

By email only to
joanna.vincent@gateleyhamer.com
Joanna Vincent
Programme Officer
Gateley Hamer PLC

Contact - Dougal Ainsley
Direct tel - 020-7525 0363
Fax - 020 8043 4337
Our ref - LEG/RP/PL/357 (DA)
Your ref - APP/A5840/W/22/3303205
Date - 3 November 2022

Town and Country Planning Act 1990
Appeal by: Tribe Avonmouth House Limited
Avonmouth House, 6 Avonmouth Street, London

Dear Ms Vincent,

Update on the Meeting of the Council's Planning Committee on 2 November 2022

As requested in the Post-CMC Note, I am writing to update the Inspector on outcome of the planning committee yesterday evening, 2 November 2022.

Confirmation of Statement of Case

I can confirm that the Council's Members have agreed to endorse the Council's Statement of Case, as supplemented by the addendum Statement of Case, previously submitted to the Inquiry.

The endorsed reasons for refusal are:

1. The proposed development would be contrary to policies P13 (Design of Places) and P17 (Tall Buildings) of the Southwark Plan 2022 because it fails to respond positively to the existing character and context and would as a result cause harm to the local townscape. The public benefits of the scheme in providing commercial space and residential student housing do not outweigh the harm
2. The lack of a completed section 106 agreement or unilateral undertaking fails to

3. The proposed development would not achieve the highest standards of fire safety as required by policy D12 of the London Plan 2021 following the significant concern identified by the Health and Safety Executive

There are no additional reasons for refusal arising from the committee meeting.

The Council and the appellant are working on solutions to address the second and third reasons for approval ahead of the Inquiry and we will update the Inspector on progress on those solutions as matters progress.

Clarification in relation to refusal reason 1

Following the planning committee it has emerged that there is a minor point that requires clarification in the Statement of Case dated 13 October 2022. Officers have identified that Paragraphs 8.14 and 8.15.2, which relate to the townscape and local character reason for refusal, unnecessarily refer to Southwark Plan (2022) policy P19 “Listed buildings and structures”.

Officers would like to clarify that Policy P19 does not form part of this reason for refusal.

Recent Objections

Officers also briefed Members on three objections that had been received from adjacent landowners just before the committee meeting on 31 October 2022, all objecting that the appeal scheme (and the alternative scheme) would unreasonably constrain development on their land.

Members were briefed on the Council’s officers’ assessment of these objections, including that they did not give rise to any additional reasons for refusal. It was explained to Members that the objectors had been directed to make their representations on the appeal directly to the Inquiry, and that the objection letters had been sent to the appellant’s agent who had also provided a response to the matters raised. We can provide copies to the Inquiry if required.

Planning Committee Date to Consider Alternative Scheme

Finally, during the meeting Members were advised that the Council anticipates taking the 14-storey alternative scheme to the planning committee at the meeting scheduled for 29 November 2022.

Yours sincerely,

Dougal Ainsley

Dougal Ainsley

Senior Planning Lawyer

Legal Services, Finance & Governance

Email: dougal.ainsley@southwark.gov.uk

Cc.

Tim Salter, Planning Inspectorate tim.salter@planninginspectorate.gov.uk
Elizabeth Woodall, HGH Consulting ewoodall@hghconsulting.com