

Item No. 7.1	Classification: OPEN	Date: 7 June 2016	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/0615 for: Full Planning Permission Address: TOWER BRIDGE PIAZZA, SHAD THAMES, LONDON SE1 Proposal: Change of use of 1a, 2, 3, 4 Admiral's Court and 45, 47, 49 Compass Court to a flexible A1/A2/A3 use; the erection of a single storey pavilion building (A1/A3/D1) within the piazza; erection of a way finding totem outside Cooperage Court, hard and soft landscaping, and associated works;'.		
Ward(s) or groups affected:	Riverside		
From:	Director of Planning		
Application Start Date 19/02/2016		Application Expiry Date 15/04/2016	
Earliest Decision Date 13/04/2016			

RECOMMENDATION

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

BACKGROUND INFORMATION

2. This application is referred to members for decision.

Site location and description

3. The site includes the Tower Bridge Piazza and the surrounding commercial buildings at ground floor level within the court yard. The piazza is accessed from various points, including Shad Thames and Gainsford Street. The surrounding buildings are a mixture of large office and residential buildings with commercial uses on the ground floors. The piazza was initially consented as landscaping for the surrounding development, however, as is noted within the planning history section below, has consent for a three storey building.
4. No buildings subject to this application are listed however the site is within the Tower Bridge Conservation Area. The site is located within the Central Activities Zone, an Air Quality Management Area, Flood Risk Zone 3 and within an Archaeological Priority Zone.

Details of proposal

5. The proposal is for the change of use of 1a, 2, 3, 4 Admiral's Court and 45, 47, 49 Compass Court to a flexible A1/A2/A3 use; the erection of a single storey pavilion building (A1/A3/D1) within the piazza; erection of a way finding totem outside Cooperage Court, hard and soft landscaping, and associated works.
6. The changes of use proposed seek to provide flexible uses for seven commercial

units surrounding the square and the erection of a new pavilion structure located within the square itself which would also result in a flexible use as noted above.

7. The proposal also seeks to provide outdoor seating areas for each of the seven changes of use, outdoor seating for the pavilion use and seating being re-provided around the refurbished Anthony Donaldson Statue which would be retained.
8. Wider landscaping works to the square are also proposed including planting and the introduction of a totem 'way finding portal' to advertise the location of the Cooperage Offices.
9. During the course of the application, additional information was submitted in relation to servicing, ventilation, lighting, heritage and further details in relation to the existing uses within the site. The application has been amended since its initial submission in order to remove the originally proposed way-finding portal, in favour of the smaller totem. Following discussions with officers, the proposal to fill the arches within the Eagle Wharf building along Lafone Street was removed from the proposal.
10. **Planning history**

15/EQ/0226 Application type: Pre-Application Enquiry (ENQ) - Alterations and refurbishment works to Tower Bridge Piazza and surrounding retail units at Compass Court. Decision date 02/02/2016 Decision: Pre-application enquiry closed (EQC) .

16/AP/0515 - Infill and replacement of all ground floor shop fronts within Tower Bridge Piazza, the north side of Compass Court and the west side of Admirals Court on Horselydown Lane; refurbishment to residential access doorway to the Copper Row side of Admiral's Court and Knot House; and the erection of awnings to the piazza side of Compass Court and southern side of Admiral's Court. This application will be presented to members for determination at the same meeting as the application for the changes of use discussed in this report.

S/86/35 - Planning permission was granted by the London Docklands Development Corporation for the redevelopment of the Horselydown Site to include residential, office and retail accommodation and basement car park. This application was for the overall development of the surrounding area including Anchor Court, Eagle Wharf, the Cooperage, Horselydown Square and block F (pavilion block) -May 1986.

96/AP/0687 for: Full Planning Permission at Tower Bridge Piazza, Horsleydown Square SE1 the Construction of a three storey detached building consisting of retail and offices on ground floor, 2 x 3 bedroom flats on first floor and 1 x 3 bedroom flat on second floor. Refused on the following grounds:

1. The proposed development would result in a loss of privacy and amenity for future occupants nearby residential premises as a result of the building being sited in very close proximity to the windows of Admirals Court and Compass Court Buildings. The proposal would thereby conflict with policies E.3.1 and H.1.8 of the Southwark Unitary Development Plan.

2. The scale and location of the building would be detrimental to the quiet and safe enjoyment of Horselydown Square open space and would have an adverse impacts on the character and appearance of this area, which is within the Tower Bridge Conservation Area. This would be contrary to policies E.1.1, E.2.1 and E.2.5 and E.4.3 of the Southwark Unitary Development Plan.

00/AP/1587 for Certificate of Lawfulness proposed at Block F, Horselydown Square SE1 for - Redevelopment to include residential, office and retail accommodation and

basement car park. Certificate of Lawful Development application for the completion of scheme already implemented, to include new three storey building in square. The application was granted consent as "The development of this site for the construction of a three storey building, called Block F, is lawful as it was part of the planning permission granted by the LDDC on May 12th 1987. The permission was implemented within the period required on the decision notice and the development may be completed without further approvals under the Planning Act".

11. Planning history of adjoining sites

16/AP/0464 - An application for the Installation of 51 cycle stands within the existing storage area of the undercroft access route to the basement car park of Eagle Wharf. To be presented to members for determination at the same meeting as this one for a change of use.

Cooperage Court - 15/AP/2699 Application type: Full Planning Permission (FUL) - Alterations to the Cooperage Court building and adjoining public realm including the infilling of the ground floor undercroft areas on Gainsford Street, Tower Bridge Piazza and Lafone Street; relocation of the fire escape on the Tower Bridge Piazza frontage together with new balconies, hard landscaping and access alterations on the Brewery Square and Tower Bridge Piazza frontages; replacement of the atrium roof light, and associated works; change of use of 41 Lafone Street from Ad (restaurant) to B1 (offices) and the ground floor commercial unit within Eagle Wharf, 59 Lafone Street from B1 (offices) to A1 (retail). Decision date 01/09/2015 Decision: Granted (GRA).

15/EQ/0144 Application type: Pre-Application Enquiry (ENQ) - Alterations and refurbishment of Cooperage Court including filing in undercroft's to provide more usable office floorspace, alterations to steeped access points, relocation of fire escape and replacement of central atrium roof. Decision date 23/09/2015 Decision: Pre-application enquiry closed (EQC).

15/AP/3862 Application type: Variation: non-material changes (VNMC) - Alterations to the approved drawings on planning permission 15-AP-2699 for: Alterations to the Cooperage Court building and adjoining public realm including the infilling of the ground floor undercroft areas on Gainsford Street, Tower Bridge Piazza and Lafone Street; relocation of the fire escape on the Tower Bridge Piazza frontage together with new balconies, hard landscaping and access alterations on the Brewery Square and Tower Bridge Piazza frontages; replacement of the atrium roof light, and associated works; change of use of 41 Lafone Street from Ad (restaurant) to B1 (offices) and the ground floor commercial unit within Eagle Wharf, 59 Lafone Street from B1 (offices) to A1 (retail); the changes proposed are: Removal of steps and entrance within the Gainsford Street elevation and the continuation of in filled glazed panels; Additional louvre vents below glazing. Decision date 21/10/2015 Decision: Agreed - for app types VLA & VNMC (AGR).

15/AP/4975 Application type: Variation: non-material changes (VNMC) - Non-material amendments to planning permission 15-AP-2699 for: 'Alterations to the Cooperage Court building and adjoining public realm including the infilling of the ground floor undercroft areas on Gainsford Street, Tower Bridge Piazza and Lafone Street; relocation of the fire escape on the Tower Bridge Piazza frontage together with new balconies, hard landscaping and access alterations on the Brewery Square and Tower Bridge Piazza frontages; replacement of the atrium roof light, and associated works; change of use of 41 Lafone Street from Ad (restaurant) to B1 (offices) and the ground floor commercial unit within Eagle Wharf, 59 Lafone Street from B1 (offices) to A1 (retail)' consisting of: Amendment to design of relocated fire escape and elevational changes. Decision date 08/01/2016 Decision: Agreed - for app types VLA

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
 - a) Principle of development in accordance with the relevant policies.
 - b) Amenity impacts of the development (lighting/noise/ventilation)
 - c) Design and conservation Issues
 - d) Highways and transport impacts

Planning policy

13. National Planning Policy Framework (the Framework)
 1. Building a strong, competitive economy
 7. Requiring good design
 - 12 Conserving and enhancing the historic environment
14. London Plan July 2015
 - Policy 4.2 Offices
 - Policy 4.9 Small shops
 - Policy 7.3 Designing out crime
 - Policy 7.4 Local character
 - Policy 7.5 Public realm
 - Policy 7.6 Architecture
15. Core Strategy 2011
 - Strategic Policy 12 - Design and Conservation
 - Strategic Policy 13 – High environmental standards:
16. Southwark Plan 2007 (July) - saved policies

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.

 - Saved Policy 1.4 Employment sites outside the preferred office locations and preferred industrial locations
 - Saved Policy 1.10 Small scale shops and services outside the town and local centres and protected shopping frontages
 - Saved Policy 3.2. Protection of Amenity
 - Saved Policy 3.11 Efficient Use of Land
 - Saved Policy 3.12. Quality of Design
 - Saved Policy 3.13. Urban Design
 - Saved Policy 3.14 Designing out crime
 - Saved Policy 3.15 Conservation of the historic environment
 - Saved Policy 3.16 Conservation Areas

Saved Policy 3.18 Setting of Listed Buildings, Conservation Area and World Heritage sites.

Saved Policy 5.3 Walking and cycling

Principle of development

17. In terms of the proposed changes of use within the square, the existing uses are within a mix of A1/A2 and D1 uses and these are listed below:
 - 34 Horselydown Lane - existing A2 (estate agent)
 - 36 Horselydown Lane - consented A2 use.
 - 1 Copper Row (Admirals Court) - D1 (dentist)
 - 1A Copper Row (Admirals Court) - A1 use (hairdresser's)
 - 2 Copper Row (Admirals Court) - vacant A2 use
 - 3 Copper Row (Admirals Court) - existing A1 (cafe - sandwich bar)
 - 4 Copper Row (Admirals Court) - existing A2 (estate agent)
 - 41 Shad Thames (Compass Court) - A2 use (estate agents)
 - 43 Shad Thames (Compass Court) - A1 use (retail use)
 - 45 Shad Thames (Compass Court) - A1 use (cafe - sandwich bar)
 - 47 Shad Thames - (Compass Court) - A1 use (cafe - sandwich bar)
 - 49 Shad Thames - (Compass Court) - A1 use (cafe - sandwich bar)
18. The proposal is to seek changes of use to the units at 1a, 2, 3, 4 Admiral's Court and 45, 47, 49 Compass Court to flexible A1/A2/A3 uses. It also seeks to amalgamate some of these uses into larger units (1a and 2Copper Row, 3 and 4 Copper Row and 47-49 Compass Court). The site is located within the Central Activities Zone, however it is not located within a town centre or Protected Shopping Frontage. As such saved policy 1.10 Small scale shops and services outside the town and local centres and protected shopping frontages is relevant here.
19. This policy states that "outside town centres, local centres and protected shopping frontages, development will only be permitted for a proposal for a change in use between A use classes or from A use classes to other uses, when the applicant can demonstrate that:
 - i The proposed use would not materially harm the amenities of surrounding occupiers; and
 - ii. The use that will be lost is not the only one of its kind within a 600m radius and its loss would not harm the vitality and viability of nearby shops or shopping parades; or
 - iii. The premises have been vacant for a period of at least 12 months with demonstrated sufficient effort to let, or have not made a profit over a two year period.
20. None of the proposed uses would move away from the existing A use classes which is supported overall as these A uses are established within this locality. There is a mixture of all types of A use classes within the surrounding streets along Shad Thames over to Tower Bridge Road and as such there are comparable uses to the existing uses within the surrounding streets.
21. Some concerns have been raised by residents that a proliferation of Cafe/restaurant (A1/Ad) uses within the square would result in detrimental impacts on the amenity of the surrounding occupiers, a matter that is discussed in detail below. As such this may not satisfy part (i) of the abovementioned policy. Whilst the issue of amenity impacts is explored later in the report, this is noted and agreed that a proliferation of late night uses could result in detrimental impacts on the amenities of residents.

22. With regard to all of the proposed works subject to this application, as noted above, they are all considered acceptable in principle in this instance, subject to the relevant assessments on design, conservation, amenity and transport impacts. There is no change of use proposed for the dentist's surgery at 1 Copper Row.

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

23. The surrounding area consists of a number of uses, including predominantly commercial uses at ground level (albeit a number of these are currently unoccupied) with a large number of residential uses on the upper floors. The erection of a new pavilion building and changes of use of surrounding units have the potential to affect the amenity of neighbours.
24. A large number of objections have been received in response to the application, with all of these objections citing noise impacts as one of the main issues of concern from local residents, specifically that the number of A3 uses possible intensification of use of the square would result in a significant increase in noise and anti-social behaviour. Objectors have also questioned the lack of a background noise survey. Many objectors also express concern about the proposed pavilion and its impact on the piazza.
25. In terms of the principle of introducing a pavilion building that would be located within the central area of the piazza, as noted within the planning history section above, there has been series of applications that have sought to develop the area within the centre of the existing buildings known as Tower Bridge Piazza.
26. The initial application in 1996 (ref: 96/AP/0687) was for a planning permission for a three storey detached building consisting of retail and offices on ground floor, 2 x 3 bedroom flats on first floor and 1 x 3 bedroom flat on second floor. As noted, planning permission was refused on design and amenity grounds.
27. However, in 2000, a new application (ref: 00/AP/1587) for a certificate of lawfulness proposed was submitted for the "Redevelopment to include residential, office and retail accommodation and basement car park. Certificate of lawful development application for the completion of scheme already implemented, to include new three storey building in square". The certificate was granted because the applicant submitted sufficient evidence to demonstrate that the development (which included a three storey building in the piazza) had been lawfully implemented.
28. It is the case that there is an extant permission in place for the erection of a three storey building that would be located within the centre of the piazza which was proposed to be located on the concrete plinth located within the square; a material consideration that carries significant weight.
29. The proposal here seeks to introduce a new building within the same location which would largely be of the same footprint to that which was approved as referred to above, but at a much reduced height for a flexible use of A1/A3/D1. It would clearly have a lesser impact than the three storey building that could be lawfully built.
30. Some concerns have been raised by residents that the proposal would result in a detrimental impact on daylight and outlook from their flats as a result of the introduction of the pavilion building. Given the single storey nature of the of the pavilion, the distances from the adjoining buildings, and the fact that there are no residential uses at ground floor, the proposal would not impact the neighbouring properties in terms of daylight or sunlight and as such would accord with the BRE guidance.

31. In terms of outlook, at present the outlook from the flats is into the open space within the square, whilst it is noted that this will change with the introduction of a pavilion building officers do not consider that the proposal would detrimentally impact on outlook to an extent to warrant refusal. As the residential units are at first floor level, the elevated view above the pavilion would continue to allow for outlook across the square and the introduction of a sedum roof would also introduce some visual interest and soften the outlook from the square and as such is considered acceptable in outlook terms.
32. The proposed pavilion building within the piazza is proposed to be a flexible use of A1/A3/D1 and concerns were raised that the use of this building for A3 purposes may be difficult to ventilate given its location centrally within the square. The applicants have advised that given the location of this building they consider that any proposed operator would be unable to provide primary cooking on site and propose 'domestic ventilation' only. As such, a condition is proposed to ensure that no primary cooking takes place within this unit, but also that details of any 'domestic' ventilation and plant machinery shall be submitted to the council prior to occupation of the building.
33. The applicants acoustic consultant has advised that no background noise study was prepared because there are a number of vacant units on the site and a background survey would not reflect the acoustic conditions under full occupancy (as presently consented) In this instance, the principal issue in relation to noise is that of people using the commercial premises. Such types of noise are difficult to model because they vary throughout the day and do not necessarily reflect the perceived impact on people and is different from noise that can be easily quantified, such as that from plant.
34. There are a number of measures that may be used to limit the potential impact of the A3 uses on local residents, including limiting the number of units that can be put to such use and limiting their hours of operation. Notwithstanding this, it is important to establish the 'fall back' position in terms of use of each of the units. Here, each of the units subject to the change of use could be used as A1 sandwich bar/cafe uses (no primary cooking) which would have the ability to have tables and chairs outside of each of the units.
35. The introduction of a new A3 uses may involve the introduction of primary cooking on site and also include the likelihood of an extension in hours of use of each of the units, potentially being open further into the evenings.
36. This application is for a flexible use to include A1/A2/A3, however should all of these units become A3 uses, it is clear that there would have the potential to cause significant harm to amenity. In terms of a proliferation of A3 uses, officers share concerns that the introduction of the 4 larger units proposed in A3 class uses could have a detrimental impact on amenity. As such, officers feel that it would be prudent to restrict the number of A3 uses through a condition to show that no more than 50% of the units proposed (two units) subject to this application shall be used as A3 uses.
37. Many of the objections also raise concern in relation to the hours of operation of the units going into late night uses in excess of the existing uses. While the site is a relatively quiet, because of its enclosure, it is within the central activity zone where national, regional and local policy encourages A class uses, including restaurants and cafes.
38. Nonetheless, the site is shielded from much environmental noise and its layout means that sound would be reflected within it. It is therefore recommended that the hours of use are for the uses, if granted, be more restrictive than for other areas of the CAZ. As

such, in this instance, it is considered appropriate to include a condition to limit the hours of operation to no later than 10pm on any night.

39. In terms of the ventilation proposed for the A3 uses to allow for primary cooking on site, for the uses within the main buildings surrounding the piazza, it is proposed to route the ventilation flues through the internal stair cores and up to the roof level in order to keep these away from any residential windows. A high level terminus, coupled with standard odour control measures would ensure that this element of the proposal would not harm local amenity.
40. A3 uses also have the potential to increase activity within the units which could lead to further noise leakage to the residential units above. As such, if any A3 uses are to come into the site it is considered prudent to require details of any insulation that would be provided to ensure that the residential units directly above any restaurants would not be adversely affected.
41. The proposed landscaping works, including the refurbishing of the fountain and subsequent planting, seating would result in the square being a friendlier and more useable space which would be an enhancement to the site, its users and residents with viewed into it. Indeed, the introduction of landscaping and planting would reduce sound reflections and work to limit the impact from noise.
42. The changes of use proposed would, with limitations, not give rise to significant impacts on local residential amenity. A single storey pavilion building within the piazza is smaller than the three storey building that could lawfully be built on the site would nonetheless be modest enough to ensure that there would no harmful impact from loss of sunlight, daylight or outlook.

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

43. Many of the surrounding uses are of a residential nature, however these residential uses would not restrict or prohibit commercial activity within the units subject to this application.

Transport issues

44. **Car Parking:**
The site is highly accessible with a PTAL rating of 6B and therefore a car free development is supported. In order to prevent possible overspill parking from the commercial development, the applicant should be informed that a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits.
45. **Cycle Parking:**
The proposal provides access to 9 visitor cycle spaces in relation to the commercial uses at ground floor. This is compliant with the London Plan which requires that cycle parking should be provided at 1 space per 40sqm of A1-A5 uses.
46. **Refuse and Recycling:**
No details have been provided in relation to the refuse storage, collection or servicing of each of the commercial units however this is something that officers would normally seek further details of via conditions. It is noted that there are some existing servicing with one of the units which is subject to this change of use and as such there is clear need for a robust service and refuse management plan, which would include the need for details of refuse storage, and a detailed strategy for servicing and deliveries.

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

47. Most of the objections received make reference to the design of the proposal and its impact on the heritage assets that would be affected: Tower Bridge Conservation Area and the Grade II listed Eagle Wharf. An objection has also been received from the 20th century society as they had concerns about the pavilion building as it would harm the spatial quality of the piazza which is significant for its openness. These issues are discussed below.
48. The National Planning Policy Framework notes that, in determining planning applications, local planning authorities should take account of:
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
49. 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.
50. Shad Thames conservation area
The site straddles two sub areas within the conservation area, Butlers Wharf, which is characterised by the main original warehouse buildings being one of the best remaining examples of a 19th century riverside warehouse environments in London, with the corner building of the application site helping to frame the entrance into Shad Thames.
51. The Gainsford and Queen Elizabeth Street sub area is predominantly characterised by new development and none of the older building referred to as points of focus are affected as a result of the proposed development. The appraisal also makes mention that the two rounded ends of Tower Bridge Piazza are a striking modern addition to the conservation area, which retain strong enclosure of the street space and provide a tantalising glimpse into the piazza itself and that the piazza is a successful civic space enlivened by the fountain.
52. The proposed footprint of the pavilion is relatively large, but it sit on top of the existing plinth in which the approved three storey building was originally approved and as such retains largely the same footprint as this previously approved building, albeit far less in height. The 'fall back' position of the three storey building is a material consideration of significant weight.
53. The quality of design of the pavilion would be crucial to the success of this proposal. It is considered to be an exciting opportunity to produce a vibrant piece of contemporary architecture. Whilst the visuals submitted suggest the potential for a high quality solution, there is insufficient detail to fully assess this. In order to control the quality of detailed design, it is recommended that conditions requiring material samples and detailed drawings be imposed.
54. The initial proposal involved alterations to the Eagle Wharf which is a building that is of heritage interest. Some concerns were raised in relation to the impacts of the proposed in filling of the arched areas here as no justification had been made for the

loss of the existing arches and grills. The applicants have decided to withdraw this element from the proposal.

55. Concerns have been raised in relation to the loss of the open space within the square resulting in a detrimental impact in its character and appearance. There is no designation of the square as public open space and indeed it is not adopted as highway land as it is within private ownership. Whilst it is noted that the proposal would introduce a building within the square where at present there is not one, officers feel that its introduction would result in a positive impact on the square and wider area as it will introduce a piece of high quality architecture that would enhance the feel and use of the area and thus feel that it would result in an overall benefit to the square.
56. Subject to the imposition of a condition requiring further details of materials and detailed drawings of the pavilion, it is thus considered that there would not be substantial harm to the host buildings or wider Tower Bridge conservation area and thus would satisfy the requirements within the NPPF and would accord with saved policies 3.12, 3.13 and 3.16 of the Southwark Plan.

Impact on trees

57. The proposal would provide a new landscaping strategy including the introduction of new magnolia and topiary bay trees within the square, as well as refurbishing the Anthony Donaldson statue and new seating within the square. These elements are considered acceptable as they would contribute positively to the overall square and wider environment.

Planning obligations (S.106 undertaking or agreement)

58. Not relevant to an application of this nature.

Sustainable development implications

59. None expected as a result of the proposal.

Other matters

60. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
61. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. Mayoral CIL for this proposal would be £8,200.67 while Southwark CIL would be £25,120.19.
62. The site is located within an archaeological priority zone, however the site of the proposed pavilion would sit above the basement car park, and as such no archaeological issues are raised.

Conclusion on planning issues

63. The proposed changes of use and erection of a pavilion building are considered acceptable as they would not result in a detrimental impact on the host building nor

the wider conservation area. The proposal would also not result in any significant amenity impacts or impact on access/highways to an extent that would warrant refusal. As such, it is recommended that permission is granted.

Community impact statement

64. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

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

b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

67. 62 individual responses have been received in relation to this application, however some appear to have been duplicates. The objections have been received from the residents within the surrounding residential blocks including Eagle Wharf, Admirals Court, Anchor Brewhouse, Cooperage Court, Compass Court and Saffron Wharf.

68. The application was re-consulted on as a result of amendments to the scheme being received and further information on a number of points also being provided. 10 further responses were received in relation to this re-consultation and the respondents still had concerns in relation to a number of points including:

Noise impacts from the development, including having up to 140 covers within the external seating areas.

No details in relation to refuse storage or servicing.

Loss of light from the introduction of the pavilion.

Impacts of smell from the commercial units.

The Council should not give countenance to a 30 year old permission.

Concerns of the lighting strategy

69. An objection has also been received from the 20th century society as they had concerns about the proposed pavilion building as it would still harm the spatial quality of the piazza which is significant for its openness. They also consider the way-marking portal to result in unnecessarily clutter the open piazza and to detract from the cohesion of the scheme in terms of both design and materials.

In response to this, as noted previously, the scheme was originally designed with a large building sitting centrally within the square. As noted in the main body of the

report, officers feel that at present, the square is underutilised and that it would benefit from the introduction of new here. These points are explored further within the main body of the report.

Human rights implications

70. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
71. This application has the legitimate aim of providing flexible commercial uses to the ground floor units with a new pavilion structure and associated landscaping works. 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/227-34 Application file: 16/AP/0615 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 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Alex Cameron, Team Leader	
Version	Final	
Dated	23 May 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		24 May 2016

APPENDIX 1

Consultation undertaken

Site notice date: 01/03/2016

Press notice date: 03/03/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 29/02/2016

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 9 Eagle Wharf 43 Lafone St se1 2LZ
Flat 9 Eagle Wharf Court 43 Lafone St SE1 2LZ
Flat 6 Cooperage Court SE1 2NG
51 Eagle Wharf Court Lafone Street SE1 2LZ
70 Cowcross Street London EC1M 6EJ
20 New End Square London NW3 1LN
Flat 43 Eagle Wharf Court London SE1 2LZ
5 Admirals Court London SE1 2LJ
Flat 38 Admirals Court SE1 2LJ
28 Anchor Brewhouse London SE1 2LY
10 Admirals Court Horselydown Lane SE1 2LJ
The Old Vicarage The Mount TN5 7QP
46 Eagle Wharf Court Lafone Street SE1 2LZ
46 Eagle Wharf Court Lafone Street SE1 2LZ
49 Eagle Wharf Court London SE12LZ
Flat 54 Eagle Wharf Court, Lafone Street London SE12LZ
30 Eagle Wharf Court Lafone Street SE1 2LZ
11 Compass Court 39 Shad Thames SE1 2NJ
Flat 20 Saffron Wharf 20 Shad Thames SE1 2YQ
183 Waldegrave Road Teddington TW11 8LU
Flat 12 Eagle Wharf Court 43 Lafone Street SE1 2LZ
Flat 9 Eagle Wharf 43 Lafone St se1 2LZ
Flat 42, Eagle Wharf Lafone Street SE1 2LZ
7 Compass Court 39 Shad Thames SE1 2NJ
Flat 7 Compass Court 39 Shad Thames SE1 2NJ
Flat 53 Eagle Wharf Lafone Street SE1 2LZ
606 Cinnamon Wharf 24 Shad Thames SE1 2YJ
Flat 36 Eagle Wharf Court Lafone Street London SE1 2LZ
Flat 23 30 Horselydown Lane Se1 2LJ
9 Eagle Wharf Lafone Street SE1 2LZ
Flat 23 Eagle Wharf Court se1 2lz
57 Eagle Wharf Court Lafone Street SE1 2LZ
Apt 58, Eagle Wharf 43 Lafone St SE1 2LZ

Flat 2 Admirals Court 30 Horselydown Lane SE1 2LJ
56 Eagle Wharf Court 43 Lafone Street SE1 2LZ
Flat 40 Admirals Court 20 Horselydown Lane
6 The Cooperage London se12ng
Flat 6 The Cooperage London se1 2ng
5 Compass Court 39 Shad Thames SE1 2NJ
Flat 17 Compass Court 39 Shad Thames SE1 2NJ
18 Compass Court Shad Thames SE1 2NJ
20 New End Square London NW3 1LN
Flat 1 Compass Court 39 Shad Thames SE1 2NJ
By Email
7 Compass Court 39 Shad Thames SE1 2NJ
By Email
Eagle Wharf Court Resident
By Email Flat 9 Eagle Wharf Court
23 Admiral Court 30 Horselydown Lane Se1 2LJ
Flat 36 Eagle Wharf Court
By Email Eagle Wharf Court
By Email
53 Eagle Wharf Court, Lafone Street SE1 2LZ
Flat 1 Admirals Court 30 Horselydown Lane SE1 2LJ
18 Eagle Wharf Court Lafone Street SE1 2LZ
18 Eagle Wharf Court Lafone Street SE1 2LZ
Flat 18 Eagle Wharf Court SE1 2LZ
7 Admirals Court 30 Horsleydown Lane SE1 2LJ
Flat 3 Eagle Wharf Court London SE1 2LZ
Flat 3 Eagle Wharf Court London Se1 2LZ
24 Eagle Wharf XYZ
Flat 2 Admirals Court SE1 2LJ
Flat 42 Eagle Wharf Court Lafone St XYZ
Liberal Democrat Councillors For Riverside Ward XYZ
By Email
22 Eagle Wharf Court London SE1 2LZ

Re-consultation: 03/05/2016

APPENDIX 2

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

None

Neighbours and local groups

Apt 58, Eagle Wharf 43 Lafone St SE1 2LZ
Apt 58, Eagle Wharf 43 Lafone St SE1 2LZ
Eagle Wharf Court Resident
Email representation
Email representation
Email representation
Email representation
Email representation
Email representation
Email representation
Email representation
Email representation
Flat 1 Admirals Court 30 Horselydown Lane SE1 2LJ
Flat 1 Compass Court 39 Shad Thames SE1 2NJ
Flat 18 Eagle Wharf Court SE1 2LZ
Flat 2 Admirals Court SE1 2LJ
Flat 2 Admirals Court SE1 2LJ
Flat 23 Eagle Wharf Court se1 2lz
Flat 23 Eagle Wharf Court se1 2lz
Flat 3 Eagle Wharf Court London SE1 2LZ
Flat 3 Eagle Wharf Court London Se1 2LZ
Flat 36 Eagle Wharf Court Lafone Street London SE1 2LZ
Flat 38 Admirals Court SE1 2LJ
Flat 42 Eagle Wharf Court Lafone St XYZ
Flat 43 Eagle Wharf Court London SE1 2LZ
Flat 43 Eagle Wharf Court London SE1 2LZ
Flat 54 Eagle Wharf Court, Lafone Street London SE12LZ
Flat 6 Cooperage Court SE1 2NG
Flat 9 Eagle Wharf Court 43 Lafone St SE1 2LZ
Flat 9 Eagle Wharf 43 Lafone St se1 2LZ
Flat 9 Eagle Wharf 43 Lafone St se1 2LZ
Liberal Democrat Councillors For Riverside Ward XYZ
10 Admirals Court Horselydown Lane SE1 2LJ
18 Compass Court Shad Thames SE1 2NJ
18 Eagle Wharf Court Lafone Street SE1 2LZ
18 Eagle Wharf Court Lafone Street SE1 2LZ
20 New End Square London NW3 1LN
22 Eagle Wharf Court London SE1 2LZ
23 Admiral Court 30 Horselydown Lane Se1 2LJ
24 Eagle Wharf XYZ
30 Eagle Wharf Court Lafone Street SE1 2LZ
30 Eagle Wharf Court Lafone Street SE1 2LZ
30 Eagle Wharf Court Lafone Street SE1 2LZ
49 Eagle Wharf Court London SE12LZ
53 Eagle Wharf Court, Lafone Street SE1 2LZ
56 Eagle Wharf Court 43 Lafone Street SE1 2LZ
56 Eagle Wharf Court 43 Lafone Street SE1 2LZ

7 Admirals Court 30 Horsleydown Lane SE1 2LJ
7 Compass Court 39 Shad Thames SE1 2NJ

Pre-application enquiry advice



Chief executive's department
Planning division
Development management (5th floor - hub 2)
PO Box 64529
LONDON SE1P 5LX

Mr Aaron Peate
Indigo Planning Ltd
xxxxx
xxxxx
London
XXXX XXX

Your Ref:
Our Ref: 15/EQ/0226
Contact: Alex Cameron
Telephone: 020 7525 5416
E-Mail: planning.applications@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 23/05/2016

Dear Mr Peate

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: TOWER BRIDGE PIAZZA, SHAD THAMES, LONDON SE1
Proposal: Alterations and refurbishment works to Tower Bridge Piazza and surrounding retail units at Compass Court.

I write further to your pre-application enquiry received on 13/08/2015 and meeting with council officers on 17/09/15 to discuss the proposal which involved Alterations and refurbishment works to Tower Bridge Piazza and surrounding retail units at Compass Court. This includes the erection of a new single storey pavilion building within the Piazza as well as a changes of use of commercial units and external alterations to these units.

Summary of Key Points

Alterations to the buildings are considered acceptable in principle however this is subject to further details in relation to materials proposed. In terms of the new pavilion style building, this is also likely to be a positive feature within the square and thus would be supported, subject to appropriate design and use of materials.

The alterations to the shop fronts along Shad Thames are also likely to be acceptable, however this is subject to access being retained into the units for wheelchair users whilst also ensuring that the alterations would not impact on the users of the highway along Shad Thames.

Some concerns are raised in relation to the loss of the existing Anthony Donaldson Statue. It's loss would result in a detrimental impact on the visual amenity of the wider square and this should be encouraged to be retained in its current position, with the possibility to relocate this in its entirety being a second option.

The proposed change of use is likely to be acceptable provided that you can meet the requirements outlined within Saved Policy 2.1. Enhancement of Community Facilities.

Additional detail is also required at application stage, including Archaeology (Depending on the level of works required), and potentially flood risk as well as further details of the materials proposed to be used.

Description of site

The site relates to Tower Bridge Piazza and the surrounding buildings within the court yard. The Piazza is accessed from Shad Thames and from Gainsford Street, within the London Bridge area. The surrounding buildings are a mixture of large office and residential buildings with commercial uses on the ground floors.

The building is not listed however it is situated within the Tower Bridge conservation area. The site is located within an Air Quality Management Area, Flood Risk Zone 3 and Archeological Priority Zone.

Description of the proposal

The proposed works involve alterations and refurbishment works to Tower Bridge Piazza and surrounding retail units at Compass Court. The proposed works will consist of;

- Painting works to facades and balconies;
- New landscaping;
- A new pavilion restaurant within the Piazza;
- New way finding portal;
- Within the Piazza and along Shad Thames, the infilling and addition of projecting windows along ground floor frontage;
- Change of use of 1 Copper Row from D1 to A1/A2/Ad;
- Ground floor alterations to Eagle Wharf with bringing forward the inset glazed office windows in line with the brick facade.

Relevant Policies

The relevant policies are made up of the London Plan 2015, Southwark Core Strategy 2011 and Southwark Unitary Development Plan 2007 saved policies, along with Supplementary Planning Documents including the Residential Design Standards (SPD) and Tower Bridge Conservation Area Appraisal. The National Planning Policy Framework is also a material consideration.

Key issues

The key considerations for the redevelopment of this site are:

- Principle of development
- Amenity Impacts
- Conservation Issues
- Design Considerations
- Highways and Transport impacts
- Archaeology
- Air Quality

Principle

Generally there are no in principle objections to the proposed external alterations to the existing buildings provided that there would be no access, amenity impacts and the design would not result in a detrimental impact on the design of the building or surrounding conservation area. The proposed pavilion building is also supported in principle based on the lawfulness of a three storey building within this location. A single storey building of this nature is considered more appropriate within this location.

In terms of the proposed landscaping of the square and wider area, generally these proposed changes are supported with new planting and features such as the proposed way finder considered acceptable. However, concerns are raised regarding the principle of the loss of public art water feature, and its removal should be reconsidered.

In terms of the loss of the D1 dentists use, Saved Policy 2.1 Enhancement of community facilities outlines that "Planning permission for a change of use from D class community facilities will not be granted unless:

- i. The applicant demonstrates to the satisfaction of the LPA that the community facility is surplus to requirements of the local community and that the replacement development meets an identified need; or
- ii. The applicant demonstrates that another locally accessible facility with similar or enhanced provision can meet the identified needs of the local community facility users".

As such, you will need to demonstrate compliance with this policy by providing further details in this regard. Subject to this justification, the development is considered acceptable in principle.

Amenity Concerns

The proposal involves the introduction of a new pavilion style restaurant/bar as well as changes of use to new A1/Ad uses within the existing buildings. Subject to restrictions of the hours of operation and appropriate placing of any plant machinery and extraction equipment it is unlikely that these uses would result in any

significant amenity impacts on the surrounding residents within the area. Further details would be required in relation to extraction and ventilation equipment.

In terms of the impacts of the new pavilion on daylight and sunlight, the ground floor uses of the adjacent buildings are generally within commercial use and as such are unlikely to be impacted on. The residential uses above would also appear to retain sufficient levels of daylight in line with the BRE guidelines and as such no concerns are raised in this regards. Further, there is a lawful development certificate for a three storey building in this location would result in much greater amenity impacts.

The remaining building alterations and landscaping proposals would not result in any significant impacts on the amenities of the surrounding properties or users of the area and as such would accord with Saved Policy 3.2 of the Southwark Plan.

Design and Conservation Considerations

The NPPF stresses the importance of good design and states in paragraph 56 that: "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Policy SP12 of the Core Strategy states that "Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in."

Saved Policy 3.12 asserts that developments "should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit." When we review the quality of a design we consider the appropriateness of the fabric, geometry and function as well as the overall concept for the design relative to the site.

Saved Policy 3.13 asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.

Saved Policy 3.16 state that within conservation areas, development should preserve or enhance the character or appearance of the area.

A number of new structures and alterations are proposed to the buildings and officers response to these will be dealt with in turn. In principle it is noted that there is no objection in principle to the new structures and external alteration works to the buildings in design terms, subject to compliance with access requirements and use of appropriate materials.

Painting works to facades and balconies

Class C of Part 2 of Schedule 2 of the GPDO (2015) provides permitted development rights to all buildings for the application of colour, except where it is used in connection with advertisements. As such, no comments are made on the colour scheme and various other minor alterations that are likely considered di-minimus.

New landscaping

The main concerns raised relate to treatment of existing sculptures on the site and at present officers are not satisfied with suggestions that the fountain is inappropriate and that water is not right within this location and as such officers would be against removing the fountain from the development.

Officers note that it could be moved to the other, northern most courtyard, opposite the existing torso sculpture, where its more intimate form could be better displayed, and it could be beneficial to have both pieces of art adjacent to each other. The fountain should then either be left drained or it be overhauled to deal with any leaks and have water put back, with certainly no planting provided, since this is very much in conflict with the original design concept of "contemporary" nymphs, complete with "modern" technology staring at their reflection in a pond, that very much express the time and place of the original development.

It is noted that documents still show the torso sculpture with its decorative plinth altered for cycle parking, which was objected to in the previous scheme and reference to it should be removed from any future application.

The remaining landscaping proposals result in a positive impact on the overall area and create a more inviting and useable square that would be more likely to retain visitors within the area.

A new pavilion restaurant within the Piazza

The proposed single storey pavilion is considered an appropriate structure for the Piazza and is considered a far more sympathetic addition to the square than the previously approved and lawful three storey building. The lightweight, contemporary nature of the pavilion is considered an appropriate response in bulk terms and appears as an effective use of the currently under utilised area. Further details of the materials should be submitted with the application.

New way finding portal

This contemporary addition to the square helps draw the visitors eyes towards it and thus is an effective way finder for the new office buildings entrance and thus would be interesting, yet functional addition to the square that is supported in design terms. Details of the materials proposed should be submitted as part of the application.

Within the Piazza and along Shad Thames, the infilling and addition of projecting vitrine windows along ground floor frontage

Concerns were raised regarding infilling the colonnades in terms of the accessibility of these units, however this is unlikely an issue if the street is mainly pedestrianised and visual amenity will be improved, provided that the proposal does not restrict access and does not extend over the highway footpath.

Change of use of 1 Copper Row from D1 to A1/A2/Ad

No design impacts, however this will help create a more attractive and active frontage which is supported.

Ground floor alterations to Eagle Wharf with bringing forward the inset glazed office windows in line with the brick facade.

The proposal essentially brings forward the elevation to remove the undercroft covered area which is considered acceptable in principle. The proposal would result in windows with dark grey steel with new Portland stone steps. This proposed material pallet is considered acceptable as it will respond positively to the provide an improved elevation that will result in a positive impact on the conservation area along Lafone Street.

Overall, this is a very positive scheme that should help contribute towards place making here, to encourage people to visit and dwell in this area of Shad Thames.

Transport impacts

General comments:

No concerns would be raised from the moving forward of the shop fronts and as such would not object to the proposal as it does not encroach on the highway. The applicant will have to ensure disabled access is provided within the curtilage of the site and that no ramp or other apparatus will be supported on the highway. Any signage would need to be licensed by the council's Public Realm team.

Car Parking:

The site is highly accessible with a PTAL rating of 6B and therefore a car free development is supported. In order to prevent possible overspill parking from the development, the applicant should be informed that a planning condition will be imposed preventing any occupiers of this development being eligible for on-street parking permits.

Vehicular Access:

No vehicular access is proposed and thus no concerns raised.

Cycle Parking:

No cycle storage appears to be shown on the plans. In accordance with Table 15.4 of the Southwark Plan there is a requirement to provide visitor cycle parking at 1 space per 10 units. Table 15.3 in the Southwark Plan, states that for A and B1 developments the secure parking standard for cycles is 1 space per 250m² (minimum of 2 spaces). The London Plan further reiterates that cycle parking should be provided at 1 space per 40sqm of A2-A5 uses.

Policy 5.3 of the Southwark Plans requires cycle parking to be secure, convenient and weather proof. We recommend Sheffield stands as the preferred cycle storage method in all cases and request that the applicant makes every attempt to provide these in the design of the development.

Refuse and Recycling:

Provision will need to be provided within any retail/restaurant use, details should be provided at application stage

Sustainability

Any proposed development should demonstrate how carbon dioxide emissions will be minimised in accordance with the Be Lean, Be Clean, Be Green hierarchy set out in London Plan and Southwark planning policies. The commercial space will need to be BREEAM compliant and thus any commercial unit would need to meet the excellent requirement as outlined within the Core Strategy 2011.

Community Infrastructure Levy

The development would potentially be subject to a financial contribution under the Community Infrastructure Levy, for both Mayoral and Southwark CIL. Mayoral CIL is indexed linked from the £35 per square metre set in April 2013. Southwark CIL came into effect on 01 April 2015 and is set at £125 for retail units.

A section 106 agreement may also be required to secure, where necessary, archaeology, carbon offset, employment and enterprise obligations, outdoor amenity space and public realm measures. Further details of how and where these will be used are set out in the Councils section 106 Planning Obligations/Community Infrastructure Levy SPD.

List of documents required at application stage

The following link will take you to the councils web page where you can view the list of documents that should accompany the application:

https://www.southwark.gov.uk/downloads/download/2021/full_planning_permission.

Conclusion

The proposed new build, changes of use and external alterations to the buildings are likely to be considered acceptable as they would not result in a detrimental impact on the host buildings within the Piazza, nor the wider conservation area. The proposals would also be unlikely to result in any significant amenity impacts or impact on access/highways to an extent that would warrant refusal and as such in general would be supported. However, further consideration should first be given to the loss of the Fountain and associated statue as its loss would likely result in harm to the amenity of the users of the site and residents within the area.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken. Should you require any further information in relation to the above please do not hesitate to contact us.

Yours sincerely

Alex Cameron