

Item No. 7.1	Classification: OPEN	Date: 19 July 2016	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/4980 for: Full Planning Permission Address: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR Proposal: Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.		
Ward(s) or groups affected:	Chaucer		
From:	Director of Planning		
Application Start Date	22/02/2016	Application Expiry Date	23/05/2016
Earliest Decision Date	16/03/2016	Target Decision Date	31/08/2016

RECOMMENDATIONS

1. That the planning sub-committee grant planning permission subject to conditions and the applicant entering into an appropriate legal agreement by no later than 31 August 2016.
2. That in the event that the requirements of paragraph 1 above are not met by 31 August 2016, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 69 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site is located on the east side of Borough High Street just south of the junction with Newcomen Street (a narrow one-way street (east-west) with a traffic-controlled junction). The existing building comprises four small commercial units on the ground-floor with a further separate self-contained photographic studio on the first floor.
4. The site lies immediately to the south side of No.151 Borough High Street, an early 19th Century building which is Grade II Listed. This is a four-storey, end-of-terrace corner property, with a newsagent (A1 use) on the ground floor, office (B1 use) on the first floor, and a one-bedroomed residential unit on each of the upper two floors.
5. 161-165 Borough High Street is a part 4, part 6-storey building in mixed use comprising a restaurant (Belushis), a budget hotel / hostel (St. Christopher's Village) and office space.

6. Planning policy designations (Proposals Map)

- Central Activities Zone (CAZ)
- Bankside and Borough District Town Centre
- Bankside, Borough and London Bridge Opportunity Area
- Archaeological Priority Zone
- Air Quality Management Area
- Borough High Street Conservation Area
- Protected Shopping Frontage 4

Other designations which relate to the site are:

- Public Transport Accessibility Level (PTAL): 6a (Excellent)
- Flood Zone 3
- Borough High Street is a classified A road (A3)
- The south western corner of the site lies within the background assessment area of View 1A.2 of the London View Management Framework (LVMF).

Details of proposal

7. The demolition of the existing two-storey building on the site and its replacement with a seven-storey, 50-bed boutique hotel (Use Class C1). The hotel would incorporate retail and/or restaurant uses on the basement and ground-floors, i.e., these parts of the hotel would be fully accessible to the general public (as well as serving hotel guests).
8. The footprint of the hotel would occupy the full site area and this footprint would extend up to the fifth storey. Above this, the 6th and 7th storeys are reduced in scale and massing and are set back from the principal 5 storey frontage onto Borough High Street by 2.24m. The building would be approximately 23.9m high to the roof top. This, however, does not include the rooftop plant enclosure and lift shaft over-run (which are shown in indicative outline only on the proposed plans). The external facing materials would be a dark grey brick with glazed brick used in places to create a regular window-like pattern in the elevation. At street level metal-clad shopfront frames are proposed.

Relevant Planning history

9. 15/EQ/0175
Pre-Application Enquiry (ENQ): Demolition of existing building and erection of new 10-storey building comprising hotel and commercial floorspace.
Enquiry closed: 15/10/2015
10. **Planning history of neighbouring sites**

66 Newcomen Street

95/AP/0119

Full Planning Application: Construction of a mansard roof on top of premises to create an additional storey of office accommodation.

GRANTED: 31/03/1995

67/68 Newcomen Street

08/AP/0199

Full Planning Application: Change of use of ground and basement from retail to an Estate Agency (Class A2)

GRANTED WITH A GRAMPIAN CONDITION: 02/04/2008

04/AP/0755

Full Planning Application: Change of use of the basement and ground floor from industrial to form 2 retail units.

GRANTED: 09/08/2004

161-165 Borough High and 71 Newcomen Street

13/AP/2007

Full Planning Application: Change of use of offices on upper floors of 161 Borough High Street to hotel (Use Class C1), erection of 3-storey rear extension above existing ground floor extension and rebuild existing top floor mansard, all to provide additional hotel space. Extension above rear wing of No. 163 to provide additional hotel space and rebuild and extend existing 5th floor mansard. Extension to office wing at rear of 163 Borough High Street/Mermaid Court by removing existing 2nd floor mansards and creating new 2nd and 3rd floor to provide additional office space (Use Class B1); change of use of basement from hotel and office to hotel use only. Erection of 4th floor mansard above 165 Borough High Street and erection of 2nd floor infill behind the Borough High Street frontage to create additional hotel space. Erection of additional storey at 71 Newcomen Street to create a self-contained flat and change of use of first floor from office to self-contained flat (Use Class C3).

GRANTED WITH A LEGAL AGREEMENT: 19/09/2013

13/AP/0619

Full Planning Application: The change of use and extension of existing redundant office space to extend an existing mix-use drinking establishment and hotel at 161 to 165 Borough High Street, and change of use and extension of existing office space to form 3 residential dwellings at 71 Newcomen Street. This application for a screening opinion is UNDER CONSIDERATION.

09/AP/0107

Full Planning Application: Erection of a fourth floor mansard roof extension to the front of the building with front facing dormers (above No. 163) and a part fifth floor mansard roof extension to the front of the building with additional front rooflight (above No. 161) to provide additional accommodation for existing hostel.

GRANTED: March 2009.

08/AP/2714

Full Planning Application: Erection of additional floor (including raising the roof and surrounding walls) to the front of the building to create a fourth floor with a mansard roof above (in part) to provide additional space for existing hostel. Planning permission was REFUSED in December 2008 for the following reason:

1. The extension to the building is unacceptable as the proposed fourth floor undermines the proportions of the rest of the building by failing to subordinate to the floors below and extending the facade above the corniced level. The extension of the fifth floor part way along the roof of 163 Borough High Street is also inappropriate as it would detract from the rhythm of the street frontage and the building's identity as a separate element in the townscape. As a result both elements of the proposal would be harmful to the appearance of the host buildings and be detrimental to the character and appearance of the Borough High Street Conservation Area. As such the proposal is contrary to Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (UDP) 2007.

08/AP/1190

Full Planning Application: Forward extension of A4 use (bar) into part of the rear of the existing reception area in unit 163; alteration of floor levels internally to rear section of building, to form a third floor and resultant increase in height of rear addition; raise existing roof and surrounding wall to accommodate new level inside premises, providing additional two rooms of accommodation for the hostel; removal of one roof light and installation of four new roof lights to rear. Planning permission was GRANTED in July 2008.

151 Borough High Street

15/AP/5024

Full Planning Application: Change of use from an A1 Shop Unit to A5 Class Use (hot food takeaway) together with installation of an extraction flue to the side elevation.

REFUSED: 11/02/2016

Reasons for refusal:

1. The proposed duct would cause substantial harm to the Borough High Street Conservation Area by virtue of its incongruent appearance on an external facade in the conservation area and the fact that it is proposed on a listed building which is an important feature of the conservation area. The proposed development would thus be contrary to part 12, Conserving and enhancing the historic environment of the National Planning Policy Framework 2012, Policy 7.8 Heritage Assets and Archaeology of the London Plan 2015, Strategic Policy 12 Design & Conservation of the Core Strategy 2011 and saved policies 3.15 Conservation of historic environment; 3.16 Conservation areas and 3.18 Setting of listed buildings, conservation areas and world heritage sites of the Southwark Plan 2007.
2. The proposed change of use would lead to a loss of an A1 use within the Protected Shopping Frontage (SF4) that would be harmful to the vitality and viability of this part of the protected shopping frontage, contrary to section 2 Ensuring the vitality of town centres of the National Planning Policy Framework 2012, Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services of the London Plan; Policy 1.9 'Change of use within protected shopping frontages' of the Southwark Plan 2007 and the Draft Bankside, Borough and London Bridge SPD 2010.

15/AP/5025

Listed Building Consent: Change of use from an A1 Shop Unit to A5 Class Use (hot food takeaway) together with installation of an extraction flue to the side elevation.

REFUSED: 11/02/2016

Reason for refusal:

1. The proposed duct would be an incongruent feature on the listed building and cause substantial harm to its appearance and fabric, contrary to section 12, Conserving and enhancing the historic environment of the National Planning Policy Framework 2012, Policy 7.8 Heritage Assets and Archaeology of the London Plan 2015, Strategic Policy 12, Design & Conservation of the Core Strategy 2011 and saved policies 3.15 Conservation of historic environment and 3.17 Listed buildings of Southwark Plan 2007.

11/AP/0122

Listed Building Consent: Installation of new shopfront.

REFUSED: 16/03/2011

APPEAL DISMISSED: 31/08/2011

Reasons for refusal:

1. Due to the unacceptable loss of historic fabric and detailed design, the proposal would fail to address the nature of the significance of the heritage assets, and as such, would be contrary to saved policy 3.17 Listed Buildings, of the Southwark Plan 2007, and Strategic Policy 12 Design and Conservation of the draft Core Strategy 2011;
2. The poor design quality of the replacement shopfront, including the retention of the solid roller shutter and the proposed large single-paned windows to both frontages, as well as the new entrance door, is incongruous to the period and detailed design of the existing listed building and the appearance of the (local) conservation area context. The proposal fails to preserve or enhance the listed building's features of special architectural or historical interest, and the character or appearance of the conservation area. This in turn, would be contrary to saved policy 3.17 Listed Buildings, of the Southwark Plan 2007, and Strategic Policy 12 Design and Conservation of the draft Core Strategy 2011.

11/AP/0120

Full Planning Application: Installation of new shopfront.

REFUSED: 16/03/2011

APPEAL DISMISSED: 31/08/2011

Reasons for refusal:

1. Due to the unacceptable loss of historic fabric and detailed design, the proposal would fail to address the nature of the significance of the heritage assets, and as such, would be contrary to saved policy 3.17 Listed Buildings, of the Southwark Plan 2007, and Strategic Policy 12 Design and Conservation of the draft Core Strategy 2011;
2. The poor design quality of the replacement shopfront, including the retention of the solid roller shutter and the proposed large single-paned windows to both frontages, as well as the new entrance door, is incongruous to the period and detailed design of the existing listed building and the appearance of the (local) conservation area context. The proposal fails to preserve or enhance the listed building's features of special architectural or historical interest, and the character or appearance of the conservation area. This in turn, would be contrary to saved policy 3.17 Listed Buildings, of the Southwark Plan 2007, and Strategic Policy 12 Design and Conservation of the draft Core Strategy 2011.

08/AP/2366

Listed Building Consent: Removal and addition of partitions in order to facilitate conversion of the first, second and third floors from office (B1) use on the first floor, and vacant former residential unit on the second and third floors, to form 3 self contained residential units (3 x 1 bedroom flats). Addition of rear extension to second and third floors with external alterations.

REFUSED: 03/12/2008

APPEAL DISMISSED: 26/06/2009

Reason for refusal:

1. The proposed alterations involve the loss of important fabric to the listed building, namely, removal of partitions on all floors, in particular the first floor, as well as the replacement of windows on all levels. As such these alterations would harm the special character of the listed building, contrary to Policy 3.17 Listed Buildings of the Southwark Plan 2007, and PPG15 Planning and the Historic Environment.

08/AP/1188

Full Planning Permission: Conversion of the first, second and third floors from office (B1) use on the first floor, and vacant former residential unit on the second and third floors, to form 3 self contained residential units (3 x 1 bedroom flats). Addition of rear extension to second and third floors with external alterations.

REFUSED: 03/12/2008

APPEAL DISMISSED: 26/06/2009

Reasons for refusal:

1. The proposed net loss of office floorspace (within B1 use class) would be contrary to policy 1.3 Preferred Office Locations, of the Southwark Plan 2007, as the scheme does not meet any of the exception tests within that policy. As such the conversion of the first floor office use to residential uses is unacceptable in principle and will result in the loss of employment floorspace in a Preferred Office Location;
2. In the absence of any Noise or Air Quality Assessments it has not been possible to assess the amenity of the future residents of the site, in view of the fact that the site lies within an Air Quality Management Area and on a busy road which is likely to be within a sensitive noise exposure category area. It is therefore not possible to confirm that the units have been designed to have adequate natural ventilation and no measures to address this have been proposed. The proposal is therefore contrary to PPG24 Planning and Noise, and Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. The main issues to be considered in respect of this application are:
 - a) The principle of development
 - b) The impact of the development on the amenity of neighbouring properties
 - c) The design of the development and its impact on the character and appearance of the local area (including Borough High Street Conservation Area) and the setting of neighbouring Listed Buildings.
 - d) The impact of the development on archaeology
 - e) Transport impacts
 - f) Flood risk
 - g) Planning obligations
 - h) All other relevant material planning considerations

Planning policy

12. National Planning Policy Framework (Published 27 March 2012)

Section 1: Building a strong, competitive economy
Section 2: Ensuring the vitality of town centres
Section 4: Promoting sustainable transport
Section 7: Requiring good design
Section 12: Conserving and enhancing the historic environment

13. The London Plan (2015) (consolidated with alterations since 2011)

Policy 2.10 - Central Activities Zone – Strategic priorities
Policy 2.11 - Central Activities Zone – Strategic functions
Policy 2.15 - Town centres
Policy 4.1 - Developing London's economy
Policy 4.5 - London's visitor infrastructure
Policy 5.12 - Flood risk management
Policy 5.13 - Sustainable drainage
Policy 5.17 - Waste capacity
Policy 6.3 - Assessing effects of development on transport capacity
Policy 6.9 - Cycling
Policy 6.10 - Walking
Policy 6.13 - Parking
Policy 7.2 - An inclusive environment
Policy 7.3 - Designing out crime
Policy 7.4 - Local character
Policy 7.6 - Architecture
Policy 7.8 - Heritage assets and archaeology

Mayor of London Supplementary Planning Guidance

Central Activities Zone (2016)
Town Centres (2014)
Character and context (2014)
Sustainable Design and Construction (2014)
Accessible London: Achieving an Inclusive Environment (2014)
Land for Industry and Transport (2012)

14. Southwark Core Strategy (2011)

Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 3 - Shopping, leisure and entertainment
Strategic Policy 10 - Jobs and businesses
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

15. The Council's cabinet on 19th March 2013, as required by para. 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Southwark Unitary Development Plan (2007) - Saved Policies

Policy 1.1 - Access to employment opportunities
Policy 1.4 - Employment sites outside the preferred industrial locations
Policy 1.7 - Development within town and local centres
Policy 1.9 - Change of use within protected shopping frontages
Policy 1.12 - Hotels and Visitor Accommodation
Policy 3.1 - Environmental effects

Policy 3.2 - Protection of amenity
Policy 3.3 - Sustainability Assessment
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 3.18 - 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

Supplementary Planning Documents:

Sustainable Transport (2010)

Supplementary Planning Document: Borough High Street Conservation Area
Character Appraisal (2006)

Sustainable Construction and Design (2009)

Section 106 Planning Obligations and CIL (2015)

The principle of development

16. The proposal requires assessment against saved policies 1.4 (Employment sites outside of the Preferred Industrial Locations), 1.7 (Development within town and local centres) and 1.12 (Hotels and visitor accommodation) of the Southwark Plan (2007), strategic policy 10 (Jobs and businesses) of the Core Strategy (2011).

Loss of employment floorspace

17. Policy 1.4 seeks to protect, within reason, employment-generating uses (specifically B1 Class uses) from being lost. Policy 1.7 seeks to preserve and enhance the quality and quantity of retail and other service provision within accessible town and local centres for their surrounding catchment areas in order so as to safeguard their vitality and viability and discourage car use. Policy 1.12 allows for the provision of hotels and other forms of visitor accommodation in areas with good access to public transport and where the proposal is appropriate to the context and location. However, it also states that such uses will not be permitted where they would result in the loss of residential accommodation or result in an over-dominance of visitor accommodation in the locality.

Town centre compatibility

18. In terms of saved policy 1.4, while the proposed hotel would result in the loss of the existing first-floor office floorspace within the existing two-storey building, by providing a taller, larger building and therefore delivering a more intensive use of the site the new hotel would more than offset this loss by generating more local jobs on the site than are currently provided for. With reference to the Employment Densities Guide 2nd Edition 2010, the application estimates that the scheme will create approximately 60 new jobs (although it is acknowledged that a proportion of these are likely to be part-time). While the exact number of existing jobs employees is unknown, the applicant estimates that the existing businesses on the site generate approximately 10 jobs.
19. The proposal is also considered to comply with saved policy 1.7 as the site is located in Bankside and Borough District Town Centre and a hotel is, in principle, a town centre-compatible use. Its scale and nature, which are expanded on below in the

section on design, would generally be appropriate to the character and function of the District Town Centre and through its publicly-accessible A1/A3 uses at street and basement level it would provide services generating walk-in custom in tandem with providing an attractive frontage onto Borough High Street. It would therefore not harm the vitality and viability of the centre nor erode the visual continuity of the protected shopping frontage in which it would sit. The other relevant parts of this policy such as amenity and transport impacts are also considered in more detail under the relevant sections below.

The principle of a hotel in this location

20. The acceptability in principle of a hotel in this location would be assessed against policy 4.5 (London's visitor infrastructure) of the London Plan (2015), policy 10 (Jobs and Businesses) of the Core Strategy (2011) and saved policy 1.12 (Hotels and visitor accommodation) of the Southwark Plan (2007).
21. London Plan policy 4.5 outlines the ambitions of the Plan to achieve 40,000 net additional hotel bedrooms by 2036, of which at least 10 per cent should be wheelchair-accessible. It also states that within the CAZ, strategically important hotel provision should be focussed on its opportunity areas. The proposal would tick both boxes in this respect as the site lies within both the CAZ and an opportunity area.
22. The Core Strategy recognises that as arts, cultural and tourism activities have flourished in Southwark in the last decade, particularly in the Strategic Cultural Areas, there has been an expansion of hotel development in recent years particularly within the Bankside and Borough areas. It states that while this growth helps to meet a need it is important that growth needs are balanced against the need to foster stable residential communities. SP10 of the Core Strategy therefore states that the Council will allow the development of hotels within the town centres, the strategic cultural areas, and places with good access to public transport services, providing that these do not harm the local character.
23. Saved policy 1.12 states that hotels and other visitor accommodation will be encouraged in areas with high public transport accessibility but that they will be resisted where they would result in a loss of existing residential accommodation, or an over dominance of visitor accommodation in the locality.
24. As well as London Plan policy 4.5, it is considered that the provision of a hotel in this location would also comply with SP10 of the Core Strategy (2011) and saved policy 1.12 of the Southwark Plan (2007) in that: Borough High Street is a busy town centre location (which is also an element of its local character); the development would not result in the loss of existing residential accommodation; the site benefits from an excellent level of public transport accessibility; and publicly-accessible retail and/or café/restaurant uses would be provided at basement and street level. Although it is acknowledged that the area already benefits from a certain concentration of hotel uses within walking distance of the site, at the same time it must be recognised that this development would not come forward for planning permission if there was not considered to be a demand for it, i.e., that it would be a commercially-viable development. Although the presence of the budget hotel / hostel next door at No. 161-165 (St. Christopher's Village) is appreciated as is the fact that planning permission has recently been granted for a hotel at 127-143 Borough High Street (ref. 13/AP/1714), Officers are of the view that there would still not be a conspicuous immediate concentration of hotel development (e.g., a significant sequence of hotels set side by side) along this part of the high street. In general, this part of Borough High Street would still continue to exhibit a rich mix of different uses of which residential would still continue to form a significant element, particularly with significant new residential-led mixed-use developments continuing to come forward such as the current redevelopment of Brandon House on the corner of Borough High Street and

Marshalsea Road.

25. It is acknowledged, as objectors have pointed out, that the scheme would involve the loss of the existing small commercial units, four at street level, two of which are retail uses that provide active frontages, are businesses providing a service involving visits to the premises by members of the public and contribute to the mix of services available on the high street. However, the proposal would comply with saved policy 1.7 and in such circumstances there is no policy which can prevent the loss of the existing commercial units on the site.
26. In summary, the principle of the development is considered to be acceptable.

Environmental impact assessment

27. The proposal lies outside the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and as such there is no requirement for an EIA.

The impact of the development on the amenity of neighbouring properties

28. Saved policy 3.2 'Protection of Amenity' seeks to ensure that new development does not compromise the amenities enjoyed by existing neighbours, for example, by protecting adequate daylight and sunlight, privacy, immediate outlook and a reasonable degree of peace and quiet.

Daylight and sunlight impacts

29. The applicant has commissioned and submitted a technical daylight and sunlight report to accompany the application. This has been prepared by Watt Group Ltd. With reference to the established industry guide from the Building Research Establishment (BRE) titled 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (Littlefair, P. 2nd Ed. 2011).
30. The report identifies possible impacts arising from the development on the following neighbouring properties:

North of site

66 Newcomen Street
67 Newcomen Street
68 Newcomen Street
71 Newcomen Street
6 Newcomen Street
151 Borough High Street

East of site

70 Newcomen Street (off Axe and Bottle Court)
Betsham House (Ground storey and four upper storeys)
7-8 Newcomen Street (Ground storey and two upper storeys)

South of site

161-165 Borough High Street (St Christopher's Inn backpackers hostel)

West of site

92 Borough High Street
94 Borough High Street
100 Borough High Street
106-114 Borough High Street
116-118 Borough High Street

2-4 Union Street
6 Union Street

31. The report explains that from information obtained by visiting the various adjoining property, from the internet generally and from publicly available Valuation Office Agency records only the following properties include residential accommodation (C3).
- 92 Borough High Street (Eight flats over Foxtons estate agents)
 - 116-118 Borough High Street (Fourteen apartments on the upper levels)
 - 151 Borough High Street (Maisonette at second and third floor levels)
 - Betsham House (Five storey block of flats)
32. Taking each in turn the following assessments have been made;

92 Borough High Street

92 Borough High Street is located to the on the west side of Borough High Street, but is some distance to the north on the corner of Union Street and Borough High Street. It does not have any windows facing directly to the development site. The corner location of 92 Borough High Street enables daylight and sunlight to reach the south-facing elevation down Borough High Street itself. It is therefore not anticipated that there would be any adverse daylight and sunlight impact (as defined in the BRE guide) on the residential accommodation within this neighbouring building as a consequence of the proposed development.

116-118 Borough High Street

116-118 Borough High Street is a seven storey property. Like 92 Borough High Street, it is not located directly opposite the application site. It sits on the west side of Borough High Street, but to the south of the application site. It faces 161-165 Borough High Street and has large windows that will admit large amounts of daylight into the internal space. It is therefore not anticipated that there would be adverse daylight and sunlight impact (as defined in the BRE guide) on the residential accommodation within this neighbouring building as a consequence of the proposed development.

151 Borough High Street

This property is a small listed building abutting the north boundary of the application site. It has a commercial use at ground and first floor level with residential uses at second the third floor level. There are no windows that face and overlook the application site. There is a glazed door and a glazed window at second and third floor level respectively, but these face east and overlook 71 Newcomen Street. Drawing on information obtained from the Local Authority's planning portal, relating to a 2009 application, suggests that these two apertures serve a kitchen at second floor level and a bathroom at third floor level. I do not consider that the proposed development will affect the amenity of the windows and rooms at second and third floor levels because of their orientation in relation to the proposed development and their height above surrounding property to the east.

Betsham House

This is a five storey block of flats lying some distance to the east along Newcomen Street. The application site cannot be overlooked directly by windows serving Betsham House. I do not consider that the proposed development will affect the amenity of any windows and rooms in Betsham House as the site is too distant and consequently cannot be viewed from any windows other than those at high level which, I expect to enjoy very good daylight and sunlight values even after completion of the proposed development.

71 Newcomen Street

Consent for the upward extension of 71 Newcomen Street to form one additional

residential storey has been granted, but the permission has not been implemented yet. If implemented there would be three windows in the rear elevation of 71 Newcomen Street overlooking the development, two at second floor level and one at first floor level. The two windows at second floor level do not serve habitable rooms but would serve a corridor and a bathroom. The BRE Report indicates that daylight and sunlight amenity for these kinds of internal spaces need not be considered as they are not habitable, occupied space. The third window is at first floor level and would serve a kitchen. The location of this window, which overlooks Axe and Bottle Court, is such that I do not believe the development would affect the daylight and sunlight amenity of the space behind this window. The window would still enjoy good access to daylight and sunlight down Axe and Bottle Court.

33. Officers consider that the report is sufficiently thorough in identifying all possible neighbouring residential accommodation that one could expect to be affected in some way and the assessment of the likely daylight and sunlight impacts on these properties is rationally and credibly explained and the conclusions that none would be subjected to an adverse significant impact is accepted as being credible.
34. No other significant adverse impacts on surrounding properties or the surrounding public realm is identified, for example, no unduly significant loss of privacy to neighbouring properties would occur nor is there anticipated to be any unduly significant adverse micro-climatic effects on any surrounding public spaces (includes public footways) such as overshadowing, the creation of uncomfortable wind vortexes and/or consequent uncomfortable wind-chill effects.

The design of the development and its impact on the character and appearance of the local area (including Borough High Street Conservation Area)

35. The site is within the Borough High Street Conservation Area and directly adjacent to the Grade II listed 151 Borough High Street and is currently occupied by a two storey building. It was once divided into four plots, but now operates as a single building. It is identified in the adopted conservation area character appraisal as a positive contributor to the character and appearance of the conservation area.
36. The National Planning Policy Framework (2012) sets out the Government's national policies on different aspects of spatial planning and how these are expected to be applied. Sections 7 and 12 of the NPPF concerns planning relating to design and the conservation of the historic environment. Of particular relevance to this application, is paragraph 137 which states that "Local planning authorities should look for opportunities for new development within conservation areas and world heritage sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably."
37. Given the heritage assets surrounding this site, the following saved policies 3.15 (Conservation of the Historic Environment); 3.16 (Conservation Areas) and 3.18 (Setting of listed buildings, conservation areas and world heritage sites) are also of particular relevance.
38. The proposed redevelopment of this site would require the demolition of the existing building, which is identified as a positive contributor to the Borough High Street Conservation Area. It is also worth noting that the buildings directly south and east of the application site are also identified as buildings that positively contribute to the character and appearance of the conservation area.
39. The existing building on the site dates from 1916-1925. The reference to the building in the conservation area appraisal is as follows:

“151-177 Borough High Street: average 4 storey street frontage, similar to 39-103, but with fewer listed buildings and more modern redevelopments and office buildings. It again provides strong definition of street space.”

40. This indicates that the primary reason for identifying this building as a positive contributor to the conservation area is its group value with the rest of the buildings in the terrace, particularly in terms of street enclosure and the age and materiality of the building. The building has been substantially altered over time. Whilst the front elevation retains some attractive detailing at the upper floor, the predominantly modern shop fronts and signage detract from its appearance.
41. It is only two storeys in height, which is somewhat incongruous in the wider street scene, and currently occupied by four commercial units at ground floor and a further business use at first floor level, accessed via the street frontage.
42. Saved policy 3.16 (Conservation Areas) of the Southwark Plan (2007) states that:

“Within conservation areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the conservation area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the conservation area, unless... it can be demonstrated that:

 - i. Costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected; and
 - ii. Real efforts have been made to continue the current use or find a viable alternative use for the building; and
 - iii. There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition; and
 - iv. The replacement development will preserve or enhance the character or appearance of the conservation area and has been granted planning permission.”
43. The heritage statement submitted in support of the application takes each of these requirements in turn and satisfactorily addresses them. It is considered that, at two storeys in height, the current building on the site does not represent efficient use of land. At the very least, in order to comply with saved policy 3.11 (Efficient use of land) of the Southwark Plan (2007) the building would need to be extended upwards. There are inherent problems with this, not only in terms of the compromises to the quality of the existing building as the resultant proportions would likely be uncomfortable, but also in terms of the costs involved. Options relating to this have been explored by the design team behind the current application, which demonstrate that, in this instance, the quality of the existing building is not of sufficient value to necessitate such an approach. As identified by the application team, grant funding from conservation and preservation would be unlikely to be secured given the lack of special interest demonstrated by this building. As such, it is concluded that the public benefits of demolishing the building and replacing it would, in this instance, outweigh the harm caused by its loss. In design terms, the primary advantages of redeveloping this site include the more efficient use of land, filling an existing gap in the street scene, the generation of activity and animation at street level and the removal of the poor quality shop fronts and signage that currently detract from the character and appearance of the conservation area. In terms of the tests established by the NPPF (paragraph 134), it is considered that the proposal to demolish the existing building would result in less than substantial harm to the heritage asset of the conservation area. Paragraph 134 of the NPPF states that harm of this nature should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building. It is considered that in this instance, this would be the case.

44. In terms of new development in conservation areas, saved policy 3.16 states that permission will be granted provided that the proposals:
- i. Respect the context of the conservation area, having regard to the content of conservation area appraisals and other adopted supplementary planning guidance / documents; and
 - ii. Use high quality materials that complement and enhance the conservation area; and
 - iii. Do not involve the loss of existing traditional features of interest which make a positive contribution to the character or appearance of the conservation area; and
 - iv. Do not introduce design details or features that are out of character with the area, such as the use of windows and doors made of aluminium, uPVC or other non-traditional materials.”
45. The new building proposed for the site would provide a new hotel with a restaurant or café at ground floor. It would be seven storeys high, articulated as a main block of five relating to the height of the adjacent No.161 Borough High Street, and a set back two storeys on top. The top two storeys would be set back from the adjacent listed building at No.151 Borough High Street and back from the main frontage, mitigating for the extra height and ensuring that it does not result in harm to the setting of the designated heritage assets (the listed building at No.151 and the conservation area) or wider street scene. The massing of the building would also be lessened by virtue of the fact that it would occupy an infill site with only one public frontage onto Borough High Street. The height and mass of the adjoining listed building at No.151 which sits on the corner of Borough High Street and Newcomen Street therefore acts to some regard as a foil partially screening much of the mass that would otherwise be visible.
46. In response to the public consultation concerns have been raised that the proposed building is too tall and that as a result views towards Guys hospital and The Shard will be lost, and that this part of Borough High Street will become claustrophobic. However, against this a relevant material consideration is the fact that planning permission for an additional storey at No.161 has been granted and as such the difference in height on this side would be just one set-back storey.
47. While the building would be seven storeys high officers consider that it would still sit within the range of building heights in the conservation area (approximately 4-7 storeys) albeit that it would be at maximum threshold. This height would therefore reflect the variation in building heights that is identified as characteristic of the area in the conservation area character appraisal.
48. The fenestration and vertical character of the proposed front elevation is intended to respond to the traditional tall, narrow burgage plots that once defined the area. The fenestration pattern is regular, with a clear hierarchy of window heights going up the building. Revised plans were submitted in response to officer’s concerns that the fenestration in the front elevation failed to adequately reflect the prevailing solid to void ratio along Borough High Street, i.e., that there were too few vertical window bays leading to uncharacteristic large expanses of solid wall in between. The revised plans have incorporated a further vertical bay of windows in the elevation which officers consider is a significant improvement which better respects the character of the conservation area. They have also improved the relationship of the ground-floor shopfront openings with the fenestration on the upper floors as ground-floor windows and other openings would now align vertically with the windows above thus delivering a more ordered, unified appearance to the façade as a whole. In doing so the extent of shopfront glazing would also be increased and the revised openings would also better evoke the proportions and rhythm of the four existing shopfronts that would be lost.

49. A single brick floor level band is proposed to tie in with the parapet line of the adjacent listed building at No.151 and the high level balcony line of No.161. This also serves to break up the elevation and emphasises the relationship with the traditional proportions of its neighbours. This fenestration pattern has also been clearly influenced by the neighbouring buildings and wider street scene, particularly in terms of the placement and proportions of the windows. In order to secure the quality of the design of the fenestration a condition is recommended to require detailed drawings to be submitted for approval
50. The design of the ground floor shopfront is, divided to reflect the remnants of medieval burgage plots that defined the area. Each of the shop front windows within this arrangement consists of a single pane of glass. This would be contrary to our shop front design guidance that discourages such an approach, particularly in historic locations such as this. Instead, a contemporary approach that utilised the traditional features of historic shop fronts, including stall risers and glazing bars to achieve an appropriate scale and proportion is encouraged. The shop front frames would be metal. Given the contemporary nature of the overall design, this is considered appropriate. It is recommended that a further revision to the proposed shopfronts in line with the council's shopfront design guidance is secured by a condition.
51. The architecture of the proposal is undoubtedly bold and contemporary. The success of such an approach is that it would clearly be perceived as a new addition to the conservation area. In terms of building fabric, the building would be predominantly finished in brick. In principle, this is considered an appropriate material for the conservation area. The brick proposed would be grey in colour, intended to provide a striking yet respectful contrast against the adjacent plots. In the submitted visualisations however, it remains very dark in appearance. Samples should be required by condition to ensure that the finish is appropriate for the conservation area and not too dark. The use of a glazed brick is also proposed, which is considered to respond well to the 19th century use of glazed bricks on rear facades and shop fronts and introduces welcome visual interest and texture to the front elevation. In order to realise a concept inspired by the 'ghost' of the painted signage on the flank of 161 Borough High Street, glass bricks are also proposed to allow a finery tracery to the front elevation. Whilst the concept is something of a leap, the glass bricks would certainly lift the quality of the front elevation adding additional visual interest and texture. The 'ghost' sign has also inspired an idea for a façade art installation on the north elevation of the new hotel. This could be a successful and striking feature of the new building, subject to detailed design, which should be secured by condition.
52. It is also noted that the south western corner of the site appears to be within the background assessment area of View 1A.2 from the London View Management Framework (LVMF), but the height of the proposed building is below that expected to be assessed.
53. It is therefore concluded that the proposal would have a positive, enhancing impact on the setting of these designated heritage assets. There would be no harm to any heritage assets.

The impact of the development on archaeology

54. The site is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone and within the historic core of Borough High Street in a key area of the Roman, Medieval and post-Medieval town. Excavations in adjacent properties in Mermaid Court have revealed significant Roman archaeology and post-medieval remains.
55. Specifically the proposal site is on, or immediately adjacent to the site of the medieval and early post-medieval Marshalsea Prison. Post-medieval maps appear to show the

Marshalsea occupying a plot back from the street frontage, however it is not known whether the medieval prison fronted onto the high street. There is therefore a potential for remains of the prison to be present on site. Medieval and early post-medieval prisons are rare survivals and the remains of any elements of the prison would be worthy of preservation in situ.

56. The development proposes the incorporation of a basement of a significant depth and extending over the entire site area. During pre-application discussions the applicant was advised that an archaeological trench-based evaluation would need to be undertaken with a summary report submitted with the application in order to determine the likely presence and significance of any archaeological remains present on site. However, the site is already almost entirely covered by the footprint of the existing building on the site and the existing retail and other businesses accommodated within it are still actively trading a situation which while it remains precludes a trench-based evaluation from being carried out. That being the case, Officers have agreed that planning permission should not necessarily be with-held but that permission should only be granted on the proviso of the submission of an acceptable risk-based Written Scheme of Investigation (which is now included in a revised archaeological desk-based assessment) as well as the imposition of necessary planning conditions.
57. The Written Scheme of Investigation details that a full trench-based evaluation of the site will be undertaken as soon as the applicant gains full vacant possession of the site (the demolition of the existing building is not a pre-requisite for the undertaking of the evaluation and, in any event, would be subject to the standard pre-commencement condition concerning the demolition of an unlisted building in a conservation area). It also acknowledges or accepts that should the evaluation reveal the presence of significant archaeological remains, the basement will need to either be reduced in scale / site coverage or indeed potentially omitted altogether from the scheme. With these assurances clearly set out in the submitted Written Scheme of Investigation and subject to further necessary planning conditions Officers are satisfied that the potential impact of the development on archaeology would satisfactorily mitigated and hence compliance with saved policy 3.19 (Archaeology) of the Southwark Plan (2007), policy 12 (Design and conservation) of the Core Strategy (2011) and policy 7.8 (Heritage assets and archaeology) of the London Plan (2015) would be achieved.

Transport impacts

58. The site benefits from a Public Transport Accessibility Level of 6a (Excellent), is located in a controlled parking zone and the proposed development is presented as a 'car-free' scheme.

Delivery and servicing

59. The proposed development is of a larger scale than the existing building in terms of floorspace and therefore represents a more intensive use of the site. However, notwithstanding that a hotel will have different requirements to a shop or offices the five businesses operating from the existing building already generate a level of delivery and servicing demand and therefore it is a question of assessing the impact of the delivery and servicing needs of the new hotel insofar as they exceed the site's existing needs.
60. The proposed delivery and servicing arrangements have been reviewed by the Environmental Protection Team, the Highways Team (Local Highway Authority), the Transport Planning Team and Transport for London and are considered to be generally satisfactory.
61. Transport for London have confirmed that although some of the existing on-street

un/loading bay space in Borough High Street is proposed to be converted to form a new taxi bay rank, they are satisfied that sufficient un/loading bays would remain to serve the new hotel and the existing businesses in the immediate vicinity.

Parking (drop-off/pick-up requirements)

62. Transport for London and the applicant have agreed the location and size of a proposed new taxi bay rank directly outside the site in the southern carriageway of Borough High Street. TfL have requested that a financial contribution of £3500 be secured within the s106 agreement to cover the cost of implementing this.
63. The parking standards in the London Plan indicate that a hotel of this size should be provided with one coach parking space. However, given the constraints of the site, its excellent public transport accessibility level, the new taxi bay facility that would be provided and the fact that the hotel would only have 50 bedrooms (and therefore has only just triggered the coach parking space requirement) and appears to be aimed at the upper end of the hotel market, would suggest (a) that there are sufficient alternative travel and parking options available to ensure that it could operate successfully without this and (b) that in any event it is unlikely to regularly attract large groups travelling into London by coach. There are also significant parking restrictions in Borough High Street given that it is a TfL 'red route' which could deal with any injudicious parking of coaches that might occasionally arise. In any event, Transport for London has not objected to the lack of a coach parking space.
64. The refuse storage and cycle parking provision for the development would both be in line with the standards in the Development Plan and in accordance with the relevant supplementary planning guidance.

Flood risk

65. The site lies within Flood Zone 3 which is defined as having a 'high probability' of river and sea flooding by the 'flood risk and coastal change' section of the national Planning Practice Guidance (PPG) (Table 1: flood zones of the flood zone and flood risk tables). We further note that the site is within an area benefiting from the River Thames tidal flood defences. The Environment Agency initially objected to the Flood Risk Assessment that was submitted with the application on the basis that it contained inadequate information. The applicant has since provided the required further information within a revised Flood Risk Assessment addressed and after considering this the Environment Agency has issued further correspondence to say that they no longer object to the proposed development.

Planning obligations (S.106 undertaking or agreement)

66. The following planning obligations which are required to make the scheme acceptable are set out below:

1. Archaeology	£4519 (Standard tariff of 3389 + 1/3 given exceptional site circumstances and sensitivity, and as SPD allows for.)
2. Carbon offset – Green fund	£12870
3. Transport measures: site specific	£3500 (TFL)
Total of contributions	£20889
2% Admin charge to cover council's	£417.8

costs in preparing the agreement	
TOTAL	£21306.8

67. For clarification no contribution has been sought in relation to, 'Employment and enterprise: Loss of employment floorspace' as the proposal is considered to comply with saved policy 1.4 having regard to extent of publicly-accessible replacement A Class floorspace within the new hotel and the significant increase in local employment opportunities that the proposal would deliver.
68. The applicant has agreed to these Heads of Terms which will be secured within a s.106 agreement.
69. However, in the event that the legal agreement has not been signed by 31 August 2016, it is recommended that the Director of Planning be authorised to refuse planning permission, if appropriate, for the following reason:

In the absence of a signed s106 legal agreement there is no mechanism in place to secure mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to saved policy 2.5 planning obligations of the Southwark Plan 2007, strategic policy 14 Delivery and Implementation of the Core Strategy (2011) policy 8.2 planning obligations of the London Plan (2015) and the Southwark section 106 planning obligations and Community Infrastructure Levy SPD (2015).

Sustainable development implications

70. The application has been accompanied by an Energy Statement as is required for a development of this nature and scale. The proposal requires assessment against policy 5.2 (Minimising carbon dioxide emissions) of the London Plan (2015). The energy statement explains that the required 40% improvement over the 2010 Building Regulations can not be fully achieved through on site measures. In accordance with the S.106 Planning Obligations and CIL SPD a financial contribution toward meeting this target through other off-site projects in the borough is required. This has been calculated in accordance with the methodology outlined in the SPD and is set out in the preceding section above. Subject to this being secured through a s.106 agreement the proposal would comply with its sustainability obligations.

Other matters – Mayoral and Southwark Community Infrastructure Levies (CIL)

71. S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

Conclusion on planning issues

72. The development would be in a very sustainable location considered suitable for a hotel and would involve the redevelopment of a brownfield site. It would deliver a more intensive use of the site making more efficient use of the land than at present and delivering a significant increase in local employment opportunities. Its height, scale, massing and design/external appearance are considered to adequately preserve the character and appearance of the conservation area and the setting of the adjoining listed building at No. 151. It would retain A Class high street uses at street level

thereby maintaining the vitality and viability of the protected shopping frontage and the character of the wider district town centre. No unduly significant amenity impacts would result. The impact on archaeology would also be satisfactorily mitigated.

73. Regard has also been had toward the independent market research evidence that the applicant has submitted which supports the view that a less tall building resulting in a hotel with a capacity less than 50 rooms would be unlikely to attract the interest of hotel companies and therefore would not be a commercially-viable project.
74. Weighing up all of the above considerations and having regard to relevant planning policy and guidance, statutory and non-statutory consultee responses and all of the material planning considerations raised in the public representations received on the application, the application is recommended for grant, subject to the completion of a legal agreement.

Community impact statement

75. 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. The impact on local people is set out above. There are no issues relevant to particular communities/groups likely to be affected by the proposal, and, There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

77. A summary of the consultation responses received are set out in Appendix 2.

Consultation responses:

78. Southwark Transport Planning Team:
The proposed development is unlikely to impact on public transport capacity, given the excellent PTAL. Public transport modes will be extensively used in association with the development this applies to both staff and visitors.

A service management plan should be conditioned, with a focus on out-of-hours deliveries to reduce the current impact on Borough High Street from existing service vehicles.

More detail is required on the future location of cycle parking will be provided. Submitted plans will need to show the required level of spaces can be accommodated within the locations shown.

79. Local Highway Authority (Southwark):
The retaining walls of the basement are along the highway boundary and as such detailed design and method statements (AIP) for foundations and basement structures retaining the highway (temporary and permanent) in accordance with BD 2/12 'Technical Approval of Highway Structures' should be submitted to and approved by the Highway Authority. This needs to be secured through a planning condition.

Borough High Street falls under the jurisdiction of Transport for London (TfL). The applicant should contact TfL as they might have to enter into a s278 agreement in order to carry out any footway works.

It appears that doors to the refuse bin store open outwards onto the footway. It is a requirement under s153 of the Highways Act 1980 that doors should not open outwards over the highway. It is advised that these doors are design to open inwards or slide horizontally.

Parking and servicing: The proposed development is car free and as such no vehicle parking facilities have been provided. It is proposed to use the existing loading bay located at the front of the site on Borough High Street to service the site. This is considered acceptable.

Drainage: The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980. Detailed drawings should be submitted as part of the s278/38 application confirming this requirement.

80. Southwark Flood and Drainage Team:

In general, the document is of a good standard, but we do have the following comments:

- A new basement is proposed as part of the development. Southwark expect suitable consideration to be given in the Flood Risk Assessment to the possible effects on groundwater levels and flow. The effects of the basement on surface water flooding should also be considered. As a starting point, we would recommend that the groundwater levels are quantified in the Flood Risk Assessment for comparison against the proposed basement levels.
- An emergency plan should be outlined within the document to ensure safe egress in a flooding event, in particular a basement evacuation plan and response. Consideration should also be given during design on ensuring that no flood flows enter the basement.
- As toilets are to be provided in the basement, Southwark would recommend that non-return valves are included to prevent any flooding of the basement from the combined sewer.

We would recommend that a planning condition is included along the lines of:

'Development should be undertaken in accordance with the recommendations of the Flood Risk Assessment (developed by AKT II Ltd, dated 27 November 2015), in particular with regards to the provision of Sustainable Drainage Systems and proposed surface water runoff rates.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 (Water) of the Southwark Plan (2007), Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).'

81. Environment Agency:

No objection (based on the revised Flood Risk Assessment submitted to the LPA on 22.02.2016)

82. Historic England:

We do not consider that it is necessary for this application to be notified to Historic

England.

83. Thames Water:
No objection

84. Transport for London:

The proposed taxi rank facility is now agreeable to TfL and TfL requests that £3500 is secured as part of a S106 agreement for the creation of the facility. As you are aware, TfL would complete the works upon funding being secured and following the completion of works at your site. Given this is at concept design stage only, when TfL complete the detailed design, the design may be altered.

With respect to other matters, cycle parking must be provided in accord with London Plan (2015) standards, in addition to a Delivery and Service Plan (DSP) and Construction and Logistics Plan (CLP including Construction Management). Given the works are on the Transport for London Road Network, TfL would seek that it is consulted prior to any discharge of conditions relating to the DSP and CLP.

In summary TfL is now satisfied that with the completion of the aforementioned taxi facility, and the inclusion of the planning conditions referenced above, that the development will not adversely impact upon the TfL Road Network.

85. London Underground:

No objection in principle but state that there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure and to avoid any adverse impact on such LU infrastructure it is requested that any grant of planning permission be subject to the following planning condition;

'The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- accommodate the location of the existing London Underground structures and tunnels
- accommodate ground movement arising from the construction thereof, and,
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.'

We also ask that the following informative is added:

'The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods.'

86. Design and conservation team:

On the whole, the proposed scheme has the potential to deliver a striking and high quality piece of architecture in the Conservation Area. The justification given for the

demolition of the existing building is considered satisfactory and therefore the demolition is accepted. It is considered that the relationship with the listed building at No. 151 Borough High Street would be enhanced by a more substantial set back at the upper two levels and the shop front design would benefit from greater articulation in a manner inspired by the features of traditional shop fronts elsewhere on the street. Apart from these concerns though, Officers would be supportive of a positive recommendation in this case, subject to the following conditions:

The Team would be supportive of a positive recommendation in this case, subject to the following conditions:

1) Samples of all external facing materials to be used in the carrying out of this permission, including 1sqm panels of the brickwork, showing mortar and pointing, shall be presented on site to the Local Planning Authority and approved in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. The samples should demonstrate that the tone of the brick will be appropriate for the specific context of this site.

2) Section detail-drawings at a scale of 1:5 through:

- the facades;
- parapets and roof edges; and
- heads, cills and jambs of all openings, and

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. In addition, and notwithstanding the drawings hereby approved, 1:20 sections and elevations of the shop front design, showing greater articulation in accordance with the council's shop front guidance shall also be submitted and approved.

3) Detailed drawings, visualisations, material specifications and sample and a supporting statement showing the proposed façade art installation on the north elevation to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

87. Environmental protection team:

General comments:

The current DSP advises that 'all deliveries to the site would take place between 10am and 4pm for a maximum of 20 minutes'. This is considered acceptable by way of no early morning/late night deliveries planned causing noise disturbance.

No details have been submitted regarding contaminated land despite the demolition of the existing buildings and proposed basement construction. A Phase 1 report is required, and subsequent Phase 2 intrusive investigations if risks are identified in the Phase 1 report.

Given the relatively large scale works planned for a constrained site with the only access in off Borough High Street, EPT inevitably have concerns about how the planned demolition and construction works will be planned to mitigate as much as possible noise, dust and vibration disturbance. The Construction Environmental Management Plan (CEMP) document appears to be only a one page diagram. A proper CEMP is required should be secured by a condition or contained within the terms of a s106 agreement.

Approval recommended subject to planning conditions concerning:

- Plant Noise
- Internal noise levels
- Vertical sound transmission between commercial floorspace and hotel bedrooms
- Restriction on the use of the roof terrace to 22:00 on all days.
- Restriction on public opening hours for basement/ground floor A1/A3 uses in line with Southwark's Licensing Policy guidance for A3 premises (restaurants and cafes) in the Borough and Bankside area (Closed by 00:00hrs Sunday to Thursdays and by 01:00hrs on Fridays and Saturdays).
- External Lighting – compliance with ILP Guidance for the Reduction of Obtrusive Light (January 2012) (advised if any external and/or building uplighting is intended)
- Delivery and Servicing Management Plan – Submission of a further detailed DSP tailored to the requirements of the end occupier (when known) to confirm the 'likely operational requirements' of the current DSP.
- Contaminated Land – Phase 1 report
- Construction Environmental Management Plan

88. Archaeology officer:

The archaeological desk-based assessment submitted with the application demonstrates that there is a significant likelihood of archaeology on this site. At a meeting on site the applicant demonstrated that, in the absence of having a right to access the properties, all of which are currently occupied or in the hands of other parties, the trench-based evaluation of the site requested by the Archaeology Officer, could not be carried out prior to submitting an application.

If the Council is minded to approve this proposal, a full-some trench-based evaluation of the archaeology will be required in each of the three individual properties before the design of the foundations and the basement can be completed. This will need to consider the likelihood that the basement is likely to be significantly curtailed or even omitted if the presence of archaeology does not allow the construction of a basement.

Accordingly the following conditions are recommended:

Archaeological Evaluation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of trench-based archaeological evaluation works in each of the three affected properties in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals are presented in accordance with policy 3.19 of the Southwark Plan 2007.

Archaeological Mitigation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works across the entire site in accordance with a written scheme of investigation and public access programme, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with policy 3.19 of the Southwark Plan 2007.

Archaeological Reporting

Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with policy 3.19 of the Southwark Plan (July 2007).

Archaeological Foundation Design

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with policy 3.19 of the Southwark Plan (July 2007).

89. Southwark Conservation Areas Advisory Group (CAAG)

The panel was concerned about this significant application. They felt it paid no regard to the verticality or scale of Borough High Street and that the accompanying archaeological report was highly speculative. Given the discoveries on sites close by, members thought that Roman and other important archaeology is very likely to exist on this site too, so a proper archaeological investigation is needed. The loss of the historic painted advertising sign on the flank wall (incorrectly described by the applicant as regards material and date) was regretted but felt to be inevitable. The present buildings have some character, merit and interest but their replacement with a modern building of a height matching the adjoining buildings to the south was thought reasonable.

Borough High Street has suffered a lot in recent years but shows some encouraging signs of regeneration now. There is an opportunity here for a good scheme on this site that could set the tone for future developments. However, it was considered that this application for a 7 storey building was inappropriate and represented over-development of the site.

The panel thought a maximum of 5 storeys to be needed and that it should acknowledge the verticality and scale of the street that stems from its history of the old burgages. The proposed mosaic mural on the excessively high north elevation dwarfing the adjacent listed no.151 was no substitute for the old painted sign that will be lost. Members suggested a roof garden or green roof would be appropriate on top of the new building. They felt that the present scheme was aggressive in its context and used an inappropriate palette of materials. Brick was thought to be the right material, but not the glazed black brick proposed. The general use in the street of red brick, London stocks and light painted render was noted. Members commented that the application included vague, unspecific information about materials (e.g., the type of metal) and that more detailed information is needed to appraise the scheme properly. High quality materials and detailing was needed for this scheme and conditions should seek to ensure this.

90. Responses to the public consultation:

51 responses were received. The relevant material planning considerations raised are summarised as follows:

Concentration/intensification of hotel (C1 use class)

- No need for further hotels in the area given the Premier Inn which is being built further up the road and as the local area is already well served by a wide range of hotels from budget to boutique to luxury with many recent additions.
- The character of the area is being undermined by soul-less hotels, suitable for developers and transient tourists
- The increased footfall as a result of the introduction of a hotel would present a clear danger to public safety.
- Is there any proof that another hotel is needed?
- A Hotel Demand Study has not been submitted.

Daylight/Sunlight and other loss of amenity

- The development will result in significant reduction of our office's available light.
- The creation of a hotel will increase noise in our office to an unacceptable level.

Loss of use class A1 uses and demolition of buildings of good architectural character

- Small local shops need to be protected.
- The listed shopfronts and the historic signage on the adjacent building need to be preserved.
- Rather than demolishing these buildings, updating the shopfront signage (similar to those done at St. George's Circus) would be enhancing and preserving the character of the area.
- The high street is also one of the last famous London thoroughfares still largely occupied by independent businesses. Five of them will go
- There are enough buildings vacant at this stage to allow conversion into hotel (see objective of converting Hop Exchange).
- My business partner and I strongly object to the project as we own G F Barnes Opticians at 153 Borough High Street and the development will put us out of business. It is difficult to find affordable premises that are located close enough to our existing address and moving away would be like starting again. This means that we will be forced to close and those of the local population, who are our patients, will lose a friendly, competent and totally independent Opticians practice that they have relied upon for decades. Please consider the loss in the same way as you would consider losing a Doctors surgery, it will ruin our business and force our loyal patients to travel out of the area to find another independent Opticians practice, who will take the same personal care and treat them as individuals
- There is no doubt that these shops could do with some attention but demolishing them is not the answer.
- It will be a huge loss to the community if the shops based at 153-159 go out of business
- To lose more artistic space (with reference to the existing first-floor photographic studio), in an area that is losing other studios as the value of land and property continues to rise, is a real shame.
- Too many charming historical buildings in Southwark are being demolished.
- There are plenty of ugly buildings in Southwark that could be demolished rather than this.
- In the last 18 months, SE1 and north Southwark have lost a number of artists'

- studios, which have been crucial in generating the unique character of the area
- This is a building of architectural importance. Its current use is for independent businesses and therefore crucial for the social and commercial diversity of the neighbourhood.
- The photography studio could not be replaced at the new site meaning the loss of another creative business to this area that is renowned for its creative history.
- The architecture tends to be really boring and commercial and doesn't add any value to the area.
- There is clearly no part of a planning application that requires the applicant to demonstrate how the project will add 'soul' to a neighbourhood. I want my children to live in a community that isn't perpetually shape-shifting to accommodate financially motivated change.
- The existing building makes a positive contribution to the historic character of the area.

Poor design

- The proposed scheme has no architectural merit
- This is a beautiful historic building that enhances the area and should not be demolished.
- Proposed building is taller than those about it.
- The existing building is unusual and adds to the character of the area.
- The proposed building will have none of the character of the current construction, not least as it will inevitably result in the destruction of the ghost writing on the side of Belushi's
- Views towards Guys and The Shard will be lost, and this part of the street will become claustrophobic, and much less interesting
- There are already enough buildings of little character on the street and this new one will be out of proportion to the two characterful period buildings that would sit either side.
- The building is too tall, taller than the average height of the surrounding buildings.
- The building is not in keeping with its surroundings.
- A brick facade, rather than a dark, black one should be considered instead
- It will obscure the historic painted advertisement on the north wall of the adjacent building (which should clearly have been given listed protection)

Other impacts

- Delivery to a hotel, rubbish collection and laundry would be very difficult at this site on a double red route
- It will not benefit local residents.
- Further building-works will take another few years, causing additional noise, dust, pollution and discomfort for all of the people living in the vicinity.

Human rights implications

91. 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.
92. This application has the legitimate aim of seeking planning permission for a new hotel development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1140-153 Application file: 15/AP/4980 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 4877 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Ciaran Regan, Senior Planner	
Version	Final	
Dated	19 July 2016	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance 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		9 July 2016

APPENDIX 1

Consultation undertaken

Site notice date: 08/01/2016

Press notice date: 14/01/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 08/01/2016

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
Historic England
London Underground Limited
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

161-165 Borough High Street London SE1 1HR	Room 35 Third Floor Alpha House SE1 1LB
Fifth Floor Alpha House SE1 1LB	Room 24 Second Floor Alpha House SE1 1LB
Rooms 10 To 13 First Floor Alpha House SE1 1LB	Room 23 Second Floor Alpha House SE1 1LB
Room 46 Fourth Floor Alpha House SE1 1LB	47 Burnham Estate Burnham Street e2 0jf
153 Borough High Street London SE1 1HR	Regent House 156-7 Lower High Street DY8 1TS
71 Newcomen Street London SE1 1YT	Flat 8 Hatters Court 99 Redcross Way SE1 1EB
First Floor 161 Borough High Street SE1 1HR	22 Trinity Church Square London SE1 4HY
Room 14b First Floor Alpha House SE1 1LB	2 Doyce Street London SE1 0EU
Room 14a First Floor Alpha House SE1 1LB	No 1 Bedale St Borough Market se19al
Second Floor 161 Borough High Street SE1 1HR	17 Tabard Street London SE1 4LA
Fifth Floor 161 Borough High Street SE1 1HR	Zona Court 48 Grange Walk SE1 3FP
Fourth Floor 161 Borough High Street SE1 1HR	Flat 1, 28 Clennam Street London SE1 1ER
Third Floor 161 Borough High Street SE1 1HR	Flat 2 26 Marshalsea Road SE1 1HF
Fourth Floor 106-114 Borough High Street SE1 1LB	57a Lant Street London SE1 1QN
Third Floor 106-114 Borough High Street SE1 1LB	Webber Row - Email Only London SE1
Second Floor 106-114 Borough High Street SE1 1LB	Flat 3 92 Borough High Street London SE1 1LL
Basement And Part Ground Floor 151 Borough High Street SE1 1HR	8 Skylark London SE1 1BJ
First Floor 153-159 Borough High Street SE1 1HR	Flat 3 92 Borough High Street SE1 1LL
First Floor Front 151 Borough High Street SE1 1HR	82 Douglas Buildings Marshalsea Road SE1 1JW
157 Borough High Street London SE1 1HR	Flat 13 Drake Court 12 Swan Street SE1 1BH
155 Borough High Street London SE1 1HR	14 Berwick Court 10 Swan Street SE1 1BG
68 Newcomen Street London SE1 1YT	5 Barnhill Pinner HA5 2SY
159 Borough High Street London SE1 1HR	15 The Paragon 43 Searles Road SE1 4YL
First Floor 106-114 Borough High Street SE1 1LB	195 Long Lane London se1 4pd
Ground Floor 106-114 Borough High Street SE1 1LB	5 Tanners Yard 239 Long Lane se14pt
Second Floor And Third Floor Flat 151 Borough High Street SE1 1HR	34 Park Road Salford M6 8JP
161 Borough High Street London SE1 1HR	Lion Court London se1 2ep

Meeting Room Basement Alpha House SE1 1LB
Kitchen Basement Alpha House SE1 1LB
Room G4 Ground Floor Alpha House SE1 1LB
Room 36 Third Floor Alpha House SE1 1LB
Room B2 Basement Alpha House SE1 1LB
Room B1 Basement Alpha House SE1 1LB
Room B4 Basement Alpha House SE1 1LB
Room 53 Fifth Floor Alpha House SE1 1LB
Room 51 And 52 Fifth Floor Alpha House SE1 1LB
Room G1a Ground Floor Alpha House SE1 1LB
Room G3 Ground Floor Alpha House SE1 1LB
Room G2 Ground Floor Alpha House SE1 1LB
Staff Rooms 161 Borough High Street SE1 1HR
Room 31 Third Floor Alpha House SE1 1LB
Room 32 Third Floor Alpha House SE1 1LB
Room 30 Third Floor Alpha House SE1 1LB
Room 33 Third Floor Alpha House SE1 1LB
Room 37 Third Floor Alpha House SE1 1LB
Rooms 38 And 39 Third Floor Alpha House SE1 1LB
Room 34 Third Floor Alpha House SE1 1LB
Room 22 Second Floor Alpha House SE1 1LB
Room 21 Second Floor Alpha House SE1 1LB
Fourth Floor Alpha House SE1 1LB
Room 25 Second Floor Alpha House SE1 1LB

20 Roupell Street London SE1 8SP
16 Gallery Lofts 69 Hopton St SE1 9LF
33 Roupell Street London SE1 8TB
Flat 19, The Paragon London Se1 4YI
Flat 402 Cedar Court 1 Royal Oak Yard SE1 3GA
13 Burnell Road London sm14ee
18 Thorold House Pepper St Se10eI
Flat 6 14 Weller Street SE1 1QU
Flat 156 Devon Mansions Tooley Street se12nr
Top Flat 256 Bermondsey Street SE1 3UJ
48 The Paragon Searles Road SE1 4YL
24 Gladstone Street London Se1 6Ey
4 The Chandlery 50 Westminster Bridge Road SE1 7QY
125 Guinness Court Snowsfields SE1 3TB
Flat 3 29 Trinity Church Square SE1 4HY
Flat 3 6 Montague Close Se1 9df
16 Sumner Buildings London Se1 9jx
29 Brenley House Tennis Street SE1 1YG
3 Kotree Way London SE1 5DA
256 Bermondsey Street Top Flat SE1 3UJ
Flat 19 43 Searles Road SE1 4YL
151 Borough High Street London SE1 1HR
27 St Bartholomew'S Close London SE26 6PH
32 Rochester House Manciple Street SE1 4LP
7 Ciba Apartments 101 Union Street se1 0lq

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

Environment Agency
Historic England
London Underground Limited
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

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Flat 3 29 Trinity Church Square SE1 4HY
Flat 3 6 Montague Close Se1 9df
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82 Douglas Buildings Marshalsea Road SE1 1JW