 33 trips per day, resulting in a total number of 35 vehicle movements along Shard Walk per day. In addition to this, servicing and deliveries along Shard Walk will be restricted to off-peak hours. The DSP will secure these measures and associated management, and approval of the detailed design of the internal street layout will be a conditioned to ensure safe yet efficient arrangements.

525 More generally, the applicant has successfully incorporated measures throughout the site which will reduce the number of deliveries, including the consolidation of centres for the residential and non-residential elements of the development. These measures will be secured within the DSP. The proposed servicing and delivering strategy is therefore in accordance with Policy T7 of the Intend to Publish London Plan and saved Policy 3.11 of the Southwark Plan and draft Policy P47 of the New Southwark Plan.

Walking, cycling and healthy streets

526 The proposed development would result in an increase in pedestrian and cycle trips to/from the site and around the local area. The applicant has committed to significantly improving pedestrian and cycle routes through the site. As discussed elsewhere in this report, the proposed development would establish a primary pedestrian/cycle route beginning at Bermondsey London Underground station, leading south towards and then through the Biscuit Factory site. In line with the site allocation, a new pedestrian and cycle route would also be provided along the Low Line, between Clements Road and Southwark Park Road. The Lowline runs between Camberwell in the south of the borough and London Bridge. The proposed railway arch routes and the public highway improvements to be delivered through the s278 agreement along with these north south routes would provide direct links between Bermondsey Station, the neighbourhoods to the south, east west of the site. Two secondary routes would diverge from the primary route, one through the Main Yard, and another leading through Block BF-F.

527 Cyclists would be permitted to cycle throughout the site, with appropriate design and management measures to minimise conflict with pedestrians and ensure safe and convenient cycle routes. The proposed development would also deliver new and improved cycle routes which link to Cycleway 4 on Jamaica Road and Cycleway 10 to the south.

528 A comprehensive Wayfinding Strategy will be delivered via a106 agreement, which would include Legible London signage.

Highway safety

529 Southwark Council cited the following reason for refusal, relating to highway safety within the site:

The 'blind spots', convoluted and illogical internal routes proposed for pedestrians/cyclists and motorised vehicles would exacerbate pedestrian-vehicle and vehicular conflict and subsequently create adverse impact on highway safety, contrary to the Saved Southwark Plan 2007 Policies 5.2 'Transport impacts' part ii and 5.3 'Walking and cycling' parts i and ii, Strategic Policy 2 'Sustainable transport' of the Core Strategy 2011 plus New Southwark Plan 2018 Policies P11 'Design of places' parts 1.5 and 1.7, P47 'Highways impacts' part 4 and P48 'Walking' part 3.

530 Southwark's committee report focused on two specific areas of the masterplan that were considered to be a highway safety concern:

- Area 1: an existing 3.2 metre gap between the existing Workspace Building BF-C and the entrance to the proposed pedestrian tunnel (option B) beneath the existing viaduct; and,
- Area 2: the space between the existing Workspace Buildings which is to be retained as a servicing area.

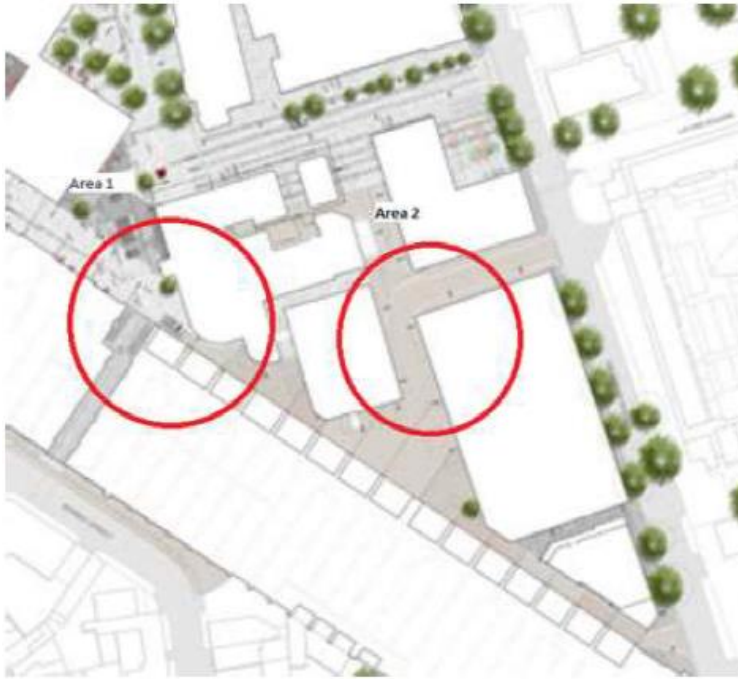


Figure 10: Southwark Council areas of highways concern

531 Southwark Council's concerns regarding the blind spots and highways safety are noted by GLA officers. It was the view of Southwark officers that the combination of shared road space and a section of narrow road width could create conditions perceived as being potentially harmful to pedestrian and cyclist's safety. As demonstrated in Figure 10, the two specific areas of concern sit adjacent to retained Workspace buildings. Given these buildings do not form part of the proposed development, sit outside the site boundary and are in separate ownership, they cannot be demolished or altered without agreement of Workspace who own them and impact on the existing businesses within them. However, in discussion with Workspace, the applicant has been able to instead propose rearrangements and management measures of the spaces around them.

532 Accordingly, the following measures are proposed to address Southwark's reason for refusal:

Relocation of Workspace parking: As demonstrated in Figure 11, three Workspace parking bays were previously located within Area 1. In order to minimise the number of vehicle movements through this area and increase space for pedestrians and cyclists to travel along this section of Shard Walk, these spaces are proposed to be relocated as demonstrated below. This is estimated to reduce the number of vehicle movement on

Shard Walk by three vehicles a day.

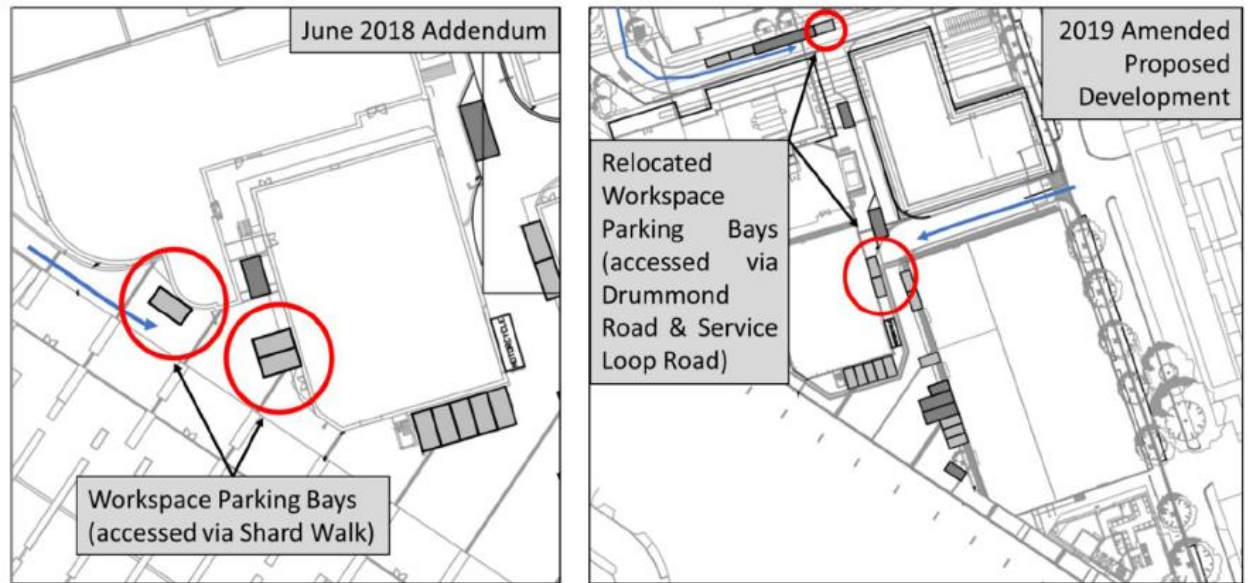


Figure 11: workspace parking

- Removal of a Workspace Loading Bay: A review of the capacity of the loading bays demonstrated that during peak hours there was 29% spare capacity within the loading bays within the Workspace Service Yard (on the eastern side of retained Workspace Building BF-C). This has enabled the removal of the below loading bay from Area 1 and redistribution of the deliveries to the Workspace Service Yard. This is estimated to reduce the number of vehicle movements on Shard Walk by two vehicles per day.

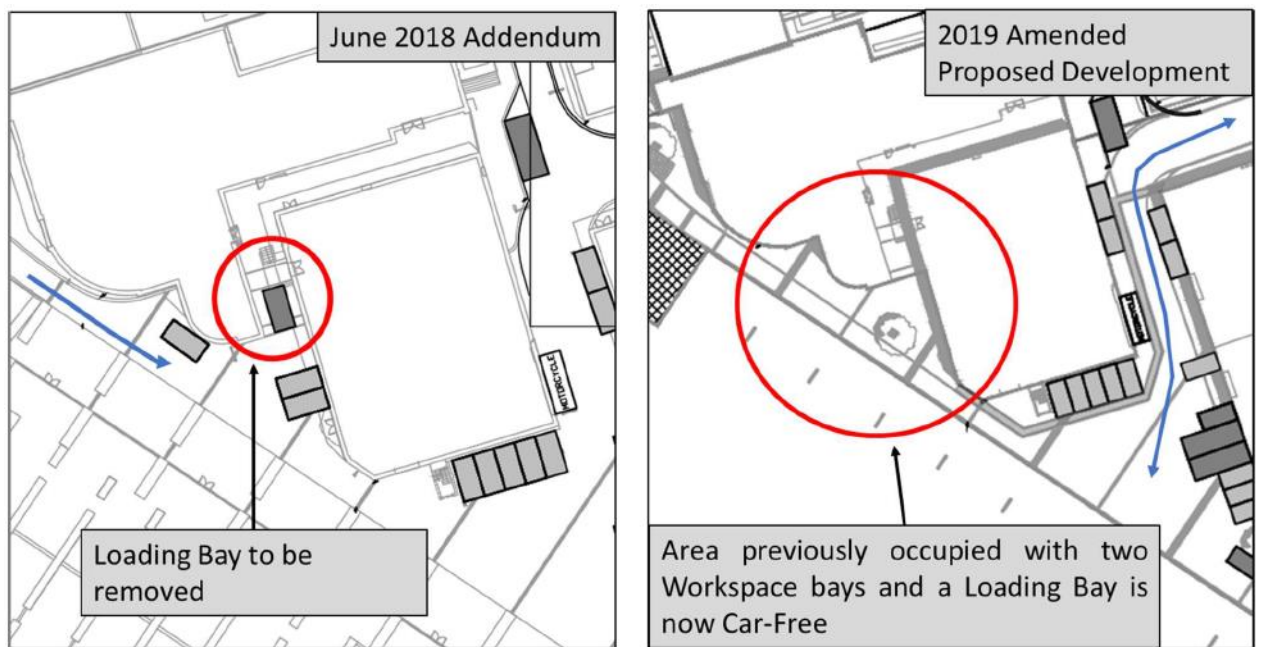


Figure 12: relocated loading bays

- Reduced loading bay provision elsewhere on Shard Walk: A review of the capacity of the loading bays demonstrated that during peak hours, there was approximately 37% spare capacity for the loading bay adjacent to Block BF-DE, and 58% and 32% capacity for the

two loading bays adjacent to Block BF-RST. Following discussions with TfL officers, the proposed loading bays along Shard Walk have been reduced to better reflect the anticipated capacity. This amendment provides more space for pedestrians and cyclists and results in a reduction in 23 servicing vehicle movements along Shard Walk, in addition to the reduction from the five vehicles resulting from the relocation of three car parking spaces and removal of Workspace delivery bay discussed above.

- Introduction of a pedestrian zone through the Workspace Service Yard: Officers note that 'Area 2' was not identified as a highway safety concern in the independent Road Safety Audit and exists currently. Given the location of Area 2 within a service yard, away from area of public realm and ground floor retail uses, GLA officers do not consider this area to be a main pedestrian desire line. Pedestrians or cyclists would not be directed or encouraged to travel via this route, unless they specifically need to access an existing Workspace building as per current arrangements for the businesses. Notwithstanding this, the applicant has incorporated a demarcated pedestrian route through this service yard to provide a safe, visible track for pedestrians to follow. It is also proposed that signage would be implemented to forewarn drivers of pedestrian and cyclist activity.
- Traffic calming measures will be introduced along the length of Shard Walk including to reflect the recommendations of the independent Road Safety Audit. This includes the provision of rumble strips, contrasting surfacing, positioning of street furniture and raised tables and kerbing to 'Area 1'.

533 In order to avoid the pinch point within Area 1, Southwark Council officers proposed using the 'Main Yard' adjacent to the Workspace building as a service vehicle route. GLA and TfL officers consider that this would introduce a new and much more serious conflict between vehicles, pedestrians and cyclists, contrary to Policy T2 of the intend to publish London Plan. The Main Yard is a key part of the public realm on the main north-to-south pedestrian and cycle route which links to the railway arches. Accordingly, this area is not considered to be appropriate as a service vehicle route.

534 Overall, the revisions to the proposal seek to reallocate on site vehicle space to pedestrians and cyclists and reduce vehicle movements and speeds along Shard Walk including Area 1. In total, the number of vehicles associated with the development travelling along Shard Walk per day would be reduced by 44% from 63 to 35 vehicle movements a day. In addition to this, car parking provision across the wider site has been reduced from 89 spaces to 44. In light of this reduction in vehicle movement across the site, the expected low-levels of pedestrian and cycle movement within the existing Workspace service yards and the proposed traffic calming management and design measures, the revised proposal is considered to overcome Southwark's suggested reason for refusal, as confirmed within the Council's formal consultation response.

535 The proposal is therefore considered to successfully reduce the risk of conflict between pedestrians, cyclists and vehicles within the site and would support a safe environment for pedestrians, in line with London Plan Policy 6.10, D8 and T2 of the intend to publish London Plan, saved Southwark Policy 5.2, Strategic Policy 2 of the Southwark Core Strategy and draft New Southwark Plan Policies P11, P47 and P48.

Railway arch routes

536 Southwark Council's forth reason for refusal identified that the applicant was not able to secure the delivery of the two pedestrian routes through the railway viaduct in line with the requirements of draft site allocation NSP10. These routes would add to the links between the development and the local services, facilities and bus routes at the Blue and the neighbourhoods

to the south and west. Whilst the applicant remains committed to delivering the pedestrian/cycle routes through the railway viaduct, GLA officers acknowledge that securing the rights to deliver these routes especially early in the development is challenging owing to their separate ownership and uncertainties as to the future use of all the arches.

537 The northern archway route would continue the primary pedestrian route from Bermondsey London Underground station through to the south western side of the railway via the proposed West Yard. The applicant has committed to a reasonable endeavours clause within the section 106 agreement to deliver this arch route. Should this arch route not be delivered 12 months prior to the anticipated practical completion of the development, for the reasons discussed within this report, the applicant has committed to undertaking public realm and pedestrian and cycle improvement works to the existing route beneath the railway on St James's Road at its junction with Clements Road. These works would be additional to any works to Clements Road, secured as part of the s278 agreement with the Council.

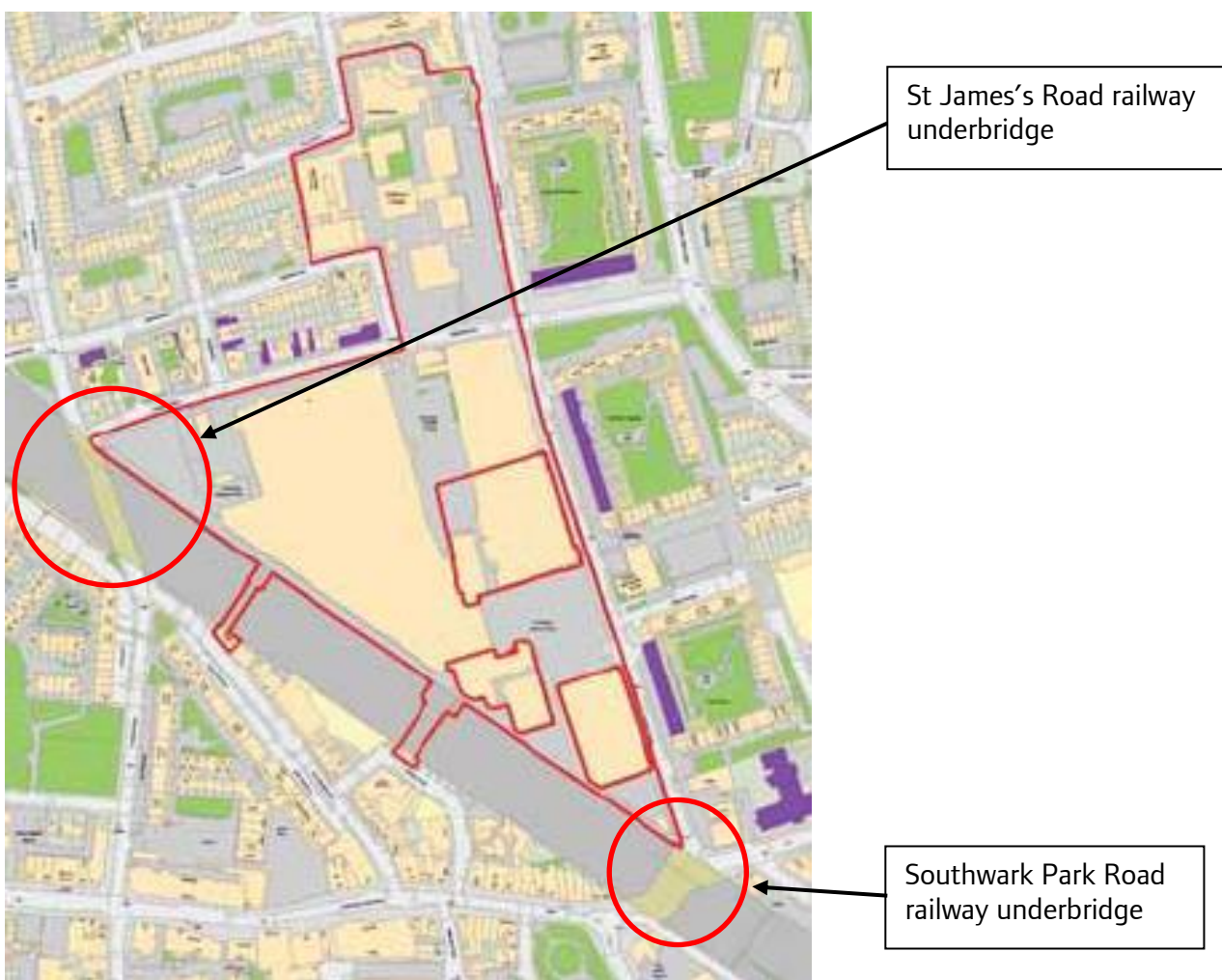


Figure 13: alternative improvement to railway arch routes

538 St James's Road route is located approximately 115 metres north-west of the proposed northern arch, but adjacent to the site. Given the location of this route in relation to Blocks BF-OPQ, BF-F, BF-DE and Block BF-RST and to the entire Bermondsey Campus part of the site and the shopping parades and bus stops at the Blue, officers consider that this route would be widely utilised. A direct pedestrian route would be provided to this existing underpass from the West Yard, via Shard Walk. The St James's Road route is currently considered to be uninviting to pedestrians and cyclists. The perceived safety risks of users is considered to be high, which is

further exacerbated by the extended length of the underbridge. Accordingly, should the northern arch route not be secured by completion of the development, an agreed strategy of underbridge improvement works and management measures is considered to be an appropriate alternative which would complement the secured improvements to Clements Road. The applicant would be required to consult with the Council in order to formulate and agree the details and with Network Rail if works are proposed to the railway bridge itself. e. A programme and timescale for the completion of the works and implementation of management measures must also be agreed with the Council. The details of this approach will be appropriately secured within the section 106 agreement, including the applicant covering the full costs.

539 A southern arch route is proposed in addition to the northern route. GLA officers acknowledge that the Council expressed concern regarding the 'pinch point' between existing Workspace Block BF-C and the entrance to proposed archway route 2 (option B), which would be a minimum width of 3.2 metres. In response to this, as well as the proposals for Area 1 set out above, the applicant has amended their site to include the adjacent arch to the north (option A), to introduce flexibility and increase deliverability of the proposed route. The applicant has undertaken a Road Safety Audit for both options. Subject to the recommendations provided within the RSA, both arch routes could provide a safe environment for pedestrians and cyclists but option A would better align with the north-south pedestrian and cycle routes through the development. Delivery of this arch (option A) would therefore be prioritised.

540 Should the delivery of the southern archway route (option A or B) not be secured 12 months prior to the anticipated practical completion of the development, the section 106 agreement would require the applicant to undertake public realm and pedestrian/cycle improvements to and in the vicinity of the Southwark Park Road railway under bridge, in line with the terms agreed for the northern arch, discussed above. This existing route will directly connect to the site at Shard Walk, which will be vehicle-free at the south eastern end, adjacent to the railway bridge as well as along the improved (via s278 agreement) footway on Drummond Road and Southwark Park Road. These commitments will be appropriately captured within the section 106 agreement.

541 Accordingly, whilst the delivery of the northern and southern arch routes remain as the priority and the applicant must use reasonable endeavours to deliver these routes, GLA officers are satisfied that should one or both of these archways not be delivered as part of the proposed development, the improvements to existing railway under bridges at St James's Road and Southwark Park Road are a suitable alternative which aligns with the Healthy Street approach, vision zero and the relevant walking and cycling policies. The proposal is therefore considered to meet the intent of London Plan Policies 7.1, 6.6, 6.7, 6.9 and 6.10, Policies D8 and T2, 4, 5 and 9 of the Intend to Publish London Plan, Southwark Core Strategy Policy 2, and saved Southwark Plan Policy 5.3 and draft Policies P49, P50, P51 and P52 of the new Southwark Plan.

542 It is noted that the Council has maintained its original objection relating to the failure to secure the delivery of the proposed arch routes. Whilst the delivery of the two arch routes, as required by the draft site allocation, is not ultimately able to be fully committed to as part of the planning application, noting the above and the draft status of this policy, GLA officers do not consider that it would be reasonable to withhold planning permission for this reason.

Impact on public transport

543 Various concerns have been received from surrounding residents regarding the impact of the development on public transport. Specific concern was expressed regarding the impact on the Jubilee Line.

544 The site is located 350 metres south of Bermondsey London Underground (LU) station, which provides access to the Jubilee Line. GLA and TfL officers acknowledge that the Jubilee Line trains experience crowding in the weekday AM and PM peaks, as is common in inner areas of London. The TfL business plan includes a project to increase peak frequency of the Jubilee Line from 30 trains per hour (tph) to 32 tph through Bermondsey in order to help address this issue. In addition to this, the Elizabeth Line will help ease crowding on this section of the Jubilee Line. A station capacity assessment was carried out and it was demonstrated that the station was able to cope with the increase in expected trips. In conjunction with robust Travel Plan measures to encourage walking, cycling and bus and cycle hire use, the s106 transport mitigation measures supporting these modes and given the site's location close to CW4, CW10, the CAZ and local facilities at the Blue, on Jamaica Road and Canada Water, the impact of trips generated by the development on the LU network is deemed acceptable.

545 The TA expects the development to generate 405 daily bus trips, of which 207 would be in the morning peak and 198 in the afternoon peak. This would generate additional levels of demand on all the bus routes serving the site. Whilst most of these could accommodate additional passengers or are subject to other funded proposals for improvement, Route 381, Peckham to Waterloo, could not do so given the existing level of demand on this service during peak times it is expected that the equivalent to around one full bus load of passengers would be generated by the development in the peak. Therefore, as mitigation, a total financial contribution of £60,000 per annum over 5 years (£300,000 total) is required to provide one additional new bus per peak hour on this route, secured through the section 106 agreement. This contribution would be triggered to enable the enhanced service to be introduced when existing capacity is expected to be exhausted and is necessary to make the development acceptable in strategic transport terms.

546 Given this and the contribution towards bus services, cycle hire and other active travel measures, the development's impact on the public transport network is considered acceptable, in accordance with London Plan Policy 6.3. Policy T4 of the Intend to publish London Plan.

Cycle parking and cycle hire

547 The proposal includes 2,669 long-stay residential cycle parking spaces, with an additional 79 short-stay for visitors. A further 432 cycle parking spaces are proposed for the commercial elements and an additional 321 short-stay spaces. These accord with Intend to publish London Plan standards. Policy compliant cycle parking for the proposed school would also be provided. In addition to this the applicant has proposed 28 cycle parking spaces for cargo bikes, in space which was previously planned to be residential car parking. Long-stay residential cycle parking spaces are provided within the relevant buildings, whilst the employees of the retail and community units would have access to two communal stores located within Blocks BF-RST and BC-1234. Dedicated cycle storage would also be provided in Blocks BF-F and BF-DE for the office workers. The provision of cycle parking meets the minimum standards set by London Plan Policy 6.13, Policy T5 of the Intend to Publish London Plan and those of Southwark Council. The details of the cycle parking provision will be secured by condition and management of spaces detailed in the car and cycle parking design and management plan.

548 TfL is currently extending the cycle hire scheme along the Jamaica Road corridor to complement CW4, with the closest new docking station proposed to be adjacent to Bermondsey LU station in Keeton's Road. The proposed development would increase demand for cycle hire bicycles in the area. A financial contribution of £440,000 is therefore required towards the cycle hire expansion to deliver a minimum of two medium sized docking stations. This would provide additional capacity as well as integrating the site directly into the expanded cycle hire scheme. The proposed development has two locations within the development site which would be safeguarded and subsequently serviced for these docking stations. These obligations are secured through the

section 106 agreement. Three years free cycle hire membership would be secured for residents from occupation of each block.

Car parking

549 London Plan Policy 6.13 and Policy T6 of the intend to publish London Plan set out the principles of restricting car parking provision, taking into account planned improvements, future connectivity, and PTAL levels of the site.

550 The existing site has 480 car parking spaces. The revised proposal includes a total of 44 parking spaces, which represents a reduction in 45 spaces from the proposal previously considered by Southwark officers and an overall reduction of 436 spaces compared to the existing site provision. The proposed provision would comprise 21 blue badge spaces, 19 spaces for the existing workspace buildings and 4 car club spaces.

551 The amended proposals are the result of extensive discussions with TfL officers, where it was agreed that all standard residential car parking bays are removed from the proposal, making the residential elements of the development car-free, with the exception of blue badge spaces. The proposed new non-residential elements, including the school, would also be car free. Given the location and PTAL of the site, the level of parking proposed is in accordance with the intend to publish London Plan.

552 As discussed earlier in this report, Workspace PLC currently operates from the former Biscuit Factory site, outside of the application boundary. However, the Workspace buildings currently operate with an unmanaged allocation of 102 car parking spaces, located within the application boundary. The proposal seeks to reduce the existing Workspace parking provision to 19 general spaces and one for Blue Badge holders. The applicant has stated that these 19 general spaces are a contractual requirement with Workspace and are needed for operational purposes. Whilst this provision is contrary to Policy T6.2 of the intend to publish London Plan, given the car-free nature of the proposed new non-residential uses within the development, the overall reduction in car parking and the special circumstances surrounding the required re-provision, the proposed level of car parking retained is accepted.

553 The development proposes 21 disabled car parking spaces servicing the residential and workspace buildings, which would be dedicated to Blue Badge holders. This represents 1.3% of the dwellings. This provision is below the intend to publish London Plan guidelines of 3%, however due to the low car ownership and Blue Badge uptake locally, accessible location of the site further improved by the highway works secured for the Keeton's Road route to, and the step-free nature of Bermondsey Underground Station, the enhanced bus services (all of which are step free) and improvements to access to local bus stops and services, this lower level is accepted.. Further opportunities also exist for on-street Blue Badge bays, should demand materialize over and above existing opportunities, subject to agreement by the council, as highway authority.

554 21 of the parking spaces will be provided with electric vehicle charging points (EVCP) and a further 23 spaces with passive provision, this will be secured by planning condition. With almost half the spaces intended to have access to an EVCP, this provision exceeds the minimum levels required in the London Plan policy 6.13 and Policies T6.1, T6.2, T6.3 and T6.4 of the intend to publish London Plan.

555 The site is located within a Controlled Parking Zone (CPZ) which operates Monday- Friday. All new residents/staff should be exempt from applying for a permit and this would be secured within the section 106 agreement. Blue Badge holders do not need a specific permit to park in a CPZ. In line with Southwark's formal consultation response, a review mechanism for the CPZ along

with appropriate funding for any necessary extension to the spatial extent of the CPZ and/or the times of operation is also secured in the section 106 agreement.

556 A Parking and Cycle Design and Management Plan (PD&MP), along with the provision of four car club spaces and free car club membership will be secured through the section 106 agreement. This Plan should ensure that all disabled parking spaces are allocated on the basis of proven current need to Blue Badge holders rather than tied through sale or long lease to particular residential or commercial units.

Construction

557 Policy T.7 of the intend to publish London Plan promotes the uptake of Construction Logistics Plans (CLP) and the TfL Fleet Operators Recognition Scheme (FORS) or equivalent, to minimise the impact and safety risks of construction activities on people and the transport network. An outline Construction Logistics Plan has been provided and is acceptable. A full Construction Logistics and Management Plan, in accordance with relevant TfL guidance, will be secured by way of condition. An infrastructure protection agreement with Network Rail should also be secured by condition.

Travel Plan

558 The application is supported by a site wide framework Travel Plan, which aims to promote sustainable travel to and from the site. This will be secured, monitored and enforced through the section 106 agreement. As noted above the school would have its own Travel Plan and Travel Demand Management Plan

Conclusion on transport matters

559 The proposals for a high-density residential led mixed use scheme in this accessible location accords with both the London Plan and intend to publish London Plan policy of encouraging such development in locations that give rise to patterns of development that minimise the need to travel, particularly by car. The development itself and associated obligations will make acceptable alterations to the public realm and public highways around the site in order to accommodate the expected pedestrian and cycle demand and will encourage sustainable travel.

560 Subject to the transport mitigation measures being secured, the application supports the transport policies in the London Plan, the draft London Plan and Southwark Core Strategy, saved policies and new Draft Southwark Plan. The impact of the application on public transport infrastructure is considered to be acceptable and, as such, the application complies with London Plan Policies 6.1, 6.3, 6.5, 6.9, 6.10, 6.11, 6.12, 6.13, 8.2, and 8.3; Policies T1, T2, T3, T4, T5, T6, T6.2, T6.3, T6.4, and T6.5 of the intend to publish London Plan; Policy 2 of the Southwark Core Strategy; saved policies 5.2,5.3,5.6; New Southwark Plan draft Policies P48-54 and the Mayor's Transport Strategy.

Socio-economic impacts

561 London Plan Policy 3.16 and Policy S1 of the intend to publish London Plan support the provision of adequate social infrastructure as part of new developments and states that facilities should be accessible by walking, cycling and public transport. London Plan Policy 3.18 and Policy S3 of the intend to publish London Plan supports the provision of childcare facilities to meet growing demand. Saved Southwark Plan Policies 2.1-2.4 and draft NSP Policies P26 and P46 seeks to enhance and protect community and educational uses within development proposals.

562 As part of the public consultation on the application and subsequent revisions, a number of objections were made on the issue of capacity of local social infrastructure (particularly school and health facilities) and the impact of the application, with objectors also concerned that the application does not propose a new medical centre for the increased population.

563 Chapter 6 of the applicant's updated Environmental Statement (ES) has modelled the impact of the development on social infrastructure in the area, including primary and secondary schools and healthcare facilities, taking into account the existing and future levels of demand and capacity and cumulative effects associated with other extant planning permissions expected to be brought forwards in the area. The Department of Education and Schools Annual School Census Data has been used to provide updated capacity for primary and secondary schools.

Primary and secondary schools

564 According to the applicant's ES, the development is expected to generate 2,509 residents. In terms of child yield and the impact on local schools, the applicant's ES estimates that the development would generate 109 pre-school age (0-3 year olds), 86 primary school age children (aged 4-10) and 37 secondary school age children (aged 11-15 years).

565 The ES assesses the potential for existing primary and secondary schools to cater for this additional demand using the most recently published school admissions and school Census data (2018). This assessment demonstrates that there is currently surplus capacity locally and across the district, at both primary and secondary school level. Furthermore, the proposed development would provide a replacement secondary school and flexible D1/D2 community use, which could accommodate a nursery.

Indoor and outdoor sports facilities

566 Sport England have objected to the proposal on the grounds that it does not provide sufficient indoor or outdoor sports facilities to meet the needs of current and future generations. The number of homes proposed is considered to result in a new substantial increase in population in the local area which will put additional pressure on nearby facilities.

567 As discussed, as part of the proposal for the replacement secondary school, the proposed development would deliver a new sports hall, a roof level MUGA, an open-air ground floor netball area and a covered ground floor ball court. Given the limited scale of the school plot and the high-density nature of the proposed school, officers are comfortable that the design of the school has successfully maximised the provision of indoor and outdoor sports facilities. In line with the comments from Sports England, a community use agreement will be secured through the section 106 agreement to enable the use of the school's sports facilities for members of the general public, outside normal school hours. In addition to this, the proposed development secures a flexible Class D1/D2 unit within the ground floor of Block BC-1234, which could potentially provide an indoor leisure facility.

568 Financial contributions will also be secured through the community infrastructure levy (CIL) and via a section 106 obligation relating to the shortfall in dedicated on-site playspace, which would be used towards off-site sports facilities within the surrounding area. Accordingly, whilst Sport England's objections are acknowledged, GLA officers consider that, subject to the community use strategy, the provision of on-site recreation facilities and off-site financial contributions are commensurate with the expected uplift in residents generated by the proposed development.

Healthcare

569 The ES includes an assessment of the impact on health facilities and calculates that the scheme would generate demand for 1.4 GP services, increased from 1.2 GP's within the previous iteration of the proposal. Notwithstanding this, Southwark Clinical Commissioning Group (SCCG) were consulted on the 2017 application and confirmed that there was not a need for an additional GP surgery on site. No additional comment was received from the SCCG within the recent consultation of the revised proposal. The ES concludes that existing GP surgeries within the surrounding areas are operating with limited capacity. Without mitigation, the direct, permanent effect would be moderate adverse at the local level and minor adverse at the district level. Accordingly, in line with the Councils Regulation 123 list, a financial contribution will be secured through the community infrastructure levy (CIL) that would support the existing practices in adding capacity. This could go towards: upgrading existing clinical space to allow a wider range of clinical functions to take place; converting administrative space into clinical spaces; or, adding technological solutions to allow video-conferencing etc.

Employment and training

542 The applicant has committed to a programme of employment and training initiatives in line with Southwark's Section 106 Planning Obligations and CIL SPD. Specifically, 539 local jobs would be secured by the development, comprising 407 jobs associated with the construction phase and the development and 132 jobs created for end of use of the development. In addition to this, during the construction of the development the applicant has committed to train a minimum of 408 borough residents using short courses and provide a minimum of 102 new apprenticeships. This is strongly supported, and the Council have confirmed that the draft S106 secures job and training opportunities for unemployed Southwark residents.

Conclusion – impact on social infrastructure

570 Subject to the above financial contributions being secured to mitigate the impact of the development, the application is considered acceptable in terms of its impact on social infrastructure and the local economy.

Mitigating the impact of the development through planning obligations

571 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.

572 The NPPF states that "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."

573 At the regional level, London Plan Policy 8.2 sets out the Mayor's priorities for planning obligations, and states that affordable housing; supporting the funding of Crossrail where this is appropriate; and other public transport improvements should be given the highest importance.

574 Saved Local Plan Policy 2.5 seeks the use of planning obligations and other funding mechanisms to support the delivery of infrastructure facilities and services to meet needs generated by new development and mitigate the impacts. Southwark's Section 106 Planning

Obligations and Community Infrastructure Levy SPD (2015) provides further guidance on how the Council will secure planning obligations, where these are necessary to mitigate the impacts of development.

575 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure several planning obligations required to appropriately mitigate the impact of this development, which are set out in full at paragraph 11 of this report. GLA officers are confident that the obligations in the Section 106 agreement meet the tests in Regulation 122 of the CIL Regulations 2010 as amended in 2019 as they either will not be spent on “infrastructure” as defined in the regulations or will be sufficiently narrowly described in the section 106 agreement. A full list of the obligations is provided under paragraphs 11-14 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA officers have provided an additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 agreement.

Affordable housing

576 As discussed in the housing section of this report, the section 106 agreement would secure the applicant’s offer of 35% affordable housing by habitable room, in accordance with the proposed tenure mix, with appropriate obligations in relation to the definition, eligibility, affordability and perpetuity of affordable housing units across the various tenures. Early and late stage review mechanisms and appropriate phasing triggers are set out in the section 106 to incentivise the delivery of the site and ensure the phased delivery of affordable housing. Further details regarding the affordable housing obligations are set out in paragraph 12 of this report.

Transport

577 The following transport obligations would be secured by legal agreement:

- a financial contribution of £300,000 for local bus service enhancements;
- Site-wide Travel Plan, School Travel Plan, School Travel Demand Management Plan and monitoring;
- Car and cycle parking design and management plan;
- CPZ review mechanism, with funding to cover expansion if necessary;
- £440,000 cycle hire contribution and safeguarded serviced sites for two docking stations;
- 3 years membership to Santander cycle hire for residents (upon request);
- Delivery and servicing plan and contribution of £69,124 for monitoring;
- Legible London strategy and financial contribution (£25,000)
- Delivery and service monitoring plan and monitoring fee (£1,600);
- Car club provision (4 spaces) and initial membership for residents;
- Prohibition on resident’s parking permits;
- Section 278 works.

578 Other obligations:

579 Carbon off-set payment of £1,137,000 (subject to a revised energy strategy being submitted) – to ensure compliance with the zero-carbon standard set out in the London Plan, draft London Plan and GLA energy assessment guidance;

580 Connection to SELCHP (South-East London Combined Heat and Power). Site-wide heat network connecting to all uses and all buildings (including commercial and retail units) to ensure compliance with energy policy. Building by building connection/delivery;

581 The re-provision of the secondary school has also been secured within the section 106 agreement to ensure compliance with London Plan and Local Policy. The delivery of the school within the first phase of development is subject to the exchange of the School Development Agreement with the Secretary of State. In the event that the School Development Agreement is not exchanged, the applicant is required to use reasonable endeavours to facilitate the provision of an alternative viable education use for the school site. If there is no demand within a specified period, the applicant must then submit a planning application to the Council, to bring forward an alternative use for the school site. Whilst GLA officers are satisfied that these obligations appropriately secure the required re-provision of a school, the Council note that the draft obligations do not offer sufficient certainty that the school will be delivered as part of the development;

582 Support for initiative to secure the vitality of the Blue Shopping Centre to ensure that the development contributes to local regeneration:

- Facilitate and participate in steering group to support regeneration of The Blue designed to ensure joined up vision for local economy; and,
- No commercial lettings in the development to commercial tenants from The Blue for a ten year period.

583 The promotion of local labour during construction and covering the end use would be promoted through securing the submission of an Employment, Skills and Suppliers Plan, which will maximise opportunities for local businesses to gain contracts at the site;

584 Provision of public realm within the scheme as publicly accessible, including maintenance and management arrangements, will be secured. This includes the public roof terrace (Block BF-F Level 3), including opening hours and management (subject to limited closures);

585 Reasonable endeavours to deliver the northern and southern arch pedestrian and cycle routes. In the event that third party rights cannot be secured, a strategy of improvement works, to be approved by the Council, would be secured towards alternative measures to improve St James's Road and Southwark Park Road underpasses. Given the specific circumstances outlined within this report, GLA officers accept the 'reasonable endeavours' clause relating to the delivery of the arches. The proposed drafting regarding the fall-back option of the improvement works to the underpasses is also accepted. Southwark officers have however raised concern regarding the robustness of this draft clause, including the timeframes for delivery of the arch routes or improvement works;

586 842 sq.m. of flexible Class B1 commercial floorspace within Blocks BC-1234, BF-DE and BF-W has been secured as affordable workspace, at a rate of £13 per sq.ft (inclusive of service charge) for a period of 25 years. On first lettings and subsequent lettings where a tenant intends to vacate, the affordable workspace would be marketed exclusively to eligible affordable workspace tenants operating in creative industries of the cultural sector. Whilst the Council raised issues regarding the quantum and terms of the affordable workspace within their consultation response, GLA officers note that the current offer has progressed following the Council's comment;

587 Off-site play contribution of £100,000 to make up for the on-site policy shortfall;

588 Community and cultural use strategy including the ground floor event space within Block BF-F to ensure compliance with London Plan and Local Plan policy; and,

589 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured.

Legal considerations

590 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Deputy Mayor, acting under delegated authority, is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: 17/AP/4088

591 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Deputy Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

592 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

593 In carrying out his duties in relation to the determination of this application, the Deputy Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

594 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

595 Section 70(4) defines "local finance consideration" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

596 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by Central Government to local councils for increasing the number of homes and their use.

597 These issues are material planning considerations when determining planning applications or planning appeals.

598 Furthermore in determining any planning application and connected application, the Deputy Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

599 Other guidance, which has been formally adopted by Southwark Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

600 Officers are satisfied that the current report to the Deputy Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

601 As regards to the Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £6,247,260, whilst the Southwark CIL payment is estimated to be £22,698,378. Both figures take into account the expected relief from the affordable housing floorspace.

602 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Deputy Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Deputy Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990). These matters have been addressed within earlier sections of the report.

603 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues. Both the Mayor and the borough are given powers to enforce planning obligations.

604 When determining these planning applications, the Deputy Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

605 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

606 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to

give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

607 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

608 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

609 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

610 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion and planning balance

611 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

612 When assessing the planning application, the Deputy Mayor is required to give full consideration to the provisions of the development plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood. As set out in paragraph 2 above, GLA officers consider that the proposal is in overall conformity with the development plan.

613 There are Development Plan policies however that are not fully complied with, namely Saved Southwark Policy 3.20 and London Plan 7.7 in respect of the appropriateness of this site for tall buildings, in principle. The proposals would however comply with the other criteria in these policies. There is no conflict identified with any other adopted development plan policies.

614 However, a conflict with two development plan policies does not necessarily mean that there is an overall conflict with the development plan as a whole [City of Edinburgh Council v Secretary of State for Scotland (1997)]. This is a recognition that different parts of the development plan pull in different directions. GLA officers have considered the whole of the development plan and consider that, overall, the proposal accords with it. This report sets out all relevant material considerations,

none of which, individually or cumulatively, are considered to warrant refusal of planning permission.

615 Having reviewed Southwark's five-year housing land supply assessment, as set out in the Council's most recently published Authority Monitoring Report and Five-Year Housing Supply Statement (2017/18), GLA officers note that this assessment demonstrates that the identified sites could deliver 18,595 units by 2021 and as such, Southwark therefore has more capacity than required. As such, the 'tilted balance' assessment set out in paragraph 11 of the NPPF does not need to be applied.

616 When considering the proposals, GLA officers have applied the approach required in section 16 of the NPPF and had regard to the statutory duties relevant to the protection of heritage assets. As set out above, less than substantial harm would be caused to the significance of the Grade II* listed St James' Church. Giving this harm great weight and importance, GLA officers consider that the harm is clearly and convincingly outweighed by the public benefits of the proposals, namely the regeneration of the site; a significant amount of good quality housing, including 35% affordable housing; a replacement secondary school; new high-quality public spaces and well-designed buildings; business, retail and community units, including affordable workspace; transport enhancements and improved permeability; as well as economic and regenerative benefits to the wider area.

617 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

618 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles (including mixed use development, employment and residential uses); housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space); historic environment; inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance); sustainable development (including climate change mitigation and adaptation, microclimate, ecology, trees and urban greening, flood risk and sustainable urban drainage); other environmental issues (including air quality, contaminated land and waste management); transport, including parking provision; socio-economic issues, including the impact on social infrastructure; and; mitigating the impact of development through planning obligations and conditions. When considered overall the development complies with the development plan and there are no material considerations which indicate that planning permission should not thereby be granted.

619 When considered overall, the development complies with the development plan and there are no material considerations to indicate that planning permission should not therefore be granted. Accordingly, the recommendations set out at the beginning of this report are proposed.

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