

Item No.	Classification:	Date:	Meeting Name:
7.2	Open	11 November 2015	Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/4405 for: Full Planning Permission Address: NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON SE1 9AG Proposal: Demolition of the roof extension and replacement with a part one and part two storey extension to contain a single three bedroom dwelling and associated roof terrace; change of use of the ground floor from offices (Use Class B1) to a restaurant (Use class A3) and alterations to the ground floor facade.		
Ward(s) or groups affected:	Cathedrals		
From:	Director of Planning		
Application Start Date 29/12/2014		Application Expiry Date 23/02/2015	
Earliest Decision Date 28/02/2015			

RECOMMENDATION

1. That members grant full planning permission subject to conditions.

BACKGROUND INFORMATION

2. This application was presented to Planning Sub-Committee A on 21 July 2015. Members deferred determination of the application in order to undertake a site visit. This took place on 15 September 2015. The applicant has also submitted amendments to the scheme following the meeting on 21 July 2015 to reduce the height of part of the southerly part of the roof and the reduce its mass close to the bedroom terrace of 12 Tennis Court, amendments which are discussed in more detail below.

Site location and description

3. The site is a former warehouse of five storeys, the top floor covering only part of the site. It is presently used as an office. Built in the early 20th century, its style is that of 19th century industrial buildings. It is a building with architectural merit and in a historic commercial setting with Borough Market immediately opposite. It was converted to offices in the 1970s. The site has the following planning designations:
4. Air Quality Management Area
 Bankside and Borough District Town Centre
 Bankside, Borough and London Bridge Strategic Cultural Area
 Bankside, Borough and London Bridge Opportunity Area
 Borough High Street conservation area
 Borough, Bermondsey and Rivers Archaeological Priority Zone
 Central Activity Zone

Details of proposal

5. The proposal is for a change of use of the ground floor from office to a restaurant with alterations to the ground floor facade to restore some original features of the former warehouse. The top attic floor would be demolished and replaced with a part single and part two storey extension that would contain the three bedroom dwelling. This extension would be modern and consist of five 'volumes' on the fifth floor and two smaller ones on the sixth floor. They would have generous south facing glazing but otherwise be constructed using cor-ten. There would also be a terrace that would wrap around the eastern and southern part of the top floor. The amendments that have been made to the scheme following the meeting on 12 July 2015 are:

- Reduction in the height of the forward five volumes by 50cm
- Reduction in the height of the part of the roof in front of the bedroom terrace for 12 Tennis Court by approximately 50cm to be the same height as the terrace floor and a brown roof covering for it
- A tapering of the roof in front of the bedroom terrace, rising in height to the south
- A set-in of part of the higher volume close to the bedroom terrace
- A green wall and access door on the western flank of the higher volume for maintenance.

6. Planning history

07/AP/0853 Application type: Full Planning Permission (FUL)
Affix three retractable awnings to the existing building's frontage at fascia level on the front elevation

Decision date 27/06/2007 Decision: Refused (REF)

Reason for refusal:

The awnings, by reason of their appearance, are inappropriate to the character of the building and therefore do not preserve or enhance the special interest or historic character of the building and the surrounding conservation area. The proposal is therefore unacceptable and is contrary to Policy E.4.3 Proposals Affecting Conservation Areas of the adopted Plan 1995 and Policies 3.12 Quality in Design, 3.13 Urban Design, 3.15 Conservation of the Historic Environment and 3.16 Conservation Areas of the emerging Southwark Unitary Development Plan March 2007.

10/AP/3171 Application type: Full Planning Permission (FUL)
Demolition of the existing roof space used as ancillary office space, to be replaced with a two storey extension, comprising 3 residential units and extension to an existing flat within Tennis Court building. Other works include the building up of a parapet to eastern end to match detailing of western end and minor alterations to the ground floor entrance

Decision date 18/05/2011 Decision: Refused (REF)

Reasons for refusal:

1. This proposal involves the loss of the traditional pitched slate roof from a key unlisted building within the conservation area. The replacement development is an excessively scaled extension that incorporates out-of-character detailing, which un-balances the composition of the building and appears incongruous within the historic streetscape. The proposal will thereby fail to preserve the character or appearance of the conservation area, as well as the setting of the nearby Grade I listed cathedral. The proposal is therefore contrary to Saved

<p>Policies 3.16 Conservation Areas, 3.17 Listed Buildings, 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites of the Southwark Plan and Core Strategy 2011, Strategic Policy 12 – Design and conservation.</p> <p>2. The proposal will result in loss of office floorspace (Use Class B1) resulting in the loss of available job opportunities within the borough. The proposal is contrary to Core Strategy 2011, Strategic Policy 10 – Jobs and businesses and Saved Policy 1.4 Employment Sites outside the Preferred Office Locations.</p>
<p>10/AP/3172 Application type: Conservation Area Consent (CAC) Demolition of the existing roof structure.</p> <p>Decision date 18/05/2011 Decision: Refused (REF)</p> <p>Reason(s) for refusal:</p> <p>There is no acceptable proposed replacement scheme, and no justification for the complete demolition of the roof of a key un-listed building in the Borough High Street Conservation Area which makes a positive contribution to the appearance and character of the conservation area. The proposal would neither preserve or enhance the character or appearance of the conservation area nor the setting of the Southwark Cathedral, a Grade I listed building and is therefore contrary to saved Policies 3.15 'Conservation of the Historic Environment', 3.16 'Conservation Areas', and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of The Southwark Plan 2007, Strategic Policy 12 'Design and Conservation' of The Core Strategy 2011 and PPS5 Planning and the Historic Environment.</p>
<p>14/EQ/0034 Application type: Pre-Application Enquiry (ENQ) Proposal includes: change of use on the ground floor from B1 to A3 minor internal demolition to accommodate a new internal stair and lift, demolition of existing roof space used as ancillary office space, to be replaced with a part one, part two storey roof extension comprising of a single residential unit (class c3, approximately 150m2) and extension of an terrace to an existing flat within the Tennis Court Building. A further roof terrace is provided at the top level for the residential unit. (All as previously submitted with the exception of the reduction in floor area of the residential unit).</p> <p>Decision date 24/07/2014 Decision: Pre-application enquiry closed (EQC). The reply to this enquiry is included as Appendix 3.</p>

Relevant planning history of adjoining sites

Rear of New Hibernia House, Winchester Walk, London SE1 9AG

7. 02/AP/2181. Planning permission granted on 17/03/2003 for:
The erection of a six storey building comprising a Class A3 unit at ground floor with 12 residential units on upper floors following demolition of existing single storey building.

Flat 12, Tennis Court, 7 Winchester Square, London SE1 9BN

8. 12/AP/1147, planning permission granted on 18/08/1012 for:
Renewal of planning permission reference 09AP0611 dated 30/6/2009, to construct a single storey extension at sixth floor level to the existing flat at 12 Tennis Court with part sedum roof and part terrace (and associated balustrading) area.

16 Winchester Walk, London SE1 9AQ

9. 11/AP/3510. Planning permission granted on 21/03/2012 for:
Removal and replacement of roof by addition of one mansard floor, reconfiguration of internal floor levels, to allow refurbishment in connection with providing 3 floors of office space (1,121sqm) in basement, ground and first floors. Six residential flats at second and newly created third floor levels, to include 2 x 1 bedroom, 2 x 2 bedroom and 2 x 3 bedroom flats. Alterations to fenestration on all facades.
10. 12/AP/0427. Planning permission refused on 15/11/2013 for:
Change of use of the first floor office space (Use Class B1) to 1 x 1 bedroom unit and 2 x 3 bedroom units.

Reason for refusal:

The loss of office floorspace is unacceptable as it would undermine the provision of protected employment floorspace within the CAZ, and no convincing viability or other argument has been presented which would justify this loss. The proposal is therefore contrary to sections 1 'Building a strong competitive economy' and 2 'Ensuring the vitality of town centres' of the NPPF 2012; Saved Policy 1.4 'Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations' of the Southwark Plan 2007 and Strategic Policy 10 'Jobs and Businesses' of the Core Strategy 2011.

1 Cathedral Street, London

11. 07/AP/0482, planning permission granted on 17/04/2007 for:
Refurbishment (replacement of timber entrance doors and replacement of windows with new timber framed windows), extension and alteration including replacement and extension of third storey and alterations necessary to allow for the construction of an evacuation route and access lift. Regularisation of the use of the building as a community facility (within D1 use class).

This permission has expired but is a material consideration.

12. The objection on behalf of the occupiers of 12 Tennis Court has referred to two planning applications, one at 38 Stoney Street and one at 1-13 Park Street. regard has been had to these applications but there are not considered to be material to the present application which must be considered on its own merits.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

13. The main issues to be considered in respect of this application are:
 - a. Principle of the development with regard to land use
 - b. Impact of the development on the amenity of neighbours
 - c. Design and conservation issues (including the impact on heritage assets)
 - d. Transport issues

Planning policy

National Planning Policy Framework (the Framework)

14. This application should be considered against the Framework as a whole, however the following sections are particularly relevant:
 1. Building a strong, competitive economy

- 2. Ensuring the vitality of town centres
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes
- 7. Requiring good design
- 10. Meeting the challenge of climate change, flooding and coastal change
- 11. Conserving and enhancing the natural environment
- 12. Conserving and enhancing the historic environment

London Plan July 2015

- 15. Policy 3.5 Quality and design of housing developments
- Policy 6.3 Assessing the effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Core Strategy 2011

- 16. Strategic Policy 1 Sustainable development
- Strategic Policy 2 Sustainable transport
- Strategic Policy 7 Family 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

- 17. The Council's cabinet on 19 March 2013, as required by paragraph 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.
- 18. Policy 1.4 Employment sites outside the preferred office locations and preferred industrial locations:
 - Policy 3.1 Environmental Impacts
 - Policy 3.2 Protection of amenity
 - Policy 3.11 Efficient use of land
 - Policy 3.2 Quality in design
 - Policy 3.13 Urban design
 - Policy 3.14 Designing out crime
 - 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 4.2 Quality of residential accommodation
 - Policy 5.2 Transport impacts

Borough High Street conservation area appraisal 2006

Summary of consultation responses.

19. A total of 17 representations have been received for this application, 15 of which are objections. Most are from neighbours of the site but objections have also been received from Historic England and the Fabric Advisory Panel of Southwark Cathedral. Along with other neighbour objections, a detailed objection received on behalf of the occupiers of 12 Tennis Court is of particular note as this is the property that would be most affected by the development. The main issues raised in objection are:
 - Loss of employment floorspace
 - Impact of the development (roof extension and restaurant) on local amenity
 - Design of the scheme, including its impacts on heritage assets
 - Highway impacts, including that from servicing.
20. Following the submission of amendments to the scheme, a further consultation was undertaken. Comments were received from Historic England advising that their previous concerns remain and from the Fabric Advisory Committee of Southwark Cathedral advising that their objection remains.

Principle of development

21. The development would result in a net loss of office floorspace. Saved policy 1.4 of the Southwark Plan protects office floorspace in the Central Activity Zone (CAZ). It does allow for a loss of floorspace to other town centre uses, including restaurants (A3) and where the development would address the street and provide an active frontage. The change of use of part of the ground floor to a restaurant is therefore acceptable in principle.
22. There would also be a loss of the office accommodation on the fifth floor. This would amount to a loss of 36sq.m. An additional area of 35sq.m. would be lost on the ground floor to accommodate the entrance, cycle and refuse storage space for the office and residential uses on the upper floors.
23. Seldom used other than for meetings, the office space on the top floor is poor quality and has poor layout. Nonetheless, there is the potential to retain this floorspace within this development, but this would be at the expense of residential floorspace. Changes proposed to the internal layout of the lower floors mean that the net office area on these floors would increase because the western core would be removed. Each floor would see an increase in the net internal area of office floorspace from 136 to 147sq.m. This, together with the A3 floorspace would balance the loss of net internal area (NIA) office floorspace, meaning no overall commercial floorspace loss.
24. Additional information has also been submitted regarding the expected employment the A3 use would generate. The agent's calculation shows that it would provide between 31 and 27 full time equivalent (FTE) jobs. There is a discrepancy between this and the employment expected using the calculation in the Employment Densities Guide by the Homes and Communities Agency which provides a result of 7.3 FTE jobs.
25. While the proposed loss of office space has not been fully justified in accordance with policy 1.4, it is considered that the relatively modest loss is acceptable in this instance considering the net employment space would not decrease (including the A3 space), the benefit of providing an active frontage to this site and the reinstatement of historical features (see below).

Environmental impact assessment

26. Not required for an application of this scale

Impact of proposed development on amenity of neighbours

27. A number of objections received from neighbours refer to the impact that the proposed development may have on their amenity. Issues include the impact of noise and disturbance from the A3, sunlight and daylight and potential for the development to have an overbearing effect. These are discussed below.

Noise

28. The proposed hours of operation for the restaurant are between 08:00 and 22:00 as detailed in the letter to the council on 12 May 2015 that included the calculation of expected job numbers. Such hours are not unusual for restaurants in the area. There are dwellings nearby and the potential impact of the restaurant on their occupiers requires careful consideration.
29. One source of noise is that from plant, particularly the kitchen exhaust system. Its flue would be routed up through the building itself and it would protrude above the top, eastern volume and be 6m from the nearest noise sensitive window, that for the bedroom of flat 12 Tennis Court. A proximity that is common in dense urban locations, the compliance condition recommended to control noise emission would ensure that there would be no harm to amenity from noise. The height of the flue would be sufficient to ensure that it would not cause an adverse impact on the existing amenity of nearby residents and the amenity area for 12 Tennis Court approved under planning permission reference 12/AP/1147. No information has been provided as detailed in Defra's guidance document for kitchen exhaust systems but this is not uncommon where the end user of a cafe/restaurant has not been identified. Noise can be mitigated though insulation and crucially the flue would be of a sufficient height to allow standard odour control measures protect amenity.
30. Being a restaurant, one would not expect high levels of amplified music to be played within the premises. Sound from patrons could escape from the premises, particularly with the openings in at the ground floor that would be created. The area is busy during warmer times of the year when one would expect the openings to be used. There is, for example, a public house to the southwest of the site- The Rake- which has limited internal space. There are often many customers outside the premises in Borough Market, as well as visitors to the market itself. Similarly, there would be some noise from patrons arriving and leaving the premises but the majority of these would arrive and leave on foot because of the excellent public transport links for the site. There may be some private vehicles and taxis for customers which is not uncommon in a central London location. In this context, and with consideration to the hours of use of use proposed, noise from the restaurant is not expected to give rise to a significant impact on residential amenity.

Daylight and sunlight

31. The increase in the built form for the site would be limited to the roof extension and the premises that would be most affected is the top floor flat on Tennis Court: number 12. Other dwellings in the area would be sufficiently removed from the extension not to be affected. A daylight and sunlight analysis has been undertaken for the impact on the bedroom window [sliding door] for this property which is behind where the western, volumes would be. The Vertical Sky Component (VSC) for this window is presently 35.21 per cent and would reduce to 32.9 per cent while the Annual Probable Sunlight Hours (APSH) is presently 73 per cent and would be reduced to 71 per cent. The VSC

would be remain above 27 per cent, below which a change in daylight would be notable while the APSH would be above 25 per cent, below which an adverse impact may occur. There would thus be no adverse impact with respect to daylight or sunlight on this bedroom window according to the Building Research Establishment guidance.

Potential for the development to be overbearing

32. Again, the primary impact on with this issue would be on the occupiers of 12 Tennis Court- the extension would be built both in front of and to the east of the balcony of a bedroom. The amendments submitted by the applicant following deferral of a decision for this application on 21 July 2015 have sought to mitigate this impact. Of note is the change that would mean the roof would be no higher than the floor of the terrace to a distance of 2.5m from it. Rising at shallow angle away from the terrace, it would reach a height of 50cm above the terrace floor at a distance of approximately 6.5m.
33. This amendment would result in a much lesser impact of the roof immediately in front of the terrace which coupled with the brown roof proposed would maintain a good outlook immediately in front. The taller volumes that would flank the terrace would be of the same height as that proposed previously and while there would be some impact from this element of the proposal, the primary outlook which is to the south would be maintained.
34. The primary living area of 12 Tennis Court would not be affected by the proposed scheme. It is a living room which is served by a terrace with a westerly aspect. Thus, while there may be a degree of impact on the outlook from the bedroom, the overall amenity of the occupiers of 12 Tennis Court would not be unreasonably compromised.
35. It is not unusual for development in urban environments to have some impact on neighbours but for the reasons above, it is considered that the impact of the proposed development would be acceptable.
36. While the southern part of the terrace would overlook Winchester Walk, the eastern part of it could have an impact on the development potential for the adjacent site at 1 Cathedral Street. Planning application reference 07/AP/0486 (see above) although expired is a material consideration. The terrace or indeed the window proposed on the eastern elevation would not stymie development on the adjacent site unreasonably. The window would be 4m from the boundary which is not unusual in dense urban locations. Further, any impact from mutual overlooking could be mitigated through reasonable screening or design for any development that may be forthcoming at 1 Cathedral Street.

Quality of residential accommodation proposed

37. A dwelling of almost 120sq.m would provide for generous living accommodation. Coupled with a good quality outdoor space, the quality of the dwelling would be good. Its occupiers would have access to a cycle storage facility at ground floor level.

Design and conservation issues (including the impact on heritage assets)

38. Most of the objections received make reference to the design of the proposal and its impact on the two heritage assets that would be affected: Southwark Cathedral which is Grade I listed and the Borough High Street conservation area. Historic England and the Victorian Society have urged refusal and the Fabric Advisory Committee for Southwark Cathedral after advising initially that the development would have minimal, if any, impact on views of the cathedral, revised their comments to strongly object to the scheme. Also a matter for objection is the concern that the scale, mass and

materials proposed would be incongruous with the building and the area. These issues are discussed below.

Scale massing and design

39. The extension has been designed to take references from the original building which has both vertical and horizontal elements. In five volumes, the two tallest would be above the two western bays of the existing building while three shorter volumes would be above the three eastern bays, respecting the drop down in height established by the parapet at roof level. All five proposed volumes have been reduced in height by 50cm compared to the previous iteration of the scheme. Two other volumes would sit above the two western-most shorter volumes with a set back of 3.5m, effectively hiding them from many areas of the public realm at ground floor level. So from street level in views in which the whole building would be appreciated such as along Winchester Walk, the massing would not be overly excessive and would respect the composition of the facade height dropping to the east.
40. A design that is unashamedly modern, the extension would provide extensive areas of glazing on the southern facade while giving a modular appearance with an unusual material: cor-ten. This is a material that was traditionally used for industrial buildings but has recently become more fashionable for contemporary architecture in cities.
41. A characteristic of this area of the borough is the narrow streets which channel one's views of the urban landscape laterally. Views of the proposed development provided by the applicant suggest that views of the whole building itself are limited to Winchester Walk itself. Views from further a field would generally be limited to the upper storeys because existing buildings and structures would screen the existing building. Within Winchester Walk, the balance of the building would not be altered too detrimentally because of the set backs proposed for the volumes. Following the demolition of the existing roof, the highest part of the extension proposed would constitute one third of the building's height. On the face of it, such an increase in height would seem excessive but the highest part of the extension would be across approximately a third of its width, with a height of approximately 3.5m to lessen its impact. The extension will not be disproportionate to the host building because of the set backs and limited views.
42. Similarly, the use of cor-ten would introduce a material that has not previously been used in this historic part of the borough. The views of the material would be limited to the extension's flank and would rarely be seen in isolation. It would provide interest and result in a good balance between the cor-ten and the generous glazing proposed. Cor-ten can come in a number of different hues ranging from orange to darker browns, depending on the amount of exposure and weathering. It is important that the precise colour of the material would be appropriate and for this reason a condition is recommended to ensure that samples are presented on site for approval. An extension of high architectural merit, it would provide a clean and proportionate addition to the roofscape. It is a very different scheme from the one refused (reference 10-AP-3171) which proposed an extension that was excessively scaled.
43. Objection has also been received regarding the proposed opening up of the ground floor bays and the installation of awnings, indeed the awnings were considered to be inappropriate to the character of the building by the council in 2007 which is why application reference 07/AP/0853 was refused. The facade was remodelled in the 1970s when the building was converted to offices. Awnings and loading bays were removed and brickwork and arches introduced at ground floor level. The proposal is for the removal of these later alterations and to reinstate the awnings and provide a better street frontage. Such changes would restore the ground floor to something closer to its original form; the applicant has submitted photographic evidence that

awnings were previously in place at ground floor level (page 3 of the design and access statement).

Significance of heritage assets

44. It is important to understand the significance of the heritage assets that would be affected to fully understand the potential impact that this development would have. The significance of the heritage assets is summarised below.

Southwark Cathedral

45. Southwark Cathedral is one of, if not the most significant heritage asset in the borough. Its significance very much connected with its wider historical context as a relic of a medieval townscape in addition to its aesthetic and communal value. The significance of the Riverside sub-area of the of the conservation area lies in its Medieval core, warehouse and wharf development. New Hibernia House contributes to the setting of the cathedral, limiting the effect that the open area to the south has on it within the context of the narrow streets to the west.

The Borough High Street Conservation Area

46. Being in the Riverside sub-area of the conservation area, the significance of this part of the heritage asset is derived to a large degree by the presence and indeed the dominance of the cathedral. Later additions of significance are the warehouses which, along with the narrow streets, are so characteristic of this type of 19th century development. The site is within the Winchester Square area and Winchester Walk is a significant east-west link to which New Hibernia House makes a positive contribution.

Impact on heritage assets

47. One of the reasons for the refusal of the previous application on this site (10/AP/3171) was that the loss of the roof would have caused harm because its replacement would not have been acceptable. The roof is traditional and is the original roof for the building; its loss would only be acceptable if it were to be replaced by an alternative of sufficient quality.
48. After considering the significance of heritage assets (see above), the next phase in the tiered approach of the Framework with respect to heritage assets is whether substantial harm would be caused and, if it would, whether the benefits of the scheme would outweigh the harm. In this case, because of the limited views that would be afforded of the extension, its impact on the conservation area would not amount to substantial harm. In the context of the cathedral, the extension would only be seen from the railway viaduct to the south of the site other than as a peripheral element in the view of the cathedral from Winchester Walk looking east. Views from the viaduct are not as sensitive as views of the cathedral from street level where most people would appreciate it. Such fleeting views of the cathedral would include a view of the extension which would be of high architectural quality. There would be sufficient separation between the extension and the cathedral for it not to cause substantial harm to the heritage asset. Higher up, the extension would form part of a diverse roofscape in the area and provide an example of good quality architecture in the context of somewhat utilitarian roofs. Many views of the cathedral would therefore be preserved while some may even be enhanced. The same can be said for the conservation area, particularly when one considers the works proposed on the ground floor.
49. As referred to above, one of the public benefits of the development would be the reinstatement of the historic frontage at ground floor level. Further, an active frontage

would be introduced which would provide activity and natural surveillance for the area. Historic England have advised that the introduction of awnings would obscure the arched window detail above and interrupt the vertical orientation and rhythm of the facade. Any harm caused by this alteration would be outweighed by the benefit described above and the fact that awnings were previously in place.

50. In accordance with the policy framework of the London Plan, the significance of both the conservation area and the cathedral would be conserved partly because of the limited views of the extension in the context of views of the cathedral and its separation from it. Furthermore, it would add a high quality building element to a local roofscape that is presently lacking in such a feature.
51. Local planning policy requires that development either preserves or enhances heritage assets and/or their setting taking into account the guidance in the adopted conservation area appraisal. The scale and massing is considered to be acceptable in this location, taking into account the tight streets and limited views. It would be of architectural interest from further away, seen against a backdrop of diverse roofscapes retaining the vertical articulation called for by the conservation area appraisal. Indeed, it would arguably provide a better visual backdrop than the extensive blank southern wall of 2 Cathedral Street. It would enhance both the conservation area and the setting of the cathedral.

Transport issues

52. Objections received refer to the lack of cycle storage for end users of the development and the potential impact from servicing. Amendments have been made to the proposed development that shows cycle storage. There are two cycle storage spaces shown for the residential development and three for the restaurant, both in accordance with the standards in the London Plan. No cycle parking is shown for customers and the constraints of the site mean that it would be difficult to provide suitable provision. Cycle parking provision does exist for customers, there are several stands on Park Street to the west and a number close by to the east. Two spaces are shown for the office use but as this is an existing use, no additional requirements would be needed.
53. According to the initial submission, vehicles servicing the site would park in the car park opposite which is part of Borough Market. The site presently has approximately 7 deliveries per day and this is likely to continue because the occupier of the office space (the applicant) would consolidate staff within the remaining office space. An additional 3 to 4 deliveries are expected for the restaurant. There is room on Winchester Walk for a van to be parked and another to pass by it, and while there are double yellow lines on both sides of the street, they are not accompanied by chevrons meaning that deliveries could take place from the street. An additional 3 to 4 deliveries to the site is not expected to result in significant transport or indeed amenity issues because of the low number and the control of hours that is recommended as a condition.

Community infrastructure levy (CIL)

54. The development would be subject to both mayoral and local CIL at a charge of £2,281 and £22,800 respectively.

Sustainable development implications

55. The proposal would result in a more economically sustainable use with the addition of a restaurant and the rationalisation of the remaining office floorspace. Social impacts such as the potential loss of amenity would be limited and benefits would include the addition of an active frontage and additional housing for the borough.

Environmentally, it would improve the frontage of the building at ground floor level.

Other matters

56. Amendments to the scheme were sought and received including suitable areas for refuse for all three uses in the building and for cycle storage, in addition to the reduction in height following the meeting on 21 July 2015. The detailed objection on behalf of the occupiers of 12 Tennis Court also refers to the validation process and that there were some errors on the drawings, lack of a scale bar and other drawings. The latest set of drawings is of sufficient detail to allow suitable assessment and interpretation of the proposal.

Conclusion on planning issues

57. There would be a net loss of employment floorspace but this is considered to be acceptable on balance considering the quality of the floorspace in question, the employment that would be generated by the proposed restaurant; the internal rationalisation of the remaining office floorspace and the public benefit of the active frontage and re-instatement of historical features. The site would continue to contribute to the local economy by providing employment and the addition of a restaurant. The new dwelling would also contribute to much needed housing in the borough. There would be some impact on the amenity of the occupier of 12 Tennis Court but this would be limited and within acceptable levels.

Community impact statement

58. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process. No adverse impact on any group with the protected characteristics identified above is expected as a result of this development.

Consultations

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

Consultation replies

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

Human rights implications

61. 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.
62. This application has the legitimate aim of providing new residential accommodation and a restaurant. 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: 1146-B Application file: 14/AP/4405 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1778 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-application reply
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Dipesh Patel, Team Leader – Major Applications	
Version	Final	
Dated	30 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	Yes	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		30 October 2015

APPENDIX 1

Consultation undertaken

Site notice date: 14/01/2015

Press notice date: 05/02/2015

Case officer site visit date: 14/01/2015

Neighbour consultation letters sent: 15/01/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

English Heritage (now Historic England)
The Georgian Group
The Victorian Society

Neighbour and local groups consulted:

15 Winchester Walk London SE1 9AG	9 Tennis Court 7 Winchester Square SE1 9BN
Basement 1 Cathedral Street SE1 9DE	Flat 5 3 Winchester Square SE1 9BH
2 Cathedral Street London SE1 9DE	Flat 4 3 Winchester Square SE1 9BH
Second Floor 1 Cathedral Street SE1 9DE	Flat 3 3 Winchester Square SE1 9BH
First Floor 1 Cathedral Street SE1 9DE	7 Tennis Court 7 Winchester Square SE1 9BN
Ground Floor 1 Cathedral Street SE1 9DE	First Floor Front West 16 Winchester Walk SE1 9AG
The Rake 14a Winchester Walk SE1 9AG	First Floor Front East 16 Winchester Walk SE1 9AG
First Floor Former Meeting Room 16 Winchester Walk SE1 9AG	Second Floor Front 16 Winchester Walk SE1 9AG
Conference Rooms Southwark Cathedral SE1 9DA	5 Tennis Court 7 Winchester Square SE1 9BN
Flat 13 Tennis Court SE1 9BN	10 Tennis Court 7 Winchester Square SE1 9BN
First Floor Rear East 16 Winchester Walk SE1 9AG	1 Tennis Court 7 Winchester Square SE1 9BN
Part Ground Floor Front East 16 Winchester Walk SE1 9AG	9 Winchester Square London SE1 9BP
First Floor Centre East 16 Winchester Walk SE1 9AG	18 Winchester Walk London SE1 9AG
Second Floor Rear West 16 Winchester Walk SE1 9AG	Gift Shop Southwark Cathedral SE1 9DA
Second Floor Rear East 16 Winchester Walk SE1 9AG	Refectory Southwark Cathedral SE1 9DA
First Floor Rear West 16 Winchester Walk SE1 9AG	Southwark Cathedral Montague Close SE1 9DA
First Floor Centre 16 Winchester Walk SE1 9AG	Flat 8 Tennis Court SE1 9BN
Second Floor Front 14 Winchester Walk SE1 9AG	Flat 12 Tennis Court SE1 9BN
First Floor 14 Winchester Walk SE1 9AG	Flat 11 Tennis Court SE1 9BN
Fish Cathedral Street SE1 9AL	Flat 6 3 Winchester Square SE1 9BH
Ground Floor Rear 16 Winchester Walk SE1 9AQ	Flat 6 Tennis Court SE1 9BN
Ground Floor Front West 16 Winchester Walk SE1 9AP	Flat 4 Tennis Court SE1 9BN
Second Floor Rear 14 Winchester Walk SE1 9AG	Flat 3 Tennis Court SE1 9BN
2 Tennis Court 7 Winchester Square SE1 9BN	Malthouse Farm Rockbourne SP6 3NA
Flat 2 3 Winchester Square SE1 9BH	18 Eatonville Road London SW17 7SL
Flat 1 3 Winchester Square SE1 9BH	124 Cardamom Building 31 Shad Thames SE1 2YR
	8 Southwark Street London SE1 1TL

Re-consultation: 20/05/2015

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

English Heritage
The Victorian Society

Neighbours and local groups

Eform
Email representation
Email representation
Flat 11 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 12 Tennis Court SE1 9BN
Flat 2 3 Winchester Square SE1 9BH
Flat 2 7 Winchester Square SE1 9BN
Flat 3 Tennis Court SE1 9BN
Flat 3 3 Winchester Square SE1 9BH
Flat 6 Tennis Court SE1 9BN
Flat 6 3 Winchester Square SE1 9BH
Flat 8 Tennis Court SE1 9BN
Malthouse Farm Rockbourne SP6 3NA
Southwark Cathedral Montague Close SE1 9DA
Southwark Cathedral Montague Close SE1 9DA
Southwark Cathedral Montague Close SE1 9DA
Southwark Cathedral Montague Close SE1 9DA
124 Cardamom Building 31 Shad Thames SE1 2YR
18 Eatonville Road London SW17 7SL
18 Winchester Walk London SE1 9AG
8 Southwark Street London SE1 1TL