

Item No. 7.2	Classification: OPEN	Date: 21 March 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 16/AP/4727 for: Full Planning Permission Address: 176-178 BERMONDSEY STREET, LONDON SE1 3TQ Proposal: Demolition of existing building and replacement with a new part four storey, part three storey and part two storey building plus basement level for use as 7 rooms of visitor accommodation, ground floor restaurant and basement bar together with plant, green roof and other associated works. (Sui Generis)		
Ward(s) or groups affected:	Grange		
From:	Director of Planning		
Application Start Date 23/12/2016		Application Expiry Date 17/02/2017	
Earliest Decision Date 03/02/2017			

RECOMMENDATION

1. That planning permission be granted, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The site is a three-storey terraced building fronting the west side of Bermondsey Street stepping down to a single storey warehouse type structure behind of varying heights. The frontage elevation comprises stock brick and uniform rectangular window openings, with green window frames (retrospectively fitted). The building is currently in use as a commercial bakery (no retailing takes place from the premises), with three people employed. Access and servicing is from the Bermondsey Street frontage only. There is no vehicular access.
3. The existing building has been identified by the council as making a positive contribution to the Bermondsey Street Conservation Area. There are heritage assets in the wider context of the site, principally a listed building (former cloth factory) on the opposite side of Bermondsey Street (no.173). The site is abutted by Elm Court, a residential building, to the north. To the south it abuts a small courtyard immediately adjacent to the south side of the site accessed via a gate from Bermondsey Street. This is used by people accessing office space (ground floor) and flats in the building fronting the courtyard, Gemini House (no. 180/182).
4. The site is located approximately 900m from London Bridge station and has a public accessibility rating (PTAL) of 6b, demonstrating an excellent access to public transport.

The site is located within the:

- Central Activities Zone
- Air Quality Management Area
- Archaeological Priority Zone
- Bermondsey Street Conservation area
- Bermondsey Street shopping area
- Bankside, Borough and London Bridge Opportunity Area
- Flood Zone 3
- Controlled Parking Zone

Details of proposal

5. The proposal is for demolition of the existing building (354sqm GIA) and replacement with a new part four storey, part three storey and part two storey building (849sqm GIA). This includes a restaurant for 125 covers at ground floor; a basement bar (alongside WCs, kitchen, changing room and showering facilities, bike store, bin store and refuse store); four hotel rooms at first floor, two further rooms at second floor level, and one room at third floor. All seven rooms are one person bedrooms.

The proposal comprises:

- 241sqm basement (bar, kitchen, toilets, bike and refuse stores)
 - 229sqm ground floor (restaurant, reception)
 - 199sqm first floor (three hotel rooms)
 - 118sqm second floor (two hotel rooms)
 - 62sqm third floor (one hotel room)
6. Green roofs are proposed on the roofs on the first floor rear element and third and fourth floor roofs. The south facing courtyard elevation retains the lower historic portion of the existing wall, reflecting the preference of Gemini House residents.

7. Planning history

06/EN/0311 Enforcement type: Unauthorised advertisement(s) (ADVU) Unauthorized signage in conservation area without consent. Sign-off date 19/10/2006 Sign-off reason: Final closure - breach ceased (FCBC)
15/EQ/0115 Application type: Pre-Application Enquiry (ENQ) Demolition of the existing building to provide a new mixed-use development of eight residential dwellings and 325sqm of A1/A3 commercial space. Decision date 02/02/2016 Decision: Pre-application enquiry closed (EQ)
16/EQ/0200 Application type: Pre-Application Enquiry (ENQ) Demolition of the existing building and provision of a new building, comprising part 4 storey, part 3 storey part 2 storey and part single building together with basement for the use as a hotel with ancillary restaurant and wine bar at ground and basement level together with associated plant, high level extract duct, refuse and cycle storage Decision date 22/08/2016 Decision: Pre-application enquiry closed (EQ)

Planning history of adjoining sites

8. 00/AP/1408
Gemini House, 180-182 Bermondsey street SE1
Change of use of ground floor front unit from consulting rooms/clinic to office (Class B1) use.
Granted 10/11/00

9. 03/AP/0283
156B Bermondsey Street SE1
Change of use of ground floor and basement from Class B1 (offices) to Class A3 (food and drink use) with installation of a duct at roof level
Refused 19/9/03

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. The main issues to be considered in respect of this application are:
- a) Impacts on amenity of adjoining occupiers and surrounding area
 - b) Transport issues
 - c) Design and access issues
 - d) Impact on character of conservation area
 - e) Archaeology
 - f) Basement excavation
 - g) Sustainable development implications

Planning policy

11. National Planning Policy Framework (the Framework)

Section 1 - Building a strong, competitive economy
Section 4 - Promoting sustainable transport
Section 7 - Requiring good design
Section 8 - Promoting healthy communities
Section 12 - Conserving and enhancing the historic environment

12. The London Plan 2016

Policy 2.10 Central activities zone - strategic priorities
Policy 2.11 Central Activities Zone - strategic functions
Policy 2.13 Opportunity areas and intensification
Policy 4.5 London's visitor infrastructure
Policy 6.3 Assessing effects of development on transport capacity
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

13. 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

14. Southwark Plan 2007 (July) - saved policies

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

Policy 1.4 - Employment sites outside the preferred office locations and preferred industrial locations

Policy 1.11 - Arts, culture and tourism uses

Policy 1.12 - Hotels and visitor accommodation

Policy 3.2 - Protection of amenity

Policy 3.15 - Historic environment

Policy 3.16 - Conservation areas

Policy 3.17 - Listed buildings

Policy 3.18 - Setting of listed buildings, conservation areas and world heritage areas

Policy 5.2 - Transport impacts

Summary of consultation responses

15. Seven objections were received to the proposal. They highlighted a range of issues as summarised below:

- Design of frontage does not complement conservation area/historical context
- Floor levels are different from adjoining properties
- Light/white colour of bricks is not in keeping
- Basement excavation will cause noise, disturbance, subsidence/possible damage to properties, congestion during construction
- Operation of premises will cause noise, disturbance, increased rubbish/vermin
- Light from building will disturb residents of nearby buildings
- Removal of existing boundary wall with Gemini House would undermine amenity and threaten pipe work beside wall (please note the original part of the boundary wall is now proposed to be retained)
- Loss of sunlight
- Impact on privacy due to overlooking and outlook
- Premises would appeal to large chain restaurant/bar, contributing to Bermondsey Street becoming more of a drinking location (please note there is no adopted policy to allow refusal on the size of the unit)

16. Some responses to these objections are provided above in brackets. Other points are addressed in the report and conditions.

Principle of development

17. Saved Policy 1.4 relates to employment sites outside Preferred Industrial Locations and Preferred Office Locations; it seeks to retain the existing amount of existing B Class floorspace except where (amongst other things): "c) The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses." The site is not located in a designated town or local centre and therefore the proposed change of use from bakery (B1) to hotel use (C1) with ancillary restaurant and bar is not in accordance with the specific requirements of this policy. However Bermondsey Street is identified as a "shopping area" in the Core Strategy and Bermondsey Street

provides a range of small shops and services and is therefore not dissimilar from an area defined as a 'local centre'. Moreover the narrow frontage of the site and lack of rear access restricts servicing options, provision for self containment of uses and separate fire escapes for multiple uses, hence the building is argued to be only suitable for a limited number of single uses.

18. The development would equate to an increase in employment and improved number of jobs and as such, the loss of the existing B1 use is on balance considered acceptable.
19. Saved policy 1.12 supports hotels in areas of high public transport accessibility; the site has a PTAL rating of '6b', indicating excellent access to public transport. The policy states the visitor accommodation will not be permitted where it would result in an over dominance of visitor accommodation in the locality, however the only other visitor accommodation nearby is an aparthotel at 184 Bermondsey Street. Strategic policy 10 of the Core Strategy also supports 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. London Plan policy 4.5 supports the provision of smaller scale visitor accommodation in CAZ fringe locations with good public transport. On balance, and taking into account the limited existing employment provided by the bakery and the opportunity to provide an active frontage onto Bermondsey Street, it is considered that the proposed change of use would be acceptable in this instance.

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

Daylight and sunlight

20. The proposed site layout and massing could potentially have a harmful impact on neighbouring occupiers in terms of daylight/sunlight and outlook. Elm Court to the north of the site and Gemini House to the south are potentially impacted residential properties. Elm Court has blank flank walls abutting the site and an opaque/frosted screen enclosing the walkway's serving the front and rear blocks that prevents any views from over the site and properties do not receive any direct daylight from the sky over the site. However Gemini House has a number of north-facing windows looking onto the site in the flank walls abutting the site and looking over the courtyard. The ground floor is in commercial use but upper floors are flats.
21. The proposed building is four storeys fronting Bermondsey Street but steps down to three storeys behind and this element also steps away from Gemini House to the south. Moving further rearwards, the building steps down again to two storeys at the rear of the site. The mono-pitched roof of this element would reflect the location and pitch of the roof on the existing rear part of the building, with its lowest edge closest to Gemini House (see section EE). However, the highest point of the proposed new roof is slightly higher (by 1.15m) than the ridge of the existing roof.
22. The daylight and sunlight assessment submitted confirms that there are no impacts on the residential properties in Sycamore Court and Elm Court located to the north of the site. However some impacts on daylight are identified on residential properties in Gemini House. The Vertical Sky Component (VSC) analysis indicated that two windows (second and third floor north-facing windows on Gemini house) will experience a loss of VSC in excess of the 20% permissible margin of reduction, as established in the BRE guidance on sunlight and daylight. However these windows serve open plan Living/Kitchen/Diners which are served by multiple windows in the front elevation on Bermondsey Street and additional windows to the rear elevation. Moreover all of the other windows serving these rooms meet the 20% VSC standard

and therefore the rooms will continue to remain well day-lit. Whilst the applicants have not provided the findings of a daylight distribution test, the assessment does note that "the internal daylight distribution analysis show that there will be virtually no change to the "no skyline" contour at all". Given that it is evident that there are multiple windows serving this room, officers are therefore satisfied that these rooms will therefore satisfy the BRE recommendations.

23. With respect to impacts on sunlight, the BRE sunlight criteria only applies to windows that face within 90 degrees of due south. They therefore only apply to windows in 171-173 Bermondsey Street (on the opposite side of Bermondsey Street) and a limited number of windows in Gemini House in this instance. These windows have been tested and the results show that there will be full compliance with the BRE Guidelines, indicating that there will be no material impact on sunlight to existing properties. In conclusion, the study indicates that whilst there will be some changes in the levels of daylight and sunlight received by existing neighbouring dwellings, none of the changes will breach the BRE Guidelines so as to result in a material reduction to existing residential amenity.

Sense of enclosure, outlook, privacy and light spill

24. Elm Court has a blank flank walls abutting the site and an opaque/frosted screen enclosing the walkway's serving the front and rear blocks that prevents any views from over the site so there will be no impact on their outlook.
25. As noted above the proposed building is four storeys at the front but steps down to three storeys behind and also steps away from Gemini House to the south; and then steps down again to two storeys at the rear of the site, with pitched roof reflecting the location and pitch of the roof on the existing rear part of the building. The proposal therefore minimises its impact on outlook from Gemini House, albeit the ridge of the rear element is marginally higher than that of the existing pitched roof and is slightly above the window sill level of the first floor residential apartments. The flat roof area alongside the ridge of the roof will be planted with a green roof so this would help to improve the outlook of the properties which overlook it.
26. To the centre of the site, Gemini House has a courtyard with multiple windows overlooking it. The boundary wall will increase marginally in height but has been designed with a rectangular pattern to add interest to the elevation. The proposed second floor of the building would increase the sense of enclosure of the courtyard, however the set back from the boundary of almost two metres and the improved appearance of the building should ensure that the outlook is improved and the sense of enclosure would not be of a level to warrant refusal.
27. There are third and fourth floor north-facing windows in Gemini House which overlook the boundary with the application site. However the proposed building is set back from this boundary and the rooms served by these windows also each contain a larger window facing west over the courtyard, therefore the impact on sense of enclosure and outlook is considered acceptable.
28. With regard to overlooking and light spill from the proposed development, the rear and flank windows facing the court yard at Gemini House will be opaque and the second floor rear window will include metal fins to redirect views away from Gemini House. Thus it is considered that the privacy of existing residents will be satisfactorily protected and light spill will be acceptable.

Noise and odour

29. The development is proposed to be mechanically ventilated with no opening windows

to the bar and restaurant and a double lobby onto Bermondsey Street, thus minimising noise transmission to nearby properties.

30. The restaurant would have a maximum number of covers, of 125, with a further capacity in the bar for approximately 50 people. Considering this relatively limited capacity, the number of other active night time uses on Bermondsey Street and the proposed opening hours (8am to midnight Monday to Saturday; Sundays and Bank Holidays 9am to 11pm), it is considered that the proposals, subject to the imposition of appropriate conditions on internal noise levels and plant noise, would not give rise to significant noise impacts. The proposed extraction flue would be situated at the rear of the site and enclosed within a brick cladding, a condition is proposed to ensure that this would rise up to 1m above the building's eaves in order to ensure that any smells would be dispersed away from residential properties.

Transport issues

Access and site layout

31. There is no proposed vehicular access. Access to the hotel would be solely from the Bermondsey Street frontage via a single well illuminated, covered and level access. The proposed site layout is logical and is considered appropriate to the site. Refuse will be stored at basement floor level within separate stores for both the hotel and restaurant uses. Ground floor elevations would interact and address the street appropriately, providing a welcome active frontage.

Trip generation and car parking

32. The submitted transport statement indicates limited taxi generation for visitors to the hotel (which is limited to 7 rooms) and restaurant (the latter is projected to generate more trips than the former). The proposal does not provide any car parking spaces; the site is located in a CPZ. Given the high level of public transport accessibility of the site, the majority of trips would be made by public transport and as such the proposal would have limited impacts on the users of the highway.
33. The transport statement notes the loading bay directly outside of the premises which would have sufficient capacity to deal with the daily delivery of produce, linens and the weekly drinks delivery. Given the small scale of the hotel use, it is not considered that this servicing would significantly impact on the highway, above the existing bakery use.

Cycle parking

34. In line with the London Plan cycle parking standards it is proposed that 3 long-stay spaces are required. The 3 long stay parking spaces will be provided for within the basement and whilst not ideal is considered acceptable given the site constraints. Whilst they would normally be required, there is insufficient space on site for short stay spaces, however their absence would not result in any significant highway concerns.

Servicing

35. A refuse and recycling store is provided at basement level. Waste will be brought up on the day of collection. The applicant is willing to work with the trial waste management proposals for the area; it is recommended that an informative be added to any planning approval highlighting this.
36. Servicing will take place from Bermondsey Street (as currently happens for the bakery). There is a loading bay currently in place to the front of the site (though road

markings are faded and there is no signage). The single yellow line allows continuous loading for up to 40 minutes between 08:00 and 18:30 Monday to Saturday. It is expected that there will be 1-2 daily deliveries from transit sized vehicles for fresh produce, a weekly drinks delivery and linen collections. This is commensurate with the existing situation in terms of the number of deliveries. The applicant is willing to implement a Delivery & Servicing Management Plan, which should be secured via a planning condition on any planning approval. Taking into consideration this mitigation measure it is considered that these servicing arrangements are acceptable.

Impact on character of conservation area

37. The proposal is located at the southern end of the Bermondsey Street Conservation Area close to the St Mary Magdalen precinct. It is on the western side of the road and facing it are a number of listed buildings including the Grade II listed Nos 171-173 and 187 -191 Bermondsey Street and the Grade II* Listed St Mary Magdalen Church. To the south, 180-182 Bermondsey Street includes a central 'yard' accessed via a covered underpass. To the north, Elm Court is arranged in two buildings with a central court which is screened from the site by an opaque glazed screen.
38. The proposal involves the demolition and replacement of a building within a conservation area. In this case the building has been annotated in the adopted Conservation Area Appraisal as making a positive contribution to the conservation area. This is mainly due to its modest scale simple brick cladding and distinctive externally mounted hoist. The building itself is of little historic value as it appears to be of early to mid 20th century construction with brick faced, steel frame and modern windows.
39. The council's policies reiterate the principles of the NPPF and require that development within conservation areas seeks to conserve or enhance the character and appearance of the conservation area. In respect of demolitions the council's policies specifically resist the demolition of buildings that are identified as making a positive contribution to a conservation area. In this case, the building is of no historic value, but it compliments the historic townscape. This was evident on a visit to the site on carried out by Officers on 19 August 2016. The hoist appears to be an older feature mounted onto its modern 20th century façade. The proposed demolition is considered to cause less than substantial harm to the conservation area and is considered to be justified by the benefits of developing the site and introducing an optimal viable use which will include increased jobs through the new commercial uses as well as providing additional visitor accommodation. The application is accompanied by a heritage statement that justifies the proposed demolition and demonstrates how the proposal and benefits of the development will meet the requirements of paragraph 134 of the NPPF (2012).

Design and access issues

Scale, height and massing

40. The proposal involves the demolition of the existing three storey building and its replacement with a new building set at three storeys with a slightly recessed fourth floor. This modest rise in scale when compared to the existing building, is considered appropriate and successfully mediates between the higher parapet line of 180-182 Bermondsey Street to the south and the lower parapet of the more substantial Elm Court to the north. The strong parapet line and vertical articulation of the Bermondsey Street frontage are noted in the conservation area appraisal and contribute positively to the character and appearance of this distinctive urban conservation area. Constrained within its narrow plot-width and by the way this design responds deliberately to the existing adjacent parapet heights, the proposal will

reinforce the character and appearance of the conservation area and is considered acceptable in this context.

41. To the rear the development extends to the easternmost edge of the site with a basement and ground floor. Above that the proposal includes a partial first floor and terraced second storey rear extension which enclose the courtyard to the north. This has been designed as a simple brick backdrop over the retained existing brick wall and this will complement the setting of the yard and warehouse character of 180-182 Bermondsey Street. This is appropriate and does not harm this characterful space, which is typical of this historic area.

Detailed design

42. The architectural design is for a crisp and modern narrow block, clad in a pale brick with deep stepped window reveals and a polished concrete base and top. The composition is calm and ordered and displays a hierarchy that reflects the historic context. The ground floor is set back and glazed to ensure active uses and ensure that the proposal engages with the street. The design is considered acceptable, however the quality of design will rely to a great degree on the choice of materials and the architectural detailing. Detailed bay studies of the main facade of the building to a scale of 1:20 have been submitted with the application and embed the quality of design in the application. As such, officers are satisfied that the design would positively contribute to the streetscene along Bermondsey Street
43. To the rear the building faces into the consolidated courtyard of No 180-182 Bermondsey Street and establishes a high quality fourth face to this distinctive courtyard space. Courts and yards are typical of the conservation area and this proposal seeks to formalise this edge and complement the courtyard which is appropriate.
44. Whilst some external features such as the external hoist would be lost, nevertheless, due to the high quality design of the proposal, its appropriate height and massing as well as its detailed design the proposal design is supported. It is recommended that planning conditions be imposed on any approval requiring samples of the cladding materials to be presented to the council and agreed in writing prior to commencement of above-ground construction.

Access

45. London Plan policy 4.5 requires that at least 10 per cent of bedrooms are wheelchair accessible. Level access and a lift provide access to all rooms and wheelchair accessible routes are identified in the Design and Access Statement. Internal spaces are designed in accordance with Building Regulations Part M and will include sleeping accommodation designed for independent use by wheelchair users (only one room is required to achieve these standards in this instance to comply with policy 4.5).

Archaeology

46. The site lies within the 'Borough, Bermondsey and Rivers' Archaeological Priority Zone (APZ), and has the potential to contain archaeology relating to:
 - Prehistoric and Roman remains. The site is on the northern edge of one of a series of gravel islands (Bermondsey Eyot) within the Thames floodplain surrounded by inter tidal channels and marshy areas from the prehistoric period until the late medieval period when drainage and reclamation started to take place.
 - Medieval remains. The site is c 100m north-west of the main (west) gate into the precinct of the Cluniac priory (later Benedictine abbey) of St Saviour (scheduled monument GL165) founded in *circa* 1089.

- Post-medieval remains. There will have been various buildings on the site since at least the mid-17th century. There is potential for the remains of foundations of these buildings, possibly even earlier cellars to survive beneath the existing building.
47. Following a desk based assessment (DBA), by Museum of London Archaeology (MoLA, 2016), the applicant also commissioned MoLA to carry out a programme of geo-archaeological evaluation works on the site. These works took place prior to the determination of the planning decision, in accordance with Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012. The results of this evaluation have been submitted as a report by MoLA, dated October 2016.
 48. The MoLA report helps to refine the archaeological potential of the site and it is apparent even from this small scale programme of works that archaeological deposits, mainly of post-medieval date, survive on this site. The report shows that survival is likely to be limited in certain areas of the site, mainly from the impact of the present standing buildings. The report shows that whilst the archaeological remains are undoubtedly of considerable local significance there is currently nothing to suggest that they are of national importance (Section 3.4.4) requiring preservation *in situ*.
 49. As a basement is proposed, which will most probably remove the entire sequence of archaeological deposits, there is a need to provide further information to the Council to clarify the nature and significance of the archaeological deposits on the site. On present evidence it is reasonable to expect that the site will contain archaeological remains which will inform recognised national and Greater London archaeological research objectives - that is non-designated heritage assets of archaeological interest in NPPF terminology.
 50. In summary, the predetermination evaluation trenching works have better established the significance of the remains at risk, and an informed judgement can now be made concerning the proposed impact on them. In this instance, there is sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission provided that appropriate conditions are applied to any consent. The first stage of work should be for a larger archaeological evaluation of the site to target and better define areas of archaeological significance.

Basement excavation

51. Careful consideration needs be given to the methods used for excavating and constructing the basement in order to address potential impacts on structural stability (including of adjacent properties), neighbours' amenity (noise, vibration etc), flooding and groundwater.
52. The applicant has submitted a construction method statement which sets out details of the proposed reinforced concrete structure and underpinning process, identifies risks to and impacts on surrounding buildings and sets out mitigation measures for noise and nuisance. The report concludes that the proposed subterranean development can be achieved using standard construction techniques and materials. It notes that the new construction will not be beneath the prevailing groundwater level and that the basement can be constructed using relatively light techniques, in controlled and pre-determined sequences and without the need for a large open excavation before construction can start. Where mechanical means are necessary to construct permanent works these will be of a type that generates low vibrations to which the surrounding buildings have a form and construction that is robust and resistant.
53. The applicant has also submitted draft construction traffic management plan setting out proposed mitigation measures, including details of hours of operation, vehicle

movements, control of dirt, dust and noise.

54. It is recommended that a condition be applied to any planning approval to secure a Construction Environment Management Plan (CEMP) prior to any development taking place. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. Best practice includes Southwark Council's Technical Guide for Demolition & Construction at:
<http://beta.southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>

All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Sustainable development implications

Air Quality

55. The site is in an Air Quality Management Area and potential air quality impacts may arise as a result of demolition, excavation of the basement and construction on nearby sensitive receptors. The air quality assessment submitted assesses impacts from the construction and operational phases and identifies mitigation measures (e.g. for construction phase dust and road traffic emissions). It indicates that with the incorporation of appropriate mitigation including the site complies with the air quality requirements of planning policy. The approach is considered acceptable.

Flood risk

56. The site is situated in Flood Risk Zone 3. A Flood Risk Assessment (FRA) has been submitted which indicates that breach flood waters (which would result if the flood defences of the River Thames failed) would not affect the site in present day or 2065 scenario but that it would be affected by a breach flood level of 3.61, AOD by the year 2100 due to the predicted impacts of climate change. The time to inundation in a breach scenario would be 12.75 hours. This would allow people sufficient time to become aware of the flood risk and evacuate the basement (bar) and other areas of the building. To ensure safety of people egress is available a short distance south of the site to areas unaffected by breach flooding. Alternatively, internal access is available on the first floor at a minimum of 5.89m AOD, which is set at above the breach flood level. The Environment Agency and the Council's flood risk team have raised no objections. The risk of flooding from pluvial, groundwater and artificial sources have also been assessed and found to be low. The existing surface water runoff rate from the site is limited (4.6 l/s). The proposal include a green roof, which would reduce the rate of runoff by naturally capturing and storing rainwater, and would also provide amenity and biodiversity benefits.
57. In summary, the FRA demonstrates that the Development has a low probability of flooding. It also confirms that surface water runoff from the Site can be managed sustainably to ensure that flood risk is not increased elsewhere.

BREEAM

58. A BREEAM pre-assessment has been undertaken which indicates that the scheme could achieve a Very Good rating with an overall targeted score of 65.5% (a score of 70% or more is required to achieve Excellent). Given the site constraints (relatively small, narrow site in dense urban setting) and the scale and nature of the development this is considered acceptable.

Planning obligations (S.106 undertaking or agreement) and Community Infrastructure Levy

59. The site is located in CIL zone 2 and is creating more than 100sqm of non-residential floorspace. The scheme is liable to pay the Mayoral and Southwark Community Infrastructure Levy (CIL) which is charged on the basis of £35 per sqm for Mayoral CIL, £125 per sqm for hotel and retail (A1-A5) Southwark CIL (both subject to indexation). The net additional floorspace is 495sqm. The Mayoral CIL is calculated at £22,220 and the Southwark CIL at £68,325.

Conclusion on planning issues

60. The proposal is considered to be appropriate in land use terms. The proposed hotel and restaurant/bar is considered to be of an acceptable design for the reasons set out above. The proposal will also have acceptable impacts on transport, character of the conservation area, archaeology and amenity and sustainability issues, subject to the use of appropriate conditions. It is therefore recommended that the application be granted planning permission.

Community impact statement

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

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

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified: n/a

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

Consultations

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

Consultation replies

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

Human rights implications

64. 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.
65. This application has the legitimate aim of providing a new hotel and associated facilities. 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/11-176 Application file: 16/AP/4727 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: 0207 525 0559 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Doug McNab, Planning Policy Team Leader		
Version	Final		
Dated	7 March 2017		
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		8 March 2017	

APPENDIX 1

Consultation undertaken

Site notice date: 11/01/2017

Press notice date: 05/01/2017

Case officer site visit date: 19/08/2016

Neighbour consultation letters sent: 11/01/2017

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

18 Elm Court Royal Oak Yard SE1 3TP	Flat 7 Milliners House SE1 3UW
17 Elm Court Royal Oak Yard SE1 3TP	Flat 6 Milliners House SE1 3UW
16 Elm Court Royal Oak Yard SE1 3TP	Flat 11 Milliners House SE1 3UW
Basement And Ground Floor 177 Bermondsey Street SE1 3UW	Flat 10 Milliners House SE1 3UW
First Floor 177 Bermondsey Street SE1 3UW	Flat 9 Milliners House SE1 3UW
Basement To Ground Floor 171-173 Bermondsey Street SE1 3TQ	Flat 2 Milliners House SE1 3UW
12 Elm Court Royal Oak Yard SE1 3TP	Flat 1 Milliners House SE1 3UW
11 Elm Court Royal Oak Yard SE1 3TP	Flat 5 Gemini House SE1 3TQ
10 Elm Court Royal Oak Yard SE1 3TP	Flat 5 Milliners House SE1 3UW
15 Elm Court Royal Oak Yard SE1 3TP	Flat 4 Milliners House SE1 3UW
14 Elm Court Royal Oak Yard SE1 3TP	Flat 3 Milliners House SE1 3UW
13 Elm Court Royal Oak Yard SE1 3TP	6 Elm Court Royal Oak Yard SE1 3TP
Flat 7 Gemini House SE1 3TQ	5 Elm Court Royal Oak Yard SE1 3TP
Flat 4 Gemini House SE1 3TQ	4 Elm Court Royal Oak Yard SE1 3TP
Flat 3 Gemini House SE1 3TQ	9 Elm Court Royal Oak Yard SE1 3TP
Basement Rear And Ground Floor Rear 180-182 Bermondsey Street SE1 3TQ	8 Elm Court Royal Oak Yard SE1 3TP
Ground Floor Front 180-182 Bermondsey Street SE1 3TQ	7 Elm Court Royal Oak Yard SE1 3TP
Flat 6 Gemini House SE1 3TQ	Flat 14 Milliners House SE1 3UW
Units 5 And 6 Elm Court SE1 3TQ	Flat 13 Milliners House SE1 3UW
Unit 2 Elm Court SE1 3TR	Flat 12 Milliners House SE1 3UW
Unit 1 Elm Court SE1 3TR	3 Elm Court Royal Oak Yard SE1 3TP
Flat 2 Gemini House SE1 3TQ	2 Elm Court Royal Oak Yard SE1 3TP
Flat 1 Gemini House SE1 3TQ	Flat 15 Milliners House SE1 3UW
176-178 Bermondsey Street London SE1 3TQ	106-108 Bermondsey Street SE1 3TX
Flat 8 Milliners House SE1 3UW	Gemini House 180-182 Bermondsey Street SE13TQ
	1 Leathermarket Street London SE1 3HN

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

Flat 2 Gemini House SE1 3TQ

Flat 3 Gemini House SE1 3TQ

Flat 5 Gemini House SE1 3TQ

Flat 6 Gemini House SE1 3TQ

Gemini House 180-182 Bermondsey Street SE13TQ

1 Leathermarket Street London SE1 3HN

106-108 Bermondsey Street SE1 3TX