Surrey Quays Leisure Site
in the London Borough of Southwark
planning application no. 09-AP-2009

Strategic planning application stage II referral (new powers)

The proposal
Outline permission is sought for the erection of six buildings ranging in height from 2 to 10-storeys, comprising 11,105 sq.m. leisure floorspace, 2,695 sq.m. retail floorspace and 509 residential flats.

Detailed planning permission is sought for 123-bed student accommodation, 2,500 sq.m. of commercial floorspace and 86 of the proposed 509 residential units.

The applicant
The applicant is Frogmore, and the architect is Allies and Morrison.

Strategic issues
The principle of the redevelopment of the site to provide a residential-led mixed-use development with a leisure focus at Surrey Quays is in the interest of good strategic planning in London. Further information has been received on access, climate change mitigation and transport. As such the proposal is consistent with London Plan policy.

Recommendation
That Southwark Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context
1 On 17 September 2009 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. This was referred to the Mayor under Category 1A of the Schedule to the Order 2008: “Development which comprises or includes the provision of more than 150 homes, flats, or houses and flats.” Category 1C of the order: “Development which comprises or includes the erection of a building of one or more of the following descriptions – (c) the building is more than 30 metres high and is outside the City of London”. Category 3F of the order: “Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use”.

page 1
2 On 21 October 2009 the Mayor considered planning report PDU/2330a/01, and subsequently advised Southwark Council the application did not comply with the London Plan, for the reasons set out in paragraph 93 of the above-mentioned report; but that the possible remedies set out in paragraph 95 of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. On 19 January 2010 Southwark Council decided that it was minded to grant planning permission, and on 28 January 2010 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Southwark Council under Article 6 to refuse the application or issue a direction to Southwark Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 10 February 2010 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA’s website www.london.gov.uk.

Update

Affordable housing

5 Given the uncertainty of future values of the housing market and the phased building program for the site, it is not possible to predict the maximum reasonable amount of affordable housing this proposal will be able to provide. As such, at the consultation stage Southwark Council and the applicant were advised that the viability of affordable housing should be assessed as each development phase is bought forward.

6 The applicant has accepted this approach and a S106 agreement has been drafted to secure a viability assessment at each phase of development. The agreement also secures a minimum of 25% affordable housing and maximum of 35% affordable housing within each phase and a tenure split of 70% social rented and 30% intermediate.

7 This will ensure that each phase of development provides the maximum reasonable amount of affordable housing. As such, the proposal complies with policy 3A.9 and 3A.10 of the London Plan.

Access

8 At the consultation stage the applicant was asked to submit details of the north facing student windows and the indicative location of the wheelchair accessible units before the application was referred back to the Mayor.

9 The applicant has explained that the precise number and mix of residential units is not yet fixed. As such, it is not possible to fix the location of the wheelchair accessible units. However, this information will need to be submitted on the detailed floorplans as part of the reserved matters submission. Southwark Council should ensure that the wheelchair accessible units are spread across the site and as close to the wheelchair accessible parking spaces as possible.

10 The windows in the student block are fixed as part of the detailed planning application. The north elevation windows have been designed to be large enough to allow light into the access corridor and stairwell of the student accommodation and small enough to prevent noise pollution from the adjacent industrial site. The proposal complies with London Plan policy 4B.5.
Climate change mitigation

11 At the consultation stage the applicant was asked to submit the baseline emissions for the development. These have since been submitted. Southwark Council was also advised to include conditions to ensure the provision of a single district heat network and the photovoltaic panels. These have not been included. Southwark Council states it does not usually attach conditions relating to energy to planning permissions and that the S106 agreement will encompass obligations for energy.

12 To ensure compliance with London Plan policy Southwark Council should ensure the legal agreement ties the applicant to providing:

- A site-wide district heating system supplying every residential unit in the development and all non-domestic spaces including, leisure, retail, restaurant and commercial buildings. It should be operational prior to the occupation of the first phases of construction and thereafter serve all completed apartments and all non-domestic buildings within the development. It shall be supplied with heat generating plant installed in a single energy centre.

- On completion of the development no less than 1,750 sq.m. of roof mounted solar photovoltaic panels with a southern component absent of significant shading throughout the year shall be installed.

- Commit to the future connection to SELCHP should it be brought on line.

Transport for London’s comments

13 At the consultation stage, Transport for London highlighted a number of concerns regarding trip generation, public car parking, impacts on buses, and pedestrian and highway proposals. Additional information was required regarding cycle parking, coach and taxi accommodation, servicing, and electric vehicle provisions. A contribution of £300,000 towards improvements to bus services/facilities and the Strategic Walk Network was also requested to help mitigate the impacts of this development.

14 Among the issues raised were strategic concerns regarding the approach to and level of car parking proposed for this development. Although the applicant is contributing funding for the investigation of a car parking zone and occupants of this development will not be eligible for on-street permits, at present the on-street parking in the local area is uncontrolled. TfL considers that the proposed 350 leisure parking spaces represents an acceptable balance between the need to reduce car parking and to prevent overspill parking, which could impact bus journey times. In addition, the leisure car park will be available to the general public in order to serve as town centre parking. TfL therefore considers the parking proposals to be in line with London Plan parking policies.

15 Several pedestrian issues were also raised, including the provision of an east-west link in the north-east part of the site and the potential for the provision of two zebra crossings in broadly the same place over Surrey Quays Road should the adjacent Canada Water Site C planning application also be approved. The provision of an east-west pedestrian link has been confirmed, and the Section 106 agreements for both this site and Canada Water Site C will address the zebra crossing provision.

16 Additional information has been provided regarding the other outstanding concerns and some changes made to the proposal. In conjunction with the proposed planning conditions and
Section 106 requirements, TfL is satisfied that the remaining outstanding issues have now been resolved.

17 In order to mitigate the transport impacts of this development, TfL requested a contribution of £225,000 towards the provision of additional bus services, £60,000 towards necessary improvements to Canada Water bus station, and £15,000 for improvements to TfL’s Strategic Walk Network. These contributions have been fully agreed by the applicant Southwark Council should ensure they are secured as part of the Section 106 agreement.

18 Transport for London is therefore satisfied that the transport concerns raised at consultation stage have been satisfactorily addressed and the application can be considered to be in general conformity with London Plan transport policies.

Other comments

19 The Metropolitan Police Service raises no objection.

20 Thames Water raises no objection subject to the inclusion of conditions.

21 The Environment Agency raises no objection subject to the inclusion of conditions.

22 Natural England states the proposal does not affect any of its priority interest areas.

23 British Waterways has no comment to make on the proposal.

24 Southwark Cyclists request a planning condition to ensure secure and covered bike storage for 130% of the residents and 30% of the employees. It also suggests that only disabled parking should be provided and the shopping centre and leisure site car parks be combined.

25 Southwark Council also received 21 letters of objection. The Mayor received 3 objection letters, two from the Brunswick Quay residents association and one from Canada Water Campaign. The Mayor also received a letter from Southwark Friends of the Earth supporting objections to the proposal. The objections relate to:

- Provision of student housing.
- Too many residential units.
- Too little leisure floorspace.
- Single aspect one-bed units.
- Over concentration of development.
- Design of the buildings.
- Need for more family sized homes.
- No need for leisure use.
- Safety of car park entrances.
- Poor pedestrian and cycle routes.
- Impact on public transport.
- Insufficient car parking.
- Increase in traffic and pollution.
- Loss of sunlight/daylight.
- Noise pollution.
- Loss of privacy.
- Strain on local services.
- Not integrated with the existing community.
- Little provision for youth.
- Disruption to leisure use.
• Increase in crime.

Response to consultation

26 Issues relating the proposed uses, density, design and transport have been addressed in this and the previous report.

27 Matters relating to loss of sunlight, daylight, pollution and local services are not strategic planning matters and have been assessed by Southwark Council.

28 It is not considered that the proposal would result in an increase in crime given its high quality and well considered layout.

Article 7: Direction that the Mayor is to be the local planning authority

29 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation which satisfactorily addresses that matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

30 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction. The Mayor must also have regard to the guidance set out in GOL circular 1/2008 when deciding whether or not to issue a direction under Articles 6 or 7.

Financial considerations

31 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (‘Costs Awards in Appeals and Other Planning Proceedings’) emphasises that parties usually pay their own expenses arising from an appeal.

32 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.
33 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

Conclusion

34 The principle of the redevelopment of the site to provide a residential-led mixed-use development with a leisure focus at Surrey Quays is in the interest of good strategic planning in London. Further information has been received on access, climate change mitigation and transport, which have addressed the issue raised at the consultation stage and as such the proposal is now consistent with London Plan policy.

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planning report PDU/2330a/01
21 October 2009

Surrey Quays Leisure Site
in the London Borough of Southwark
Planning application no.09-AP-2009

Strategic planning application stage 1 referral (new powers)

The proposal
Outline permission is sought for the erection of six buildings ranging in height from 2 to 10-storeys, comprising 11,105 sq.m. leisure floorspace, 2,695 sq.m. retail floorspace and 509 residential flats.

Detailed planning permission is sought for 123-bed student accommodation, 2,500 sq.m. of commercial floorspace and 86 of the proposed 509 residential units.

The applicant
The applicant is Frogmore, and the architect is Allies and Morrison.

Strategic issues
The principle of the re-development of the site to provide a residential-led mixed-use development with a leisure focus is in the interests of good strategic planning in London. However, further information and discussion is required regarding affordable housing. Further information is also required on access, climate change mitigation and transport.

Recommendation
That Southwark Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, for the reasons set out in paragraph 93 of this report; but that the possible remedies set out in paragraph 95 of this report could address these deficiencies.

Context

1 On 17 September 2009 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 has until 28 October 2009 to 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 Category 1A of the Schedule to the Order 2008:
“Development which comprises or includes the provision of more than 150 homes, flats, or houses
and flats.” Category 1C of the order: “Development which comprises or includes the erection of a
building of one or more of the following descriptions – (c) the building is more than 30 metres high
and is outside the City of London”. Category 3F of the order: “Development for a use, other than
residential use, which includes the provision of more than 200 car parking spaces in connection
with that use”.

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 website
www.london.gov.uk.

Site description

5 The site is located to the south-east of Canada Water and north of Greenland Dock. The site is
bounded by Harmsworth Quays print works to the north, Quebec Way to the east, Redriff Road to
the south and Surrey Quays Road to the west. The wider area contains the Surrey Quays shopping
centre, residential accommodation and commercial/industrial units.

6 The A200 Lower Road, part of the strategic road network, is approximately 250 metres from
the site. The site is well connected to the cycle network as National Cycle Route Four runs along
the south bank of the Thames within 350 metres of the site and a network of off-street cycle paths
covers the Rotherhithe peninsula. Canada Water Underground and bus stations are within 300
metres, providing access to Jubilee line services and, from 2010, London Overground services on
the extended East London Line. A wide range of buses operate in the area, with the nearest bus
stops adjacent to the site on Surrey Quays Road and Redriff Road. The site currently has a public
transport accessibility level of 4 on a scale of 1 to 6, where 6 is most accessible; this would rise to 5
under the proposals.

Details of the proposal

7 Outline permission is sought for the erection of six buildings ranging from 2 to 10-storeys,
comprising 11,105 sq.m. of leisure floorspace, 2,695 sq.m. of retail floorspace, 2,500 sq.m. and
509 residential units.

8 Detailed planning permission is sought for 2,500 sq.m. of commercial floorspace, 86 of the 509
proposed residential units and 123-bed student accommodation.

9 An indicative breakdown of the residential units is shown below.

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<th>Type</th>
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</tr>
<tr>
<td>3 bedroom</td>
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<td>100%</td>
</tr>
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Case history

10 On 9 December 2008 a pre-application meeting was held between the applicant and the GLA to discuss the proposed redevelopment of the site. An advice note reference PDU/2330KH04 was issued on 23 December 2008.

11 In July 2009 the Mayor was consulted on an application for the erection of six buildings ranging in height from 3 to 10-storeys comprising 11,105 sq.m. of leisure floorspace, 2,605 sq.m. of retail floorspace, 2,500 sq.m. commercial floorspace, 123-bed student accommodation and 540 residential units. The Mayor sent his comments, on the application to Southwark Council on 5 August 2009, see planning report PDU/2330/01. This concluded “the principle of the redevelopment of the site to provide a residential-led mixed use development with a leisure focus is in the interest of good strategic planning in London. However, concern is raised over the approach to affordable housing and transport. Further information and alterations are also required on climate change”. The applicant withdrew the application in September 2009.

12 This application is a resubmission of the withdrawn application. The proposal has been amended slightly to reflect on-going negotiations with GLA and Southwark Council officers but is in essence the same application.

13 The amendments include:

- Reduction in number of residential units from 540 to 509
- A reduction in height of the buildings facing Redriff Road
- An increase in the set back of the buildings along Redriff Road

Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- Principle of use London Plan; PPS1; PPS6, draft PPS4
- Density London Plan; PPS3; Housing SPG
- Urban design London Plan; PPS1
- Access London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- Affordable housing London Plan; PPS3; Housing SPG, draft Housing Strategy
- Child play space Providing for Children and Young People’s Play and Informal Recreation SPG
- Climate change London Plan; PPS1, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor’s Energy Strategy; Sustainable Design and Construction SPG
- Transport London Plan; the Mayor’s Transport Strategy; PPG13

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Southwark Unitary Development Plan 2007, the London Plan (Consolidated with Alterations since 2004). The London Plan Consultation Draft Replacement Plan is also a material consideration.

16 Southwark Council’s Core Strategy submission document and Canada Water Area Action Plan preferred options document are also material considerations.
**Principle of use**

17 The site is located within the Canada Water/Surrey Quays Area for Intensification as designated by the London Plan. Policy 2A.6 of the London Plan seeks to exploit the public transport accessibility and potential for increases in residential, employment and other uses in these areas, through the provision of higher density development with more mixed and intensive uses.

18 Policy 5D.3 of the London Plan seeks higher density redevelopment at key transport nodes of good accessibility and in town centres within the Canada Water/Surrey Quays area. The intensification of Canada Water/Surrey Quays therefore focuses on the transport interchange and district shopping centre with significant potential for development of in fill and intensification of existing commercial sites. Table 5D.1 of the London Plans identifies that the Canada Water/Surrey Quays area will be able to provide a minimum of 2,000 new jobs and 2,000 new homes by 2026.

19 The Canada Water Area for Intensification has been taken forward in the London Plan Consultation Draft Replacement Plan. Table A1.2 identifies that Canada water/Surrey Quays has an indicative capacity of 2,000 new jobs and 2,500 new homes.

20 The site is also designated for mixed-use redevelopment with a leisure focus in Southwark Council’s Core Strategy preferred options document and the Canada Water Area Action Plan preferred options document.

21 The proposed redevelopment and intensification of the existing leisure site, to provide residential accommodation, replace the existing leisure uses, student accommodation and new commercial accommodation is therefore supported.

**Density**

22 London Plan policies 4B.1 and 3A.3 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility. Table 3A.2 of the London Plan provides guidelines on density in support of policies 4B.1 and 3A.3.

23 The proposed residential density of the site is 651 habitable rooms per hectare. This is within the guidance contained in table 3A.2 of the London Plan, which provides a guidance range of between 450 – 700 habitable rooms per hectare for urban sites with a public transport accessibility level of between four and six. The proposal also complies with the density matrix contained in the London Plan Consultation Draft Replacement Plan.

**Urban design**

24 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design polices in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network. Policy 7.6 of the London Pan Consultation Draft Replacement Plan states “Architecture should make a positive contribution to a coherent public realm, streetscape an wider cityscape. It should incorporate the highest quality materials and design appropriate to its context”.

25 The proposed site layout is generally sound and would create a clear logical route network linked into the majority of existing surrounding routes. However, TfL have raised concern (see TfL
comments page 11) over the proposed footway along the northeast boundary of the site. This should be fully investigated before the application is referred back to the Mayor. The consideration given to the future development of the wider route network to the north as part of its redevelopment is welcomed. The applicant has shown that the ‘soft spots’ as identified in the northern elevations of the commercial and student block will be easily adaptable in the future to allow pedestrian connections through to the land to the north. The adaptation of these spots and the connection through to the northern site should be secured through the section 106 agreement.

26 The position of the leisure units is appropriate and the intention to maximise the level of active uses at ground floor level is welcomed. Given the length of ground floor frontage created by the two pavilion structures there may be an unacceptable level of dead frontage to the public faces of the building. The success of these spaces will in part depend on the location of active commercial uses on their boundaries. The indicative drawings show the public parts of the retail units turning the corner of each building; this is welcomed and should be carried through to the reserved matters.

27 The nature of the active uses on the eastern side of the leisure buildings facing the square should be informed by the daylight and sunlight analysis as these are likely to be overshadowed by the building in the latter part of the day and summer evenings. In view of this it may be appropriate to allocate an area in the central part of the square, which would receive more sunlight that could be used by restaurants in these units for outside seating. The route and residential units on the eastern side of the square and the residential blocks at either end are supported and will ensure an adequate level of activity in the square throughout the day.

28 The communal amenity space in the heart of the central perimeter block is positive but further details of the access and management arrangements should be provided. The preference, given the extent of private amenity spaces backing on to this space and large public square to the west, would be for this to be fully secured or its access carefully controlled and managed.

29 The approach to built scale across the site is appropriate. The 10-storey building positioned on the southwest corner of the site sits outside the viewing corridor of the London Panorama from Greenwich Park towards St Paul’s Cathedral.
30 Overall 38% of all units are single aspect and 1.8% of these units face north. The windows installed in all north facing residential and student units and their communal areas should be capable of manual opening by occupants to allow adequate cross ventilation of these units. The concern regarding noise pollution from the print works to the north are acknowledged but these should not preclude residents being given the choice to open windows and adequately ventilate their flats, particularly during the summer months and at times when the print works operation is not causing excessive noise levels in the area.

31 The success of the proposal will be dependant on the use of high quality materials and detailing to both the building and landscaping. The use of robust materials and high quality finishes should be ensured by condition to ensure the proposal would have a positive impact on the surrounding townscape.

Access

32 Policy 4B.5 of the London Plan expects all future development to meet the highest standard of accessibility and inclusion. This, together with the London Plan’s supplementary planning guidance ‘Accessible London: achieving an inclusive environment’, underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London. Policy 3A.5 of the London Plan requires all new housing to be built to ‘Lifetime Homes’ standards and 10% of all new housing to be designed to be wheelchair accessible to meet the full range of housing needs. Policy 7.2 of the London Plan Consultation Draft Replacement Plan also seeks new development in London to achieve the highest standards of accessible and inclusive design.

33 The design and access statement confirms that the proposal will comply with the sixteen Lifetime Homes criteria and that 10% of all units will be wheelchair accessible. However, details of
the location of these units have not been provided. Whilst it is understood the detail of the size and location of each unit has not been set, the indicative plans should show the likely location and size of the wheelchair accessible units.

34 The applicant has submitted a plan detailing the step free pedestrian access routes within the development to the new leisure uses and outside the development to the shopping centre and local bus and tube network. These should be carried forward at the detailed design stage.

35 Student flats should be designed with a proportion of wheelchair accessible units, including consideration of how any disabled students can access and use the communal kitchens. The applicant states in the design and access statement that 1 in 6 of the student flats and their communal kitchens will be wheelchair accessible. During consultation on the last application the applicant was asked to demonstrate that the size and location of the reduced windows on the northern boundary will be positioned to allow all students including those in wheelchairs the ability to look out.

36 The applicant has stated in the design and access statement that all windows and their operation will be suitable for wheelchair users. However, no details of how this will be achieved has been submitted. It is not therefore clear whether the applicant intends to provide access to views from the windows to wheelchair users or just the controls to open the ventilation valves.

37 The applicant should supply more detailed information on how the windows in the north elevation have been designed to be provide an inclusive environment.

**Affordable housing**

38 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

39 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three Dragons’ development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

40 Policy 3.13 of the London Plan Consultation Draft Replacement Plan also seeks the maximum reasonable amount of affordable housing.

41 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination.

42 The Southwark UDP sets an affordable housing target of 35% for urban and suburban sites of 0.5 hectares or more with a capacity of 15 dwellings or more.
43 The development will provide 509 residential units. As with the previous application the applicant has submitted a Three Dragons toolkit viability report. The financial appraisal includes the existing use value and appears to make reasonable assumptions with regards to private sales and grant levels. The development costs for the proposal are high and significantly higher than the three dragons toolkit default setting, however, the applicant states these have been confirmed by an independent assessment of cost commissioned by Southwark Council. Details of the independent assessment should be submitted before the application is referred back to the Mayor.

44 As with the previous application the overall assessment is that the proposal is likely to produce a negative value against both the acquisition cost and the existing use value. If the applicant intends to proceed it will be in the hope that future improvements in the housing market will produce a positive value.

45 The previous application proposed that overall 25% of the total number of habitable rooms and 25% of the total number of units would be affordable. With a ratio of 50% social rented and 50% intermediate housing. At the time concerns was raised over this approach as, dependant on the market values at the time of completion, the proposal may be able to provide more or less than 25% affordable housing. Especially as the intention is to build this proposal in a series of phases over several years, by which time the housing market may have improved. The applicant was therefore advised that a more appropriate solution would be to assess the viability of the provision of affordable housing on commencement of each phase. The mechanism for which can be secured through the section 106 agreement.

46 This option prevents the applicant agreeing to provide a percentage of affordable housing that they cannot realistically deliver and ensures the proposal complies with London Plan policy to provide the maximum reasonable amount of affordable housing should the market improve during the lifetime of the permission and construction.

47 The applicant is working with GLA and Southwark Council officers to ascertain how this may be achieved. This method for securing the maximum reasonable amount of affordable housing is strongly supported. The application should not be referred back to the Mayor until this issue has been resolved and a draft Section 106 agreement securing the phased viability assessment of the scheme secured.

48 The proposed ratio of 50% social rented and 50% intermediate housing falls short of the Mayor’s aspiration to provide at 60% social rented and 40% intermediate. However, as this proposal is centred on the findings of the financial viability assessment, this could be re-assessed as part of the phased provision of affordable housing.

49 As the majority of residential units will be provided through the outline planning application the proposed size and mix of units is indicative and not part of the application. However, the indicative mix has a high proportion of one and two–bed units and provides a disappointing number of family sized units. This fails to comply with the Mayor’s Housing SPG and is most likely to fails to comply with the Mayor’s draft London Housing Strategy that seeks 42% of all social rented housing units to have at least three bedrooms or more and policy 3.12 in the draft replacement London Plan, which gives priority to provision of affordable family housing. The application should be amended to provide more family sized affordable housing as part of the detailed planning application and should be linked to the phased financial assessments and provision of affordable housing.
Child play space

50 Policy 3D.13 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” This is carried forward in policy 3.6 of the London Plan Consultation Draft Replacement Plan. Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ it is anticipated that there will be approximately 130 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 1300 sq.m. of playspace.

51 The design and access statement commits to providing 1350 sq.m. of play space across the courtyard garden and the two mews gardens. This should be secured by condition. Southwark Council should ensure that at the detailed design stage, details of the exact location and the type of play facilities are submitted to ensure the land designated for child play space is genuine play space with different types of play equipment and landscaping to foster play and recreation.

Climate change mitigation

52 The London Plan climate change policies as set out in chapter 4A and chapter 5 of the London Plan Consultation Draft Replacement Plan collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

Be lean

53 The baseline emissions for the development including the carbon savings achieved with energy efficient design measures have been estimated to be 2,784 tonnes of carbon dioxide. The applicant has used building regulations approved software for the calculations and has taken into account the carbon emissions from regulated and non-regulated energy usages, i.e. appliances and equipment, which is in line with the requirements of the London Plan.

54 However, the applicant should state what the baseline emissions (regulated and unregulated) are for a scheme that would be just compliant with building regulations 2006 minimum requirements.

55 The applicant has proposed a series of demand reduction measures to reduce carbon emissions beyond building regulations 2006 minimum requirements. These include low energy lighting and lighting controls, more stringent insulation and air tightness standards than those required by current building regulations and mechanical and heat recovery ventilation systems.

56 The proposed measures have been estimated to reduce carbon emissions beyond building regulations 2006 requirements by 8 to 16% for the dwellings and 7 to 18% for the non-residential buildings.

Be clean

57 The proposed site lies within the Canada Water Area Action Plan. Sites A and B of which are supplied by a common heat network fired with combined heat and power. Additionally, a planning application for the adjacent site C has been submitted to Southwark Council.

58 The energy strategy acknowledges the plans for the Canada Water Area Action Plan and investigates the plans for the wider area. The energy strategy concludes that the options for
connection to a wider heat network will need to be assessed as part of the detailed design planning submission. It is anticipated that Southwark Council will have issued more detailed guidance on the area wide district heating system. The applicant’s commitment to the district-heating network is strongly supported and should be secured by condition.

59 If it is not possible to connect the proposal to the wider heat networks at the time of construction, capped connections for electricity, heating and cooling to the network should be secured through planning conditions to ensure the development can connect to the district heating network when it becomes available.

60 If it is not possible to connect to the wider heat network the applicant proposes to install a centralised heat network supplied with plant installed in an energy centre located in the base of building C.

61 The proposed heat network will be partially supplied by a 526 kWe combined heat and power which would reduce carbon dioxide emissions by a further 22%. The combined heat and power plant would supply up to 79% of the site’s heat demand with thermal storage providing the rest.

62 The residential and student accommodation will be naturally ventilated. All the other non-domestic spaces including, retail, restaurant and commercial buildings will have mechanical ventilation with air conditioning. The suitability of using a tri-generation plant to supply the cooling requirements of the scheme has been looked at and consequently disregarded.

Be green

63 A renewable option appraisal has been undertaken. The findings of which state 1,750 sq.m. of photovoltaic panels would reduce carbon emissions by 6.4%. Additionally, two wind turbines mounted in buildings A and B would reduce carbon emissions by a further 0.3%. Although is it acknowledged that this scheme falls short of the 20% carbon reduction target with the use of renewables, all other renewable technologies have been disregarded and the arguments for that are accepted.

64 To ensure compliance with London Plan policy the following wording should be included in Southwark Council’s own energy conditions.

**Condition one**
A district heating network supplying every residential unit in the development and all non-domestic spaces including leisure centre, retail, restaurant and commercial buildings shall be installed and sized to the space heating and hot water requirements of the Surrey Quays development, and shall have the following characteristics:

- It shall be operational prior to the occupation of the first phase of construction and shall thereafter serve all completed apartments and all non-domestic buildings within the development
- It shall be supplied with heat generating plant installed in single energy centre

**Condition two**
Upon the completion of the Surrey Quay development no less than 1,750sq.m. of roof mounted solar photovoltaic panels with a southern component and absent of significant shading throughout the year should be installed at the Surrey Quay leisure site.

65 It may be necessary, dependant on the outcome of the wider decentralised energy discussion with the applicants for the Canada Water A, B, C and E sites to amend this wording.
Climate change adaptation

66 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribute to heat island effects; minimise solar gain in summer; contribute to flood risk reduction, including applying sustainable drainage; minimising water use; and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls and water. The London Plan Consultation Draft Replacement Plan also includes policies to ensure the development makes the fullest contribution to London’s adaptation to climate change.

67 In line with policy 4A.10 of the London Plan particular attention should be paid to use of passive design and natural ventilation. The sustainability report confirms the majority of residential units will be naturally ventilated and overall the proposal will provide improved insulation and airtightness performance above Building Regulations (2006). Localised shading will also be incorporated in the facade design and efficient lighting and daylight controls will be fitted through out.

68 The applicant proposes several green and brown roofs. The details of those to be provided on the northern boundary have been submitted as part of the detailed application and are supported. Southwark Council should ensure the provision of green and brown roofs on all roof areas not needed for photovoltaic panels and plant is secured at the detailed planning stage.

69 The sustainability statement also suggests several options for rainwater harvesting opportunities, grey water recycling and the fitting of low flow appliances. Southwark Council should ensure the details of these options are fully explored at the detailed planning stage.

Comments from Transport for London

Trip generation, modal split and committed development

70 Although the trip generation has been revised to take the student accommodation into account, the residential trip generation and mode split provided remain unacceptable as they are based on inappropriate comparison sites and are not representative of current travel patterns in the Canada Water area. Furthermore, in line with other sites within the masterplan area, the committed developments should include development sites C and E. Further details of the proposed retail uses should also be provided to support the developer’s assumption that they will not generate external, non-linked trips, as the car parking accumulation data suggests that the existing restaurants do presently attract car-based trips. At this stage the proposals are not compliant with London Plan policy 3C.2 Matching development to transport capacity.

Car parking

71 A total of 142 residential spaces (of which 51 are disabled) are proposed. This equates to 0.28 spaces per unit, which is within the limit set out in the emerging Canada Water Area Action Plan. The Council is also considering extending a nearby CPZ to cover this area, which is welcomed; TfL considers the residential car parking to be acceptable provided that the Council restricts occupiers of the development from future eligibility for car parking permits. In addition, three car parking spaces are proposed for the commercial use, which is also within London Plan standards.

72 In line with London Plan policy, leisure developments should make use of existing public car parking. Given that approximately 1,600 car parking spaces are currently available to the public at other sites within the Canada Water town centre area, no justification has been provided as to why any further parking (except disabled) should be provided on this site. The car parking strategy for
this site, as set out in the draft Canada Water Area Action Plan and supported by London Plan policies, is that the leisure parking should be shared between Decathlon and the shopping centre and should be treated as town centre parking. TfL considers that the proposals do not adhere to this strategy or the London Plan.

73 Furthermore, London Plan policies state that the amount of existing, private, non-residential parking should be reduced as opportunities arise and there should be no over-provision that could undermine the use of more sustainable modes. For the leisure use, a total of 350 spaces (of which 21 are disabled) are proposed, primarily in a basement car park under the leisure area with a small number of disabled spaces provided at grade within the site. The transport assessment notes that a reduction in parking demand is expected in line with the proposed reduction in leisure floorspace. Based on the maximum demonstrated demand at the site, this would result in a maximum demand for around 301 spaces. Although the reduction in car parking from the existing quantity is welcomed, the proposed 350 spaces still appear to represent an overprovision which would discourage people from travelling to the site by more sustainable modes.

74 TfL expects the provision of a number of electric vehicle charging points in line with the Mayor’s Electric Vehicle Delivery Plan for London. Until the above issues are fully resolved, the car parking proposals are considered to be contrary to London Plan policies 3C.3 Sustainable transport in London, 3C.23 Parking strategy, 3C.24 Parking in town centres, and Annex 4 parking standards.

Cycle parking

75 TfL generally welcomes the proposals for cycle parking. However, clarification is required regarding the leisure and retail proposals in order to determine whether the quantum of spaces is in accordance with TfL’s cycle parking standards and therefore with London Plan policy 3C.22 Improving conditions for cycling.

Pedestrians

76 TfL understands that the footpath along the northeastern edge of the site which was proposed as part of the previous application has been removed from the present application. The current proposals therefore do not have a straightforward east-west pedestrian link through the site. TfL considers that the proposals will result in a deterioration of the site’s east-west permeability and accessibility over what currently exists. TfL therefore considers this to be contrary to London Plan policy 3C.21 Improving conditions for walking.

77 The site’s connection with the Strategic Walk Network (SWN) which runs around the peninsula should be further investigated and a contribution in the region of £15,000 towards improvements to the SWN is sought. Information on footpath widths and lighting, particularly on the pedestrian link from Quebec Way and around the leisure buildings, should also be provided in order to determine whether the proposals comply with London Plan policy 3C.21 Improving conditions for walking.

Coaches and Taxis

78 Although the applicant has shown that a 12m coach can access the site, no accommodation appears to have been made for safe loading/unloading of passengers within the site. Coaches could be accommodated within the taxi and loading bay areas and TfL requests clarification on this. Clarification is also needed regarding the proposed operation of a taxi rank on the site.

Buses
Following discussions with the applicant and Council’s transport officers, the proposal to retain the junction of Surrey Quays Road and Redriff Road as a mini-roundabout has been agreed, and further discussion is needed regarding the proposed pedestrian crossing improvements. Further information showing that large vehicles can safely access the Surrey Quays Shopping Centre delivery yard is also necessary in order to ensure the safety of pedestrians and cyclists and prevent potential delays to buses.

TfL remains concerned that the proposed number, type, and location of pedestrian crossings on Surrey Quays Road will cause delays to bus services. The number and location of pedestrian crossings should be considered holistically in conjunction with the public realm and other master plan sites, particularly the proposed crossing closest to the Harmsworth Quay access junction. In order to ensure a joined-up approach to the provision of pedestrian facilities, TfL expects an appropriate planning condition to be agreed concerning the location and design of the proposed pedestrian crossings. In addition, TfL objects to the use of raised tables in this location and requests that any crossings over Surrey Quays Road and Redriff Road be at grade, or at most half-raised.

It is TfL’s view that an additional morning peak bus journey between Canada Water area and the City will be necessary as a result of the bus trips arising from this and other developments in the area. In order to mitigate this impact, a contribution of at least £75,000 per year for 3 years will be necessary to provide the necessary additional bus capacity. As a result, additional bus stands will also be required in this area as all existing standing space is at capacity; TfL considers that this could be accommodated as part of these development proposals. A contribution of £60,000 towards improvements at Canada Water Bus Station, in line with other developments in the area, is also requested.

TfL notes that the proposals would require the relocation of bus stops on Redriff Road and Surrey Quays Road. All relocated stops must comply with the standards set out in TfL’s Bus Priority Team technical advice note BP1/06.

TfL requests further discussion with the applicant regarding the above issues at the earliest opportunity. Until the above issues are resolved, the current proposals cannot be considered to be compliant with London Plan policies 3C.14 Enhanced bus priority, tram and busway transit schemes, 3C.16 Road scheme proposals, and 3C.20 Improving conditions for buses.

Servicing and construction management

TfL welcomes the developer’s agreement to securing a delivery and servicing plan as part of the S106 agreement. A loading bay has been proposed for commercial and student accommodation servicing; further information, including a plan, should be provided.

The developer’s agreement to securing a construction logistics plan by S106 is also welcomed; this should be prepared and approved in consultation with TfL prior to the commencement of works on site. The construction logistics plan should also take the likely cumulative construction movements of any other nearby developments into consideration. London Buses Network Operations should be consulted at the earliest opportunity to ensure unnecessary disruption is avoided.

Given the proximity of the bus station and local Transport for London and strategic road network roads, TfL will require the delivery and service plan and construction logistics plan to be approved in consultation with TfL and secured by planning obligation prior to first occupation of the development in order to ensure compliance with London Plan policies 3C.17 Tackling congestion and reducing traffic and 3C.25 Freight strategy.
Travel plan

87 At this stage, the travel plan cannot be considered compliant with London Plan 3C.2 Matching development to transport capacity. However, TfL welcomes the developer’s agreement to improving the travel plan in line with TfL advice and securing the travel plan as part of the Section 106 agreement.

Section 106 contributions

88 In order to mitigate the impacts of this development on the transport network, TfL will require the following Section 106 contributions:

- £75,000 per year for 3 years towards additional bus journeys in the morning peak (total of £225,000)
- £60,000 towards improvements at Canada Water bus station
- a contribution in the region of £15,000 towards improvements to TfL’s Strategic Walk Network.

89 This is in addition to any separate transport requirements the council may have or any further mitigation which may be necessary as a result of the further analysis requested above.

Local planning authority’s position

90 The application is likely to go to Southwark Council’s planning committee in November 2009.

Legal considerations

91 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 present 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

92 There are no financial considerations at this stage.

Conclusion
London Plan policies on principle of development, density, urban design, access, affordable housing, child play space, climate change and transport are relevant to this application. In general, the application complies with these policies, for the following reasons:

- **Principle of development** - The provision of a residential-led mixed-use development is supported by policies 5D.3, 2A.6 and 3A.1 of the London Plan. As such the principle of the development complies with the London Plan.

- **Density** - The proposed residential density is within the guidance range contained in table 3A.2. As a result, the proposal complies with policies 4B.1 and 3A.3 of the London Plan.

- **Urban design** - The proposal is consistent with strategic design policies in chapter 4B of the London Plan.

- **Access** – The proposal has been designed to be accessible for everyone. However, it is not clear how the north facing windows in the student accommodation have been designed to create an inclusive environment. Also the indicative locations of the 10% wheelchair accessible units have not been provided. Whilst the proposal complies with policy 3A.5 of the London Plan it is not clear if the proposal will provide the highest standard of accessibility and inclusion and comply with policy 4B.5 of the London Plan.

- **Affordable housing** – Given the uncertainty of the future values of the housing market it is not possible to predict the maximum reasonable amount of affordable housing. Phased viability assessments of the proposal would be the more appropriate for this proposal to ensure the proposal complies with policy 3A.9 and 3A.10 of the London Plan.

- **Child play space** – The proposal will provide 10 sq.m. of child play space per child. As such, the proposal complies with policy 3D.13 of the London Plan.

- **Climate change mitigation** – The applicant has not provided the baseline emissions for the proposal. These need to be submitted to ensure compliance with policy 4A.4 of the London Plan.

- **Climate change adaptation** – The proposal complies with the policies contained within chapter 4A of the London Plan.

- **Transport** - TfL has a number of key concerns relating to the development proposals and requires significant further work and information before this application could be considered acceptable in London Plan policy terms.

Whilst the application is broadly acceptable in strategic planning terms. On balance, the application does not comply with the London Plan.

The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Access** – Details of the north facing student windows and the indicative location of the wheelchair accessible units should be submitted before the application is referred back to the Mayor.

- **Affordable housing** – The viability of affordable housing should be assessed as each development phases is brought forward. The applicant should enter into discussions with the GLA and Southwark Council to discuss on how this can be achieved. A draft section 106 agreement should be submitted before the application is referred back to the Mayor.
• **Climate change mitigation** - The applicant should submit the baseline emissions for the proposal before the application is referred back to the Mayor.

• **Transport** - Further work is needed on trip generation, car parking, highway proposals, and pedestrian facilities. Additional information about cycle parking, coach accommodation, servicing, and taxi provisions is needed. Finally, a contribution to mitigate the direct impacts of this development of approximately £300,000 is required for improvements to bus services/facilities and the Strategic Walk Network.