

Avonmouth House

Local Planning Authority: Southwark

Local Planning Authority reference: 21/AP/4297

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of existing building and structures and erection of a part 2, part 7, part 14, and part 16 storey plus basement development comprising 1,733 sq.m. (GIA) of Class E employment use and/or community health hub and/or Class F1(a) education use, and 233 purpose-built student residential rooms with associated amenity space and public realm works, car and cycle parking, and associated infrastructure.

The applicant

The applicant is **Tribe Avonmouth House Limited** and the architect is **Stitch**.

Strategic issues summary

Land use principles: The principle of the redevelopment and optimisation of the brownfield site within the CAZ, involving the re-provision of town centre uses, delivery of purpose-built student accommodation, and contribution to strategic housing targets, and is supported.

Affordable student accommodation: The proposed 35% on-site affordable student accommodation is supported subject to this being secured through a S106 agreement, including the rent levels and eligibility criteria. The obligation to enter into a nomination agreement must also be secured.

Urban design: The principle of a tall building could be supported in strategic terms, subject to addressing its impacts. The small size of some of the regular and cluster accommodation should be reconsidered. A revised fire statement and inclusive access statement are required.

Other issues on **transport, sustainable development** and **environmental issues** also require resolution prior to the Mayor's decision making stage.

Recommendation

That Southwark Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 145. Possible remedies set out in this report could address these deficiencies.

Context

1. On 18 March 2022 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. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following categories of the Schedule to the Order 2008:
 - 1B(c): *"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 or buildings - outside Central London and with a total floorspace of more than 15,000 square metres"; and*
 - 1C: *"Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London".*
3. Once Southwark Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or, allow the Council to determine it itself.
4. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planning.london.gov.uk/pr/s/>.

Site description

5. The 0.12 hectare brownfield site within the Elephant and Castle Opportunity Area, Elephant and Castle Major Town Centre, and the Central Activities Zone (CAZ) comprises a two storey building originally constructed in 1985. It is currently occupied by a conference centre operator with training and meeting facilities.



Figure 1 and 2: Existing Avonmouth House

6. The site is located on the southern side of Avonmouth Street, 482 metres from the University of Arts Elephant and Castle campus, and 322 metres from London South Bank University.
7. The site is located in Flood Zone 3, in an area that benefits from flood defences. The site also falls within an Air Quality Focus Area.
8. There are no listed buildings on the site, and the site is not located within a Conservation Area. There are a number of Grade II Listed buildings and structures within 250 metres of the site, including the Inner London Sessions Court building, and Hanover House, as well as the Trinity Church Square Conservation Area which is approximately 250 metres north-east of the site.
9. Vehicular access is provided from Avonmouth Street, approximately 50 metres from the Newington Causeway junction. The nearest section of the Transport for London Road Network (TLRN) is approximately 170 metres away on A3 Newington Causeway.
10. The site has the highest possible public transport accessibility level (PTAL) of 6b, being close to Elephant and Castle London Underground (LU) and National Rail stations, which is also key interchange for bus services. There are in addition 25 bus stops within a reasonable walking distance of the site, with the nearest stops being about 70 metres away.
11. The site is very well located for the strategic cycle network (SCN), with Cycleway 7 (C7) located approximately 400 metres northwest along Southwark Bridge Road and C17 on Harper Road and Falmouth Road, 400 metres to the southeast.

Details of this proposal

12. The applicant is proposing a full redevelopment of the site to provide a mixed-use scheme of 2 – 16 storeys plus basement comprising 1,733 sq.m. commercial floorspace (Use Class E) at basement, ground and first floor for employment use and/or community health and/or Class F1(a) education use, with 233 purpose-built student accommodation (PBSA) bed spaces above with associated amenity space, public realm works, car and cycle parking, and ancillary infrastructure.

Case history

13. On 6 July 2021, a pre-application meeting was held with GLA officers for the redevelopment of the site to provide a purpose-built student accommodation scheme of 2 to 16 storeys, comprising 1,307 sq.m. of commercial floorspace at basement, ground, and first floor, with 223 student bedspaces above. GLA officer advice was issued on 7 March 2022 (GLA ref: 2021/0683) stating that the land use principles were supported, but further work was required with

respect to urban design, fire safety, inclusive access, heritage, transport, and sustainable development.

Strategic planning issues and relevant policies and guidance

14. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Southwark Plan 2019-2036 (2022); and, the London Plan 2021.
15. The following are also relevant material considerations:
 - The National Planning Policy Framework and National Planning Practice Guidance;
 - The National Design Guide; and,
 - The Affordable Housing and Viability SPG
 - Elephant and Castle SPD and OAPF 2012.
16. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:
 - Central Activities Zone - London Plan;
 - Opportunity Area - London Plan;
 - Student housing and affordable housing - London Plan; Housing SPG; the Mayor's Housing Strategy;
 - Retail / Office - London Plan;
 - Urban design - London Plan; Character and Context SPG; Fire safety draft LPG; Housing SPG; Optimising site capacity: A design-led approach draft LPG;
 - Heritage - London Plan;
 - Inclusive access - London Plan; Accessible London: achieving an inclusive environment SPG;
 - Sustainable development - London Plan; Circular Economy Statements LPG; Whole-life Carbon Assessments LPG; 'Be Seen' Energy Monitoring Guidance LPG; London Environment Strategy;
 - Air quality - London Plan; London Environment Strategy; Control of dust and emissions during construction and demolition SPG; Air Quality Neutral draft LPG;
 - Ambient noise - London Plan; London Environment Strategy;

- Transport and parking - London Plan; the Mayor's Transport Strategy; Sustainable Transport, Walking, and Cycling draft LPG;
- Biodiversity - London Plan; the Mayor's Environment Strategy; Urban greening factor draft LPG.

Land use principles

17. The application site is located within the London Central Activities Zone (CAZ), Elephant and Castle Opportunity Area, and the Elephant and Castle Major Town Centre. London Plan Policy SD1 seeks to ensure that Opportunity Areas fully realise their growth and potential. Quantitatively, the London Plan identifies the Elephant and Castle Opportunity Area as having an indicative employment capacity for 10,000 new jobs and the potential for 5,000 new homes.
18. The site forms part of a larger site allocation in the adopted Local Plan (NSP46) for a mixed-use development, requiring the re-provision of the employment floorspace currently on site (Use Class E(g)/B) or 50% of the development as employment floorspace, whichever is greater. In addition, redevelopment must provide active frontages including ground floor retail, community, or leisure uses along Newington Causeway. Redevelopment of the site should also provide an indicative number of 93 new homes (Use Class C3). The land use principles are considered within this context below.

Student accommodation

19. Policy H1 of the London Plan seeks to increase the supply of housing in the capital and sets a ten-year housing target for Southwark of 23,550 homes per year for the period 2019/2020 to 2028/2029. London Plan Policy H15 also seeks to ensure the local and strategic need for PBSA is addressed, and the Mayor's Academic Forum has established that there is an annual requirement for 3,500 PBSA bed spaces over the plan period. Policy H15 further states that PBSA should be developed in locations that are well connected local services by walking, cycling and public transport and should contribute to a mixed and inclusive neighbourhood.
20. Paragraph 4.15.1 of the London Plan sets out that the housing need of students in London, whether in PBSA or shared conventional housing, is an element of the overall housing need for London, and that new PBSA all contributes to meeting London's housing need.
21. The scheme proposes to deliver 233 new student bedrooms in a PBSA facility. The proposal would contribute to both PBSA bed space targets and housing targets set out in the London Plan in a highly accessible location. Specifically, paragraph 4.1.9 of the London Plan sets out that "net non-self-contained accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home". As such, reflective of the contribution of the student accommodation element of the scheme towards the achievement of housing targets, the delivery of 233 student beds is equivalent to 93 homes.

22. Policy H15 of the London Plan sets out that a nominations agreement must be in place from initial occupation with one or more higher education providers to provide housing for its students, and to commit to have such an agreement for as long as the development is used for student accommodation.
23. The applicant has indicated that the proposed development would be affiliated with a Higher Education Institution (HEI), which is expected to be the University of London or London South Bank University, with all occupiers of the student accommodation required to be registered students attending the relevant HEI. An occupation restriction limiting occupation to students, and ideally to those attending the relevant HEIs detailed above, must be secured through a Section 106 (S106) agreement.
24. Paragraph 4.15.3 of the London Plan is clear that a nomination agreement is required to demonstrate need for student accommodation; in the absence of this paragraph 4.15.5 states that the development will not be considered as meeting a need for PBSA. As such, if the accommodation is not secured for use by students and secured through a nomination agreement at the Mayor's decision making stage (Stage II), it will not be considered as PBSA and will normally be considered large scale purpose-built shared living and will therefore be assessed against the requirements of Policy H16 of the London Plan.
25. The requirement for the provision of on-site affordable student accommodation within the proposed PBSA scheme is discussed from paragraph 32 of this report.
26. Paragraph 4.15.13 of the London Plan encourages flexibility for the temporary use of accommodation during vacation periods for ancillary uses. It is proposed that outside of term-time, the accommodation would also be available to students on courses at other institutions such as language schools or short-term summer courses. The planning statement sets out that these temporary uses will not disrupt the accommodation of the resident students during their academic year. This is all supported and should be secured through an obligation within a S106 agreement.

Commercial

27. London Plan Policies SD4 and SD5 outline the strategic functions of the CAZ, of which offices and other strategic functions are one, stating that its unique mix of uses should be promoted and enhanced. Policy SD6 of the London Plan recognises that the vitality and viability of London's varied town centres should be promoted and enhanced, and that town centres should be a foci for commercial activity and for mixed-use intensification to optimise residential growth potential. Policy SD8 of the London Plan seeks a range of sizes of commercial units to support the diversity of the town centre.
28. Given the site's town centre location, a diverse range of town centre uses on the site should be sought. The proposals comprise the redevelopment of the site for the provision of student accommodation-led development, with commercial uses proposed at basement, ground, and first floor. Specifically,

1,733 sq.m. of commercial floorspace is proposed over four levels including 10% affordable workspace, and is designed to accommodate various future occupiers. The existing building comprises 1,307 sq.m. of floorspace which is presently occupied by a conference and training centre provider, though it is now understood that the present occupier will be vacating the site. The re-provision of the commercial floorspace is supported from a strategic perspective and should be appropriately secured. The affordable workspace is strongly supported and should be secured in a S106 agreement.

29. The applicant has demonstrated different ways in which the proposed Class E/F1(a) floorspace could be occupied, with a focus at ground floor to attract occupiers that would provide activation and animation to create a street presence. The Council should consider securing a condition to ensure the ground floor commercial space would provide active street frontages in perpetuity, in order to secure a high-quality environment in line with London Plan Policies D3 and SD6, which is discussed further in paragraphs 41-43 of this report.

Land use principles conclusion

30. This purpose-built student accommodation scheme would make a contribution to addressing overall housing need within Southwark and London and would provide for housing choice. Subject to a nomination agreement and appropriate occupation restrictions being secured, the principle of the use of the land for student accommodation could be acceptable in strategic planning terms.
31. Given the commercial floorspace proposed would result in an uplift of 426 sq.m. against the current provision on site, the principle of the creation of jobs through the provision of non-residential floorspace and affordable workspace within the CAZ and Elephant and Castle Town Centre and Opportunity Area is supported in strategic planning terms.

Affordable student accommodation

32. Policy H4 of the London Plan sets a strategic target for 50% of all new homes delivered across London to be genuinely affordable. The Mayor's Affordable Housing and Viability Supplementary Planning Guidance seeks to increase the provision of affordable housing in London and embed affordable housing into land prices. London Plan Policy H15 and the Mayor's Affordable Housing and Viability SPG set out that affordable student accommodation should be provided onsite in line with the Mayor's Housing SPG.
33. Policy H15 of the London Plan states that to follow the Fast Track Route (FTR), at least 35% of the accommodation must be secured as affordable student accommodation. Such applications are not required to submit viability information to the GLA and are also exempt from a late stage review mechanism. All affordable bedrooms should also accord with the definition of affordable student accommodation set out in paragraph 4.15.8 of the London Plan. Given that the lawful use of the site is sui generis, a 35% threshold would apply in this case.

34. The applicant is proposing 233 beds within PBSA. The scheme proposes 35% on site affordable student accommodation which are proposed to be mixed throughout the proposed cluster flats, and so the scheme is eligible for the Fast Track Route. As per paragraph 4.15.10, the applicant should confirm that all affordable student accommodation would be equivalent to the non-affordable rooms in the development in terms of room sizes and room occupancy level. The applicant must also confirm that the rent charged would include all services and utilities which are offered as part of the package for an equivalent non-affordable room in the development, with no additional charges specific to the affordable accommodation.
35. The Council should secure the initial annual rental cost for the element of affordable accommodation as part of any planning permission, which should be provided at a rental cost for the academic year equal to or below 55% of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for that academic year. For following years, the rental cost for this accommodation can be linked to changes in a nationally recognised index of inflation such as the Consumer Prices Index or CPIH. A review period, such as every three years, could be set by the Council to allow for recalibrating the affordable student accommodation to the level stated as affordable in the Mayor's Annual Monitoring Report.
36. As per Policy H15 of the London Plan, the affordable student accommodation bedrooms should be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation. This should be secured within a S106 agreement.

Urban design

37. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.

Optimising development capacity

38. London Plan Policy D3 requires the optimisation of sites by following a design-led approach, having regard to site attributes, local context, design principles, public transport accessibility, and capacity of existing and future transport services. In this case, the site is an underutilised brownfield site in a highly accessible town centre location within the CAZ. Given the highly urbanised environment and good transport accessibility, the proposed development is considered to appropriately optimise the development of the site through a design-led approach.

39. The higher the density of a development, the greater the level of design scrutiny that is required, particularly qualitative aspects of the development design, as described in London Plan Policy D4.
40. In accordance with Policy D4, the proposal must have undergone at least one design review before a planning application is made, or demonstrate that it has undergone a local borough process of design scrutiny, based on the principles set out in Policy D4E. It is noted that the scheme has been presented to GLA and Southwark planning and design officers at pre-application stage. However, the application has not been through a design review process and therefore the scheme has not been subject to an appropriate level of design scrutiny prior to application submission, contrary to the objectives of London Plan Policy D4.

41. The overall layout sensibly separates the employment and student uses and appears to be an appropriate response to the site. Options have been provided for the commercial floorspace proposed from basement to first floor level. However, the options have not fully maximised the active frontage potential along the street-facing boundaries of the development, which would enable the creation of safe and welcoming spaces.
42. London Plan Policy D3 states that development proposals should provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest. The location of a substation, bin stores, and cycle parking at ground floor level reduces the quantity of active street frontage.

Figure 3: Proposed ground floor arrangement

at ground floor. The applicant should also consider stepping the ground floor slightly back to increase the width of the footway at the north of the site in particular. Ground floor elevations could more clearly reveal entrances to contribute towards a safe and inclusive building that activates the street; this could be achieved through materiality, signage, and lighting.

44. The student accommodation appears reasonably laid out, providing efficient cluster and studio-to-core ratios and access to outdoor amenity via the communal terraces.
45. In line with London Plan Policy D8, the management and maintenance of the public realm in accordance with the Public London Charter LPG should be appropriately secured.

Student accommodation quality

46. Policy H15(A)(5) of the London Plan requires that student accommodation provides adequate functional living space and layout, and paragraph 4.15.6 sets out that the design of the development must be high quality and in accordance with the requirements of Policy D3, which seeks to optimise site capacity through the design-led approach. Whilst there are no space standards for student accommodation, the development should be fit for purpose and provide for student well-being and activities, ensuring a range of high-quality and accessible, internal and external, communal amenity spaces.
47. The student housing must also provide adequate functional living space and layout. In this regard, the ensuite cluster rooms would measure between 12.2 sq.m. and 16.1 sq.m. and the studio rooms would measure between 19.2 sq.m. and 19.6 sq.m. The studios have been designed to accommodate kitchenettes, an ensuite with shower and workspace. The cluster flat rooms would each have an ensuite with shower and workspace within a private room, with shared cooking and social facilities designed in cluster flats of 4-8 beds each.
48. In the case of the studios, the kitchenettes are far too small to be considered functional. These units would have no access to any further internal communal amenity space to compensate for their small size, and so would offer a lower quality of accommodation when compared to the cluster flats. The scale of some cluster units also raises concerns, especially the cluster units located in the north eastern corner of the site, which appear to be quite cramped. The applicant should reconsider the size and internal layout of these units.
49. Whilst the proposal includes external communal amenity space totalling 165 sq.m., the scheme does not provide any internal communal amenity space outside of the communal kitchen/dining rooms within the cluster flats, which is not supported. GLA officers consider the quality of the accommodation could be significantly improved through the inclusion of internal communal functional living space such as lounges, which would enhance student well-being; any internal amenity spaces should be secured for use by students only within a S106 agreement. Further information should be provided to demonstrate that a sufficient quantum and quality of student ancillary spaces have been provided

within the development, and that sufficient outdoor space has been provided for student use in addition to any internal ancillary spaces.



Figure 4: Proposed seventh floor arrangement

50. While the proportion of single aspect north facing units would not be acceptable within a self-contained housing scheme, the arrangement proposed does not raise any particular strategic planning concerns in this instance, given the short term nature of student accommodation tenancies, subject to the adequate provision of communal amenity spaces with alternative aspects within the scheme. As mentioned previously, should a nominations agreement not be secured, these units would raise concerns with respect to the quality as it would need to be assessed as a shared living scheme.

Scale and massing

51. London Plan Policy D9 seeks to manage the development and design of tall buildings within London. It states that tall buildings should only be developed in locations identified as suitable in development plans, provided that their visual, functional, environmental and cumulative impacts are addressed.

Appropriateness of the site for tall buildings

52. The Southwark Local Plan Policy P17 defines tall buildings in this location as above 30 metres, and also where they are significantly higher than surrounding buildings or their emerging context. The development would rise to 16 storeys or 58 metres, and therefore meets the local definition of a tall building. Local Plan Policy P17 states that tall buildings may be appropriate in certain locations, such as Major Town Centres, Opportunity Area Cores, and the Central Activities Zone. The principle of the proposed tall buildings at this site complies with the strategic locational requirement of London Plan Policy D9 part B. Proposed tall buildings are however also subject to the criteria set out in Part C of Policy D9, relating to visual, environmental, functional and cumulative impacts which are assessed in the following paragraphs.

Visual impacts

53. The proposed development would range in height from 2 to 16 storeys, with lower heights proposed at the rear of the site adjacent to existing properties fronting Newington Causeway.
54. The bulk of the building would sit comfortably within the site and its context and the articulated massing would create visual interest. With contrasting materials defining the two taller elements of the proposed development, the building would appear in mid-range views; this is further discussed in paragraph 78 of this report. In mid-range views, GLA officers consider the form and proportions of the building would make a positive contribution to the local townscape.
55. The submitted HTVIA does not include any long-range views and therefore officers cannot conclude whether the development would make a positive contribution to the existing and emerging skyline. Further information is also required as detailed in paragraph 66 of this report in relation to strategic views.
56. In terms of immediate views, the stepped massing with 2 storeys at the rear helps to create some separation distance for neighbouring existing properties, and provides an appropriate transition in scale between the proposed tall buildings and their surrounding context along the rear site boundary.
57. In terms of visual impacts, GLA officers consider that the proposal could have a positive impact on views from different distances, but further information is required. The building would be of good quality in appearance with well-considered architecture and detailing that references local character. The proposed development would cause no harm to heritage assets (as assessed at this stage) and is not expected to cause adverse glare or excessive light pollution.



Roof plan showing proposed heights

Figure 5: Proposed massing

Functional impacts

58. The proposed development would optimise the development potential for the site as well as creating new jobs in an area with the highest possible transport accessibility level. Contributions are sought as detailed in paragraphs 81-83 of this report to further increase the capacity of the local transport network. Further information is required as detailed in the transport section of this report in regards to deliveries and servicing. GLA officers will conclude on the building's functional impacts at Stage II.
59. The applicant should also work with the Council to ensure that any aviation, navigation or telecommunication impacts arising from the development are suitably addressed in line with London Plan Policy D9C2f.

Environmental impacts

60. A daylight and sunlight assessment has been carried out which assesses the impact on surrounding buildings, including residential buildings, some of which would be impacted upon by the development.
61. The applicant has carried out a wind microclimate assessment of the proposed development, which considered pedestrian access routes, seating areas, as well as building entrances and terraces. The assessment concludes that wind conditions on and off the site would generally be suitable for the intended use.

62. The Council should scrutinise the daylight, sunlight and wind assessments to ensure that impacts resulting from the proposed height and massing are addressed. GLA officers will conclude on the building's environmental impacts at Stage II.

Cumulative impacts

63. In combination with surrounding completed and emerging tall buildings, the development is not expected to have any adverse impacts however, further information is required as detailed above prior to GLA officers concluding on the building's cumulative impacts at Stage II.

Tall buildings summary

64. GLA officers could be supportive of the proposed tall building subject to addressing its impacts, and taking into account any material considerations relevant to the proposed development, and other relevant development plan policies in balance against any non-compliance with London Plan Policy D9.

Strategic views

65. Policy HC4 of the London Plan states that development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of strategic views and their landmark elements.
66. Whilst the site itself is not located within any of the key strategic viewing corridors or protected vistas identified in Policy HC3 or the LVMF, the application should provide a view showing its impact on Protected Vista 23A.1 - Centre of Bridge over the Serpentine to the Palace of Westminster, given the site's location bordering the Wider Setting Consultation Area. This is important to ensure that the requirements of Policy HC4 are addressed and verify whether any harm is caused to the Palace of Westminster World Heritage Site.

Fire safety

67. In line with Policy D12 of the London Plan a fire statement has been submitted with the planning application. In accordance with Part B of Policy D12, as well as the Fire Safety draft LPG, the fire statement should be amended to confirm that the author is suitably qualified and evidence of competency of the author of the Fire Statement should be detailed in a clearly identified section at the beginning of the Fire Statement.
68. While GLA Officers recognise that some of the requirements of Part B of Policy D12 have been included at a high level, there is very limited detail provided in respect of majority of the requirements in order to satisfactorily detail how the development proposal will function, and the fire statement does not include a statement of compliance. This must be addressed prior to Stage II, and compliance with the updated fire statement must then be secured by condition.
69. Further to the above, Policy D5 within the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all

building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the buildings. The development consists of one core involving two lift shafts. The fire statement states that one evacuation lift is proposed to be provided as part of the lift bank serving the residential areas, while the other lift would be a firefighting lift. This should be suitably secured by the Council by way of condition.

Inclusive access

70. Policy D5 of the London Plan seeks to ensure that new development achieves the highest standards of accessible and inclusive design (not just the minimum). Development proposals should ensure that the development: can be entered and used safely, easily and with dignity by all; is convenient and welcoming (with no disabling barriers); and provides independent access without additional undue effort, separation or special treatment.
71. The applicant has confirmed that every part of the building can be reached via lift and level access. Whilst the submitted Design and Access Statement has indicated that widened footways to improve pedestrian experience are a design objective of the scheme, the width of the proposed footway to be provided on the site frontage has not been detailed and should be clarified, particularly on the southern corner of the site.
72. The application sets out that a total of 5% of the bedrooms will be wheelchair accessible. Whilst GLA officers welcome the inclusion of wheelchair accessible rooms available on every floor, giving disabled students similar choices to non-disabled students, the applicant has not indicated whether any further rooms would be adaptable should the need arise. Furthermore, whilst a section on accessibility has been provided within the submitted Design and Access statement, an inclusive design statement has not been provided in accordance with London Plan Policy D5C. However, GLA officers do not anticipate any adverse impacts in regards to inclusive access to arise as a result of the development.

Heritage

73. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to conservation areas, for all planning decisions “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. In relation to listed buildings, all planning decisions should ‘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’.
74. Policy HC1 of the London Plan states that development should conserve heritage assets and avoid harm, which also applies to non-designated heritage

assets. In line with case law, any harm identified must be given considerable importance and weight.

75. Paragraph 194 of the NPPF further specifies that in determining applications, local planning authorities should require an applicant to describe the significance of any affected heritage assets, including any contribution made by their setting. Furthermore, paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should also be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
76. Although the application site is not located within a conservation area, there are several listed heritage assets in the surrounding area including the Inner London Sessions Court building, and Trinity Church Square Conservation Area which are located approximately 38 and 204 metres respectively to the northeast of the site.

Conservation area

77. The submitted HTVIA concludes that the proposed development would be hidden from view in Trinity Church Square at the northern junction with Trinity Street, or from a similar position in Merrick Square. It will therefore have no effect on the significance of the two principal set pieces of the conservation area. The proposed development will however alter the wider setting of the conservation area. As it is not visible from within the conservation area, this change to setting will not affect the ability to appreciate its significance. Therefore, from the information available and views provided, GLA officers consider there to be no harm to the significance of the conservation area.

Listed assets

78. The proposal would rise above the roofline of the Grade II Listed Inner London Sessions court and sit adjacent in the skyline to No. 87 Newington Causeway, which rises to 25 storeys. It would be of comparative prominence to No. 87 Newington Causeway, and GLA officers recognise that the perceived massing of the proposed development is mitigated by its distinctive consecutive parts, achieved by alternating planes and the contrast in brickwork tones that separate its elevations. The HTVIA concludes that the visibility of the proposed development would cause no harm to the significance of the heritage asset, and that the appearance of an additional city building would have no material effect on the significance of the asset. Therefore, from the information available and views provided, GLA officers consider there to be no harm to the significance of the Inner London Sessions court building.

Conclusion

79. On the basis of the information provided within the TVIA, GLA officers consider that the impact that would arise to the setting of the Trinity Church Square Conservation Area constitutes no harm to the significance of the designated

heritage asset. The results of the assessment by the Council on the proposals' impact on heritage assets will be reported to and taken into account by the Mayor at decision making stage.

80. Policy HC1 of the London Plan relates to all heritage assets, including designated and non-designated heritage assets. In respect of non-designated heritage assets, the heritage statement sets out that there are also a number of non-designated heritage assets within proximity to the application site. The Council should confirm whether it agrees with the conclusions set out in the heritage statement in respect of the non-designated heritage assets, and should confirm if there are any additional non-designated heritage assets in proximity to the site (including, for example, locally listed buildings and structures) that should also be assessed as part of consideration of the application. GLA Officers will provide an update to the Mayor in respect of Policy D9 and Policy HC1 at decision making stage.

Transport

Healthy Streets

81. All developments proposed should support the Mayor's Healthy Streets approach in line with Policy T2 of the London Plan. From the submitted Active Travel Zone assessment, the route between the site and Elephant and Castle Underground Station needs the most improvement. It has narrow footways, a lack of lighting and indiscriminate parking which creates pinch points along the route. This area should be improved to meet Vision Zero and Healthy Streets policies. As this is borough highway, these improvements should be agreed with the Council and secured through a S278 agreement.
82. Whilst there are existing Legible London signs in the wider area, a new Legible London sign at a decision point close to the site and a contribution to any necessary amendment of any existing signs to incorporate this proposed development will be welcomed.
83. It is expected that this development will attract many more people than currently and will therefore create a greater demand on the Santander Cycle Hire scheme. Furthermore, cycling is a fast way to travel in central London and the universities that would be served by the proposed development. Whilst there are two nearby cycle hire docking stations, additional provision is needed to mitigate the demand from this development in the context also the growth in patronage generally and within this area of cumulative growth. Taking account of the nature and size of this development a S106 contribution of £120,000 is requested in line with Policy T4. This will help facilitate a strategic modal shift at this site, in line with Policy T1.

Trip generation

84. To determine the trip generation rates, sites with a PTAL 4 have been used and some of the sites are not car-free. It is unclear how this has been dealt with to suit the characteristics of this site. Given the high accessibility of the site, it is

recommended that only sites with a PTAL 6a/6b are used. The mode split would also appear to underestimate trips by cycle and on foot and this needs to be addressed.

85. Once this information is available, TfL officers will be able to assess whether any further mitigation additional to those mentioned above will be required in line with Policy T4.
86. The worst-case use should be assessed and mitigated for in respect of the proposed flexible ground floor unit.
87. A travel plan should be secured in line with London Plan Policy T4.

Student move in/out

88. It is noted that students move in/out will be managed through a booking system and that the intention is that loading/unloading for students moving in/out will be on street where parking but not loading is restricted. With the limited space available and the proposed quantum of student bedrooms, further information is required on the measures that are to be implemented to minimise the impact that this would have on the surrounding road network and in particular upon pedestrians and cyclists and buses. This should be provided prior to determination.
89. The Council should secure a move-in/move-out plan through condition.

Car parking

90. Officers welcome the proposed car-free development, with the exception of disabled persons' parking in line with Policy T6. This should be subject to a permit-free agreement, secured through condition, alongside funding towards a review of the timing of on street controls in the area recognising that an office use is being replaced by primarily student housing.
91. Only one on-site disabled persons' parking space is proposed, which equates to less than one percent of dwellings having a disabled persons' parking space. Given the location and PTAL of the site, this it is considered acceptable, in line with similar applications. However, increased provision to facilitate travel for disabled residents should be made including a contribution towards station improvements and more than the minimum provision for active travel. Furthermore, the universities to be attended by the students living in the development should be asked to confirm alternative accommodation arrangements for disabled students to show that there is good choice.
92. The disabled persons' parking space is proposed to be allocated to a specific dwelling. This is contrary to Policy T6H which states that such parking should be allocated on the basis of need and not tied.
93. Given that only one car parking space is proposed, this space should have active electric vehicle charging provision in line with Policy T6.

Cycle parking

94. The development is proposed to provide 200 long-stay and 10 short-stay cycle parking spaces, which aligns with the minimum standards of Policy T5. This quantum has been calculated based on the commercial element being for office use. It should be noted that the cycle parking provision required will depend on the end use of the flexible commercial use proposed. However, the design of the cycle parking is not yet to the standards in the London Cycle Design Standards (LCDS) and, as a result, Policy T5. Design amendments should be secured prior to determination to ensure that fully policy compliant cycle parking is capable of being delivered.
95. It is noted that short stay cycle parking is planned to be placed on the footway which is outside of the site boundary rather than on site. No justification has been provided. This proposal will need to be agreed with the Council which is also the highway authority. However, it is of concern that the existing footway is not much wider than the absolute minimum 2 metres clear width required by TfL's Streetscape guidance for quiet streets let alone Avonmouth Street which is expected to be busy due to this development and others in the area. Further consideration of this proposal is therefore required.

Deliveries and servicing

96. Only smaller delivery vehicles will be able to be accommodated on-site. Further information is required to show how the larger vehicles will be accommodated and how all the demands will be managed. The use of sustainable modes such as cargo bikes is encouraged.
97. The swept path analysis for delivery and servicing to the site shows vehicles manoeuvring onto the wrong side of the road at the Avonmouth Street and Newington Causeway junction and hitting kerbs along Avonmouth Street. This is contrary to the Mayor's Vision Zero approach and could increase the risk of collisions between vehicles and pedestrians and cyclists. This could also have an impact on buses in the bus lane on Newington Causeway and traffic flows along Avonmouth Street. Further consideration of this aspect of the proposals to mitigate these risks is therefore required.
98. Controls on servicing to avoid times when there are many pedestrians and cyclists in the area should be imposed and consideration given to only night time/early morning activity. Appropriate facilities for charging electric vehicles and parking cargo bikes should be secured.
99. It is noted that a wide range of uses could be made of the ground floor commercial unit. At this stage it should be demonstrated that the servicing demands of the worst-case use can be accommodated.
100. A full Delivery and Servicing Plan (DSP) is required by Policy T7. This should be secured through condition and developed in line with TfL guidance. The DSP should contain targets to minimise large service vehicle movements and encourage smaller and sustainable means. Consolidation/sharing of deliveries should be included. A concierge system would also assist.

Construction logistics

101. An outline Construction Logistics Plan (CLP) has been provided. However, similarly further thought is required on vehicles manoeuvring into Avonmouth Street and on-street offloading and the potential impacts of this on bus services and traffic flows along Newington Causeway, Avonmouth Street and on pedestrians and cyclists.
102. As with servicing, controls on vehicle movement to avoid times when there are many pedestrians and cyclists in the area should be imposed and consideration given to only night time/early morning activity.
103. Given that local roads are not suitable for HGVs it should be demonstrated that their use is limited to only essential movements and how the safety and comfort of pedestrians and cyclists would be maintained.
104. A full CLP should be secured through condition, in line with Policy T4. In the CLP, it should be demonstrated how deliveries to the development through sustainable modes of transport, such as smaller electric vehicles and cargo bikes will be maximised. This is in line with Policy T7. Cargo bike facilities should be provided to support this.

Sustainable development

Energy strategy

105. The London Plan requires all major developments to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2013 Building Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered.
106. The energy strategy does not yet fully comply with London Plan policies. The applicant is required to further refine the energy strategy and submit additional information in order to fully comply with London Plan requirements, including:
 - review of the scheme's carbon reduction in order to meet the London Plan Be Lean energy efficiency targets for the non-domestic element;
 - further evidence regarding district heating networks (DHN) potential;
 - further information on a proposed communal heat network;
 - further information on an on-site network and future connection drawings;
 - PV roof layout and PV provision;
 - further information on an air-source heat pump (ASHP) system; and,

- confirmation of compliance with the Be Seen energy monitoring element of policy, including submission of planning stage data to the GLA, with compliance to be secured within the S106 agreement. More information is available on the GLA website¹.
107. The applicant's response to the GLA's energy comments should be provided directly within the energy memo. Any wider supporting material submitted should be referenced within the applicant's memo response. This should be provided prior to the Council's determination.
108. The development is estimated to achieve a 60% reduction in CO2 emissions compared to 2013 Building Regulations.
109. The development falls short of the net zero-carbon target in Policy SI2. As such, a carbon offset payment is required to be secured. This should be calculated based on a net-zero carbon target using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price. The draft S106 agreement should be submitted when available to evidence the agreement with the borough.

Whole Life-Cycle Carbon

110. In accordance with London Plan Policy SI2 the applicant is required to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development's carbon footprint.
111. The applicant has submitted a whole life-cycle carbon assessment. The WLC assessment does not yet comply with London Plan Policy SI2. Further information is required as detailed in the GLA WLC Memo, in order to fully address London Plan policies and guidance including but not limited to:
- a revised Whole Life-Cycle Carbon Assessment template;
 - further information on the operational modelling methodology;
 - further information on the cost allocated to each building element;
 - further information on the third-party verification mechanisms adopted to quality assure the assessment;
 - further information on the estimated WLC emissions;
 - further information on the retention of existing buildings and structures;
 - further information on the material quantity, assumptions, and end of life scenarios; and,

¹ <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/be-seen-energy-monitoring-guidance>

- further information on the global warming potential (GWP) for all life-cycle modules.
112. A condition should be secured requiring the applicant to submit a post-construction assessment to report on the development's actual WLC emissions. The template and suggested condition wording are available on the GLA [website](#)².

Circular Economy

113. Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG.
114. The applicant has submitted a Circular Economy Statement which is welcomed. However, the Circular Economy Statement does not yet comply with London Plan Policy SI7. A revised Circular Economy Statement must be submitted prior to the Mayor's decision making stage, in response to the comments made within the Circular Economy memo, including:
- further information on the Bill of Materials;
 - further information on the recycling and waste reporting;
 - further information on operational waste;
 - further information on plans for implementation; and,
 - further information on the end-of-life strategy.
115. The applicant should review the GLA's current guidance when preparing the statement.
116. A condition should be secured requiring the applicant to submit a post-construction report. The template and suggested condition wording are available on the GLA [website](#)³.

Environmental issues

Urban greening

117. The site is next to Newington Gardens. The landscape statement sets out that the emerging masterplan for the Enterprise Quarter, in which the site is located, includes a proposed green route along the site's southern boundary,

² <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/whole-life-cycle-carbon-assessments-guidance>

³ <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance>

terminating at Newington Gardens. Consideration of the site in the wider green infrastructure network is supported.

118. Whilst it is noted that the proposed green route requires planting beyond the site boundary, the applicant should consider increasing the amount of ground level planting within the site, on the southern boundary, seeking to strengthen the emerging green link. This may include, for example, a similar landscape treatment to that proposed at the south western corner of the building, on the south eastern corner.
119. The proposed development presents a well-considered approach to integrating green infrastructure and urban greening across the masterplan which is supported. The inclusion of trees on the second and seventh floor terraces is considered particularly positive.
120. The UGF score has been calculated to be 0.4, therefore meeting the target set in Policy G5 and indicating that urban greening has been included as a fundamental element of site and building design. The proposed development is therefore compliant with London Plan Policy G5.

Trees

121. One tree is located on site. Five other trees are located close to the site boundary. Details of these trees have been provided in the Arboricultural Survey. The loss of the on site tree (Category C) would be offset by new planting on site. The proposed development is therefore considered acceptable in line with London Plan Policy G7.

Sustainable drainage

122. The drainage strategy proposes to restrict runoff to 2l/s for the 100-year event plus 40% climate change, which is supported.
123. The drainage strategy states that the proposed hardstanding area is 0.116ha and that the allowance for green roofs has not been included within preliminary calculations to provide a conservative approach, which is supported. However, the drainage calculations in the appendices show a contributing area of 0.102 hectares. The calculations should be amended to suit.
124. In terms of SuDS, the drainage strategy proposes green roofs and permeable paving, which is welcomed.
125. The drainage strategy states that there are opportunities in amenity areas to provide rainwater harvesting, however as it is difficult to quantify contribution to the attenuation volume it has not been included in the surface water management strategy. This is understood; however further commitment to include rainwater harvesting and other smaller-scale green SuDS such as rain gardens should be provided to satisfy the requirements of London Plan Policy SI13.

126. The surface water drainage strategy for the proposed development generally complies with London Plan Policy SI13; however, the applicant should provide further commitment to the inclusion of rainwater harvesting and additional above ground green SuDS such as rain gardens.

Water efficiency

127. No Sustainability Statement or BREEAM Assessment has been provided. At least one Wat01 BREEAM credit should be targeted including information to demonstrate how this would be achieved.
128. Water efficient fittings, water meters, and leak detection systems should be incorporated, as well as water recycling and re-use. This could be integrated with the surface water drainage system to provide a dual benefit.
129. The proposed development does not currently meet the requirements of London Plan Policy SI5 as no information has been provided around the proposed water efficiency strategy.

Flood risk

130. The site is located in Flood Zone 3, in an area benefitting from the Thames Tidal Defences. A Flood Risk Assessment (FRA) has been submitted as required under the National Planning Policy Framework (NPPF).
131. In terms of the fluvial/tidal flood risk, the FRA proposes the following mitigation measures: floor levels of 'more vulnerable' uses 300 mm above the modelled flood level from a tidal defence breach, resistance/resilience measures, and safe access and egress routes. This is supported; however, the FRA states that these measures "should" be implemented. The applicant should clarify whether these measures have been agreed with the project team and have been included within the scheme proposals or whether they are simply recommendations.
132. The FRA should also demonstrate how sensitive plant at lower floors is protected to ensure that a safe haven can be provided at upper floors. In addition, the FRA should demonstrate that communal areas are available at upper floors for site users from the ground floor and basement to congregate in a flood event. This should be included within the Flood Warning and Evacuation Plan (FWEP).
133. The FRA adequately assesses the risk of flooding from pluvial, sewer, and reservoir flooding, which is considered to be low. The FRA provided for the proposed development generally complies with London Plan Policy SI12; however further information should be provided to demonstrate that a safe haven is provided at upper floors.

Air quality

134. Medium risk of human health impacts has been identified during construction and a low risk for demolition. Given the location of the proposed development in

proximity to a number of human health receptors, construction works mitigation relevant to the site along with requirements for non-road mobile machinery to comply with Low Emission Zone for Opportunity Areas standards, should be secured by condition, in line with London Plan Policy SI1D.

135. No discussion of any emergency generators is included (even if to say they are not included). Further information is therefore required to demonstrate compliance with London Plan Policy SI1B1a-b.
136. Exposure of future users of the development is assessed quantitatively, using dispersion modelling. Predicted concentrations at worst-case proposed receptors were found to be below the objectives and therefore acceptable for the proposed use without mitigation – compliant with London Plan policy SI1B1c.
137. The proposed development will not result in any building emissions, so development is better than air quality neutral for building emissions, and is 'car-free' so is considered air quality neutral for transport emissions. The development is therefore considered to be air quality neutral in accordance with London Plan Policy SI1B2a.
138. Confirmation is required that no emergency diesel-fired generators will be installed in the proposed development. If generators are proposed, then the proposed maintenance and testing schedule will need to confirm that routine operation will not result in exceedances of the air quality objectives.
139. On-site plant and machinery must comply with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards Opportunity Areas, in accordance with London Plan Policy SI1D.
140. Measures to control emissions during the construction phase relevant to at least a medium risk site should be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the requirements of the Mayor's Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should be approved by the LPA and the measures and monitoring protocols implemented throughout the construction phase in accordance with London Plan Policy SI1D.

Digital connectivity

141. Policy SI6 of the London Plan requires development proposals to ensure sufficient digital connectivity, including full fibre connections and mobile connectivity, and provide space for mobile digital connectivity infrastructure. It that development proposals should ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments, unless an affordable alternative 1GB/s-capable connection is made available to all end users. The applicant should set out how such space would be provided, which should be secured by condition.

Local planning authority's position

142. Southwark Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

Legal considerations

143. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

144. There are no financial considerations at this stage.

Conclusion

145. London Plan policies on the Central Activities Zone, student accommodation, urban design, heritage, transport, sustainable development, and environmental issues are relevant to this application. Whilst the proposed PBSA-led mixed use redevelopment could be supported in principle, the application does not currently comply with the London Plan as summarised below:

- **Land use principles:** The principle of the redevelopment and optimisation of the brownfield site within the CAZ, involving the re-provision of town centre uses, delivery of purpose-built student accommodation, and contribution to strategic housing targets, and is supported.
- **Affordable student accommodation:** The proposed 35% on-site affordable student accommodation is supported subject to this being secured through a S106 agreement, including the rent levels and eligibility criteria. The obligation to enter into a nomination agreement must also be secured.
- **Urban design:** The principle of a tall building could be supported in strategic terms, subject to addressing its impacts. The small size of some of the regular and cluster accommodation should be reconsidered. A revised fire statement and inclusive access statement are required.

- **Transport:** Further information on trip generation, cycle parking, deliveries and servicing, and construction logistics is required. A move-in/move-out plan and permit-free agreement should be secured through condition, as well as a travel plan and contributions that have been requested towards improving local infrastructure.
- **Sustainable development:** Further information on the energy strategy, whole life-cycle carbon, and circular economy is required. A commitment to post-completion reporting prior to occupation on whole life-cycle carbon and circular economy matters should be secured.
- **Environmental issues:** Further information on urban greening, sustainable drainage, water efficiency, flood risk, and air quality is required. Conditions to control the impact on air quality during the construction period should be attached to any planning permission.

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