

<b>Item No.</b> 1/2	<b>Classification</b> OPEN	<b>Decision Level</b> PLANNING COMMITTEE	<b>Date</b> 2.02.2004
<b>From</b> DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (03-AP-0469 & 03-AP-0462)  1. Conservation Area Consent for the demolition of Pontifex Warehouse Clink Street, the roof, rear and part of the side facades of 16 Winchester Walk 2. Planning permission for erection on part of Pontifex Warehouse of a six storey building comprising of a retail unit (Class A1) at ground and part first floor and 10 flats above; retention of Blows Yard and use as offices (Class B1); construction of a 5 storey building on the site of 16 Winchester Walk comprising of offices (Class B1) and restaurant/bar/cafe (Class A3) with offices above; together with the provision of a piazza on the corner of Clink Street and Stoney Street.		<b>Address</b>  Pontifex Warehouse Clink Street, 16 Winchester Walk and Blows Yard SE1  <b>Ward</b> Cathedrals	

## 1. PURPOSE

- 1.1 To consider the above applications which are for Committee consideration due to the number of objections received.

## 2. RECOMMENDATION

- 2.1 Grant Conservation Area Consent
- 2.2 Grant Planning Permission subject to a legal agreement providing funding for lighting and environmental improvements in the area.

## 3. BACKGROUND

- 3.1 The application site is bounded by Clink Street to the north, Winchester Square to the east, Winchester Walk to the south and Stoney Street to the west. Part of the site is occupied by a warehouse building known as Pontifex Warehouse, a two-storey building currently used for storage purposes. Two further warehouse buildings known as Blows Yard, which is single storey building, and 16 Winchester Walk, which is three storey, complete the application site. These are currently used as offices and storage. None of the buildings are listed building but all are situated within the Borough High Street Conservation Area.
- 3.2 The application site also occupies part of the site of Winchester Palace, a Scheduled Ancient Monument, and is adjacent to the only standing remains of that building, the western gable wall and southern return of the former Great Hall. This is one of the most important above ground historic structures in the Borough High Street Conservation Area. The conservation area is varied in

character and includes the Golden Hind Museum, Southwark Cathedral and Borough Market, all within walking distance of the application site. The area around the application site retains the medieval street pattern and is characterised by relatively large buildings lining the narrow streets.

- 3.3 In relation to the planning history on the site, planning permission and conservation area consent were refused in October 2002 for the demolition of all three buildings and their replacement with two new buildings, a 7 storey building fronting Clink Street with restaurant on ground floor and 11 flats above and a 6 storey building with retail and commercial on ground floor and offices above. The reasons for refusal related to the unacceptable massing and detailed design of the proposed replacement buildings and the failure to provide sufficient archaeological information.
- 3.4 On 5 August 2003 Planning Committee granted planning permission and conservation area consent for the demolition of part of the Pontifex Warehouse and the erection of a six storey building comprising of a Class A1 retail unit on the ground and part of the first floor and 10 apartments with terraces above, together with the provision of a piazza on the corner with Clink Street.
- 3.5 At the same time, planning permission and conservation area consent were refused for the demolition of 16 Winchester Walk and the erection of a four-storey office building with restaurant uses on the ground floor and offices above for the following reason:-

*The proposal, by reason of its detailed design, fails to preserve the character and appearance of the Borough High Street Conservation Area, the proposal is therefore contrary to Policies E.2.3 'Aesthetic Control' and E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan (1995) and Policy 3.6 'Conservation and Heritage' of the Draft Southwark Plan (November 2002).*

Conservation Area Consent was refused for the following reason:-

*It is considered that 16 Winchester Walk contributes positively to the character and appearance of the Borough High Street Conservation Area and as such there is a presumption in favour of its retention. In the absence of a suitable proposal for a replacement building and a detailed justification for demolition as required by the criteria set out in Planning Policy Guidance 15 'Planning and the Historic Environment' the loss of this building is considered unacceptable. The proposal is therefore contrary to Policy E.4.2 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan (1995) and Policy 3.6 'Conservation and Heritage' of the Draft Southwark Plan (November 2002).*

- 3.6 The applicants have appealed against the decision of the Council to refuse planning permission.
- 3.7 The current proposal again involves the demolition of Pontifex Warehouse. The proposed replacement building facing Clink Street and adjoining the Rose Window would again comprise a retail unit on the ground floor and part of the first floor with 10 residential units above. These would comprise a mix of one

and two bedroomed flats. The units will have access to a roof terrace. Proposed facing materials are London Red Stock Brick, weathered zinc cladding and oak cladding. The building is of a contemporary design.

- 3.8 The proposal also includes the provision of a public piazza featuring a stone wall denoting the medieval building line along the south side of the footpath in Clink Street. Details of the treatment of the piazza are to be conditioned as per the previous planning permission. The Blows Yard building is again to be retained
- 3.9 The principal difference between the current and previous scheme is the proposed retention this time of the front and side facades of 16 Winchester Walk. The converted and extended building will comprise a Class A3 restaurant unit on the ground floor with Class B1 offices on three upper floors. The connecting new building in Stoney Street, to the rear of Blows Yard, would provide a further restaurant unit on the ground floor with offices on four upper floors. In total about 6,000 square metres of commercial floorspace would be provided, suitable for smaller occupiers or as a single let. The applicants state that the Class A3 space might alternatively be let for Class A1 retail purposes.
- 3.10 A colonnade is to be provided on the Stoney Street elevation, comprising piers supporting the larger first floor. Details of any illumination to this area are also conditioned.
- 3.11 The building is of a contemporary design. A glass covered atrium is to be erected between Blows Yard and the new development at 16 Winchester Walk and used as an entrance to the development. The proposed building has deep-set windows and has a strong horizontal parapet line. Existing cannon bollard's are to be retained and reused around the building. Facing materials proposed are London Red Stock Brick, Oak cladding and powder coated steel panels.
- 3.12 No parking has been provided in any part of the development. The properties will be serviced from Winchester Walk and Stoney Street.

## **4. FACTORS FOR CONSIDERATION**

### **4.1 Main Issues**

The main issue in this case is whether sufficient elements of 16 Winchester Walk are to be retained to overcome the previous grounds for refusal. The impact of the overall development on local residents, traffic and parking issues, conservation area issues and the impact of the scheme on the scheduled ancient monument were all considered on the last occasion.

### **4.2 Planning Policy**

Area of Archaeological Priority, Rose Window - Scheduled Ancient Monument and Grade II\* Listed Building, Borough High Street Conservation Area

Southwark Unitary Development Plan 1995 [UDP]:

Policy E.2.3 Aesthetic Control - Complies appearance, height and design of building considered acceptable.

Policy E.3.1 Protection of Amenity - Considered to comply, proposal will not affect amenities of adjoining occupiers subject to suitable conditions.

Policy B.1.2 Protection Outside Employment Areas - Complies, provides a larger B1 floor area than previous uses, the restaurant and retail uses will also provide some employment.

Policy E.2.1 Layout and Building Line - Complies

Policy H.1.4 Affordable Housing - Under the threshold for provision of affordable housing.

Policy H.1.5 Dwelling Mix of New Housing - Provides a range of one and two bedroom units.

Policy H.1.8 Standards for New Residential Development - Complies, proposal is of an acceptable standard.

Policy H.1.7 Density of New Residential Development - Density is higher than existing density range but this is considered acceptable in a central area given its a mixed use proposal and the established residential character and density.

Policy T.6.3 Parking Space in New Developments - Complies, adequate parking spaces and bicycle.

Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls. - Complies subject to imposition of conditions

Policy R.2.1 Regeneration Area - Complies

Policy E.4.3 Proposals Affecting Conservation Area - Considered to comply; proposal is considered sympathetic to the conservation area

Policy E.4.6 Proposals Affecting Listed Buildings - Not detrimental to any listed building

Policy E.4.10 Scheduled Ancient Monument - Complies, appropriate condition agreed to safeguard the ancient monument

Policy E.5.1 Sites of Archaeological Importance - Complies, appropriate condition agreed

Policy S.1.6 Hot Food Outlets Complies subject to appropriate conditions.

Draft Southwark Plan [agreed for Deposit November 2002]:

Bankside and Borough Action Area

Policy 3.14 Quality in Design - Complies, design, height and scale all acceptable.

Policy 3.15 Urban Design - Complies, building is considered to be of a high quality.

Policy 3.2 Protection of Amenity - Considered to comply subject to appropriate conditions.

Policy 1.5 Mixed Use Developments - Complies proposal provides a mix use development of restaurant and housing.

Policy 5.6 Parking - No parking proposed but given its location near to London Bridge stations this is considered acceptable.

Policy 1.2 Area Action Plans - Complies

Policy 3.6 - Conservation Areas and Heritage - Considered to comply

Policy 3.7 Archaeology - Complies

Heritage Supplementary Planning Guidance - Complies

Archaeology Supplementary Planning Guidance - Complies

Residential Design Standards Supplementary Planning Guidance - Complies

## Bankside and the Borough Action Area - Complies

Planning Policy Guidance 15 'Planning and the Historic Environment' - There is a general presumption in favour of retaining buildings which make a positive contribution to the character and appearance of a conservation area. Recommends where a building makes no positive contribution to the character and appearance of the area; its replacement should be the stimulus to imaginative design

### 4.3 Consultations

Site Notice: 10/04/2003

Press Notice: 11/03/2003

#### Consultees:

Southwark Heritage Association, Thames Water, Southwark News, 13 Parks Street F1-8 Clink Wharf, Flats A-C Clink Wharf, Ground Floor Flat, Studio 1 Clink Wharf, 1-14 Horseshoe Wharf, 1-18 Pickfords Wharf, Old Thameside Inn Clink Street Pontifex Warehouse Clink Street, Southwark Cathedral, Vinopolis, New Hibernia House, 1 Palace House 3, Minerva House 5 Cathedral Street, Trustees of Borough Market, 14 & 16 Winchester Walk, 1-3 Rochester Walk, 10, -13 (cons), 11b, 14/16 Stoney Street, F1-12 and Penthouse, F1-14 Horseshoe Wharf, F1-8 Pickfords Wharf Clink Street  
Ancient Monuments Society, English Heritage, Bankside Forum, Traffic, Waste Management, Archaeology, Public Protection.

#### Replies from:

Southwark Heritage Association, 1 Clink Street, 13 Park Street, 1, 2, 6, 10 Horseshoe Walk, 2, 8 Pickfords Wharf, Ancient Monuments Society, 216 Upland Road SE22, 4 Norfolk House Trig Lane EC4V (owners of 7 Horseshoe Wharf) 8 Pickfords Wharf, Bankside Forum, Clink and Bankside Co Ltd Soho Wharf, 216 Upland Road SE22, E-mail Michelle Lovric (no address)

#### Common grounds of objection

- Buildings are inappropriate and would harm the conservation area;
- Other developments in the area have destroyed the views;
- Refuse and noise already a problem, further A3 development will exacerbate this;
- Traffic congestion is already a problem, proposal will exacerbate this
- Blows Yard and 16 Winchester Walk should be listed
- Objections to height of buildings being higher than adjoining buildings
- It will affect daylight and sunlight in adjoining residential flats
- Harm the heritage value of the Rose window and affect stability of Rose window, a historic monument;
- Affect privacy of adjoining occupiers, when warehouse was in use it would not have been occupied at night;
- Concerns over outside areas being used for drinking and eating purposes and resultant noise
- Unacceptable sense of enclosure to Clink Street residents;
- No affordable housing;
- Contrary to Draft UDP, Clean and Green, pages 5-8 inc.

- Lack of public toilets

Trustees of Borough Market - Prefer to see open piazza without tables so it will be perceived as a public space. Design unacceptable ie roof with hole and 'drum staircase'. Stoney Street has a colonnade this should be repeated in Winchester Walk, could be utilised by market stalls. Suggest widening of Little Winchester Street to allow access for refuse vehicles.

Occupiers of 11 Horseshoe Wharf - Supports the proposal, area is run down and needs to be developed, existing buildings have no architectural merit, addition of more bars and restaurants can only add to the area.

Mowlem PLC (tenants of Blows Yard) - No objection

### **Revised Proposal to keep part of 16 Winchester Walk**

Southwark Heritage Association - As the Stoney Street elevation is to provide an illuminated covered walkway the surrounding street levels should be ascertained to prevent pools of light and dark areas. Section 106 money could be used in improve street lighting in the area. luminaries should be discrete and at a height where damage by high sided vehicles cannot occur. Acute lack of disabled access. Assurances that resident parking restrictions will be enforced. Still grave concerns about the stability of the Rose window once warehouse has been removed.

8 Pickfords Wharf - Supports retention of Blows Yard but objects to the retention of the facade only of 16 Winchester Walk due to loss of interior including original beams and wood panelling, rear office addition overbearing. Concerned about the siting of proposed entrance to office building which is crossed by a cycle lane, dangerous to pedestrians. Reiterate concerns in respect to proposal affecting Rose Window.

28 Gladstone Street - Object to encroachment of Clink Street building on Rose window a listed building and scheduled ancient monument, contrary to Council policy. Object to partial demolition of 16 Winchester Walk as it is listed in the Conservation Appraisal that it makes a positive contribution to the conservation area. Use of cladding would not be in keeping with the existing building or area, use of existing timber not appropriate. Suggest conversion to residential with offices in Clink Street.

Flat 3 Pickfords Wharf Clink Street - No unfavourable comments.

English Heritage - No objection to the retail and residential building fronting Clink Street (as previously approved).

In relation to 16 Winchester Walk English Heritage consider: *'16 Winchester Walk to be an important building in that it represents one of the last buildings to survive from the mid to late nineteenth century and we are firmly of the view that the building in its entirety makes a positive contribution to the historical and architectural interest of the conservation area.'*

Have repeatedly stated at pre-application and post submission stages that if demolition of this nineteenth century warehouse is sought, the proposals should be considered in the context of advice contained in paragraph 4.27 of PPG15 which states that there should be a presumption in favour of retention and re-use: *'We remain of the view that - particularly with the building currently being in use and not in poor condition - that they have yet to submit the necessary economic and structural justification for its demolition'*

Urge refusal of amended plans.'

Design and Conservation Group - Revised proposal overcomes previous refusal, which is currently the subject of an appeal. In relation to 16 Winchester Walk, the architects have worked hard to come up with a design that marries the old and new successfully. In particular the junction between the new and old building (16 Winchester Walk) is layered, which acts as a pivotal point. It is considered that the character and appearance of the Borough High Street conservation area would not be harmed by this proposal, indeed it would be enhanced. No objection to the remainder of the scheme (facing onto Clink Street), which is unchanged from the previous proposal. Conditions recommended.

Thames Water - Sewerage - No objections. Water- Water supply will be unaffected, no comments.

Traffic Group - No objection to offices and ground floor commercial units. Take-away and delivery provision should be banned by condition. Informative sought in respect to condition of adjacent public highway. Funds sought for improvements to lighting and pedestrian routes in the locality. Refuse and cycle provision to be conditioned.

Public Protection - Soil investigation condition required. Will need to comply with Southwark Environmental Code of Construction.

Archaeology Officer - Detailed comments have been incorporated in the section on Conservation and Archaeology below.

## **5 Planning Considerations**

### Alterations to 16 Winchester Walk

- 5.1 Conservation area consent was previously refused for the demolition of 16 Winchester Walk as Committee considered that the building contributed positively to the character and appearance of the conservation area. The revised scheme retains the front and part of the side elevations. PPG15 states that there is a general presumption in favour of retaining buildings, which make a positive contribution to the character and appearance of a conservation area. The revised proposals are considered to meet this criterion, as the building's contribution is derived principally from its relationship with other buildings along Winchester Walk, which includes Blows Yard and the terrace towards Southwark Cathedral.
- 5.2 The rear of 16 Winchester Walk has less merit, in terms of its contribution to the character and appearance of the conservation area and therefore there is no objection to its demolition. Again, PPG 15 recommends that where a building makes no positive contribution to the character and appearance of the area; its replacement should be the stimulus to imaginative design. New development should preserve, enhance or not cause harm to the established character of a conservation area. The buildings to the rear are all modern; built in the 1960' –1980's, therefore it is considered appropriate that the rear of 16 Winchester Walk is treated differently.
- 5.3 The revised scheme involves alterations to the existing fenestration and does not retain in situ any of the internal features, although some internal timber elements will be reused in the proposed new build to the rear.

- 5.4 No objection had previously been raised to the demolition of the Pontifex Warehouse. Some residents support its loss as it is not considered to be an attractive building. The proposed replacement building will make a greater contribution to the character and appearance of the conservation area.

#### Archaeology

- 5.5 The site is of considerable archaeological importance. It lies within the APZ of Borough/Bermondsey/Riverside. A programme of archaeological evaluation has taken place across the application area. The remains of Roman buildings were revealed in addition to medieval structural elements of the scheduled Winchester Palace. As a scheduled ancient monument, the archaeological remains of Winchester Palace must be preserved in situ, and it is desirable that the Roman archaeology should also be preserved wherever possible.
- 5.6 The applicants have submitted detailed foundation design drawings for the scheme and an archaeological method statement for the mitigation strategy, which will also forms the scheduled monument consent application, made to the DCMS. The foundation design for both the new build on the site of Pontifex Warehouse and 16 Winchester Walk avoids destruction of the scheduled palace and much of the Roman archaeology by locating piles and pile caps away from the known remains in Pontifex and using a raft foundation at no.16 Winchester Walk. The services method statement states that disturbance to archaeological remains will be avoided.
- 5.7 The Museum of London Archaeology Service (MoLAS) has provided a method statement for the archaeological mitigation strategy which details the impact of the foundation design and the necessary archaeological investigations which will ameliorate that impact. The method statement is acceptable and ensures the preservation of the scheduled remains.
- 5.8 The applicant has submitted a report detailing the structural effect of the new scheme on the Rose Window. This is currently under consideration by English Heritage. A condition is recommended in relation to this issue. The applicants state that existing palace wall will continue to benefit from the protection and structural support currently provided by the brick warehouse by virtue of the new glazed concrete structure.

#### Land Use

- 5.9 The application site is not located within an employment area or a preferred office location. It is within the Bankside and Borough Action Area in the Draft Plan which has a vision for this area as being a vibrant, mixed use area with a range of housing and employment opportunities, cultural and visitors attractions. This development will provide restaurant uses which will be used by workers, residents and tourists to the area. It also provides additional residential accommodation and employment floor space and in this respect complies with the aspirations of the Action Area. The uses are considered acceptable in policy terms.
- 5.10 The housing element is of a relatively high density which is considered compatible with the area and the Mayor's London Plan. It makes good use of



the existing land and provides a sustainable development with no off-street parking. The site is close to good public transport with London Bridge Station being a short walk away.

### Design and Appearance of the Buildings

- 5.11 The new build to the rear of Blows Yard and 16 Winchester Walk is considered to complement the existing environment which includes a mixture of old and modern buildings. The architects have produced a design that marries the old and new successfully. The junction between the new build and 16 Winchester Walk will be layered, which acts as a pivotal point. It is considered that the character and appearance of the Borough High Street Conservation Area would be enhanced by this proposal.
- 5.12 The retail and residential building facing Clink Street will be of a contemporary design. The building has been setback from the existing building line of Pontifex Warehouse in order to protect views of the Rose window. The scale and appearance of the building is considered satisfactory and an improvement upon the existing structure. Details of the treatment of the piazza are to be conditioned, as they were for the previously approved proposal.

### Amenity

- 5.13 The main concerns expressed by objectors relate to the height of the building, resulting in loss of light and privacy, and the over concentration of restaurants in the area which would be exacerbated by the current application.
- 5.14 The applicants have commissioned a sunlight and daylight report in respect to the residential and retail element facing Clink Street. The report has used the vertical sky component using the mathematical method which measures the amount of visible sky. The report is based on the provision of a six storey residential building, this proposal was amended to 5 storeys. The results show that the residential units in Horseshoe Wharf will result in daylight reductions of between 1% and 2%. However, the report concludes that the retained daylight levels are in excess of 80% of the existing figures and that the sunlight figures hardly change in either winter or summer sun. It is considered that the report indicates that there would be no demonstrable harm caused by this proposal in respect to loss of daylight and sunlight. In any event, this part of the scheme is not materially different to that previously approved.
- 5.15 In relation to the development on the opposite corner in Clink Street the Inspector when allowing the appeal concluded that, despite residents objecting to the proposal on grounds of loss of light, that '...the amount of light reaching buildings on the north side of Clink Street would be reduced as a result of the appeal proposal, it would not impinge unduly on the living conditions of their occupants'. In relation to concerns about refuse, smell, noise and disturbance and additional traffic congestion the Inspector stated. 'However, I consider that this would be unlikely to add significantly to the general bustle or have an unacceptable impact on living conditions in an area that already includes a range of uses (including restaurants and cafes) serving the needs of visitors and tourists.'

- 5.16 It is accepted that there are a number of food and drink premises in the vicinity, however this is an area which is heavily used by tourists and office workers. Conditions can be imposed to ameliorate the problems associated with such uses. These include details of ventilation systems and of refuse arrangement. Members may also wish to consider restricting hours of use of any outside patio areas etc. In respect to the proposed piazza area, a condition is recommended preventing the use of the piazza for any form of entertainment. Such a condition was imposed on the last occasion. No objections have been raised by Public Protection.
- 5.17 The Southwark Heritage Association have raised concerns in respect of the illumination of the proposed buildings; more information will be required and this is the subject of a condition. The applicant has verbally agreed to provide a sum of money for improved lighting/environmental improvements in the area.

#### Traffic and Parking

- 5.18 Servicing is to be provided in Winchester Walk and Stoney Street, as agreed with the Traffic Group. The Traffic Group have not raised any objections to the proposal in principle but have suggested conditions. It is considered that a car free development in this location is acceptable.

### **6. EQUAL OPPORTUNITY IMPLICATIONS**

- 6.1 None identified.

### **7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

- 7.1 It will provide housing in an area where there is good public transport and does not provide off street parking to help deter car ownership.

LEAD OFFICER	Andrew Cook	Development and Building Control Manager
REPORT AUTHOR	Michele Sterry	[tel. 020 7525 5453]
CASE FILE	TP/1146-C	
Papers held at:	Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application

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<b>Applicant</b>	Winchester Walk Properties Ltd	<b>Reg. Number</b>	03-AP-0469
<b>Application Type</b>	<AppnType/D>	<b>Case Number</b>	TP/1146-C
<b>Recommendation</b>	<RcmDcn/D>		

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### Draft of Decision Notice

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<AnlsRecn0111>

**<AnlsRecn015>**

Erection on part of Pontifex Warehouse of a six storey building comprising of a retail shop (Class A1) at ground and part first floor and provision of 10 apartments with terraces, retention of Blows Yard and use as restaurant/cafe/bar (Class A3) and offices (Class B1) retention of the front facade and part of the side facades and construction of a 5 storey building on part of Pontifex Warehouse and 16 Winchester Walk, comprising of offices (Class B1) and restaurant/bar/cafe (Class A3) with offices above, together with the provision of a piazza in Clink Street.

**At:** Pontifex Warehouse Clink Street, 16 Winchester Walk and Blows Yard SE1

**In accordance with application received on** 25/02/2003

**and revisions/amendments received on** 15/10/2003

24/10/2003

22/12/2003

**and Applicant's Drawing Nos.** CLK PFf000, PF08, PF09, PF11, PF10 as revised, PF12, PF101, PF103, PF105, PF100, Pv1.10B, Pv1-501 Conservation Area Building Assessment, Scheduled Ancient Monument Assessment, Archaeological Assessment, Swept Path Assessment, Revised Highways Assessment, Sunlight and Daylight Statement.

**<AnlsRecn0113>**

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 Detailed drawings including sections annotated to demonstrate materials in respect of the wall to the piazza, windows, doors, the junction of the glass structure and the Rose Window gable wall demonstrating the method of fixing, cornices, service areas and shopfronts to a scale of not less than 1:20 (2 copies) shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the external details of the proposal in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 3 No roof plant, equipment or other structures shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 4 No development or any groundworks shall take place until the applicant has obtained the appropriate scheduled monument consents from the Secretary of State for the Department of Culture, Media, Sport and submitted the consents to the Council.

Reason:

To ensure that the scheduled ancient monument of Winchester Palace is preserved in situ.

- 5 No development shall take place until the applicant has submitted an agreed method statement and detailed

drawings for the demolition of the existing structure and construction of the new building which ensures the continued structural preservation, conservation and display of the Rose Window.

Reason:

In order that the upstanding remains of Winchester Palace are conserved during the demolition and construction process.

- 6 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted (2 copies) by the applicant and approved by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.

- 7 The use hereby permitted for residential purposes shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound has been submitted to (2 copies) and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. Any such scheme shall be so designed that noise from the use does not, at any time, increase the ambient equivalent noise level measured immediately outside any of the adjoining or nearby premises (or in the case of separate units of occupation within the same building then inside those units).

Reason

In order to protect the future occupiers of the flats from noise nuisance caused by the provision of a commercial use on the ground floor, in compliance with Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and Planning Policy Guidance 24 Planning and Noise.

- 8 The use hereby permitted for residential purposes shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound has been submitted to (2 copies) and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. Any such scheme shall be so designed that noise from the use does not, at any time, increase the ambient equivalent noise level measured immediately outside any of the adjoining or nearby premises (or in the case of separate units of occupation within the same building then inside those units).

Reason

In order to protect the future occupiers of the flats from noise nuisance caused by the provision of a commercial use on the ground floor, in compliance with Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and Planning Policy Guidance 24 Planning and Noise.

- 9 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 10 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 11 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the

premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy T.4.1 Measures for Cyclists of the Southwark Unitary Development Plan.

- 12 The use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy E.3.1: Protection of Amenity and Policy S.1.6: Hot Food Outlets of Southwark's Unitary Development Plan, and Planning Policy Guidance 24 Planning and Noise.

- 13 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

In order that the Local Planning Authority may be satisfied as to the details of external treatments in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 14 The development hereby permitted shall not be occupied until the landscaping approved, either as part of this consent or by subsequent approval, has been carried out.

Reason

In order that the Local Planning Authority may be satisfied as to the details of external treatments in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 15 No playing or performing of music or any other form of entertainment shall take place on the piazza area hereby approved at any time.

Reason

To protect the amenities of nearby residential occupiers in compliance with Policy E.3.1: Protection of Amenity of the Southwark Unitary Development Plan (1995).

- 16 Detailed drawings of the layout of the junction of Clink Street and Stoney Street (2 copies) shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the junction in the interest of the highway safety and appearance of external treatments in accordance with Policies T.1.3 'Design of Development and Conformity with Council Standards and Controls' and E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 17 The cafe/restaurant [Class A3] use hereby permitted shall not include any take-away or motorised delivery service to customers.

Reason

In the interest of the highway safety in compliance with Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Southwark Unitary Development Plan.

- 18 Details of the means of enclosure for all site boundaries shall be submitted to and approved by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. The development hereby permitted shall not be occupied until the works approved pursuant to

this condition have been carried out.

Reason

In order that the Local Planning Authority may be satisfied as to the details of external treatments in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 19 The rose window and wall shall remain undisturbed and detailed drawings showing the method by which the standing remains of Winchester Palace and the Rose Window are to be supported and protected during building works so as to ensure the structural stability and integrity of the elements which are to be retained shall be submitted to and approved by Southwark Council as Local Planning Authority before any work on site is commenced. The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason

To ensure the retention of the structure which is to be preserved and to ensure that it is not damaged during buildings works in compliance with Policy E.4.10 'Scheduled Ancient Monuments' of the Southwark Unitary Development Plan (1995).

- 20 Samples of the glazing, all facing and roofing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of facing, roofing and glazing materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 21 Sample panels of brick work, demonstrating colour, texture, face bond and pointing shall be erected on site to be inspected by the Council before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the brickwork in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 22 Detailed drawings of elevations and sections showing the weatherproofing treatment for the top of the new wall abutting the Rose Window gable wall and the top of the single-storey continuation of the Stoney Street elevation to a scale of not less than 1:20 shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval.

Reason

In order that the Local Planning Authority can be satisfied as to the external details of the proposal in order to protect the Scheduled Ancient Monument and listed structure in compliance with Policies E.4.6 'Proposals Affecting Listed Buildings' and E.4.10 'Scheduled Ancient Monument' of the Southwark Unitary Development Plan (1995).

- 23 The applicants shall provide an interpretation of Winchester Palace to visitors and display historical objects within the piazza/retail shop area, including the provision of details for an appropriate means of enclosure of the piazza. Details of which shall be submitted to the Local Planning Authority before the use of the shop commences and the development shall not be carried on otherwise than in accordance with any such approval given.

Reason

To protect the historical and archaeological context of the site in accordance with Policies E.4.6 'Proposals Affecting Listed Buildings' and E.4.10 'Scheduled Ancient Monument' of the Southwark Unitary Development Plan (1995)

- 24 Details of any external lighting [including design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

## Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Policies E.1.1 'Safety and Security in the Environment' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

### **Reasons for granting planning permission.**

This planning application was considered with regard to various policies including, but not exclusively:

- a) Policies E.2.1 Layout and Building Line, H.1.4 Affordable Housing, H.1.5 Dwelling Mix of New Housing, H.1.8 Standards for New Residential Development, T.6.3 Parking Space in New Developments, T.1.3 Design of Development and Conformity with Council Standards and Controls, R.1.1 Central Area of Community Need, R.2.1 Regeneration Area, E.4.3 Proposals Affecting Conservation Area, E.4.6 Proposals Affecting Listed Buildings, E.4.10 Scheduled Ancient Monument, E.5.1 Sites of Archaeological Importance and S.1.6 Hot Food Outlets of the Southwark Unitary Development Plan 1995
- b) Policies 3.14 Quality in Design, 3.15 Urban Design Policy, 3.2 Protection of Amenity, 4.4.4 Affordable Housing Policy, 1.5 Mixed Use Developments Policy, 5.6 Parking, 1.2 Area Action Plans, 3.6 Conservation Areas and Heritage, 3.7 Archaeology, Heritage Supplementary Planning Guidance Archaeology Supplementary Planning Guidance Residential Design Standards Supplementary Planning Guidance, Bankside and the Borough Action Area of the draft Southwark Plan as placed on deposit November 2002.
- c) Planning Policy Guidance Note 15.

Particular regard was had to the affect of the proposal on local residents, traffic and parking issues and the impact of the proposed building on the scheduled ancient monument and conservation area that would result from the proposed development but it was considered that this would be outweighed by the provision of buildings that would enhance the character and appearance of the conservation area that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

## **Informatives**

- 1 You are advised to consult the Council's Senior Archaeology Officer for more detailed advice on the implications of the redevelopment of the site. The officer can be contacted at the Regeneration Department, Chiltern House, Portland Street, London SE17 2ES
- 2 The proposed works of providing a crossover (or restoring a redundant crossover) must be approved in detail and constructed by the Council as the Highway Authority. Please contact the Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 3 Prior to the commencement of works you are advised that you must arrange a survey of the condition of the adjacent public highway. Please contact the Director of Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 4 You are advised that prior to the commencement of works you must obtain the approval of the Council for any changes, alterations or other works to the highway or footway. You are advised to contact the Principal Engineer, Infrastructure Group at least 4 months prior to any works commencing on the public highway. (tel: 020 7525 5509).
- 5 The applicant be advised that an application for Listed Building Consent is required and work should not commence until this has been granted. Details of all internal elements will need to be submitted including issues in relation to the environmental conditions within the glazed structure.