

<b>Item No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
7.1	OPEN	18 July 2012	Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 12/AP/1230 for: Full Planning Permission  <b>Address:</b> 301-303 BOROUGH HIGH STREET AND 1-3 TRINITY STREET, LONDON, SE1 1DB  <b>Proposal:</b> The demolition of the existing building and the erection of a predominantly part 5/part 6 storey building with three storey rear element comprising of 222.5 sqm of commercial floor space, flexible A1 retail/A2 financial and professional services at ground floor level and B1 office space at basement level; provision of 4 x 2 bedroom apartments with balconies above; along with a two bedroom, three storey house with basement and associated cycle parking facing Trinity Street.		
<b>Ward(s) or groups affected:</b>	Chaucer		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 17 April 2012		<b>Application Expiry Date</b> 12 June 2012	

## RECOMMENDATION

- 1 Grant planning permission subject to a unilateral undertaking to exempt future occupiers from obtaining parking permits and the conditions set out in the recommendation.

## BACKGROUND INFORMATION

### Site location and description

- 2 The site is a part three, part one storey building located on the corner of Trinity street and Borough High Street. The application property is now vacant but comprised of a former carpet shop on the ground floor with vacant offices on the first and second floors. To the north east is a six storey commercial property at 291 and 299 Borough High Street, to the south east is a three-storey commercial property at 5 Trinity Street and to the north east, at the rear, is a residential development in Hulme Place comprising of 2, two storey houses, and a part four, part five, part six storey building comprising of flats and a live-work unit.
- 3 The building is not listed nor in a conservation area, however the site falls just outside both the Borough High Street Conservation Area and Trinity Church Square Conservation Area, and is opposite listed buildings at 2-12 Trinity Street.
- 4 The application site is within the Central Activity Zone, an Archaeological Priority Zone, an Air Quality Management Area and part of site is within the Bankside and Borough Town Centre and Action Area

## Details of proposal

- 5 The proposal is for the demolition of the existing building on the site and the erection of a new part three, part five and part six storey building. The building is of a contemporary design whose facades are articulated by large recessed/chamfered openings and dressed in a facing-brick to match its context. The building also has large areas of glass, including the shop front facing Borough High Street and the fifth floor element.

The proposal in land use terms comprises three distinct elements.

### Commercial:

- 6 The commercial aspect is located at ground and basement levels. The basement comprises of 131 square metres of office (class B1) floorspace, and the entrance to the offices is from Borough High Street. The ground floor comprises of 91.5 of retail/financial and professional (classes A1/A2) floorspace and is accessed from the shop front on Borough High Street.
- 7 The refuse area and cycle storage area is accessed from Trinity Street.
- 8 **Residential, flats:** the residential flats proposed comprise of 3, two bedroom units on the first, second and third floors and a two bedroom duplex unit on the fourth and fifth floor level. The room sizes are as follows:-
- 9 First floor flat (unit 1), four person two bedroom unit, overall size 90.6 square metres  
Kitchen/living/dining area - 41 square metres  
Bedroom 1 - 13 square metres  
Bedroom 2 - 12.5 square metres
- 10 Second floor flat (unit 2), four person, two bedroom unit, overall size 90.6 square metres  
Kitchen/living/dining area - 41 square metres  
Bedroom 1 - 13 square metres  
Bedroom 2 - 12.5 square metres
- 11 Third floor flat (unit 3), four person, two bedroom unit, overall size 90.6 square metres  
Kitchen/living/dining area - 41 square metres  
Bedroom 1 - 13 square metres  
Bedroom 2 - 12.5 square metres
- 12 Duplex on fourth and fifth floors, 4 person, two bedroom unit, overall size 125 square metres
- 13 Kitchen/living/dining area - 42 square metres  
Bedroom 1 - 20.5 square metres  
Bedroom 2 - 20 square metres
- 14 In the case of the flats, the open plan kitchen, dining and living room faces both Borough High Street and Trinity Street with the private bedrooms and bathrooms facing the quieter Trinity Street. The duplex unit has both bedrooms and living rooms facing Borough High Street and Trinity Street.
- 15 **Residential, terraced house:** the terraced house is proposed to the east of the six storey block facing Trinity Street and spreading over three floors. The basement contains a dining/kitchen area of 24.9 square metres, there is also a small terrace area to the rear. The ground floor contains a living room of 21 square metres and a

small balcony. The first floor contains a bedroom of 10 square metres and bathroom, with the second floor comprising of a bedroom of 13 square metres and a bathroom. The overall unit size is 116, square metres and it is a four person, two bed roomed house. The first and second floors have a balcony overlooking Trinity Street.

- 16 Differences between the approved/refused proposal and the current proposal
- the fifth floor has been reduced at the rear by 2.3 metres and the side.
  - the parapet wall at fourth floor level has been omitted to reduce its height
  - the layout of the flat units and the house, have been amended to give the units 10 square metres of outdoor amenity space.

### **Planning history**

- 17 Planning permission was granted on the 21 January 2000 (99-AP-1895) for the change of use of g/floor from offices to retail use. Installation of new shop front with a new entrance.
- 18 Planning permission was granted on the 23 August 2007 for the demolition of the existing building and redevelopment of the site to provide a 6 storey building with basement fronting Borough High Street comprising offices (Class B1) on part of the ground floor and basement and retail (class A1) or financial services office (class A2) in the remaining basement and ground floor areas, provision of 4, two bedroom flats above with balconies onto Trinity Street and a roof terrace for the top flat, along with a 2-bedroom three storey house with basement and balconies to the rear fronting Trinity Street (07-AP-0424).
- 19 An application (10-AP-1724) for the renewal of planning permission 07-AP-0424 for: Demolition of the existing building and redevelopment of the site to provide a 6 storey building with basement fronting Borough High Street comprising offices (Class B1), retail (Class A1) and financial services office (Class A2) at basement, ground and first floor areas, provision of 4 x 2 bedroom flats above with balconies onto Trinity Street and a roof terrace for the top flat and the erection of a three storey, a 2 bedroom house with additional basement and balconies to the rear fronting Trinity Street was refused on the 29 December 2011 for the following reasons:-
- 20 (1) The proposal due to the dominance and obtrusiveness of the six storey element would create an undue sense of enclosure to the property at 1 Hulme Close SE1 and to a lesser extent on 2 Hulme Close SE1 to the rear of the development site, significantly impacting on their residential amenity, contrary to saved policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and 'Strategic Policy 13 – High environmental standards' of the Core Strategy 2011.
- 21 (2) The proposal provides inadequate outside amenity area to the detriment of future occupiers' amenities. The proposal is therefore contrary to saved policy 3.2 'Protection of Amenity' of the Southwark Plan 2007, the Residential Design Standards SPD 201, and 'Strategic Policy 5 - Providing new homes' of the Core Strategy 2011.

### **Planning history of adjoining sites**

- 22 5-13 Trinity Street - enforcement case in respect to a possible unauthorised air conditioning plant in 2000, found to be lawful as unit replaced a previous unit and was 'like for like'.
- 23 Hulme Place - Planning permission 1.4.1999 for the erection of two houses, part 4, part 5, part 6 storey building comprising of 1, one bed, 6, two bed, 3, three bed and 3, four bed flats and a live-work unit. (99-AP-0277).

- 24 299 Borough High Street - Planning permission dated 9 December 1999 (99-AP-1478) for the extension of existing hot food outlet

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 25 The main issues to be considered in respect of this application are:
- 26 a) the principle of the development in terms of land use and conformity with strategic policies.
- 27 b) impact on adjoining residential occupiers and impact on the amenity of future occupiers
- 28 c) impact on traffic and parking
- 29 d) impact on the appearance and character of the Borough High Street and Trinity Church Square Conservation Area and nearby listed buildings

### **Planning policy**

Proposals Map Designations 2012

- 30 Central Activity Zone  
Archaeological Priority Zone  
Air Quality Management Area  
Part of site in Town Centre and Action Area

### Core Strategy 2011

- 31 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

- 32 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations  
1.7 Development within town and local centres  
2.5 Planning obligations  
3.2 Protection of Amenity  
3.4 Energy Efficiency  
3.7 Waste Reduction  
3.11 Efficient Use of Land  
3.12 Quality in Design  
3.13 Urban Design  
3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites  
3.19 Archaeology

- 4.1 Density of Residential Development
- 4.2 Quality of Residential Development
- 4.3 Mix of Dwellings
- 5.2 Transport Impacts
- 5.3 Walking and Cycling

- 33 Residential Design Standards SPD 2011
- Sustainable Design and Construction SPD 2009

London Plan 2011

- 34 Policy 3.3 Increasing Housing Supply
- Policy 3.8 Housing Choice
- Policy 5.12 Flood Risk Management
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 7.2 An Inclusive Environment
- Policy 7.3 Designing Out Crime
- Policy 7.4 Local Character
- Policy 7.5 Public Realm
- Policy 7.6 Architecture
- Policy 7.14 Improving Air Quality
- Policy 7.15 Reducing Noise And Enhancing Soundscapes
- Policy 8.2 Planning obligations

National Planning Policy Framework (NPPF)

- 35 The NPPF came into effect on 27 March 2012 and is a material planning consideration. The most relevant sections for consideration are:-
- 36 The Core Planning Principles
  - Section 2 Ensuring the vitality of town centres
  - Section 6 'Delivering a wide choice of high quality homes'
  - Section 7 'Requiring good design' and
  - Section 12 'Conserving and enhancing the historic environment'.

**Principle of development**

- 37 The property is partially located within a Town Centre and therefore saved policy 1.7 will apply. The applicant is seeking both retail and professional and financial services (Use Class A2) uses at ground floor. Office use (Use Class B1) is to be provided in the basement.
- 38 Saved policy 1.7 states

**Policy 1.7 Development within town and local centres**

- 39 "Most new developments for retail and other town centre uses should be accommodated within the existing town centres and local centres...
- 40 "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."

41 It is considered that this proposal meets all the above criteria. The proposal provides a mix of uses which are suitable in town centres and either re-provides the existing Class A1 floorspace or provides A2 floorspace at ground floor within the new proposal.

42 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.

43 The Saved Southwark Policy **1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations**

44 This policy states that on sites which have an established B Class Use and which meet any of the following criteria:

- i. The site fronts onto or has direct access to a classified road; or
- (ii having been deleted by the Core Strategy 2011)
- iii. The site is within the Central Activities Zone; or
- iv. The site is within a Strategic Cultural Area.

45 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:

46 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

47 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

48 policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floor space may be used for suitable mixed or residential use.

49 The current building provides 191 square metres of office (Class B1) floorspace on the upper floors and 131 square metres re-provision is proposed, therefore there is a shortfall of 60 square metres of office (Class B1 floorspace). No marketing evidence has been submitted with this application. However, in the previous application it was argued that the existing floorspace was not fit for purpose having been vacant and not up to current expected standards in respect to information technology. This proposal does re-provide some commercial floorspace which will be modern and practical and would appeal more to a prospective occupier than the current commercial floorspace. Therefore, it is considered on balance, that the proposal is acceptable, it will bring back into economic use this site, and provide good quality commercial floorspace which will be attractive to prospective commercial users.

In terms of the provision of residential accommodation on the site, Part c of Saved Policy 1.4 (above) makes clear that where there is an increase in floorspace proposed - as is the case here - that the additional floorspace may be used for suitable mixed or residential use. Therefore the residential component is considered to be acceptable in land use terms.

50 The Core Strategy 2011 in respect to the Borough area, seeks a better mix of shops and services to meet local people's needs as well as the needs of office workers and tourists. While the proposal is to retain a Class A use within the building, a dual retail/professional and financial services office (classes A1 and A2) are proposed. This is considered to help provide the desired mix of shops and services in the area. In respect to density issues, the Core Strategy 2011 gives a density range of between 650 and 1100 habitable rooms per hectare. This proposal has a density of 800 habitable rooms to the hectare and therefore complies with the Council's density standards.

51 The National Planning Policy Framework 2011 seeks to ensure sustainable development is approved, unless significant and demonstrable harm can be shown. In relation to Section 2 'Ensuring the vitality of town centres', establishes the need to ensure that town centres are viable and have vitality. The guidance seeks the provision of retail, leisure and office uses. The guidance also states that residential should be seen as playing an important role in the vitality of town centres and to encourage residential development on appropriate sites. It is considered that in land use terms the proposal meets these considerations by providing retail, office and residential uses within this town centre location.

### **Environmental impact assessment**

52 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area does not exceed the initial threshold of 0.5ha. In addition it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

### Impact on amenity for existing adjoining residents.

- 53 To the rear of the site is a residential development in Hulme Place and residents have raised objections on the grounds of loss of amenity, including loss of privacy, additional noise, wind, loss of light and outlook.

### Privacy Issues

- 54 Habitable rooms for the flats have been designed to face onto Trinity Street, with the living rooms/kitchens towards the Borough High Street end of the street. The rear house has no habitable room windows above ground floor level at the rear. There are no commercial windows overlooking at the rear. Therefore there is not considered to be any significant overlooking of Hulme Place and privacy issues would also be minimal on Trinity Street. The bathroom windows above ground floor level can be obscured and fixed shut.
- 55 Section 2.8 'Privacy and security' of the Residential Design Standards 2008 suggest that there should be a minimum distance of 21 metres at the rear of the building. While this development does not meet this requirement, the development has been designed with no windows on the rear elevation, except at basement and ground floor levels. Therefore there is no direct overlooking of the residential development to the rear in Hulme Place. The Secure by Design Officer from the Metropolitan Police has raised no objections to issues of security in respect to this application.

### Sunlight, Daylight and Sense of Enclosure Issues

- 56 Sunlight and daylight reports have been submitted by the applicant, they were prepared in relation to the previously approved scheme; the current scheme has been reduced in bulk. It was considered that the proposal would not demonstrably harm adjoining residents in term of loss of daylight and sunlight. The report shows that there are 4 windows which fail to achieve the Building Research Establishment (BRE) Guidance with regard to the reduction in daylight, but these windows have moderate Vertical Sky Component (VSC) scores in the first instance and therefore any reduction appears more significant. Furthermore, when considering the glazed roof panels of the nearest property to the rear, all but one, have a VSC in excess of 30%. To demonstrate further that there will no adverse effect upon daylight, the consultant has undertaken an assessment of internal illuminance or average daylight factor (ADF). Whereas VSC assessments are influenced by the size of obstruction, the ADF is more influenced by the room area, the area of room surfaces, the reflectance of room surfaces and the transmittance of the glazing with the size of the obstruction being a smaller influence. The guide states that where a predominately daylight appearance is required, the ADF should be at least 5% or more if there is no supplementary electric lighting or 2% or more if there is. In respect of kitchens, living rooms and bedrooms there are additional recommendations of 2%, 1.5% and 1% respectively.
- 57 The analysis shows that the internal illuminance or ADF will be 10.45% in the property to the rear. This is more than double the BRE Guidance where no supplemental lighting is required.
- 58 Additional work was also undertaken by the applicants following the receipt of sunlight and daylight report that was commissioned by the owner of 1 Hulme Place. The additional report states that the applicants' expert on sunlight and daylight has '...

carried out further technical analysis to address the additional concerns raised in respect of the affect upon 1 Hulme Place, in particular to the conservatory, and assessed all glazed elements including the glazed ceiling panels for the original scheme.

- 59 A computer 3d model was constructed using digital mapping with a reference plan and results attached. For the sake of clarity, the obscured nature of the ceiling panels to the conservatory had their transmittance of skylight factored by 0.2.
- 60 With regard to daylight, the BRE Guidance states that there will be an adverse affect to daylight if the vertical sky component (VSC) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.
- 61 In respect of sunlight, the BRE Guidance is written in the assumption that sunlight is only received through vertical glazing. Patently sunlight will also be received through the glazed ceiling panels of the neighbour's conservatory. The results demonstrate that there is no adverse effect upon sunlight and that the conservatory will receive sunlight in excess of the minimum BRE Guidance.
- 62 In conclusion, the original proposals accords with the BRE guidelines, and this revised proposal reduces the effect further. The proposals therefore can be seen to meet the criteria set down in the BRE guideline document entitled "Site Layout planning for daylight and sunlight: A guide to good practice" in respect of the effect upon daylight and sunlight.
- 63 However, it is also important to consider the sense of enclosure that the development will create upon neighbours. The renewal of the previous application was refused due to the impact on 1 Hulme Place. The previous proposal was considered to create a sense of enclosure to 1 and possibly 2 Hulme Place. However, careful consideration has been given to this issue by the applicant's architect. The fifth floor has been reduced, with the fourth floor balustrade being deleted to reduce the height of that element. The adjoining building at 291-299 Borough High Street has a six storey element, and the taller element of this proposal will adjoin that; previously it protruded further rearward towards Hulme Place. With these revisions it is now considered that, on balance, the proposal will not cause an undue sense of enclosure and the amenity of the nearest adjoining occupiers will be protected. The residents of the flats at St Michaels Court in Hulme Place also consider that the proposal will impact on their amenity. However, the impact would be less given the distance between their flats and the application property - of around 14 metres from the six storey element - and they are situated further to the east limiting the impact upon them
- 64 Within Strategic Policy 13 of the Core Strategy - High environmental standards, point 8 on page 108, states that 'Setting high standards and supporting measures for reducing air, land, water, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work...'. It is considered that this proposal would avoid undue amenity impacts for the adjoining occupiers of this development, and having regard to the advice in the NPPF, any impacts that may occur are not significant as to warrant refusal.

#### Noise issues and Air Quality

- 65 The residential development to the rear of the site in Hulme Place has a relatively large open area which was designed for car parking but is more often used for outdoor amenity space. An objector demonstrated that any noise created does bounce off the walls of the development, increasing the disturbance caused. However, in relation to this development the only opening apertures would be at basement and ground floor level of the two bedroom house. There are outdoor

spaces at this level but they are extremely restricted and it is not considered that the opening windows of one unit would lead to noise levels that would cause significant disturbance to residents to the rear. In respect to the use of the property for residential use rather than commercial, it is true that the property will be in use in the evenings when the commercial use may not have been, but it is not considered the scheme will create any significant noise issues as all the habitable rooms windows in the flats overlook Trinity Street and Borough High Street, only leaving the dining area and living room windows of the house at basement and ground floor level, behind a wall, that will be adjacent to Hulme Place.

#### Means of Escape due to Fire

- 66 The Building Control Section consider means of escape during the course of construction of new development. However, in principle, they consider that the development of the site would not cause concern in this respect.

#### Amenity for future occupiers of the site

- 67 In respect to the proposed mix of commercial uses on the site (A1/A2/B1) all are uses that should happily exist next to residential uses. Therefore there is no objection to this element of the proposal.
- 68 In respect to new houses, under the residential design standards SPD (2011) there should be a minimum of 50 square metres of private garden space with at least a length of 10 metres, as stated in section 3.1 New houses (Detached, semi-detached and terrace). This proposal does not meet this requirement. A small terrace is provided at basement level and ground floor level providing 10 square metres of outdoor space. However, Newington Gardens is approximately 200 metres away, a park and recreation ground. It is considered that, on balance, this is acceptable given the site constraints and the fact that the site is located in the Central Activity Zone (CAZ) where houses often have very little outdoor amenity area.
- 69 In respect to flats, section 3.2 of the Residential Design Standards 2011 states that development should provide 50 square metres of communal amenity space and where possible 10 square metres of private amenity space. The amenity space for the flats is provided by balconies on the Trinity Street elevation and Borough High Street elevation. However, no communal space can be provided, but again there is open space nearby. Residents will have access to balconies on both the busy Borough High Street frontage but also the quieter Trinity Street elevation and again given this CAZ location it is considered, on balance, to be acceptable and the previous grounds of refusal have been overcome.
- 70 In respect to air quality, this is an important policy issue within the Core Strategy 2011. The applicant has supplied an air quality report and the Council's Environmental Protection Team have confirmed that the contents of that report are acceptable. The accommodation is ventilated away from the roads and includes a filter pack to ensure clean air within the properties. A condition is proposed that restricts noise from any plant, including ventilation systems to safeguard the amenities of adjoining occupiers.

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

- 71 The application site is within an area of mixed uses and adjoins residential and commercial properties. It is not considered that these uses will impact on the future users of this development.

## **Traffic issues**

- 72 This section of Borough High Street is maintained by Southwark Council as local highway authority. The Transport for London Road Network (TLRN) maintained by TfL lays a little way to the north (at the junction with Great Dover Street). Nevertheless, given their responsibility for traffic signals on all parts of the road network across greater London, TfL have commented on the proximity of this site to the signal controlled junction at Borough High Street and Trinity Street. Disruption of the signal during construction or servicing may have a wider impact. Transport for London (TfL) have therefore requested that conditions be imposed to secure a Construction Method Statement and a Delivery and Servicing Plan to ensure the construction work and deliveries do not impact on the junction.
- 73 The Council's Transport Group have no objections in principle but they have queried the provision of the recycling and refuse area which is combined for both commercial and residential. This is not ideal and it is proposed to recommend a condition requiring further details of this provision to be submitted. The cycle storage has been amended and is in two separate areas on the ground floor for the residential and the commercial uses. The doors also no longer open out onto the public highway. Four cycle spaces are provided for the commercial element, and five spaces for the residential occupiers. These are considered acceptable.

## Car Parking

- 74 The site is located in a high PTAL within a Controlled Parking Zone and located in the Central Activity Zone therefore a car free development would be expected. The applicant has not proposed any off street parking which is deemed as acceptable.
- 75 There is a risk that the development may increase the demand for on-street parking places. The demand is already high in this area and so the imposition of additional demand would be to the detriment of the amenity of existing residents. Therefore, a Section 106 Unilateral Undertaking will be provided to prevent future occupiers from obtaining on street parking permits in order to control further demand for parking in the area. Any update on the Unilateral Undertaking will be provided in an addendum report.
- 76 The Transport Group have also requested membership of a car club for three years, but as the proposal is only for five new units it is not considered that this would be reasonable for a relatively minor scheme.
- 77 Objectors have raised issues about increased use of their driveway for the dropping off of visitors of the future development, however, the residential access to the proposal is from Trinity Street, not at the rear.
- 78 A Construction Management Plan is also required prior to any demolition or construction works and is a condition within the recommendation.

## **Design issues**

- 79 Local residents and the Georgian Society have requested that the existing building is retained and converted. The applicants had carefully considered the potential conversion of the property but considered that redevelopment would provide a higher quality proposal that was more sustainable, provided commercial floorspace that was flexible and fitted modern day requirements, and complied with building regulations

- 80 The existing building at 301-303 Borough High Street and the return on 1-3 Trinity Street was largely re-built following bomb-damage; the only potentially original fabric on the elevations is the first-floor onto Borough High Street, with four tall recess-arched windows with six-over-six sashes. All other elements on the elevations have been re-built, and this did not include replacing the third-floor which has resulted in somewhat stunted proportions. The shopfront is modern and of low quality, and it is considered that the second floor onto Borough High Street is proportionally inaccurate [relative to historic images and the buildings opposite at No.305] and relatively neutral in its contribution. The facade onto Trinity Street is re-built to a very confused and inappropriate composition that lacks any relationship to the Borough High Street facade; this facade is of negligible/low architectural quality in officers' opinion. Internally the spine wall between the two original houses remains (except at ground-level, which is gutted) as the only original feature; the age of the stairs is indeterminate. The property has flat roofs, not the historic roof profile, and is not immediately adjacent to the Conservation Area, which starts at the junction with Swan Street.
- 81 It is considered that the only elements of this building to be of architectural/historic interest are the arched windows to the first floor of the BHS frontage. For this building to be re-instated to its original/previous 'gateway' stature into Trinity Street will require the demolition of all the other post-war re-building and the creation of a pastiche as found on the largely re-built opposite corner, No.305 BHS. No.305 does also benefit from being attached to the original terrace of listed buildings at 2-12 (evens) which date to 1827 and indicate the aesthetic that presumably was also on the NE side of Trinity Street as well as the application site. No.s 5-13 Trinity Street are a neutral/low-quality architectural low-rise development, adjacent to which a pastiche re-build on the application site would be quite inappropriate. Accordingly it is considered that the existing building on the site does not have enough heritage significance to merit its retention in any way, a point on which officers disagree with the consultation response from the Georgian Group.
- 82 Accepting the replacement of the existing building, we would expect a strong contemporary building to be appropriate on this prominent corner site, of a scale that is not over-bearing to the opposite No.305 but that is responsive to/stepping-up to the adjacent No.s 291-299. The adjacent block at 291-299 Borough High Street has a parapet and full attic-storey higher than the proposal; the opposite corner, 305 Borough High Street is slightly lower at three-storey and attic, so the proposal forms a logical transition within the streetscape. On Trinity Street the 'independent' three-storey house links the five/six-storey proposed bulk to the existing two-storey and attic offices adjacent. The massing of the proposal is articulated by: setting-back the penthouse; setting-back the glazed link to 299 Borough High Street, and; 'floating' the main block above the wrap-around glazed commercial frontage. The bold recessing of the windows/balconies and large areas of glazing also reduce/modulate the perceived solidity/bulk of the building.
- 83 The detail design of the proposal is simple and subtle but still attains a richness and boldness. Crucial to this will be the materials and crispness of detailing which should be conditioned; in particular the buff brick should have a degree of texture and colour-variety to add interest and relate to the heritage properties on the opposite side of Trinity Street. Signage/advertising to the commercial units would need to be carefully considered so as not to impact on the crisp detailing of the proposal.

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

- 84 The setting of the listed buildings opposite, at No.s 2-12 (evens) Trinity Street must also be considered by this proposal, as well as the more distant setting of the Trinity

Church Square Conservation Area. While the proposal is a physically and aesthetically bold contemporary architectural statement, there is a subtlety in its design and articulation that should reduce its perceived prominence within the townscape. As noted above, the quality of the brickwork will be a key factor in its response to context and thereby its impact on the setting of the heritage assets. A sample-panel of the brickwork and mortar/pointing will be required on-site for conditioned approval to ensure its acceptability.

- 85 The impact on the character and appearance of the Trinity Church Square and Borough High Street conservation areas which are to the east and north respectively, would be preserved as the site sits between both and has integrated suitably through bulk, scale, massing and design onto the principal road frontage, creating an in keeping and sensitive development for the area. Primarily the impact on the setting of the listed buildings opposite is considered to be preserved.

#### **Impact on trees**

- 86 No trees will be affected by the proposal.

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

- 88 A section 106 Unilateral Undertaking will be required to change the Traffic Management Order to prevent future occupiers from obtaining parking permits.

#### **89 Mayoral CIL payment**

- 90 This development would be liable for the Mayoral Community Infrastructure Levy (CIL) based on £35 per square metres of new floorspace. The chargeable floor space is 855 square metres and the overall charge would be £29,908.

#### **Sustainable development implications**

- 91 A report has been submitted with the application which concludes that the use of air source heat pumps would achieve nearly 20% reduction of the site's Co2 emissions. Other measures include thermal efficient fabric, whole house ventilation with heat recovery, low energy lighting and smart meters. The report also confirms that the dwellings will achieve Code for Sustainable Homes Level 4, but it will also need to meet the BREEAM 'excellent' rating for the commercial element. These issues can be conditioned.

#### **Other matters**

##### Flood Risk Assessment

- 92 The site in question is partly within Flood Zone 2 and partly within Flood Zone 3. The most flood risk sensitive part of the development is the new house with some living space in a basement. This part of the development falls within Flood Zone 2, and includes internal access to higher levels within the building.

- 93 The Flood Risk Assessment is regarded as acceptable to the Environment Agency.

##### Construction and foundation issues

- 94 The construction hours of the development, if it is granted, could be conditioned but generally working on Saturday mornings is permitted under the considerate contractor scheme. Issues regarding foundation works and movement are a Building Control

matter.

#### Consultation

95 Residents have raised the issue that they were not consulted on the previous application. However, the Council's records show that the letters were despatched to Hulme Place, as well as other neighbours.

#### 96 **Conclusion**

97 The principle of a mixed use scheme for this site is acceptable in land use terms. Whilst some of the previous office space will not be retained the proposal will provide new modern accommodation that meets today's needs in terms of business use. The proposed ground floor unit will provide an active frontage through re-provision of an A Class use. The proposal provides a high quality building that complements the adjoining modern buildings while respecting the setting of the adjacent conservation area and listed buildings.

98 Careful consideration has been given to the impact of the proposal on the amenities of adjoining residents, particularly in Hulme Place. It is considered that this revised proposal overcomes previous concerns in respect to creating an undue sense of enclosure. Conditions are recommended to overcome issues in relation to noise and privacy.

99 In respect to the National Planning Policy Framework, the policies on new development all carry a clear expectation that development should be supported, unless the benefits are clearly outweighed by the harm caused to other interests, such as heritage, amenity or living standards.

100 The benefits to be achieved through the grant of planning permission, in terms of the provision of new homes and modern commercial floorspace, are not considered to be outweighed by any impacts, as these impacts are not significant. The proposal is considered to deliver sustainable development having regard to the NPPF.

101 Therefore, permission is recommended subject to the unilateral undertaking preventing future occupiers from obtaining parking permits and the conditions set out in the recommendation.

#### **Community impact statement**

102 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.

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

104 b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as potential for increase in noise and overlooking.

105 c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are conditions in respect of noise from plant and obscured glazing.

## **Consultations**

- 106 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.
- 107 Consultation replies
- 108 Details of consultation responses received are set out in Appendix 2.

## **Summary of consultation responses**

- 109 Objections have been received in respect to loss of privacy/overlooking, Daylight/Sunlight Impacts, Noise disturbance (particularly from the roof terrace), Overbearing impact/scale/design of the development, Loss of existing building , Reduced air circulation/loss of air quality, Water drainage and land stability and Residential and retail uses being in 24 hr use

## **Human rights implications**

- 110 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.
- 111 This application has the legitimate aim of providing new commercial and residential floorspace. 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/1140-301 & 1254-1  Application file: 12/AP/1230  Southwark Local Development Framework and Development Plan Documents	Deputy Chief Executive's Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5453 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Michele Sterry, Planning Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	3 July 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Director of Legal Services	No	No
Director of Planning	Yes	Yes
Strategic Director, Environment and Leisure	Yes	Yes
<b>Date final report sent to Constitutional Team</b>		6 July 2012

**Consultation undertaken**

**Site notice date:** 30.4.2012

**Press notice date:** 26.4.2012

**Case officer site visit date:** 30.4.2012

**Neighbour consultation letters sent:**1.5.2012

**Internal services consulted:**

Archaeology Officer  
Environmental Protection Team  
Transport Planning Team  
Waste Management

**Statutory and non-statutory organisations consulted:**

Metropolitan Police  
Transport for London  
Environment Agency

**Neighbours and local groups consulted:**

299 BOROUGH HIGH STREET LONDON SE1 1JG  
12 TRINITY STREET LONDON SE1 1DB  
6 TRINITY STREET LONDON SE1 1DB  
8 TRINITY STREET LONDON SE1 1DB  
20 TRINITY STREET LONDON SE1 1DB  
2 TRINITY STREET LONDON SE1 1DB  
1 and 2 Hulme Place SE1  
1 to 110 Redman House Lant Street SE1  
307 BOROUGH HIGH STREET LONDON SE1 1JH  
FLATS 1- 12 ST MICHAELS COURT 3 HULME PLACE LONDON SE1 1HY  
AVON HOUSE 275-287 BOROUGH HIGH STREET LONDON SE1 1JE  
1-3 TRINITY STREET LONDON SE1 1DB  
FLAT 7 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
33 SWAN STREET LONDON SE1 1DF  
FLAT 1 6 TRINITY STREET LONDON SE1 1DB  
FLAT 2 6 TRINITY STREET LONDON SE1 1DB  
6A TRINITY CHURCH SQUARE LONDON SE1 4HU  
THIRD FLOOR FLAT 8 TRINITY STREET LONDON SE1 1DB  
FLAT 3 6 TRINITY STREET LONDON SE1 1DB  
SECOND FLOOR FLAT 8 TRINITY STREET LONDON SE1 1DB  
7C TRINITY CHURCH SQUARE LONDON SE1 4HU  
7D TRINITY CHURCH SQUARE LONDON SE1 4HU  
7A TRINITY CHURCH SQUARE LONDON SE1 4HU  
7B TRINITY CHURCH SQUARE LONDON SE1 4HU  
GROUND FLOOR FLAT 67 TRINITY CHURCH SQUARE LONDON SE1 4HT  
4A TRINITY CHURCH SQUARE LONDON SE1 4HU  
1 TRINITY CHURCH SQUARE LONDON SE1 4HU  
BASEMENT FLAT 67 TRINITY CHURCH SQUARE LONDON SE1 4HT  
FIRST FLOOR AND SECOND FLOOR 14-16 TRINITY STREET LONDON SE1 1DB  
CROWN COURT SWAN STREET LONDON SE1 1DF  
GROUND FLOOR 14-16 TRINITY STREET LONDON SE1 1DB  
12B TRINITY STREET LONDON SE1 1DB  
FLAT 8 ST MICHAELS COURT 3 HULME PLACE LONDON SE1 1HY  
FLAT 10 ST MICHAELS COURT 3 HULME PLACE LONDON SE1 1HY  
FLAT 4 ST MICHAELS COURT 3 HULME PLACE LONDON SE1 1HY  
FLAT 5 ST MICHAELS COURT 3 HULME PLACE LONDON SE1 1HY  
BASEMENT AND GROUND FLOOR 305-307 BOROUGH HIGH STREET LONDON SE1 1JH

FIRST FLOOR SECOND FLOOR AND THIRD FLOOR 289-299 BOROUGH HIGH STREET LONDON SE1 1JG  
GROUND FLOOR 293-295 BOROUGH HIGH STREET LONDON SE1 1JG  
66 TRINITY CHURCH SQUARE LONDON SE1 4HT  
4 TRINITY CHURCH SQUARE LONDON SE1 4HU  
64 TRINITY CHURCH SQUARE LONDON SE1 4HT  
65 TRINITY CHURCH SQUARE LONDON SE1 4HT  
FLAT A 67 TRINITY CHURCH SQUARE LONDON SE1 4HT  
FLAT B 67 TRINITY CHURCH SQUARE LONDON SE1 4HT  
6 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 10 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 11 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 8 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 9 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
BRITANNIA HOUSE 7 TRINITY STREET LONDON SE1 1DB  
22 TRINITY STREET LONDON SE1 4HS  
ALL UNITS DAVID BOMBERG HOUSE 282-302 BOROUGH HIGH STREET LONDON SE1 1JJ  
301-303 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT 8 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 9 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 6 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 7 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 3 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 4 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 1 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 2 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 2 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 3 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT C 67 TRINITY CHURCH SQUARE LONDON SE1 4HT  
FLAT 1 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 6 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 5 2 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 4 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 5 5 TRINITY CHURCH SQUARE LONDON SE1 4HU  
FLAT 2 204 GREAT SUFFOLK STREET LONDON SE1 1NY  
FIRST FLOOR FLAT 2 TRINITY STREET LONDON SE1 1DB  
FLAT 12 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 1 204 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 1 29 SWAN STREET LONDON SE1 1DF  
FLAT 4 29 SWAN STREET LONDON SE1 1DF  
302 BOROUGH HIGH STREET LONDON SE1 1JJ  
FIRST FLOOR FLAT 4 TRINITY STREET LONDON SE1 1DB  
FLAT 3 305 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT 4 305 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT 1 305 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT 2 305 BOROUGH HIGH STREET LONDON SE1 1JH  
BASEMENT AND GROUND FLOOR 4 TRINITY STREET LONDON SE1 1DB  
SECOND FLOOR AND THIRD FLOOR FLAT 2 TRINITY STREET LONDON SE1 1DB  
SECOND FLOOR FLAT 4 TRINITY STREET LONDON SE1 1DB  
FOURTH FLOOR 291-299 BOROUGH HIGH STREET LONDON SE1 1JG  
FIFTH FLOOR 291-299 BOROUGH HIGH STREET LONDON SE1 1JG  
3 TRINITY CHURCH SQUARE LONDON SE1 4HU  
297 BOROUGH HIGH STREET LONDON SE1 1JG  
RUSE 280 BOROUGH HIGH STREET LONDON SE1 1JS  
FLAT 5 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
FLAT 6 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
8A TRINITY STREET LONDON SE1 1DB  
FLAT 4 18 TRINITY STREET LONDON SE1 1DB  
12A TRINITY STREET LONDON SE1 1DB  
FLAT 3 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
FLAT 4 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
FLAT 1 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
FLAT 2 GLOUCESTER COURT SWAN STREET LONDON SE1 1DQ  
FLAT 1 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT D 307 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT 4 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 5 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 2 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 3 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 3 29 SWAN STREET LONDON SE1 1DF  
LIVING ACCOMMODATION RUSE 280 BOROUGH HIGH STREET LONDON SE1 1JS  
FLAT 13 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
FLAT 2 29 SWAN STREET LONDON SE1 1DF  
FLAT B 307 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT C 307 BOROUGH HIGH STREET LONDON SE1 1JH  
FLAT A 307 BOROUGH HIGH STREET LONDON SE1 1JH  
27C SWAN STREET LONDON SE1 1BY  
27D SWAN STREET LONDON SE1 1BY  
27A SWAN STREET LONDON SE1 1BY  
27B SWAN STREET LONDON SE1 1BY

FLAT 2 18 TRINITY STREET LONDON SE1 1DB  
FLAT 3 18 TRINITY STREET LONDON SE1 1DB  
27E SWAN STREET LONDON SE1 1BY  
FLAT 1 18 TRINITY STREET LONDON SE1 1DB  
23 SWAN STREET LONDON SE1 1BY  
25 SWAN STREET LONDON SE1 1BY  
FLAT 6 202 GREAT SUFFOLK STREET LONDON SE1 1NY  
21 SWAN STREET LONDON SE1 1BY  
5 TRINITY STREET LONDON SE1 1DB  
50 SWAN STREET LONDON SE1 1DF  
10 TRINITY STREET LONDON SE1 1DB

### Consultation responses received

#### Internal services

Transport -

The property has a Ptal of 6 and is within a controlled parking Zone.

#### Cycle Parking Standards

For this development of 5 two-bedroom units there is a minimum requirement for storage with capacity for 5 cycles.

Table 15.3 in the Southwark Plan, states that for A and B1 developments the secure parking standard for cycles is 1 space per 250m<sup>2</sup> (minimum of 2 spaces).

For this development of 225m<sup>2</sup> of A1 use there is a minimum requirement for storage with capacity for 2 cycles.

For reasons of security and convenience, residential and commercial cycle storage must be clearly segregated.

#### **Policy 5.6 (Car Parking)**

This proposed development is located in an area with a TfL PTAL rating of 6, reflecting the area's excellent level of access to all forms of public transport and is within a CPZ. Developments in areas with this PTAL rating are recommended to be car free in order to promote more sustainable transport choices, reduce congestion and pollution within Southwark, as per Strategic Policies 18 and 19.

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

#### **Policy 5.8 (Other Parking)**

We would look for the applicant to provide a contribution covering 3 years membership to Zipcar car club for each eligible adult in the residential element. Car club bays are measures aimed at mitigating against an under provision of parking or a method to deter private parking and car ownership. Two car club bays are available in the local area, one on Great Suffolk Street and one on Trinity Street).

For more information in relation to the costs of membership the applicant should contact: [GDavis@zipcar.co.uk](mailto:GDavis@zipcar.co.uk), 0203 004 7860

#### **Refuse and Recycling Storage**

Before finalising the refuse and recycling stores, it is recommended that the applicant takes account of the Council produced document entitled *Waste Management guidance notes for residential developments* which is aimed at providing developers with the requirements for waste storage at new sites. The applicant should justify the provision of refuse and recycling storage based on the standard formula contained.

Residential and commercial waste storage must be kept separately. The waste storage should be held in dedicated stores rather than with the cycle stands.

## **Service Parking and Access**

As existing.

## **Construction Management Plans**

Should the construction of a development create an impact on the highway network, a Construction Management Plan is required prior to any demolition or construction works on site. Detailed information on producing these plans can be found at:

[www.tfl.gov.uk/microsites/freight/initiatives\\_and\\_projects.aspx](http://www.tfl.gov.uk/microsites/freight/initiatives_and_projects.aspx)

This development is not expected to have a significant negative impact on the highway network.

## **Archaeology -**

The applicants have supplied a desk-based assessment which provides an adequate archaeological background to the development. It is likely that the proposed development site stands within the developed area of Roman Southwark and it is also apparent, according to map evidence, that the area was redeveloped during the post-medieval period and has remained occupied since. It is also possible that, during the first half of the medieval period, prior to the Black Death, Southwark may have expanded as a settlement along its main road and reached the site of 301-303 Borough High Street, however archaeological evidence for this part of Southwark indicates that it is most likely that this area remained in agricultural use.

As the desk-based assessment states the basement present on site is likely to have truncated archaeological deposits, however it has not reached natural deposits, as identified on surrounding sites so therefore there is a potential for archaeological deposits to survive below the present basement. The extent and nature of this potential needs to be explored with an archaeological evaluation. The present basement may not have impacted upon all archaeological deposits within the footprint of the current building therefore there is a potential for isolated areas of archaeology to survive at higher levels.

In line with the recommendations of the desk-based assessment I would agree that an archaeological evaluation should be undertaken following the demolition of the buildings presently on site. Archaeology potentially survives below the current basement level and within areas of the footprint of the present building which have not reached this depth. Towards these ends any demolition of the basement area should be accompanied by a programme of archaeological observation and recording with the objective of identifying and securing the preservation of any deposits which are likely to survive above the present basement level so that any such material can be evaluated at a later date. The results of the archaeological evaluation will indicate the extent of any further mitigation works. If it is proposed to undertake any ground investigation works whilst the present building is still standing then these should also be subject to a programme of archaeological observation and recording.

It is recommended conditions are applied to any consent:

## **Statutory and non-statutory organisations**

Transport for London - Request a Construction Method Statement is prepared, and a Delivery and Servicing Plan. The use of freight operators and construction companies who are members of FORS is recommended

Metropolitan Police - Request that a condition be imposed to secure details of lighting

Environment Agency - No objection.

## **Neighbours and local groups consulted:**

### **Re-consultation:**

Neighbours and local groups

14, 42, 57, 61, 62E, Flat 3 34 Trinity Church Square

12B, 4 A Trinity Street

Flats 1, 4, 7 St Michael's Court Hulme Place, unspecified flat in St Michael's Court, Hulme Place

University of Westminster

Hulme Place Management Ltd one behalf of all residents of Hulme Place

1 Hulme Place

3, 13, 27, 32 Merrick Square

3 Shaftesbury House Trinity Street

Trinity Newington Residents' Association

The Georgian Society

No consultation with residents in respect to the original application. Blatant disregard shown by developers in submitting what essentially seems to be a slight revision of the previously rejected application without any consultation with neighbouring property owners.

The impact of the development on Hulme Place, nor the impact on the surrounding environment is not shown in the application. The plans do not accurately represent the footprint of Hulme Place. None of the drawings, or information presented to the Council presents the full rear elevation of the development, nor shows its relation to Hulme Place.

The revision to the development by setting the 5<sup>th</sup> floor back by 2 metres does not significantly reduce the volume, massing, and impact on the properties in Hulme Place. Replacing a one storey and three storey building with a three storey and 5/6 storey building is not acceptable.

Loss of character of the area from the influx of rich professionals who have little time to contribute to the local community.

### **Design Issues**

The proposed development is out of keeping with the adjacent and surrounding buildings of Trinity Street. The elevations show large window openings with balconies which are out of scale with the present street; it is a clumsy, inelegant piece of design.

Proposal will destroy views into the Trinity Conservation Area as one approaches from Borough High Street or Great Suffolk Street.

Impact on the character of the area and the style of properties. The scale is not in keeping with neighbouring properties and would detract from the overall appearance of the conservation area.

The applicant has not consulted residents of Hulme Place of this proposal.

This is against national and local planning guidelines, which state that developments should consider the surrounding context and involve the local community in the planning process.

The design seriously impacts on Hulme Place. Hulme Place was built 10 years ago

and is of a staggered design to undoubtedly compliment the stepped down design of the application premises and to ensure Hulme Place Buildings do not dominate other structures or were too obtrusive. The buildings have a focal point of the corner space which is now proposed for the development. Large number of units have ground floor conservatories part of the original specification, so structures are closer to the boundary than appears on the documents submitted by the developer. Proposal will dominate Hulme Place in the vertical plane and horizontal and lateral planes. Proposal will create a sense of enclosure and Hulme Place will be 'walled in'.

Not considered in compliance with national and local planning guidelines.

### **Access to light**

Impact on the windows of Flat 4 Hulme Place of which there are only three and the glass conservatory.

The proposal will impact on light to all properties in Hulme Place. This development will mean the sky is not visible and will seriously compromise access to daylight.

### **Air Quality**

There is restricted airflow which results in pollution, with limited air flow also for cooling and it is therefore difficult to cool Hulme Place down. These factors will be exacerbated by the proposal.

### **Nuisance and Noise**

Already an issue in Hulme Place but noise waves can dissipate through the current gap above the one storey in Trinity Street. As well as noise being trapped the development buildings themselves will generate further noise above those generated from the existing commercial building and the upper floors of which have not been utilised for several years. Noise from occupants 24/7 plus equipment will have consequent adverse impact on Hulme Place, from both noise and lights within the building. The building has been used for commercial purposes in the past and has only been used during working hours and not 24-7.

No indication of where building structures would be placed ie heating and cooling systems and how these might impact on Hulme Place. The planning statement refers to 'the whole house ventilation intake is located in the void behind the building'. Which would seem to be set to provide noise and other related problems for Hulme Place. Diagrams show solar panels, which may also affect the design and be intrusive to Hulme Place. There is no indication of fire escapes, but if facing Hulme Place these could impact on privacy and risks to security.

Hulme Place is already hemmed in by an office block in Trinity Street and the School of Osteopathy on Borough High Street which means even low noise levels are amplified and bounced around the building. On a previous visit, a Planning Officer noted that our building is enclosed.

### **Privacy**

Proposal will overlook windows and conservatories in Hulme Place.

The design and access statement shows windows overlooking Hulme Place. The development also includes a terrace which will increase potential noise problems and loss of privacy.

Overdevelopment – SP5 of the core strategy recommends a density of 650 habitable rooms per hectare, in the CAZ.

#### Traffic

Hulme Place suffers from workers, residents and visitors to the buildings at 291-303 Borough High Street dropping off or trying to park in the driveway of Hulme Place. This is the only way into Hulme Place and it has to be kept clear for vehicular and fire access.

The driveway for Britannia House, to the rear of Hulme Place is also likely to be misused, as above. Both these driveways are likely to experience more problems from vehicles bringing visitors and residents to the proposed development.

#### Demolition, Foundations and Working Hours

Concerns that there is no indication of how long the work will take on the development; also the working hours including Saturday mornings, which will be disruptive to residents. Concerns that the basement work will be deeper than the current basement and may further disrupt existing movement problems. No indication how it will affect water drainage and land stability.

#### Compliance with Planning Policies and Guidance

We are supportive of innovative design that takes account of the needs of the neighbourhood. The proposed development at One Trinity Street is not in this category. The proposal does not meet national or local planning guidelines on assessment of air quality, daylight and sunlight, noise impact, parking provision, and consultation with the local community.

The Department for Communities and Local Government Planning Policy Statement 1; Delivering Sustainable Development makes it clear that designs which are inappropriate to their context should not be accepted. Applicants are expected to demonstrate that their proposed development has emerged from a full assessment of the site's circumstances, characteristics and surroundings. This includes the social context and is reinforced in Southwark Council's planning policies and guidance.

Planning guidelines state that where a proposed elevation is in close proximity to another building, the drawings should show the relationship between the two buildings, Also how the proposed development relates to existing site levels and adjacent development and to show encroachment onto adjoining land is to be avoided. Also that development of the application should include consultation with the local community and that the design and access statement should indicate how the findings of any consultation have been taken into account for the proposed development and how this has affected the proposal.

The above guidelines have not been followed with respect to the impact of the proposed development on Hulme Place and its residents.

#### Loss of a Georgian Building

The current building is in good repair and matches the building on the opposite side of Trinity Street and make an elegant entrance into the conservation area (both these buildings should be listed) and we would recommend conversion rather than replacement.

North Southwark is having its character ripped from it by demolishing original buildings and hideous infill developments of 'Luxury' living accommodation. Another resident considers it is a largely intact Georgian house.

There would be a loss of one of the very few surviving (pre-1900) heritage assets in the immediate vicinity. Once very common in this area of London, the building which is thought to date from the mid-1840's is now extremely rare.

Suggest reinstating a fourth floor to the existing building.

Owner of One Hulme Place St Michaels Court also objects on grounds that the proposal is overbearing and virtually the same as the previous development that was refused. That the lighting report submitted previously showed the lounge was already at minimum light requirements and further loss takes the lounge below this level. The developers have failed in the original application are just making a cosmetic change without taking into consideration the impact on St Michaels Court, they are assuming that the planning is a foregone conclusion by advertising on their website the new development details and the fact approval has already been obtained.

The Georgian Society

Objects on the following grounds:-

### 1-3 Trinity Street

The building represents a good example of an early 19<sup>th</sup> century terraced house, converted at ground floor level to accommodate a shop-front; the shop front comprises 20<sup>th</sup> century brick and plate glass of little architectural interest.

It understood that the building suffered bomb damage and that much of the interior required post-war rebuilding, though the applicants have provided no further information regarding what, if any, historic fabric remains beyond the Borough High Street/Trinity Street façades. The fabric that can be seen from the street is clearly of an architectural quality that contributes to the nearby conservation area, creating a gateway of suitable character to the Georgian streets beyond - on a section of Borough High Street where many other historic buildings have been lost.

The building has six-over-six traditional timber sash windows on both the Borough High Street and Trinity Street elevations; the latter assist in reading the building internally, demonstrating where the original stair would have been/is. The Borough High Street façade has a colonnade of four recessed arches, a defining feature of the Trinity Church Square Conservation Area. Finally, the building has a historic roof profile.

Whatever the extent of post-war rebuilding on this site, the location was considered sensitive enough at the time to require traditional building techniques and architectural detailing in order to preserve the character of the local streetscene, and what would later become the Trinity Church Square Conservation Area.

### Proposals

It is proposed to demolish 1-3 Trinity Street to accommodate a new mixed use development.

The Group objects to the demolition of 1-3 Trinity Street, in principle, for the following reasons.

The building is of an architectural quality and typology that has been significantly reduced along this part of Borough High Street, consequently, the building is left as 'sign-post' within the post-war townscape to the Georgian and Victorian streets to the south east of Borough High Street. The architectural elements of the building contribute to this effect, i.e. the recessed arches form part of a unified street design also found within the surrounding conservation area. For this reason the building should be attributed considerable significance as a non-designated heritage asset and retained as such.

PPS 5 introduced the need to consider buildings without statutory protection as heritage assets worthy of retention and this emphasis remains in the NPPF, which States that:

*'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'* (Para.135)

English Heritage's PPS 5 Planning Practice Guide, which remains valid, goes to state that:

*'Some non-designated assets, such as buildings of good local character or sites of archaeological interest, are of heritage significance but not at a level that would pass the threshold for national designation. Such assets can, singularly and collectively, make an important, positive contribution to the environment. The desirability of conserving them and the contribution their setting may make to their significance is a material consideration'* (Para. 83)

In light of the building's location, forming a gateway to the surrounding conservation area, and its architectural quality The Group considers the building's proposed demolition to be of a greater scale of harm and loss than it may otherwise be. Consequently, it is surprising that the heritage merits of this building did not form part of the 'reasons for refusal' of application 10/AP/1724, however, it is The Group's position that the application could have been refused, legitimately, on these grounds.

The Group is concerned that in the current economic climate granting planning permission for the demolition of 1-3 Trinity Street will result in the loss of a heritage asset where there is little guarantee that the proposed development will be built-out. Since receiving planning permission in 2007, before the economic down turn, the site has remained unaltered. The NPPF states that:

*'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'* (Para.136)

### Recommendation

The Georgian Group **objects** to the demolition of 1-3 Trinity Street, in principle, and recommends that application 12-AP-1230 be refused on the grounds that it will result in the loss of a significant heritage asset of architectural merit, adjacent to a conservation area, without any guarantee that the proposed public benefits of its replacement can be brought forward.