

Item No. 7.2	Classification: Open	Date: 31 October 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 17/AP/2071 for: Full Planning Application Address: THE REAL GREEK, RIVERSIDE HOUSE, 2A SOUTHWARK BRIDGE ROAD, LONDON, SE1 9HA Proposal: Removal of unauthorised external works and reinstatement of 2no. terraces with 5no new umbrellas, new planters and glazed screening		
Ward(s) or groups affected:	Cathedrals		
From:	Director of Planning		
Application Start Date 07/06/2017		Application Expiry Date 02/08/2017	
Earliest Decision Date 29/07/2017			

RECOMMENDATION

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

Site location and description

2. The site is an 11 storey office block immediately to the west of Southwark Bridge's southern banking. The area has a mixture of commercial and residential uses. Benbow House and 20 New Globe Walk accommodate the latter, immediately to the west and southwest of the host building respectively.
3. The property is not listed and is not located within close proximity to any listed buildings. It is also not located within a conservation area, though it directly adjoins the boundary of the Bear Gardens Conservation Area.
4. The site is also located within:
 - Bankside, Borough and London Bridge Opportunity Area
 - Borough, Bermondsey and Rivers Archaeological Priority Zone
 - Thames Policy Area
 - Bankside, Borough, London Bridge Strategic Cultural Area
 - Bankside and Borough District Town Centre
 - Central Activity Zone
 - Air Quality Management Area

Details of proposal

5. Planning consent is sought for removal of current unauthorised works that comprise a metal, timber and glass structure to the front of the building, enclosing the outdoor seating area. Instead, it is proposed to enclose the seating area with a 1.6m high balustrade that would be formed of 0.8m high timber fence and 0.8m high glass

panels on top. Additionally, it is proposed to install 5 umbrellas to provide cover for the terrace. The umbrellas would be 2.5m high at the lowest point and 3.1m high at the highest point when opened. When closed, they would be approximately 3.9m high.

6. *Amendments:* Following review of the proposal, it was considered that it would be more appropriate to set the terrace in from Bear Gardens, in line with the existing side elevation of the building. An amended proposal has been submitted showing the terrace being moved in line with the current building elevation. Following concerns by the Highways team regarding safe use of the pedestrian pathway that would be opened up and the high step down that now would have to be taken to walk towards the river, step free access in the form of a ramp has been shown on the plans.

Planning history

7. 04/AP/1240 Application type: Full planning application (FUL)
Retention of three fixed tables (ancillary to the restaurant) on the external ground floor terrace of the building, fronting the river
Decision date 04/03/2005 Decision: Granted (GRA)
8. 08/AP/0996 Application type: Advertisement consent (ADV)
The replacement of the fascia signage along the northern and western frontages, installation of a projecting sign, and replacement of the signage surrounding the outdoor seating area.
Decision date 07/07/2008 Decision: Granted (GRA)

Summary of main issues

9. The main issues to be considered in respect of this application are:
 - a) Acceptability of development in principle and conformity with Council's policies;
 - b) Impact on amenity of adjoining occupiers and users of the area;
 - c) Design quality;
 - d) Transport impacts;
 - e) Other matters.

Planning policy

10. National Planning Policy Framework (the Framework)

Section 7 - Requiring good design
Section 12 - Conserving and enhancing the historic environment
11. The London Plan 2016

Policy 7.4 - Local character
Policy 7.6 - Architecture
12. Core Strategy 2011

Strategic policy 3 - Shopping, leisure and entertainment
Strategic policy 12 - Design and conservation

Southwark Plan 2007 (July) - saved policies
13. 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 1.7	Development within town and local centres
Policy 3.2	Protection of amenity
Policy 3.12	Quality in design
Policy 3.13	Urban design
Policy 3.18	Setting of listed buildings, conservation areas and world heritage sites
Policy 3.19	Archaeology
Policy 3.29	Development within the Thames policy area
Policy 5.2	Transport impacts

Summary of consultation responses

14. One objection to the proposal has been received detailing following concerns:
 1. Insufficient design consideration has been provided given that the site is located in a conservation area;
 2. The terrace extends further than the side elevation of the building, encroaching onto the pavement and obscuring view towards Waterman's seat;
 3. The proposal does not match the scheme that was approved prior to the construction of the current unlawful works. The new proposal creates more enclosure with glass screens and parasols that is unacceptable;
 4. Proposal, if approved, would be a negative precedent for similar development in the area.
15. *Assessment:* Since the comment was submitted, the proposal has been amended to reduce its width and align the terrace with the existing side elevation of the building. Other elements, such as glass balustrades and parasols are still a part of the application. While the application is part-retrospective and seeks to remove the current wooden structure, the applicant is not obliged to go back to the previously approved design. The assessment of current proposed design is provided below.

Principle of development

16. The acceptability of the principle of an outdoor seating area has been established since 2004, when this was granted permission. Other establishments in the area, such as Pizza Express next door, also feature outdoor seating areas. It is therefore considered that there are no objections to the proposal of retaining the outdoor seating area. However, its overall acceptability will depend on design detail, which is discussed below in the report.

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

17. The outdoor seating area has been in place since the original permission was granted in 2004. The current proposal is to remove the unauthorised wooden structure that encloses it, and set it away from the corner with Bear Gardens. The reduction in width of the terrace is a response to concerns regarding its visual appearance. While arguably design wise, this issue has been reconciled, setting back the terrace would result in the pavement along Bear Gardens being left unobstructed. This will have a positive impact on the pedestrians who could now walk on the pathway rather than on the street.

18. However, it is noted that the pavement slopes upwards along Bear Gardens towards the Thames and ends with a high step. This has been identified as a health and safety issue by the Highways Team and they have requested for level access to be provided. Amended plans show a ramp that would be installed, eliminating the high step and providing safe and level access. Highways team's concerns have therefore been overcome and the proposal would not have a negative impact on the amenity of the surrounding occupiers or passers-by.

Design issues

19. The application site is located on the boundary of Bear Gardens Conservation Area which stretches to the west and south from the Riverside House. Removal of the unauthorised works would improve the appearance of the property and the wider area. Furthermore, setting the terrace in from the Bear Gardens would also contribute to a more symmetrical appearance and relationship between the terrace and the host building.
20. Moreover, one of the concerns raised in the objections relates to views of the Ferrymans' seat (referred to as Watermans' seat in the comment), which is set within the side elevation of Riverside House facing onto Bear Gardens. The current terrace obscures views to the seat from the riverside, whereas setting the terrace back would open up this view. The proposal therefore reconciles the concerns raised in the objection and thus is found acceptable.
21. Lastly, installation of a timber and glass enclosure along the perimeter together with planting and umbrellas would reduce the visual bulk in comparison to the current structure. The terrace would be similar in appearance to other outdoor seating areas along the riverside, such as one outside Pizza Express to the west. Overall, it is therefore considered that the proposal would be visually acceptable and would not have a negative impact on the setting of the nearby conservation area.

Other matters

22. The site is located within the Archaeological Priority Zone, however, the works would not entail digging up the foundations of the terrace and thus no further information has been requested.

Conclusion on planning issues

23. The proposed works for removal of unauthorised structure and installation of a new outdoor seating terrace would be visually acceptable and would not have an adverse impact on the passers-by and nearby occupiers. The application is therefore recommended for approval.

Community impact statement

24. 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.

Consultations

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

Consultation replies

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

Human rights implications

27. 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.
28. This application has the legitimate aim of providing a new outdoor seating area. 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/ADV/1396-2A Application file: 17/AP/2071 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 7708 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	Lasma Putrina, Planning Officer		
Version	Final		
Dated	19 October 2017		
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, Environment and Social Regeneration	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		19 October 2017	

APPENDIX 1

Consultation undertaken

Site notice date: 28/06/2017

Press notice date: 06/07/2017

Case officer site visit date: 13/07/2017

Neighbour consultation letters sent: 30/06/2017

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

Cllr Noakes

Neighbour and local groups consulted:

Mezz Riverside House SE1 9HA
Seventh Floor Rear Riverside House SE1 9HA
Tenth Floor Riverside House SE1 9HA

Sixth To Eighth Floors Excluding Seventh Floor Rear
Riverside House SE1 9HA
The Hub Lexington Catering Riverside House SE1 9HA

Ninth Floor Riverside House SE1 9HA
Eat Cafe Riverside House SE1 9HA
First Floor Riverside House SE1 9HA
Ground Floor To Fifth Floor And Eleventh Floor Riverside
House SE1 9HA
Unit 3 Riverside House SE1 9HA

32 Benbow House 24 New Globe Walk SE1 9DS

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

32 Benbow House 24 New Globe Walk SE1 9DS