Borough and Bankside Community Council

March 22 2010
7.00 pm
Charles Dickens School, Toulmin Street, London SE1 1AF

Membership

Councillor Danny McCarthy
Councillor Tim McNally
Councillor Adele Morris
Councillor David Noakes
Councillor Mackie Sheik (Chair)
Councillor Lorraine Zuleta (Vice-Chair)

Reserves

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Contact
on 020 7525 7187 or email: tim.murtagh@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Annie Shepperd
Chief Executive
Date: 11 March 2010
Borough and Bankside Community Council

Monday March 22 2010
7.00 pm
Charles Dickens School, Toulmin Street, London SE1 1AF

Order of Business

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BOROUGH AND BANKSIDE COMMUNITY COUNCIL MEMBERSHIP

Councillor Mackie Sheik (Chair)
Councillor Lorraine Zuleta (Vice-Chair)
Councillor Danny McCarthy
Councillor Adele Morris
Councillor Tim McNally
Councillor David Noakes

ADDITIONAL INFORMATION

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Borough and Bankside
Community Council
Planning meeting

Minutes of meeting held on Thursday 21 January 2010 at 6.00pm
Rockingham Community Centre, Falmouth Road, London SE1 6RQ

PRESENT
Councillor Mackie Sheik (Chair)
Councillor Lorraine Zuleta (Vice-Chair)
Councillor Tim McNally
Councillor Adele Morris
Councillor David Noakes

Also present:
Michele Sterry, planning officer
Suzan Yildiz, legal officer
Tim Murtagh, community councils officer

1. Introduction and welcome by the Chair
The Chair welcomed Council Members, residents and officers.

2. Apologies
There were apologies for absence from Cllr McCarthy.

3. Items of business, which the Chair deems urgent
There were none.

4. Disclosure of Members’ Interests and Dispensations
Cllr Noakes said that he would step off the committee in order that he could speak in favour of the application as ward councillor.

5. Minutes of previous meetings
The minutes of the 17 December 2009 meeting were agreed and signed.
6. Development Control

Item 6.1 28 HAYLES STREET, LONDON, SE11 4SS (09-AP-2134)  
Erection of mansard roof extension.

The planning officer presented the report.

Members asked questions of the planning officer.

There were no objectors present.

The applicants made a statement.

Members asked questions of the applicants.

Cllr Noakes spoke as Ward Councillor in favour of the application.

Members asked questions of the Ward Councillor.

Members then discussed the proposal.

RESOLVED:

That planning permission be refused as per the recommendation set out in the planning report.

Cllr Morris asked that her abstention from voting on the application be noted in the Minutes.

The Chair thanked everyone for attending the meeting.

The meeting closed at 6.50pm

Chair:

Date:
Item No. 6.

Classification: Open

Date: 2010

Meeting Name: Borough and Bankside Community Council

Report title: Development Control

Ward(s) or groups affected: All within the Borough and Bankside Community Council area

From: Strategic Director of Regeneration and Neighbourhoods

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.

2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.

3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council’s powers to consider planning business are detailed in Article 8 which describes the role and functions of the planning committee and Article 10 which describes the role and functions of community councils. These were agreed by the constitutional meeting of the Council on May 23 2007 and amended on January 30 2008. The matters reserved to the planning committee and community councils Exercising Planning Functions are described in part 3F of the Southwark council constitution 2007/08. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the borough.

6. Each of the following items is preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer’s recommendation indicating approval or refusal. The draft decision notice will detail the reasons for any approval or refusal.

7. Applicants have the right to appeal to the First Secretary of State against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the Council’s case.
8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.

9. Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.

10. All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration and Neighbourhoods budget.

**EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED**

11. Equal opportunities considerations are contained within each item.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

**Strategic Director of Legal and Democratic Services**

12. A resolution to grant planning permission shall mean that the Head of Development Control is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Head of Development Control shall constitute a planning permission. Any additional conditions required by the Committee will be recorded in the Minutes and the final planning permission issued will reflect the requirements of the Community Council.

13. A resolution to grant planning permission subject to legal agreement shall mean that the Head of Development Control is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Strategic Director of Legal and Democratic Services, and which is satisfactory to the Head of Development Control. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Strategic Director of Legal and Democratic Services. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

15. The development plan is currently the Southwark Plan (UDP) 2007 adopted by the council in July 2007 and the London Plan (consolidated with alterations since 2004) published in February 2008. The enlarged definition of "development plan"
arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

16. Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:

1. restrict the development or use of the land;

2. require operations or activities to be carried out in, on, under or over the land;

3. require the land to be used in any specified way; or

4. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

17. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligations must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

**BACKGROUND DOCUMENTS**

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Assembly</td>
<td>Constitutional Support Services, 160 Tooley Street</td>
<td>Tim Murtagh 020 7525 7187</td>
</tr>
<tr>
<td>Each application has a separate planning case file</td>
<td>Planning Dept, 160 Tooley Street</td>
<td>The named case Officer as listed or Gary Rice 020 7525 5447</td>
</tr>
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APPENDIX 1

Audit Trail

<table>
<thead>
<tr>
<th>Lead Officer</th>
<th>Deborah Collins, Director of Communities, Law and Governance</th>
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<tr>
<td>Report Author</td>
<td>Acting Principal Lawyer - Director's Office</td>
</tr>
<tr>
<td>Version</td>
<td>Final</td>
</tr>
<tr>
<td>Dated</td>
<td>2010</td>
</tr>
<tr>
<td>Key Decision</td>
<td>No</td>
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<table>
<thead>
<tr>
<th>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</th>
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<tbody>
<tr>
<td>Officer Title</td>
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<tr>
<td>----------------</td>
</tr>
<tr>
<td>Strategic Director of Legal and Democratic Services</td>
</tr>
<tr>
<td>Strategic Director of Regeneration and Neighbourhoods</td>
</tr>
<tr>
<td>Head of Development Control</td>
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</table>
### ITEMS ON AGENDA OF THE BOROUGH AND BANKSIDE CC

**on Monday 22 March 2010**

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Full Planning Permission</th>
<th>Reg. No.</th>
<th>09-AP-2648</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site</strong></td>
<td>GROUND FLOOR UNIT, THE LANTERN, 2 TRUNDLE STREET, LONDON SE1 1QS</td>
<td>TP No.</td>
<td>TP/1460-D</td>
</tr>
<tr>
<td><strong>Ward</strong></td>
<td>Cathedrals</td>
<td>Officer</td>
<td>David Williams</td>
</tr>
</tbody>
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**Recommendation**  
**GRANT PERMISSION**

**Proposal**  
External alterations to include the removal of existing mesh screening from the north and west elevations, installation of new shopfront and door and extension into undercroft area. Installation of black architectural grills into undercroft area above shopfront. Removal and replacement of existing double doors in the north facing facade with single door and aluminium faced side panel in silver grey.

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Advertisement Consent</th>
<th>Reg. No.</th>
<th>09-AP-2656</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site</strong></td>
<td>GROUND FLOOR UNIT, THE LANTERN, 2 TRUNDLE STREET, LONDON SE1 1QS</td>
<td>TP No.</td>
<td>TP/1460-D</td>
</tr>
<tr>
<td><strong>Ward</strong></td>
<td>Cathedrals</td>
<td>Officer</td>
<td>David Williams</td>
</tr>
</tbody>
</table>

**Recommendation**  
**GRANT PERMISSION**

**Proposal**  
Erection of signage in relation to Safer Neighbourhood Unit comprising of a new fascia sign incorporated into the shopfront featuring illuminated identity signage and Led lighting strip and an internally mounted LCD information screen.

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Full Planning Permission</th>
<th>Reg. No.</th>
<th>09-AP-2744</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site</strong></td>
<td>THE RAKE PH, 14 WINCHESTER WALK, LONDON, SE1 9AG</td>
<td>TP No.</td>
<td>TP/1146-14</td>
</tr>
<tr>
<td><strong>Ward</strong></td>
<td>Cathedrals</td>
<td>Officer</td>
<td>Fennel Mason</td>
</tr>
</tbody>
</table>

**Recommendation**  
**GRANT PERMISSION**

**Proposal**  
Variation of condition 1 of planning permission 08AP2764 (which allowed temporary permission for a bar (Class A4) with external seating area, with the hours of operation to be 11:00hrs to 23:30hrs Monday to Thursdays, 10:00hrs to 23:30hrs on Fridays, 09:00hrs to 23:30hrs on Saturdays and 11:00hrs to 22:30hrs on Sundays; with use of the ground floor outdoor seating area(s) ceasing at 22:30hrs on any day) to enable the continued use of the premises within these hours on a permanent basis.

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Full Planning Permission</th>
<th>Reg. No.</th>
<th>08-AP-1066</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site</strong></td>
<td>CORNER OF GREEN WALK, ALICE STREET, LONDON SE1</td>
<td>TP No.</td>
<td>TP/52-A</td>
</tr>
<tr>
<td><strong>Ward</strong></td>
<td>Chaucer</td>
<td>Officer</td>
<td>Becky Baker</td>
</tr>
</tbody>
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**Recommendation**  
**GRANT PERMISSION**

**Proposal**  
Erection of a 3 storey building accommodating 3 flats (1 x 1 bedroom and 2 x 2 bedroom)

<table>
<thead>
<tr>
<th>Appl. Type</th>
<th>Full Planning Permission</th>
<th>Reg. No.</th>
<th>09-AP-2285</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Site</strong></td>
<td>UNIT 4, 3-5 OSWIN STREET, LONDON, SE11 4TF</td>
<td>TP No.</td>
<td>TP/1049-5</td>
</tr>
<tr>
<td><strong>Ward</strong></td>
<td>Cathedrals</td>
<td>Officer</td>
<td>Neil Loubser</td>
</tr>
</tbody>
</table>

**Recommendation**  
**GRANT PERMISSION**

**Proposal**  
The retention of an enlarged rear window at first floor (Retrospective)
### RECOMMENDATION

1 Grant permission subject to conditions.

### BACKGROUND INFORMATION

#### Site location and description

2 The application site consists of a part six/part seven storey mixed use building comprising commercial at ground floor and residential flats on the upper floors. It is located on the junction of Lant Street and Trundle Street. The specific part of the site that the subject of this application is the existing vacant ground floor commercial element. This building was approved in July 2006 (for the erection of a five storey and a part six part seven storey building with ground floor link and fourth floor access bridge link to provide a nursery at ground floor level with 16 flats above and 15 basement car parking spaces with lift access from Trundle Street). This building has only been recently completed and the residential flats are occupied. The nursery use has never been occupied and therefore this element of the permission has not yet been implemented.

3 The building/premises is not listed, does not adjoin any listed buildings nor is it located within a designated conservation area. The application building premises is designated within the Southwark Plan 2007 as being in the Central Activity Zone (CAZ), Archaeological Priority Zone (APZ), Air Quality Management Area, Strategic View (Wider Consultation), Bankside & Borough Action Area and Bankside & Borough District Town Centre.

4 Planning permission was granted in 2009 (ref 09-AP-2115) for the change of use of
the ground floor unit (from Use Class D1) to use by the Metropolitan Police Safer Neighbourhood Unit (Use Class B1 - offices).

Details of proposal

5 As part of the works to change the use from the D1 to B1 offices under planning permission 09-AP-2115, the proposal is for the removal of the existing mesh screening and external alterations by installation of new shopfront and door and extension into the undercroft area. Black architectural grills are also proposed above the shopfront. These works are to be provided by the applicant, the Metropolitan Police, to provide above secure accommodation for the Safer Neighbourhoods facility.

6 The facades affected in this proposal are the northern and western elevations, which both face Trundle Street, being an L shaped road. Following comments from officers the proposal has been amended to take these into consideration.

North facade

7 The north facing glazed facade will be extended west and the existing timber framed wall will be removed. Part of the grill meshing will also be removed and cut back and expose the undercroft area (at ground level). The new glazed facade on the northern elevation will return into the undercroft area. Black coloured aluminium shopfront window frame is proposed, with the single door and side panel to be silver to match existing. An existing pair of double doors at the eastern end of the northern elevation will also be removed and a solid side panel door will be installed into the existing aperture. Double glazed units will also be installed as part of this fenestration replacement.

West facade

8 A large section of the existing grills on the western elevation will be removed, with a small part retained to the existing dry riser. In its place, glazed panels will be installed on this part of the western facade. A black linear grill will run along the part of the west elevation at high level directly above the glazed facade. This grill will be flush with the outside face of the shopfront frame.

Air conditioning units

9 Two new condensers were originally proposed on the undercroft level visible on the north and west facades. This has now been amended with the air conditioning units relocated in the basement level, which do not now need planning as they are located internally.

Planning history

10 Planning permission (ref No. 05-AP-0872) was granted on 21/07/2009 for erection of a five storey and part seven storey building with ground floor and fourth floor access bridge link to provide a nursery at ground level with 26 flats above and 15 basement car parking spaces with lift access from Trundle Street. (Modified version of previously approved scheme).

11 Planning application (ref No: 07-AP-2595) was withdrawn by the applicant on 12/02/2008 for change of use of ground floor from nursery to B1 use.

12 Planning permission (Ref No: 08-AP-1803) was granted on 30/09/2008 for variation of conditions 7 & 10 of planning permission 05-AP-0872 (which permitted the erection of a part six, part seven storey building) to enable details of changing facilities to be submitted for other D1 uses, excluding places of worship and drug rehabilitation centres, but no longer solely for nursery; and to secure details relating to transport and servicing for this broader range of D1 uses, and no longer refer specifically to
details of the children attending the nursery.

13 Planning permission (Ref No: 08-AP-1779) was granted on 08/10/2008 for single storey extensions at sixth floor on the south and east elevations, to enlarge existing flats.

14 Planning permission (Ref No:09-AP-2115) was granted on 07/12/2009 under delegated powers for change of use of the ground floor unit (from Use Class D1) to use by the Metropolitan Police Safer Neighbourhood Unit (Use Class B1 - offices).

15 A concurrent separate application for Advertisement Consent has also been submitted under ref 09-AP-2656, which is being considered at this meeting. A fascia sign above the shopfront and an internal LCD information screen is proposed.

Planning history of adjoining sites

16 There is no relevant planning history on adjoining sites.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

17 The main issues to be considered in respect of this application are:

a) the principle of the development in terms of land use and conformity with strategic policies

b) impact of proposed development on amenity of adjoining occupiers and surrounding area

c) impact on parking and highways issues; and

d) the impact of the shopfront on the character and appearance of the surrounding area

Planning policy

Southwark Plan 2007 (July)

18 3.2 Protection of Amenity
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban Design
3.14: Designing out crime

London Plan 2008 consolidated with alterations since 2004

19 4B.1 Design Principles for a Compact City

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

20 PPS 1 Delivering Sustainable Development

Principle of development

21 The principle of a scheme to provide a new shopfront is considered acceptable for this commercial unit, but is subject to there being no impact on neighbours and impact on the appearance of the building and the general area.
Environmental impact assessment

22 Not applicable due to the scale of the proposal.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

23 The proposed alterations to the shopfront would be flush with the existing building line at the undercroft level. There are no extensions to the volume to the building and therefore would not impact on amenity of adjoining occupiers in terms of outlook or overbearing impact.

24 The glazing on the facades would face the highway, and would not overlook any immediate adjoining residential unit. As such, there will be no loss of privacy in respect to this proposal.

25 Objections were raised by some local residents regarding the potential noise emission from the air conditioning units. The proposed plant is required to operate between the hours of 07:00 and 22:00 hours each day.
   The proposed plant is required to operate between the hours of 07:00 and 22:00 hours each day. The proposed plant is required to operate between the hours of 07:00 and 22:00 hours each day.

26 Since the consultation, the applicant has amended the scheme with the air conditioning units relocated in the basement level. The submitted Plant Noise Assessment Report 3845/PNA confirms that the nearest noise-sensitive windows to the proposed position of the condensers units as being the windows of the residences at first floor level of The Lantern directly above the proposed Safer Neighbourhoods office. The revised report of the noise data states that there would be no tonal characteristics associated with the proposed plant.

27 It predicts a combined noise level due to the operation of the air conditioning units of 36dBA at the nearest noise-sensitive window. This predicted level is below the criteria of 39dBA and therefore no mitigation is required. The report concludes that atmospheric noise emissions from the units are within the criteria required by London Borough of Southwark for the required operating period.

28 In light of the above comments, the repositioning of the air conditioning units within the basement is unlikely to cause significant noise emissions to impact on the neighbouring residents amenity. It should also be noted that the repositioning of the 2 air conditioning units within the confines of the building (basement area) and without necessitating any alterations to the building (basement facade) to accommodate these units does not require planning permission. The applicant/agent supplied these additional details to alleviate any potential amenity (noise) concerns to adjoining residents and for additional information purposes to promote a 'neighbourly' response. In addition, the applicant/agent has confirmed that the condenser units will be fitted with a timer switch that operates the condenser units between the hours of 07:00 and 22:00 hours each day

29 Objection was also raised relating to the proposed entry/ intercom system on the north facade. Although the use of this system will be used regularly, it will not be continuous and is unlikely to raise significant levels of noise. The Applicant has confirmed that the unit is accessible to the public ‘by appointment only’ and do not envisage that the intercom will be used very frequently.

The impact of the shopfront on the character and appearance of the surrounding area
The proposed new shopfront with changes to the doors and glazing panels is considered acceptable. The applicant has amended the scheme following Officer’s comments to alter the colour of the window and shopfront frames to black to match the existing elevation. The cutting back of the existing grill meshing to provide glazed panels are acceptable as it would provide a more active frontage. Concerns from officers highlighted that the aluminium shopfront and signage appears to be superimposed on the ground floor frontage of the existing building. The attachment of the signage is considered under a separate application on this agenda. The amended scheme now provides glazed panels and doors that have been reduced in height so that the proposed signage (under separate application) will sit on top of the windows and doors, which is in more keeping with the design of the building.

Concerns were also raised from officers and local residents regarding the colour of the materials in the original scheme, which were colour blue framing, which were obtrusive and not in keeping with the existing building. The applicant has revised the materials schedule, proposing silver/grey frame to match existing. This is considered more acceptable and in keeping with the existing building.

Previous objections relating to the shopfront also referred to the ‘solid’ appearance of the doors in this lightweight building. The material used is toughened glass to the windows and doors. Silver solid panels are proposed, but these are to the side of the glazed doors and are only approximately 300mm wide, which would not dominate the elevation.

The air conditioning units have been relocated to the basement level and therefore overcomes objections raised by residents that the original position on the undercroft area would not be aesthetically pleasing.

There is no objection to the visibility of the office interior from public view (as raised by resident) as this would in fact provide an active frontage, which is considered more acceptable in term of amenity, street presence and natural surveillance.

**Safety and Security issues**

With the prominance of the proposed entrance and its potential to attract greater attention to the building, local residents had questioned how the public may be confused with the Safer Neighbourhoods unit entrance with the resident's entrance. However, the proposed signage above the door would ensure that this use is easily distinguished.

Residents have also questioned security implications of the office use after 10pm. The Applicant has now proposed CCTV on the corner of the north and west facade under Permitted Development rights. This installation will improve the security of this area.

**Traffic issues**

The proposed changes to the shopfront will not impact on level of traffic generation or parking levels. The use of this unit has already been approved and this has already been assessed under planning permission 09-AP-2115.

**Planning obligations (S.106 undertaking or agreement)**

Not applicable in this instance.

**Other matters**

Letters of objections and 1 letter of support have been received and these comments/objections have been considered and assessed when making this recommendation. However, it is considered that the proposed alterations to the
ground floor facade of the host building and the installation of new shopfront and
door and extension into undercroft area would not detrimentally affect the amenity of
these residents that objected and it would be unreasonable to withhold or refuse
advertisement consent.

Furthermore, the removal of the existing mesh around the undercroft area is
considered to have a positive effect on the appearance of the building and is intended
to bring this corner of the building into active use as part of the streetscene. This area
has been carefully treated to ensure the security of existing residents and officers.

The security of the proposed units is an important consideration and the design of the
unit has been subject to a security audit by an external consultant. In addition CCTV
cameras will be installed to cover access points and to ensure the undercroft area is
well overlooked. In addition, new lightning will be installed into this corner of the
building and hard landscaping scheme designed that will help to control the use of the
space.

Other additional objections, including car parking/traffic issues, refuse storage,
ownership of land have already been addressed via Planning permission (Ref No:09-AP-2115) which was granted on 07/12/2009 for change of use of the ground
floor unit (from Use Class D1) to use by the Metropolitan Police Safer Neighbourhood
Unit (Use Class B1 - offices).

Conclusion on planning issues

The revised proposal has addressed objections received. The amended colour
scheme and fenestration proportions is now more in keeping with the existing building
and the relocation of the air conditioning units would have minimal noise disturbance
to residents. The proposal is considered acceptable and is therefore recommended
for planning permission, subject to conditions.

Community impact statement

In line with the Council’s Community Impact Statement the impact of this application
has been assessed as part of the application process with regard to local people in
respect of their age, disability, faith/religion, gender, race and ethnicity and sexual
orientation. Consultation with the community has been undertaken as part of the
application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected
by the proposal have been identified as not applicable in this instance.

c) The likely adverse or less good implications for any particular communities/groups
have been also been discussed above. Specific actions to ameliorate these
implications are not applicable in this instance.

Consultations

Details of consultation and any re-consultation undertaken in respect of this
application are set out in Appendix 1.

Consultation replies

Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses
Letters of objection have been received from adjoining residents with one letter of support as outlined above. The main objections are summarised as follows:

Objections to changes on the ground floor unit internally or externally, specifically alterations to doors, signage or installation of condenser units that are not entirely sympathetic to the design and aesthetics of the Lantern or impact negatively on quiet enjoyment of apartment in term of noise, smell and parking, including location and noise from air conditioning units. Use of the undercroft area.

**Human rights implications**

This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing a new shopfront. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

Strategic Director of Communities, Law & Governance

51 N/A.

**REASONS FOR LATENESS**

52 N/A

**REASONS FOR URGENCY**

53 N/A
BACKGROUND DOCUMENTS

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<th>Background Papers</th>
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<td>Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ</td>
<td>Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a></td>
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APPENDICES

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<th>Title</th>
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<td>Appendix 1</td>
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<td>Appendix 2</td>
<td>Consultation responses received</td>
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AUDIT TRAIL

<table>
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<th>Lead Officer</th>
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<tr>
<td>Report Author</td>
<td>David Williams</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER

<table>
<thead>
<tr>
<th>Officer Title</th>
<th>Comments Sought</th>
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<tr>
<td>Strategic Director of Communities, Law &amp; Governance</td>
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<td>Strategic Director of Regeneration and Neighbourhoods</td>
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<tr>
<td>Strategic Director of Environment and Housing</td>
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<td></td>
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</tbody>
</table>

Date final report sent to Constitutional / Community Council / Scrutiny Team
APPENDIX 1

Consultation undertaken

Site notice date: 15th January 2010

Press notice date: Not required in this instance

Case officer site visit date:

Unaccompanied site visit undertaken on the above date.

Neighbour consultation letters sent: 15th January 2010

Internal services consulted:

Public protection
Design and conservation team
Transport team

Statutory and non-statutory organisations consulted:

Not required in this instance

Neighbours and local groups consulted:

St Michaels Hall, Trundle Street, SE1 1QT
15 Weller Street, SE1, 1QU
13 & 14 Trundle Street, SE1, 1 QT
Units 1 & 2, 14 Weller Street, SE1, 1QU
Flats 3 - 15 (consec) 14 Weller Street, SE1, 1QU
Flats 1, 3 - 8 (consec) Trundle house, Lant Estate, Trundle Street, SE1, 1Qs
Apartment 1 - 16 (consec), Lantern, 1 Trundle Street, SE1 1QT
Flats 1 - 5 (consec) 1 Sudrey Street, SE11PF
Basement & Ground Floor, 2 Lant Street, & 2 Lant Street SE1 1QR
Nos: 1-33 (consec) Isaac Way, SE1 1EE
Nos: 1 - 12 (consec) Gaitskell Way, SE11EF
Flats 1 - 6 (consec) 2 Weller Street, SE1 1QZ
Sales Office Plot, 52: 53 - 55 Lant Street, SE1 1QN
Flat 109 Douglas Buildings, Marshalsea Road, SE1 1JW
Flat 16, Number1 The Lantern, SE1 1 QT
Apartment 13, Flats 3 & 5, The Lantern Building, SE1 1QS

Re-consultation:

24/02/2010 (14 days)- as above and on-going
APPENDIX 2

Consultation responses received

Internal services

Public protection: Initial comments relating to the 2 air conditioning units being proposed in the undercroft area, requested standard mitigation conditions. The revised scheme does not require further comments nor is this applicable as explained in the body of the report above.

Transport Team: No objection to proposal.

Statutory and non-statutory organisations

N/A.

Neighbours and local groups

In response to the initial consultation, seven letters of objections were received, including one letter of support from the following addresses:

Flat 13, 14 Weller Street:
Support the application in its entirety and urge the Council to approve it.

Apartment 1, Lantern, 1 Trundle Street,
Objections received on the following grounds:

Basis of objection is regarding the proposed siting of air conditioning condenser units in what is referred to the 'undercroft area'. The Plant Noise Assessment Report in section 6.6, states that the noise level that which is acceptable, but as the windows to the apartments above this property do not open, that the noise level will be acceptable.

It is an incorrect statement that the windows do not open. In fact the sections of the wall from ceiling to floor, slide back and fully open. This is a significant feature of the property. The noise assessment was made on the basis that the units would be on for a period up to 22.00 each night, whereas the proposed facility will be in use for 7 days each week for 24 hours each day.

Believe that the condenser units or any other plant should be sited elsewhere where it will not disturb others no matter what the noise level emits. Vibration and the constant switching on and off would also disturb.

My other concern is the planned entry phone system which will be sited close to the bedroom of the apartment above and will be in use throughout the day and night. Another form of communication should be used, or the entry phone placed within the building behind closed doors.

Apartment 10, 1 Trundle Street,
Objections were raised on the following grounds:

Object to changes on the ground floor unit internally or externally, specifically alterations to doors, signage or installation of condenser units that are not entirely sympathetic to the design and aesthetics of the Lantern or impact negatively on quiet enjoyment of apartment in term of noise, smell and parking;

Concerned that the proposal entails replacing the western facade of the building with a new shop front in blue framing with associated fascia (possibly in some form of
plastic) together with new doors, some of which will have a solid appearance;

In the northwest corner, where there is an external area bounded by mesh wire, there seems to be a proposal to open this up and to place air conditioning units in this location. This has the potential to be very poor aesthetically, create excessive noise, and if not properly managed, could encourage loitering or smoking. The noise impact report attached to the planning application clearly indicated that the air conditioning units would produce a noise level above permitted levels for proximity to residential open windows and include other discrepancies;

No explanation of what will happen with the building after 10 pm with respect to the ground floor unit; will it be covered by cctv? if so where will it be located and what will it look like;

Object to any parking in the area, specifically Lant Street that causes congestion or other traffic problems. There is an underground car park exit to the right of the residential entrance to the building which cannot be blocked at any time for any reason otherwise residents cannot exit the car park. Please confirm what the proposal are to deal with the Police's Car parking arrangement.

**Apartment 4, Lantern, 1 Trundle Street.**

Objection similar to above, however include additional concerns/objections in relation to entry phone system which will generate unacceptable intrusive background noise.

**Apartment 2, Lantern, 1 Trundle Street.**

Objections received on the following grounds:

No information provided on how the application propose to deal with storage and collection of waste, including recyclable waste; in section 26 of the application, it says that the proposed fascia signage does not project over the footpath. However, the elevation drawings show that the signage is due to be fixed in front of the pillars which support the building. That means the signage will be above the footpath;

In addition, placing the signage in front of the pillars will damage the appearance of the building, which depends for its lightness, on the cantilevering of the upper floors out above the pillars of the ground floor. This effect should be retained by moving the proposed signs behind the pillars, as has been done for example at the Safer neighbourhood unit at 83 Crampton Street SE17; in section 28 of the application, it says that the permission of the owner has been obtained, but this building is now operated under a Right to manage arrangement and the Directors of the Lantern RTM Company have not been asked for permission;

In section 19 (9a) of the application, it says that the maximum height of the letters on the proposed sign is 0.17cm. This is clearly inconsistent with the elevation drawings provided with the application, and therefore the correct figures need to be provided.

**28 Isaac Way.**

More information required on proposed condenser units. Why does the scheme need two - very large air conditioning units. The sound report very ambiguous - i.e, there could be sound pollution in surrounding area. Would require proof that the units are necessary before the application goes ahead and do not want this to progress without further clarification.

**20 Isaac Way.**

As above, including operational hours of plant/air conditioning units are listed as 7.00 - 22.00. Are the units really needed till 10 pm? and does that mean the new
offices will also be open at that time.

**Reconsulation response:**

On-going, however two additional responses were received at the time of writing this report from both Apartment 1 & 14, 1 Trundle Street respectively and are as follows:

**Apartment 1, Lantern, 1 Trundle Street** (dated 04/03/2010)

Objections/concerns received on the following grounds:

Whilst I can see that an attempt has been made to address the aesthetics of the building e.g changing the facade to 'black', I continue to wonder how the changes might benefit the new Safer Neighbourhood unit. Clarification required as to where the new air conditioning units are being replaced and it remains unclear how the undercroft area is going to be used. Is this going to be an area for local people to reside on a very cold night?

**Apartment 14, The Lantern, 1 Trundle Street** (dated 04/03/2010)

Remain supportive of the scheme, however, believe a number of issues need to be resolved before approval should be given. These are as follows:

Current proposal now require air conditioning units to be erected in the basement car park in an area not owned by the applicant, in addition what will the units look like from street level, has a new noise assessment been undertaken?

Still concerned of design issues relating to proposed solid doors, colour of facade and request 3 dimensional representation of the proposals and believe the entrance to the undercroft area should be submitted at scale 1:20 to allow residents to fully understand what is being proposed;

However the main concern is the fundamental objection to opening up the undercroft area as a cut through for the public and against national guidance on "safer places".
RECOMMENDATION

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.

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Metropolitan Police Property Services</th>
<th>Reg. Number 09-AP-2648</th>
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<tbody>
<tr>
<td>Application Type</td>
<td>Full Planning Permission</td>
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<td>Recommendation</td>
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<td>Case Number</td>
<td>TP/1460-D</td>
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Draft of Decision Notice

Planning Permission was GRANTED for the following development:
External alterations to include the removal of existing mesh screening from the north and west elevations, installation of new shopfront and door and extension into undercroft area. Installation of black architectural grills into undercroft area above shopfront. Removal and replacement of existing double doors in the north facing facade with single door and aluminium faced side panel in silver grey.

At: GROUND FLOOR UNIT, THE LANTERN, 2 TRUNDEL STREET, LONDON SE1 1QS

In accordance with application received on 27/11/2009


Plans:- A9704 D140 100 REV 1
      A9704 F140 200 REV 1
      A9704 G140 099 REV P2 (received 23/02/2010)
      A9704 G140 100 REV T4 (received 15/02/2010)
      A9704 P 140 100 REV T2 (received 15/02/2010)
      A9704 P 140 200 REV T4 (received 15/02/2010)

Subject to the following condition:

1. The development hereby permitted shall be begun before the end of three years from the date of this permission.
   Reason
   As required by Section 91 of the Town and Country Planning Act 1990 as amended

2. The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.
   Reason:
   To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan, July 2007.

3. Drawings of the undercroft area, with annotations showing all materials (Cctv and Lighting) and elevational drawings of at least 1:20 to the rear of this area, including access to this area, shall be submitted to and approved by Southwark Council as local planning authority before any work is commenced on site.
   The development shall not be carried out otherwise than in accordance with the details thus approved.
   Reason
   To ensure that the appearance of the development is satisfactory and that it contributes to the character and appearance the Area. This is in accordance with policy 3.12 and policy 3.12 of the Southwark Plan.

4. Reasons for granting planning permission.
   This planning application was considered with regard to various policies including, but not exclusively:
crime of the Southwark Plan [July 2007].

Particular regard was had to impacts in relation to the appearance of the site and surrounds and visual amenity that would result from the proposed development, but it was considered that the appearance and in particular the replacement materials would be acceptable and that there would be no harm arising in relation to visual amenities or public safety. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.
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<td>BOROUGH AND BANKSIDE COMMUNITY COUNCIL</td>
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Report title: Development Management planning application:
Application 09-AP-2656 for: Advertisement Consent

Address:
GROUND FLOOR UNIT, THE LANTERN, 2 TRUNDRLE STREET, LONDON SE1 1QS

Proposal:
Erection of signage in relation to Safer Neighbourhood Unit comprising of a new fascia sign incorporated into the shopfront featuring illuminated identity signage and Led lighting strip and an internally mounted LCD information screen.

Ward(s) or groups affected: Cathedrals

From: HEAD OF DEVELOPMENT MANAGEMENT

**RECOMMENDATION**

1 Grant advertisement consent.

**BACKGROUND INFORMATION**

Site location and description

2 The application site consists of a part six/part seven storey mixed use building comprising commercial at ground floor and residential flats on the upper floors. It is located on the junction of Lant Street and Trundle Street. The specific part of the site that the subject of this application is the existing vacant ground floor commercial element. This building was approved in July 2006 (for the erection of a five storey and a part six part seven storey building with ground floor link and fourth floor access bridge link to provide a nursery at ground floor level with 16 flats above and 15 basement car parking spaces with lift access from Trundle Street). This building has only been recently completed and the residential flats are occupied. The nursery use has never been occupied and therefore this element of the permission has not yet been implemented.

3 The building/premises is not listed, does not adjoin any listed buildings nor is it located within a designated conservation area. The application building premises is designated within the Southwark Plan 2007 as being in the Central Activity Zone (CAZ), Archaeological Priority Zone (APZ), Air Quality Management Area, Strategic View ( Wider Consultation), Bankside & Borough Action Area and Bankside & Borough District Town Centre.

4 Planning permission was granted in 2009 (ref 09-AP-2115) for the change of use of the ground floor unit (from Use Class D1) to use by the Metropolitan Police Safer Neighbourhood Unit (Use Class B1 - offices).

5 A concurrent separate application is being considered at this meeting under ref
09-AP-2648 for external alterations of the ground floor and installation of a shopfront.

Details of proposal

6 This application is for the installation of a new fascia board and illuminated signage and an internal LCD information screen on the north facade. The proposal has been revised from moving the signage which was previously attached to the existing pillars and incorporating it as part of the new shopfront (behind the pillars) and also reducing the extent of the fascia sign.

7 The new powder coated aluminium fascia board (3mx0.48m) is not illuminated, but will include an element of identity signage that is internally illuminated to the right hand side of the fascia. The identity signage is proposed to ensure that each site is easily recognisable as a Metropolitan Police building. Measuring 900mm x 312mm, it is to be installed directly above the new door and window on the north elevation (2.1m above ground level) and within a box casing of polycarbonate faced with anodised aluminium trim and backing plate. The light output level of his identity sign is 127.2 candela/m².

8 The 32inch LCD information screen is located internally to the left hand side of the new shopfront on the north elevation, at 0.9m above ground level and displays core information about the premises. With a silver support frame and blue background, it has a light output level of 500 candela/m².

Planning history

9 Planning permission (ref No. 05-AP-0872) was granted on 21/07/2009 for erection of a five storey and part seven storey building with ground floor and fourth floor access bridge link to provide a nursery at ground level with 26 flats above and 15 basement car parking spaces with lift access from Trundle Street. (Modified version of previously approved scheme).

10 Planning application (ref No: 07-AP-2595) was withdrawn by the applicant on 12/02/2008 for change of use of ground floor from nursery to B1 use.

11 Planning permission (Ref No: 08-AP-1803) was granted on 30/09/2008 for variation of conditions 7 & 10 of planning permission 05-AP-0872 (which permitted the erection of a part six, part seven storey building) to enable details of changing facilities to be submitted for other D1 uses, excluding places of worship and drug rehabilitation centres, but no longer solely for nursery: and to secure details relating to transport and servicing for this broader range of D1 uses, and no longer refer specifically to details of the children attending the nursery.

12 Planning permission (Ref No: 08-AP-1779) was granted on 08/10/2008 for single storey extensions at sixth floor on the south and east elevations, to enlarge existing flats.

13 Planning permission (Ref No:09-AP-2115) was granted on 07/12/2009 for change of use of the ground floor unit (from Use Class D1) to use by the Metropolitan Police Safer Neighbourhood Unit (Use Class B1 - offices).

Planning history of adjoining sites

14 Not applicable in this instance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues
The main issues to be considered in respect of this application are:

a] The impact of the proposal on amenity;

b] The impact of the proposal on public and highway safety.

Planning policy

Southwark Plan 2007 (July)

Policy 3.12 - Quality in Design
Policy 3.13 - Urban Design
Policy 3.23 - Outdoor Advertisement and Signage

Supplementary Planning Guidance No. 8: Outdoor Advertisements and Signage

London Plan 2008 consolidated with alterations since 2004

N/A.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

PPG 19: Outdoor Advertisement Control.

Principle of development

There is no objection in principle to the addition of advertisements within this location provided that the proposed signage will not have a negative impact on the amenity and safety of the surrounding area.

Environmental impact assessment

Not required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

The application is for the installation of a new fascia board and illuminated signage and an internal LCD information screen on the north facade which has been revised to address initial neighbour concerns. The revisions include moving the signage which was previously attached to the existing pillars and incorporating it as part of the new shopfront (behind the pillars) and also reducing the extent of the fascia sign.

The new powder coated aluminium fascia board (3mx0.48m) is not illuminated, but will include an element of identity signage that is internally illuminated to the right hand side of the fascia. The identity signage is proposed to ensure that each site is easily recognisable as a Metropolitan Police building. Measuring 900mm x 312mm, it is to be installed directly above the new door and window on the north elevation (2.1m above ground level) and within a box casing of polycarbonate faced with anodised aluminium trim and backing plate. The light output level of his identity sign is 127.2 candela/m².

The 32inch LCD information screen is located internally to the left hand side of the new shopfront on the north elevation, at 0.9m above ground level and displays core information about the premises. With a silver support frame and blue background, it has a light output level of 500 candela/m².
24 Initial concerns from officers highlighted that the aluminium shopfront and signage appeared to be superimposed on the ground floor frontage of the existing building. The attachment of the signage to the outside of the columns was considered unacceptable and there was a lack of information regarding how the fascia sits in relation to the shopfront. A local resident had also raised similar objections to the signage, with no deference to the pillars, window lines, which explicitly define the building’s ground floor appearance. The amended scheme to provide glazed panels and doors have now been reduced in height so that the proposed signage will sit on top of the windows and doors, which is in more keeping with the design of the building.

25 Concerns were also raised from officers and local residents regarding the colour of the materials in the original scheme, which were colour blue framing, not sitting well with the existing building. The Applicant has revised the materials schedule, proposing silver/grey frame to match existing. This is considered more acceptable and in keeping with the existing building.

26 The proposed signs are now considered acceptable as they are in proportion with the the width of the application building, and they have addressed residents and officers initial concerns having regard to both the placement and location of the fascia sign, including choice of materials and colour. They will not result in a negative impact on the visual amenity of the host building or the surrounding area and comply with Policies 3.2 ‘Protection of amenity’ and 3.12 ‘Quality in design’ of the Southward Plan, July 2007.

27 The proposed signs would therefore be of an appropriate scale in this context and will not result in a cluttered appearance and they will not have a detrimental impact on the visual amenity of the host building. Again, the proposal complies with policies 3.23 'Outdoor Advertisement and Signage' of the Southward Plan, July 2007 and Supplementary Planning Guidance No. 8: Outdoor Advertisements and Signage.

**Impact of adjoining and nearby uses on occupiers and users of proposed development**

28 None expected.

**Traffic issues**

29 The proposal raises no traffic or public safety issues, the signs would be unlikely to detract road users and the fascia sign is high enough not to hinder pedestrians using the footway.

**Design issues**

30 The proposed signs are simple in design, with a basic message and style of writing, and are designed to be appropriate to the context of the site, respect the visual amenity and character of the area.

**Impact on character and setting of a listed building and/or conservation area**

31 The proposed advertisement signs do not affect the character or setting of a listed building or conservation area.

**Impact on trees**

32 The proposal will have no impact on any trees.

**Planning obligations (S.106 undertaking or agreement)**
Not applicable to this particular application.

**Sustainable development implications**

None identified.

**Other matters**

Seven letters of objections and 1 letter of support have been received and these comments/objections are included in appendix 2. It is considered that the proposed signs would not detrimentally affect the visual amenity of these residents or public safety and it would be unreasonable to withhold or refuse advertisement consent.

**Conclusion on planning issues**

The new fascia board and illuminated signage, including an internal LCD information screen on the north facade of the building (ground floor) are considered acceptable and will not affect the visual amenity of the area, not present a health and safety issue and is policy compliant. It is therefore recommended that advertisement consent be granted.

**Community impact statement**

In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are

**Consultations**

Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

**Consultation replies**

Details of consultation responses received are set out in Appendix 2.

**Summary of consultation responses**

- **Apartment 1, 2, 4, 9, 10 & 14: 1 Trundle Street, SE 1 1QT**
- **20 & 28 Isaac Way, SE1 1EE**
- **Flat 13, 14 Weller Street**

- 7 letters of objections received from adjoining residents with one letter of support as outlined above. The main objections are summarised as follows:

- Objections to changes on the ground floor unit internally or externally, specifically alterations to doors, signage or installation of condenser units that are not entirely
sympathetic to the design and aesthetics of the Lantern or impact negatively on quiet enjoyment of apartment in term of noise, smell and parking, including location and noise from air conditioning units. Use of the undercroft area.

**Human rights implications**

43 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term ‘engage’ simply means that human rights may be affected or relevant.

44 This application has the legitimate aim of providing new fascia board and illuminated signage, including an internal LCD information screen. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

**Strategic Director of Communities, Law & Governance**

45 Not applicable.

**REASONS FOR LATENESS**

46 Not applicable.

**REASONS FOR URGENCY**

47 Not applicable.
BACKGROUND DOCUMENTS

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<td>Regeneration and Neighbourhoods Department</td>
<td>Planning enquiries telephone: 020 7525 5403</td>
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<tr>
<td>Application file: 09-AP-2656</td>
<td>160 Tooley Street London SE1 2TZ</td>
<td>Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk.uk">planning.enquiries@southwark.gov.uk.uk</a></td>
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<td>Southwark Local Development Framework and Development Plan Documents</td>
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<td>Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a></td>
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<tr>
<td>Appendix 1</td>
<td>Consultation undertaken</td>
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<tr>
<td>Appendix 2</td>
<td>Consultation responses received</td>
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AUDIT TRAIL

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<th>Lead Officer</th>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER

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<td>Strategic Director of Environment and Housing</td>
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<td>Date final report sent to Constitutional / Community Council / Scrutiny Team</td>
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</table>
Consultation undertaken

Site notice date: 15th January 2010.

Press notice date: Not required in this instance.

Case officer site visit date: 15th January 2010

Unaccompanied site visit undertaken on the above date.

Neighbour consultation letters sent: 15th January 2010

Internal services consulted:

Transport Team: No objection to proposal.

Statutory and non-statutory organisations consulted:

Not required in this instance.

Neighbours and local groups consulted:

St Michaels Hall, Trundle Street, SE1 1QT
15 Weller Street, SE1, 1QU
13 & 14 Trundle Street, SE1, 1 QT
Units 1 & 2, 14 Weller Street, SE1, 1QU
Flats 3 - 15 (consec) 14 Weller Street, SE1, 1QU
Flats 1, 3 - 8 (consec) Trundle house, Lant Estate, Trundle Street, SE1, 1Qs
Apartment 1 - 16 (consec), Lantern, 1 Trundle Street, SE1 1QT
Flats 1 - 5 (consec) 1 Sudrey Street, SE11PF
Basement & Ground Floor, 2 Lant Street, & 2 Lant Street SE1 1QR
Nos: 1- 33 (consec) Isaac Way, SE1 1EE
Nos: 1 - 12 (consec) Gaitskell Way, SE11EF
Flats 1 - 6 (consec) 2 Weller Street, SE1 1QZ
Sales Office Plot, 52: 53 - 55 Lant Street, SE1 1QN
Flat 109 Douglas Buildings, Marshalsea Road, SE1 1JW
Flat 16, Number1 The Lantern, SE1 1 QT
Apartment 13, Flats 3 & 5, The Lantern Builidng, SE1 1QS

Re-consultation:

24/02/2010 (14 days)- as above
APPENDIX 2

Consultation responses received

Internal services

Design & Conservation Team: Initial design/placement of signage concerns raised, however applicant/agent have addressed these concerns via revised drawings received.
Transport Team: No objection to proposal.

Statutory and non-statutory organisations

Not required in this instance.

Neighbours and local groups

In response to the initial consultation, seven letters of objections were received, including one letter of support from the following addresses:

Flat 13, 14 Weller Street:
Support the application in its entirety and urge the Council to approve it.

Apartment 1, Lantern, 1 Trundle Street,
Objections received on the following grounds:

Basis of objection is regarding the proposed siting of air conditioning condenser units in what is referred to the 'undercroft area'. The Plant Noise Assessment Report in section 6.6, states that the noise level that which is acceptable, but as the windows to the apartments above this property do not open, that the noise level will be acceptable.

It is an incorrect statement that the windows do not open. In fact the sections of the wall from ceiling to floor, slide back and fully open. This is a significant feature of the property. the noise assessment was made on the basis that the units would be on for a period up to 22.00 each night, whereas the proposed facility will be in use for 7 days each week for 24 hours each day.

Believe that the condenser units or any other plant should be sited elsewhere where it will not disturb others no matter what the noise level emits. Vibration and the constant switching on and off would also disturb.

My other concern is the planned entry phone system which will be sited close to the bedroom of the apartment above and will be in use throughout the day and night. Another form of communication should be used, or the entry phone placed within the building behind vlosed doors.

Apartment 10, 1 Trundle Street,
Objections were raised on the following grounds:

Object to changes on the ground floor unit internally or externally, specifically alterations to doors, signage or installation of condenser units that are not entirely sympathetic to the design and aesthetics of the Lantern or impact negatively on quiet enjoyment of apartment in term of noise, smell and parking;

Concerned that the proposal entails replacing the western facade of the building with a new shop front in blue framing with associated fascia (possibly in some form of plastic) together with new doors, some of which will have a solid appearance;
In the northwest corner, where there is an external area bounded by mesh wire, there seems to be a proposal to open this up and to place air conditioning units in this location. This has the potential to be very poor aesthetically, create excessive noise, and if not properly managed, could encourage loitering or smoking. The noise impact report attached to the planning application clearly indicated that the air conditioning units would produce a noise level above permitted levels for proximity to residential open windows and include other discrepancies.

No explanation of what will happen with the building after 10 pm with respect to the ground floor unit; will it be covered by cctv? if so where will it be located and what will it look like;

Object to any parking in the area, specifically Lant Street that causes congestion or other traffic problems. There is an underground car park exit to the right of the residential entrance to the building which cannot be blocked at any time for any reason otherwise residents cannot exit the car park. Please confirm what the proposal are to deal with the Police’s Car parking arrangement.

**Apartment 14, The Lantern, 1 Trundle Street**

Objections received and similar to above.

**Apartment 4, Lantern, 1 Trundle Steet.**

Objection similar to above, however include additional concerns/objections in relation to entry phone system which will generate unacceptable intrusive background noise.

**Apartment 2, Lantern, 1 Trundle Street.**

Objections received on the following grounds:

No information provided on how the application propose to deal with storage and collection of waste, including recyclable waste; in section 26 of the application, it says that the proposed fascia signage dose not project over the footpath. However, the elevation drawings show that the signage is due to be fixed in front of the pillars which support the building. That means the signage will be above the footpath;

In addition, placing the signage in front of the pillars will damage the appearance of the building, which depends for its lightness, on the cantilevering of the upper floors out above the pillars of the ground floor. This effect should be retained by moving the proposed signs behind the pillars, as has been done for example at the Safer neighbourhood unit at 83 Crampton Street SE17; in section 28 of the application, it says that the permission of the owner has been obtained, but this building is now operated under a Right to manage arrangement and the Directors of the Lantern RTM Company have not been asked for permission;

In section 19 (9a) of the application, it says that the maximum height of the letters on the proposed sign is 0.17cm. This is clearly inconsistent with the elevation drawings provided with the application, and therefore the correct figures need to be provided.

**Reconsulation response:**

On-going, however two additional responses were received at the time of writing this report from both Apartment 1 & 14, 1Trundle Street respectively and are as follows:

**Apartment 1, Lantern, 1 Trundle Street.** (dated 04/03/2010)

Objections/concerns received on the following grounds:
Whilst I can see that an attempt has been made to address the aesthetics of the building e.g changing the facade to 'black', I continue to wonder how the changes might benefit the new Safer Neighbourhood unit. Clarification required as to where the new air conditioning units are being replaced and it remains unclear how the undercroft area is going to be used. Is this going to be an area for local people to reside on a very cold night?

**Apartment 14, The Lantern, 1 Trundle Street, (dated 04/03/2010)**

Remain supportive of the scheme, however, believe a number of issues need to be resolved before approval should be given. These are as follows:

Current proposal now require air conditioning units to be erected in the basement car park in an area not owned by the applicant, in addition what will the units look like from street level, has a new noise assessment been undertaken?;

Still concerned of design issues relating to proposed solid doors, colour of facade and request 3 dimensional representation of the proposals and believe teh entrance to the undercroft area should be submitted at scale 1:20 to allow residents to fully understand what is being proposed;

However main concern is fundmental objection to open up the undercroft area as a cut through for the public and against national guidance on "safer places".
RECOMMENDATION

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.

Applicant: Metropolitan Police Property Services
Application Type: Advertisement Consent
Recommendation: Grant permission
Reg. Number: 09-AP-2656
Case Number: TP/1460-D

Draft of Decision Notice

EXPRESSION CONSENT has been granted for the advertisement described as follows:
Erection of signage in relation to Safer Neighbourhood Unit comprising of a new fascia sign incorporated into
the shopfront featuring illuminated identity signage and Led lighting strip and an internally mounted LCD information
screen.

At: GROUND FLOOR UNIT, THE LANTERN, 2 TRUNDLE STREET, LONDON SE1 1QS

In accordance with application received on 27/11/2009
and revisions/amendments received on 15/02/2010
15/02/2010

Flooding, Letter from DOR Property Services dated 1st November 2006.

Plans:- A9704 D140 100 REV I1
A9704 F140 200 REV I1
A9704 G140 099 REV P2 (received 23/02/2010)
A9704 G140 100 REV T4 (received 15/02/2010)
A9704 P 140 100 REV T4 (received 15/02/2010)
A9704 P 140 200 REV T4 (received 15/02/2010)

Subject to the following condition:

Consent is granted for a period of 5 years and is subject to the following standard conditions:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with
an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to:
   • (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or
     military);
   • (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by
     water or air; or
   • (c) hinder the operation of any device used for the purpose of security or surveillance or for the
     measuring of the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a
condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be
maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a
condition that does not endanger the public or impair visual amenity.

Reason:
In the interests of amenity and public safety as required by Schedule 2 of the Town and Country Planning
(Control of Advertisements) (England) Regulations 2007 as amended.
RECOMMENDATION

1. To grant planning permission.

BACKGROUND INFORMATION

Site location and description

2. The application property comprises the ground floor of a three storey building in use as a public house (The Rake) with outside seating area on the ground floor and two floors of offices above. The property is located within the Borough High Street Conservation Area, and in close proximity to a number of important heritage sites, such as the Southwark Cathedral and Borough Markets.

3. The adjoining area is predominantly office/commercial with the Borough Market Wholesale market to the east, but with residential uses opposite the application property to the north in Winchester Stables, Winchester Walk.

4. The site is located within the Borough and Bankside Action Area, the Borough and Bankside District Town Centre, the Bankside, Borough and London Bridge Strategic Cultural Area, and the central Activities Zone.

Details of proposal

5. Planning permission is sought to enable the continued use of the premises on a permanent basis with the hours described in the proposal. As discussed below, the extended hours of operation granted (08-AP-2764) in March 2009 was subject to a one year period to allow the Council to review the impact on neighbouring amenities.
Planning history

6 Planning permission (06-AP-0717) was refused in April 2008 for retrospective change of use from cafe (Class A3) to public bar (Class A4). Installation of new front windows, new front and rear doors and construction of decking platform to provide external seating area.

7 Planning permission (08-AP-1507) was granted in September 2008 for retrospective change of use from cafe (Class A3) to bar (Class A4). Installation of new front windows, new front and rear doors and construction of decking platform at ground floor level to provide external seating area. The permission was subject to the following (amongst others) conditions:

8 Condition 2
The use hereby permitted shall not be carried on outside of the hours 12:00hrs and 23:00hrs (22:00hrs for the external seating area) Monday to Friday, 10:00hrs and 23:00hrs (22:00hrs for the external seating area) Saturday.

9 Condition 3
Use of the ground floor outdoor seating area(s) shall cease at 22:00hrs on any day.

10 Planning permission (08-AP-2764) was subsequently granted in March 2009 for the variation of conditions 2 and 3 of the September planning permission (08-AP-1507) to extend the hours of operation. The application was granted for a one year period and was subject to conditions including the following:

11 Condition 1
The planning permission hereby granted shall expire on the 6th March 2010 and the use hereby permitted shall cease on or before this date.

Reason
In order to afford the Local Planning Authority an opportunity to review the impact on amenities after a period of one year in the interests of the amenities of neighbouring occupiers, and in order to accord with Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

12 Condition 2
The use hereby permitted shall not be carried on outside of the hours 11:00hrs and 23:30hrs Monday to Thursdays, 10:00hrs and 23:30hrs on Fridays, 09:00hrs and 23:30hrs on Saturdays, and 11:00hrs and 22:30hrs on Sundays.

13 Condition 3
Use of the ground floor outdoor seating area(s) shall cease at 22:30hrs on any day.

Planning history of adjoining sites

14 Planning permission (08-AP-1439) was granted in August 2008 for the construction of a temporary roof canopy to provide covering over an area to be used for market stalls on Jubilee Market (Borough Market). Use of part of the site bounded by Red Cross Way, Union Street and Southward Street as a temporary car park for market stall holders (Thursday-Saturday). Proposed works to facilitate the construction of the Thameslink Programme.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

15 The main issues to be considered in respect of this application are:

a) the principle of the development in terms of land use and conformity with strategic
policies.

b) the impact on the amenities of adjoining occupiers.

c) the impact on the character of the conservation area.

**Planning policy**

16 **Southwark Plan 2007 (July)**

1.7 Development within town and local centres
1.11 Arts, culture and tourism uses
3.2 Protection of Amenity
3.15 Conservation of the Historic Environment
3.16 Conservation Areas
3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites

17 **London Plan 2008 consolidated with alterations since 2004**

None relevant

18 **Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]**

PPG 24: Planning and Noise

**Principle of development**

19 The principle of extended hours of operation on a permanant basis is considered acceptable in principle provided any impacts on the character of the conservation area and the amenities of the neighbouring occupiers are not materially harmful.

**Environmental impact assessment**

20 Not applicable.

**Impact of proposed development on amenity of adjoining occupiers and surrounding area**

21 Concerns have again been raised by neighbouring residential occupiers regarding noise and nuisance created by the current use of the application property and its sitting out area, and on the pavement / within the market. Careful consideration needs to be given to commercial uses near to residential accommodation.

22 As stated above, the applicant has sought to permanantly extend the permitted hours of operation and also the hours of use of the outdoor seating area. The hours sought have been in operation for the past 12 months.

23 For information, the licenced hours of operation are:

<table>
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<tr>
<td>Sunday</td>
<td>12.00 to 22.30</td>
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</table>

24 The extant permission for the approval of the public house contains a condition that ‘No music (or form of loudspeaker or sound amplification equipment) shall be played in, or for the benefit of, patrons in the external seating area or other external areas of the premises’. Therefore the noise that will be generated during the hours of opening are not include amplified music.
The public house is situated within the Central Activities Zone and a Cultural Area, policies for those areas seek to provide a mix of uses including those for tourists. The pub adjoins a wholesale market and yard and close to a heavily trafficked railway line. The adjoining Jubilee Market operates as a wholesale trading market from 01:00 to 20:00 every morning, Tuesday through to Saturday. The rear car park has been given a temporary planning use for market stalls that were displaced due to the Thameslink Works. Canopy structures are now present on the site while the refuse area to the south is retained. During the operation of the wholesale market vehicles are loaded and unloaded, a process which involves the frequent use of trolleys and forklift trucks. Vehicles delivering stock to the wholesalers operate in the area from approximately 22:00.

It is considered that there is already late night and early morning noise created by a range of other activities within the area. The area is not traditionally a residential area, and given the very nature of this area, it is to be expected within reason.

The general concern raised by neighbours is that the existing hours of operation results in patrons congregating outside the premises, both within the opening hours and after the premises has closed, which has created noise and disturbances impacting on the amenity of these nearby residential occupiers.

Whilst good management practice can remind patrons to leave quietly and not congregate outside ones the pub closes, however, noise generation outside the premises after closing hours is a Environmental Protection issue.

The last complaint made to the Environmental Protection Team regarding noise from the premises was in August 2008, and therefore no record of any noise complaints has been logged since the temporary extended hours were in place. This would indicate that the noise generated from within the public house itself was within acceptable limits. No concern has been raised by the Environmental Protection Team in this regard.

Furthermore, the Councils Environmental Protection Team have previously assessed the application in terms of noise and potential pollution and raised no objections to the proposed permanent hours of operation. The property will be closed before midnight on all days. Should the premises operate outside conditions of consent then this would be an enforcement issue.

Overall, for the aforementioned reasons it is considered that permanent extension of the operating hours would not give rise to undue noise and disturbance to neighbouring residents, and would therefore not result in a loss of amenity.

Impact of adjoining and nearby uses on occupiers and users of proposed development

It is not anticipated that any adjoining or nearby uses would have any impact on the extended public house use at the subject site.

Traffic issues

None relevant

Design issues

None relevant

Impact on character and setting of a listed building and/or conservation area

The material works associated with the implementation of the public house have
already been implemented, and therefore there are no plans to make any changes that would impact on the appearance or historic character of the area.

**Impact on trees**

36 None

**Planning obligations (S.106 undertaking or agreement)**

37 None

**Sustainable development implications**

38 There are no sustainable development implications associated with this application.

**Other matters**

39 There are no other matters associated with this application.

**Conclusion on planning issues**

40 The proposed application is considered to be acceptable in principle and will not harm the character of the conservation area, or create any material harm to the amenities of neighbouring occupiers. As such, the development meets the policies of The Southwark Plan [July 2007] and is therefore recommended for approval.

**Community impact statement**

41 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

**Consultations**

42 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

**Consultation replies**

43 Details of consultation responses received are set out in Appendix 2.

**Summary of consultation responses**

44 The general concern regarding the hours of operation, the number of drinkers outside the public house and resulting noise and general disturbance arising.

**Human rights implications**

45 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

46 This application has the legitimate aim of providing a business and a service to the general public. The rights potentially engaged by this application, including the right to
a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

Strategic Director of Communities, Law & Governance

47 None

**REASONS FOR LATENESS**

48 None

**REASONS FOR URGENCY**

49 To meet the statutory determination period
## BACKGROUND DOCUMENTS

<table>
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<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
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| Site history file: TP/1146-14                        | Regeneration and Neighbourhoods Department         | Planning enquiries telephone: 020 7525 5403  
| Application file: 09-AP-2744                         | 160 Tooley Street London SE1 2TZ                   | Planning enquiries email: planning.enquiries@southwark.gov.uk  
| Southwark Local Development Framework and Development Plan Documents |                                                   | Case officer telephone:: 020 7525 5470  
|                                                      |                                                   | Council website: www.southwark.gov.uk |

## APPENDICES

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<td>Appendix 1</td>
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## AUDIT TRAIL

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Date final report sent to Constitutional / Community Council / Scrutiny Team
APPENDIX 1

Consultation undertaken

Site notice date:
14 January 2010

Press notice date:
14 January 2010

Case officer site visit date:
An unaccompanied site visit was undertaken on 14 January 2010

Neighbour consultation letters sent:
15 January 2010

Internal services consulted:
Environmental Protection

Statutory and non-statutory organisations consulted:
None

Neighbours and local groups consulted:

**Neighbour Consultee List for Application Reg. No. 09-AP-2744**

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15/01/2010  FISH CATHEDRAL STREET LONDON  SE1 9AL
15/01/2010  PART FIRST FLOOR PALACE HOUSE 3 CATHEDRAL STREET LONDON SE1 9DE
15/01/2010  SECOND FLOOR TO FOURTH FLOOR NEW Hibernia HOUSE WINCHESTER WALK LONDON SE1 9AG
15/01/2010  FLAT 3, 5, 7 3 WINCHESTER SQUARE LONDON SE1 9BH
15/01/2010  FLAT 4, 8, 10, 12 TENNIS COURT 7 WINCHESTER SQUARE LONDON SE1 9BN
15/01/2010  ENNIS COURT 7 WINCHESTER SQUARE LONDON  SE1 9BN
15/01/2010  PART GROUND FLOOR PALACE HOUSE 3 CATHEDRAL STREET LONDON SE1 9DE
15/01/2010  GROUND FLOOR NEW Hibernia HOUSE WINCHESTER WALK LONDON SE1 9AG
15/01/2010  PART GROUND AND SECOND FLOOR PALACE HOUSE 3 CATHEDRAL STREET LONDON SE1 9DE
15/01/2010  THIRD FLOOR PALACE HOUSE 3 CATHEDRAL STREET LONDON SE1 9DE
15/01/2010  GROUND FLOOR 1 CATHEDRAL STREET LONDON  SE1 9DE
15/01/2010  SECOND FLOOR 1 CATHEDRAL STREET LONDON  SE1 9DE
15/01/2010  GROUND FLOOR WAREHOUSE CORNER OF STONEY STREET CLINK STREET LONDON SE1 9DG
15/01/2010  GROUND FLOOR AND PART FIRST FLOOR KEATS HOUSE ST THOMAS STREET LONDON SE1 9RY
15/01/2010  BASEMENT AND GROUND FLOOR 13 STONEY STREET LONDON  SE1 9AD
15/01/2010  GROUND FLOOR FRONT WEST 16 WINCHESTER WALK LONDON  SE1 9AP
15/01/2010  FIRST FLOOR CENTRE 16 WINCHESTER WALK LONDON  SE1 9AG
15/01/2010  PART GROUND FLOOR FRONT EAST 16 WINCHESTER WALK LONDON  SE1 9AG
15/01/2010  FIRST FLOOR REAR EAST 16 WINCHESTER WALK LONDON  SE1 9AG
15/01/2010  SECOND FLOOR REAR EAST 16 WINCHESTER WALK LONDON  SE1 9AG

Re-consultation:

Not applicable
APPENDIX 2

Consultation responses received

Internal services

Environmental Protection Team - have previously supported the scheme, subject to the imposition of condition, and have received no noise or disturbance complaints within the previous 12 months. The application therefore has no objection from the EPT.

Statutory and non-statutory organisations

N/A

Neighbours and local groups

18 Winchester Walk

No objections in principle to regularising the hours, however would object to the hours being extended.

1 Winchester Stables, 3 Winchester Square

Object to the development as there is constant noise throughout the day and night from various activities in the area. The pub generally has people standing outside smoking and drinking often beyond closing time, creating noise and general disturbance. The licence for extended hours of opening should not be granted.

Tennis Court, 7 Winchester Square

Patrons tend to congregate drinking and smoking outside the premises often after the premises or outside terrace area has closed.

2 Winchester Stables

The pub has resulted in a significant rise in the level of noise since the use began, and has suggested that people stay outside beyond closing time. This has caused noise and other disturbances.
RECOMMENDATION

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.

Applicant          Mr. Mike Hill
Utobeer Ltd
Application Type    Full Planning Permission
Recommendation     Grant permission
Reg. Number         09-AP-2744
Case Number         TP/1146-14

Planning Permission was GRANTED for the following development:

Variation of condition 1 of planning permission 08AP2764 (which allowed temporary permission for a bar (Class A4) with external seating area, with the hours of operation to be 11:00hrs to 23:30hrs Monday to Thursdays, 10:00hrs to 23:30hrs on Fridays, 09:00hrs to 23:30hrs on Saturdays, and 11:00hrs to 22:30hrs on Sundays; with use of the ground floor outdoor seating area(s) ceasing at 22:30hrs on any day) to enable the continued use of the premises within these hours on a permanent basis.

At: THE RAKE PH, 14 WINCHESTER WALK, LONDON, SE1 9AG

In accordance with application received on 08/12/2009

and Applicant’s Drawing Nos. GSA.RAKE.100, GSA.RAKE.101, GSA.RAKE.102, GSA.RAKE.103, GSA.RAKE.104, GSA.RAKE.105

Noise Management Plan, and Site Plan

Subject to the following condition:

1  The use hereby permitted shall not be carried on outside of the hours 11:00hrs and 23:30hrs Monday to Thursdays, 10:00hrs and 23:30hrs on Fridays, 09:00hrs and 23:30hrs on Saturdays, and 11:00hrs and 22:30hrs on Sundays.

   Reason: To protect the amenities of the surrounding properties in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan (UDP) July 2007.

2  Use of the ground floor outdoor seating area(s) shall cease at 22:30hrs on any day.

   Reason: To protect the amenities of the surrounding properties in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan (UDP) July 2007.

3  No music (or form of loudspeaker or sound amplification equipment) shall be played in, or for the benefit of, patrons in the external seating area or other external areas of the premises.

   Reason: To protect the amenities of the surrounding properties in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan (UDP) July 2007.

4  The Rake Noise Management Plan (dated 26 March 2009) shall be located within the premises and recommendations contained within shall be adhered to at all times.

   Reason: To protect the amenities of the surrounding properties in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan (UDP) July 2007.

Reasons for granting planning permission.

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


Particular regard was had to the potential loss of neighbouring amenity that could result from the proposed development but it was considered that the use and hours of operation would not be inconsistent with the character of the area, and provided that recommendations of the noise management plan are adhered to, that there would be no significant impact on the amenity of neighbouring occupiers. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.
<table>
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<th>Date</th>
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<td>22/3/2010</td>
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<tr>
<th>From</th>
<th>Title of Report</th>
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<td>Head of Development Management</td>
<td>DEVELOPMENT MANAGEMENT</td>
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<td>(08AP1066)</td>
<td>CORNER OF GREEN WALK , ALICE STREET, LONDON SE1</td>
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**PURPOSE**

1. To consider the above application which is for Community Council consideration due to the number of objections that have been received.

**RECOMMENDATION**

2. Grant planning permission subject to conditions and S106 planning obligation to prevent future residential occupiers from obtaining parking permits.

**BACKGROUND**

**Site location and description**

3. The application site is located on the south east corner of the intersection of Alice Street/Green Walk. The site is vacant and appears to have formed a part of the disused Alice Street car park. It is adjoined by a vacant car park to the north and two storey buildings in Green Walk to the east. The other two sides adjoin Alice Street and Green Walk.

4. The site is surrounded by a low brick wall on its street frontage. Some parts of the wall have fallen or been taken down. There is some low scale planting within the site boundaries but there are no trees or landscaping of any particular quality. There is an existing vehicle crossing at the northern edge of the site, on the Alice St frontage.

5. To the south, the site adjoins the flank wall of No. 5 Green Walk, which forms the end of a short terrace of five residential properties of two storeys in height. These properties have a high parapet. To the north is the vacant Alice Street car park which is surrounded by hoardings and which appears to be in the process of clearance as at January 2010, although there are no planning applications approved or being assessed for this site. The car park site is vacant and has had rubbish dumped on it in the past.

6. On the opposite side of Green Walk (to the west) there are blocks of flats fronting
Rephidim St of three storeys in height. The elevations facing Green Walk appear to be the backs of the flats as no front doors are evident and the windows appear to be secondary windows rather than main habitable rooms. To the north, Green Walk terminates in a pedestrian walkway that provides access to Priess St, and also serves the access and gates that serve the Jam Factory. The Jam Factory comprises four blocks including one new residential building (Block D) and three former factory buildings which have been converted into flats. Block C is the closest to the application site and comprises a building of part three and part five storeys above semi-basement, plus a two storey extension above.

7 The properties to the east with frontage to Tower Bridge Rd are mainly three storeys in height although some have four floors.

8 The site lies within a mixed residential/commercial area and lies within the southern extent of the Central Activities Zone. It is in an archeological priority area and is in an air quality management area. The site does not comprise any Listed Buildings. The site was recently included within the extension to the Bermondsey Street Conservation Area (this was approved 12/1/2010 and the associated Conservation Area Appraisal adopted).

9 The site is located in a controlled parking zone (CPZ) and has a reasonably good public transport accessibility level (4).

Details of proposal

10 The proposal is for the erection of a three storey building to provide two x two-bedroom flats and one x one-bedroom flat. The proposed building would occupy almost the entire site although there would be a small set-back from the Green Walk frontage and a further set back providing for a ground floor entrance to the upper floor flats on Green Walk. The top floor of the new development would be set back from the southern boundary (adjacent to 5 Green Walk) and from the front. There would be a low rendered wall fronting Green Walk. The building would be constructed in brickwork although the set back top floor would feature timber cladding. Aluminium windows serving habitable rooms would face Green Walk and Alice Street but no windows to habitable rooms would face the car park to the north.

11 The scheme would be laid out with the two x two-bedroom flats on the ground and first floors, and the one-bedroom flat on the top floor. The ground and first floors are laid out with stacking of rooms more or less like for like above each other (i.e. living room above living, and bedrooms above bedrooms), but the top floor would have its bedroom above the first floor living room and the living room above the 1st floor bedrooms. A small outdoor amenity space would be provided for the first floor flat in a recess between No. 5 Green walk and a set back building line of the first floor. The first floor flat would also have a terrace formed between the parapet line facing Green Walk and the set back building line. A combined bin store/cycle store would be integrated in the building with access from Alice Street.

12 The building would be modern in appearance with flat roofs to the three storey and two storey parts and a contrast between the two storey brick element and the off-set timber clad, aluminium top floor.

13 The scheme was amended by revised information as follows:
- Revised flood risk information received April 2009, addressing breach analysis as required by the Environment Agency
- Drawing 306A received January 2010 which set out the following amendments - enlarged refuse and recycling store with inward opening door; the store would accommodate 5 x 240L bins and allows cycles to be stored and secured separately
- Email states that windows on north east elevation would be obscure glazed to prevent overlooking to car park site (these windows serve a bathroom to the 1st floor flat)

14 The scheme was further revised in February 2010 following the incorporation of the site within the extended Bermondsey St Conservation Area. The following matters were revised:
- The applicant advised that the intention is to maintain the simplicity of the upper storey to ensure that it is perceived as a secondary element to the brickwork lower storeys. The stone clad fascia and fin would form a termination to Green Walk in anticipation of a new building on Alice Street
- The top storey has been reduced in height and the overall height annotated on the plan
- The design of the top storey has been simplified, for example the overhang has been reduced;
- The materials for the upper storey have been identified (although the applicant would accept a condition on details and samples to be approved by way of condition if consent is granted)
- The brickwork is noted as being weathered yellow stock to match the adjacent terrace;
- The blank NE façade has been redesigned to introduce elements such as blind window reveals to reduce the apparent scale.

15 The applicant has advised that they would accept an exemption for occupiers from applying for a car parking permit in the CPZ and a draft S106 agreement has been prepared to secure this if consent is granted.

Planning history

16 None.

Planning history of adjoining sites

17 4 Green Walk - application 07AP2478 refused 20/12/2007 for addition of ground floor rear extension and mansard roof extension, refused for the following reasons:

1) The proposed single storey rear extension by virtue of its depth, width and position would lead to a 'tunnelling' effect on the adjoining occupiers. This would limit the outlook of the neighbours and would also be an overbearing structure, leading to a loss of residential amenity for neighbouring occupiers, contrary to Policies 3.2 'Protection of Amenity' and 3.11 'Efficient Use of Land' of The Southwark Plan July 2007.

2) The proposed mansard roof extension would interrupt the unbroken butterfly roof profile of the existing terrace and appear as a prominent feature that would detract from the appearance and historic character of these properties. Thereby contrary to Policies 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan July 2007

18 08AP0257 Certificate of lawfulness granted 1/4/2008 for the erection of a single storey side infill rear extension.

19 Alice St carpark - (to north-west of site) - there have been several planning applications submitted between 2002 and 2007 for the development of this site, mainly for schemes of about 10 - 12 residential units and including live/work accommodation, and varying between two and three storeys in height. A number were withdrawn and others refused, mainly having had regarding to matters such as impacts on and from an adjoining timber yard, and the design, scale and massing,
The most recent are summarised below.

20 LBS Reg. 06AP2471 – never validated and withdrawn 31/1/07- Erection of 10 houses with private gardens and shared amenity space and 2 live/work units.

21 LBS Reg. 05AP0616 withdrawn 6/12/07 due to a change in policy requiring affordable housing provision on-site, Erect 10 two/three storey houses with private gardens and shared amenity space 2 two /three storey live/work units.

22 LBS Reg. 04AP1664 refused 30/11/04, Erection of 12 part two, part three-storey houses with private gardens and shared amenity space. Refused on grounds of:
- Unsatisfactory design and elevational appearance which is lacking in vertical emphasis and definition and uses materials inappropriate to the local context,
- The provision of residential accommodation directly adjacent to and either side of the access to the timber yard at 45/47 Tower Bridge Road will lead to the creation of an unsatisfactory residential environment due to the noise and disturbance resulting from deliveries and customer vehicles visiting the timber yard. The conflict between movements to and from the timber yard and the residential occupation of the application site will also be detrimental to highway and pedestrian safety.

23 LBS Reg 04AP0292 refused 22/6/04, Erection of twelve houses (2 storeys) with private gardens and shared amenity space. Reasons:
- incongruent, poorly designed and bulky roof form which does respond to the local context,
- residential accommodation directly adjacent to and either side of the access to the timber yard at 45/47 Tower Bridge Road will lead to the creation of an unsatisfactory residential environment due to the noise and disturbance resulting from deliveries and customer vehicles visiting the timber yard,
- development is not considered to represent an efficient use of urban land as it would provide an unsatisfactory standard of amenity for the future residential occupiers because of the relationship to the adjacent timber yard; does not respond positively to the local context because of its over bulky roof form; the development would be likely to compromise the operation of the adjoining timber yard.

24 LBS Reg 03AP0260 withdrawn 26/11/07, Erection of 12 two storey houses.

25 LBS Reg. 02AP0991 withdrawn 4/10/02, Construction of 12 two-bedroom, three storey houses with roof terraces in two blocks together with the provision of parking spaces to the rear.

26 Tower Bridge Rd - there have been numerous applications for changes of use and/or extensions to properties on the Tower Bridge Rd parade to the east of the site. None are especially relevant to this application or site, apart from two applications at 57 Tower Bridge Road comprising residential on the upper floors with commercial on the ground floor that were refused partly for the reason that they would prejudice the development potential of the disused car park on the east side of Alice Street (LBS Reg 08AP1233 refused 20/8/08 and 09AP0617 refused 22/7/09).

27 The Jam Factory - there have been numerous planning applications in relation to this site although none are especially relevant to this application.

**FACTORS FOR CONSIDERATION**

**Main Issues**

28 The main issues in this case are:
a) the principle of the development in terms of land use and conformity with strategic policies.

b) impacts on the amenities of future occupiers of the development and surrounding occupiers

c) impacts on the character and appearance of the Bermondsey St Conservation Area

d) transport impacts

e) flood risk

Planning Policy

29 Southwark Plan 2007 [July]
SP11 Amenity and environmental quality
SP 13 Design and heritage
SP17 Housing
SP18 Sustainable transport
2.5 Planning obligations
3.2 Protection of Amenity
3.4 Energy Efficiency
3.6 Air quality
3.7 Waste reduction
3.9 Water
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban Design
3.15 Conservation of the historic environment
3.16 Conservation areas
3.14 Designing out Crime
3.19 Archaeology
4.1 Density of Residential Development
4.2 Quality of Residential Accommodation
5.2 Transport Impacts
5.3 Walking and Cycling
5.6 Car Parking

SPD/SPG
Residential Design Standards SPD Sept 2008
S106 Planning Obligations SPD July 2007

30 London Plan as amended with alterations since 2004
2A.4 The Central Activities Zone
3A.1 Increasing London's supply of housing
3A.3 Maximising the potential of sites
3A.6 Quality of new housing provision
3C.1 Integrating transport and development
3C.3 Sustainable transport in London
3C.17 Tackling congestion and reducing traffic
3C.21 Improving conditions for walking
3C.22 Improving conditions for cycling
3C.23 Parking strategy
4A.12 Flooding
4A.13 Flood risk management
4A.19 Improving air quality
4A.20 Reducing noise and enhancing soundscapes
4B.1 Design principles for a compact city
4B.5 Creating an inclusive environment
4B.8 Respect local context and communities
4B.11 London’s built heritage
4B.15 Archaeology
5G.2 Strategic priorities for the Central Activities Zone
5G.5 Predominantly Local Activities in the Central Activities Zone
6A.4 Priorities in planning obligations
6A.5 Planning obligations

31 Planning Policy Guidance [PPG] and Planning Policy Statements [PPS]
PPS1 Delivering sustainable development
PPS3 Housing
PPS23 Planning and pollution control
PPS25 Planning and flood risk
PPG 13 Transport
PPG15 Planning and the Historic Environment
PPG16 Planning and archaeology

Consultations

32 Site Notice: 12/6/08, 27/11/09, 28/1/2010
Press Notice: 28/1/2010

Neighbour consultation letters: 12/6/2008 and 14/8/2008 (second consultation was required because the initial letters were not sent to the Jam Factory properties)


33 Internal Consultees
Access Officer
Archeology Officer
Conservation Officer
Environmental Protection
Transport Group
Waste Management

Statutory and non-statutory consultees
Environment Agency

34 Neighbour consultees
See list in Appendix 1

35 Re-consultation
24/11/2009 - carried out to ensure that consultee responses were up to date prior to any decision, taking into account the delay since the scheme was initially consulted upon
22/1/2010 - re-consultation to advise that the site was in the extended conservation area
25/2/2010 - to advise of amended plans in response to inclusion of the site within the extended conservation area
Consultation replies

Internal Consultees

36 Access Officer: The proposal meets the requirements of Part M (Access to and Use of Buildings) of the Building Regulations

37 Archeology Officer: The site in question is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone. The site in question is back from major routeways in this area during the medieval and early post-medieval periods, but it still retains an archaeological potential in the form of development during these periods and surviving palaeoenvironmental deposits.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this proposal and I believe that they closely follow the Southwark Plan (UDP) July 2007 (Policies 3.15 and 3.19) and the recommendations of PPG16.

Should you be minded to grant planning consent for this development conditions on any planning consent would be sufficient to secure the level of investigation and mitigation of impact that the proposal warrants

38 Transport Group: This proposal is located in an area with a medium TfL PTAL rating (4) reflecting the area’s medium level of access to public transport.

As such and in order to comply with Policy 5.6 and Table 15.4, appendix 15 of the Southwark Plan and 9.4 of the Transport SPD, this development must provide between 1 and 2 off street parking bays.

The proposal site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development, the applicant should be informed that a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits. In order that the TMO can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO, either through a S106 agreement, unilateral undertaking or Grampian condition.

Policy 5.3 of the Southwark Plan states that cycle stands must be convenient, secure and weatherproof, and designed to the minimum standards as set out in 8.2.21-8.2.24 of Manual for Streets. In order to comply with this policy, cycle storage is required to be separate to any refuse store.

The doors to the proposed refuse store are shown to open out over the highway. This is an offence as detailed in Section 153, Highways Act 1980.

39 Design and conservation - comments incorporated into report.

Statutory and non-statutory consultees

40 Environment Agency - no objections

Neighbour consultees

Objections

41 Three letters were received in response to the initial round of consultation in 2008. Two objections were received and one letter neither in support nor objection. These are summarised as follows.
Flat 1 Block C, The Jam Factory - Objections relate to concerns about the following matters:
- plans are wrong to mark the adjoining site as a car park; it is the back entrance to a builders yard and partly boarded off site owned by Southwark Council; residents had understood that the larger site was to be developed for housing – it is currently used as a rubbish dump
- poor design quality – functional in design with no reference to ‘form’; materials including brickwork, timber cladding, aluminium windows don’t match, enhance or complement the adjoining Victorian cottages or the Jam Factory
- no reference to the inclusion of the site in the extended conservation area
- no strategic plan for the whole of the Alice St area – should be refused until there is a proposal for the whole of Alice St, taking into account conservation area status and issues regarding access/egress

SE1 4TQ (appears to be a Jam Factory address) – objection on grounds that the area is already heavily developed
- inadequate green space and parking
- building is not in keeping with adjacent terraced housing
- will affect daylight to those on the corner of The Jam Factory and privacy

Flat 5 Block C, The Jam Factory – No objections to the principle of development but ask for care with materials to ensure appearance is in keeping with the rest of the street; do not wish to see an eyesore such as Block D of The Jam Factory

Re-consultation in 2009/2010
In response to re-consultation in November 2009 (which was carried out because so much time has elapsed since the initial consultation on the application in 2008), and subsequent re-consultation in January 2010 following the inclusion of the site in the extension to the conservation area, there was one letter of support received, and four letters of objection. Any further responses will be reported to Members at the Community Council meeting.

Objections

4 Green Walk – no objections in principle to development but object to the specific design in particular the 2nd floor
- Whilst plans show building line following the building line of the adjoining Victorian terrace this is then ignored in the addition at 2nd floor
- Extensions at roof level to the terraced houses on Green Walk have been refused previously on grounds of harm to the roofline and integrity of the terrace and the proposed development would appear contrary to this policy; would destroy the appearance of the area within the context of the extended conservation area
- The 2nd floor would overwhelm the terrace and should be omitted from the scheme

Flat C 204 The Jam Factory – objects on grounds that the area is already overdeveloped
- this would lead to car parking issues
- loss of light and privacy for those living in apartments overlooked by the proposed building
- noise

B106 Jam Factory – objects on grounds of unsympathetic design with no precedent in the context
- north-east elevation is not how a corner plot should be finished or started; any development on Alice St will need a reference point and this is not it
C307 The Jam Factory - overdevelopment; and development would be an overbearing building on a tight corner,
- Safety issues arise over the pinch point that will be created due to reduced sight lines
- additional traffic will put a strain on already inadequate highway provision
- emergency access will be compromised
- visitor parking will be more difficult
- full traffic impact assessment is warranted
- this development should be viewed in the context of a further proposed development on Alice St carpark; writer advises that this site has been allocated for the off-site affordable housing provision for another development

B305 The Jam Factory - concerned about increased demands on car parking and the site would not be able to be serviced without contravening the newly installed double yellow lines. Should be refused unless Southwark Council reviews the recently changed parking regulations on the surrounding streets.

SE1 4TL (this postcode appears to be reasonably close to the application site on Tower Bridge Rd) – objects on grounds that this development would cause congestion and obstruction. Site should be made into a park not a building.

Support

No address stated – supports on grounds that the land has been empty for the six years that the support has lived at The Jam Factory. The land has been used as a dumping ground for rubbish, used for undesirable activities, and has become overgrown. Developing the site will be good for the street and the general area.

3 Green Walk - Consider the building to be in keeping with the area, will add to the quality of buildings in the vicinity and will be a welcome solution to an unloved and unused piece of ground.
- This area of ground is horrible; the development would bring this corner of teh street to life and in a way which enhances the old houses in Green Walk and blends interestingly with the modern elements of the Jam Factory.

PLANNING CONSIDERATIONS

Principle of development

The site appears to have no current use. It is disused and the proposal for residential use raises no objections in terms of the loss of any existing use. The site is not designated for any particular use in the UDP and being surrounded by housing and in an area not compromised by other inappropriate uses in a residential area, the proposed residential use is acceptable in this location.

An objection was received to the development raising concern that the ad hoc development of this site should not be permitted, and that the whole of the Alice St area should be considered comprehensively. Efficient use of land is a material planning consideration, and Officers have taken this matter into account. Other planning applications on sites near the car park have also been assessed with regard to impacts on the efficient use of land and in particular whether they would harm the potential to develop the car park site. In particular, two recent applications (08AP1233 and 09AP0617) for a four storey development at 57 Tower Bridge Road comprising residential on the upper floors with commercial on the ground floor were refused partly for the reason that they would prejudice the development potential of the disused car park on the east side of Alice Street. The developments were
proposed up to the boundary with the car park and it was concluded that they would be contrary to policy 3.11 Efficient use of land) in that they would hinder any development on a significant part of the car park due to the effects to and from the proposed building at 57 Tower Bridge Road.

56 Due to the application site being located alongside the Alice Street car park and having no windows to habitable rooms facing the site, it is not considered that this proposal would impact unduly upon the development potential of the adjoining car park site in this case. It is considered that it would be possible to site a development on the car park with front and rear facing windows such that there may not be any harm wither to the amenities of future occupiers of the site which is the subject of this application, or conversely harm to the amenities of potential occupiers of any future scheme on the car park.

57 Density - The density of the scheme is 645habr/ha which is just below the range of 650-1100 expected within the Central Activity Zone pursuant to Policy 4.1 Density of the Southwark Plan. The density is considered acceptable since the bulk, scale and massing of the scheme are appropriate in the context of the scale of the surrounding buildings, and as the unit and room sizes within the development, and quality of the accommodation, are considered to be acceptable having had regard to the adopted Residential Design Standards SPD.

58 Unit and tenure mix - The scheme provides 2 x 2-bed and 1 x 1 bed flats. This mix is considered to be acceptable. A range of larger units is not required as the scheme is under the threshold of 10 units whereby a range of unit sizes would be expected under Policy 4.3 Mix of dwellings. Affordable housing is not required again as the scheme is below 10 units.

59 Residential amenity for future occupiers - The scheme complies with the standards for minimum unit and room sizes set out in the Council's Adopted Residential Design Standards SPD, apart from the first floor flat which has an open plan living room/kitchen/diner of 25.5sqm which is 1.5sqm smaller than the minimum 27sqm required. This is a relatively small amount of shortfall and as the unit otherwise complies and does also provide for adequate storage space in circulation areas, as well as a small outdoor amenity area, the accommodation is not considered to be cramped or otherwise unacceptable. Given the small degree of non-compliance, it is not considered that refusal could be justified for this reason. The circulation and access to the flats generally appears to be logical, and the layouts of the flats are acceptable, as despite the curved sides to parts of the building there are adequate room sizes and wall or space dimensions for furniture and there is separate storage provided for such as cupboards off circulation spaces.

60 Private amenity space has been provided for the 1st and 2nd floor flats by way of small terraces. Outdoor amenity space should normally be provided for all units and it is unfortunate that the ground floor unit would not have any amenity space. It is unlikely to be of sufficient harm to the amenities of occupiers as to justify refusal though especially as the other two units would have some amenity space. There is a small amount of 'defensible space' at the front of the ground floor flat such that it would not have rooms set at the back edge of pavement and which would allow for some degree of amenity such as planting.

61 The terraces at 1st and 2nd floor would not overlook the adjoining properties as the terraces are set back within recessed spaces or at roof level with no direct overlooking to neighbours. Concerns were raised by occupiers of surrounding properties about overlooking but there is in excess of the minimum 12m separation required between windows to habitable rooms, and the balcony space at roof level, and those properties opposite as required by the SPD.
There is a concern about the stacking of the first floor flat relative to the 2nd floor flat (living rooms partly above/below bedroom to another unit). The layout does make best use of the spaces including account of the curve of the building on room layouts so the stacking is considered to be acceptable subject to a condition to secure a specified performance standard for sound insulation between the floors to a level higher than the minimum required by Building Regulations. Since the first floor flat would have a bedroom partly above the ground floor bin and cycle stores, to prevent noise nuisance to this flat the required sound insulation should be applied between ground and first floor as well.

It is considered that subject to a sound insulation condition the scheme would provide for a good quality of residential accommodation in accordance with Policy 4.2 Quality of residential accommodation of the Southwark Plan 2007.

Environmental impact assessment

Not required for this scale of development.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

It is not considered that the scheme would give rise to harm to the amenities of adjoining occupiers. In relation to sunlight/daylight, the adjoining residential properties are located to the south of the site and given this orientation there would be no loss of sunlight, and as the building line at the rear of the application site is similar to the building line of the adjoining houses, there would be no loss of daylight of sense of enclosure created by the development.

There are no windows facing the adjoining house to the south that would result in overlooking. There are roof terraces but as they are small and are enclosed by a brick wall forming the boundary between the application site and its neighbour, there would be no overlooking from the terraces to neighbour's windows, and it is not considered that the use of the terraces would result in an unacceptable impact in relation to noise and disturbance.

Impact of adjoining and nearby uses on occupiers and users of proposed development

None anticipated taking into account the mixed uses in the surrounding area which are compatible with the uses proposed on the application site.

Traffic issues

The Transport Team objected to the proposal noting that the site has medium public transport accessibility and that no on-site parking is proposed. However a car free development is considered to be acceptable taking into account government guidance on promoting more sustainable transport choices by encouraging car free developments in locations that are reasonably accessible to public transport as this site is. Concerns were raised in objection to the scheme that it would impact on car parking demand in the area. In response Officers advise that the applicant has agreed that future occupiers may be exempted from applying for a parking permit in the CPZ. This can be achieved through an amendment to the Traffic Management Order, by way of a S106 agreement. In these circumstances it is considered that the development would not result in excessive pressure for parking on adjacent roads detrimental to highway safety.
Secure cycle parking facilities are be provided for the residential units. The plans were amended so that the bin store doors would not open out onto the highway. Overall it is considered that transport and servicing requirements could be met through the development and the scheme will therefore accord with refuse and transport policies.

**Design issues and Impact on character and setting of a listed building and/or conservation area**

The scheme was revised subsequent to the inclusion of the site within the extended Bermondsey St Conservation Area in early 2010.

Officers consider this to be a generally high quality and well resolved proposal to complete the late-Georgian terrace on Green Walk. In terms of scale, the main block matches the adjacent terrace in terms of parapet-height and building-line; the main bulk of the proposal therefore represents a continuation of the adjacent terrace, curving to a point as it follows the site-line corner to Alice Street. Increased height could be generally acceptable in principle as this is a prominent corner site. In terms of massing there is a set-back at the junction with the terrace, and a further set-back of the second-floor to reduce its impact on the terrace and streetscape; the second-floor extension is however still a prominent element within the Conservation Area. While such an element may be acceptable in principle, the scale, form and detailing of this prominent element requires very careful consideration. The height (2.7m from floor to structural soffit) is tall and a reduction would have helped to reduce the perceived bulk, however it is considered to be acceptable in this corner location. The 8.8m height should not be exceeded by any future amendments.

In terms of detailed design, the windows line through with the adjacent terrace, but are appropriately contemporary in design; while the painted hardwood windows are acceptable to the lower two floors, the juxtaposition with the oiled hardwood windows on the second floor is causing us some concern but this can be addressed via condition. The proposed facing-brick and pointing should be a close match to that on the existing terrace. The 'wrap-around' form of the roof structure appears to be clad in re-con stone; the roof structure is indicated as being 125mm deep, the detail of how this can be achieved successfully can be secured by way of conditions.

Another issue of concern was the large three-storey blank wall on the NE boundary, which in terms of urban design has the potential to be an obtrusive and blank element that could dominate the Alice Street-scape, and thereby a negative element within the Conservation Area. While the Alice Street car-park is a potential development site (that would obscure this element), Officers must consider it to be exposed as existing; this being the case, Officers would require this wall to make a more positive contribution to the local townscape. The proposed three blanked window reveals are a positive start but, given its scale, more interest would be beneficial, for example with blind reveals to the ground level as well.

Overall, Officers consider that this proposal still has generally resolved its main issues with regard to the sensitivities of the Conservation Area context, and further assurance of quality can be reached via conditioned details and materials. The scheme is acceptable in terms of its detailed design and would preserve the character and appearance of the conservation area.

The scheme originally proposed the use of timber cladding at ground-floor level which Officers did not consider to be acceptable as it is generally not a robust enough material to be used at this level on a frontage. The applicant agreed to omit the use of timber at ground floor and samples and details of the alternative proposed
materials could be secured by way of a condition.

76 Objections were received from occupiers of Green Walk to the second floor, which they consider is contrary to refusals for roof extensions to the existing two storey properties in Green Walk. Those properties are subject to assessment under the adopted Residential Design Standards which make it clear that in an existing terrace with an unaltered roofline, where a roof extension would interrupt the unbroken butterfly roof profile of the existing terrace, a roof extension which would be visible from street or long views will not be acceptable.

77 In the case of No. 4, it was assessed that the terrace was uniform and the appearance of the group was considered to be important from more distant views and the roof extension then proposed would appear as an anomaly and prominent feature that would unbalance the existing terrace along the roof line of the terrace. It was considered that this would have an adverse visual impact on the character and appearance of the building, the row of terrace and the surrounding area, and was refused for this reason. The building at the application site is not subject to the same assessment because it is not part of an existing uniform terrace; it would be visually a quite new and separate entity and although it should appear as a coherent part of the streetscene, it is not considered as being an extension to the terrace.

Planning obligations [S.106 undertaking or agreement]

78 A planning obligation to secure car free housing within the CPZ should be secured in order to promote sustainable travel choices in accordance with the Council's traffic restraint policies and to prevent additional demand for parking in accordance with policies on transport impacts. The applicant agreed to this in principle and the agreement has been drafted.

Other matters

79 Flood risk
The site is located in a Flood Risk 3 area. The proposed scheme meets the Planning Policy Statement 25 sequential test. Within the London Plan, Southwark has a target of providing 16,300 new dwellings in the period 2007/8-2016/17 at rate of 1,630 dwellings per year. A total of 12,523 are expected to be provided on sites designated within the emerging Southwark UDP. The majority of these sites, like the application site, are located in Flood Zone 3 with a small minority in Flood Zone 2. On the sites in Flood Zones 1 and 2 which are currently available for development, there is capacity to provide approximately 1852 dwellings. As such, sites within Flood Zone 3 will need to be developed if housing targets are to be achieved.

80 The proposal site is located on previously developed land and there are strong sustainability reasons why the site should be redeveloped. It has good access to public transport and is capable of providing additional housing on the site. It is also within the Central Activities Zone which is recognised within the London Plan as being an area of intense development interest for a variety of land uses; and where retail, office, residential, culture and tourism uses should be protected and enhanced. For these reasons, it is considered that the Sequential and Exception Tests are met in relation to the development of this site within a high probability flood risk zone.

81 Conditions are recommended at the request of the Environment Agency in order to mitigate the risks of flooding in accordance with Policy 3.9 Water of the Southwark Plan 2007.

Conclusion
The scheme is considered to be an efficient use of the site and designed to a good urban design standard and of a good quality in design within its context within the recently extended Bermondsey St Conservation Area, the character and appearance of which would be preserved. The scheme has been designed to minimise the impact on existing nearby residential occupiers as well as having taken into account impacts on the adjoining possible future development site to the north east (Alice St car park). The scheme itself would provide for an acceptable quality of accommodation for future occupants. Matters in relation to transport impacts can be mitigated by way of the proposed CPZ exemption to be secured by legal agreement, and mitigation in relation to flood risk, noise and air quality can be secured by way of conditions. For these reasons, consent is recommended subject to conditions and a S106.

COMMUNITY IMPACT STATEMENT

In line with the Council’s Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a] The impact on local people is set out above.

b] The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: none

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none required

SUSTAINABLE DEVELOPMENT IMPLICATIONS

The scheme involves the use of previously developed land and comprises development in an accessible location in relation to public transport.

HUMAN RIGHTS

This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term ‘engage’ simply means that human rights may be affected or relevant. This application has the legitimate aim of providing for additional residential accommodation. The rights potentially engaged by this application, including a right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

LEAD OFFICER Gary Rice Head of Development Management
REPORT AUTHOR Becky Baker Team Leader - Development Management [tel. 020 7525 1137]
CASE FILE TP/2054-67
Papers held at: Regeneration and neighbourhoods dept.
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Appendix 1 - List of consultees

Neighbour Consultee List for Application Reg. No. 08-AP-1066
35-37 TOWER BRIDGE ROAD LONDON SE1 4TL
10 GREEN WALK LONDON SE1 4TU
45 TOWER BRIDGE ROAD LONDON SE1 4TL
FLAT 1 - 9 45 TOWER BRIDGE ROAD LONDON SE1 4TL
47 TOWER BRIDGE ROAD LONDON SE1 4TL
1 GREEN WALK LONDON SE1 4TU
11 -26 (cons) GREEN WALK LONDON SE1 4TU
3 - 9 (cons) GREEN WALK LONDON SE1 4TU
71 REPHIDIM STREET LONDON SE1 4XD
73 REPHIDIM STREET LONDON SE1 4XD
75 REPHIDIM STREET LONDON SE1 4XD
33 TOWER BRIDGE ROAD LONDON SE1 4TL
45-47 TOWER BRIDGE ROAD LONDON SE1 4TL
49 TOWER BRIDGE ROAD LONDON SE1 4TL
25 TOWER BRIDGE ROAD LONDON SE1 4TL
41 TOWER BRIDGE ROAD LONDON SE1 4TL
31 TOWER BRIDGE ROAD LONDON SE1 4TL
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33A TOWER BRIDGE ROAD LONDON SE1 4TL
33B TOWER BRIDGE ROAD LONDON SE1 4TL
FLAT 1 - 9 39-43 TOWER BRIDGE ROAD LONDON SE1 4TL
FLAT A 35-37 TOWER BRIDGE ROAD LONDON SE1 4TL
5A-7 GREEN WALK LONDON SE1 4TU
20 ALICE STREET LONDON SE1 4TH
29A TOWER BRIDGE ROAD LONDON SE1 4TL
39 TOWER BRIDGE ROAD LONDON SE1 4TL
27 TOWER BRIDGE ROAD LONDON SE1 4TL
FLAT 2 29 TOWER BRIDGE ROAD LONDON SE1 4TL
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BLOCK C FLAT 206 27 GREEN WALK LONDON SE1 4TQ
BLOCK B FLAT 102 27 GREEN WALK LONDON SE1 4TX
FLAT 10 51-53 LEROY STREET LONDON SE1 4SR
FLAT D 65 TOWER BRIDGE ROAD LONDON SE1 4TL
FLAT E 65 TOWER BRIDGE ROAD LONDON SE1 4TL
RECOMMENDATION
LDD MONITORING FORM REQUIRED

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.

Applicant: METROSOLTD
Reg. Number: 08-AP-1066
Application Type: Full Planning Permission
Recommendation: Grant permission
Case Number: TP/52-A

Draft of Decision Notice

Planning Permission was GRANTED for the following development:
Erection of a 3 storey building accommodating 3 flats (1 x 1 bedroom and 2 x 2 bedroom)

At: CORNER OF GREEN WALK, ALICE STREET, LONDON SE1

In accordance with application received on 01/05/2008 08:00:23
and revisions/amendments received on 08/01/2010


Design and Access Statement April 2008; Flood risk assessment (Galliard Homes); Tuflow Breach Analysis prepared by
PBA dated 23/4/2009; Emails dated 24/2/2010 and 8/1/2010 from Galliard Homes; Site waste management and audit
procedures Rev A 28/4/2008; Statement in response to the extension of the conservation area - Jan 2010

Subject to the following condition:

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

Reason
As required by Section 91 of the Town and Country Planning Act 1990 as amended

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following
approved plans:

Reason:
For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place within the proposed development site until the applicant, or their agents or
their successors in title, has secured the implementation of a programme of archaeological work in accordance
with a written scheme of investigation, which has been submitted to the planning authority and approved in
writing.

Reason
To ensure that the archaeological operations (archaeology evaluation and any subsequent mitigation works)
are undertaken to an appropriate standard, that the archaeological interests of the site are appropriately
managed, that any findings are appropriately disseminated, that any recovered artefacts are conserved and
that the information is archived, in accordance with policy 3.19 Archaeology of the Southwark Plan 2007.

4. No development shall take place within the proposed development site until the applicant, or their agents or
their successors in title, has produced a detailed scheme showing the complete scope and arrangement of the
foundation design and ground works, which have been submitted to the planning authority and approved in
writing.

Reason
To ensure that significant archaeological remains are not disturbed or damaged by foundations and related
works, but are, where appropriate, preserved in situ, in accordance with policy 3.19 Archaeology of the

5. Details of soundproofing to be inserted between the ground floor and first floor, and between the first floor and
second floor, in relation to the flats hereby approved, shall be submitted to and approved in writing by the Local
Planning Authority prior to works commencing on site. The soundproofing shall be designed so that the performance of the separating element shall ensure that a performance of at least 5dB better than those stated in Building Regulations Approved Document E (Resistance to the passage of sound) shall be achieved. The soundproofing thereafter approved shall be installed in strict accordance with the approved details prior to the first occupation of the dwellings hereby permitted and be retained as such thereafter.

Reason:
In order to safeguard the amenities of the prospective occupants of the ground and first floor flats given the stacking of rooms that is proposed, and in order to accord with Policy 3.2 ‘Protection of Amenity’ of the Southwark Plan 2007.

6 Notwithstanding the details of materials shown on Dwg No 465-P-308, and in accordance with email dated 8/1 2010 from Galliard Homes, the ground floor cladding shall not include timber.

Reason
In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the appearance of the building and the character and appearance of the conservation area in accordance with Policies 3.12 Quality in Design, 3.13 Urban Design and 3.16 Conservation areas of The Southwark Plan 2007.

7 Samples of all facing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. The facing-brick shall be a close-match to the existing terrace.

Reason
In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the appearance of the building and the character and appearance of the conservation area in accordance with Policies 3.12 Quality in Design, 3.13 Urban Design and 3.16 Conservation Areas of The Southwark Plan 2007.

8 1:5 section detail-drawings through all principal elements/details of: a) the set-back link; b) upper parapet-wall; c) second-floor roof and wall structure; d) the fin-wall that returns to ground-level; e) all openings; and f) the low-level front garden-wall, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is carried out; 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 design and details in the interest of the appearance of the building and the character and appearance of the conservation area in accordance with Policies 3.12 Quality in Design, 3.13 Urban Design and 3.16 Conservation Areas of The Southwark Plan 2007.

9

**Reasons for granting planning permission.**

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


c] Planning Policy Statements [PPS] and Guidance Notes [PPG] [insert references].

Particular regard was had to [insert particular issue, e.g. loss of public open space] that would result from the proposed development but it was considered that this would be outweighed by the [insert details, e.g. provision of educational and social benefits] 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.

**Informative**

In relation to the conditions on archaeology, the Council's Archaeology Officer can, on request, provide an archaeological brief detailing the methodology of the archaeological programme and can also provide information on concerning archaeological organisations who work frequently within the Borough and who may be able to carry out the works. Please email planning.enquiries@southwark.gov.uk or phone the Duty Planner on 020 7525 5438 for more information.
**Item No.** | **Classification:** | **Date:** | **Meeting Name:**  
--- | --- | --- | ---  
5 | OPEN | 22-03-2010 | BOROUGH AND BANKSIDE COMMUNITY COUNCIL  

**Report title:** Development Management planning application: Application 09-AP-2285 for Full Planning Permission  
**Address:** UNIT 4, 3-5 OSWIN STREET, LONDON, SE11 4TF  
**Proposal:** The retention of an enlarged rear window at first floor (Retrospective)  

**Ward(s) or groups affected:** Cathedrals  

**From:** HEAD OF DEVELOPMENT MANAGEMENT  

**RECOMMENDATION**  
1 Grant planning permission subject to conditions  

**BACKGROUND INFORMATION**  

**Site location and description**  
2 The proposal site is a self-contained flat at first floor level of this terraced property located on the western side of Oswin Street. The property is four storeys high, and divided into 7 self-contained flats. The neighbouring properties in the terrace are similar properties with two storey rear projections and single storey annexes.  
3 The site is within the Elephant and Castle Opportunity Area, a Transport Development Area, and is within the Central Activities Zone. To the rear of Oswin Street, in Elliott's Row, is a four storey block of flats.  
4 The site is not located within a conservation area and the building is not listed.  

**Details of proposal**  
5 The retention of an enlarged rear window at first floor (Retrospective).  
6 The replaced window at the rear of the property, in the same location but larger than the window that had been replaced. The replacement window is timber framed.  

**Planning history**  
7 TP/1049/1/PRC - Conversion of an existing house into 2 self-contained flats (1x2 bed, 1x1 bed) and 1 self-contained 3 bed maisonette, together with the erection of a rear extension at 3 Oswin Street - granted 27 April 1986.  
8 TP/1049/1/SB - The conversion of and the erection of a single storey rear extension to provide 7 self-contained flats at 3-5 Oswin Street - granted 6 January 1987.
Planning history of adjoining sites

None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

9 The main issues to be considered in respect of this application are:

a) the principle of the development in terms of land use and conformity with strategic policies.

b) impacts on amenities

c) impact on the character and appearance of the streetscene

Planning policy

Southwark Plan 2007 (July)

10 3.2 Protection of amenity
   3.12 Quality in design
   3.13 Urban design

11 Residential Design Standards SPD 2008

London Plan 2008 consolidated with alterations since 2004

12 None relevant.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

13 None relevant.

Principle of development

14 The principle of alteration to the window in connection with the existing residential use is acceptable subject to assessment of quality in design, impact on character and appearance of the streetscene, and on amenities of surrounding occupiers. These matters are assessed below.

Environmental impact assessment

15 Not required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

16 No further overlooking would result from the works beyond that already experienced. Residents have referred to the window as being a door, however it does not have a level access as the window is above the internal floor of the property and therefore is technically not a door. However, objectors raised the issue that the window is being used to access the flat roof of the single storey rear extension and that the flat roof is being used as a roof terrace. Although the roof should not be used as a roof terrace without the necessary safety railings, this can be addressed by condition to control the use of the flat roof. By conditioning that the flat roof may not be accessed and used as a roof terrace it will safeguard the residents against further loss of privacy while still
allowing access for maintenance or in case of an emergency.

**Impact of adjoining and nearby uses on occupiers and users of proposed development**

17 None

**Traffic issues**

18 None

**Design issues**

19 The replacement window is in the same place as the original window, apart from it being larger and timber framed. It is not considered that the building itself is of any great architectural merit. It is not considered that the proposal detracts from the appearance of the building.

20 The replacement window within the rear elevation of the building would not create an increase of overlooking beyond that already experienced. Furthermore the replacement window would not affect the amenities of any surrounding occupiers in terms of noise or disturbance.

21 Objections were received that the description of the application is incorrect as this is not a window but a large glass door. This is not the case as the window is raised approximately 250mm from the internal floor level.

22 As such the proposal is in keeping with Policy 3.12 'Quality in Design' and Policy 3.13 'Urban Design'.

**Impact on character and setting of a listed building and/or conservation area**

23 The site is not within a conservation area nor is it listed.

**Impact on trees**

24 None

**Planning obligations (S.106 undertaking or agreement)**

25 None

**Sustainable development implications**

26 None

**Other matters**

27 Objections received that the flat roof is not weight bearing and do not have guard railings which makes it unsafe. This is not considered to be a material planning consideration; however this could be dealt with through Building Control’s requirements. Records of Building Control do not show any complaints received for the use of the roof as a terrace or any inspections undertaken to inspect the structural integrity of the roof. Building Control has no objection to the retention of an enlarged rear window at first floor.

28 If guard railings were to be provided addressing safety issues planning permission would be required for the erection of the guard railings and for the use of the roof as a terrace.
Furthermore objections were received that the applicant does not have permission from the Freeholders to carry out works at the application site. This is not a material planning consideration and therefore cannot be taken in consideration in assessing this application.

Conclusion on planning issues

Particular regard was had to the appearance of the proposed works, where it was considered that the works would not harm the character and appearance of the host building or the streetscene, and that there would be no harm in relation to amenities in particular privacy that would result from the proposed development. It is therefore recommended that planning permission be granted.

Community impact statement

In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as: None

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: Not required

Consultations

Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

Details of consultation responses received are set out in Appendix 2.

Human rights implications

This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

This application has the legitimate aim of providing for works in connection with existing residential use of the site. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

N/A
REASONS FOR LATENESS

40 The application received 3 letters of objection and therefore need to be decided at Community Council Level.

REASONS FOR URGENCY

41 None
### BACKGROUND DOCUMENTS

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<th>Background Papers</th>
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<tr>
<td>Site history file: TP/1049-5</td>
<td>Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ</td>
<td>Planning enquiries telephone: 020 7525 5403</td>
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<td>Application file: 09-AP-2285</td>
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<td>Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a></td>
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<td>Southwark Local Development Framework and Development Plan Documents</td>
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<td>Case officer telephone:: 020 7525 5451</td>
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<td>Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a></td>
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### APPENDICES

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<td>Neil Loubser</td>
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### CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER

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<td>Strategic Director of Environment and Housing</td>
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<tr>
<td>Date final report sent to Constitutional / Community Council / Scrutiny Team</td>
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Consultation undertaken

42 Site notice date: 04/02/2010
43 Press notice date: Not required
44 Case officer site visit date: 04/02/2010
45 Neighbour consultation letters sent: 05/02/2010

Internal services consulted:

46 None

Statutory and non-statutory organisations consulted:

47 None

Neighbours and local groups consulted:

48 26 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
28 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
30 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
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39 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
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FLAT 5 5 OSWIN STREET LONDON SE11 4TF
FLAT 2 5 OSWIN STREET LONDON SE11 4TF
FLAT 1 3-5 OSWIN STREET LONDON SE11 4TF
FLAT 3 5 OSWIN STREET LONDON SE11 4TF
FLAT 7 5 OSWIN STREET LONDON SE11 4TF
FIRST TO THIRD FLOORS 7 OSWIN STREET LONDON SE11 4TF
21 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
23 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
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40 HAYLES BUILDINGS ELLIOTTS ROW LONDON SE11 4TB
UPPER FLAT 7 OSWIN STREET LONDON SE11 4TF
LOWER FLAT 7 OSWIN STREET LONDON SE11 4TF

Re-consultation:

49 None
APPENDIX 2

Consultation responses received

Internal services

50 None

Statutory and non-statutory organisations

51 None

Neighbours and local groups

52 In response to the consultation, four letters of objection were received, from the following addresses:

53 Flat 6, 5 Oswin Street:
Objections were raised on grounds of :
- The enlarged rear window at first floor level is in fact a door giving access to the flat roof of the single storey ground floor extension at the rear of the site;
- Safety as the roof may not be load bearing and do not have guard railings;
- The freeholders do not wish to take responsibility for the use of the unsafe roof;
- The use of the flat roof may lead to potential damage; and
- Loss of privacy by using the roofspace.

54 Flat 3, 5 Oswin Street:
Same objections as Flat 6.

55 Flat 2, 5 Oswin Street:
Objections were raised on grounds of :
- The enlarged rear window at first floor level is in fact a door giving access to the flat roof of the single storey ground floor extension at the rear of the site;
- Safety as the roof may not be load bearing and do not have guard railings;
- The freeholders do not wish to take responsibility for the use of the unsafe roof;
- The use of the flat roof may lead to potential damage.

56 Undisclosed address:
Objections were raised on grounds of :
- That the description of the application is incorrect as this is not a window but a large glass door;
- Overlooks their garden and this results in loss of privacy

57 A letter of support received from Flat 7, 3-5 Oswin Street.
APPENDIX 3

Insert title
RECOMMENDATION

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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<tr>
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<th>Mrs. Irina Waterhouse</th>
<th>Reg. Number</th>
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<td>Case Number</td>
<td>TP/1049-5</td>
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<td>Recommendation</td>
<td>Grant permission</td>
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Draft of Decision Notice

Planning Permission was GRANTED for the following development:
The retention of an enlarged rear window at first floor (Retrospective)

At:    UNIT 4, 3-5 OSWIN STREET, LONDON, SE11 4TF

In accordance with application received on 09/10/2009

and Applicant's Drawing Nos. Site Plan, photographs

Drawings marked Internal and External

Subject to the following condition:

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

   Reason
   As required by Section 91 of the Town and Country Planning Act 1990 as amended

2. The roof of of the single storey rear extension shall not be used other than as a means of escape and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

   Reason
   In order that the privacy of the residents at 3-5 Oswin Street, SE11 may be protected from overlooking from use of the roof area in accordance with Policy 3.2: ‘Protection of Amenity' of the Southwark Unitary Development Plan 2007.

Reasons for granting planning permission.

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

a) Policies 3.2 Protection of amenity, 3.12 Quality in design, 3.13 Urban design of the Southwark Plan [July 2007].

   Particular regard was had to the appearance of the existing house in relation to the proposed alterations, where it was considered that the works would not harm the character and appearance of the conservation area, and the impact on amenity of adjoining properties through the loss of privacy. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Classification:</th>
<th>Date:</th>
<th>Meeting Name:</th>
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<tr>
<td></td>
<td>OPEN</td>
<td>22 March 2010</td>
<td>Borough and Bankside Community Council Meeting</td>
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**Report title:** Development Management Information Report:
Planning Appeal Decisions for the Borough and Bankside Community Council Area between 1.10.2009 and 8.3.2010

<table>
<thead>
<tr>
<th>Ward(s) or groups affected:</th>
<th>Cathedrals</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Head of Development Management</td>
</tr>
</tbody>
</table>

**RECOMMENDATION**

1. To note the contents of the enclosed appeal decisions.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

Strategic Director of Communities, Law and Governance

2. Not applicable

**REASONS FOR URGENCY**

3. Not applicable
BACKGROUND DOCUMENTS

<table>
<thead>
<tr>
<th>Background Papers</th>
<th>Held At</th>
<th>Contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwark Local Development Framework and Development Plan Documents</td>
<td>Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ</td>
<td>Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone:: 020 7525 5453 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a></td>
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APPENDICES

<table>
<thead>
<tr>
<th>No.</th>
<th>Title</th>
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<tbody>
<tr>
<td>Appendix 1</td>
<td>Consultation undertaken</td>
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<tr>
<td>Appendix 2</td>
<td>Consultation responses received</td>
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AUDIT TRAIL

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<th>Lead Officer</th>
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<tbody>
<tr>
<td>Report Author</td>
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<tr>
<td>Version</td>
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<tr>
<td>Dated</td>
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<tr>
<td>Key Decision</td>
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CONSULTATION WITH OTHER OFFICERS / DIRECTORIES / EXECUTIVE MEMBER

<table>
<thead>
<tr>
<th>Officer Title</th>
<th>Comments Sought</th>
<th>Comments included</th>
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<tbody>
<tr>
<td>Strategic Director of Communities, Law &amp; Governance</td>
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<tr>
<td>Strategic Director of Regeneration and Neighbourhoods</td>
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<tr>
<td>Strategic Director of Environment and Housing</td>
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</tr>
<tr>
<td>Date final report sent to Constitutional / Community Council / Scrutiny Team</td>
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</table>
APPENDIX 1

Appeal Decisions
Address: 112 ST GEORGES ROAD, LONDON, SE1 6EU  
Application No.: 09-AP-0953  
Ward: Cathedrals  
Community Council: Borough and Bankside  
Proposal: Retention of a steel frame with PVC roof above the rear first floor terrace.

Appeal Decision: Dismissed  
Date of Decision: 24/02/2010  
Appeal Type: Refusal of Planning Permission  
Appeal Ref.: A/5840/A/09/2113805  
Recommendation: Refuse permission  
Decision Level: Delegated Officer  
Council's Decision: Refused  
Date of Decision: 07/09/2009

Summary of Decision:
This appeal was dismissed.

The Inspector concluded that the appearance of the structure was one of a steel frame with a clear PVC sheet roof. Due to lack of any trim around the structure it had an unfinished appearance about it. While seen from the street he concluded that the roof was an inappropriate addition to the listed building and puts the structure in conflict with Policy 3.17 and 3.18. For that reason the structure also failed other policies in the Southward Plan referred to in reason No. 1.

However, he found no harm to amenities of the local residents and therefore found no objection in terms of Policy 3.2.

The Inspector had regard for the position of the applicant in terms of eschewing modern trappings of life but found nothing to outway the concerns raised in the first paragraph and concluded that the applicant could have found a suitable solution with relatively little thought or expense.
Southwark Development Control

Planning Appeals decided between 01/10/2009 and 08/03/2010 for Borough & Bankside CC area

Address: 75-76 BLACKFRIARS ROAD, LONDON, SE1 8HA & 1 BURROWS MEWS, LONDON SE1 8LD
Application No.: 08-AP-3067

Ward: Cathedrals
Community Council: Borough and Bankside

Proposal: Refurbishment of existing lower ground floor offices. Internal alterations of ground and upper floors for the conversion of existing listed building facing Blackfriars Road into a hotel. Installation of platform lift at front. Demolition of existing property at 1 Burrows Mews and erection of three storey building plus basement to create 2 No. one bedroom flats and 1 No. live/work unit.

Appeal Decision: Dismissed
Date of Decision: 03/03/2010

Appeal Type: Refusal of Planning Permission
Appeal Ref.: E/09/2112785

Recommendation: Refuse permission

Council's Decision: Refused
Decision Level: Delegated Officer
Date of Decision: 07/04/2009

Summary of Decision:

Appeal was dismissed

The Inspector considered that there were three main issues - whether the loss of residential floorspace would be significant, whether the design of the proposed new building and its impact on the setting of listed 75-78 Blackfriars Road are acceptable and whether the residential environment would be acceptable, particularly with regard to internal space standards, daylighting and the possibility of noise or odours from the extraction units at the rear of 74 Blackfriars Road.

In respect to the first issue, the Inspector regretted the loss of the residential accommodation but concluded that it would be a small net loss which would not be a determinative objection.

On the second issue, the Inspector concluded that the proposed design was a distinctive one, and unequivocally modern. The proposed design, while distinctive, would not appear to any material extent incongruous or obtrusive in the street scene. The proposal would also not harm the setting of the listed buildings at 75-78 Blackfriars Road.

In respect to the third issue, the Council acknowledges that environmental standards are good but criticizes the space standards and the extensive use of obscure glass. The Inspector was concerned that the bedroom of the live/work unit would be just 75-85% of the minimum area sought by the Council. He also concluded that the floor area in the first floor flat was substandard in all respects while the nature of the natural lighting in the living area must raise doubts. The second floor flat is also substandard with the living area being less than 755 of what is sought in the Standards, and again the natural lighting raises doubts.

His concern was not in respect to lighting to the upper floors which was satisfactory but to the outlook for residents leading to a claustrophobic atmosphere. The more important conclusion is the very moderate floorspace of the three units which conflict with Policy 4.2 and the Residential Design Standards.

However, subject to the imposition of conditions, the Inspector found no compelling objection in relation to policy 3.2.
Southwark Development Control

Planning Appeals decided between 01/10/2009 and 08/03/2010 for Borough & Bankside CC area

<table>
<thead>
<tr>
<th>Address: 75-76 BLACKFRIARS ROAD, LONDON, SE1 8HA &amp; 1 BURROWS MEWS, LONDON SE1 8LD</th>
<th>Application No.: 08-AP-3068</th>
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<td>Proposal: Refurbishment of existing lower ground floor offices. Internal alterations of ground and upper floors for the conversion of existing listed building facing Blackfriars Road into a hotel. Installation of platform lift at front. Demolition of existing property at 1 Burrows Mews and erection of three storey building plus basement to create 2 No. one bedroom flats and 1 No. live/work unit.</td>
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<table>
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<th>Appeal Decision: Allowed</th>
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<td>Appeal Type: Refusal of Listed Building Consent</td>
<td>Appeal Ref.: A/09/2111716</td>
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<td>Recommendation: Refuse permission</td>
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<td>Council's Decision: Refused</td>
<td>Date of Decision: 07/04/2009</td>
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</tbody>
</table>

Summary of Decision:
The Inspector allowed the appeal in respect to the listed building consent.

The Inspector considered that there was little merit to this Listed Building and that the proposal seeks to retain worthwhile features and therefore there is nothing contrary to Policy 3.17 of the Southwark Plan or Planning Policy Guidance Note No. 15: Planning and the Historic Environment.
**DISTRIBUTION LIST MUNICIPAL YEAR 2009/10**
**BOROUGH & BANKSIDE COMMUNITY COUNCIL**
Original held by the Community Council Team; amendments to Tim Murtagh
(Tel: 020 7525 7187)

<table>
<thead>
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<th>OPEN</th>
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<td><strong>To all Members of the Community Council:</strong></td>
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<tr>
<td>Cllr Mackie Sheik (Chair)</td>
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<tr>
<td>Cllr Lorraine Zuleta (Vice-chair)</td>
<td>1</td>
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<tr>
<td>Cllr Danny McCarthy</td>
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<tr>
<td>Cllr Tim McNally</td>
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<tr>
<td>Cllr Adele Morris</td>
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<tr>
<td>Cllr David Noakes</td>
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<td>Local Studies Library</td>
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<td>South London Press</td>
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<td>Suzan Yildiz (legal officer, Tooley Street 2nd floor)</td>
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<tr>
<td><strong>Constitutional Support Officer</strong></td>
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<tr>
<td>(Hub 4 2nd floor, 160 Tooley Street)</td>
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<td>Geoffrey Bannister</td>
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<td>LBS Audit Manager</td>
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<td><strong>TOTAL DISTRIBUTION</strong></td>
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Dated: 11 March 2010