

<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 26 March 2018	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/4796 for: Full Planning Application  <b>Address:</b> 15 BLUE LION PLACE, LONDON, SE1 4PU  <b>Proposal:</b> Redevelopment of the site comprising the demolition of the existing three-storey office building and its replacement with a 5-storey office building.		
<b>Ward(s) or groups affected:</b>	Grange		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 27/12/2017		<b>Application Expiry Date</b> 21/02/2018	
<b>Earliest Decision Date</b> 10/02/2018			

## RECOMMENDATION

1. That planning permission be granted subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. Blue Lion Place is located to the north of Long Lane whereby it can be accessed. It can also be access via a pedestrian route from Bermondsey Street. The surrounding buildings range in height between 2-7 storeys. Currently existing on the site is a three storey building with a recessed third floor and one principle elevation facing into the courtyard of Blue Lion Place. There are heritage assets in the wider context, namely the Bermondsey Street Conservation Area and listed buildings to the east.
3. The site is located within:
  - The Central Activities Zone
  - An Air Quality Management Area
  - An Archaeological Priority Zone
  - The Bankside, Borough and London Bridge Opportunity Area

### Details of proposal

4. The proposal is to demolish the existing building and replace with a five storey building encompassing the entire footprint of the site (100.5sqm). The height of the building to the eaves would be 14m with a ridge height of 17.6m. The width of the building would be 11.5m and the length 9.7m. The use of the building would be Office (B1 Use Class).

### Planning history

- 5.

09/AP/2818 Application type: Full Planning Application (FUL)
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Change of use of existing live/work unit together with associated external alterations to provide 80 sqm of commercial (Class B1) floorspace at ground floor level and 2 x 2 bed residential units above.

Decision date 09/08/2011 Decision: Granted with Legal Agreement (GWLA)

17/EQ/0108 Application type: Pre-Application Enquiry (ENQ)

Construction of a balcony infill and a two storey rear extension, to be used as B1 Office.

Decision date 03/05/2017 Decision: Pre-application enquiry closed (EQC)

17/EQ/0407 Application type: Pre-Application Enquiry (ENQ)

Development of an extension and alteration to the external appearance of an existing B1(a) Office.

Decision date 11/12/2017 Decision: Pre-application enquiry closed (EQC)

### Planning history of adjoining sites

6.

00/AP/0951. ADDRESS: 3 Market Yard Mews, 194-204 Bermondsey Street SE1. DESCRIPTION: Provision of new first floor infill over existing vehicular access off Bermondsey Street to create a self-contained flat. Granted 22/09/2004

06/AP/1973. ADDRESS: 184-192 BERMONDSEY STREET, LONDON, SE1 3TQ. DESCRIPTION: Erection of a part five, part six storey building (18.7m high) plus basement level comprising a 102 bedroom apartment/hotel, a retail unit (Class A use totalling 185m<sup>2</sup>), 3 commercial units (Class B1 use totalling 225m<sup>2</sup>) and health & fitness facility. Granted 25/09/2007

### KEY ISSUES FOR CONSIDERATION

#### Summary of main issues

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

a) the principle of the development in terms of land use and conformity with strategic policies.

b) the impact of the proposed development on neighbouring properties.

c) the design and visual impact of the proposal.

d) transport impacts.

e) all other relevant planning considerations.

#### Planning policy

##### National Planning Policy Framework (the Framework)

8.

Section 1 - Building a strong, competitive economy

Section 7 - Requiring good design

Section 12 - Conserving and enhancing the historic environment

##### The London Plan 2016

9.

Policy 2.9 Inner London

Policy 6.9 - Cycling  
Policy 6.10 Walking  
Policy 7.4 - Local character  
Policy 7.6 - Architecture  
Policy 7.14 - Improving air quality  
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
Policy 8.3 Community Infrastructure Levy

Core Strategy 2011

10. Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable Transport  
Strategic Policy 12 - Design and conservation  
Strategic Policy 13 - High Environmental Standards \_

Southwark Plan 2007 (July) - saved policies

11. The council's cabinet on 19 March 2013, as required by parka 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 polices 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 3.2 - Protection of Amenity  
Policy 3.7 - Waste Reduction  
Policy 3.11 - Efficient Use of Land  
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 5.2 - Transport Impacts  
Policy 5.3 - Walking and Cycling

Supplementary Planning Document: Sustainable Design and Construction (2009)

**Summary of consultation responses**

12. Eight objections have been received for the application. Matters of concern in these representations include:
- Consultation;
  - Size of development;
  - Material colour;
  - No car or cycle parking;
  - Construction;
  - Access Arrangements and use of Blue Lion Place;
  - Accessibility to the Daylight/Sunlight assessment.
13. There were no objections from internal and statutory consultees.
14. There have been nine comments of support. Support is given in terms of renovating the last part of Blue Lion Place, removing an unsightly derelict building and providing a

quality employment space for the Electoral Reform Society.

### **Principle of development**

15. The principle of Office (B1 Use Class) in the CAZ is supported in policy terms. The proposal seeks to increase the B1 use at the site, there is no objection in principle to the proposal as it complies with saved policy and provided that the development is of a high standard of design, respects and enhances the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of the occupiers of adjoining properties would be supported in policy terms.

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

16. The site is within a tight urban fabric where many mid-height buildings sit closely to one another. There is a mixture of uses around the site including commercial, residential, hotel and mixed use live/work units. In terms of impact on neighbours the proposal has been designed so that there are no windows overlooking the residential uses to the east and south. The windows would look towards the hotel and the courtyard of Blue Lion Place. In terms of the hotel there is no harm as the windows lookout towards the junction of the hotel elevation where windows are pitched. Furthermore, given the transient nature of hotels it would not cause harm to temporary occupiers. The windows of No.16 Blue Lion Place are orientated perpendicular to the elevation of the proposed building and direct views would not be afforded. In general Blue Lion Place is already heavily overlooked and the additional windows are not going to cause an additional amenity concerns.
17. Due to the height of the proposed building a daylight/sunlight assessment has been undertaken.
18. 16-20 Blue Lion Place - No. 16 is the only unit which would be impacted upon in terms of daylight. There is one window closest to the proposal which would experience a 27% reduction between the existing and proposed conditions. However, all of the rooms assessed for distribution of light are compliant with BRE guidance. The No-sky line (NSL) assessment has taken place. This is a measure of the distribution of diffuse daylight within a room. The NSL simply follows the division between those parts of a room that can receive some direct skylight from those that cannot. Given the rooms would still receive adequate daylight distribution the impact is considered acceptable. The windows have not been tested for sunlight as they are north facing.
19. The Cottages - No. 2, have several skylights which are south of the site. Two of these rooflights would be impacted upon which serve a bedroom. The impacts are over the BRE recommendations though consideration is given to the existing situation whereby the room is only served by rooflights which are already enclosed by taller buildings and generally has a poor standard daylight/sunlight. The vertical sky component would be marginally short of guidance which would not have a noticeable impact. It is considered that while there are impacts on the two rooflights these are serving a bedroom which has no vertical windows on its elevations and thereby providing a poor standard of accommodation already. Given the proposal is north of the Cottage it is not detrimentally going to harm the overall daylight into this room due to the existing situation and therefore is acceptable.
20. 19-28 Market Yard Mews - The building is tightly compacted by existing buildings. This relatively modern building already has VSC levels that do not meet BRE targets. This is heightened materially by the overhanging balconies. The proposal is likely to impact on 6 of these windows noticeably (20-30%) and one up to 40%. While these windows would experience a reduction in VSC all the rooms are dual aspect, with one of each

room window being compliant. The overall daylight distribution is acceptable for 8 of the 10 rooms impacted. The two rooms remaining would experience a reduction in daylight though this is less than 30%. Taking this into account, while it is unfortunate that there is a reduction in daylight for the existing ground floor unit the building as a whole is poorly lit due to the tight urban fabric which exists.

21. Titan House (Hotel) - Commercial uses are not normally considered in daylight/sunlight assessments due to their nature. The application has considered the impact on the hotel and has noted there are a number of windows which are impact upon but to an acceptable level. It is considered that as it is a hotel and the residents would be transient the harm is limited and would not be a concern.
22. Consideration is given to the use of the BRE guidance alongside the benefits of creating additional employment space. The BRE guidance is designed for less urban settings whereby typically buildings would not be so close to one another. In this respect allowances can be made for each site and its context, which in this case is that the setting has a very tight urban grain due to the historic nature of the area. Therefore many buildings receive below or poor BRE standards and any development is likely to have an effect. It is considered that in light of this and the benefits of creating employment space outweighs the minor harm caused.

### **Transport issues**

23. The site is located in a PTAL 6 which rates it excellent for access to public transport. No car parking would be supported in this location. The proposal has incorporated cycle parking for 3 bikes. While this is short of the London Plan requirement due to the very small footprint of the site the offering is considered acceptable. There is additional cycle parking in the wider Blue Lion estate and nearby vicinity. Waste would be stored internally and then taken to the existing refuse facilities within the estate. Given the nature of the use it is not anticipated that there would be much waste and this could be accommodated easily within the existing building and within the Blue Lion estate storage. Equally, if agreement between the landowner of the site and Blue Lion Place cannot be secured, the small amount of waste could remain internal until collect days on Bermondsey Street. There are no perceived transport concerns with the site.
24. The proposal has a small amount of development which would have a low level of construction associated. It is not considered a construction management plan would be needed as it is a small-scale development. Arrangements to build out the scheme over third party land is not a planning matter in this instance.

### **Design issues**

25. The previous pre-application advice given by officers gave a degree of comfort to the proposed height and massing of the building, however the current application proposes a taller building due to the pitched roof. The pitched roof would increase the height of the building but it is not considered to be harmful as it would not be the tallest building in Blue Lion Place, and given its modest footprint would not dominant the setting. The proposal would be below that of 3 Market Yard Mews which faces Bermondsey Street and thus would not appear out of context within the streetscene or bordering conservation area.
26. Initially there was a lack of interest given to the treatment of the façade leading to a utilitarian appearance. Furthermore the proportion of the windows, high cills and lack of signage were highlighted as a concern in the pre-application stage. The revised scheme moves away from the utilitarian appearance of the previous scheme and references warehouse aesthetic. The application proposes two lower floors of brick

and the remaining floors clad in lightweight timber with metal frame windows, which is in keeping with the existing building/wider context. Revealed brick work is welcomed along with the revised, larger window openings that tie in with the large critical windows at ground floor level.

27. The design is considered to offer a balance between historic and contemporary by using materials that link to the heritage of the area while being modern in use. The massing of the building is similar to those surrounding and therefore would not be incongruous development. The design of the scheme is supported.

#### **Impact on character and setting of a listed building and/or conservation area**

28. The site is part of a tightly packed network of yards behind the Bermondsey Street Conservation Area. The yards display varied architectural character, materiality and form. The proposal contributes to the periphery of the conservation area by using materials regularly seen within and a style that complements the surroundings.

#### **Planning obligations (S.106 undertaking or agreement)**

29. The proposal would be SCIL and MCIL liable.

MCIL Chargeable Area =  $Gr - Kr - (Gr \times E/G) = 496 - 0 - (496 \times 251/496) = 245 \text{ sqm}$   
MCIL =  $245 \text{ sqm} \times \text{£}35/\text{sqm} \times 313/223 = \text{£}12,036$

SCIL Office chargeable area =  $Gr - Kr - (Gr \times E/G) = 496 - 0 - (496 \times 251/496) = 245 \text{ sqm}$   
SCIL (Zone 2 Office) @  $\text{£}0/\text{sqm} = \text{Nil}$

#### **Sustainable development implications**

##### Archaeology

30. The site is located partially within the 'Borough, Bermondsey and Rivers' Archaeological Priority Zone (APZ). The application proposal is of a small-scale in plan and would have a minimal below ground impact. The archaeology assessment is sufficient to establish that the development is not likely to cause such harm as to justify refusal of planning permission provided that an archaeological condition is applied to any consent requiring a watching brief.

##### Flood Risk

31. The submitted Flood Risk Assessment (FRA) notes the existing finished ground floor level is 2.995 m AOD. As stated within Section 4.1.1 if the simultaneous failure of all the linear defences along the River Thames did occur, flood depths in the region of 0.3-0.7m could occur at the site. However, the applicant has provided sufficient information on the difficulty to raise ground floor levels above the breach flood levels. The Environment Agency (EA) is satisfied in this instance that as the proposal is for commercial and no living accommodation is proposed, the development provides safe refuge for occupants on the upper floors of the building. The EA recommends the occupants register with the flood warning system.

##### Energy

32. The proposed proposal does not fall within the major development category as defined in the London Plan. However, the council seeks that new commercial developments meet BREEAM rating 'excellent'. Where this is not possible a justification is required. The nature of the site is very constrained and has a small footprint. The ability to implement energy saving solutions is therefore limited. The applicant has

demonstrated that a 'Very Good' standard could be achieved. Given the constraints of the site as outlined in the Energy Statement this would be acceptable as 'Very Good' is still a substantially recognised level and the proposal provides employment space within the CAZ.

33. The plant associated to the development would be conditioned to not exceed background levels. This is preserve the surrounding amenity in noise terms.

#### **Other matters**

34. The consultation took the form of two site notices being placed at the entrance of Blue Lion Place and pedestrian route towards Titan House (184-190 Bermondsey Street). Letters were also sent to neighbouring occupants. A further three week period of consultation was undertaken as the Daylight/Sunlight assessment was not made publicly available at the start. However, this was subsequently made available and letters reissued to neighbouring occupants.

#### **Conclusion on planning issues**

35. The proposal is considered to offer high quality employment space within the CAZ while only resulting in a minor impact on existing buildings. The design of the building harmonises with the context of the conservation area and Blue Lion Place. It is considered the proposal is of significant benefit for the economy and is recommended for approval.

#### **Community impact statement**

36. 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.

#### **Consultations**

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

#### **Consultation replies**

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

#### Summary of consultation responses

39. Environmental Protection Team: No objection  
Environment Agency: No objection.  
Thames Water: No comments.

#### **Human rights implications**

40. 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.

41. This application has the legitimate aim of providing employment space. 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/837-15 Application file: 17/AP/4796 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 4004 Council website: www.southwark.gov.uk

## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Craig Newton, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	7 March 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	13 March 2018	



# APPENDIX 1

## Consultation undertaken

**Site notice date:** 10/01/2018

**Press notice date:** 18/01/2018

**Case officer site visit date:** 10/01/2018

**Neighbour consultation letters sent:** 09/01/2018

### Internal services consulted:

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

### Statutory and non-statutory organisations consulted:

Environment Agency  
Thames Water - Development Planning

### Neighbour and local groups consulted:

Flat 23 3 Market Yard Mews SE1 3TJ  
Flat 22 3 Market Yard Mews SE1 3TJ  
Flat 25 3 Market Yard Mews SE1 3TJ  
Flat 27 3 Market Yard Mews SE1 3TJ  
Flat 26 3 Market Yard Mews SE1 3TJ  
Flat 21 3 Market Yard Mews SE1 3TJ  
Flat 17 3 Market Yard Mews SE1 3TJ  
Flat 16 3 Market Yard Mews SE1 3TJ  
Flat 18 3 Market Yard Mews SE1 3TJ  
Flat 20 3 Market Yard Mews SE1 3TJ  
Flat 19 3 Market Yard Mews SE1 3TJ  
18 Bluelion Place London SE1 4PU  
17 Bluelion Place London SE1 4PU  
19 Bluelion Place London SE1 4PU  
20 Bluelion Place London SE1 4PU  
15 Bluelion Place London SE1 4PU  
Flat 28 3 Market Yard Mews SE1 3TJ  
Unit 5 194-204 Bermondsey Street SE1 3TQ  
Unit 2 Bluelion Place SE1 4PU  
Unit 1 Bluelion Place SE1 4PU  
Unit 1 194-204 Bermondsey Street SE1 3TQ  
190 Bermondsey Street London SE1 3TQ  
Unit 1 3 Market Yard Mews SE1 3TJ  
The Cottages 1 Market Yard Mews SE1 3TJ  
Flat 6 3 Market Yard Mews SE1 3TJ  
The Cottages 2 Market Yard Mews SE1 3TJ  
Unit 16 Ground Floor Bluelion Place SE1 4PU  
Flat 24 3 Market Yard Mews SE1 3TJ

Unit B2 194-204 Bermondsey Street SE1 3UW  
184 Bermondsey Street London SE1 3TQ  
Ground Floor 194-204 Bermondsey Street SE1 3TQ  
Flat 1 3 Market Yard Mews SE1 3TJ  
Flat 15 3 Market Yard Mews SE1 3TJ  
Flat 2 3 Market Yard Mews SE1 3TJ  
Flat 5 3 Market Yard Mews SE1 3TJ  
Flat 3 3 Market Yard Mews SE1 3TJ  
Flat 12 3 Market Yard Mews SE1 3TJ  
Flat 8 3 Market Yard Mews SE1 3TJ  
Flat 7 3 Market Yard Mews SE1 3TJ  
Flat 9 3 Market Yard Mews SE1 3TJ  
Flat 11 3 Market Yard Mews SE1 3TJ  
Flat 10 3 Market Yard Mews SE1 3TJ  
8 Blue Lion Place London SE1 4PU  
Studio 18 Blue Lion Place SE1 4PU  
5 Banks Road Poole BH13 7PW  
16 Blue Lion Place London SE1 4PU  
Flat 15, 8 Blue Lion Place 237 Long Lane SE1 4PU  
Flat 4 2 Fair Street SE1 2XT  
42 Colechurch House London SE1 5EU  
Flat 4, 41 Catford Hill SE6 4NU  
Flat 2, 25 Victoria Square Penarth CF64 3EL  
1 River Court West Upper Ground SE1 9PE  
127 Cowper Street Hove BN3 5BL  
3 Stevenson Crescent London SE16 3EN  
News Building 3 London Bridge Street SE1 9SG  
65 Grosvenor Park London SE5 0NJ  
104 Hargreaves Court 4 Nicholson Square E3 3UB

**Re-consultation:** 13/02/2018

## APPENDIX 2

### Consultation responses received

#### Internal services

None

#### Statutory and non-statutory organisations

None

#### Neighbours and local groups

Flat 15, 8 Blue Lion Place 237 Long Lane SE1 4PU

Flat 2, 25 Victoria Square Penarth CF64 3EL

Flat 4 2 Fair Street SE1 2XT

Flat 4 2 Fair Street SE1 2XT

Flat 4, 41 Catford Hill SE6 4NU

News Building 3 London Bridge Street SE1 9SG

Studio 18 Blue Lion Place SE1 4PU

Unit 16 Ground Floor Bluelion Place SE1 4PU

1 River Court West Upper Ground SE1 9PE

104 Hargreaves Court 4 Nicholson Square E3 3UB

127 Cowper Street Hove BN3 5BL

16 Blue Lion Place London SE1 4PU

17 Bluelion Place London SE1 4PU

3 Stevenson Crescent London SE16 3EN

5 Banks Road Poole BH13 7PW

65 Grosvenor Park London SE5 0NJ

8 Blue Lion Place London SE1 4PU