

Planning Sub-Committee A

Tuesday 10 February 2015

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor James Barber (Vice-Chair)
Councillor Nick Dolezal
Councillor Lucas Green
Councillor Vijay Luthra
Councillor Eliza Mann
Councillor Sandra Rhule

Reserves

Councillor Stephanie Cryan
Councillor Chris Gonde
Councillor Rebecca Lury
Councillor David Noakes
Councillor Rosie Shimell
Councillor Johnson Situ

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

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Contact

Sean Usher on 0207 525 2713 or email: sean.usher@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 2 February 2015



Planning Sub-Committee A

Tuesday 10 February 2015

7.00 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
4.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
5.	DEVELOPMENT MANAGEMENT ITEMS	1 - 6
	5.1. 96 WEBBER STREET, LONDON SE1 0QN	7 - 28
	5.2. 163 -167 GRANGE ROAD, LONDON SE1 3AD	29 - 57
	5.3. THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON SE1 1TY	58 - 81
	5.4. THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON SE1 1TY	82 - 97
	5.5. 2A BAWDAL ROAD, LONDON SE22 9DN	98 - 112
	5.6. SOUTHWARK PARK, GOMM ROAD, LONDON SE16 2TL	113 - 124



PLANNING SUB-COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda but may be varied at the chair's discretion.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Members of the planning sub-committee are responsible for making planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the sub-committee (if they are present and wish to speak) for **not more than three minutes each**.

- | |
|---|
| <ol style="list-style-type: none">(a) One representative (spokesperson) for any objectors. Should there be more than one objector wishing to speak, the time will be divided within the three minute time slot.(b) The applicant or applicant's agent.(c) One representative (spokesperson) for any supporters who live within 100 metres of the development site.(d) Ward councillor (spokesperson) from where the proposal is located.(e) Following verbal submissions, members of the sub-committee will debate the application and consider the recommendation. |
|---|

Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. Where a number of people wish to either object to or support an application, or an enforcement of action, they are requested to identify a representative to address the sub-committee. Alternatively, should more than one person wish to speak, the three minute time allowance will be divided amongst those who wish to speak.

If objectors/supporters are unable to decide who is to speak in advance of the meeting, they are advised to meet in the foyer of council offices immediately prior to the meeting to identify a representative. At the beginning of each relevant matter, the chair will invite any objectors/supporters to identify themselves.

Note: Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council sub-committee meeting, which is open to the public. There should be no interruptions from the audience.
7. No smoking is allowed at sub-committee. Please switch mobile telephones to silent whilst in the meeting room. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting. Please be considerate towards other people in the room when doing so and take care not to disturb the proceedings.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: Head of Development Management
Chief Executive's Department
0207 525 5437

Planning Sub-committee Clerk
Constitutional Team
Chief Executive's Department
0207 525 5824

Item No. 5.	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-committee
Report title:		Development management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning sub-committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are 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. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
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 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 budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the sub-committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the sub-committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning sub-committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal 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. 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).

15. 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, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007 and the 2011 London Plan. 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. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."
18. The obligation 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. Due weight should be given to relevant development plan policies according to their degree of consistency with the NPPF. The approach to be taken is that the closer the policies are to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Sarah Koniarski 020 7525 5824
Each planning sub-committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Gary Rice 020 7525 5437

APPENDICES

No.	Title
Appendix 1	Items to be determined by the planning sub-committee

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Sarah Koniarski, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	June 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		June 2014

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
ON TUESDAY 10 FEBRUARY 2015**

Appl. Type Full Planning Permission
Site 96 WEBBER STREET, LONDON SE1 0QN

Reg. No. 14-AP-0723
TP No. TP/1231-96
Ward Cathedrals
Officer David Cliff

Recommendation GRANT PERMISSION

Item 5/1

Proposal

Alterations and extensions to existing building, including construction of a mansard-style roof extension, roof terrace and the raising of part of parapet front wall on corner of Webber Street and Rushworth Street, to extend existing first floor residential unit. Retention and refurbishment of the existing ground floor workshops (Class B1). Construction of a new detached two bedroom, two-storey building at rear to accommodate a single family dwelling (Use Class C3).

Appl. Type Full Planning Permission
Site 163 -167 GRANGE ROAD, LONDON, SE1 3AD

Reg. No. 14-AP-1247
TP No. TP/32-163
Ward Grange
Officer Sonia Watson

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 5/2

Proposal

Erection of a new mixed-use development comprising of 7 storeys with 3 commercial units (retail, financial and professional services or office) & 20 residential units of mixed tenure (10, one bedroom, 6 two bedroom and 4 threebedroom units) with terraces.

Appl. Type Full Planning Permission
Site THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON, SE1 1TY

Reg. No. 14-AP-2245
TP No. TP/1145-D
Ward Cathedrals
Officer Wing Lau

Recommendation GRANT PERMISSION

Item 5/3

Proposal

Change of use of vacant office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on upper ground, first, second and third floors together with ancillary storage in the basement; roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration to the west wing of the building.

Appl. Type Listed Building Consent
Site THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON, SE1 1TY

Reg. No. 14-AP-2246
TP No. TP/1145-D
Ward Cathedrals
Officer Wing Lau

Recommendation GRANT PERMISSION

Item 5/4

Proposal

Installation of roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration and internal alterations to the west wing of the building in association with the change of use from office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on basement, upper ground, first, second and third floors

Appl. Type Full Planning Permission
Site 2A BAWDAL ROAD, LONDON, SE22 9DN

Reg. No. 14-AP-3856
TP No. TP/2633-A
Ward East Dulwich
Officer Neil Loubser

Recommendation GRANT PERMISSION

Item 5/5

Proposal

Change of use from MOT/car repair centre (Use Class B2) and ancillary office space to a single residential dwelling (Use Class C3) with alterations to the front and rear elevations.

Appl. Type Full Planning Permission
Site SOUTHWARK PARK, GOMM ROAD, LONDON, SE16 2TL

Reg. No. 14-AP-3065
TP No. TP/139-G
Ward Rotherhithe
Officer Dipesh Patel

Recommendation GRANT PERMISSION

Proposal

Construction of a block of two tennis courts enclosed by a 3m high black mesh fence

Item 5/6

Ordnance Survey

Date 29/1/2015



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Item No. 5.1	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/0723 for: Full Planning Permission Address: 96 WEBBER STREET, LONDON SE1 0QN Proposal: Alterations and extensions to existing building, including construction of a mansard-style roof extension, roof terrace and the raising of part of parapet front wall on corner of Webber Street and Rushworth Street, to extend existing first floor residential unit. Retention and refurbishment of the existing ground floor workshops (Class B1). Construction of a new detached two bedroom, two-storey building at rear to accommodate a single family dwelling (Use Class C3).		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 31/03/2014		Application Expiry Date 26/05/2014	
Earliest Decision Date 02/07/2014			

RECOMMENDATION

1. That the sub-committee grant planning permission subject to conditions.

BACKGROUND INFORMATION

2. This application was previously considered by Planning Sub Committee A at its meeting on 9 December 2014. At this meeting the Sub Committee decided to defer the determination of the application in order for Officers to clarify issues relating to the existing uses and planning units at the site, including the outdoor yard area.

Subsequently, further discussions have taken place with the applicant, the current occupier of one of the ground floor commercial units and other interested parties. A further site visit has also been undertaken and additional information has been provided by both the applicant and others.

The following is the original report, as updated and amended in order to clarify the situation relating to the existing uses of the site, taking into consideration all additional information provided.

Site location and description

3. The application site is an irregularly shaped parcel of land on the southern side of Webber Street at its junction with Rushworth Street. The site is occupied by a two storey building, with two workshops at ground floor, and with a residential unit and 'live work' unit above. One of the workshops (workshop 2) is occupied by a furniture making business whilst the other (workshop 1) is currently empty. There is also an external yard area adjacent to the workshops with access from Rushworth Street, containing several small buildings and structures.

4. The area is within the Bankside and Borough Opportunity Area, the Central Activities Zone (CAZ) and the Kings Bench Conservation Area.
5. To the south-east of the site is a smaller parcel of enclosed land providing access to the railway viaduct to the east. To the west on the opposing side of Rushworth Street looking from north to south are 94 Webber Street, (a (business use with residential above of three storeys), 30 Rushworth Street, (a four storey infill residential development) and no.92 Webber Street (a large residential development ranging in height from four to eight storeys).
6. To the north of the site, on the opposing side of Webber Street is 63 Webber Street, a two storey light industrial (B1 Use) development comprising a set of units with a yard to the east. To the north-west is nos 24-28 Rushworth Street a 3 storey business premises. Existing residential development is located on the opposite side of Rushworth Street to the site.
7. Webber Street and Rushworth Street are unclassified roads.

Details of proposal

8. The application proposals include alterations and extensions to the existing building, including construction of a mansard-style roof extension, roof terrace and the raising of part of parapet front wall of the existing building in order to enlarge the existing first floor residential unit, creating an extra storey to this part of the building on the corner of Webber Street and Rushworth Street. This existing dwelling will become a three bedroom unit (or two bedroom with additional study as shown on the application drawings). An external terrace area will be created for this unit at second floor level at the front corner of the building. The existing ground floor workshops will be retained and refurbished. The use of remaining first floor unit will be unaffected by the proposals.
9. The proposals also include a new detached two bedroom, two-storey building to be sited within the southern part of the site (existing yard area), adjacent to the existing building and fronting onto Rushworth Street. The proposal includes an 'L' shaped private garden, between the railway arches, the existing workshop building and the southern boundary of the site to serve the new detached dwelling.
10. The residual open, undeveloped area to the west of the new garden will serve as a service and access yard, to serve the two workshops.
11. Refuse storage will be provided in the form of an enclosure adjacent to the service yard.

Planning history

12. 12/EQ/0181 Application type: Pre-Application Enquiry (ENQ)
Alterations and extensions to existing building to create building of three storeys with two storey workshop at rear accommodating two flats and workshop (B class use) at ground floor level, one flat at first floor level and one maisonette at first and second floor level (4 flats in total comprised of 3 x two-bed and 1 x three bed).

Officers advised that revisions were needed in terms of the roof form and materials for the new extension to the workshop building; original windows should be retained; overlooking may arise within the site between the units proposed but that in principle the scheme could be made to be acceptable subject to the council being satisfied regarding the employment uses and related issues.

13-AP-3507 - Application for full planning permission for alterations and extensions to existing building, including construction of a Mansard-style roof extension, roof terrace and the raising of part of parapet front wall on corner of Webber Street and Rushworth Street, to create 4 residential units (Use Class C3) and construction of a new detached two-storey building at rear to accommodate a workshop (Use Class B2) at ground floor level with ancillary office space over.

This application was withdrawn at the request of the applicant as it faced possible refusal due to the absence of a Flood Risk Assessment and in order to respond through further revisions to the scheme as a result of objections raised to the proposal.

Planning history of adjoining sites

13. Planning permission was granted in 2007 at 92 Weber Street for Demolition of existing building and construction of a part 4, 5, 6, 7, 8 storey building to provide a total of 75 dwellings, communal facility, communal gardens, landscaping and basement car parking (amendments to planning permission 04-AP-0563). This scheme was permitted and subsequently built and is the residential development that is due west of the site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
- a) The principle of the development in land use terms and the loss of employment floorspace within the site
 - b) Design implications including the impact of the proposals on the Kings Bench Conservation Area
 - c) The impacts of the proposals upon the living conditions of neighbouring properties
 - d) The standard of the proposed residential accommodation
 - e) Highways, parking and servicing issues
 - f) The sustainability of the development proposals.

Planning policy

The following policies are of particular relevance to this proposal:

15. National Planning Policy Framework (the Framework) 2011

- 1) Building a strong, competitive economy
- 6) Delivering a wide choice of high quality homes
- 7) Requiring good design

London Plan July 2011 consolidated with revised early minor alterations October 2013

- Policy 2.10 – Central Activities Zone – Strategic Priorities
- Policy 2.11- Central Activities Zone – Strategic Functions
- Policy 2.11- Central Activities Zone – Predominantly Local Activities
- Policy 3.3 - Increasing housing supply
- Policy 3.5 - Quality and design of housing developments
- Policy 3.8 - Housing choice
- Policy 6.9 - Cycling

Policy 6.10 - Walking
 Policy 7.14 - Local Character
 Policy 8.3 - Community infrastructure levy

Core Strategy 2011

SP1 - Sustainable Development
 SP2 - Sustainable transport
 SP5 - Providing new homes
 SP10 - Jobs and businesses
 SP12 - Design and conservation
 SP13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.4 - Employment sites outside the preferred office locations and preferred industrial locations
 Policy 1.5 - Small Business Units
 Policy 1.6 - Live/work units
 Policy 3.2 - Protection of amenity
 Policy 3.11 - Efficient use of land
 Policy 3.12 - Quality in design
 Policy 3.13 - Urban design
 Policy 3.14 - Designing out crime
 Policy 3.16 - Conservation areas
 Policy 4.2 - Quality of residential accommodation
 Policy 5.2 - Transport impacts
 Policy 5.3 - Walking and cycling
 Policy 5.6 - Car parking

Supplementary Planning Documents

Residential Design Standards 2011
 Sustainable Design and Construction 2009

Environmental Impact Assessment

16. The site is already in use and the new proposal seeks extensions and additions along with an additional two storey building. The proposed scheme is not of the size, scale, intensity or magnitude to require the preparation and submission of a Environmental Impact Assessment. The key impacts of the proposal upon the surrounding area are considered below.

Acceptability in principle and land use issues

17. The Core Strategy and London Plan identify the site as lying within an Opportunity Area and the Central Activities Zone (CAZ). Policy SP10 of the Core Strategy applies seeking to protect existing business floorspace in locations inside the CAZ.

18. Saved policy 1.4 (Employment Sites Outside the Preferred Office and Industrial Locations) of the Southwark Plan seeks to prevent the net loss of Class B floorspace in the Central Activities Zone, except where the following criteria apply :
- a) The applicant can demonstrate that convincing attempts to dispose of the premises, either for B Class use or for mixed uses involving B class, including redevelopment, over a period of 24 months , have been unsuccessful; or
 - b) The site or buildings would be unsuitable for re-use or development for B class use or mixed uses including B Class use, having regard to physical or environmental constraints; or
 - c) The site is located within a town or local centre in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B use. Where an increase in floor space is proposed, the additional floorspace may be used for suitable mixed or residential use.

Saved policy 1.5 Small Business Units seeks to protect and encourage appropriate business and commercial developments.

19. The proposed development will retain the two existing ground floor workshops (B1 use) and will increase the size of the existing first floor residential unit through a second floor extension and provide a new two bedroom residential unit within a new detached building located on part of the existing external yard area.
20. Given the retention of the existing ground floor workshops (with only a small loss of 5 sqms to allow for the new internal stair case to the first floor units) there will not be a significant net loss of floor space within the two actual workshops. The two workshops as proposed will provide a total of 132sqms of B1 floorspace, providing suitable accommodation for two small businesses.
21. The total area of the entire external yard is approximately 100 sqms. The applicant states that the majority of the external yard area is *sui generis* (timber storage) with only a small part of it being in B1 use (approx 15sqms). However, there is no detailed evidence to back up this assertion, and a Certificate of Lawful Use has not been either sought or granted. Representations received about the application have challenged the applicant's claim and have argued that the entire service yard is in B1 use, ancillary to the workshops.
22. Following recent inspections of the site and consideration of information received including that following the previous Sub Committee deferment of the application, the majority of the yard appears to be used in connection with and ancillary to the furniture business operating from workshop 2. Though not shown on the existing drawings submitted with the application, the yard contains three structures used in connection from the furniture business - a timber cabin, directly adjacent to the workshop, used as a kitchen and wc, a container used for timber storage and a timber structure used as a 'fuming chamber'. The area of these structures amounts to approximately 29 square metres. There also used to be a timber shed in the yard but this burnt down in August 2013 and has not been replaced. Planning permission would be required to replace this, which has not been sought, and accordingly no weight is given to this in the consideration of the merits of the current proposal. Whilst workshop 1 is currently empty (and has been for approximately two years) it appears that the smaller area of yard adjacent to the entrance to this workshop would be used as ancillary space to the B1 use as this would serve as the access/service area to this workshop. It is not absolutely clear how long the use of the yard has been used in connection with the furniture making business, but in the absence of any robust evidence to the contrary, on the balance of probability it appears that the lawful use of the entire yard is B1,

being ancillary to the use of the two workshops.

23. This loss of employment floor space needs to be considered in the context of Policy 1.4 and it is noted that the applicant has not provided any evidence in relation to the three tests in Policy 1.4 concerning the loss of employment floor space. However, the loss of B1 floorspace within the main building itself is very small (5sqms due to the provision of an internal staircase) and does not represent a material loss of employment floor space on the site. The application proposals, introducing a new dwelling onto the majority of the external yard area would leave a remaining area of approximately 19sqms to be used as a service access for the two refurbished workshops. The three existing structures in the yard would be lost, though these are secondary to the primary floor space within the main building and appear to have been erected without the benefit of planning permission. Whilst it is not clear whether the new arrangement will suit the requirements of the current occupier of workshop 2, the resulting employment floorspace with accompanying service access will provide two attractive and usable workshop spaces for small B1 businesses.
24. Whilst undoubtedly it will result in the loss of some employment land, Policy 1.4 is clear in relating to 'floorspace'. The majority of the external yard is open and the loss of 5 sqms of floorspace in the main building in addition to the loss of the existing external structures is not considered to amount to a significant loss of employment floorspace. The two workshop units will continue to provide good spaces for small business which along with the new residential accommodation will provide for an efficient redevelopment of this site. In conclusion on this matter, it is not considered that objection is warranted on this basis of the small loss of employment floor space.
25. There have been representations that the existing live work unit on the first floor of the building is in fact a wholly commercial unit. The applicant has refuted this claim, though there is no convincing evidence either way on this matter and it has not been possible to access this unit. In any case, this unit is not significantly altered by the development proposals and no change of use of it is proposed. It is recommended that a informative should be added to make it clear that this unit has not been considered as part of the application proposals and the decision should not be construed as authorising the use of this unit. The applicant would need to submit an application for a lawful development certificate in order to formally certify its lawful use.
26. The general principle of the development is therefore considered to be acceptable, offering an opportunity to refurbish this site and enhance its appearance within the streetscene and conservation area.

Design

27. The buildings on site to be retained and which dominate the site are a two storey block, brick faced with a part flat, part-pitched roof. The buildings are Victorian and contribute to the character and appearance of the Kings Bench Conservation Area of which they are part. The proposal makes alterations to the elevations of this building and extends the building in the form of a mansard roof to provide roof accommodation. On the southern half of the site, it is proposed to erect a detached two storey dwelling.
28. After negotiation with the applicants prior to the submission of the application, the scheme has been amended and carefully designed to take account of the character, materials and features of the existing buildings by using traditional materials and styles in the form of brick, slate cladding and timber casement windows. The size and scale of the extensions and new dwelling are now considered to be in keeping with the townscape around the site and would enhance this part of the conservation area.
29. Whilst the mansard roof extension will add height to the existing building it would

remain below the height of the adjacent viaduct and its overall scale and massing would respect the scale and proportions of the existing building, without appearing as unduly dominant or visually intrusive. The form and pitch of the mansard would replicate a traditional pitch and style and would not appear as incongruous. The new dwelling fronting onto Rushworth Street would create a new building frontage onto the street and would enhance the streetscene in contrast to the rather unsightly range of structures within the existing yard. Its modest height (6.3m) and size will make it subordinate in appearance to the main building and ensures that it will not appear as unduly dominant or incongruous with the surrounding town scape.

30. Consequently, it is considered that the proposal would be preserve the character and appearance of the Kings Bench Conservation Area, subject to conditions concerning materials, detailing of roof-designs and windows/openings. It is considered that the existing older buildings on site will be refreshed, enlarged and extended in an appropriate fashion.
31. The Conservation Area Advisory Group (CAAG) have expressed concern about the relationship between the proposed mansard roof and the existing pitched roof of the building. Through the imposition of a planning condition requiring further details of the junction between these roofs, the issue can be addressed.
32. In conclusion, the proposal is considered to accord with Policies 3.15 & 3.17 of the London Plan, SP12 of the Core Strategy and 3.12 & 3.13 & 3.16 of the Southwark Plan.

Standard of accommodation provided

33. The following tables provide details of the room and overall flat sizes for the two new residential units proposed.

Flat 1 (2b4p)	Proposed Floor space (sq.m)	SPD required standard (sq.m)
GIA	110	70
Double bed	12.2	12
Double bed	13.5	12
Lounge/kitchen/diner	28.5	30
Wc/Bathroom	7.2	3.5

Table 1

House (2b 4p)	Proposed Floor space (sq.m)	SPD required standard (sq.m)
GIA	124	95
Double Bedroom	14.7	12
Double Bedroom	20.4	12
Lounge/kitchen/diner	61m	30
Bathroom	4	3.5

Table 2

34. The proposal creates accommodation extending the existing flat above the ground floor workshops and creating a two storey detached dwelling in the existing yard in the southern half of the site. What the applicant identifies as a live work unit (flat 2) above the eastern workshop (workshop 1) is to be retained but is not significantly changed by the application proposals. The existing flat (flat 1) above workshop 1 to the west is to

be reconfigured internally to provide larger spaces/rooms and through the replacement of the existing flat roof with a mansard roof will have a second floor providing additional rooms. An external terrace area is to be created on the corner of the building at roof level.

35. The proposed two storey detached dwelling contains two bedrooms at first floor with a unified living space below. The new dwelling will have its own small private garden area at the rear.
36. In relation to the outlook and light to the existing flat 2, the new detached dwelling would be visible from the rear (south facing) windows. However, given the modest height and scale of the new dwelling, and the existence of unaffected windows in the opposite elevation, this impact would not result in significant harm to the occupiers.
37. Flat 1 achieves acceptable room sizes and GIA, to broadly comply with the Residential Standards SPD (see table 1). The flat will have useable spaces within its rooms, a good layout with respect to stacking and circulation spaces and dual aspect with sunlight and daylight reaching all the rooms within it. The flat will have amenity space of 10sq.m in the form of a roof terrace at the corner of the building. The amenity space would be partially screened by the raised brick parapet and glazed balustrade that will fringe the space. It would experience a degree of overlooking from the residential development to the west at 94 but it is considered that this would be at oblique angles which will make its impact less significant.
38. The new two bedroomed detached dwelling would comply with the room sizes and GIA required by the Residential Design Standards SPD. The dwelling would get ample light and would have more than one aspect. In terms of outlook, the ground floor rear windows would have limited outlook due to the proximity of the railway arches and the existing workshops. The windows at ground and first floor would look across to the residential development on the opposite side of Rushworth Street, with a separation distance of approximately 8.5 - 9m [to the facing windows]. Whilst less than the 12m recommended for buildings on either side of a road, this relationship is common in this area given the more dense level of development here. The amenity space for the dwelling would take the form of an 'L' shaped garden to the rear of the building. The garden would have an area that would fall somewhat short of the requisite 50 sq.m (it would provide 32 sq.m) for family housing. However, the amenity space would provide usable space for a two bedroom dwelling and is typical of that for the general form of development that characterise this built up area, rather than longer rear gardens. No significant harm or impacts would result.

Residential amenity issues (existing and proposed dwellings)

Overlooking

39. The proposal introduces residential accommodation above the existing building and also in the form of a freestanding two storey dwelling, resulting in new residential windows facing out from the site at ground, first and second floor levels. At ground floor, windows serving the existing workshops are present and it is simply proposed to retain these windows and the workshops they serve. Some of the windows at first floor serve the existing unit above the eastern workshop (workshop 2) and so their use and impact are established and thus do not stand to be considered by this application. The windows above the western workshop (no.1) would serve a kitchen/living room & bathroom at first floor and a study room and en-suite bathroom at second floor. Those windows look across at No. 63 Webber Street to the north. The relationship here is one of habitable and non-habitable domestic room windows looking at non-habitable room windows at no.63 from approximately 10 metres. Given that there are existing first floor windows which serve residential accommodation and that the existing and proposed will be looking across at non-residential windows serving workshop units

means that no significant overlooking or privacy concerns would occur.

40. An existing window at first floor will serve Flat 1. This window looks south-west, towards the residential properties on the western side of Rushworth Street. Currently the same windows serve the existing first floor flat above workshop 2. Given that this is an existing relationship, no objection is raised to its continuation. Flat 2 will have a roof terrace at second floor to be accessed from a new north-west facing opening in the new second floor extension to the building. The terrace would partially be screened by a glass balustrade behind the existing brick parapet and although there may still be a risk of overlooking of the flats to the west on Rushworth Street, a planning condition to seek a further more substantial but not visually intrusive screen is recommended to be conditioned to overcome any significant privacy issues. The new opening, a full height pair of glazed doors that would access the terrace would face north-west and the nearest windows it would observe would be sufficiently distant to not pose a significant amenity issue.
41. Flat 2 would have south-facing glazed openings (window and fixed shut door at first and windows at second floor). They would look across at the windowless first floor on the new detached dwelling proposed thus preventing any overlooking issue.
42. The new two storey detached dwelling would have windows at ground and first floors looking south-west towards the single aspect flats on the western side of Rushworth Street. They will serve habitable rooms and would face the balconies/terraces of flats on the opposite side of Rushworth Street flats, with a separation distance of approximately 7m from the proposed front windows to the balconies/terraces opposite. The window to window separation distance would be approximately 9 metres. Such separation distances are below the recommended separation distance of 12m between facing properties on either side of a road. However, the separation distance between windows is common in this part of the borough with narrow street widths. For example, the separation distance between the existing flat above Workshop 2 and the flats at the junction of Rushworth Street and Webber Street is approximately 7 metres. It is also relevant that there are only five windows within the new dwelling with its main living/dining room windows facing towards the rear. Although there will be some overlooking between the respective properties, this kind of close spatial relationship between buildings is not untypical of the area and the harm resulting is not considered to be so great to warrant a significant objection on this basis.
43. The ground floor of the new detached dwelling would have windows looking north onto the proposed service yard, the new garden and the windows of Workshop 1. The window fronting the service yard would serve a WC so can be obscure glazed with only a top light opening to prevent privacy issues. In terms of the openings onto the new garden they would observe the workshop building due north from a mere 2.6m. To prevent overlooking of both the openings on the dwelling and the garden, the workshop windows would be high level.
44. Openings are proposed on the eastern elevation of the proposed detached dwelling. These would all look onto the railway arches to the east and so no overlooking issues would arise.

Daylight/ Sunlight Impacts

45. The new roof extension onto the existing workshop would throw shadow northwards which would only affect the road space and not impact on the neighbouring buildings on Webber Street.
46. Within the site, the new detached dwelling would throw shade across the windows of the new first floor flat (flat 1) and also onto the existing first floor accommodation above workshop 2. This will diminish their amenity to a certain extent, however, the

shade will only impact at certain times of day and thus allow light to still reach at others and with the presence of a second, south-westerly facing elevation on flat 1, this impact would not be significant.

47. The proposed two storey dwelling would be located to the north east of the flats on the opposite side of Rushworth Street. Whilst there would be some impacts upon the day light received for the flats opposite, particularly the ground floor flats, given the modest size, scale and height (6.3 metres) of the dwelling it is not considered that the impact would be significant. The day light received by the ground floor flats is already restricted by the balconies of the flats above and the additional effect from the proposed development is not considered to significantly worsen this.

Outlook

48. The proposed Flat 1 would have outlook from three elevations. Although the outlook to the south would be limited due to the new detached dwelling, there would be adequate outlook from the other two elevations to compensate and prevent a sense of enclosure. The new detached dwelling would have outlook from three of its elevations. The outlook from the window serving its north-facing living/dining/kitchen space would be onto a garden and the south-elevation of the existing workshop block beyond, just 2.5 metres from the dwelling. That outlook is poor but the same room would also have outlook to the east and south-west. The detached dwelling has two bedrooms at first floor and these would have outlook of the railway arches from one and the flats to the west side of Rushworth Street from the other, that although not ideal are felt to be acceptable on balance given the other positive aspects that the rooms enjoy with respect to room size, light penetration and privacy.
49. The existing unit above workshop 2 would have a view of the yard area of 63 Webber Street to the north. This is an existing arrangement and so no objection is raised to it. To the south, currently the unit has an unimpeded outlook over the yard area with the staircase up to the railway line just beyond. This outlook will alter considerably with the erection of the new detached dwelling. This would be due south and at a distance of approximately 4 metres. The view from the windows of Flat 2 will be of the roof/first floor of the new dwelling and although no windows would look back from the new building, the roof itself would be perceived as quite close. It would however be less problematic given that it would pitch away from the window. One of Flat 2's windows would have a relatively more open outlook as it would be off-set slightly to the north-east of the new dwelling. Given that Unit 2 has outlook to both north and south and that the southern outlook would not be wholly impeded it is considered that it would still have an acceptable standard of accommodation in this respect.
50. The proposed extensions and new dwelling would be clearly visible from adjacent dwellings. However, given the modest size, scale and height of the proposed additions, the separation distances to neighbouring properties and the close knit urban character of the this area, it is not considered that the impacts upon outlook from neighbouring properties would be significantly detrimental to residential living conditions.

Conclusion on amenity issues

51. Residents from existing neighbouring properties have raised objections in relation to the impact upon their living conditions, including impacts from overlooking and the loss of light. However, whilst there will be some harm to neighbour amenity, for the reasons outlined above it is considered that such impacts would not be so significant to justify refusal and would not be untypical of the relationships between existing properties within the high density urban form of this part of the Borough. Similarly, the residential amenity standards of the new residential development is also considered to be acceptable for this location.

52. The occupant of an existing unit within the application site has raised objection and focused in part upon the issues around the access to and use of the site and its basis in law. These matters are not considered to be significant matters in the determination of the application against the relevant policies.
53. To conclude on these issues, whilst there will be some amenity impacts between properties, these are not untypical of concentrated urban locations such as this and the proposal would be acceptable in terms of its residential amenity implications. It thus would accord with Policies 3.5 of the London Plan & 3.2 of the Southwark Plan.

Transport and highway issues

54. The proposal would not include parking. The area is subject to on-street parking controls. The residents/ occupants would have to park on-street if they chose to have a car but it is considered given the excellent PTAL rating of 6A that the site enjoys, that zero on-site parking is acceptable. It shall be conditioned that no residents shall seek parking permits which shall further address the parking issue. Cycle parking is proposed within the scheme, details of which can be conditioned. Servicing of the site shall continue in the manner similar to that which currently occurs with vehicles either entering the site to service the units or doing so from the road.
55. The proposal would accord with Policies 6.9 & 6.11 of the London Plan, Strategic Policy 2 of the Core Strategy and Policies 5.2, 5.3 & 5.6 of the Southwark Plan.

Planning obligations (S.106 undertaking or agreement)

56. The proposal will be liable to Mayoral CIL for the new floorspace created. There are no further S106 floorspace implications.

Sustainable development implications

57. The proposal seeks to achieve Code for Sustainable Homes Level 4 secured through condition with regards to insulating, cycle storage, recycling, triple AAA appliances and heating.
58. The proposal will provide a mixed use development in a sustainable location, with excellent public transport provision. It will redevelop and make more efficient use of the site, upgrading the existing buildings and providing a new detached dwelling, all of which would be designed to be in keeping with the character of the conservation area.

Other matters

59. The Environment Agency have requested planning conditions to address flood-risk on site and sustainable drainage. These shall be conditioned. They have also requested a contaminated land survey which the Council's Environmental Protection team have asked for and this shall be conditioned.

Conclusion on planning issues

60. The proposed development is considered to be a proportionate and well-designed scheme, retaining the existing buildings of town scape merit, and providing a new sympathetically designed two storey detached building on the existing yard. No adverse impacts would result upon the surrounding town scape or the character and appearance of the conservation area.
61. The proposal retains a B1 use of the site in the Central Activities Zone through the retention of the ground floor workshops. Whilst the majority of the existing yard and existing structures upon it which are ancillary to the workshops will be lost, there will

not be a significant loss of the main employment floor space and the two retained workshops will continue to provide accommodation for small businesses.

62. The proposal, although likely to have some minor impacts, is not considered to result in significant impacts upon the living conditions of neighbouring properties, taking account of the urban context in which it is located. The proposal redevelops the site in a manner appropriate for a location characterised by high density development while providing an appropriate standard of accommodation for its occupants.

Community impact statement

63. 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.

Consultations

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

Consultation replies

65. Thirty four representations have been received from adjoining and nearby occupiers. (as listed in Appendix 2). A summary of the issues raised is set out below and address in the report above:

- Inappropriate design and the impact on the conservation area. Existing buildings are of historical significance. Use of mansard roof is not typical to the local area. Impacts of the additional proposed height and the detrimental implications upon the existing industrial nature of the buildings.
- Loss of light to neighbouring properties.
- Overlooking and loss of privacy from new residential accommodation including external terrace arising from close proximity between buildings.
- Loss of industrial and existing employment land. The loss of the yard should be taken into account in the assessment of loss of employment space and is an integral part of the workshops. The existing business would not be able to operate from the premises. There have been no existing complaints about noise about the current user, though the new two storey dwelling could result in noise issues.
- Loss of first floor employment space.
- Impacts upon highway and pedestrian safety.
- Inappropriate location of bin store.
- Noise and disturbance, including from the proposed terrace.

The Environment Agency have requested planning conditions relating to contaminated land and sustainable drainage.

Thames Water have raised no objection.

Human rights implications

66. 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.

67. This application has the legitimate aim of providing a mixed residential and business redevelopment 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1231-96 Application file: 14/AP/0723 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 4424 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	David Cliff, Planning Officer	
Version	Final	
Dated	29 January 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2015	

Consultation Undertaken

Site notice date: 15/05/2014

Press notice date: 10/04/2014

Case officer site visit date: 06/11/2014

Neighbour consultation letters sent: 14/05/2014

Internal services consulted:

Design and Conservation Team

Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations consulted:

Environment Agency

Thames Water - Development Planning

Neighbour and local groups consulted:

94 Webber Street London SE1 0QN	Flat 44 Patrick Court SE1 0GB
98 Webber Street London SE1 0QL	Flat 69 Patrick Court SE1 0GB
First Floor Flat 96 Webber Street SE1 0QN	Flat 70 Patrick Court SE1 0GB
Newspaper House 65 Webber Street SE1 0QP	Flat 67 Patrick Court SE1 0GB
15 Belvedere Buildings London SE1 0DQ	Flat 68 Patrick Court SE1 0GB
120 Webber Street London SE1 0QL	Flat 71 Patrick Court SE1 0GB
Flat 5 18 Belvedere Buildings SE1 0DQ	Flat 74 Patrick Court SE1 0GB
Ground Floor 15 Belvedere Buildings SE1 0DQ	Flat 75 Patrick Court SE1 0GB
30 Rushworth Street London SE1 0RB	Flat 72 Patrick Court SE1 0GB
First Floor Flat 98 Webber Street SE1 0QL	Flat 73 Patrick Court SE1 0GB
First Floor 61 Webber Street SE1 0RF	Flat 66 Patrick Court SE1 0GB
Ground Floor 61 Webber Street SE1 0RF	Flat 59 Patrick Court SE1 0GB
Second Floor 61 Webber Street SE1 0RF	Flat 60 Patrick Court SE1 0GB
Ground Floor 96 Webber Street SE1 0QN	Flat 57 Patrick Court SE1 0GB
Ground Floor Studio 63 Webber Street SE1 0QW	Flat 58 Patrick Court SE1 0GB
Studio 1 63 Webber Street SE1 0QW	Flat 61 Patrick Court SE1 0GB
Railway Arches 56 And 65 King James Street SE1 0DH	Flat 64 Patrick Court SE1 0GB
Studio 2 63 Webber Street SE1 0QW	Flat 65 Patrick Court SE1 0GB
Railway Arches 57 And 66 King James Street SE1 0DH	Flat 62 Patrick Court SE1 0GB
Arch 52 Rushworth Street SE1 0RB	Flat 63 Patrick Court SE1 0GB
Newspaper House Kings Bench Street SE1 0QX	Flat 12 Patrick Court SE1 0GB
Flat 4 94 Webber Street SE1 0QN	Flat 13 Patrick Court SE1 0GB
Flat 3 94 Webber Street SE1 0QN	Flat 10 Patrick Court SE1 0GB
Part First Floor 96 Webber Street SE1 0QN	Flat 11 Patrick Court SE1 0GB
2 Belvedere Buildings London SE1 0DQ	Flat 14 Patrick Court SE1 0GB
Part Ground Floor 96 Webber Street SE1 0QN	Flat 17 Patrick Court SE1 0GB
Flat 2 94 Webber Street SE1 0QN	Flat 18 Patrick Court SE1 0GB
Flat 1 94 Webber Street SE1 0QN	Flat 15 Patrick Court SE1 0GB
4 Belvedere Buildings London SE1 0DQ	Flat 16 Patrick Court SE1 0GB
Flat 1 18 Belvedere Buildings SE1 0DQ	Flat 9 Patrick Court SE1 0GB

Flat 2 18 Belvedere Buildings SE1 0DQ
Flat 4 18 Belvedere Buildings SE1 0DQ
Flat 3 18 Belvedere Buildings SE1 0DQ
16 Belvedere Buildings London SE1 0DQ
8 Belvedere Buildings London SE1 0DQ
6 Belvedere Buildings London SE1 0DQ
10 Belvedere Buildings London SE1 0DQ
14 Belvedere Buildings London SE1 0DQ
12 Belvedere Buildings London SE1 0DQ
Flat 50 Patrick Court SE1 0GB
Flat 51 Patrick Court SE1 0GB
Flat 48 Patrick Court SE1 0GB
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Flat 23 Patrick Court SE1 0GB
Flat 26 Patrick Court SE1 0GB
Flat 27 Patrick Court SE1 0GB
Flat 24 Patrick Court SE1 0GB
Flat 25 Patrick Court SE1 0GB

Re-consultation: 30/10/2014

Consultation Responses Received

Internal services

Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations

Environment Agency

Thames Water - Development Planning

Neighbours and local groups

Bicycle Repairs Maintenance 33 Rushworth Street SE1 0RB

Email representation

Enterprise House 1-2 Hatfield SE1

Flat 20 Patrick Court SE1 0GB

Flat 30 Patrick Court 92 Webber Street SE1 0GB

Flat 35 Patrick Court 92 Webber Street SE1 0GB

Floor 2 26 Marshalsea Road SE1 1HF

G4 The Foundry Annexe 65 The Glasshill Street SE1 0QR

Part Ground Floor 96 Webber Street SE1 0QN

Studio 2 63 Webber Street SE1 0QW

The Community Space 18 Great Guildford Street SE1 0SY

The Waterloo Woodwork Shop 96 Webber Street SE1

Unit 1g Chelsea Reach 79-89 Lots Road SW10 0RN

10 St. Marys Road London SE15 2DW

15 Gladstone Street SE1 6EY

158 Great Suffolk Street London SE1 1PE

160 Sutherland Avenue London W9 1HP

26 Chalsey Road London SE4 1YW

27 Holm Oak Close London SW15 2UN

28 Wollaston Close London SE1 6SL

29 The Little Boltons London SW10 9LL

30 Patrick Court London

30 Rushworth Street London SE1 0RB

33 Rushworth Street London SE1 0RB

35 Cooper Close London SE1 7QU

5 Malvern Road London NW6 5PS

5 Yeomans Lodge Frome BA11 4SA

51 Cooper Close London SE1 7QU

6 Jurston Court Gerridge Street SE1 7QH

63 Webber Street London SE1 0QW

7 Wrights Green London SW4 7NG

74 Southwark Bridge Raod London SE1 0AS

74 Southwark Bridge Road London SE1 0AS

77-85 Newington Causeway London SE1 6BD

96 Webber Street SE1 0JP

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 W. Lucas	Reg. Number	14/AP/0723
Application Type	Full Planning Permission	Case Number	TP/1231-96
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Alterations and extensions to existing building, including construction of a mansard-style roof extension, roof terrace and the raising of part of parapet front wall on corner of Webber Street and Rushworth Street, to extend existing first floor residential unit. Retention and refurbishment of the existing ground floor workshops (Class B1). Construction of a new detached two bedroom, two-storey building at rear to accommodate a single family dwelling (Use Class C3).

At: 96 WEBBER STREET, LONDON SE1 0QN

In accordance with application received on 06/03/2014 08:03:12

and Applicant's Drawing Nos. P010; P011; P012; P020; P021; P022; P030; P100C; P101B; P102 B; P103 B; P200 B; P201 B; P202 B P0203; P300 B; P500; P501; P600; Design & Access Statement; Noise Impact Assessment; Flood Risk Assessment

Subject to the following nineteen conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: P010; P011; P012; P020; P021; P022; P030; P100C; P101B; P102 B; P103 B; P200 B; P201 B; P202 B P0203; P300 B; P500; P501; P600

Reason:

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

- 2 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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Prior to the commencement of the development, section elevation drawings showing the relationship between the mansard junction and the existing roof at a scale of 1:50 shall be submitted and agreed in writing by the Local Planning Authority. the development shall be carried out in accordance with the approved details.

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.12 Quality in Design and 3.16 Conservation Areas of The Southwark Plan 2007"

- 4 Prior to commencement of the development, shop drawings (scale 1:1, sections and 1:5 elevations) for all new fenestration and doors shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design

and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 5 Prior to the commencement of development, details of surface water management measures in accordance with the approved Flood Risk Assessment produced by Sanderson Associates and dated February 2014 shall be submitted to and approved in writing by the Local Planning Authority, and the scheme shall thereafter be carried out in accordance with the approved details.

Reason

To prevent the increased risk of flooding and to improve water quality in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 6 a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 Protection of amenity of the Southwark Plan (2007), strategic policy 13 - High environmental standards. of the Core Strategy (2011) and the National Planning Policy Framework 2012.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 7 Before any above grade work hereby authorised begins, details of a screen around the proposed second floor external terrace shall be submitted to and be approved in writing by the Local Planning Authority. The approved screen shall be installed prior to the first occupation of the enlarged flat and thereafter be retained in accordance with such approved details.

Reason

In order to protect the privacy of neighbouring residential properties and be of an appropriate standard of design in accordance with Strategic Policy 12 (Design and Conservation) of the Southwark Core Strategy 2011, saved Policies 3.2 (Protection of Amenity) and 3.12 (Quality in Design) of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 8 Prior to commencement of above grade work, an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Level 4 or equivalent Code Level rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

Before the first occupation of the building hereby permitted, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 9 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 10 Prior to above grade works commencing, material samples of all external facing materials including materials for the roofs to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 11 Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In the interests of visual and residential amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

- 12 Before any above grade work hereby authorised begins, detailed drawings at scale 1:100 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 13 Before the first occupation of the building & extension hereby permitted begins details of the arrangements for the storing of domestic & commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 14 Any plant installed at the site shall operate in accordance with the following noise limits (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises) and the method of assessment is to be carried out in accordance with BS4142:1997.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 15 The dwellings hereby permitted shall be designed to ensure that the following noise internal noise levels are not exceeded due to environmental noise:
 Bedrooms -35 dBA LAeq daytime t*
 -30dB LAeq night-time T**
 -45dB LAFmax T**
 Living rooms - 35dB LAFmaxT*
 Dining rooms - 40dB(A) LAeq
 * - Daytime 16 hours between 07.00 - 23.00
 ** - Night-time 8 hours between 23:00 - 07:00

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Strategic Policy 13 (High Environmental Standards) of the Southwark Core Strategy 2011, saved policies 3.2 (Protection of Amenity) and 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 16 Notwithstanding the details on drawing no. 200B; 201B; 202B; 203B, the existing windows on the first floor shall be retained and repaired in situ, and shall remain throughout the life of the development.

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas of The Southwark Plan 2007

- 17 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 and Part 8 of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the proposed detached residential premises shall be carried out.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 18 Any deliveries, unloading and loading to the commercial units shall only be between the following hours: Monday

to Saturday - 08:00 - 18:00, Sundays/ Bank Holidays - not at all.

Reason

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity of The Southwark Plan 2007

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 19 Details of any external lighting [including design, power and position of luminaries] and security surveillance equipment of external areas surrounding the building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting or security equipment is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The proposal was amended and the time period extended in agreement with the applicant in order to achieve an acceptable proposal that could be positively recommended to committee.

Informatives

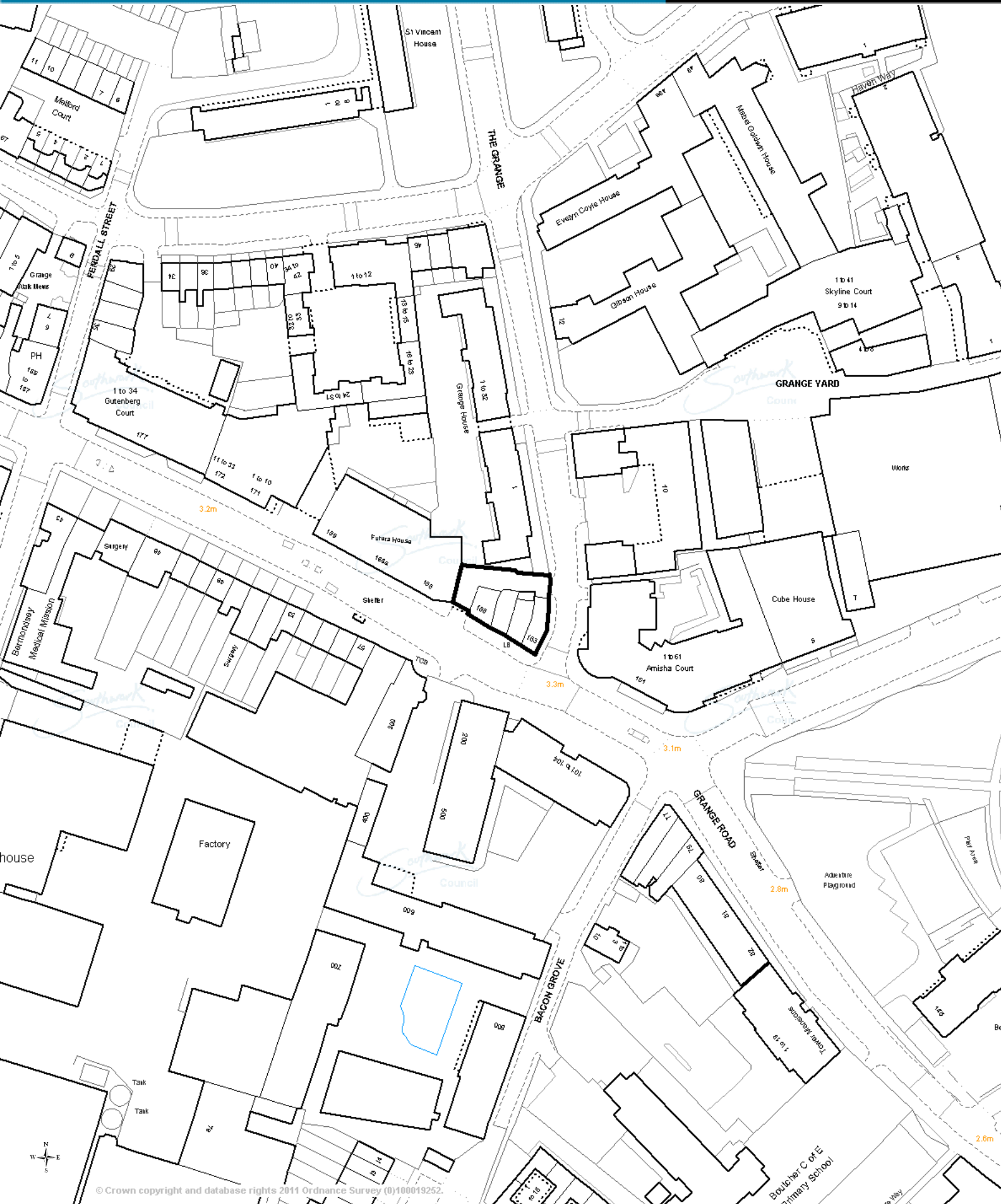
You are advised of the potential need to enter into Party Wall 1996 agreements with any adjoining landowners, including Network Rail. Early discussion with Network Rail is recommended in this respect.

The existing drawing (PO11) submitted with the application refers to a existing 'live/work unit (3)' on the first floor of the premises. The use of this unit has been questioned in representations made about the application. The planning application does not propose to change the use of or alter this unit and this grant of planning permission should not be construed as authorising the use of this unit as a live/work unit. An application for a certificate of lawful use would be required in order to establish the lawful use of this unit.

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Ordnance Survey

Date 30/1/2015



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Item No. 5.2	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/1247 for: Full Planning Permission Address: 163 -167 GRANGE ROAD, LONDON SE1 3AD Proposal: Erection of a new mixed-use development comprising of 7 storeys with 3 commercial units (retail, financial and professional services or office) & 20 residential units of mixed tenure (10x one bedroom, 6 x two bedroom and 4 x three bedroom units) some with terraces.		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 22/04/2014		Application Expiry Date 05/08/2014	
Earliest Decision Date 07/06/2014			

RECOMMENDATION

1. That the sub-committee grant planning permission subject to conditions and a legal agreement.

BACKGROUND INFORMATION

Site location and description

2. The site is located on the corner of Grange Road and The Grange and comprises a non-descript two storey building with commercial use (Use Classes A1, A3 and Sui Generis) on the ground floor and an office and 5 flats on the upper floor. This site is just outside the Bermondsey Street Conservation area and is also opposite a Georgian terrace of houses on the south side of Grange Road and the Alaska Warehouse. On the north side of Grange Road are four, five and six storey new developments, mostly in brick except for the metal clad buildings on the opposite corner of The Grange. To the west there are three four storey blocks, each with a fifth set back floor. To the north along this side of The Grange is an inter war four storey block of flats with a pitched roof.
3. Relevant Proposals Map Designations of the Southwark Plan (UDP) July 2007:
 - Urban Density Zone
 - Air Quality Management Area
 - Archaeological Priority Zone
 - Public Transport Accessibility Level 2
 - Flood Zone.

Details of proposal

4. Planning consent is sought for the demolition of existing two storey mixed-use

properties, erection of new mixed-use development comprising ground floor commercial units and 20 residential units spread over seven storeys. The development includes three commercial units at ground floor level and 20 flatted dwellings on upper levels to provide 10x1 bedrooms, 6x2 bedrooms and 4x3 bedroom units.

5. The proposed building would have complete coverage of the ground floor with the parking associated with the wheelchair unit adjoining 168-176 Grange Road. These units would be arranged over two floors and have separate access from the street. Three commercial units would front onto Grange Road together with an access core to six of the proposed units. The commercial element of the ground floor continues around the corner of The Grange and a second residential entrance to the remainder of the units is also located on this frontage.
6. The ground floor is set back from the edge of the pavement by 1.3 metres, providing a forecourt space in front of the commercial units and defensible space to the ground floor residential unit on The Grange.
7. Main differences between the current scheme and the previously refused scheme 13/AP/0085
 - The proposal would be a predominately brick construction and the window sizes increased.
 - The ground floor commercial units have been set back from the building line by 1.3 metres.
 - The increase in private amenity areas and improvement to the internal flat arrangements.
 - The accommodation in respect of the wheelchair unit is improved.
 - The top floor is setback by 1 metre on the The Grange elevation
 - The top floor has been reduced in bulk
 - The overall bulk to the front has been reduced.

Planning history

8. 12/EQ/0015 Application type: Pre-Application Enquiry (ENQ)
Demolition of existing mixed use property, erection of new build mixed use development comprising ground floor commercial units and twenty residential units of mixed tenure spread over six storeys
Decision date 14/05/2012 Decision: Pre-application enquiry closed (EQC)

13/AP/0885 Application type: Full Planning Permission (FUL)
Demolition of existing two storey mixed-use property, erection of new mixed-use development comprising ground floor commercial units and 20 residential units spread over seven storeys.
Decision date 07/08/2013 Decision: Refused (REF)
Reason(s) for refusal:
 1. The proposed development, by reason of the excessive scale, massing and bulk caused by the lack of a set back of the upper levels on both the Grange Road and The Grange elevations, will have an overbearing impact on Grange Road and the local streetscene resulting in an incongruous development that fails to contextualise with the surrounding townscape.
 2. The proposed development is considered unacceptable in terms of detailed design and materials as a result of the high solid to void ratio on The Grange elevation which emphasises the excessive bulk of the proposal, the failure to address the corner and provide a prominent ground floor commercial element and the use of

large areas of aluminium clad banding on each level which is considered a poor quality material that fails to contextualise with the fenestration and brickwork and serves to emphasise the poor proportionality of the building.

3. The proposal is considered to be an overdevelopment of the application site owing to the excessive density, poor standard of design and poor standard of living accommodation as evident by the poor layout of the units with excessive areas of circulation space, poorly formed living accommodation with long narrow rooms that will be poorly lit, the excessive level of glazing on the boundary to the rear and a lack of meaningful private and communal amenity space.
4. The proposed development fails to provide sufficient high quality accommodation for wheelchair users.
5. The proposal fails to provide a sufficient standard of cycle parking for both future residents and the commercial element of the development. Furthermore the cycle parking is not segregated between the two elements of the development.
6. The proposed development, by virtue of its excessive scale and massing, will have an adverse impact on surrounding properties at The Grange and Grange Road in terms of a loss of daylight and sunlight which will result in a noticeable loss of residential amenity.

Planning history of adjoining sites

9. None of specific relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. 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 the strategic policies of The London Plan 2013, The Core Strategy 2011, the saved policies of The Southwark Plan 2007 (July) and the provisions of The National Planning Framework 2012.
 - b) The impact on the visual, residential and commercial amenity of the area.
 - c) The quality of residential accommodation to be provided.
 - d) The design quality of the proposal.
 - e) Transport impacts.
 - f) All other relevant material planning considerations.

Planning policy

11. National Planning Policy Framework (the Framework) 2012
 1. Building a strong competitive economy
 4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change

London Plan July 2011 consolidated with revised early minor alterations October 2013

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector
- 4.9 Small shops
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Core Strategy 2011

- 1 - Sustainable Development
- 2 - Sustainable transport
- 5 - Providing New Homes
- 6 - Homes for People on Different Incomes
- 7 - Family Homes
- 10 – Jobs and Businesses
- 12 - Design and conservation
- 13 - High environmental standards
- 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 2.5 – Planning obligations
 Policy 3.1 – Environmental effects
 Policy 3.2 – Protection of amenity
 Policy 3.4 – Energy efficiency
 Policy 3.6 – Air quality
 Policy 3.7 – Waste management
 Policy 3.9 – Water
 Policy 3.11 – Efficient use of land
 Policy 3.12 – Quality in design
 Policy 3.13 – Urban design
 Policy 3.14 – Designing out crime
 Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 3.19 - Archaeology
 Policy 3.28 - Biodiversity
 Policy 3.31 - Flood defences
 Policy 4.2 – Quality of residential accommodation
 Policy 4.3 – Mix of dwellings
 Policy 4.4 – Affordable housing
 Policy 4.5 - Wheelchair affordable housing
 Policy 5.1 – Locating developments
 Policy 5.2 – Transport impacts
 Policy 5.3 – Walking and cycling
 Policy 5.6 – Car parking
 Policy 5.7 – Parking standards for disabled people and the mobility impaired

Supplementary Planning Documents

Affordable Housing
 Residential Design Standards
 Section 106 Agreements
 Sustainable Design and Construction

Principle of development

12. The proposal would be in accordance with the aims and objectives of The National Planning Policy Framework, in providing residential accommodation on a sustainable, brown field site. There are no objections in principle to the redevelopment of the site to provide residential accommodation and there will be no conflict of use. The provision of residential accommodation and affordable housing will help meet the wider regeneration and housing needs of the borough.
13. There are no objections in principle to the redevelopment of the site to provide commercial floorspace and residential accommodation and there will be no conflict of use. The more detailed considerations of the application are dealt with below.

Density

14. Core Strategy policy 5 sets out that in the urban density zone densities should be within the range of 200-700 habitable rooms per hectare.
15. The development comprises 136 sqm non-residential floorspace + 20 (10 x 1 bed, 6 x 2 bed and 4 x 3 bed) residential units. The habitable rooms equate to 54, with an additional 5 rooms taking account of the commercial floorspace. The overall density of the scheme incorporating the commercial floorspace is 1,453 habitable rooms per hectare.
16. This is in excess of the density ranges set out in Core Strategy policy 5 as being acceptable in this location, however density is provided as a guide and must be

considered within a wider context. In accordance with the Core Strategy, the development must be considered to be of exemplary design quality in order to justify the higher density. Further guidance on the criteria that will be used to assess this are set out in the residential design standards SPD.

17. The SPD criteria require that the scheme makes a positive contribution to local context, character and communities, including contribution to the streetscape. As assessed in the design section of this report below, the scale, massing and detailed design of the scheme are considered to be appropriate to the local townscape and context. In addition in terms of contribution to communities the scheme would offer an appropriate mix of land uses for the location and would adequately address policies on mixed and balanced communities consistent with viability, in relation to affordable housing.
18. In addition, the SPD seeks that to be 'exemplary development', the scheme should significantly exceed minimum floor area standards, be predominantly dual aspect, exceed amenity space standards, minimise noise nuisance by having appropriate stacking, minimising corridor lengths by having an increased number of cores, have natural light and ventilation in bathrooms and kitchens and meet good sunlight and daylight standards, maximise the potential of the site, obtain secured by design certification, have excellent accessibility including Lifetimes Homes standards met, and achieve exceptional environmental performance.

Housing Tenure/Mix and quality of accommodation

19. The proposal would provide the following mix of dwelling sizes:
 - 10x 1-bed flats (50%)
 - 6x 2-bed flats (30%)
 - 4x 3-bed flats (20%)
20. Saved policy 4.3 of the Southwark Plan 'Mix of dwellings' states that all major residential developments should provide a mix of dwelling sizes and types to cater for the range of housing needs in the area. Core Strategy Policy 7 Family Homes requires at least 60% of dwellings to be over 2 bed with 20% of dwellings to have 3 or more bedrooms. The proposal would underprovide on the numbers of 2 + units however the scheme will provide 20% of dwellings with three or more bedrooms and as such only partly complies with this policy.
21. Further guidance is contained within the Residential Development Standards SPD which states that for major residential schemes, in developments of 15 or more dwellings at least 10% should have direct access to private outdoor space and at least 10% should be suitable for wheelchair users. In this case the proposal will result in all of the units would have access to a private terrace of 3 sq metres or more and 17 of the 20 units (85%) will be dual aspect with cross ventilation.
22. Section 3.2 of the Residential Design Standards SPD states that for new flat developments there should be a minimum of 50sqm communal amenity space, a minimum of 10sqm private amenity space for every family unit (3 bed+) and ideally 10sqm private amenity space for other smaller units. Where this can't be achieved for smaller units, as much space as possible should be provided and the deficit added to the communal space. Balconies/terraces should be at least 3sqm. Due to the constraints of the site there would be no communal amenity space however, as noted above all of the units would benefit from private amenity areas of at least 3 sq metres, with the bigger units generally having larger amenity spaces.
23. The development provides one wheelchair accessible unit (5%) which fails to meet the minimum policy requirement of 10% wheelchair accessible units. In response to the

previous reason for refusal, this unit has been improved to provide integral parking for the unit and an internal lift within the flat as well as access to the lift serving the residential core. There is no possibility of providing a further off street parking space within the scheme without compromising the external facade, therefore in this instance the shortfall in wheelchair units is considered acceptable subject to a contribution secured through the S106 agreement to offset this shortfall by covering the cost of an alternative unit elsewhere to be adapted to wheelchair standards.

24. Core Strategy Policy SP7 states that all residential development will be expected to meet the Council's minimum overall floor sizes. Minimum dwelling sizes and minimum room standards are set out in Section 2.3 of the Residential Design Standards SPD. Guidance in the SPD takes precedence over similar guidance in the London Plan.
25. The accommodation schedule in the planning statement shows that all units meet or exceed the minimum dwelling and room size standards that are set out in the Residential Design Standards SPD shows that all units meet or exceed the minimum dwelling and room size standards that are set out in the Residential Design Standards SPD

Affordable Housing

26. Strategic policy 6 of the Core Strategy seeks 35% of all housing units to be affordable and normally seeks a range of social rented and intermediate housing units with a 70:30 social rented: intermediate split. The 2008 Affordable Housing SPD and draft 2011 Affordable Housing SPD give further guidance on the issue and clarify that we will consider this in relation to the proportion of habitable rooms that are provided across the development.
27. Southwark Plan saved policy 4.4 requires a 70:30 split between social and intermediate housing. The applicant is proposing 7 affordable units, given the small number of units it is considered a completely social rented scheme would be acceptable. The affordable units would comprise a mix of 4x1 bedroom and 3x2 bedroom. This will result in an overall provision of 35% affordable housing by unit numbers and 32% by habitable rooms.
28. In summary, in relation to the principle of the development, the mix of uses is acceptable in this location. The density of the scheme does however exceed that expected within the urban density zone, however it would meet the criteria for permitting an exception, the scheme would accord with important aspects of the criteria in particular as the massing and detailed design of the scheme is considered to be acceptable, providing good quality accommodation in relation to the amenities of future occupiers and the scheme would provide the appropriate levels of affordable housing making a positive contribution to communities.

Environmental impact assessment

29. The proposed development lies outside the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the completion of an environmental impact assessment. No significant environmental effects would arise.

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

30. Saved policies 3.2 Protection of amenity and Core Strategy policy SP13 High environmental standards seek to protect the amenities of surrounding occupiers. In this case, the main potential impacts of the development are considered to be in relation to overshadowing and loss of sunlight/daylight, overlooking such as from the

roof terraces and communal amenity spaces, noise and disturbance from the commercial uses at ground floor, and demolition and construction impacts.

Impacts from the ground floor non residential uses - hours of use and servicing hours

31. In relation to the hours of use for the commercial activities and impacts on surrounding and nearby occupiers, officers have had regard to the location of the site. The uses that are proposed, being retail (Use class A1) office/professional services (A2) and general office (B1) are considered to be appropriate to the area. The retail/office uses proposed are not generally noisy activities. It is not considered that their operation in evenings or weekends would result in harm to the amenities of surrounding occupiers. If consent were to be granted then conditions could be imposed to protect the amenities of surrounding residential occupiers including the residential flats within the scheme.

Impacts from the building

32. The main impact of the development will be on the adjacent properties at the Alaska Buildings, Futura House, Amisha Court and The Grange. It is considered that the stepped nature of the development will provide satisfactory relief for Futura House and The Grange in terms of alleviating any impacts with regards to the creation of a sense of enclosure and overdominance. The overall bulk of the proposal has been stepped back by 1 metre on the top floor of the side elevation fronting The Grange.
33. The development has been designed in order to limit the impact in terms of overlooking and loss of privacy. The majority of the windows will face Grange Road and the adjacent Alaska Buildings however this is a common urban arrangement and the increase in the number of windows facing the Alaska Buildings will not result in a significant impact in terms of overlooking or loss of privacy as the development will achieve a separation distance of at least 17 metres at its closest point which meets the guidance in the Residential Design Standards.
34. Futura House adjoining the site at 168- 172 would not have any windows facing onto its side elevation, thus privacy to residents would be maintained.
35. Grange House (1 The Grange) has a number of windows on the flank elevation close to the boundary of the application site. The proposal would result in the introduction of new windows to the rear. The windows closest to the building would be secondary or serve communal space, as such a condition would be imposed to ensure that these are obscure glazed and fixed shut.
36. 161 Grange Road (Amisha Court) is situated on the other side of The Grange. The distance between the two buildings would be around 12 metres, which is considered a sufficient distance in respect of maintaining privacy when developments are separated by a road.

Daylight and sunlight

37. The applicant has submitted a daylight and sunlight assessment in order to demonstrate the impact of the proposal on adjacent buildings in terms of daylight and sunlight. In order to gauge the impact of a development on daylight and sunlight an assessment of existing and proposed Vertical Sky Component is recommended by the Building Research Establishment as a measure of how daylight/sunlight will be affected. In order for a window/room to retain good levels of daylight, the VSC should be at least 27%. A room/window which results in a VSC below 27% or less than 0.8 times its former value is considered to be adversely affected.
38. The updated Building Research Establishment Guidance on daylight and sunlight has introduced a more flexible approach to daylight in new buildings including the use of the average daylight factor, space to height ratios, boundary parameters and

hypothetical mirror images of existing buildings to set target daylight values.

1 The Grange (Grange House)

The baseline analysis shows that within 1 The Grange 6 windows currently experience less than 27% VSC (visible sky component). Following the development 10 of the 20 windows assessed would have a VSC of less than 27%. Of these 10 windows 4 provide supplementary light to rooms. Of the remaining windows those most affected would be on the side elevation close to the application site boundary. In terms of sunlight it is also these windows within the flank of this building which are most affected and would not comply with the BRE guidance.

10 The Grange

Ten windows within this building were assessed, currently 2 windows demonstrate a VSC of less than 27%, as a result of the proposal this would increase to 4 windows. It is noted that the reductions would not exceed more than 7.5% and consequently there would only be limited impacts in terms of loss of daylight. Sunlight to the windows assessed would still comply with the guidance.

57 Grange Road

Six windows were tested, 2 of which are below the 27% VSC, the development would not increase the numbers of windows below this level however the two windows currently below would be further reduced. It should be noted that the impact to these windows would be within accepted levels and any loss would be minimal.

168 -176 Grange Road (Futura House)

Five windows closest to the application site were assessed, two were identified as being non habitable and not tested, the other 3 were shown as exceeding the 27% VSC. In terms of sunlight the tested windows demonstrated that they would retain adequate levels of daylight.

Residents have also questioned the impact of the proposal to their existing terrace and conservatory. The building has a setback top floor with the area to the front providing a terrace. There is also a terrace located on the second floor of the building which sits on the boundary with no. 168. The windows within the top floor continue to enjoy good levels of natural daylight due to their southerly aspect, likewise the terrace on the second floor which also benefits from an unobstructed southerly outlook.

161 Grange Road (Amisha Court)

30 windows were assessed within this block over 6 floors, 4 of the windows currently do not have a VSC of 27% or over. Following the development, this increases to 12, one of which is supplementary window. Generally the windows affected are to bedrooms and remain above 20%, which is deemed acceptable. The windows most affected are four living room openings inset to terraces. These rooms already have limited visibility to sky due to the depth of the terraces and the overhang of the terrace above. Likewise in terms of sunlight because of the limited sunlight already received to these windows the impact from the development would be in the context of existing poor levels of sunlight.

- 39.** In order to provide a fairer assessment of the impact of the development a hypothetical mirror image methodology was applied. This involved assessing the impact of the windows at Amisha Court if an identical building were constructed on the application site. The results of the study demonstrate that an identical building would result in 15 windows not achieving 27% VSC, although the sunlight results remained unchanged. It should also be noted that the impacts in terms of the physical loss of light with a mirror scheme are worse.

101-104 Grange Road

Six windows were tested, these were noted as supplemental, three of them currently exceed the 27% VSC, following the development they would all fall below, however the reductions are fairly modest remaining above 20%.

200-500 Grange Road (Alaska Buildings)

Eight windows were tested within this building, of which 2 served non habitable rooms and 2 provided supplemental light. Five of the windows currently enjoy a VSC in excess of 27%. Following the development only one of the supplemental light windows would exceed this level. The windows most affected are noted as non habitable rooms and these fall below 20%. The other windows are noted as live / work units and remain above 20%, as such the impact is more limited. The development is to the north of this site and was not tested for sunlight.

300 Grange Road

Of the three windows tested , only one achieves 27% in the current situation. None of the windows would achieve 27% following the scheme, however all of the units are noted as being supplemental and the loss of light experienced would be minimal. The sunlight tests show that no loss of sunlight would be experienced to these windows.

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

40. The main issues considered to arise are the impacts of noise from the surrounding highway network on occupiers, and the location of the site in an area identified as having poor air quality and therefore designated as being part of the air quality management area. This site is close to a very busy road that sees large volumes of traffic for most of the day.
41. Saved policies 3.2 Protection of amenity, 3.6 Air quality and 4.2 Quality of residential accommodation are relevant as is London Plan 2011, Policy 7.15 Reducing noise and enhancing soundscapes and Core Strategy policy SP13 High environmental standards.
42. The council's environmental protection team have raised no specific objections to the development subject to conditions. However concerns are raised as to ventilation of the first floor units fronting Grange Road due to the air pollution on this road from standing traffic during peak hours and as such a condition is recommended to secure details of ventilation for these units.

Transport issues

43. Saved Policy 5.1 of the Southwark Plan requires major development to be located near transport nodes. Saved Policy 5.2 states that planning permission will be granted for development unless there is an adverse impact on the transport network unless provision for adequate servicing is made. Saved Policy 5.3 requires that provision is made for pedestrians and cyclists within the development and Saved Policies 5.6 and 5.7 relate to car parking. Core Strategy Strategic Policy 2 - Sustainable Transport re-asserts the commitment to encouraging walking, cycling and use of public transport rather than travel by car and requiring transport assessments with applications to show that schemes minimise their impacts, minimise car parking and maximise cycle parking to provide as many sustainable transport options as possible. The main issues to consider in this case are considered to be in relation to car parking, in particular provision for disabled parking to serve the intended wheelchair flats, cycle parking, access and servicing, and mitigation of transport impacts including infrastructure impacts. These matters are addressed below.

Car Parking

44. The proposal site is situated in a CPZ. It is welcomed that the applicant recognises in their application that in order to prevent possible overspill parking from the development, a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits should any consent be issued. The provision of an off street internal car parking space for the wheelchair unit is considered acceptable and policy compliant.

Cycle storage

45. For this development of 20 residential units including four 3 bed flats there is a minimum requirement for storage with capacity for 26 cycles for the residential units (including 2 visitor spaces) and a further 2 spaces for the commercial element. The plans submitted show space for 23 spaces in total including secured parking for each of the commercial units. It is recommended that a condition be included to request details for the cycle parking be made subject of a condition of planning.

Design issues

46. This site has two very important frontages, that to Grange Road and that to the The Grange. It is considered that the development of the site needs to respond to this with a scheme that offers articulation and diversity in a responsive scale and massing, as well as an exemplary quality of architectural design. Saved Policy 3.13 Urban design, requires that principles of good urban design must be taken into account in all developments. The height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately. The proposal has a significant quantum at 7-storeys, but will only appear slightly above (0.3m) the height of the adjoining building at Amisha Court. This is considered to be at the maximum height acceptable on the site. The set back along The Grange frontage, offers a much needed relief to this narrow road. The other massing changes to the proposal are notably on the ground floor, where the building is set back from the back edge of the pavement with Grange Road and the corner of The Grange. The refused scheme sat flush at seven storeys along the two boundaries. The other changes largely affect Grange Road where the building is set in further to allow for deeper terraces. The alterations in comparison to the refused scheme have also allowed for improvements to the accommodation to be provided. Given the site is at present occupied by a number of poor quality two storey buildings of no historic or architectural interest, the revised proposal is considered to overcome previous objections.
47. Externally, the appearance of the building has been simplified, with the use of stock bricks and removal of the aluminium banding. The amount of solid built form has been reduced with increased window sizes and the ground floor has been given more prominence. Overall the proposal would be a considerable improvement on the current buildings on site.

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

48. The proposed development is just outside the Bermondsey Street Conservation Area, which faces the site from the south side of Grange Road. This stretch of the conservation area includes the Alaska Buildings and a fine terrace of late Georgian houses. On the north side of the street are mostly residential new developments of four to six storeys. Given the existing buildings on the site the proposal would improve the existing setting of the conservation area.

Impact on trees

49. There are two young Plane trees on the pavement to the front of the site that may be

impacted by the development. As such a tree protection condition is recommended should consent be granted. Furthermore, conditions securing a landscaping scheme and green roofs will be imposed on any consent.

Planning obligations (S.106 undertaking or agreement)

50. The applicant submitted draft s106 heads of terms with their application. The contributions that were suggested are in accordance with the council's s106 planning obligations SPD and the on-line toolkit for developers. A number of other development-specific terms were agreed with the applicant in relation to contributions for a second wheelchair unit. The heads of terms are set out below.

Affordable housing

In summary, the on-site affordable accommodation comprises of the following:

- 4 x 1 bed and
- 3 x 2-bed social rented units

Contributions

Education - £27,747

Employment during construction – £15,815

Employment during construction (management fee) - £1,166

Public open space, children's play equipment, sports development - £23,867

Transport strategic - £10,049

Transport site specific - £10,000

Public realm – £15,000

Archaeology 2,777

Health - £23,901

Community - £5797

Other – Contribution for a wheelchair unit - £30,000

Sub-total – £163,528

Admin charge - £3,206

TOTAL - £166,734

Sustainable development implications

51. Saved policy 3.4 - Energy efficiency of the Southwark plan 2007 (July) states that all developments must be designed to maximise energy efficiency and minimise and reduce energy consumption and carbon dioxide emissions; major developments for residential use are required to provide an eco-homes assessment. Strategic policy 13 - High Environmental Standards of the Core Strategy 2011 requires major developments to achieve the highest possible environmental standards including targets based on the Code for Sustainable Homes and BREEAM. London Plan 2011 Policy 5.2 - Minimising carbon dioxide emissions states that for residential buildings from 2013 - 2016, a 40% reduction in CO2 emissions will be required and Code for

Sustainable Homes Level 4 must be reached.

52. The proposed development will achieve Code for Sustainable Homes Level 4. The initial energy strategy stated that a 25% reduction in CO2 emissions over the baseline will be achieved through the use of Photovoltaic Panels. A further addendum has since been provided to demonstrate that the 40% reduction will be achieved. The development fails to provide a BREEAM Assessment for the commercial units and the energy statement does not provide any information on the commercial element of the site. A condition is recommended should consent be granted, to secure an appropriate BREEAM rating for the ground floor commercial units

Other matters

Archaeology

53. The site is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone, the applicants have included an allowance for an archaeological contribution in their S106 toolkit (monitoring purposes). The applicants have submitted a desk-based archaeological assessment with the application. It is therefore suggested that this be addressed by way of conditions should consent be granted.

Flood Risk

54. The Environment Agency have been consulted on the proposed development and have raised no objections.

The Mayoral Community Infrastructure Levy (CIL)

55. The Mayor has brought in a charge that will be paid by most new developments, the Mayoral Community Infrastructure Levy (Cil). The levy will be calculated according to the amount of additional floor space a new development will produce.
56. Officer's calculations in relation to the Cil payment, based on the Cil form submitted, are that the amount due would be as follows:
Proposed floor area of 1453sqm less existing 895sqm (as the Cil form states that some of the buildings have been in lawful use for at least 6 of the previous 12 months)
= 558sqm

Total liability 558 x £35 per sqm = £19530

57. The applicant agrees with the above Cil figures. Officers note that they make no allowance for any social housing relief exemption. Officers advise that relief may be applied for post-determination of this application but pre-commencement of the development, if consent is granted, at which time the appropriate relief will be calculated. In the meantime, a Draft Cil Liability Notice would be issued if consent is granted, as there would be pre-commencement conditions that would be recommended. The Cil Liability Notice would be issued following the discharge of the last of the pre-commencement conditions.

Conclusion on planning issues

58. The proposal is a resubmission for the redevelopment of this existing site to provide 20 residential units and 3 commercial units on the ground floor. The site is currently under-utilised, along a stretch of Grange Road which has undergone a lot of change over the last few years. The proposed uses of A1, A2 or B1 commercial and residential above is considered acceptable within this location.
59. The proposal would provide an acceptable level of affordable units with 7 social-rented units. The shortfall in wheelchair units by one is off-set by a contribution included within the S106 contributions. The proposal has a shortfall in 2 plus bed

room units, this is not considered in itself reason to refuse the scheme and the level of 3 bedroom units would comply.

60. A good quality of residential accommodation would be achieved with all of the units meeting or exceeding the minimum room sizes, all of the units would have private amenity space in excess of 3 sq metres and the majority of units would be dual aspect.
61. Although the development will have some impact on the amenities of existing residents in particular Amisha Court, the width of The Grange is a constraint to any forthcoming development and as demonstrated within the addendum to the daylight and sunlight assessment a mirror image of Amisha Court on this corner would be more harmful to the existing amenity in terms of daylight and sunlight to this building.
62. In relation to other adjoining sites the scheme is not considered to result in harm to amenities as to justify refusal; despite some impacts arising in relation to sunlight and daylight this is considered to be within acceptable tolerances for this urban location.
63. The scheme would improve the existing streetscape and would respect the context and character of the locality. It would enhance the quality of the built environment, making a positive contribution to the setting of the character of the Bermondsey Conservation Area.
64. The scheme would not result in harm in relation to transport impacts. The impacts of the scheme in relation to infrastructure could be mitigated by way of financial contributions to be secured by s106 planning obligations in the event that planning permission were to be granted.
65. The benefits of the scheme, including the provision of general needs housing and social rented housing that would be secured, as well as the new commercial units are considered to outweigh any modest shortfall in relation to other areas of policy. It is therefore recommended that planning permission be granted having regard to the policies considered and other material planning considerations.

Community impact statement

66. 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 above.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

67. 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.

68. Summary of consultation responses

- Metropolitan Police Service - No response.

Officer comment: The scheme does not present any secured by design issues.

- Environmental Protection Team - Concerns are raised as to ventilation of the first floor units fronting Grange Road due to the air pollution on this road from standing traffic during peak hours.

Officer comment: A condition would be recommended to secure details of ventilation for these units.

- Environment Agency - No objections.
- Transport for London (TfL) - No objections.

69. Following neighbour consultation, 20 letters of objection and one letter of support have been received. The main points of the letters of objection have been summarised and addressed below;

- The development is excessive in scale/massing and is too tall. The development is not in keeping with the area.

Officer comment: Although the development extends up to 7 storeys, it is only marginally taller than Amisha Court on the corner approximately 300mm. The overall bulk of the scheme has been reduced and on balance is considered acceptable.

- Lack of parking will make congestion and parking worse.

Officer comment: The site is located within a CPZ and should consent be granted, future occupiers will be exempt from obtaining parking permits and as such there will be no increase in parking issues within the area as a result of the proposal.

- The development will lead to a loss of daylight and sunlight to the Alaska Buildings and the adjacent buildings on Grange Road and The Grange.

Officer comment: The development will impact on surrounding buildings in terms of a loss of Vertical Sky Component, with the windows on the side of Grange House most affected, but such impacts are limited and overall the losses experienced are not judged as harmful to amenity when compared to the overall benefits of the scheme.

- The development will result in the loss of views from the Alaska Building.

Officer comment: There is no right to a view over a third party's land and the proposed development is not considered to impact on views/openness to the extent that it would have an adverse impact on amenity.

- The proposed development will lead to increased noise, traffic and disturbance. Safety will be compromised on The Grange as a result of vehicular parking.

Officer comment: The site is located within a CPZ and should consent be granted, future occupiers will be exempt from obtaining parking permits and as such there will be no increase in parking issues or traffic within the area as a result of the proposal and there will be no associated impacts in terms of increased noise or decreased

safety.

- There will be a loss of privacy to adjacent properties.

Officer comment: The separation distance between the Grange Road Facade (with the principle fenestration) and the adjacent Alaska Buildings is 17 metres and as such there will be no adverse impact in terms of overlooking or loss of privacy. To the rear of the site, at Grange House, the closest windows are generally secondary and would be conditioned to be fixed shut and obscure glazed. The adjoining building Futura House has terraces on top of the fourth floor. It is suggested that a condition be added to provide screening on the terraces to the west at fifth floor level where potential overlooking is more likely. Towards Amisha Court the distance between the buildings would be around 12 metres which is in accordance with the Residential design guide SPD.

- The proposed development is too dense, it is an overdevelopment of the application site.

Officer comment: The residential density is in excess of the policy specification and in this case, taking into account the overall benefits resulting from the scheme no objection is raised to the density.

- The impact on natural light to north facing windows required for artists studio.

Officer comment: The proposed windows within 200 Grange Road serve a single space, as such levels of light received to those rooms would be in compliance with the BRE guidance.

- The development will have an adverse impact on property values. Impact structurally on the adjoining building.

Officer comment: These are not planning considerations.

- The proposal will result in a tunneling effect on Grange Road which will become darker, windier, less safe and more polluted.

Officer comment: The top floor has been set back on the elevation to The Grange. The overall bulk along Grange Road is reduced. Grange Road is a fairly wide, long road, the development forms a relatively short frontage such that it could not be considered to have an overbearing impact onto Grange Road.

Human rights implications

70. 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.
71. This application has the legitimate aim of providing new commercial and residential accommodation. 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

72. There is no supplementary advice from other officers.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/32-163 Application file: 14/AP/1247 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Sonia Watson, Planning Officer	
Version	Final	
Dated	29 January 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		30 January 2015

APPENDIX 1**Consultation Undertaken****Site notice date:** 15/05/2014**Press notice date:** 15/05/2014**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 14/05/2014**Internal services consulted:**

Access Officer

Design and Conservation Team

Drainage

Ecology Officer

Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]

Planning Policy

Transport Planning Team

Urban Forester

Waste Management

Statutory and non-statutory organisations consulted:

Environment Agency

Metropolitan Police Service

Thames Water - Development Planning

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Flat 10 Amisha Court SE1 3GH

Flat 5 Amisha Court SE1 3GH

Flat 4 Amisha Court SE1 3GH

Flat 3 Amisha Court SE1 3GH

Flat 6 Amisha Court SE1 3GH

Flat 9 Amisha Court SE1 3GH

Flat 8 Amisha Court SE1 3GH

Flat 7 Amisha Court SE1 3GH

Flat 18 Amisha Court SE1 3GH

Flat 29 Amisha Court SE1 3GH

Flat 28 Amisha Court SE1 3GH

Flat 27 Amisha Court SE1 3GH

Flat 30 Amisha Court SE1 3GH

Flat 33 Amisha Court SE1 3GH

Flat 32 Amisha Court SE1 3GH

Flat 31 Amisha Court SE1 3GH

Flat 26 Amisha Court SE1 3GH

Flat 21 Amisha Court SE1 3GH

Flat 20 Amisha Court SE1 3GH

Flat 19 Amisha Court SE1 3GH

Flat 22 Amisha Court SE1 3GH

Flat 25 Amisha Court SE1 3GH

Flat 24 Amisha Court SE1 3GH

Flat 23 Amisha Court SE1 3GH

Flat 2 Amisha Court SE1 3GH

Apartment 5 Futura House SE1 3BN

Apartment 4 Futura House SE1 3BN

Apartment 12 Futura House SE1 3BN

Apartment 6 Futura House SE1 3BN

Apartment 17 Futura House SE1 3BN

Apartment 16 Futura House SE1 3BN

Apartment 11 Futura House SE1 3BN

Flat 5 2 Building 500 Alaska Buildings SE1 3BA

Flat 4 2 Building 400 Alaska Buildings SE1 3BA

Flat 5 4 Building 500 Alaska Buildings SE1 3BA

Flat 5 7 Building 500 Alaska Buildings SE1 3BA

Flat 5 6 Building 500 Alaska Buildings SE1 3BA

Flat 5 5 Building 500 Alaska Buildings SE1 3BA

Flat 13 Amisha Court SE1 3GH

Flat 12 Amisha Court SE1 3GH

Flat 11 Amisha Court SE1 3GH

Flat 14 Amisha Court SE1 3GH

Flat 17 Amisha Court SE1 3GH

Flat 16 Amisha Court SE1 3GH

Flat 15 Amisha Court SE1 3GH

Flat 27 Grange House SE1 3AF

Flat 26 Grange House SE1 3AF

Flat 25 Grange House SE1 3AF

Flat 28 Grange House SE1 3AF

Flat 31 Grange House SE1 3AF

Flat 30 Grange House SE1 3AF

Flat 29 Grange House SE1 3AF

Flat 24 Grange House SE1 3AF

Flat 19 Grange House SE1 3AF

Flat 18 Grange House SE1 3AF

Flat 17 Grange House SE1 3AF

Flat 20 Grange House SE1 3AF

Flat 23 Grange House SE1 3AF

Flat 22 Grange House SE1 3AF

Flat 21 Grange House SE1 3AF

Flat 32 Grange House SE1 3AF

Flat 23 41 Grange Walk SE1 3DY

Flat 22 41 Grange Walk SE1 3DY

Flat 21 41 Grange Walk SE1 3DY

Flat 2 1 The Grange SE1 3AG
 Flat C 166 Grange Road SE1 3AD
 Unit 600 Part Basement Rear Alaska Buildings SE1 3BH
 Apartment 10 Futura House SE1 3BN
 Apartment 18 Futura House SE1 3BN
 Apartment 3 Futura House SE1 3BN
 Apartment 2 Futura House SE1 3BN
 168a Grange Road London SE1 3BN
 Flat 1 Amisha Court SE1 3GH
 Ground Floor Part Unit 2 Futura House SE1 3BN
 Apartment 1 Futura House SE1 3BN
 Apartment 8 Futura House SE1 3BN
 Apartment 7 Futura House SE1 3BN
 Apartment 9 Futura House SE1 3BN
 Apartment 15 Futura House SE1 3BN
 Apartment 14 Futura House SE1 3BN
 Apartment 13 Futura House SE1 3BN
 Flat 7 171 Grange Road SE1 3BN
 Flat 6 171 Grange Road SE1 3BN
 Flat 5 171 Grange Road SE1 3BN
 Flat 8 171 Grange Road SE1 3BN
 Flat 11 172 Grange Road SE1 3BN
 Flat 10 171 Grange Road SE1 3BN
 Flat 9 171 Grange Road SE1 3BN
 Flat 4 171 Grange Road SE1 3BN
 170-176 Grange Road London SE1 3BN
 Flat 3 171 Grange Road SE1 3BN
 Flat 2 171 Grange Road SE1 3BN
 Flat 1 171 Grange Road SE1 3BN
 Flat 12 172 Grange Road SE1 3BN
 Flat 23 172 Grange Road SE1 3BN
 Flat 22 172 Grange Road SE1 3BN
 Flat 21 172 Grange Road SE1 3BN
 Flat 24 172 Grange Road SE1 3BN
 Flat 27 172 Grange Road SE1 3BN
 Flat 26 172 Grange Road SE1 3BN
 Flat 25 172 Grange Road SE1 3BN
 Flat 20 172 Grange Road SE1 3BN
 Flat 15 172 Grange Road SE1 3BN
 Flat 14 172 Grange Road SE1 3BN
 Flat 13 172 Grange Road SE1 3BN
 Flat 16 172 Grange Road SE1 3BN
 Flat 19 172 Grange Road SE1 3BN
 Flat 18 172 Grange Road SE1 3BN
 Flat 17 172 Grange Road SE1 3BN
 Flat 44 Amisha Court SE1 3GH
 Flat 43 Amisha Court SE1 3GH
 Flat 42 Amisha Court SE1 3GH
 Flat 45 Amisha Court SE1 3GH
 Flat 48 Amisha Court SE1 3GH
 Flat 47 Amisha Court SE1 3GH
 Flat 46 Amisha Court SE1 3GH
 Flat 41 Amisha Court SE1 3GH
 Flat 36 Amisha Court SE1 3GH
 Flat 35 Amisha Court SE1 3GH
 Flat 34 Amisha Court SE1 3GH
 Flat 3 Grange House SE1 3AF
 Flat 2 Grange House SE1 3AF
 Flat 1 Grange House SE1 3AF
 Flat 4 Grange House SE1 3AF
 Flat 7 Grange House SE1 3AF
 Flat 6 Grange House SE1 3AF
 Flat 5 Grange House SE1 3AF
 Flat 23 10 The Grange SE1 3AG
 Flat 22 10 The Grange SE1 3AG
 Flat 21 10 The Grange SE1 3AG
 Flat 25 10 The Grange SE1 3AG
 Flat 28 10 The Grange SE1 3AG
 Flat 27 10 The Grange SE1 3AG
 Flat 26 10 The Grange SE1 3AG
 Flat 20 10 The Grange SE1 3AG
 Flat 15 10 The Grange SE1 3AG
 Flat 12 10 The Grange SE1 3AG
 Flat 11 10 The Grange SE1 3AG
 Flat 16 10 The Grange SE1 3AG
 Flat 19 10 The Grange SE1 3AG
 Flat 18 10 The Grange SE1 3AG
 Flat 17 10 The Grange SE1 3AG
 First Floor Flat 164 Grange Road SE1 3AD
 Flat 24 41 Grange Walk SE1 3DY
 Flat 27 41 Grange Walk SE1 3DY
 Flat 26 41 Grange Walk SE1 3DY
 Flat 25 41 Grange Walk SE1 3DY
 Flat 20 41 Grange Walk SE1 3DY
 53 Grange Road London SE1 3BH
 52 Grange Road London SE1 3BH
 78 Grange Road London SE1 3BH
 Flat 16 41 Grange Walk SE1 3DY
 Flat 19 41 Grange Walk SE1 3DY
 Flat 18 41 Grange Walk SE1 3DY
 Flat 17 41 Grange Walk SE1 3DY
 Flat 16 Grange House SE1 3AF
 57 Grange Road London SE1 3BH
 56 Grange Road London SE1 3BH
 55 Grange Road London SE1 3BH
 163 Grange Road London SE1 3AD
 167 Grange Road London SE1 3AD
 54 Grange Road London SE1 3BH
 Flat 30 172 Grange Road SE1 3BN
 Flat 29 172 Grange Road SE1 3BN
 Flat 37 Amisha Court SE1 3GH
 Flat 40 Amisha Court SE1 3GH
 Flat 39 Amisha Court SE1 3GH
 Flat 38 Amisha Court SE1 3GH
 Flat 49 Amisha Court SE1 3GH
 Flat 60 Amisha Court SE1 3GH
 Flat 28 172 Grange Road SE1 3BN
 Flat 31 172 Grange Road SE1 3BN
 51 Grange Road London SE1 3BH
 Flat 33 172 Grange Road SE1 3BN
 Flat 32 172 Grange Road SE1 3BN
 50 Grange Road London SE1 3BH
 Flat 11 Grange House SE1 3AF
 Flat 10 Grange House SE1 3AF
 Flat 9 Grange House SE1 3AF
 Flat 12 Grange House SE1 3AF
 Flat 15 Grange House SE1 3AF
 Flat 14 Grange House SE1 3AF
 Flat 13 Grange House SE1 3AF
 Flat 8 Grange House SE1 3AF
 Flat 59 Amisha Court SE1 3GH
 Flat 58 Amisha Court SE1 3GH
 Flat 61 Amisha Court SE1 3GH
 Lower Ground Floor Amisha Court SE1 3AJ
 Flat D 166 Grange Road SE1 3AD
 161a Grange Road London SE1 3FH
 Flat 57 Amisha Court SE1 3GH
 Flat 52 Amisha Court SE1 3GH
 Flat 51 Amisha Court SE1 3GH
 Flat 50 Amisha Court SE1 3GH
 Flat 53 Amisha Court SE1 3GH
 Flat 56 Amisha Court SE1 3GH
 Flat 55 Amisha Court SE1 3GH
 Flat 54 Amisha Court SE1 3GH
 Flat 1 06 Building 600 Alaska Buildings SE1 3BB
 Flat 1 05 Building 600 Alaska Buildings SE1 3BB
 Flat 1 04 Building 600 Alaska Buildings SE1 3BB
 Flat 2 01 Building 600 Alaska Buildings SE1 3BB
 Flat 1 08 Building 600 Alaska Buildings SE1 3BB
 Flat 1 07 Building 600 Alaska Buildings SE1 3BB
 Flat 4 03 Building 600 Alaska Buildings SE1 3BB
 Flat 4 02 Building 600 Alaska Buildings SE1 3BB
 Flat 4 01 Building 600 Alaska Buildings SE1 3BB
 Flat 4 06 Building 600 Alaska Buildings SE1 3BB
 Flat 4 05 Building 600 Alaska Buildings SE1 3BB
 Flat 4 04 Building 600 Alaska Buildings SE1 3BB
 Flat 3 08 Building 600 Alaska Buildings SE1 3BB
 Flat 3 04 Building 600 Alaska Buildings SE1 3BB
 Flat 3 03 Building 600 Alaska Buildings SE1 3BB
 Flat 3 02 Building 600 Alaska Buildings SE1 3BB
 Flat 3 07 Building 600 Alaska Buildings SE1 3BB
 Flat 3 06 Building 600 Alaska Buildings SE1 3BB
 Flat 3 05 Building 600 Alaska Buildings SE1 3BB
 Flat 4 07 Building 600 Alaska Buildings SE1 3BB
 Flat 7 13 Building 700 Alaska Buildings SE1 3BD
 Flat 6 01 Building 600 Alaska Buildings SE1 3BB
 Flat 5 07 Building 600 Alaska Buildings SE1 3BB
 Flat 801 Building 800 Alaska Buildings SE1 3BG

Unit 1 10 The Grange SE1 3AG
 Part Ground Floor The Grange SE1 3AG
 78a Grange Road London SE1 3BW
 78b Grange Road London SE1 3BW
 Flat A 166 Grange Road SE1 3AD
 First Floor Flat 1 The Grange SE1 3AG
 First Floor Flat 163 Grange Road SE1 3AD
 Flat B 166 Grange Road SE1 3AD
 Unit 600 Part Basement West Alaska Buildings SE1 3BH
 Unit 600 Part Basement Alaska Buildings SE1 3BH
 Unit 400 Ground Floor Alaska Buildings SE1 3BH
 Flat 10 10 The Grange SE1 3AG
 Flat 5 1 Building 500 Alaska Buildings SE1 3BA
 Flat 1 10 The Grange SE1 3AG
 Flat 3 1 Building 300 Alaska Buildings SE1 3BA
 Flat 4 1 Building 400 Alaska Buildings SE1 3BA
 Flat 1 4 Building 100 Alaska Buildings SE1 3BA
 Flat 1 3 Building 100 Alaska Buildings SE1 3BA
 Flat 1 2 Building 100 Alaska Buildings SE1 3BA
 Flat 3 2 Building 300 Alaska Buildings SE1 3BA
 Flat 30 41 Grange Walk SE1 3DY
 Flat 29 41 Grange Walk SE1 3DY
 Flat 28 41 Grange Walk SE1 3DY
 Flat 31 41 Grange Walk SE1 3DY
 Flat 21 Building 200 Alaska Building SE1 3BA
 Flat 1 1 Building 100 Alaska Buildings SE1 3BA
 77 Grange Road London SE1 3BW
 Flat 22 Building 200 Alaska Building SE1 3BA
 Flat 5 10 The Grange SE1 3AG
 Flat 3 10 The Grange SE1 3AG
 Flat 2 10 The Grange SE1 3AG
 Flat 6 10 The Grange SE1 3AG
 Flat 9 10 The Grange SE1 3AG
 Flat 8 10 The Grange SE1 3AG
 Flat 7 10 The Grange SE1 3AG
 Flat 5 8 Building 500 Alaska Buildings SE1 3BA
 Flat 5 3 Building 500 Alaska Buildings SE1 3BA
 Flat 5 06 Building 600 Alaska Buildings SE1 3BB
 Flat 5 02 Building 600 Alaska Buildings SE1 3BB
 Flat 5 01 Building 600 Alaska Buildings SE1 3BB
 Flat 4 08 Building 600 Alaska Buildings SE1 3BB
 Flat 5 05 Building 600 Alaska Buildings SE1 3BB
 Flat 5 04 Building 600 Alaska Buildings SE1 3BB
 Flat 5 03 Building 600 Alaska Buildings SE1 3BB
 Flat 3 01 Building 600 Alaska Buildings SE1 3BB
 Flat G 10 Building 600 Alaska Buildings SE1 3BB
 Flat G 09 Building 600 Alaska Buildings SE1 3BB
 Flat G 08 Building 600 Alaska Buildings SE1 3BB
 Flat 1 02 Building 600 Alaska Buildings SE1 3BB
 Flat 1 01 Building 600 Alaska Buildings SE1 3BB
 Flat G 11 Building 600 Alaska Buildings SE1 3BB
 Flat G 07 Building 600 Alaska Buildings SE1 3BB
 Flat G 03 Building 600 Alaska Buildings SE1 3BB
 Flat G 02 Building 600 Alaska Buildings SE1 3BB
 Flat G 01 Building 600 Alaska Buildings SE1 3BB
 Flat G 06 Building 600 Alaska Buildings SE1 3BB
 Flat G 05 Building 600 Alaska Buildings SE1 3BB
 Flat G 04 Building 600 Alaska Buildings SE1 3BB
 Flat 1 03 Building 600 Alaska Buildings SE1 3BB
 Flat 2 05 Building 600 Alaska Buildings SE1 3BB
 Flat 2 04 Building 600 Alaska Buildings SE1 3BB
 Flat 2 03 Building 600 Alaska Buildings SE1 3BB
 Flat 2 08 Building 600 Alaska Buildings SE1 3BB
 Flat 2 07 Building 600 Alaska Buildings SE1 3BB
 Flat 2 06 Building 600 Alaska Buildings SE1 3BB
 Flat 2 02 Building 600 Alaska Buildings SE1 3BB
 By Email
 Flat 201 Building 600 SE1 3BB
 Flat 712 Alaska Building 61 Grange Road SE1 3BD
 By Email
 Futura House 169 Grange Road
 Flat 12, 100 Building Alaska 61 Grange Road SE1 3BA
 128 Southwark Street London SE1 0SW
 Flat 405 Alaska Buildings 61 Grange Road SE1 3BB
 32 Melbourne Grove East Dulwich SE22 8QZ

Re-consultation: 08/10/2014

APPENDIX 2**Consultation Responses Received****Internal services**

Drainage
Ecology Officer

Statutory and non-statutory organisations

Environment Agency
Metropolitan Police Service
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Apartment 1 Futura House SE1 3BN
Apartment 12 Futura House SE1 3BN
Apartment 13 Futura House SE1 3BN
Apartment 18 Futura House SE1 3BN
Apartment 6 Futura House SE1 3BN
By Eform
Email representation
Flat 12, 100 Building Alaska 61 Grange Road SE1 3BA
Flat 22 Building 200 Alaska Building SE1 3BA
Flat 32 Building 300, Alaska Buildings SE1 3BA
Flat 405 Alaska Buildings 61 Grange Road SE1 3BB
Flat 47 Amisha Court SE1 3GH
Flat 5 04 Building 600 Alaska Buildings SE1 3BB
Flat 505 Alaska Building 600 61 Grange Road SE1 3BB
Flat 6 Futura House 168 Grange Road SE1 3BV
Nicholas Taylor And Associates 31 Windmill Street W1T 2JN

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	Mr JG and O Yusuf	Reg. Number	14/AP/1247
Application Type	Full Planning Permission	Case	TP/32-163
Recommendation	Grant subject to Legal Agreement	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a new mixed-use development comprising of 7 storeys with 3 commercial units (retail, financial and professional services or office) & 20 residential units of mixed tenure (10, one bedroom, 6 two bedroom and 4 threebedroom units) with terraces.

At: 163 -167 GRANGE ROAD, LONDON, SE1 3AD

In accordance with application received on 16/04/2014 08:03:52

and Applicant's Drawing Nos. OS Extract; Existing floor plans PL3415-01 RevA

257.PA.1.00 REV P18; 257.PA.1.01 REV P16; 257.PA.1.02 REV P15; 257.PA.1.03 REV P16; 257.PA.1.04 REV P15; 257.PA.1.05 REV P15; 257.PA.1.06 REV P16; 257.PA.1.07 REV P15; 257.PA.2.01 REV P3; 257.PA.3.01 REV P8; 257 PA.3.02 REV P8; 257 PA.3.03 REV P4

Planning Statement - June 2013, addendum dated 18/12/2013; Daylight and Sunlight Study addendum to daylight and sunlight study (Right of Light Consulting 22/08/2014) Daylight study internal to development; Design and Access Statement; Historic Environment assessment; Air Quality Assessment; Green Travel Plan; Transport Assessment; Noise Assessment; Arboricultural Impact Assessment; Flood Risk Assessment; Energy Statement;

Subject to the following twenty-seven conditions:

Time limit for implementing this permission and the approved plans

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

257.PA.1.00 REV P18; 257.PA.1.01 REV P16; 257.PA.1.02 REV P15; 257.PA.1.03 REV P16; 257.PA.1.04 REV P15; 257.PA.1.05 REV P15; 257.PA.1.06 REV P16; 257.PA.1.07 REV P15; 257.PA.2.01 REV P3; 257.PA.3.01 REV P8; 257 PA.3.02 REV P8; 257 PA.3.03 REV P4

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

- 2 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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Prior to the commencement of construction, a scheme of mechanical ventilation for the residential element of the development, including an appropriate inlet, appropriate outlet, details of sound attenuation for any necessary plant and any management or filtration mechanisms, shall be submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given and shall be carried out before the use hereby permitted is commenced.

Reason
In order to ensure that that the ventilation of the residential elements is adequate and is protected from

environmental noise and pollution and will not detract from the appearance of the building in the interests of amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007

- 4 a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
- d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 5 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 6 No trenches, pipe runs or services or foundations for roads or pathways shall be dug or excavated within 5.0 metres of the base of any tree on the site or of any tree on land adjoining the site unless otherwise shown on the approved drawings. Details shall include cross sections showing the use of a permeable, non-dig or cellular confinement system suitable for supporting the load of vehicles within any tree root protection areas. All works shall adhere to BS5837: Trees in relation to demolition, design and construction (2012) and National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 7 Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 8 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 9 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 10 Prior to commencement of above grade work, an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Level 4 or equivalent Code Level rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
Before the first occupation of the building hereby permitted, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 11 Details of the brickwork, windows and railings (2 copies) to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 12 Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good or excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;
Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 13 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage for 26 cycles (residential) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 14 Before the first occupation of the residential building hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced [257/PA/1.00 REV P18] shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 15 Prior to occupation detailed drawings of privacy screens to the west elevation of terraces adjoining Futura House, (Units A, F, K, Q, O and S) shall be submitted to and approved by the Local Planning Authority and the details as approved shall be provided and maintained as such for the duration of the scheme.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Futura House from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 16 The residential rooms within the development sharing a party wall/ floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the commercial premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be

carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 `High environmental standards, of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 17 Prior to their occupation the wheelchair accessible unit hereby approved as shown on the drawing/s hereby approved referenced [257/PA/1.00 REV P18 and 1.01 REV P16] shall be constructed and fitted out to the South East London Wheelchair Design Guide.

Reason

To ensure the wheelchair units approved are delivered to the relevant standard in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

- 18 Before the first occupation of the commercial buildings hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced [257/PA/1.00 REV P18] shall be provided and made available for use by the occupiers of the [dwellings/premises] and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 19 Before the first occupation of the commercial buildings the cycle storage facilities as shown on drawing [257/PA/1.00 REV P18] shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 20 Prior to occupation of the wheelchair unit hereby approved, the disabled parking space, as shown on the drawing/s referenced [257/PA/1.00 REV P18] hereby approved, shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 21 The proposed building shall be constructed to the heights detailed within the approved plans and shall be no more than 0.5 metres higher than the adjacent building at 161 Grange Road (Amisha Court).

Reason

In order that the scale of the proposed building is appropriate to its location and to protect the visual amenities of the surrounding residential properties in accordance with Strategic Policy 12 Design and conservation of the Core Strategy 2011 and Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

- 22 The proposed scheme shall be designed and constructed to achieve a 40% carbon savings compared to the Building Regulations 2010.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2012, Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan 2011; Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 23 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by Sanderson consulting engineering with project reference number 5994/DH/001/03 dated September 2011.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 24 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T * and 45dB LAFmax

Living rooms - 30dB LAeq, T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 25 The following secondary windows on the rear elevation of the building shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing:
Unit B (bed); Unit E (bed); Unit G (bed); Unit J (living room); Unit M (living room Unit M (bedroom); Unit O (middle bedroom).

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Grange house from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 26 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 27 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

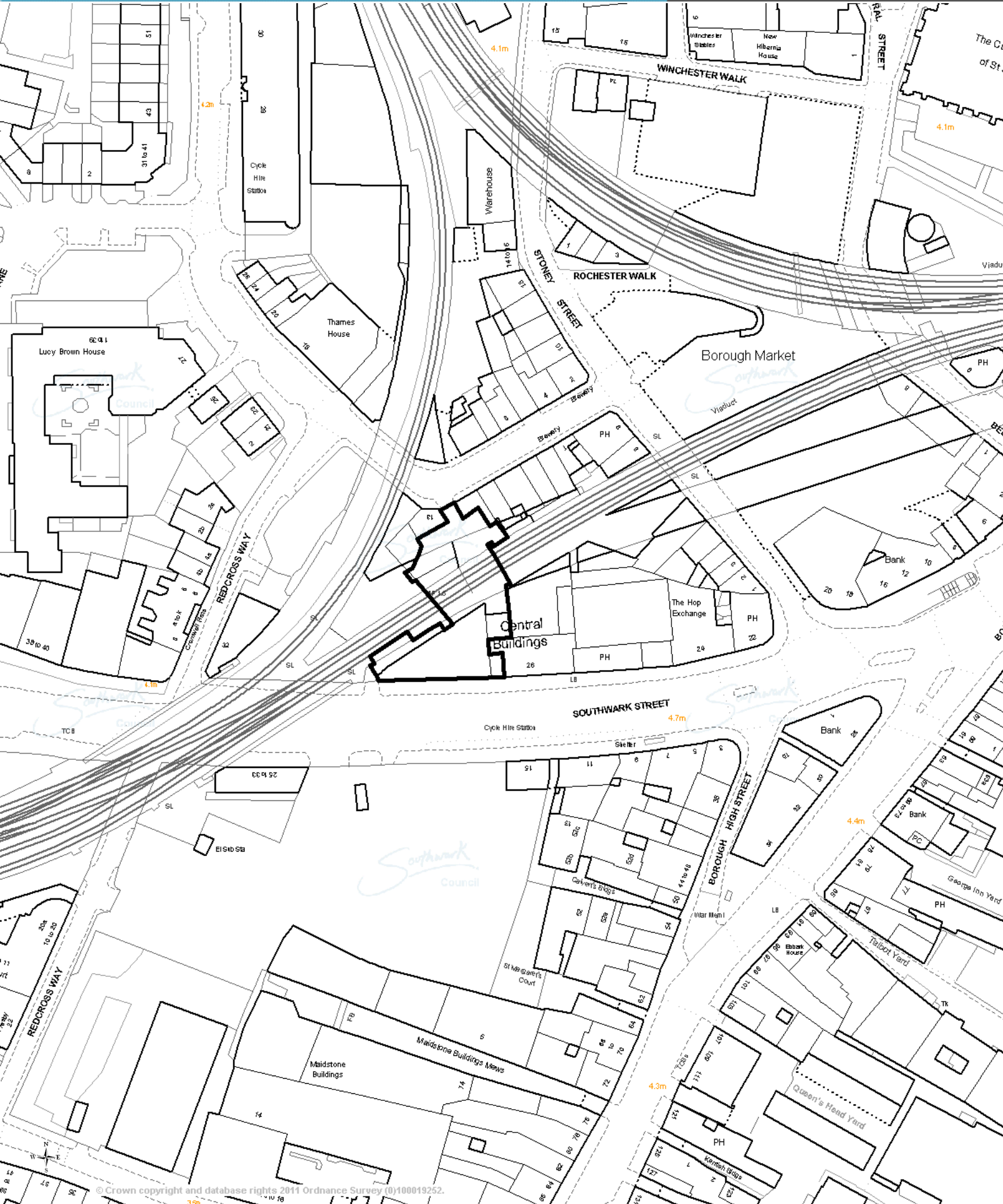
Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The local planning authority's suggested improvements to the scheme to comply with policies and written guidance and these were adopted by the applicant

—

Ordnance Survey

Date 30/1/2015



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Item No. 5.3	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/2245 for: Full Planning Permission Address: THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON SE1 1TY Proposal: Change of use of vacant office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on upper ground, first, second and third floors together with ancillary storage in the basement; roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration to the west wing of the building.		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 02/07/2014		Application Expiry Date 01/10/2014	
Earliest Decision Date 20/08/2014			

RECOMMENDATION

1. That the Sub-Committee grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site covers an area of 1,017sqm, which sits within the West Wing of the larger Hop Exchange building, which is a Grade II Listed Building.
3. The applicant has a leasehold of the West Wing, which is currently vacant and was last used as B1 (a) offices on the upper floors with ancillary storage in the basement. The demise comprises the upper ground, first, second and third floor levels and totals 1,457sqm. A small section of the lower ground floor is given over to the leased premises as part of this application.
4. The office partitions on the upper floors have now been removed and the internal finishes have been stripped exposing brickwork and the construction fabric of the building. There are other occupants within the Hop Exchange, which are predominantly operating in B1 offices or A3 (restaurant) or A4 Class (drinking establishment) uses.
5. The front of the building faces Southwark Street and is part of the Transport for London road network (TLRN). The existing rear service yard is gated and accessed off Park Street underneath the railway viaduct and arches which is located to the north of the site.
6. The site is within a mixed use area surrounded by retail, commercial, offices and food and drink establishments. There are a small number of residential units to the north on Park Street and some flats on Southwark Street opposite.

7. The site is within the following designations:

Central Activities Zone (CAZ), Bankside, Borough and London Bridge Opportunity Area, Bankside and Borough District Town Centre, Strategic Cultural Area, Archaeological Priority Zone (APZ) and Air Quality Management Area. It is within a flood risk area. The site has a very high Public Transport Accessibility Level (PTAL) rating of 6b.

8. It is also within the Borough High Street Conservation Area. There are several other listed buildings in the immediate locality of the site including 5 Stoney Street, 3 Southwark Street and 1-13 Park Street (all Grade II designated).

Details of proposal

9. It is proposed to change the use of the upper ground, first, second and third floors of the West Wing from the vacant B1(a) office to a restaurant and bar (Use Classes A3 and A4). The use of the basement floor would be ancillary to the main use, used for storage and wine/beer cellar, employee washing and changing facilities and ancillary office space. The restaurant would be under one ownership.

10. Interior alterations are proposed and summarised below:

- The main entrance will be provided at the upper ground floor level. There is an existing service door at street level and this will be widened to allow for a new wider internal stairs and a platform lift up to the upper ground floor level.
- Three new breakthroughs to the ceiling are proposed to provide new staircase access and a customer lift to the third floor.
- New partitioning walls will be proposed to all levels to create storage areas, kitchen and toilet facilities.
- The existing western staircase at the far end of the Hop Exchange building will be removed and a new fire escape stair will be constructed through all levels.
- Alterations to the basement including removal of non-original partition walls and creation of new stud walling to provide stores and rooms.

11. External alterations are also proposed as follows:

- The existing service door to the basement is located at the western end of the facade and will be removed and windows at the street level will be reinstated in its place.
- Some windows will require renovation and therefore be replaced with new windows.
- Installation of new plant for mechanical extraction and ventilation and will be housed within screening panels.
- A new access stair by continuing up the new central stair is proposed to the roof level.

Planning history

12. There is an extensive planning history for this site including Listed Building Consents. The most relevant to this application is 03-AP-0279 (Listed Building Consent), which

was for: Erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).

Decision date 01/08/2003 Decision: Grant (GRA). This permission was not implemented.

03/AP/0279 Application type: Listed Building Consent (LBC)

Erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).

Decision date 01/08/2003 Decision: Grant (GRA)

08/AP/0529 Application type: Listed Building Consent (LBC)

Demolition of small parts of existing internal walls, structural and non load bearing partitioning as detailed on the accompanying drawings

Decision date 18/04/2008 Decision: Granted (GRA)

08/AP/1357 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of materials pursuant to condition 3 of Listed Building Consent dated 01.08.2003 (LBS Reg No: 03-AP-0279) for erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).

Decision date 17/07/2008 Decision: Granted (GRA)

08/AP/1284 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of the glazed curtain wall and window frame pursuant to condition 4 of Listed Building Consent dated 01.08.2003 (LBS Reg No: 03-AP-0279) for erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).

Decision date 22/07/2008 Decision: Granted (GRA)

08/AP/1356 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of materials pursuant to condition 2 of planning permission dated 01.08.2003 (LBS Reg No: 03-AP-0278) for 3 Storey office extension infill at the rear of the Hop Exchange building

Decision date 24/07/2008 Decision: Granted (GRA)

08/AP/1933 Application type: Listed Building Consent (LBC)

Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank. (LISTED BUILDING CONSENT)

Decision date 02/10/2008 Decision: Granted (GRA)

08/AP/1931 Application type: Full Planning Permission (FUL)

Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank.

Decision date 02/10/2008 Decision: Granted (GRA)

08/AP/2793 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of the roof lights to be used as required by Condition 2 of listed building consent dated 02/10/2008 LBS Ref 08AP1933 Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank.

Decision date 22/12/2008 Decision: Granted (GRA)

09/AP/0486 Application type: Listed Building Consent (LBC)

Install secondary glazing to 8 windows at ground floor to the Southwark Street

frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.

Decision date 12/05/2009 Decision: Granted (GRA)

09/AP/1470 Application type: Approval of Details - Article 30 DMPO (AOD)

Detailed section-drawings of the fire-escape 'tunnel' ceiling pursuant to condition 3 of Listed Building Consent dated 12.05.2009 (LBS RegNo:09-AP-0486) to Install secondary glazing to 8 windows at ground floor to the Southwark Street frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.

Decision date 30/07/2009 Decision: Granted (GRA)

09/AP/1467 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of all new internal works and finishes pursuant to condition 2 of Listed Building Consent dated 12.05.2009 (LBS RegNo:09-AP-0486) to Install secondary glazing to 8 windows at ground floor to the Southwark Street frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.

Decision date 03/09/2009 Decision: Granted (GRA)

10/AP/0057 Application type: Listed Building Consent (LBC)

Repainting of the southern facade and portico of the Hop Exchange.

Decision date 09/03/2010 Decision: Granted (GRA)

11/AP/0653 Application type: Full Planning Permission (FUL)

Installation on the southern side of the carriageway of an extension to the existing cycle hire docking station, for the Transport for London Cycle Hire Scheme containing a maximum of 21 docking points for scheme bicycles (within the setting of neighbouring listed buildings).

Decision date 26/04/2011 Decision: Granted (GRA)

13/AP/0387 Application type: Listed Building Consent (LBC)

External decorations of the southern facade and portico.

Decision date 24/05/2013 Decision: Granted (GRA)

13/AP/2665 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of samples of paint colour with elevation drawings or photographs as required by condition 3 of listed building consent dated 24/05/2013 [application no. 13/AP/0387 for the external decorations of the southern facade and portico].

Decision date 30/08/2013 Decision: Granted (GRA)

13/AP/2105 Application type: Full Planning Permission (FUL)

Proposed use of an existing vacant basement area as a public bar in association with Katzenjammers bar.

Decision date 30/09/2013 Decision: Granted (GRA)

07/EQ/0191 Application type: Pre-Application Enquiry (ENQ)

Decision date 07/01/2014 Decision: Pre-application enquiry closed (EQC)

13/EQ/0211 Application type: Pre-Application Enquiry (ENQ)

Part change of use of building from office to hotel use, extension to building to form office accommodation and rooftop terrace and skybar with associated enabling works.

Decision date 04/03/2014 Decision: Pre-application enquiry closed (EQC)

14/AP/0132 Application type: Listed Building Consent (LBC)

Internal alterations to convert an existing vacant basement into a public bar comprising of the formation of two separate connecting staircases, dumb waiter lift between floors, new partitioning and creation of new openings.

Decision date 20/03/2014 Decision: Granted (GRA)

14/AP/1280 Application type: Listed Building Consent (LBC)

Repaint area of portico, alter finishes to landing, install mat well, repair stonework

Decision date 13/06/2014 Decision: Granted (GRA)

14/AP/2808 Application type: Approval of Details - Article 30 DMPO (AOD)

Samples of paint finishes, coloured tiles and all other external material finishes pursuant to Condition 4 of Listed Building Consent 14-AP-1280 for: Repaint area of portico, alter finishes to landing, install mat well, repair stonework

Decision date 22/09/2014 Decision: Granted (GRA)

14/AP/2807 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of a Schedule of Works for the repair of the steps and the laying of floor tiles pursuant to Condition 3 of Listed Building Consent 14-AP-1280 for: Repaint area of portico, alter finishes to landing, install mat well, repair stonework

Decision date 22/09/2014 Decision: Granted (GRA)

Planning history of adjoining sites

13. There is substantial planning history on the adjoining sites, but the most recent and most relevant are as follows:

5-7 Southwark Street: 10-AP-0537 - Planning permission refused 08/07/2010 for:

Change of use of 2nd floor from B1 offices to a lazer hair removal and skin care clinic (sui generis class)

The reason for refusal was:

The proposal would result in the loss of a small B Class unit within the Central Activities Zone and Preferred Office Location, resulting in a loss of employment opportunities within the Borough. In the absence of any evidence to demonstrate that the premises has been vacant for more than 12 months and convincing attempts to dispose of the premises, for continued B Class use, over a period of 12 months have been unsuccessful, the proposal fails to comply with the criteria set out in Policy 1.3 'Preferred Office Location' of the Southwark Plan 2007.

12-AP-4079 - Planning permission was granted 04/06/2013 for:

Change of use of ground floor and basement from office (B1) to retail (A1) / professional services (A2) / restaurant (A3) / drinking establishment (A4), including the installation of a new shopfront with an additional entrance for the upper floors and installation of pavement lights (within the setting of the listed building at 3 Southwark Street)

11 Southwark Street: 10-AP-3143 - Planning permission granted 29/12/2010 for:

Change of use of ground floor and basement floors from Class B1 (office) to Class A1 (retail), A2 (financial and professional services) or A3 (restaurant and cafe) and associated external alterations to the shopfront; replace existing 2 No. rooflights at the rear with one linear rooflight and installation of extraction plant to rear.

13-AP-0728 - Planning permission granted 30/07/2013 for:

Demolition of the existing lift tower and first floor rear extension and erection of rear extension at first to fourth floor level, with an additional fifth floor in a mansard to the

front; replacement dormer windows at the front at fourth floor; and the change of use of the first to fourth floors from Class B1 (office) to Class C3 (residential) to provide for: 1 No. one bedroom and 7 No. two bedroom residential units across first to fifth floors (8 residential units in total)

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
- a) Principle of development in terms of land use, including loss of office floorspace
 - b) Impact on the amenities of occupiers of adjoining properties
 - c) Design issues and impact on the character and appearance of the conservation area and the historic fabric/special interest of the Listed Building
 - d) Traffic issues
 - e) Planning obligations

Planning policy

15. National Planning Policy Framework (the Framework)

Section 1: Building a strong, competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable development

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 12: Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.13 Opportunity Areas and Intensification Areas

Policy 2.15 Town Centres

Policy 3.1 Ensuring equal life chances for all

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.12 Improving opportunities for all

Policy 5.12 Flood risk management

Policy 6.3 Assessing transport capacity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Core Strategy 2011

Strategic Policy 1 – Sustainable development
 Strategic Policy 2 – Sustainable transport
 Strategic Policy 3 – Shopping, leisure and entertainment
 Strategic Policy 10 – Jobs and businesses
 Strategic Policy 12 – Design and conservation
 Strategic Policy 13 – High environmental standards
 Strategic Policy 14 – Implementation and delivery

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.1 Access to employment opportunities
 Policy 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
 Policy 1.7 Development within town and local centres
 Policy 1.8 Location of developments for retail and other town centre uses
 Policy 2.5 Planning obligations
 Policy 3.1 Environmental effects
 Policy 3.2 Protection of amenity
 Policy 3.3 Sustainability assessment
 Policy 3.4 Energy efficiency
 Policy 3.6 Air quality
 Policy 3.7 Waste reduction
 Policy 3.9 Water
 Policy 3.11 Efficient use of land
 Policy 3.12 Quality in design
 Policy 3.13 Urban design
 Policy 3.15 Conservation of the historic environment
 Policy 3.16 Conservation areas
 Policy 3.17 Listed buildings
 Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Policy 5.1 Locating developments
 Policy 5.2 Transport impacts
 Policy 5.3 Walking and cycling
 Policy 5.6 Car parking

Principle of development

Land use

16. The site is within the Central Activities Zone (CAZ) and the Strategic Cultural Area (SCA). Policy 2.11 'Central Activities Zone - Strategic Functions' of The London Plan 2011 recognise the important role that the CAZ plays in London's economy. Policy 2.11 seeks to increase office floorspace within the CAZ as this is recognised as the country's most important strategic office location and needs to ensure adequate capacity to meet future demand. Strategic Policy 10 (Jobs and Businesses) of the Southwark Core Strategy seeks to protect existing business floorspace (defined as B use classes) in locations such as this within the CAZ, London Bridge Opportunity Area

and Town Centre.

17. Since the site falls within the CAZ and SCA Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' of The Southwark Plan 2007 is also relevant in assessing this application. Within the CAZ and SCA the council is seeking to encourage a range of uses and the retention of employment uses will contribute to this diversity. Moreover, the CAZ and SCAs have higher public transport accessibility levels.
18. Saved Policy 1.4 states: Development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made to this where:
- a) *The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful; or*
 - b) *The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints; or*
 - c) *The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses.*

This proposal will result in a net loss of B1 office floorspace to be changed in use to a mixed A3/A4 use.

19. In terms of assessing this under criteria a) and b) of policy 1.4, the applicant has not demonstrated that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful. Further, the building was recently occupied in 2011 by Network Rail and internal refurbishment works can be made to make the building physically suitable for B Class use.
20. Policy 1.4 does state that where the site is within a town centre in which case in accordance with policy 1.7, a suitable Class A or other town centre uses will be permitted in place of Class B uses. The Class A3 and A4 use is a 'town centre' use according to the definitions set out in the NPPF and therefore Saved Policy 1.7 of The Southwark Plan 2007 is also relevant in this case.
21. Saved policy 1.7 advises that within town centres the Council will permit developments for a range of uses. The relevant subsection of saved policy 1.7 states:
Within the centres, the LPA will permit developments providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (Class B1) uses, where the following criteria are met:
- i. *The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and*
 - ii. *The proposal will not harm the vitality and viability of the centre; and*
 - iii. *A mix of uses is provided where appropriate; and*
 - iv. *Any floorspace currently in A Class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre (where the proposal site is located within a protected shopping frontage, the proposal should comply with Policy 1.9); and*

- v. *The proposal would not materially harm the amenities of surrounding occupiers; and*
 - vi. *Where developments which are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and*
 - vii. *The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation, or air quality; and*
 - viii. *The development addresses the street, provides an active frontage on pedestrian routes and would not erode the visual continuity of a shopping frontage; and*
 - ix. *The proposal provides amenities for users of the site such as public toilets, where appropriate.*
22. The provision of an A3 and A4 use would be a suitable retail facility along this street frontage in the Bankside and Borough District Town Centre and would be of a scale that is appropriate to the character and function of the centre and the catchment area it seeks to serve and would not harm the vitality or viability of the town centre. Whilst there are several other restaurant/bar facilities in this part of the town centre, there is also a wide offer and balance of other services and facilities, of which this proposal would contribute. The site is within a very high PTAL area and is therefore very accessible. The scheme would not harm the amenities of surrounding properties, which is discussed further below.
 23. The Development Plan generally seeks to protect the loss of B1 class employment floorspace where appropriate and in this case there is concern that approximately 1,400sqm of floor space will be changed from B1 to A3/A4 use, particularly as B1 floorspace generally has a higher employment density than typical restaurant and bar uses. Whilst saved Policy 1.4 of the Southwark Plan makes provision for other appropriate town centre uses, in this case there will be a large amount of B1 floorspace being lost which is contrary to the general policy thrust in protecting B1 floorspace made clear in Strategic Policy 10 of the Core Strategy.
 24. The applicant has submitted further supporting evidence to demonstrate how the development operates and how the proposed use would still provide employment benefits. The submitted document 'Employment Statement' sets out the projected employment levels from the building's current B1(a) use (potential employment figures only given the site has been vacant for two years) and from the proposed A3/A4 use from a number of sources. The figures are 121 employees for B1(a) office use and 72 for an A3/A4 use (using the Southwark S106 SPD draft 2013) within that floorspace.
 25. The ideal scenario would be a maximum of 121 employees, but the standard assumptions do not take account of the age of the building nor its suitability for an office use. The applicant argues that given the age of the building a much lower density should be adopted, resulting in an employment figure of 93 employees.
 26. The applicant then argues that the number of staff employed by Smiths (the applicant) the figure is estimated to be at 115, which has been calculated using existing staffing levels at the Smiths of Smithfield operation in central London (though located outside of Southwark), which is the site most comparable with that proposed at the Hop Exchange, also being over four floors and of approximately 1,500sqm.
 27. The employment structure of the Smiths restaurant is such that the number of employees is greater than the typical A3 use as this is a higher end restaurant.
 28. Given that the structure and unique nature of its operation and the employment that is specific to Smiths, it is considered under these circumstances that it is reasonable and necessary to grant a personal planning permission. Since this is a personal planning

permission, any other restaurant operator wishing to occupy these levels would not be permitted. The unique and exceptional nature of this change of use in terms of making any consent personal to Smiths is justified. If the application was not to be made personal then there is the potential that any other operator could take over operation of the premises which does not have the same needs case or employment benefits which Smiths provide in justifying the loss of offices at over 1,400sqm. In the event that the applicant Smiths ever vacated the building these levels would have to revert back to the original B1 office, which is considered to be necessary and shall be conditioned.

29. On this basis, the scheme is considered to be acceptable in principle provided it does not harm amenity, have an impact on the Listed Building, the character of the Conservation Area or raise significant transport issues, which are discussed below.

Environmental impact assessment

30. None is required for the scale of development proposed.

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

31. The nearest residential properties are those on Park Street, located behind the railway viaduct. There are also newly converted residential flats opposite on Southwark Street.
32. In terms of physical impact, there are no additional external volume in the form of extensions proposed and therefore no impact on neighbours is envisaged in terms of their natural light, outlook and privacy.
33. There have been a number of objections received raising concerns over the number of bars and restaurants in the vicinity. The abundance of these uses were considered to create more noise and disorder. Officers note that this area, which is almost immediately adjoining the Borough Market is predominantly A1, A3 and A4 class uses. However, this is also within a town centre and these uses are anticipated as it would create a town centre with greater vitality and is an active use that is close to the major transport hub (London Bridge station). This area is also a Strategic Cultural area and the uses would contribute to making this a major tourist destination.
34. The residents that have raised concerns are mainly based on Park Street to the north of the application site and is situated behind the railway viaduct. The access to the new restaurant would be on Southwark Street so the coming and going of customers would not be on Park Street. Any noise generated would be at a level that is lower than the railway line and therefore it is not considered to generate any greater nuisance.
35. The Council's Environmental Protection Team (EPT) has advised that a condition restricting the plant noise and noise from amplified music be imposed. The EPT has also advised that the hours of use be restricted via a condition and Officers consider that this could be imposed, but greater flexibility should be given as this is in a town centre location and is on a main road.
36. The scheme for a restaurant use would require a full ventilation and extraction system. The applicant has submitted details of waste, air handling, plant, hot and cold water service and smoke ventilation and EPT raises no objection, subject to a condition requiring the kitchen extract system to meet the Department for Environment, Food and Rural Affairs (DEFRA) guidance on odour.

37. The scheme is considered to be appropriate for the town centre and would not result in any significant harm upon local residents or occupiers, in accordance with Strategic Policy 13 of the Core Strategy and Saved Policy 3.2.

Transport issues

38. This proposal is located in a Controlled Parking Zone (CPZ), the CAZ and an area with a TfL PTAL rating of (6b) reflecting the areas excellent level of access to all forms of public transport.
39. No car parking is proposed as it is expected that pedestrian and cycle movements will be from the local area and the submitted Transport Assessment identifies that there will be little visitors arriving by car. Most vehicle movements to the site can be associated to deliveries and servicing. It is expected that a high volume of visitors will arrive on foot who may have caught public transport as part of their journey. There is disabled parking available on street, adjacent the site. It is considered that the use would not generate significant trips to have an impact on the local highway network.
40. Since this site is within a CPZ it is expected that business/commercial parking permits would have already been restricted.
41. The applicant has proposed 10 cycle spaces for employees and customers. Given that there is an equivalent of 120 staff and capacity to accommodate 440 guest the provision should be higher. The London Plan states that a provision of 1 per 20 staff plus 1 per 20 customers. The applicant needs to increase the number of cycle stands though the transport group recognises a full provision may not be necessary. There is space within the site to provide some additional cycle parking and therefore a condition is recommended to secure additional spaces.
42. Travel Plans are required for all major and some minor developments if there are significant transport impacts and, following discussions with the applicant, one has been submitted in this case. The Council's Transport Planning Group has agreed that this draft Travel Plan is acceptable. It is recommended the final travel plan is secured via a condition prior to occupation.
43. There is also access from Park Street, which will be for servicing. It is expected that servicing vehicles will be no bigger than existing. The largest vehicle to visit the site is a refuse vehicle. A delivery and service management plan will ensure that clashes do not occur between deliveries as to cause a blockage on the highway and it is recommended that this be conditioned. Transport for London (TfL) has also commented on the scheme and notes that there are no vehicle tracking plots provided showing that the service yard can accommodate the predicted size of service vehicles. The delivery service plan should provide this information as well as providing information about the management of taxis/minicabs in the vicinity of the site and details of the nearby taxi ranks that customers of the premises could utilise. TfL has requested that this be approved by the council in consultation with them.
44. It is not expected that the change of use will generate a significant amount of construction traffic and therefore a Construction Management Plan is not required.
45. Although this is a change of use application, increased load bearing is a possibility, so the construction methodology will require consideration and approval by the London Underground (LU) Infrastructure Protection due to the proximity of LU infrastructure below.
46. The LUL Infrastructure Protection team has considered the application and has no objection in principle provided a condition to secure detail design, method statements

and load calculations have been approved by the Council in consultation with them and this would be conditioned.

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

47. This grade II listed building is located within the Borough High Street Conservation Area and it affects the setting of several other grade II listed buildings including Nos. 1, 1b and 3 Southwark Street and 1-13 Park Street to the rear.
48. Paragraph 129 of the NPPF requires that: "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal." This building's external historic significance is principally in the front elevation, the exuberant self-importance of which dominates Southwark Street east of the railway viaduct. The grandeur of the wider design is matched by the neo-classical details which are dominated by the theme of hops and the hop trade.
49. The interior of much of the building is also of historic significance, especially the central atrium, however, the significant internal features of the building are all located in the eastern end of the building as the western end where the development is proposed was all burnt down in the 1930's and nothing of the interior or the windows remain above lower ground floor level. The only internal feature which survives within the site boundary is the substantial wall which divides this part of the building from the more original eastern end.
50. Much more survives of the original at basement level, which retains its brick vaults and original iron columns. The proposal will alter this level and after discussion and negotiation with the applicant, changes have been made. This basement forms part of the significance and though some alterations have been made to it, further alterations need to be kept to a minimum. The applicant has revisited the location of the lift under-run where it protrudes into the lower ground floor from the upper ground level. There were discussions regarding the construction of the lower ground floor ceiling and that the under-run should not, where possible interrupt any brick vault. The final revised plans now shows the lift moved slightly south towards the Southwark Street frontage so that it only goes through non-original ceiling of the lower ground floor.
51. The addition of as much roof plant as is proposed on this listed building would have the potential to add clutter to the roof line viewed from other buildings. However, the height of the Hop Exchange will result in these services all being invisible from the street and because this end of the building has all been rebuilt since the war its installation will not result in any loss of, or harm to, historic fabric. Therefore the massing and the apparent height of the building will not be affected by the development.
52. The proposed alterations to the front elevation will result in the introduction of a new door between column pedestals. This raises some concern in relation to the disruption of the rhythm of the pavement frontage as it was considered to be an awkward location for the principal entrance to this restaurant and bar. A more logical entrance may be to make use of the double width entrance to the building at the western end of the site.
53. The applicant has argued that other entrances to bars and restaurants exist at the street level such as those for Katzenjammers and The Sheaf (both Public Houses

within the Hop Exchange) both of which represent alterations to the original fabric of the building not affected by the fire. These alterations at the street level along the entire frontage are of varying designs of entrances between the columns including a number of unsympathetic alterations notably the entrance to The Sheaf and also ducting to the eastern end. These alterations represent varying access points along the entire frontage of The Hop Exchange and it has therefore already been subdivided over time. In terms of the western end entrance this has already been considered for the main entrance but has been discounted due to the flow of people in case of an emergency and dictated by British Standards and Building Regulations. In light of the above comments, the proposed main entrance is, on balance, considered to be acceptable.

54. In the initial consideration of the proposals, Officers expressed a preference for the stretch of the internal wall that divides the proposal site from the rest of the building to the east to be retained. The applicant has argued that the 0.7m 'spine wall' may have been reinforced following the fire to retain the central and eastern portion of the building. There is no appreciable sense of the wider divide in the building from outside created by the wall. There is no expression in the front elevation (already agreed to be the principally important feature of the listing) and it is considered that the removal of a relatively small section at street level will maintain the rhythm of the columns. It is now accepted that this loss of the wall would not significantly impact on the historic fabric of the building.
55. The replacement of windows on the front elevation and the rear elevation is in principle acceptable as it appears that all from upper ground level and above are rather crude modern copies of the originals. The detail design of these must be confirmed in condition, however and would be included in the associated Listed Building Consent application 14-AP-2246.
56. The principle of reusing this building is acceptable and it will help sustain the building in viable use, but the alterations to the building must not result in an unacceptable level of damage to the buildings significance. It is acknowledged that some elements of the proposal will result in limited harm to its significance. However, there are clear overall heritage and public benefits of the scheme in restoring and bringing the building into a long term use, which demonstrably outweigh the limited harm resulting.
57. Overall, the revised scheme would now comply with the policies set out in the NPPF, Strategy Policy 12 – Design and Conservation of the Core Strategy and saved Southwark Plan policies relating to listed buildings and conservation areas: 3.12,3.13, 3.15, 3.16, 3.17, 3.18.

Planning obligations (S.106 undertaking or agreement)

58. The scheme involves a change of use of approximately 1,457sqm, but since no external extensions are proposed it does not trigger any s106 financial contributions.

Mayoral Community Infrastructure Levy (CIL)

59. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

There is no increase in floor area over 100 sq m and this is not a change of use to residential. The building was also in use for 6 months out of the past 3 years and therefore not CIL liable.

Sustainable development implications

60. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Strategic Policy 13 'High Environmental Standards' of the Core Strategy also stipulate that development should be designed of the highest environmental standards.
61. The energy efficiency measures proposed include various ventilation systems, heating/cooling system to incorporate heat recovery arrangements; design features to promote the conservation of water use and reduction of waste; and energy efficient light source.
62. The building's thermal performance and the energy aspects of the mechanical and electrical services will be designed to comply with Building Regulations. Due to the site constraints of the Grade II Listed Building and its location within the Borough High Street Conservation Area, the suggested renewable sources of energy are not viable and the preservation of the heritage asset is considered more important.
63. Whilst the Core Strategy requires a minimum BREEAM rating of 'Excellent' for major developments, it is noted that this is a scheme that involves refurbishment to a listed building and would be limited to a certain extent. It is considered reasonable to require a minimum rating of 'Very Good' and would be conditioned.

Other matters

Flood risk

64. The site is within a flood zone and the applicant has submitted a Flood risk assessment (FRA). The development falls into a flood risk vulnerability category and flood zone that requires the exception test to be passed, but the Environment Agency raises no objection to the scheme.

Archaeology

65. The site is within the APZ, but no works are to be carried out to the foundations and therefore no archaeological impacts are envisaged.

Conclusion on planning issues

66. The scheme is considered acceptable overall and meets planning policies. The proposal will provide for a sustainable use for this part of the building. The development would not significantly harm local residents and it is not considered that there would be a saturation of A3/A4 uses. Whilst resulting in limited harm, overall the development would satisfactorily preserve the historic fabric and special interest of the listed building and the Borough High Street Conservation Area. It is therefore recommended that planning permission be granted.

Community impact statement

67. 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.

Consultations

68. 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

69. A total of 5 objections from local residents have been received raising similar concerns:

Objects to another bar and restaurant in the immediate area around their home; there are already too many bars and it will lead to more crime, disorder, violence and problems in the area; it would be impossible to get a taxi; the change of use from B1 to A3/A4 will reduce the opportunity for employment in the area as bars and restaurants will employ less people and would be against planning policy; the uses would cause traffic problems (over demand for taxis); the external alterations would alter a beautiful building that is Grade II listed; the area is saturated as far as pub licences go.

Human rights implications

70. 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.
71. This application has the legitimate aim of providing mixed-use development. 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

- 72 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1145-D Application file: 14/AP/2245 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5729 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Wing Lau, Planning Officer	
Version	Final	
Dated	29 January 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate services	No	No
Strategic director of Environment and Leisure	Yes	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2015	

Consultation undertaken

Site notice date: 22/07/2014

Press notice date: 24/07/2014

Case officer site visit date: n/a

Neighbour consultation letters sent: 21/07/2014

Internal services consulted:

Design and Conservation Team, 5th Floor, Tooley Street
 Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]
 Transport Planning Team
 Waste Management

Statutory and non-statutory organisations consulted:

Council for British Archaeology
 Environment Agency
 London Underground Limited
 The Victorian Society
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

7b Park Street London SE1 9AB
 7a Park Street London SE1 9AB
 8 Stoney Street London SE1 9AA
 Jade House 3 Park Street SE1 9AB
 4 Stoney Street London SE1 9AA
 15 Park Street London SE1 9AB
 11 Park Street London SE1 9AB
 7 Park Street London SE1 9AB
 Third Floor Rear 30 Borough High Street SE1 1XU
 Third Floor Front 30 Borough High Street SE1 1XU
 32-34 Borough High Street London SE1 1XU
 Second Floor Evans Lombe House SE1 1XW
 Basement Ground Floor And First Floor Evans Lombe House SE1 1XW
 1a Park Street London SE1 9AB
 9 Stoney Street London SE1 9AA
 First To Third Floors 5 Park Street SE1 9AB
 Ground Floor 30 Borough High Street SE1 1XU
 First Floor And Second Floor Flat 3 Park Street SE1 9AB
 Flat 10 Town Hall Chambers SE1 1XU
 Flat 9 Town Hall Chambers SE1 1XU
 Suite 73 To 74 The Hop Exchange SE1 1TY
 Suite 64 To 66 The Hop Exchange SE1 1TY
 Fourth Floor St Margarets House SE1 1TJ
 Flat 5 Town Hall Chambers SE1 1XU
 Flat 4 Town Hall Chambers SE1 1XU
 Flat 6 Town Hall Chambers SE1 1XU
 Flat 8 Town Hall Chambers SE1 1XU
 Flat 7 Town Hall Chambers SE1 1XU
 6 Stoney Street London SE1 9AA

5 Stoney Street London SE1 9AA
 Bridge Studios 13 Park Street SE1 9AB
 7a Stoney Street London SE1 9AA
 Suite 49 To 50 The Hop Exchange SE1 1TY
 Suite 45 To 47 The Hop Exchange SE1 1TY

First Floor 5-7 Southwark Street SE1 1RQ
 Third Floor 5-7 Southwark Street SE1 1RQ
 Fifth Floor 5-7 Southwark Street SE1 1RQ
 Fourth Floor 5-7 Southwark Street SE1 1RQ
 Ground Floor Right 5-7 Southwark Street SE1 1RQ
 Room 79 The Hop Exchange SE1 1TY
 Ground Floor Left 5-7 Southwark Street SE1 1RQ
 Part Lower Ground Floor The Hop Exchange SE1 1TY
 Part Basement Peer Group The Hop Exchange SE1 1TY
 23-26 The Hop Exchange 24 Southwark Street SE1 1TY
 1-3 The Hop Exchange 24 Southwark Street SE1 1TY
 Rooms 34 And 35 The Hop Exchange SE1 1TY
 Rooms 38 And 39 The Hop Exchange SE1 1TY
 Rooms 36 And 37 The Hop Exchange SE1 1TY
 First Floor 9 Park Street SE1 9AB
 Flat Above 6 Stoney Street SE1 9AA
 Third Floor Evans Lombe House SE1 1XW
 Room Adj The North Antrium Suite The Hop Exchange SE1 1TY
 Basement Cunchos SE1 1RQ
 Peer Group Part Lower Ground Floor The Hop Exchange SE1 1TY
 Room 78 The Hop Exchange SE1 1TY
 Room 77 The Hop Exchange SE1 1TY
 Store 7 Warehouse Yard The Hop Exchange SE1 1TY
 Rooms 4 To 6 The Hop Exchange SE1 1TY
 Store 8 Warehouse Yard The Hop Exchange SE1 1TY
 Workshop 3 And 4 Warehouse Yard The Hop Exchange SE1 1TY
 The Atrium Suite The Hop Exchange SE1 1TY
 First Floor Front 30 Borough High Street SE1 1XU
 First Floor Rear And Second Floor Rear 30 Borough High Street SE1 1XU
 Second Floor Front 30 Borough High Street SE1 1XU
 North Atrium Suite The Hop Exchange SE1 1TY
 Ground Floor And Kitchen Unit The Hop Exchange SE1 1TY
 Flat 4 Southwark Tavern SE1 1TU
 Flat 3 Southwark Tavern SE1 1TU

Suite 60 To 63 The Hop Exchange SE1 1TY
 2 Stoney Street London SE1 9AA
 1 Stoney Street London SE1 9AA
 Rooms 42 To 44 The Hop Exchange SE1 1TY
 Rooms 40 To 41 The Hop Exchange SE1 1TY
 Room 48 The Hop Exchange SE1 1TY
 Room 67 The Hop Exchange SE1 1TY
 Room 53 To 55 The Hop Exchange SE1 1TY
 Rooms 27 To 29 The Hop Exchange SE1 1TY
 Lower Ground Floor The Hop Exchange SE1 1TY
 Rooms 30 To 33 The Hop Exchange SE1 1TY
 Third Floor And Fourth Floor The Hop Exchange SE1 1TY
 Rooms 56 To 59 The Hop Exchange SE1 1TY
 Second Floor 24a Southwark Street SE1 1TY
 First Floor 24a Southwark Street SE1 1TY
 Third Floor 24a Southwark Street SE1 1TE
 Rooms 75 And 76 The Hop Exchange SE1 1TY
 Room 72 The Hop Exchange SE1 1TY
 Caretakers Office The Hop Exchange SE1 1TY
 Ground Floor 24a Southwark Street SE1 1TX
 Part Lower Basement The Hop Exchange SE1 1TY
 Second Floor 3 Southwark Street SE1 1RQ
 First Floor 3 Southwark Street SE1 1RQ
 Third Floor 3 Southwark Street SE1 1RQ
 Basement 5-7 Southwark Street SE1 1RQ
 Fourth Floor 3 Southwark Street SE1 1RQ
 Basement And Ground Floor 9 Park Street SE1 9AB
 Basement And Ground Floor 5 Park Street SE1 9AB
 Ground Floor 13 Park Street SE1 9AB
 Ground Floor 3 Southwark Street SE1 1RQ
 17 Park Street London SE1 9AB
 Ground Floor St Margarets House SE1 1TJ
 Second Floor St Margarets House SE1 1TJ
 Part Basement The Hop Exchange SE1 1TY
 Third Floor St Margarets House SE1 1TJ
 Second Floor 5-7 Southwark Street SE1 1RQ
 Flat 5 Southwark Tavern SE1 1TU
 Flat 7 Southwark Tavern SE1 1TU
 Flat 6 Southwark Tavern SE1 1TU
 Rooms 80 To 82 The Hop Exchange SE1 1TY
 Flat 2 Southwark Tavern SE1 1TU
 Flat 1 Southwark Tavern SE1 1TU
 9 Southwark Street London SE1 1RQ
 Suite 7 To 9 The Hop Exchange SE1 1TY
 Suite 83 To 84 The Hop Exchange SE1 1TY
 The Hop Exchange 24 Southwark Street SE1 1TY
 Flat 1 Town Hall Chambers SE1 1XU
 32 Southwark Street London SE1 1TU
 Southwark Tavern 22-22a Southwark Street SE1 1TU
 Suite 10 To 11 The Hop Exchange SE1 1TY
 25-33 Southwark Street London SE1 1RQ
 Suite 51 To 52 The Hop Exchange SE1 1TY
 Suite 87 To 89 The Hop Exchange SE1 1TY
 40 Borough High Street London SE1 1XW
 Flat 3 Town Hall Chambers SE1 1XU
 Flat 2 Town Hall Chambers SE1 1XU
 1b Southwark Street London SE1 1RQ
 30 Southwark Street London SE1 1TU
 Suite 85 To 86 The Hop Exchange SE1 1TY
 28 Southwark Street London SE1 1TU
 Apartment 1 11 Southwark Street SE1 1RQ
 Apartment 2 11 Southwark Street SE1 1RQ
 Apartment 4 11 Southwark Street SE1 1RQ
 Apartment 3 11 Southwark Street SE1 1RQ
 Living Accommodation 9 Stoney Street SE1 9AA
 The Wheatsheaf The Hop Exchange SE1 1TY
 First Floor St Margarets House SE1 1TS
 28 Borough High Street London SE1 1YB
 Apartment 6 11 Southwark Street SE1 1RQ
 Apartment 5 11 Southwark Street SE1 1RQ
 Apartment 7 11 Southwark Street SE1 1RQ
 11a Southwark Street London SE1 1RQ
 Apartment 8 11 Southwark Street SE1 1RQ

Re-consultation: n/a

Consultation responses received**Internal services**

Environmental Protection Team [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations

Environment Agency

London Underground Limited

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

By Eform 5 Park Street SE1

Email representation

1a Park Street London SE1 9AB

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 C Clarke Smiths of Smithfield Ltd	Reg. Number	14/AP/2245
Application Type	Full Planning Permission	Case Number	TP/1145-D
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use of vacant office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on upper ground, first, second and third floors together with ancillary storage in the basement; roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration to the west wing of the building.

At: THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON, SE1 1TY

**In accordance with application received on 18/09/2014
and revisions/amendments received on 18/07/2014**

01/09/2014
27/10/2014
24/11/2014
27/11/2014

and Applicant's Drawing Nos.

Existing
Location Plan, Site Plan, 001, 002 B, 003, 004, 005, 006, 007, 011 A, 012 A, 013 A, 021 A, 022 A, 023 A, 024

Proposed

901 C, 902 E, 903 B, 904 B, 905 B, 906 B, 907 B, 911 B, 912 A, 913 A, 921 A, 922 B, 923 A, 924, 925, 931 A, 932 B, 933 A, 942

Supporting documents

Planning Statement June 2014, Design & Access Statement, June 2014, James Wells Architects,
Heritage Statement June 2014, Heritage Collective;
Heritage Addendum Letter dated 29th August 2014 and
Heritage 2nd Addendum Letter dated 20th November 2014
Section D-D Comparison,
Acoustic Report June 2014, KP Acoustics
Air Quality Requirement June 2014, Andmore Planning
Transport Statement June 2014, Crowd Dynamics
Delivery & Servicing Plan June 2014, Crowd Dynamics
Flood Risk Assessment June 2014, Water Environment
Scope of Works Document (HVAC, Plumbing and smoke ventilation system) June 2014, BCC Mechanical Services Limited
Structural Interventions Feasibility June 2014, Michael Hadi Associates
Sustainability Statement June 2014
Draft Travel Plan September 2014, Crowd Dynamics
Employment Statement September 2014, Andmore Planning
Ventilation & Extraction Roof Plan K433-01
Upper Ground Floor Structural Design 14064 SK-3, August 2014, Michael Hadi Associates

Subject to the following thirteen conditions:

Time limit for implementing this permission and the approved plans

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:

901 C, 902 E, 903 B, 904 B, 905 B, 906 B, 907 B, 911 B, 912 A, 913 A, 921 A, 922 B, 923 A, 924, 925, 931 A, 932 B, 933 A, 942

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 The development hereby permitted shall not be commenced until detailed design, method statements and load calculations, have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures accommodate the location of the existing London Underground structures and tunnels
- accommodate ground movement arising from the construction thereof
- and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 4 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 5 Before the first occupation of the building hereby permitted a Service Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 6 a) Before the first occupation of the building hereby permitted commences the applicant shall submit in writing and obtain the written approval of the Local Planning Authority to a Travel Plan setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.
- b) At the start of the second year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the use of non-car based travel is encouraged in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 7 The rated noise level from any plant, together with any associated ducting shall be 10 dB (A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 8 A scheme of sound insulation shall be installed to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90,5min 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8 kHz.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities associated with non residential premises in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 'High environmental standards' of the Core Strategy (2011) and saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 9 The use hereby permitted for the A3/A4 - Restaurant and Bar purposes shall not be carried on outside of the hours 0700 - 0100hr on Monday to Friday; 0900 - 0100hr on Saturday and 0900 - 2200hr on Sundays and Bank holidays.

Reason

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 10 The kitchen extract system for the proposed use shall meet the standard required by DEFRA Guidance on the control of odour and noise from commercial kitchen exhaust systems (2011).

Reason

In order to ensure that that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 11 Before any A3/A4 use hereby permitted commences the kitchen extract system shall meet the standard required by DEFRA Guidance on the control of odour and noise from commercial kitchen exhaust systems (2011).

Reason: To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by

reason of odour in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 12 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof.

Reason

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

- 13 This permission for the use of the basement, upper ground, first, second and third floors of the West Wing shall be personal to Smiths of Smithfield Ltd for the purposes of A3 (restaurants and cafes)/A4 (drinking establishments) and shall not enure for the benefit of the land. Upon the cessation of the use by Smiths of Smithfield Ltd the Class A3 and A4 use shall cease and the premises shall revert to Class B1 use.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and considers that under the management of Smiths of Smithfield Ltd the proposal would not give rise to a significant loss of employment and to encourage local employment having regard to Strategic Policy 10 - Jobs and Businesses of The Core Strategy 2011, Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' of the Southwark Plan 2007 and the National Planning Policy Framework 2012

Statement of positive and proactive action in dealing with the application

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

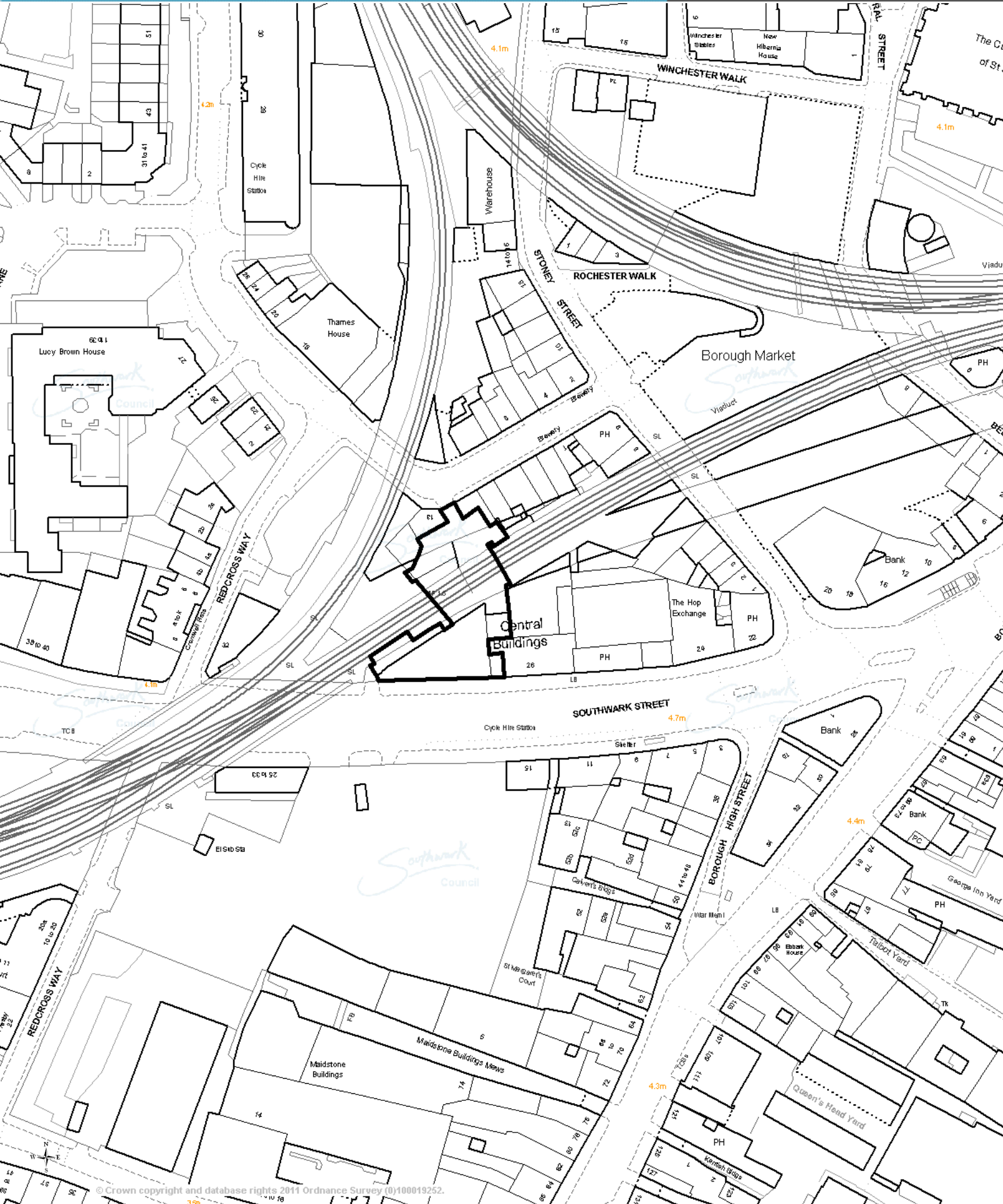
Informative

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; and construction methods.

—

Ordnance Survey

Date 30/1/2015



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Item No. 5.4	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/2246 for: Listed Building Consent Address: THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON SE1 1TY Proposal: Installation of roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration and internal alterations to the west wing of the building in association with the change of use from office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on basement, upper ground, first, second and third floors		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 02/07/2014		Application Expiry Date 27/08/2014	
Earliest Decision Date 21/08/2014			

RECOMMENDATION

1. That the Sub-Committee grant Listed Building Consent subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site covers an area of 1,017sqm, which sits within the West Wing of the larger Hop Exchange building, which is a Grade II Listed Building.
3. The applicant has a leasehold of the West Wing, which is currently vacant and was last used as B1 offices on the upper floors with ancillary storage in the basement. The demise comprises the upper ground, first, second and third floor levels and totals 1,457sqm. A small section of the lower ground floor is given over to the leased premises as part of this application.
4. The office partitions on the upper floors have now been removed and the internal finishes have been stripped exposing brickwork and the construction fabric of the building. There are other occupants within the Hop Exchange, which are predominantly operating in B1 offices or A3 (restaurant) or A4 Class (drinking establishment) uses.
5. The front of the building faces Southwark Street and is part of the Transport for London road network (TLRN). The existing rear service yard is gated and accessed off Park Street underneath the railway viaduct and arches which is located to the north of the site.
6. The site is within a mixed use area surrounded by retail, commercial, offices and food and drink establishments. There are a small number of residential units to the north on Park Street.

7. The site is within the following designations:

Central Activities Zone (CAZ), Bankside, Borough and London Bridge Opportunity Area, Bankside and Borough District Town Centre, Strategic Cultural Area, Archaeological Priority Zone (APZ) and Air Quality Management Area. It is within a flood risk area. The site has a very high Public Transport Accessibility Level (PTAL) rating of 6b.

8. It is within the Borough High Street Conservation Area. Being a Grade II Listed Building. There are several other listed buildings in the immediate locality of the site including 5 Stoney Street, 3 Southwark Street and 1-13 Park Street (all Grade II designated).

Details of proposal

9. It is proposed to change the use of the upper ground, first, second and third floors of the West Wing from the vacant B1(a) office to A3 and A3 restaurant and bar. The use of the basement floor would be ancillary to the main use, to be used for storage and wine/beer cellar, employee washing and changing facilities and ancillary office space. The restaurant would be under one ownership.

10. Interior alterations are proposed and summarised below:

- The main entrance will be provided at the upper ground floor level. There is an existing service door at street level and this will be widened to allow for a new wider internal stairs and a platform lift up to the upper ground floor level.
- Three new breakthroughs to the ceiling are proposed to provide new staircase access and a customer lift to the third floor.
- New partitioning walls will be proposed to all levels to create storage areas, kitchen and toilet facilities.
- The existing western staircase at the far end of the Hop Exchange building will be removed and a new fire escape stair will be constructed through all levels.
- Alterations to the basement including removal of non-original partition walls and creation of new stud walling to provide stores and rooms.

11. External alterations are also proposed as follows:

- The existing service door to the basement is located at the western end of the facade and will be removed and windows at the street level will be reinstated in its place.
- Some windows will require renovation and therefore be replaced with new windows.
- Installation of new plant for mechanical extraction and ventilation and will be housed within screening panels.
- A new access stair by continuing up the new central stair is proposed to the roof level.

Planning history

12. There is substantial planning history on this site including Listed Building Consents. The most relevant to this application is 03-AP-0279 (Listed Building Consent), which was for: Erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).
Decision date 01/08/2003 Decision: Grant (GRA). This permission was not implemented.

03/AP/0279 Application type: Listed Building Consent (LBC)
Erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).
Decision date 01/08/2003 Decision: Grant (GRA)

08/AP/0529 Application type: Listed Building Consent (LBC)
Demolition of small parts of existing internal walls, structural and non load bearing partitioning as detailed on the accompanying drawings
Decision date 18/04/2008 Decision: Granted (GRA)

08/AP/1357 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of materials pursuant to condition 3 of Listed Building Consent dated 01.08.2003 (LBS Reg No: 03-AP-0279) for erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).
Decision date 17/07/2008 Decision: Granted (GRA)

08/AP/1284 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the glazed curtain wall and window frame pursuant to condition 4 of Listed Building Consent dated 01.08.2003 (LBS Reg No: 03-AP-0279) for erection of three new floors of office accommodation at rear (and consequent alterations to existing elevations).
Decision date 22/07/2008 Decision: Granted (GRA)

08/AP/1356 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of materials pursuant to condition 2 of planning permission dated 01.08.2003 (LBS Reg No: 03-AP-0278) for 3 Storey office extension infill at the rear of the Hop Exchange building
Decision date 24/07/2008 Decision: Granted (GRA)

08/AP/1933 Application type: Listed Building Consent (LBC)
Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank.
(LISTED BUILDING CONSENT)
Decision date 02/10/2008 Decision: Granted (GRA)

08/AP/1931 Application type: Full Planning Permission (FUL)
Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank.
Decision date 02/10/2008 Decision: Granted (GRA)

08/AP/2793 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the roof lights to be used as required by Condition 2 of listed building consent dated 02/10/2008 LBS Ref 08AP1933 Installation of secondary glazing, 2x double glazed rooflights, acoustic cast iron vents, ventilation system, new condenser unit on ground floor roof and relocation of existing A/C units (first floor level), new pipework and relocation of existing water tank.
Decision date 22/12/2008 Decision: Granted (GRA)

09/AP/0486 Application type: Listed Building Consent (LBC)
Install secondary glazing to 8 windows at ground floor to the Southwark Street frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.
Decision date 12/05/2009 Decision: Granted (GRA)

09/AP/1470 Application type: Approval of Details - Article 30 DMPO (AOD)
Detailed section-drawings of the fire-escape 'tunnel' ceiling pursuant to condition 3 of Listed Building Consent dated 12.05.2009 (LBS RegNo:09-AP-0486) to Install secondary glazing to 8 windows at ground floor to the Southwark Street frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.

Decision date 30/07/2009 Decision: Granted (GRA)

09/AP/1467 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of all new internal works and finishes pursuant to condition 2 of Listed Building Consent dated 12.05.2009 (LBS RegNo:09-AP-0486) to Install secondary glazing to 8 windows at ground floor to the Southwark Street frontage (in the room accessed off the atrium) and in the 4th floor Chairman's and PA offices. Also, to reconfigure means of escape from the building and install a temporary fire-escape 'tunnel' enclosure in the atrium.

Decision date 03/09/2009 Decision: Granted (GRA)

10/AP/0057 Application type: Listed Building Consent (LBC)
Repainting of the southern facade and portico of the Hop Exchange.

Decision date 09/03/2010 Decision: Granted (GRA)

11/AP/0653 Application type: Full Planning Permission (FUL)
Installation on the southern side of the carriageway of an extension to the existing cycle hire docking station, for the Transport for London Cycle Hire Scheme containing a maximum of 21 docking points for scheme bicycles (within the setting of neighbouring listed buildings).

Decision date 26/04/2011 Decision: Granted (GRA)

13/AP/0387 Application type: Listed Building Consent (LBC)
External decorations of the southern facade and portico.

Decision date 24/05/2013 Decision: Granted (GRA)

13/AP/2665 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of samples of paint colour with elevation drawings or photographs as required by condition 3 of listed building consent dated 24/05/2013 [application no. 13/AP/0387 for the external decorations of the southern facade and portico].

Decision date 30/08/2013 Decision: Granted (GRA)

13/AP/2105 Application type: Full Planning Permission (FUL)
Proposed use of an existing vacant basement area as a public bar in association with Katzenjammers bar.

Decision date 30/09/2013 Decision: Granted (GRA)

07/EQ/0191 Application type: Pre-Application Enquiry (ENQ)
Decision date 07/01/2014 Decision: Pre-application enquiry closed (EQC)

13/EQ/0211 Application type: Pre-Application Enquiry (ENQ)
Part change of use of building from office to hotel use, extension to building to form office accommodation and rooftop terrace and skybar with associated enabling works.

Decision date 04/03/2014 Decision: Pre-application enquiry closed (EQC)

14/AP/0132 Application type: Listed Building Consent (LBC)
Internal alterations to convert an existing vacant basement into a public bar comprising of the formation of two separate connecting staircases, dumb waiter lift between floors, new partitioning and creation of new openings.

Decision date 20/03/2014 Decision: Granted (GRA)

14/AP/1280 Application type: Listed Building Consent (LBC)
Repaint area of portico, alter finishes to landing, install mat well, repair stonework
Decision date 13/06/2014 Decision: Granted (GRA)

14/AP/2808 Application type: Approval of Details - Article 30 DMPO (AOD)
Samples of paint finishes, coloured tiles and all other external material finishes pursuant to Condition 4 of Listed Building Consent 14-AP-1280 for: Repaint area of portico, alter finishes to landing, install mat well, repair stonework
Decision date 22/09/2014 Decision: Granted (GRA)

14/AP/2807 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a Schedule of Works for the repair of the steps and the laying of floor tiles pursuant to Condition 3 of Listed Building Consent 14-AP-1280 for: Repaint area of portico, alter finishes to landing, install mat well, repair stonework
Decision date 22/09/2014 Decision: Granted (GRA)

Planning history of adjoining sites

13. There is substantial planning history on the adjoining sites, but the most recent and most relevant are as follows:

5-7 Southwark Street:10/AP/0537 - Planning permission refused 08/07/2010 for:
Change of use of 2nd floor from B1 offices to a lazer hair removal and skin care clinic (sui generis class)

The reason for refusal was:

The proposal would result in the loss of a small B Class unit within the Central Activities Zone and Preferred Office Location, resulting in a loss of employment opportunities within the Borough. In the absence of any evidence to demonstrate that the premises has been vacant for more than 12 months and convincing attempts to dispose of the premises, for continued B Class use, over a period of 12 months have been unsuccessful, the proposal fails to comply with the criteria set out in Policy 1.3 'Preferred Office Location' of the Southwark Plan 2007.

12/AP/4079 - Planning permission was granted 04/06/2013 for:
Change of use of ground floor and basement from office (B1) to retail (A1) / professional services (A2) / restaurant (A3) / drinking establishment (A4), including the installation of a new shopfront with an additional entrance for the upper floors and installation of pavement lights (within the setting of the listed building at 3 Southwark Street)

11 Southwark Street:10/AP/3143 - Planning permission granted 29/12/2010 for:
Change of use of ground floor and basement floors from Class B1 (office) to Class A1 (retail), A2 (financial and professional services) or A3 (restaurant and cafe) and associated external alterations to the shopfront; replace existing 2 No. rooflights at the rear with one linear rooflight and installation of extraction plant to rear.

13/AP/0728 - Planning permission granted 30/07/2013 for:
Demolition of the existing lift tower and first floor rear extension and erection of rear extension at first to fourth floor level, with an additional fifth floor in a mansard to the front; replacement dormer windows at the front at fourth floor; and the change of use of the first to fourth floors from Class B1 (office) to Class C3 (residential) to provide for: 1 No. one bedroom and 7 No. two bedroom residential units across first to fifth floors (8 residential units in total)

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
- a) whether the proposal would preserve the special historic and architectural interest of the listed building

Planning policy

15. National Planning Policy Framework (the Framework)
Section 12. Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013
Policy 7.8 - Heritage assets and archaeology

Core Strategy 2011
Strategic Policy 12 Design and Conservation

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

3.15 Conservation of the Historic Environment

3.17 Listed Buildings

3.18 Setting of Listed buildings, Conservation Areas and world heritage sites

Principle of development

16. The principle of a scheme to alter and refurbish the property is acceptable subject to there being no impact on the special architectural interest and fabric of the Listed Building, as is discussed below. Other impacts of the development is assessed under the separate report on the full planning application 14-AP-2245 which also appears on this agenda.

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

17. This grade II listed building is located within the Borough High Street Conservation Area and it affects the setting of several other grade II listed buildings including Nos. 1, 1b and 3 Southwark Street and 1-13 Park Street to the rear.
18. Paragraph 129 of the NPPF requires that: "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal." This building's historic significance is principally in the front elevation, the exuberant self-importance of which dominates Southwark Street east of the railway viaduct. The grandeur of the wider design is matched by the neo-classical

details which are dominated by the theme of hops and the hop trade.

- 19 The interior of much of the building is also of historic significance, especially the central atrium, however, the significant internal features of the building are all located in the eastern end of the building as the western end, where the development is proposed, was all burnt down in the 1930s and nothing of the interior or the windows remain above lower ground floor level. The only internal feature which survives within the site boundary is the substantial wall which divides this part of the building from the more original eastern end.
20. Much more survives of the original at basement level, which retains its brick vaults and original iron columns. The proposal will alter this level and after discussion and negotiation with the applicant, changes have been made. This basement forms part of the significance and though some alterations have been made to it, further alterations should be kept to a minimum with existing alteration reused where possible. The applicant has revisited the location of the lift under-run where it protrudes into the lower ground floor from the upper ground level. There were discussions regarding the construction of the lower ground floor ceiling and that the under-run should not, where possible interrupt any brick vault. The final revised plans now shows the lift moved slightly south towards the Southwark Street frontage so that it only goes through non-original ceiling of the lower ground floor.
21. The addition of as much roof plant as is proposed on this listed building would have the potential to add clutter to the roof line viewed from other buildings. However, the height of the Hop Exchange will result in these services all being invisible from the street and because this end of the building has all been rebuilt since the war its installation will not result in any loss of, or harm to, historic fabric. Therefore the massing and the apparent height of the building will not be affected by the development.
22. The proposed alterations to the front elevation will result in the introduction of a new door between column pedestals. This raises some concern in relation to the disruption of the rhythm of the pavement frontage as it is considered to be an awkward location for the principal entrance to this restaurant and bar. A more logical entrance may be to make use of the double width entrance to the building at the western end of the site.
23. The applicant has argued that other entrances to bars and restaurants exist at the street level such as those for Katzenjammers and The Sheaf (both Public Houses within the Hop Exchange) both of which represent alterations to the original fabric of the building not affected by the fire. These alterations at the street level along the entire frontage are of varying designs of entrances between the columns including a number of unsympathetic alterations notably the entrance to The Sheaf and also ducting to the eastern end. These alterations represent varying access points along the entire frontage of The Hop Exchange and it has therefore already been subdivided over time. In terms of the western end entrance this has already been considered for the main entrance but has been discounted due to the flow of people in case of an emergency and dictated by British Standards and Building Regulations. In light of the above comments, the proposed main entrance is, on balance, considered to be acceptable.
24. In the original consideration of the proposals, Officers expressed a preference for the stretch of the internal wall that divides the proposal site from the rest of the building to the east to be retained. The applicant has argued that the 0.7m 'spine wall' may have been reinforced following the fire to retain the central and eastern portion of the building. There is no appreciable sense of the wider divide in the building from outside created by the wall. There is no expression in the front elevation (already agreed to be the principally important feature of the listing) and it is considered that the removal of a

relatively small section at street level will maintain the rhythm of the columns. It is now accepted that this loss of the wall would not significantly impact on the historic fabric of the building.

25. The replacement of windows on the front elevation and the rear elevation is in principle acceptable as it appears that all from upper ground level and above are rather crude modern copies of the originals. The detail design of these are recommended to be confirmed by condition.
26. The principle of reusing this building is acceptable and it will help sustain the building in viable use, but the alterations to the building must not result in an unacceptable level of damage to the building's significance. It is acknowledged that some elements of the proposal affect the character of the building and result in some limited harm to its significance. However, there are clear heritage and public benefits of the scheme which demonstrably outweigh the limited harm resulting.
27. Overall, the revised scheme would now comply with the policies set out in the NPPF, Strategy Policy 12 - Design and Conservation of the Core Strategy and saved Southwark Plan policies relating to listed buildings and conservation areas: 3.12, 3.13, 3.15, 3.16, 3.17, 3.18.

Conclusion on listed building issues

28. Following the revisions received to the design of the scheme and subject to conditions, the proposed development would satisfactorily preserve the architectural and historic significance of the Grade II listed building. It is considered that the proposed works are acceptable and recommended for approval.

Community impact statement

29. 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.

Consultations

30. 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

31. No response has been received from neighbour regarding this LBC application. For planning application comments, see application 14-AP-2245.

Human rights implications

32. 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.

33. This application has the legitimate aim of providing mixed use development. 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

34. None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1145-D Application file: 14/AP/2246 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 4351 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Wing Lau, Planning Officer	
Version	Final	
Dated	29 January 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2015	

Consultation undertaken

Site notice date: 22/07/2014

Press notice date: 24/07/2014

Case officer site visit date: n/a

Neighbour consultation letters sent: 22/07/2014

Internal services consulted:

Archaeology Officer
Design and Conservation Team

Statutory and non-statutory organisations consulted:

Council for British Archaeology
The Victorian Society

Neighbour and local groups consulted:

Flat 2 Town Hall Chambers SE1 1XU	Caretakers Office The Hop Exchange SE1 1TY
1b Southwark Street London SE1 1RQ	Ground Floor 24a Southwark Street SE1 1TX
30 Southwark Street London SE1 1TU	Part Lower Basement The Hop Exchange SE1 1TY
Suite 85 To 86 The Hop Exchange SE1 1TY	Second Floor 3 Southwark Street SE1 1RQ
28 Southwark Street London SE1 1TU	First Floor 3 Southwark Street SE1 1RQ
Apartment 1 11 Southwark Street SE1 1RQ	Third Floor 3 Southwark Street SE1 1RQ
Apartment 2 11 Southwark Street SE1 1RQ	Basement 5-7 Southwark Street SE1 1RQ
Apartment 4 11 Southwark Street SE1 1RQ	Fourth Floor 3 Southwark Street SE1 1RQ
Apartment 3 11 Southwark Street SE1 1RQ	Basement And Ground Floor 9 Park Street SE1 9AB
Living Accommodation 9 Stoney Street SE1 9AA	Basement And Ground Floor 5 Park Street SE1 9AB
The Wheatsheaf The Hop Exchange SE1 1TY	Ground Floor 13 Park Street SE1 9AB
First Floor St Margarets House SE1 1TS	Ground Floor 3 Southwark Street SE1 1RQ
28 Borough High Street London SE1 1YB	17 Park Street London SE1 9AB
Apartment 6 11 Southwark Street SE1 1RQ	Ground Floor St Margarets House SE1 1TJ
Apartment 5 11 Southwark Street SE1 1RQ	Second Floor St Margarets House SE1 1TJ
Apartment 7 11 Southwark Street SE1 1RQ	Part Basement The Hop Exchange SE1 1TY
11a Southwark Street London SE1 1RQ	Third Floor St Margarets House SE1 1TJ
Apartment 8 11 Southwark Street SE1 1RQ	Second Floor 5-7 Southwark Street SE1 1RQ
7b Park Street London SE1 9AB	First Floor 5-7 Southwark Street SE1 1RQ
7a Park Street London SE1 9AB	Third Floor 5-7 Southwark Street SE1 1RQ
8 Stoney Street London SE1 9AA	Fifth Floor 5-7 Southwark Street SE1 1RQ
Jade House 3 Park Street SE1 9AB	Fourth Floor 5-7 Southwark Street SE1 1RQ
4 Stoney Street London SE1 9AA	Ground Floor Right 5-7 Southwark Street SE1 1RQ
15 Park Street London SE1 9AB	Room 79 The Hop Exchange SE1 1TY
11 Park Street London SE1 9AB	Ground Floor Left 5-7 Southwark Street SE1 1RQ
7 Park Street London SE1 9AB	Part Lower Ground Floor The Hop Exchange SE1 1TY
Third Floor Rear 30 Borough High Street SE1 1XU	Part Basement Peer Group The Hop Exchange SE1 1TY
Third Floor Front 30 Borough High Street SE1 1XU	23-26 The Hop Exchange 24 Southwark Street SE1 1TY
32-34 Borough High Street London SE1 1XU	1-3 The Hop Exchange 24 Southwark Street SE1 1TY
Second Floor Evans Lombe House SE1 1XW	Rooms 34 And 35 The Hop Exchange SE1 1TY
Basement Ground Floor And First Floor Evans Lombe House SE1 1XW	Rooms 38 And 39 The Hop Exchange SE1 1TY
1a Park Street London SE1 9AB	Rooms 36 And 37 The Hop Exchange SE1 1TY
9 Stoney Street London SE1 9AA	First Floor 9 Park Street SE1 9AB
First To Third Floors 5 Park Street SE1 9AB	Flat Above 6 Stoney Street SE1 9AA
Ground Floor 30 Borough High Street SE1 1XU	Third Floor Evans Lombe House SE1 1XW
First Floor And Second Floor Flat 3 Park Street SE1 9AB	Room Adj The North Antrium Suite The Hop Exchange SE1 1TY
Flat 10 Town Hall Chambers SE1 1XU	Basement Cunchos SE1 1RQ
Flat 9 Town Hall Chambers SE1 1XU	Peer Group Part Lower Ground Floor The Hop Exchange SE1 1TY
Suite 73 To 74 The Hop Exchange SE1 1TY	Room 78 The Hop Exchange SE1 1TY
Suite 64 To 66 The Hop Exchange SE1 1TY	Room 77 The Hop Exchange SE1 1TY
Fourth Floor St Margarets House SE1 1TJ	Store 7 Warehouse Yard The Hop Exchange SE1 1TY
Flat 5 Town Hall Chambers SE1 1XU	Rooms 4 To 6 The Hop Exchange SE1 1TY

Flat 4 Town Hall Chambers SE1 1XU
 Flat 6 Town Hall Chambers SE1 1XU
 Flat 8 Town Hall Chambers SE1 1XU
 Flat 7 Town Hall Chambers SE1 1XU
 6 Stoney Street London SE1 9AA

5 Stoney Street London SE1 9AA
 Bridge Studios 13 Park Street SE1 9AB
 7a Stoney Street London SE1 9AA
 Suite 49 To 50 The Hop Exchange SE1 1TY
 Suite 45 To 47 The Hop Exchange SE1 1TY
 Suite 60 To 63 The Hop Exchange SE1 1TY
 2 Stoney Street London SE1 9AA
 1 Stoney Street London SE1 9AA
 Rooms 42 To 44 The Hop Exchange SE1 1TY
 Rooms 40 To 41 The Hop Exchange SE1 1TY
 Room 48 The Hop Exchange SE1 1TY
 Room 67 The Hop Exchange SE1 1TY
 Room 53 To 55 The Hop Exchange SE1 1TY
 Rooms 27 To 29 The Hop Exchange SE1 1TY
 Lower Ground Floor The Hop Exchange SE1 1TY
 Rooms 30 To 33 The Hop Exchange SE1 1TY
 Third Floor And Fourth Floor The Hop Exchange SE1 1TY
 Rooms 56 To 59 The Hop Exchange SE1 1TY
 Second Floor 24a Southwark Street SE1 1TY
 First Floor 24a Southwark Street SE1 1TY
 Third Floor 24a Southwark Street SE1 1TE
 Rooms 75 And 76 The Hop Exchange SE1 1TY
 Room 72 The Hop Exchange SE1 1TY

Store 8 Warehouse Yard The Hop Exchange SE1 1TY
 Workshop 3 And 4 Warehouse Yard The Hop Exchange SE1 1TY
 The Atrium Suite The Hop Exchange SE1 1TY
 First Floor Front 30 Borough High Street SE1 1XU
 First Floor Rear And Second Floor Rear 30 Borough High Street SE1 1XU
 Second Floor Front 30 Borough High Street SE1 1XU
 North Atrium Suite The Hop Exchange SE1 1TY
 Ground Floor And Kitchen Unit The Hop Exchange SE1 1TY
 Flat 4 Southwark Tavern SE1 1TU
 Flat 3 Southwark Tavern SE1 1TU
 Flat 5 Southwark Tavern SE1 1TU
 Flat 7 Southwark Tavern SE1 1TU
 Flat 6 Southwark Tavern SE1 1TU
 Rooms 80 To 82 The Hop Exchange SE1 1TY
 Flat 2 Southwark Tavern SE1 1TU
 Flat 1 Southwark Tavern SE1 1TU
 9 Southwark Street London SE1 1RQ
 Suite 7 To 9 The Hop Exchange SE1 1TY
 Suite 83 To 84 The Hop Exchange SE1 1TY
 The Hop Exchange 24 Southwark Street SE1 1TY
 Flat 1 Town Hall Chambers SE1 1XU
 32 Southwark Street London SE1 1TU
 Southwark Tavern 22-22a Southwark Street SE1 1TU
 Suite 10 To 11 The Hop Exchange SE1 1TY
 25-33 Southwark Street London SE1 1RQ
 Suite 51 To 52 The Hop Exchange SE1 1TY
 Suite 87 To 89 The Hop Exchange SE1 1TY
 40 Borough High Street London SE1 1XW
 Flat 3 Town Hall Chambers SE1 1XU

Re-consultation: n/a

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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 C Clarke Smiths of Smithfield Limited	Reg. Number	14/AP/2246
Application Type	Listed Building Consent	Case Number	TP/1145-D
Recommendation	Grant permission		

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:

Installation of roof top plant and solar panels; external alterations including formation of new entrance and alterations to fenestration and internal alterations to the west wing of the building in association with the change of use from office (Use Class B1) and storage to restaurant and bar (Use Class A3/A4) on basement, upper ground, first, second and third floors

At: THE HOP EXCHANGE, 24 SOUTHWARK STREET, LONDON, SE1 1TY

**In accordance with application received on 01/07/2014
and revisions/amendments received on 18/07/2014**

01/09/2014
27/10/2014
24/11/2014
27/11/2014

and Applicant's Drawing Nos. Existing

Location Plan, Site Plan, 001, 002 B, 003, 004, 005, 006 ,007, 011 A, 012 A, 013 A, 021 A, 022 A, 023 A, 024

Proposed

901 C, 902 E, 903 B, 904 B, 905 B, 906 B, 907 B, 911 B, 912 A, 913 A, 921 A, 922 B, 923 A, 924, 925, 931 A, 932 B, 933 A, 942

Supporting documents

Planning Statement June 2014, Design & Access Statement, June 2014, James Wells Architects,

Heritage Statement June 2014, Heritage Collective;

Heritage Addendum Letter dated 29th August 2014 and

Heritage 2nd Addendum Letter dated 20th November 2014

Section D-D Comparison

Scope of Works Document (HVAC, Plumbing and smoke ventilation system) June 2014, BCC Mechanical Services Limited

Subject to the following five conditions:

Time limit for implementing this permission and the approved plans

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

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

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

901 C, 902 E, 903 B, 904 B, 905 B, 906 B, 907 B, 911 B, 912 A, 913 A, 921 A, 922 B, 923 A, 924, 925, 931 A, 932 B, 933 A, 942

Reason:

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

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 3 Prior to above grade works commencing, shop drawings (scale 1:5 with 1:1 section details) for all new fenestration and doors (both internal and external) shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with the National Planning Policy Framework March 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy (April 2011) and Saved Policy: 3.17 Listed Buildings; of The Southwark Plan 2007.

- 4 Prior to above grade works commencing, section drawings of the location and details of the services (including air supply ducts, smoke extract ducts and grille) shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with the National Planning Policy Framework March 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy (April 2011) and Saved Policy: 3.17 Listed Buildings; of The Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 5 All new internal and external works and finishes and works of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition attached to this consent.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with the National Planning Policy Framework March 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy (April 2011) and Saved Policy: 3.17 Listed Buildings; of The Southwark Plan 2007.

Ordnance Survey

Date 29/1/2015



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Item No. 5.5	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/3856 for: Full Planning Permission Address: 2A BAWDAL ROAD, LONDON SE22 9DN Proposal: Change of use from MOT/car repair centre (Use Class B2) and ancillary office space to a single residential dwelling (Use Class C3) with alterations to the front and rear elevations.		
Ward(s) or groups affected:	East Dulwich		
From:	Head of Development Management		
Application Start Date 20/11/2014		Application Expiry Date 15/01/2015	
Earliest Decision Date 21/12/2014			

RECOMMENDATION

1. That the Sub-Committee consider the application due to a referral by members; and grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site refers to the building and plot described as '2A Bawdale Road' although its main frontage is in fact onto Whateley Road, East Dulwich, London. The site is 'L-shaped' and bounded by the rear of No.2 Bawdale Road, the rear of Nos.165-171 Lordship Lane and the rear of Nos.80-84 Whateley Road. The building which is the subject of this application is located immediately adjoining No.84 Whateley Road.
3. The character of the surrounding area is mixed, with commercial (mainly retail) premises along Lordship Lane with residential accommodation on upper floors. The immediate locality of Whateley Road and Bawdale Road is predominately residential in nature. A roofing/builders' yard adjoins the application site to the north (this is related to a premises on Lordship Lane).
4. Access to the application site (outlined in red on location plan) is from Whateley Road; however access to the remainder of 2A Bawdale Road (outlined in blue on location plan) is taken via an access way sited adjacent to 2 Bawdale Road. This involves access through the roofing/builders yard referred to above. It is understood that rights of access over this access way have been the subject of private legal action in the past. This is, however, a private matter and not one on which the Council can adjudicate.
5. The application site contains a motor vehicle repair workshop at ground floor level, with construction work to extend the building to the rear and at upper levels largely

complete at the time of this application

6. The site forms part of an air quality management area, the suburban density zone and the Lordship Lane District Town Centre. The building is not listed nor is it located within a conservation area.

Details of proposal

7. Full planning permission is sought for change of use from MOT/car repair centre (Use Class B2) and office (Use Class B1) to a single residential dwelling (Use Class C3) with alterations to front and rear elevations.

Planning history

8. Planning permission was granted [08/AP/3015] on 14/07/2009 for the construction of a dormer window extension and use of the premises as office space (retrospective application). The site (2A BAWDALE ROAD) is located to the rear of 2 Bawdale Road, rear of 165-171 Lordship Lane, rear of 80-84 Whateley Road, and includes the building adjacent to 84 Whateley Road.

Planning permission was refused (06-AP-0903) on 20.11.06 for the construction of a first and second floor extension for use as offices with new stair access to rear, together with refurbishment of existing ground floor /garage and new roller shutters (the site is located to the rear of 2 Bawdale Road, rear of 165-171 Lordship Lane, rear of 80-84 Whateley Road, and includes the building adjacent to 84 Whateley Road). The applicant appealed against the refusal of planning permission and the subsequent enforcement notice however the appeal was dismissed 04.06.07.

Planning permission was granted [03-AP-1533] on 06/11/2003 for the construction of a first floor extension to provide a new office (Class B1). Conditions required the submission and approval of facing and roofing materials, and for the flank wall facing No.84 Whateley Road to be white rendered. This extension projected forward of the adjoining terrace (84 Whateley Road onwards) to reach the same level as the flank wall of 171 Lordship Lane. The first floor level was sloped back from the front and also at the rear. To the rear, the first floor extension projected approximately 2.5m beyond the rear wall of the adjoining dwelling No.84 Whateley Road, although this was all sloping form (the maximum height of the flat roof stopped 0.5m before the rear wall of No.84). A single storey element was sited to the rear.

Permission was refused [02-AP-1851] on 03/12/2002 for the construction of a first floor extension to create a new office and a link to the existing building at the rear. The application was refused due to the detrimental impact on the amenity of the occupiers of No.84 Whateley Road by reason of overlooking and loss of privacy.

Permission was granted [99-AP-0573] on 20/07/1999 for the variation of Condition 1 of 96-AP-0251. Hours of use were restricted by Condition to 07.30-18.00 Mondays to Fridays, 08.00–13.00 Saturdays and not at all on Sundays or Public Holidays.

A Certificate of Lawfulness for an Existing Use or Development was granted [98-AP-1373] on 27/11/1998 for the use of the site and premises for car repairs.

A Certificate of Lawfulness for an Existing Use or Development was refused [96-AP-1144] on 09/01/1997 for the use of the site and premises for car repairing. This Certificate was refused due to lack of evidence that the use had been begun and subsequently carried out continuously for more than 10 years.

Permission was granted [96-AP-0251] on 29/04/1996 for the continued use for the

storage of building materials.

A Certificate of Lawfulness for an Existing Use or Development was refused [95-AP-1134] on 13/02/1996 for the storage of building materials. This Certificate was refused due to lack of evidence of continuous use for 10 years or more.

Permission was refused [1634-82] on 22/11/1982 for change of use to general storage purposes.

Planning history of adjoining sites

9. There is no planning history of adjoining sites relevant in this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. 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 of the development on the amenity of the adjoining properties.
 - c) The impact on design and the character and appearance of the area
 - d) Quality of accommodation
 - e) Transport impact
 - f) All other relevant material planning considerations.

Planning policy

11. National Planning Policy Framework (the Framework)
 Section 4 - Promoting sustainable transport
 Section 6 - Delivering a wide choice of high quality homes
 Section 7 - Requiring good design

London Plan July 2011 consolidated with revised early minor alterations October 2013

Policy 3.3 - Increasing housing supply
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 Policy 6.13 – Parking
 Policy 7.4 - Local Character
 Policy 7.6 - Architecture
 Policy 7.15 - Reducing noise and enhancing soundscapes

Core Strategy 2011

Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town

centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

1.4 - Employment Sites outside the Preferred Office Locations and Preferred Industrial Locations

1.7 Development within town and local centres

3.2 - Protection of amenity

3.7 - Waste reduction

3.11 Efficient Use of Land

3.12 - Urban design

3.13 - Quality in design

4.2 - Quality of residential accommodation

5.2 - Transport impacts

5.3 - Walking and cycling

5.6 - Car parking

Supplementary Planning Documents

SPD: Residential Design Standards 2011

Principle of development

12. Policy 1.4 of the Southwark Plan 2007 sets out policy regarding employment sites outside of preferred office and industrial locations. Policy 1.4, as updated by Core Strategy Policy 10, states that changes of use from employment to mixed uses will be permitted on sites providing the following criteria do not apply:
- i. The site is in the Central Activities Zone;
 - ii. A town or local centre; or
 - iii. Strategic Cultural Area; or
 - iv. Action Area Cores;
 - v. Camberwell Action Area
 - vi. On a classified road

The site falls just inside the Lordship Lane District Town Centre and therefore protection for B Class floorspace is provided by policy.

13. However, given that the site is operated as a B2 use involving more noise intensive activity this can be considered to be non-conforming given this generally residential location. The proposed change of use in this instance will convert this non-conforming use to a residential property which will be more appropriate in this tightly constrained site immediately adjacent to a number of residential neighbours. Moreover, the site to the rear, which is also in the ownership of the applicant, and which is accessed from Bawdale Road, will remain in commercial use.
14. Accordingly, in these circumstances, it is considered that the normal policy presumption in favour of protecting employment floorspace in town centre locations is outweighed by the above factors. This is subject to consideration of the design of the proposed house, any other amenity impacts, the quality of accommodation and any transport impacts. These are considered below.

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

15. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic Policy 13 High Environmental Standards requires development to comply with the highest possible environmental

standards, including in sustainability, flood risk, noise and light pollution and amenity problems. The Council's Residential Design Standards SPD 2011 also sets out the guidance for residential developments which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.

Impact on the neighbouring occupiers

16. The proposed development would not increase the footprint or height of the existing building, and as such is unlikely to result in any adverse impact to the neighbouring occupiers in terms of loss of outlook, or loss of daylight / sunlight.
17. The application site contains a motor vehicle repair workshop at ground floor level with ancillary office use on the upper floors. The proposed change of use to a single family dwellinghouse would therefore not increase or result in undue noise or disturbance to neighbouring residents, but would lead to a reduction in noise with consequent improvement to amenity.

Appearance of the area

18. The external alterations to the host building as a result of the proposed development would be:
 - Large garage doors replaced with residential door and window;
 - Replace the two rows of windows at first floor level with bi-fold / french doors leading out onto a roof terrace to the front of the site;
 - Reduce the rear extension and create a private courtyard /landscaped amenity area.

These changes would improve the appearance of the building when compared with the existing garage doors to a residential frontage giving the appearance of a residential dwelling rather than that of a MOT/car repair centre.

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

19. The proposal is for residential use, a use that conforms to the residential nature of the locality. As such it is not considered that there will be a conflict of use detrimental to amenity.

Transport issues

20. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highways conditions and 5.6 establishes maximum parking standards.
21. The development makes no provision for off-street parking. Saved policy 5.6 of the Southwark Plan requires that all developments should minimise the number of spaces provided, and should take into account the PTAL and the impact on overspill parking.
22. The site has a PTAL (public transport accessibility level) of 4 (medium) and is not located in a controlled parking zone. Due to the constraints of the site the provision of off-street parking on site would not be possible or viable.
23. Given the modest nature of the proposal with one dwelling being created it is not considered that a significant level of on-street parking will be created. Furthermore it would replace a MOT/car repair centre where their clients parked on-street. As such the change of use would result in a reduction on parking pressure on the surrounding on-street parking provision.

24. It is considered that site constraints would make compliant cycle storage difficult within the building itself, and there is inadequate space to the front to provide dedicated secure and weatherproof storage. The site has a PTAL (public transport accessibility level) of 4 (medium). On balance it is considered that the proposal in this instance would be acceptable, given its modest nature and the tight site constraints and the benefits of removing an existing non-conforming use generating commercial parking from this location.
25. Adequate refuse and recycling storage can be provided within the front forecourt of the property which is considered acceptable.

Design issues

26. The proposed minor elevational alterations are:
1. Replacement windows and front entrance door,
 2. Replacement windows to the front elevation at first floor level;
 3. Replacement windows and Juliet balcony at first floor level to the rear elevation; and
 4. Insertion of new bi-fold doors to the ground floor rear elevation allowing access to the courtyard / amenity space.
27. The proposed elevational alterations are all considered unobtrusive and acceptable in design terms and will improve the appearance of the site compared with existing. The proposal is therefore considered acceptable in terms of design and quality of accommodation.

Quality of accommodation

28. Saved policy 4.2 of the Southwark Plan requires residential developments to provide a good standard of accommodation. The application is subject to guidance laid out in the Council Residential Design Standards SPD 2011 which provides minimum standards of room sizes which accords with guidance in the London Plan. The residential units propose the following room sizes which are all in sqm and are compared to the requirements of the SPD.

	3 Bed dwelling	Living / Kitchen / Dining	Storage	WC	Bed 1	Bed 2	Bed 3	Amenity space
Proposed	95.9	27 + 7	1	4 & 1.5	19	11	10	13 & 4
Required by SPD	92	30	2.25	3.5	12	7	7	50

As shown in the table above, the proposed room sizes exceed comfortably the standards required by the SPD. There is no specified storage space allocated in the unit, however the surplus in either of the habitable rooms could accommodate the required 2.25m². In all other respects the proposed dimensions are satisfactory.

29. The proposal provides 17m² of private amenity space comprised of the rear amenity area and the two front facing terraces. Whilst this would not meet the usual guidelines outlined in the SPD, due to the site constraints that exist within the site and the existence of Alleyn's School Playing Field (Metropolitan Open Land) which is very close to the site, it is not considered that there any objections in this regard.
30. Overall, in the circumstances, it is considered that the proposal would result in an acceptable standard of accommodation and would therefore be in accordance with the

Residential Design Standards SPD and policies 3.2 Protection of Amenity and 4.2 Quality of Residential Accommodation of The Southwark Plan 2007.

Density

31. Strategic policy 5 of the Core Strategy requires residential and mixed-use developments in the suburban density zone to be between 200-350 habitable rooms per hectare. The proposed development would equate to 370 habitable rooms per hectare. This is only marginally over the normal density range for the area and is not considered to be decisive given that the site is constrained and is proposed to contain only a single dwelling.

Impact on trees

32. None.

Sustainable development implications

33. The proposal raises no sustainable development implications.

Other matters

34. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. The application is not CIL liable because it is not constituted as chargeable development under the CIL Regulations 2010 (as amended) reason being that the property is in lawful use and no additional floorspace is proposed.

Conclusion on planning issues

35. The proposed change of use and conversion to provide a three bedroom house is considered acceptable and will provide an acceptable standard of living accommodation in a sustainable location with no material impact on the amenity of the area or the adjacent occupiers. The development complies with the relevant policies of The Southwark Plan 2007, The Core Strategy 2011, and the provisions of the National Planning Policy Framework 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

36. 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 above.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

37. 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

38. Two letters of objection received from 167 Lordship Lane. The following points were raised:

- The site plan is incorrect.

Officer comment: Disputes in regards to boundary lines are not matters on which the Local Planning Authority can adjudicate.

- The existing side wall of the building (referred to as 2A Bawdale road) is part of a boundary dispute and was the subject of a party wall award and court proceedings in 2006. My property runs in a straight line following the line of the end boundary of 169-171 Lordship Lane. It does not step back as appears on the plans submitted. Therefore Mr Djelal has made a false statement when he signed certificate A claiming he owns all the property which the plans relate to and the submitted site plan is incorrect.

Officer comment: Disputes in regards to boundary lines are private matters. Land registry Title Plan View – TGL382788 confirms ownership as per site plan submitted by the applicant and therefore officers are satisfied that Certificate A is the correct declaration to be completed.

- The revised plans as now submitted show what appear to be piers on the ground floor of the proposed building which are on my property it is not clear if they are meant to be windows or what there purpose is. Windows would impinge on my privacy and amenity.

Officer comment: There are not windows proposed in the flank elevations of the development. As such there will be no loss of privacy or impact on the neighbour's amenity.

- The plans show a court yard which would entail the partial demolition of the current structure, in a very confined space. But there is no mention of this in the application and the owners of the adjoining (attached) building have not even been notified of this aspect of the application. The plans also appear to show bushes planted across the front (and only door) to the remainder of the building which is not a part of this application (and not shown) but which is currently part of the current building as it now exists. I would suggest this almost smacks of deceit and an attempt to deceive about the true nature and implication of this application.

Officer comment: 2A Bawdale Road is in the ownership of the applicant. This application results in partial demolition of 2A Bawdale Road, and subdividing the site to create residential use fronting Whateley Road with B1 use to the rear of the site. Site notices and consultation letters were sent to neighbours by the Council notifying them of the proposed development. This included the neighbour to the rear of 2A Bawdale Road.

- This application splits a single property into two. The property to the rear of the

proposed building will have no access to the street accept through the court yard of the proposed development and then along an access way over private property which does not belong to the proposed site or the remainder of the site and over which there is no confirmed right of access. What will be the usage of this part of the building? Will it remain commercial, as a garage? If so how will it be accessed? There are community and neighbourly implications if this is the case and the application is granted, which should not be ignored. Interested parties on Lordship Lane own the freehold of the access way from Bawdale Road which runs to the rear of their properties and has never historically been a right of way to the site called 2A Bawdale in this application.

Officer comment: Detailed matters of rights of way are private matters between the parties. Nevertheless, from documents submitted by both the applicant and objector and from knowledge of the planning history of the site, officers are satisfied, on the balance of probabilities, that a means of access exists to the commercial site to the rear of the application site, which is also in the ownership of the applicant, from Bawdale Road.

- The report by Southwark development control dated 06/11/2006 states about previous breaches of planning on this site and the siting of the current building 'encroachment onto adjoining properties may well have occurred' and that plans were 'inaccurate' that the development was overbearing on such a small site. This is again the case for this proposal. Considering the density and controversy surrounding this site. I feel that any submitted plans should be detailed and precise to avoid any room for error and misunderstanding. Especially as previous building works have been carried out by the applicant in person.

Officer comment: Officers are satisfied as to the detail provided on the plans

- The plans depict a very large building on a very small site, even bigger than the plans which were previously refused partially on the grounds of size. The proposed building will be out of keeping with the surrounding buildings and is overbearing for such a small site which was originally half an alleyway.

Officer comment: It is proposed to reduce the footprint of the building. There will be no increase in scale, height or massing.

- The proposed building is on Whateley Road not Bawdale road. This proposed site has no legal access/ right of way to Bawdale road and therefore the application is again inaccurate and incorrect.

Officer comment: Land registry records identify the application site as 2A Bawdale Road.

- The proposed front elevation on Whateley Road appears to show a shop style entrance with large glass windows why? If it is residential.

Officer comment: Drawing annotated as 'Proposed Elevations' provide details of the new residential frontage of the proposal site.

- The current building on the application site has no connections to either sewage or mains water, I have genuine concern as to how and where the services would be connected if this goes ahead. The applicant has not provided any plans showing existing drainage, sewage or water services as required in the application.

Officer comment: This is not a material planning consideration. Sewage and mains water will be dealt with by Building Control and Thames Water.

Human rights implications

39. 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.
40. This application has the legitimate aim of providing residential accommodation. 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

41. None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2633-A Application file: 14/AP/3856 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5451 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	29 January 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	30 January 2015	

Consultation undertaken

Site notice date: 25/11/2014

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: 28/11/2014

Internal services consulted:

Drainage

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

2 Bawdale Road London SE22 9DN
 Flat 2 1 Bawdale Road SE22 9DL
 Flat 1 1 Bawdale Road SE22 9DL
 80 Whateley Road London SE22 9DD
 167a Lordship Lane London SE22 8HX
 82 Whateley Road London SE22 9DD
 84 Whateley Road London SE22 9DD
 3a Bawdale Road London SE22 9DL
 Basement And Ground Floor Flat 4 Bawdale Road SE22 9DN
 First Floor And Second Floor Flat 163 Lordship Lane SE22 8HX
 Ground Floor And First Floor Flat 4 Bawdale Road SE22 9DN
 Basement And Ground Floor 157 Lordship Lane SE22 8HX
 86 Whateley Road London SE22 9DD
 Basement Flat 5 Bawdale Road SE22 9DL
 5a Bawdale Road London SE22 9DL
 First Floor And Second Floor Flat 161 Lordship Lane SE22 8HX
 5b Bawdale Road London SE22 9DL
 155b Lordship Lane London SE22 8HX

Ground Floor 155a Lordship Lane SE22 8HX
 2a Bawdale Road London SE22 9DN
 169-171 Lordship Lane London SE22 8HY
 155c Lordship Lane SE22 8HX
 159a Lordship Lane London SE22 8HX
 3b Bawdale Road London SE22 9DL
 Rear Of 2 Bawdale Road SE22 9DN
 3c Bawdale Road London SE22 9DL
 169a Lordship Lane London SE22 8HX
 155a Lordship Lane London SE22 8HX
 159 Lordship Lane London SE22 8HX
 155 Lordship Lane London SE22 8HX
 163 Lordship Lane London SE22 8HX
 161 Lordship Lane London SE22 8HX
 165a Lordship Lane London SE22 8HX
 157 Lordship Lane London SE22 8HX
 173 Lordship Lane London SE22 8HA
 167 Lordship Lane London SE22 8HX
 165 Lordship Lane London SE22 8HX

Re-consultation: n/a

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Email representation
167 Lordship Lane London SE22 8HX

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 I. Djelel	Reg. Number	14/AP/3856
Application Type	Full Planning Permission	Case Number	TP/2633-A
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use from MOT/car repair centre (Use Class B2) and ancillary office space to a single residential dwelling (Use Class C3) with alterations to the front and rear elevations.

At: 2A BAWDAL ROAD, LONDON, SE22 9DN

In accordance with application received on 14/10/2014

and Applicant's Drawing Nos. Location Map; Existing Elevations; Proposed Elevations; Existing Plans; Proposed Plans; Existing & Proposed Sections & Site Plan

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

- 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:
Proposed Elevations; Proposed Plans; Existing & Proposed Sections & Site Plan

Reason:

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

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 3 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 that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.



Item No. 5.6	Classification: Open	Date: 10 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/3065 for: Full Planning Permission Address: SOUTHWARK PARK, GOMM ROAD, LONDON SE16 2TL Proposal: Construction of a block of two tennis courts enclosed by a 3m high black mesh fence		
Ward(s) or groups affected:	Rotherhithe		
From:	Head of Development Management		
Application Start Date: 16/12/2014		Application Expiry Date: 10/02/2015	
Earliest Decision Date: 24/01/2015			

RECOMMENDATION

1. That the application is determined by the sub-committee as it represents development affecting Metropolitan Open Land (MOL); that the sub-committee consider whether the development meets the exception tests for small scale development within MOL and if satisfied that the relevant tests are met, grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. Southwark Park Sports Ground is a facility on the southeastern edge of Southwark Park. The park is Grade II registered park and garden and was one of the earliest parks opened by the Metropolitan Board of Works in 1869, it includes London's first public memorial to a working class person, Mr Jabez West who was a member of the local Temperance Society. A major refurbishment was undertaken in 2001 with funding from the Heritage Lottery Fund which included the installation of a bandstand. The site is not within a conservation area or within the vicinity of any other listed buildings or structures.
3. The site is covered by the following planning designations:
 - Site of Nature Conservation Importance
 - Air Quality Management Area
 - Metropolitan Open Land
 - Canada Water Action Plan
 - Grade II Registered Park and Garden
 - Flood Risk Zone

Details of proposal

4. The application is for the construction of two hard-surfaced tennis courts immediately

to the north of the location of the existing two tennis courts approximately 50m west of the Bowling Green and to the east of Cornick, Glebe, Hickling and Matson houses.

5. With an overall dimensions of 31.7m (width) x34.75m (length), the courts would meet the Lawn Tennis Association's (LTA's) minimum standard and would be located on an area that is presently grass covered. Surrounding the courts would be a 3m high black mesh fence. Funding for this development has been obtained from the Cleaner Greener Safer fund and supplemented by funding from the London Marathon Charitable Trust (LMCT).

Planning history

6. There are a number of planning applications for works in the park but none in the immediate vicinity of the site and no recent application in the wider vicinity of relevance to this application.

Planning history of adjoining sites

7. None of relevance to this application

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
 - The principle of the development and its impact on Metropolitan Open Land
 - The impact of the development on the Grade II registered park and garden
 - The impact of the development on the amenity of local residents
 - The impact of the development on park users
 - Environmental impacts

Planning policy

National Planning Policy Framework (the Framework)

9. This scheme should be considered against the Framework as a whole, however the following sections are considered to be particularly relevant:

8 - Promoting healthy communities

11 - Conserving and enhancing the natural environment

12 - Conserving and enhancing the historic environment

London Plan July 2011 consolidated with revised early minor alterations October 2013

Policy 3.19 Sports facilities

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.17 Metropolitan open land

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

Core Strategy 2011

Strategic Policy 11 - Open Spaces and Wildlife

Strategic Policy 12 - Design and Conservation
 Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

The council's cabinet on 19 March 2013, as required by para 215 of the Framework, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the Framework. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the Framework. The following saved policies are relevant to this application:

Saved Policy 3.1 Environmental effects
 Saved Policy 3.2 Protection of Amenity
 Saved Policy 3.11 Efficient Use of Land
 Saved Policy 3.12 Quality in Design
 Saved Policy 3.15 Conservation of the Historic Environment
 Saved Policy 3.16 Conservation Areas
 Saved Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage
 Saved Policy 3.25 Metropolitan Open land
 Saved Policy 3.28 Biodiversity
 Saved Policy 5.1 Locating Developments
 Saved Policy 5.2 Transport Impacts

Principle of development

10. Southwark Park is afforded a significant degree of protection in planning terms, being MOL. Paragraph 7.56 of the London Plan (consolidated with revised early minor alterations in October 2013) states that paragraphs 79-92 of the Framework on Green Belts apply equally to MOL. Paragraph 89 of the Framework states that the construction of new buildings should be regarded as inappropriate on Green Belt apart from certain exceptions. One of these is for the:

"..provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it."

11. While this provision is for buildings, it provides an indication of the type of facility that Government consider to be suitable on Green Belt and similarly MOL.
12. Policy 7.17 Metropolitan Open Land of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.
13. The tennis courts would be structures that would indeed support open space uses, being outdoor sport facilities.
14. Strategic Policy 11 Open spaces and wildlife of the Core Strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.

15. Saved policy 3.25 Metropolitan Open Lane of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation, which this is an application for.
16. The proposal is considered to be appropriate development on MOL because it meets the exception tests for the type of development detailed above, including the impact on openness of MOL (which is considered in detail below). The principle of the development is acceptable in accordance with the policies in the National Planning Policy Framework 2012; London Plan (revised with minor alterations 2013); Core Strategy 2011 and the saved Southwark Plan 2007.

Environmental impact assessment

17. The proposal is not EIA development as defined in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Its impact would not be of more than local significance, and the development would not give rise to significant environmental impacts.

The impact of the development on the Grade II listed Southwark Park and its openness

18. The historic significance of the park lies in its layout and historic features such as the gates; the drinking fountain which is the memorial to Jabez West; the Ada Salter Gardens and the lake. The development would be limited to an area on the western part of the park and sufficiently removed from historical features either by distance or screening, and would preserve the park's historical setting. It is arguable that the park's setting would be enhanced through the provision of a new sporting facility on this part of ground which seems an underused piece of land between the park's western boundary and the footpath to the east of the site.
19. Although the 3m high fence would be noticeable from the east along the footpath, it would be set against the background of the six storey Matson House and the existing tennis courts to the south. Views from further east would be interrupted by the Plane trees along the footpath, resulting in a development that would not adversely impact on the openness of the park.

The impact of the development on the amenity of local residents

20. The visual impact on residents to the west of the site would be limited as the courts would be set behind the boundary fence of the park which is approximately 2m in height with a Hawthorn hedge adjacent to it (on the side of the park). This, coupled with distance the courts would be from Matson House (the closest block)- 20m- means that there would be no adverse impact on visual amenity.
21. Additional activity would be noticeable for residents to the east but tennis would be limited to the opening hours of the park and limited to eight additional players, this is above the eight that could use the two courts to the south. It would not cause unacceptable harm to residential amenity because of the very small degree of intensification proposed.

The impact of the development on park users

22. Works proposed would be spatially limited and would not significantly affect the use of the park, other by providing an additional amenity. There would be some disturbance during the construction but this would be for a temporary period. Importantly, the development would result in enhanced sporting facilities for users of the park contributing towards the drive to encourage and building healthy communities.

Flood risk and biodiversity

23. Replacement of the grassed area with a hard surfaced court could have an impact with respect to local surface water drainage. However there may be sufficient capacity elsewhere within the park to absorb this impact. The council's Flood and Drainage Team have been consulted on this matter and their advice will be included in an addendum report for the meeting.
24. The grassed area is of low biodiversity value and the replacement of this relatively small area is not likely to affect biodiversity within the park. There is however a hawthorn hedge near the boundary to the west that would need to be cut back. The council's ecologist has reviewed this application and advised that he has no objection to the scheme.

Impact on trees

25. An arboricultural impact assessment has been submitted with the application which has identified a total of six trees that are in close proximity of the site and could be affected by the development. These include three veteran London Plan trees to the east of the site and three Turkish Hazels on Slippers Place. With suitable measures in place, these trees can be retained although some works to two of the London Planes would be required (minor works to branches under 200mm in diameter) for health and safety and access reasons. The council's Urban Forester has reviewed the impact assessment and advised that the means to protect the trees are suitable. Nonetheless, he has recommended a condition requiring these measures to be used and should any specimen identified in the report be destroyed or die within five years of the completion of development, that replacement planting takes place.

Planning obligations (S.106 undertaking or agreement) and Community Infrastructure Levy (CIL)

26. Planning obligations are sought to mitigate specified negative impacts of development which is in other respects acceptable. As there are no negative impacts to be mitigated and given the small scale nature of the proposal, there is no requirement to secure any planning obligations. The works themselves would provide an enhancement to a community facility and result in benefits for the local area and the wider community.
27. There is no proposed change of use or any increase in floorspace. As such, the scheme would not attract a payment under CIL.

Conclusion on planning issues

28. The provision of two new enclosed tennis courts on this part of Southwark Park would be appropriate development on MOL and provide a additional outdoor sport amenity for park. Its impact on local amenity would not cause significant harm due to its location away from the residential dwellings, the screening provided by the hawthorn hedge along the boundary and the limited use during the hours of daylight. The application is therefore recommended for approval.

Community impact statement

29. 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. No adverse impact on any group with the protected

characteristics identified above is expected.

Consultations

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

Consultation replies

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

Summary of consultation responses

Ecology Officer: No concerns

Sport England: No comment

Human rights implications

32. 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.
33. This application has the legitimate aim of providing and additional sporting facility. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/139-G Application file: 14/AP/3065 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1778 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Dipesh Patel, Planning Officer	
Version	Final	
Dated	26 January 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Finance and Corporate Services	No	No
Strategic Director of Environment and Leisure	Yeas	Yes
Strategic Director of Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		29 January 2015

APPENDIX 1**Consultation Undertaken**

Site notice date: 22/11/2014

Press notice date: 01/01/2015

Case officer site visit date: 22/11/2014

Neighbour consultation letters sent: 23/12/2014

Internal services consulted:

Ecology Officer

Flood and Drainage Team

Statutory and non-statutory organisations consulted:

Garden History Society

Sport England, 3 Oakwood drive

Neighbour and local groups consulted:

3 Westbrook Road London SE3 0NS

1 Priors Gardens Bedford Park W4 1TT
Environment & Leisure Level 3 SE1 2QH

Re-consultation: n/a

APPENDIX 2**Consultation Responses Received**

Internal services: None

Statutory and non-statutory organisations:

Sport England, 3 Oakwood drive

Neighbours and local groups: None

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 Nakrani London Borough of Southwark	Reg. Number	14/AP/3065
Application Type	Full Planning Permission	Case Number	TP/139-G
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a block of two tennis courts enclosed by a 3m high black mesh fence

At: SOUTHWARK PARK, GOMM ROAD, LONDON, SE16 2TL

In accordance with application received on 22/08/2014 08:03:51

and Applicant's Drawing Nos. Arboricultural impact assessment
Planning statement (incorporating design and access statement)

Drawings:

114-0202
114-0202-101
114-0202-101A (site location plan)
114-0202-102
114-0202-103
114-0202-104

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

- 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:

114-0202
114-0202-101
114-0202-102
114-0202-103
114-0202-104

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement by Arbor Cultural ref AC.2014.058 dated 10/12/2014. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the completion for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2014-15

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Sean Usher Tel: 020 7525 2713

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Lorraine Lauder MBE (Chair)	1	Environment & Leisure	
Councillor James Barber (Vice-Chair)	1	Environmental Protection Team	1
Councillor Nick Dolezal	1		
Councillor Lucas Green	1		
Councillor Vijay Luthra	1	Communications	
Councillor Eliza Mann	1	Wendy Foreman	1
Councillor Sandra Rhule	1		
		Total:	37
(Reserves)			
Councillor Stephanie Cryan	1		
Councillor Chris Gonde	1	Dated: 2 February 2015	
Councillor Rebecca Lury	1		
Councillor David Noakes	1		
Councillor Rosie Shimell	1		
Councillor Johnson Situ	1		
External			
Libraries	1		
Officers			
Constitutional Officer (Community Councils) Hub 4 (2 nd Floor), Tooley St.	15		
	4		
Anjana Ghosh, , Legal Services Hub 2 (2 nd Floor) Tooley St.	1		
Alex Gillott, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		