

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