

Item No. 6.3	Classification: Open	Date: 1 December 2015	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 15/AP/3303 for: Full Planning Permission Address: TOWER BRIDGE MAGISTRATES COURT AND POLICE STATION, 207-211 TOOLEY STREET, LONDON SE1 2JY Proposal: Part demolition, alteration and extension of existing building, construction of new build floorspace, excavation and change of use of the site from magistrates' court (use class D1) and police station (use class <i>Sui Generis</i>) to provide a seven storey building for hotel use (use class C1) at lower ground, ground, mezzanine and 1st to 5th floors (198 bedrooms), delicatessen (use class A1), restaurant and cafe use (use class A3), hotel bar use (use class A4), and leisure use (use class D2) with associated vehicle and cycle parking, landscaping, plant and engineering works.		
Ward(s) or groups affected:	Riverside		
From:	Director of Planning		
Application Start Date 14/08/2015		Application Expiry Date 13/11/2015	
Earliest Decision Date 04/10/2015			

RECOMMENDATION

1. a. That planning permission is granted subject to a legal agreement.
- b. If a legal agreement is not signed by 15 January 2016, the Director of Planning be authorised to refuse planning permission for the reason in paragraph 64.

BACKGROUND INFORMATION

Site location and description

2. The site is a former magistrates' court and police station which has been vacant since 2013. It is located on the northern side of Tooley Street, east of Tower Bridge Road. It is bound on all sides by residential development: on Boss Street to the east; Queen Elizabeth Street to the north; Tooley Street to the south; and the flats of Crown Apartments and Tower Bridge Road to the west. The building itself and attached railings are Grade II listed and are in an area with the following planning designations:
 - Air Quality Management Area;
 - Borough, Bermondsey and Rivers Archaeological Priority Zone;
 - Public Transport Accessibility Level (PTAL) 6b; and
 - Tower Bridge Conservation Area.
3. Dating from 1906, the building varies from three to four storeys on Tooley Street. The frontage provides a striking representation of the judicial architecture of architect John Dixon Butler, with a combination of red brick and Portland Stone detailing. Behind the main building fronting onto Tooley Street, is built form of a smaller scale; between one

and two storeys. A large part of the site in the northeast is free of buildings as it was the yard for the court and police station, providing an open aspect for neighbouring dwellings overlooking this part of the site.

Details of proposal

4. The proposal is for a change of use of the site to a hotel with 198 rooms. This would involve partial demolition of the listed building, but the parts that would be demolished are to the rear and would not include the elements of the building of most significance. This is discussed in further detail in the report on the associated Listed Building Consent (15/AP/3304).
5. The new build element proposed to the rear of the listed building would be up to seven storeys in height and would be built around a central courtyard. The greater mass would be towards the north of the site, fronting onto Queen Elizabeth Street and away from the remaining listed building.
6. A gym and spa would be provided in the lower ground floor and would be accessible to members of the public through membership. The entrance to the magistrates' court would be used as the main entrance to the hotel. Two separate restaurant areas are proposed, one in Courtroom 1 and the other in the new build element occupying the northeast part of the site bounded by Boss Street and Queen Elizabeth Street with an entrance on the latter of these streets. Two of the cells proposed for demolition would be rebuilt in the restaurant and would function as a private dining area. The entrance on Queen Elizabeth Street would also provide access to the delicatessen/bar area. A service yard is proposed off Queen Elizabeth Street.
7. Other than the uses described above, three meeting rooms are proposed on the mezzanine and first floors that would be available for community groups.

Planning history

8. 05/AP/2513 - Application type: Certificate of Lawfulness - proposed (CLP)

Installation of various works to improve security at the police station namely : A new 3m high palisade fence with 2 separate gated accesses around existing fire escape staircase, a new 3m high palisade fence with rotating raptor spike barrier on top and double gated access in front of the main entrance, new security screens over five low level windows and a new rotating raptor spiked barrier on top of the existing perimeter wall.

Decision date 25/01/2006 Decision: Grant (GRA)

9. 13/EQ/0216 - Application type: Pre-Application Enquiry (ENQ)

Redevelopment of site into a hotel and refurbishment plus a 4 storey extension.

Decision date 21/11/2013 Decision: Pre-application enquiry closed (EQC)

10. 14/EQ/0196 - Application type: Pre-Application Enquiry (ENQ)

Part demolition, alteration and extension of existing building, construction of new build floorspace and excavation to provide a 7 storey building for hotel use (use class C1) at lower ground, ground and 1st to 6th floors (224 bedrooms) restaurant and cafe use (use class A3) hotel bar use (use class A4), and leisure use (use class D2) with associated vehicle and cycle parking, landscaping, plant and engineering works.

Decision date 18/12/2014 Decision: Pre-application enquiry closed (EQC)

11. 15/EQ/0053 - Application type: Pre-Application Enquiry (ENQ)

Part demolition, alteration and extension of existing building, construction of new build floorspace and excavation to provide a 6 storey building for hotel use (use class C1) at lower ground, ground and 1st to 5th floors (206 bedrooms), delicatessen (use class A1), restaurant and cafe use (use class A3), hotel bar use (use class A4), and leisure use (use class D2) with associated vehicle and cycle parking, landscaping, plant and engineering works.

Decision date 14/09/2015 Decision: Pre-application enquiry closed (EQC)

The reply to this enquiry is provided as Appendix 3 to this report.

12. 15/AP/3304 - Application type: Listed Building Consent (LBC)

Part demolition, alteration and extension of existing building, construction of new build floorspace, excavation and change of use of the site from magistrates' court (use class D1) and police station (use class Sui Generis) to provide a seven storey building for hotel use (use class C1) at lower ground, ground, mezzanine and 1st to 5th floors (198 bedrooms), delicatessen (use class A1), restaurant and cafe use (use class A3), hotel bar use (use class A4), and leisure use (use class D2) with associated vehicle and cycle parking, landscaping, plant and engineering works.

13. The application for listed building consent is associated with this planning application and will be presented to members at the same meeting.

Planning history of adjoining sites

14. None of particular relevance to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a. Principle of the development with respect to land use policies
- b. Potential impact of the development on amenity and living conditions of neighbours
- c. Design of the proposal and impact on heritage assets
- d. Transport impacts
- e. Environmental considerations.

Planning policy

National Planning Policy Framework (the Framework) 2012

16. This application should be assessed against the Framework as a whole, however the following sections are of particular relevance:

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
7. Requiring good design

- 8. Promoting healthy communities
- 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.

17. London Plan July 2015

- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.19 Sports facilities
- Policy 4.5 London's visitor infrastructure
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

18. Core Strategy 2011

- Strategic Policy 1 Sustainable development
- Strategic Policy 2 Sustainable transport
- Strategic Policy 4 Places for learning, enjoyment and healthy lifestyles
- Strategic Policy 10 Jobs and businesses
- Strategic Policy 12 Design and conservation
- Strategic Policy 13 High environmental standards.

Southwark Plan 2007 (July) - saved policies

19. 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. The following saved policies are particularly relevant to this application:

- Policy 1.12 Hotels and visitor accommodation
- Policy 2.1 Enhancement of community facilities
- Policy 2.2 Provision of new community facilities
- Policy 2.3 Enhancement of educational establishments
- 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 3.5 Renewable energy
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 3.14 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 3.19 Archaeology
Policy 5.1 Locating developments
Policy 5.2 Transport impacts
Policy 5.3 Walking and cycling
Policy 5.6 Car parking
Policy 5.7 Parking standards for disabled people and the mobility impaired
Policy 5.8 Other parking.

Other documents

20. Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015 Tower Bridge Road Conservation Area Appraisal

Summary of consultation responses

21. There has been no objection from any statutory consultee for this application. Historic England has written in support of the scheme. Two other responses in support for the application were received, including one from the Southwark Chamber of Commerce.
22. Objections have been received from local residents concerned about a number of issues including:
 - Impact on amenity and living conditions (daylight/sunlight; noise etc.) from the completed development
 - Impact during construction
 - Design issues including the scale and massing of the proposal
 - Impact on heritage assets
 - Process of consultation
 - Impact of servicing.
23. These matters are addressed in the main body of the report below.

Principle of development

24. While the *Sui Generis* use class of the former police station is not a land use protected though a development plan policy, the D1 class space of the magistrates' court is. Saved policy 2.1 of the Southwark Plan allows for a change of use from D class space

if the community facility is surplus to the requirements of the local community and its replacement meets an identified need or the applicant demonstrates that there is another locally available facility with similar or enhanced provision.

25. The community facility of the magistrates' court was surplus to the requirements of the Ministry of Justice and it was closed in 2013. The nearby Camberwell Magistrates' Court continues as a locally available facility that provides the same service, although the applicant has advised that Croydon Magistrates' Court has taken over the service provision from this site. Nonetheless, it is the D class space that is protected and not the magistrates' court use *per se*. A health and fitness centre is proposed within the development with a discount offered to local residents and meeting rooms for community groups to use free of charge are also proposed. Whilst these D2 uses would not replace all of the D1 floorspace that would be lost, they would provide new community facilities.
26. Also of relevance is the aim of securing the optimum use for the site and the fact that it is a designated heritage asset. As a listed building, the property has constraints that mean it would not lend itself to a full D class use. As a result, the replacement D class space, along with the hotel and other uses proposed is considered to be acceptable with respect to land use.

Environmental impact assessment

27. The proposed development is not a development detailed in Schedule 1 of the Environmental Impact Regulations (2011) and does not meet the threshold for an EIA development in Schedule 2.

Potential impact of the development on amenity and living conditions of neighbours

28. A total of 22 objections have been received for this application from local residents and interested parties. All of them cite the impact that the development would have on the amenity and living conditions of local residents. Potential impacts are discussed below.

Daylight and sunlight

29. The impact on daylight and sunlight is a significant concern for local residents. The applicant has undertaken a detailed assessment of the impact that the development would have on daylight and sunlight, in accordance with the assessment methods detailed in the Building Research Establishment's (BRE) guidance document.
30. With the initial assessment of Vertical Sky Component (VSC), 337 of the 418 windows that were modelled would not lose more than 20% of the existing VSC; a reduction that would not be noticeable. Where VSCs are reduced by more than 20%, a more detailed analysis can be undertaken into the daylight distribution using the No Sky Line (NSL) method - the area of a working plane (at a height of 850mm) from which the sky would be visible. The assessment of the NSL is normally undertaken on rooms rather than windows because it is the area of the room that would be affected by the change in NSL that is of most relevance. Of the 336 rooms modelled, 298 (89%) would have reductions of no more than 20%. There would remain a number of windows and properties with reductions in daylight that would be noticeable and these are discussed below.
31. Of the 418 windows tested for sunlight, 386 (92%) would achieve continue to received good level annual probable sunlight hours (APSH).

Crown apartments (referred to as 200 Tower Bridge Road in the daylight and sunlight report)

32. There are a number flats within this block that face the site and would be affected to differing degrees. There would be some significant reductions in VSCs from between 78% and 30% for 10 of the 26 windows. This is a function of the fact that the dwellings enjoy a relatively open aspect and that balconies projecting above windows currently limit the daylight for windows below, so a small reduction absolute VSC would cause a larger percentage reduction. The BRE guidance allows for the analysis to be undertaken without the effect of balconies and other projections that 'self-limit' the daylight into windows. Using this method, the highest loss of VSC would be 46% and the number of windows with a loss of more than 30% would be reduced to 6, a further 4 seeing a loss of more than 20%.
33. Daylight distribution analysis (with balconies) shows that the NSL would be reduced by more than 20% for three rooms within Crown Apartments, two of which are bedrooms, the other being the living room for the lowest flat- flat 1 which would experience a reduction of 46%. Again, the influence of projecting balconies is of note here because the reduction in the 'without balconies' scenario results in a loss of 21.5%. This analysis demonstrates that daylight to the windows of Crown Apartments is limited by the balconies that over-sail most of the windows and that if the effect of these were removed, the reductions in daylight distribution would be much more modest.
34. An analysis of the APSH annually and for winter has been undertaken which shows that 73% of windows and 86% of rooms would receive acceptable levels of sunlight. Similarly to the case with daylight, the sunlight to windows is limited by balconies above them.
35. The Crown Apartments Management Company, as well as individual owners of the apartment building has commissioned a technical assessment of the sunlight and daylight by Point 2 Surveyors. The analysis submitted includes VSC and has reductions with greater percentage than that detailed in the report submitted by the applicant, although absolute VSCs are broadly similar. The reason for this seems to be that the applicant's consultant's assessment was based on historical drawings while Point 2 had access to some of the flats in Crown Apartments, they do acknowledge that the differences are marginal.
36. An analysis of the 'without balconies' scenario has not been presented because the author of the report states that this is a hypothetical situation and their removal in reality would be improbable. The point of the 'without balconies' assessment however to provide a more nuanced indication of the impact that the development would have were it not for the 'self limiting' effect of projections. The Point 2 report also details what the author considers to be failures in the radiance based study. Radiance studies (Average Daylight Factor) are of limited weight when considering the impact of daylight from a development on existing receptors, not least because of the assumptions that need to be made. For the avoidance of doubt, officers' assessment of the impact on daylight and sunlight from the proposed scheme is based substantively on VSC; daylight distribution and APSH; the radiance studies have not been relied upon.

196 Tower Bridge Road

37. A building on the corner of Tower Bridge Road and Tooley Street, the flats in this property sit above the Pommeler's Rest public house. Of the 15 windows modelled, 9 would have VSC reductions of no more than 20% while a further three would retain VSCs of 0.72; 0.77 and 0.78 their present value; the remaining three windows serve non-habitable rooms. NSL analysis shows that all rooms would retain at least 80% of

their present daylight distribution.

Boss House

38. The VSC analysis shows that 75% of the windows assessed would not have their VSC affected to a noticeable degree while 84% of the rooms would not lose more than 20% of their daylight distribution. The 11 rooms that would be most affected are on the northern part of Boss House and presently enjoy an aspect across an open yard, six of these rooms are bedrooms. The NSL contours show that many of these rooms enjoy extensive daylight distribution because of the open aspect they have. Coupled with the depth of the rooms, this means that any massing comparable to that which is in the area would result in a large reduction in daylight distribution. All windows within 90 degrees of south would be within the guidelines for sunlight in the BRE document.

Candishe House, Queen Elizabeth Street

39. Located on the corner of Horsleydown Land and Queen Elizabeth Street, the windows of this building have quite high VSCs for an urban location, due principally to the fact that they have an aspect over an open yard. Although the reduction in VSC would be large in percentage terms for many windows and thus noticeable, the resultant VSCs would be good with most windows being above 17 which is not uncommon in urban situations. All but three rooms would meet the BRE guidelines with respect to sunlight; the three that would not only do so because of the loss of winter sun, which being low in the sky would be affected by any reasonably massed development on the site.

3-17A Queen Elizabeth Street

40. Of the 37 windows tested, 16 would not lose more than 20% of their present VSC. A further 6 would retain at least 0.7 of their present value with the remaining 5 retaining between 0.64-0.69. All but two windows would retain VSCs of more than 20 which is considered to be good in urban locations, the remaining 2 having levels of 19.5 and 17.5. No windows would have their sunlight affected to an unacceptable degree.

205 Tooley Street

41. Five of the 12 windows would retain 0.8 their present VSC while another five would retain more than 0.7. The remaining two would be reduced to just below 0.7. Because none of the windows affected face within 90 degrees of south, this property does not need to be assessed for impact sunlight in accordance with the BRE guidance.
42. All other properties assessed meet the BRE guidelines for there to be no noticeable effect from the proposed scheme, they are:
 - 19 Queen Elizabeth Street
 - Devon Mansions
 - 206-208 Tower Bridge Road
 - 62-66 Gainsford Street
 - 1-11 Whistlers House

Conclusion on daylight and sunlight

43. There would be a noticeable reduction in daylight and sunlight for residential dwellings nearby. Impacts on dwellings at Crown Apartments are a function of the development proposed and self-limiting effect of balconies on the residential building. It is also of note that the yard on the site affords an open aspect for many dwellings around, including 196 Tower Bridge Road; Boss House; Candishe House and the terraces to the north of the site on Queen Elizabeth Street.
44. The openness of the rear of the site is unusual in the context of this part of the borough and indeed central London. Any development of more than 2-3 storeys on Boss Street and Queen Elizabeth Street would result in some noticeable impact when compared to the existing situation. Such a scale of development that would be undesirable for a number of reasons, including urban design, matters discussed in more detail below.

Privacy

45. A number of rooms proposed would be quite close to existing dwellings, particularly those proposed on the western part of the site, close to 206 Tower Bridge Road and Crown Apartments. Windows in the existing building serving rooms closest to residential dwellings (to the west) would have a 1.8m high privacy film placed on them to preserve their privacy. The new build element has been designed without windows directly facing Crown Apartments and 206 Tower Bridge Road within a distance of 21m. The two windows closer than 21m face north and south and would only have obtuse views to existing residential properties.
46. New windows within the new build element of the scheme would have views of existing dwellings across streets which would be acceptable as it would replicate existing front to front arrangements in the immediate locale.

Potential for the development to be overbearing

47. A separation from Crown Apartments and 206 Tower Bridge Road would be achieved with a planted roof and courtyard intervening between building elements immediately to the east of Crown Apartments while the northern part of the scheme would step in closer to the dwellings leaving an area of open space immediately in front of the balconies.
48. A height of up to seven storeys on Boss Street and Queen Elizabeth Street would, because of the change in levels, be of a height similar to Crown Apartments and not unusual in the area. Separated from other dwellings by streets, the development would not be overbearing for neighbouring residents in this urban context.

Disturbance, including from noise

49. There would be greater activity from the proposed use, the restaurant, deli and bar proposed fronting Queen Elizabeth Street which has been the cause of particular objection. This part of Queen Elizabeth Street has relatively little activity at present so the addition of an active frontage would be a notable change. There are however similar uses further east on Queen Elizabeth Street. In order to reduce the impact that the A class uses may have on residents it is recommended that a condition be imposed prohibiting the use of the entrance on Queen Elizabeth Street after 22:00. Customers would need to use the main entrance located on Tooley Street which is much busier and noisier. This entrance would also be used by most of the hotel guests.
50. High levels of sound break-out is not expected from the restaurant, deli or bar area and the revolving door would prevent sound breaking out when customers enter or

leave the premises. Some objectors reference the impact from customers smoking on Queen Elizabeth Street. Operational matters such as this can be controlled through the licensing regime.

51. Noise from servicing has also been mentioned in many of the objections. The servicing yard within the site would mean that noise from the deliveries themselves would be constrained. The expected servicing requirements are as follows:
 - 7.5t box van: 2 movements 6 days a week, 1 movement weekly;
 - Refuse lorry: 1 movement 4 days a week;
 - 3.5t/4.6t light van: 1 movement 3 days a week, 1 movement weekly;
 - 3.5t/4.6t light van or 7.5t box van: 1 movement 7 days a week, 2 movements monthly; and
 - Car derived van/3.5t light van: 2 movements 7 days a week.
52. Approximately 7-8 vehicle movements would be expected per day of which the majority would take place between 07:00-12:00. It is recommended that the applicant submit a service management plan prior to the commencement of use as a condition of any permission.
53. Plant is proposed on the roof of the northern part of the site. Details of the precise plant would not normally be available at this stage in the application process so it is recommended that a condition be imposed requiring details of the plant and any noise mitigation required be submitted and approved before its installation. The condition also refers to odour control.

Design of the proposal and impact on heritage assets

54. The report on the associated listed building consent application details the substantive assessment on that heritage asset. It concludes that there would be less than substantial harm to the listed building because of the proposed demolition but this would be outweighed by the public benefit of securing the longer-term future of the building and the public access that would be afforded.
55. Similarly, there would be less than substantial harm to the Tower Bridge Conservation area because of the demolition. The site is within sub-area 3- Tooley Street. Its significance lies within its metropolitan character of which the municipal building on the site is an integral part. The sub-area is also of importance in the approach to Tower Bridge and is characterised by large scale buildings on both sides of Tooley Street, including Devon Mansions and Boss House.
56. While the demolition of part of the listed building would cause less than substantial harm to the conservation area, one of the benefits of the scheme would be an improvement to the enclosure of Queen Elizabeth Street with a continuous and active frontage, replacing the blank boundary wall to the service yard. The resultant sense of enclosure would respond well to the character of the area and be of a scale in-keeping with the general scale of the built form nearby, especially when one considers that the top floor would be set back, reducing its impact on the street scene and wider conservation area.
57. At the north-eastern part of the site, the shoulder would be lower to align with Boss House while at the north-western end; greater height would provide alignment with Crown Apartments. Materials proposed for the new build element of brick reconstituted stone and zinc would of high quality and suitable for this consideration

area. Landscaping works proposed on Boss Street would improve the public realm.

58. The harm on the setting of the listed building would also be less than substantial. Following the reduction in height of the spinal link block, the new build element would read as separate massing from the listed building rather than competing with it. The detailed design would complement the listed building so while there would be some harm from its partial demolition, its setting would be preserved.

Archaeology

59. A number of reports have been submitted relating to the archaeology on the site. The council's archaeologist is in the process of reviewing these documents and further advice on this matter will be provided in the addendum report.

Transport impacts

60. A traffic analysis has been provided by an objector which shows a good level of vehicular and pedestrian movement on Queen Elizabeth Street. There is concern about the potential conflict with both the entrance for the car park for Crown Apartments (to the west of the site); existing servicing arrangements (for refuse) and highway users.
61. A servicing bay located within the site would provide a suitable balance between internal servicing and an efficient use of the land. Vehicles would need to cross a cycle lane and footway but crucially there would be no servicing from the street apart from refuse and recycling. The use of a banks-person has been proposed to mitigate against the potential for safety conflicts. Such measures are considered to be reasonable but it is recommended that they be secured through a condition requiring a service management plan to be submitted for approval.
62. The applicant expects most visitors to arrive by foot or public transport, an assumption that is not unreasonable given the site's excellent transport links. Coach parking has not been proposed and while this is not in accordance with the requirements of the London Plan, site constraints mean that it would be difficult to incorporate such parking without compromising the urban design or efficient use of the site. Coach drop off on Queen Elizabeth Street may conflict with servicing, a matter that will need to be addressed in the service management plan.

Section 106 and community infrastructure levy (CIL)

63. The scheme would attract a payment under both the mayoral and local CIL. An amended CIL form is pending following the amendment removing one storey from the spinal block. Figures for CIL will be reported in the addendum report. The s106 legal agreement is still being negotiated but will include the following matters:
- Employment during construction
 - Employment in the end use
 - Archaeology contribution
 - Public realm works
 - Community use clauses, inclining a discount for gym membership for Southwark residents and the free use of meeting rooms for community groups.
64. Should there be a failure to sign a legal agreement for these matters, it is recommended that the application be refused for the following reason:

The development would fail to mitigate against the loss of D class space and provide suitable public improvements and fail to meet provide other reasonable contributions contrary to the National Planning Policy Framework 2012 saved policies 2.1 Enhancement of community facilities and 3.13 Urban design of the Southwark Plan 2007 and the Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

65. 20 cycle storage spaces are proposed for staff on the lower ground floor where showering and changing facilities would also be located while six spaces would be provided for visitors on Boss Street, next to the two parking bays for disabled people.

Environmental issues

66. The new build element of the development would be designed to achieve a 40% saving in carbon dioxide emissions over the 2010 Building Regulations which is in general accordance with the London Plan. Energy efficiency savings that can be achieved on the listed building are limited but the use of a centralised combined heat and power (CHP) boiler would make the heating and power more efficient overall.
67. The council's Flood and Drainage Team have provided comments advising that they are satisfied with the information provided. Green roofs and the attenuation tanks proposed would reduce the surface water run off rates from the site.
68. Thames Water have advised that presently there is insufficient waste water infrastructure to accommodate the needs of the proposed development and recommended a condition requiring a drainage strategy to be submitted and approved. As advised above, the surface water drainage would be improved in that discharge would be reduced. There is however a requirement under policy 5.14 of the London Plan for development to ensure that adequate waste water infrastructure capacity is available, a condition is this recommended. Another condition suggested by Thames Water to require a piling method statement is not recommended because this seeks to protect the asset of the utility company, something that is covered by separate legislation.
69. A review of the application has been undertaken by the Environment Agency who have no objection to the scheme. The ecological assessment submitted with the application has assessed the site to have negligible potential to support roosting bats. The same report recommends that the green roof could be made into a biodiversity feature with suitable planting, a sensible suggestion which can be secured through condition.
70. A draft construction phase plan has been submitted which outlines controls that can be implemented to limit disturbance during the process of development. Some degree of disturbance would arise from any development that takes place. Although the site is somewhat constrained by its surroundings, it is not of a scale to require an EIA and in that context the potential for impact locally is limited. A condition is recommended requiring a full CMP to be submitted at a time when more detail about the construction process can be provided. The substantive merits or otherwise of this application should however not be based on construction impacts of the development but the planning merits of the proposed development itself.

Other matters

71. There is local concern about the consultation process that was undertaken as part of this application in that it was not of sufficient duration. Both the initial consultation and re-consultation following the receipt of amendments have been undertaken in accordance with the requirements of The Town and Country Planning (Development

Management Procedure) (England) Order 2015.

Conclusion on planning issues

72. The proposed redevelopment of the site to a hotel; health and fitness centre; restaurant; deli and bar would secure the longer-term future of this listed building within a conservation area. Demolition of a less significant part of the building would result in less than substantial harm which would be outweighed by the public benefits of the scheme while the development as a whole would preserve the conservation area and the remaining listed building. There would be some impact on the amenity and living conditions of some neighbours through a loss of daylight and sunlight, however most neighbouring residential properties would continue not be affected to a noticeable degree.

Community impact statement

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

Consultations

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

Consultation replies

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

Human rights implications

76. 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.
77. This application has the legitimate aim of providing a change of use to a hotel and other uses. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1-209 Application file: 15/AP/3303 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 letter
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Dipesh Patel, Team Leader, Major Applications	
Version	Final	
Dated	19 November 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	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		19 November 2015

APPENDIX 1

Consultation undertaken

Site notice date: 11/09/2015

Press notice date: 10/09/2015

Case officer site visit date: 16/09/2015

Neighbour consultation letters sent: 11/09/2015

Internal services consulted:

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

Flood and Drainage Team

Highway Development Management

Waste Management

Statutory and non-statutory organisations consulted:

Environment Agency

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

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

Neighbour and local groups consulted:

81 Boss House 2 Boss Street SE1 2PT	156 Devon Mansions Tooley Street SE1 2NR
80 Boss House 2 Boss Street SE1 2PT	155 Devon Mansions Tooley Street SE1 2NR
79 Boss House 2 Boss Street SE1 2PT	154 Devon Mansions Tooley Street SE1 2NR
84 Boss House 2 Boss Street SE1 2PT	135 Devon Mansions Tooley Street SE1 2NT
83 Boss House 2 Boss Street SE1 2PT	134 Devon Mansions Tooley Street SE1 2NT
82 Boss House 2 Boss Street SE1 2PT	133 Devon Mansions Tooley Street SE1 2NT
78 Boss House 2 Boss Street SE1 2PT	128 Devon Mansions Tooley Street SE1 2NU
74 Boss House 2 Boss Street SE1 2PT	127 Devon Mansions Tooley Street SE1 2NU
73 Boss House 2 Boss Street SE1 2PT	126 Devon Mansions Tooley Street SE1 2NU
70 Boss House 2 Boss Street SE1 2PT	131 Devon Mansions Tooley Street SE1 2NU
77 Boss House 2 Boss Street SE1 2PT	130 Devon Mansions Tooley Street SE1 2NU
76 Boss House 2 Boss Street SE1 2PT	129 Devon Mansions Tooley Street SE1 2NU
75 Boss House 2 Boss Street SE1 2PT	125 Devon Mansions Tooley Street SE1 2NU
94 Boss House 2 Boss Street SE1 2PT	121 Devon Mansions Tooley Street SE1 2NU
93 Boss House 2 Boss Street SE1 2PT	144 Devon Mansions Tooley Street SE1 2NT
92 Boss House 2 Boss Street SE1 2PT	143 Devon Mansions Tooley Street SE1 2NT
97 Boss House 2 Boss Street SE1 2PT	124 Devon Mansions Tooley Street SE1 2NU
96 Boss House 2 Boss Street SE1 2PT	123 Devon Mansions Tooley Street SE1 2NU
95 Boss House 2 Boss Street SE1 2PT	122 Devon Mansions Tooley Street SE1 2NU
91 Boss House 2 Boss Street SE1 2PT	153 Devon Mansions Tooley Street SE1 2NR
87 Boss House 2 Boss Street SE1 2PT	11 Queen Elizabeth Street London SE1 2LP
86 Boss House 2 Boss Street SE1 2PT	201 Tooley Street London SE1 2UE
85 Boss House 2 Boss Street SE1 2PT	17a Queen Elizabeth Street London SE1 2LP
90 Boss House 2 Boss Street SE1 2PT	15 Queen Elizabeth Street London SE1 2LP
89 Boss House 2 Boss Street SE1 2PT	13 Queen Elizabeth Street London SE1 2LP
88 Boss House 2 Boss Street SE1 2PT	Magistrates Court 211 Tooley Street SE1 2JY
69 Boss House 2 Boss Street SE1 2PT	Atlantic Council Part Second Floor 185 Tower Bridge Road SE1 2UF
49 Boss House 2 Boss Street SE1 2PS	Tower Bridge House 198-204 Tower Bridge Road SE1 2UN
48 Boss House 2 Boss Street SE1 2PS	Part Second Floor 185 Tower Bridge Road SE1 2UF
47 Boss House 2 Boss Street SE1 2PS	11a Queen Elizabeth Street London SE1 2LP
54 Boss House 2 Boss Street SE1 2PS	Living Accommodation The River Rat And Brasserie SE1 2UP
53 Boss House 2 Boss Street SE1 2PS	First Floor Part Front And Part Rear 185 Tower Bridge Road SE1 2UF
50 Boss House 2 Boss Street SE1 2PS	149 Devon Mansions Tooley Street SE1 2NR
46 Boss House 2 Boss Street SE1 2PS	148 Devon Mansions Tooley Street SE1 2NR

42 Boss House 2 Boss Street SE1 2PS
41 Boss House 2 Boss Street SE1 2PS
40 Boss House 2 Boss Street SE1 2PS
45 Boss House 2 Boss Street SE1 2PS
44 Boss House 2 Boss Street SE1 2PS
43 Boss House 2 Boss Street SE1 2PS
65 Boss House 2 Boss Street SE1 2PT
64 Boss House 2 Boss Street SE1 2PT
63 Boss House 2 Boss Street SE1 2PT
68 Boss House 2 Boss Street SE1 2PT
67 Boss House 2 Boss Street SE1 2PT
66 Boss House 2 Boss Street SE1 2PT
62 Boss House 2 Boss Street SE1 2PT
57 Boss House 2 Boss Street SE1 2PS
56 Boss House 2 Boss Street SE1 2PS
55 Boss House 2 Boss Street SE1 2PS
61 Boss House 2 Boss Street SE1 2PT
60 Boss House 2 Boss Street SE1 2PT
59 Boss House 2 Boss Street SE1 2PS
98 Boss House 2 Boss Street SE1 2PT
4 Candishe House Queen Elizabeth Street SE1 2LP
3 Candishe House Queen Elizabeth Street SE1 2LP
2 Candishe House Queen Elizabeth Street SE1 2LP
7 Candishe House Queen Elizabeth Street SE1 2LP
6 Candishe House Queen Elizabeth Street SE1 2LP
5 Candishe House Queen Elizabeth Street SE1 2LP
1 Candishe House Queen Elizabeth Street SE1 2LP
Flat 2 203 Tooley Street SE1 2JX
Flat 1 203 Tooley Street SE1 2JX
Tower Bridge Police Station 209 Tooley Street SE1 2JX
Third Floor Flat 185 Tower Bridge Road SE1 2UF
First Floor And Second Floor Flat 205 Tooley Street SE1 2JX
Flat 3 203 Tooley Street SE1 2JX
First Floor Part Front 185 Tower Bridge Road SE1 2UF
First Floor 185 Tower Bridge Road SE1 2UF
The Pommelers Rest 192-196 Tower Bridge Road SE1 2UN
Basement 185 Tower Bridge Road SE1 2UF
10 Candishe House Queen Elizabeth Street SE1 2LP
9 Candishe House Queen Elizabeth Street SE1 2LP
8 Candishe House Queen Elizabeth Street SE1 2LP
71-72 Boss House 2 Boss Street SE1 2PT
51-52 Boss House 2 Boss Street SE1 2PS
11 Candishe House Queen Elizabeth Street SE1 2LP

Tower Bridge Police Station 4 Queen Elizabeth Street SE1 2JD
108 Boss House 2 Boss Street SE1 2PT
107 Boss House 2 Boss Street SE1 2PT
106 Boss House 2 Boss Street SE1 2PT
Flat 2 Crown Apartments SE1 2LL
Flat 1 Crown Apartments SE1 2LL
109 Boss House 2 Boss Street SE1 2PT
105 Boss House 2 Boss Street SE1 2PT
101 Boss House 2 Boss Street SE1 2PT
100 Boss House 2 Boss Street SE1 2PT
99 Boss House 2 Boss Street SE1 2PT
104 Boss House 2 Boss Street SE1 2PT
103 Boss House 2 Boss Street SE1 2PT
102 Boss House 2 Boss Street SE1 2PT
Flat 2 196 Tower Bridge Road SE1 2UN
Flat 10 Crown Apartments SE1 2LL
200 Tower Bridge Road London SE1 2UN
Flat 3 196 Tower Bridge Road SE1 2UN
Flat 9 Crown Apartments SE1 2LL
Flat 5 Crown Apartments SE1 2LL
Flat 4 Crown Apartments SE1 2LL
Flat 3 Crown Apartments SE1 2LL
Flat 8 Crown Apartments SE1 2LL
Flat 7 Crown Apartments SE1 2LL
Flat 6 Crown Apartments SE1 2LL
39 Boss House 2 Boss Street SE1 2PS
139 Devon Mansions Tooley Street SE1 2NT
138 Devon Mansions Tooley Street SE1 2NT
137 Devon Mansions Tooley Street SE1 2NT
142 Devon Mansions Tooley Street SE1 2NT
141 Devon Mansions Tooley Street SE1 2NT

140 Devon Mansions Tooley Street SE1 2NT
136 Devon Mansions Tooley Street SE1 2NT

147 Devon Mansions Tooley Street SE1 2NR
152 Devon Mansions Tooley Street SE1 2NR
151 Devon Mansions Tooley Street SE1 2NR
150 Devon Mansions Tooley Street SE1 2NR
146 Devon Mansions Tooley Street SE1 2NR
5 Queen Elizabeth Street London SE1 2LP
3 Queen Elizabeth Street London SE1 2LP
17 Queen Elizabeth Street London SE1 2LP
145 Devon Mansions Tooley Street SE1 2NR
9 Queen Elizabeth Street London SE1 2LP
7 Queen Elizabeth Street London SE1 2LP
132 Devon Mansions Tooley Street SE1 2NU
22 Boss House 2 Boss Street SE1 2PS
21 Boss House 2 Boss Street SE1 2PS
20 Boss House 2 Boss Street SE1 2PS
25 Boss House 2 Boss Street SE1 2PS
24 Boss House 2 Boss Street SE1 2PS
23 Boss House 2 Boss Street SE1 2PS
19 Boss House 2 Boss Street SE1 2PS
15 Boss House 2 Boss Street SE1 2PS
14 Boss House 2 Boss Street SE1 2PS
13 Boss House 2 Boss Street SE1 2PS
18 Boss House 2 Boss Street SE1 2PS
17 Boss House 2 Boss Street SE1 2PS
16 Boss House 2 Boss Street SE1 2PS
35 Boss House 2 Boss Street SE1 2PS
34 Boss House 2 Boss Street SE1 2PS
33 Boss House 2 Boss Street SE1 2PS
38 Boss House 2 Boss Street SE1 2PS
37 Boss House 2 Boss Street SE1 2PS
36 Boss House 2 Boss Street SE1 2PS
32 Boss House 2 Boss Street SE1 2PS
28 Boss House 2 Boss Street SE1 2PS
27 Boss House 2 Boss Street SE1 2PS
26 Boss House 2 Boss Street SE1 2PS
31 Boss House 2 Boss Street SE1 2PS
30 Boss House 2 Boss Street SE1 2PS
29 Boss House 2 Boss Street SE1 2PS
12 Boss House 2 Boss Street SE1 2PS
118 Devon Mansions Tooley Street SE1 2NX
117 Devon Mansions Tooley Street SE1 2NX
116 Devon Mansions Tooley Street SE1 2NX
The River Rat And Brasserie 206-208 Tower Bridge Road SE1 2UP
120 Devon Mansions Tooley Street SE1 2NX
119 Devon Mansions Tooley Street SE1 2NX
115 Devon Mansions Tooley Street SE1 2NX
111 Devon Mansions Tooley Street SE1 2NX
110 Devon Mansions Tooley Street SE1 2NX
109 Devon Mansions Tooley Street SE1 2NX
114 Devon Mansions Tooley Street SE1 2NX
113 Devon Mansions Tooley Street SE1 2NX
112 Devon Mansions Tooley Street SE1 2NX
8 Boss House 2 Boss Street SE1 2PS
7 Boss House 2 Boss Street SE1 2PS
6 Boss House 2 Boss Street SE1 2PS
11 Boss House 2 Boss Street SE1 2PS
10 Boss House 2 Boss Street SE1 2PS
9 Boss House 2 Boss Street SE1 2PS
5 Boss House 2 Boss Street SE1 2PS
1 Boss House 2 Boss Street SE1 2PS
Flat 1 196 Tower Bridge Road SE1 2UN
205 Tooley Street London SE1 2JX
4 Boss House 2 Boss Street SE1 2PS
3 Boss House 2 Boss Street SE1 2PS
2 Boss House 2 Boss Street SE1 2PS
Flat 12, St Lukes Court 124-126 Tooley St SE1 2TU
03 Queen Elizabeth Street London SE1 2LP
299 Oxford Street London W1C 2DZ
4 Horselydown Lane SE1 2LN
4 Horselydown Lane SE1 2LN
33 Lafone Street London SE1 2LX
5 Crown Apartments 2 Queen Elizabeth Street SE1 2LL
2 Queen Elizabeth St London SE1 2LL
Southwark Chamber Of Commerce Southbank Chamber Of Commerce SE1 6LN
Flat 37 Boss Street London SE12PS
22 Stockwell Park Crescent London SW9 0DE
224 Empire Square West Long Lane SE1 4NL

Consultation responses received

Internal services

Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

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

Neighbours and local groups

Flat 1 Crown Apartments SE1 2LL

Flat 1 Crown Apartments SE1 2LL

Flat 12, St Lukes Court 124-126 Tooley St SE1 2TU

Flat 2 Crown Apartments SE1 2LL

Flat 2 196 Tower Bridge Road SE1 2UN

Flat 37 Boss Street London SE12PS

Flat 4 Crown Apartments SE1 2LL

Flat 5 Crown Apartments SE1 2LL

Flat 5 Crown Apartments SE1 2LL

Flat 8 Crown Apartments SE1 2LL

Flat 8 Crown Apartments SE1 2LL

Flat 8 Crown Apartments SE1 2LL

Southwark Chamber Of Commerce Southbank Chamber Of Commerce SE1 6LN

03 Queen Elizabeth Street London SE1 2LP

11 Queen Elizabeth Street London SE1 2LP

2 Queen Elizabeth St London SE1 2LL

22 Stockwell Park Crescent London SW9 0DE

224 Empire Square West Long Lane SE1 4NL

299 Oxford Street London W1C 2DZ

33 Lafone Street London SE1 2LX

4 Horselydown Lane SE1 2LN

4 Horselydown Lane SE1 2LN

42 Boss House 2 Boss Street SE1 2PS

5 Crown Apartments 2 Queen Elizabeth Street SE1 2LL

5 Queen Elizabeth Street London SE1 2LP

5 Queen Elizabeth Street London SE1 2LP

60 Boss House 2 Boss Street SE1 2PT

61 Boss House 2 Boss Street SE1 2PT

7 Queen Elizabeth Street London SE1 2LP

84 Boss House 2 Boss Street SE1 2PT

85 Boss House 2 Boss Street SE1 2PT

85 Boss House 2 Boss Street SE1 2PT

9 Queen Elizabeth Street London SE1 2LP