

Item No. 7.1	Classification: Open	Date: 12 June 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/3229 for: Full Planning Application Address: 2-4 MELIOR PLACE, LONDON SE1 3SZ Proposal: Redevelopment of the site involving the construction of a 6-storey plus basement building, comprising a retail art gallery (Class A1) on the ground floor and 3 x 2 bed, 2 x 3 bed and 2 x 4 bed residential units on the upper floors		
Ward(s) or groups affected:	London Bridge and West Bermondsey		
From:	Director of Planning		
Application Start Date 04/10/2018		Application Expiry Date 03/01/2019	
Earliest Decision Date 21/12/2018			

RECOMMENDATIONS

1. To grant planning consent, subject to a S106 legal agreement and planning conditions.
2. In the event that the requirements are not met by the 30 August 2019 that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 71 of this report.

Background Information

3. This application has been referred to planning sub-committee at the request of councillors.

Site location and description

4. The site, approximately 0.215Ha in size, is located at the corner of Melior Place and Melior Street and faces the late Victorian Horseshoe Inn public house (at 26 Melior Street) which occupies the corner plot on the opposite side of the road. Adjoining the site to the west is the recently completed Snowsfields Yard development, which ranges from 4-7 storeys and provides commercial units and community centre on the ground floor with 37 flats on the upper floors. To the south is the two-storey, late-Victorian Arthur's Mission which is in (Class B1a) office use and to the north (on the opposite side of Melior Street) are two-storey industrial buildings fronting onto Fenning Street.
5. The site is located within Bermondsey Street Conservation Area but there are no statutorily listed buildings or structures within the immediate vicinity of the site. The nearest listed buildings/structures to the site are the ornate railway viaduct arches which run along the north side of St. Thomas Street and beyond this the southern platforms, 9-16, of London Bridge Station, both of which are Grade II Listed.

In terms of the Development Plan the site is located within the following designated

areas:

- Strategic Cultural Area
- Bankside, Borough and London Bridge Opportunity Area
- Bankside, Borough and London Bridge District Town Centre
- Bermondsey Street Conservation Area
- Archaeological Priority Zone
- Central Activities Zone
- Air Quality Management Area
- Flood Zone 3
- PTAL 6b.

Details of proposal

6. Planning consent is sought for construction of a six storey building plus basement to accommodate an art gallery on the ground floor (212 sq.m) and basement (188 sq.m) and seven flats on the upper floors.

	GIA(sq.m)	Type	L/K/D (sq.m)	Bedrooms (sq.m)	Bathroom (sq.m)	Amenity space (sq.m)
Flat 1	97	3b4p	43	17; 10; 10	3.8	5
Flat 2	84	2b3p	33	13; 11	4	0
Flat 3	97	3b4p	43	17; 10; 10	3.8	5
Flat 4	73	2b3p	30	13; 10	4.8	3
Flat 5	149	4b6p	66	17; 15; 11; 10	6; 2.2	13; 5
Flat 6	126	4b5p	51	17; 11; 10; 10	6; 2.2	13; 5
Flat 7	102	2b4p	37	13; 12	4.3; 3.4	32

7. The majority of space (116 sq.m) on the ground floor would be occupied by the gallery, but a part of the floor space would be for the residential entrance from the south side of the site as well as cycle storage, lift access and an emergency exit to the north side of the site. Both commercial and residential refuse would be stored in the basement, alongside the storage space for artwork associated to the gallery.
8. The level entry access for both the gallery visitors and the residents of the Arthouse is located on the south eastern corner of the site. This dual access point, on the curved corner, a separate door to the gallery is provided internally to secure it at post commercial opening times. Access to the residential lift (and staircase) is secured via access control systems.

Amendments / Additional information

9. December 2018 - The south elevation was amended to exhibit a green wall and reflect the correct position Arthur's Mission; a recessed north-east corner at ground floor level was also introduced. Further amendments have been made to reduce the height of the parapet at first floor level on the west elevation by 0.6m.
10. January 2019 - A response was given to resident objections on daylight and sunlight impacts and mirror image calculations were provided.
11. April 2019 - Balcony to second floor flat removed and window realigned to be directly opposite the arched window to the rear of Arthur's Mission.

Planning history

12. 08/AP/0711 Full planning application for:
Change of use of part of an existing garage/storage space to gallery/shop (Class A1).
New shop window and door to Melior Place, protected by a black metal vertical roller shutter
Granted permission on 09/06/2008
13. 17/EQ/0316 Application type: Pre-Application Enquiry (ENQ)
Redevelopment of the site to provide a 7-storey mixed-use building comprising a commercial art gallery (Use Class A1) on the ground floor and 8x residential flats (Use Class C3) on the upper floors
Decision date 26/10/2017 Decision: Pre-application enquiry closed (EQC)
14. 18/EQ/0126 Application type: Pre-Application Enquiry (ENQ)
Redevelopment of the site to provide a new (Class A1) commercial gallery at ground floor with up to 8 residential units above
Decision date 20/06/2018 Decision: Pre-application enquiry closed (EQC).

Relevant planning history of adjoining sites

30 Snowfields

15. 15/AP/4517 Full planning application for:
Erection of an extension (extra floor) at second floor level together with building out over the existing single-storey part on the corner of Snowfields and Melior Place to accommodate office (Class B1) use. Granted permission on 13/01/2016.
16. 18/AP/3255 Non-material amendment application for:
Non-material amendment to planning permission 15/AP/4517' for 'Erection of an extension (extra floor) at second floor level together with building out over the existing single-storey part on the corner of Snowfields and Melior Place to accommodate office (Class B1) use'. The variations to the scheme are as follows: i) Omit the external metal solar screens and substitute a fabric interlayer incorporated within the double glazed wall panels ii) Create the glass 'box' in two full-sized frameless glass panels with a glass-to-glass corner iii) Omit the small balcony at Level 01 and substitute with a perforated bronze metal screen over internally opening panels iv) Add a frameless glass rooflight v) Use frameless glass barriers in place of metal railings at Level 02 and set them back from the building line. Granted permission on 07/11/2018.

6-14 Melior Street and land adjoining to the rear of Our Lady of La Sallete and Saint Joseph Catholic Church

17. 13/AP/3059 Full planning application for:
Part demolition and part refurbishment / change of use of existing buildings and erection of new buildings ranging from 4-7 storeys in height to provide 37 residential units (Class C3); a community centre (Class D1) and flexible commercial space at ground floor level (Class A1/A3/B1); cycle storage, new landscaping and associated works. Granted permission with legal agreement on 02/05/2014.

Summary of main issues

18. The main issues to be considered in respect of this application are:
 - a) Acceptability of the proposal in land use terms;
 - b) Impact on amenity of adjoining occupiers;
 - c) Quality of residential accommodation;

- d) Design quality and impact on the Bermondsey Street Conservation Area;
- e) Transport issues;
- f) Planning obligations and Community Infrastructure Levy (CIL);
- g) Other matters.

Planning policy

National Planning Policy Framework (2019)

- 19. Chapter 2 - Achieving sustainable development
- Chapter 5 - Delivering a sufficient supply of homes
- Chapter 6 - Building a strong, competitive economy
- Chapter 7 - Ensuring the vitality of town centres
- Chapter 9 - Promoting sustainable transport
- Chapter 11 - Making effective use of land
- Chapter 12 - Achieving well-designed places
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
- Chapter 16 - Conserving and enhancing the historic environment

The London Plan 2016

- 20. Policy 2.10 - Central Activities Zone - strategic priorities
- Policy 2.11 - Central Activities Zone - strategic functions
- Policy 2.12 - Central Activities Zone - predominantly local activities
- Policy 2.13 - Opportunity Areas and Intensification Areas
- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 4.6 - Support for and enhancement of arts, culture, sport and entertainment
- Policy 4.7 - Retail and town centre development
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.7 - Renewable energy
- Policy 5.10 - Urban greening
- Policy 5.11 - Green roofs and development site environs
- Policy 5.12 - Flood risk management
- Policy 5.13 - Sustainable drainage
- Policy 5.15 - Water use and supplies
- Policy 5.16 - Waste net self-sufficiency
- 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
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Core Strategy 2011

21. Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 3 - Shopping, leisure and entertainment
Strategic Policy 5 - Providing new homes
Strategic Policy 7 - Family homes
Strategic Policy 10 - Jobs and businesses
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

22. 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.
23. Policy 1.7 - Development within town and local centres
Policy 1.11 - Arts, culture and tourism uses
Policy 3.1 - Environmental effects
Policy 3.2 - Protection of amenity
Policy 3.6 - Air quality
Policy 3.7 - Waste reduction
Policy 3.8 - Waste management
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 3.15 - Conservation of the historic environment
Policy 3.16 - Conservation areas
Policy 3.19 - Archaeology
Policy 3.28 - Biodiversity
Policy 4.2 - Quality of residential accommodation
Policy 4.3 - Mix of dwellings
Policy 4.4 - Affordable housing
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling

Supplementary Planning Guidance Documents

24. Section 106 planning obligations and community infrastructure levy (CIL) SPD (2015)
Technical update to the Residential Design Standards SPD (2015)
Draft Affordable Housing SPD (2011)

Emerging planning policy

Draft new London Plan

25. The draft new London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The document is expected to reach examination stage later this year however, given the stage of preparation it can only be attributed limited weight.

New Southwark Plan

26. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight.

Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Summary of consultation responses

27. 12 objections have been received in response to the original development. The main concerns are:
1. Negative impact on access to daylight, sunlight and outlook for Snowsfields Yard development occupiers;
 2. Direct overlooking towards Snowsfields Yard flats;
 3. Proposal overly large, not in keeping with the conservation area and overbearing in relation to the Horeshoe Inn;
 4. Unacceptable reduction in daylight and outlook to Arthur's Mission;
 5. The proposal is overdevelopment of the site;
 6. Significant impact on traffic congestion during construction and afterwards;
 7. New residential windows facing the pub may be affected in the future, thus putting pressure on the operation of the pub;
 8. Service access from Melior Street would contradict proposals for the St Thomas Street East public realm improvements;
 9. Conditions should be applied to ensure that ground floor commercial use is not converted into more residential accommodation;
 10. Shared access to gallery and residential accommodation may become an issue in the future;
 11. The curved corner of the proposal should be made into a landmark corner;
 12. There should be more visitor cycle parking;
 13. The relationship with the passage to the south should be revisited;
 14. Contributions should be made to improve surrounding public realm;
 15. Loss of light and outlook to The Hive, which is a community space located on the ground floor of Arthur's Mission building.
28. A reconsultation exercise was carried out in February 2019 after the response was made from the applicant to objector comments on the daylight sunlight report. This resulted in a further three responses,
1. Concern about the loss of light and sunlight reaching flats at 36 Snowsfield Yard.
 2. Public space around the pub may become more limited or less accessible.
 3. Out of character structure that does not fit well with the neighbourhood.
 4. The application does not comply with BRE guidelines in regard to daylight and sunlight.
 5. The windows to the Snowsfields Yard flats on the east side would look out onto a vast blank wall which would be oppressive.
 6. The wrap around balconies would afford the residents of the proposed building a direct and close view into the east facing windows of Snowsfields Yard.

29. Following the changes to the balcony on the first floor flat a further consultation letter was sent out and a further three objection letters were received largely reiterating earlier comments made. In addition 12 letters of support have been received from artists and people associated with the studio and two local businesses, including the land lord of the Horseshoe Public House. These use a standard letter format supporting the re-establishment of an art use on the site and welcoming the addition to the growing concentration of the creative arts in the London Bridge, Snowsfields area.
30. Matters such as noise and nuisance created during the construction process are not material planning matters for an application of this scale, but would be controlled through environmental legislation. All other concerns raised in objections fall into the different categories of planning matters that are addressed in the report below.

Acceptability of the proposal in land use terms

31. Planning permission granted in 2008 established the current gallery/shop use (A1) on site. The proposal is to retain this use, and extend it further by way of a basement. In addition, it is proposed to introduce residential accommodation, which currently does not exist on site. The application site is surrounded by numerous buildings containing residential uses. The principle of the proposed mixed use development is acceptable and would be in keeping the current established land uses in the area.

Impact on amenity of adjoining occupiers

Snowsfield Yard (6-14 Melior Street)

32. Snowsfield Yard is a recently completed mixed use development of 4 to 7 storeys with the residential accommodation component located on upper floors. The north east corner of the development adjoins the application site boundary, and would be partly utilised to build the current proposal. However, the middle part of the Snowsfield Yard development on the east side has been set back from the boundary by approximately 3.0m and contains flats on the first, second, third and fourth floors. Furthermore, a flat on the fifth floor level has been positioned such that its outdoor terrace boundary is about a metre away from the site boundary and the terrace itself has a range of depth from 2.7m to 4.4m. Set behind the terrace is a living space with windows facing the application site as well as Melior Street. Due to the proximity to the new proposed development, these are the units most likely to be affected.
33. Impact on windows of Snowsfield Yard has been appraised in the submitted daylight and sunlight assessment. To arrive at results that are relative to the site context, the 'mirror test', described as an alternative test in the BRE guidance has been applied. This method is acceptable in this case due to the close proximity of the adjoining site. When the development at 6-14 Melior Street was determined a three-metre set back from the application site boundary was designed into the scheme, however with the current proposal in mind, it is clear that the windows of the east elevation of the Snowsfield Yard are located very close to the boundary.
34. The residential properties most affected in respect of daylight and sunlight are within Snowsfield Yard. This building has windows on its eastern elevation deep into its site. The BRE Guidelines acknowledge these situations and states that where buildings are constructed with windows so close to the boundary, e.g. borrowing light from an adjoining site. To ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a "mirror-image" building of the same height and size, an equal distance away on the other side of the boundary.
35. In this instance the applicant has assessed these windows using this methodology,

providing results to test what the impact of a mirror image building would be against the impact of the proposal building.

36. In doing this the results demonstrate that the proposal building would have a lesser impact to the adjoining windows than that of a mirror image building. It also shows that the existing VSC to the windows on the east elevation, particularly on the first floor already have low levels of natural daylight due to the existing building on the application site. Equally the test has been applied to assess the existing windows for the impact upon sunlight during the summer and winter months. Again it is shown that the impact of a proposed building would be the same or better than the impact arising from a mirror image building.
37. The daylight results show that one bedroom on first and one bedroom on the second floor, would not meet the VSC test, these windows are further south than the application site and are not obstructed as much by existing buildings. The first floor window would still enjoy more daylight than the other first floor windows currently experience. In respect of the second floor window it will still enjoy reasonably good daylight levels, (22.9) close to the BRE guideline recommendation of 27.
38. These rooms would pass the daylight distribution test as the area from which the sky line would remain visible and would not be reduced by more than 20%.
39. In terms of sunlight, only one window (first floor) would be noticeably affected, though the reduction would be 0.78 times former its existing value, which is marginally less than the 0.8 given in the BRE guidelines.
40. The other main concern raised by residents was reduction in outlook from the east facing windows. The existing Glasshouse building sits on the boundary with the adjoining site up to the height of 6.1m. The proposed new wall across from the windows on the east elevation of 6-14 Melior Place would be 7.1m high, thus being increased in height by only a metre. With each level the building steps further away from the boundary. Lastly, as noted above, the affected windows are serving bedrooms, which are arguably used less during the day and more during the night when impact on outlook would be less noticeable.
41. Lastly, one of the objections referred specifically to the impact on outlook from the fifth floor living room. While it is accepted that an impact on living space is more likely to affect the amenity of the occupiers, it is also noted that the living room has an associated roof terrace, which ensures a separation in the range between 2.7m and 4.4m. It is also noted that the living room has not only east facing windows but also north facing windows that would provide dual aspect outlook, thus likely reducing any possible sense of the proposed building being too overbearing.

Arthur's Mission (30 Snowfields)

42. Detailed objections to the proposal were received from the current occupiers of Arthur's Mission, which is located to the south of the application site. The main concerns related to impact on access to light and outlook within office space currently occupied by Dinwiddie Maclaren Architects. A detailed objection regarding light has been submitted by Delva Patman Redler on behalf of Dinwiddie Maclaren Architects.
43. The main concern is that the proposed building would overly large in scale and located too close to the existing north facing windows serving the studio/office of the architecture practice. The objection is raised to the lack of assessment of the daylight implications to this window.
44. It is important to note that the affected window in question is north facing, serving a

commercial use, which has been recognised in the letter submitted by Delva Patman Redler. As they explain, planning policy does not aim to protect amenity provided by daylight and sunlight in commercial buildings. The floor space in question is also served by east and south facing windows, rendering the north facing window a secondary opening. The objection has stated that it does not allow for the division of this space but currently this is laid out as a single space, as such, in terms of light, the impact on the north facing window is considered acceptable.

45. The nature of outlook from within the office space would be altered by the proposed development due to the scale and close proximity of the proposed development. However, the applicants have responded to this concern by introducing a green wall, which would soften the view from the studio window. A further revision to the scheme would see the removal of the first floor balcony which would have had views directly into the studio space, which given the distance between the buildings would have felt intrusive. A condition is suggested that this space is accessed for maintenance purposes only.
46. It is acknowledged that there will be impacts to the north elevation of this building, however it is not considered that the level of harm resulting from the proposal would be so severe as to warrant refusal of this planning application.

8-20 Snowsfields

47. 18 windows of north and west facade closest to development site were analysed in the submitted daylight and sunlight assessment to determine the impact. The results show that following the construction of proposed development, 14 of those windows would continue receiving light above the 27% VSC guideline as set out in the BRE standards. Four windows would fall below the 27% mark, but not less than 0.8 times below their original value.
48. Furthermore, sunlight analysis was also carried out in respect to these windows as they are located within 90 degrees of due south of the application site. BRE guidance targets for both annual probable and winter probable sunlight hours were satisfied.

The proposed development would therefore be acceptable in regard to the impact it would have on the nearby flats at 8-20 Snowsfields.

Horseshoe Inn

49. Concerns were raised in objections to the development that close proximity to the existing pub of proposed residential units could negatively affect the amenity of future occupiers by way of the noise created by the pub users, and in return could have a negative impact on the continue operation of the pub.
50. The pub is operating within a mixed residential area. Residents choosing to live in the area would be aware of the proximity of the public house and should a public nuisance be caused they would have the option of reviewing the licence of the pub. The proximity of the proposed dwellings to the pub is not uncommon in central London. The applicant has provided a background noise survey carried out for 24h between Thursday morning and Friday morning, thus to an extent accounting for one of the more busy periods of pub activity. The results show that noise decreases after 23.30 and the pub closes at 00.00. The findings have informed recommendations contained within the noise impact assessment for specific glazing. A condition is recommended to ensure that the specific glazing requirements are met once the development is carried out.

Impact on the amenity space at Snowfields Yards

51. There is a private terrace on the east elevation serving a fifth floor apartment. The useable area of this terrace is limited to space closer to the unit and is set away from the boundary. The daylight and sunlight assessment shows that this space will achieve more than 51% of its area receiving more than two hours of sunlight for 21 March, which will comply with the BRE Guidelines.

Impact upon public amenity space

52. There is a small public open space to the north west of the site along Melior Street, the impact to this space would be during winter months and only during the early morning hours. Due to the location of Snowfields Yards which is directly opposite, most of the shadow cast would be from this building. The current proposal would be harmful to the future enjoyment of this space.

Quality of residential accommodation

53. The proposed development would deliver seven flats of various sizes set out above in the report. All of the units would be sufficiently large to meet the requirements set out in the Residential Space Standards. Individual rooms would also be sufficiently large to be classified as good quality accommodation.
54. All units would be dual aspect, which would result in good levels of access to internal natural daylight as well as natural ventilation.
55. All but one of the flats proposed would have access to some private outdoor space, though the balconies proposed for the majority of the flats would be quite small. Furthermore, no communal outdoor space would be provided. Considering that the site is located in a Central Activities Zone and taking into account the site constraints, the shortfall in outdoor amenity space proposed is considered to be acceptable. However, a contribution for the shortfall is proposed to be collected by way of a S106 legal agreement, which would allow for local public open spaces to be improved for the use of development's and surrounding area's occupiers.

Design issues and impact on the Bermondsey Street Conservation Area

56. The site is occupied by a building which was largely rebuilt in the 1960s. The building's chief attribute is as a small scale building on a very tight site standing amongst a disparate collection of similarly scaled buildings. The Bermondsey Street Conservation Area Appraisal describes the Horseshoe Inn which lies immediately across Melior Street from the application site as being 'elaborately decorated and detailed, drawing the eye from its more mediocre surroundings.' The Appraisal then goes on to note that 'the quality of spaces around the pub derives from the informal and intimate scale... The individual variety of other small buildings such as the Catholic Church and the Glasshouse Theatre Studio (the studio that is the subject of this pre-app inquiry) contribute further to the interest.
57. There has been significant development in the area since the Conservation Area Appraisal was published, including replacement of a warehouse at Vinegar Yard (noted as a part of this group of buildings) with a 7-storey housing scheme. It has also been pointed out that the north side Melior Street will be intensively developed in the future with taller buildings.
58. In itself the present building has limited architectural significance although it does stand out on account of the pink render facing on the upper part of its facades and due to the general lack of detail on its facades. Given its lack of significance there its loss is

considered to be acceptable.

59. Like the present building, the proposed building occupies the entire site. It would define the street edges and hence maintain the intimate character of the streetscape in the area. It has a complex stepped form as it steps up towards Melior Street and the Horseshoe pub from Melior Place. The stepping is largely derived from daylight and sunlight assessments but is welcome as means of breaking down the building into a more complex form.
60. The building is small enough, although larger than the building it replaces, and has enough of a varied enough profile to stand out as separate and smaller than the recently completed large housing development at Snowfields Yard.
61. The building would be constructed in brick with glazed top floor. The facades would feature large square windows which are to be emphasised as projecting boxes which would cast shadows of varying sizes, thus adding interest to the facade.
62. The most striking feature of the design is its curved corners which follow the site outline and resemble the form of the existing building. Apart from this and boxed windows on the flat façades the proposal exhibits minimal architectural detail. Success of the design would therefore rely on the textural quality of brickwork and detailing, including that of projecting boxes. A condition requiring typical construction details is recommended, alongside request to review sample panels of materials on site for approval.

Transport issues

63. The application site is located within PTAL zone 6b, which indicates that occupiers of the area have excellent access to public transport. The proposed development is car-free, which is in line with the current planning policies and acceptable given the excellent access to public transport.
64. Fourteen cycle storage spaces would be provided for the use by residents of the proposed development. The cycle storage space would be internally located with access to it only available for the residents of the building. As such, it would be secure and weather proof.
65. One long stay parking space would be provided in association to the gallery space, and would be located in the basement with the lift providing access to it. Two short stay cycle parking spaces would be provided just outside the gallery, though the exact location is not defined and would be resolved with the help of a planning condition.

Planning obligations and Community Infrastructure Levy (CIL)

66. Due to a shortfall in communal outdoor amenity space proposed, a S106 agreement is proposed to be entered. The calculation of the Public Realm Contribution has been based on the Section 106 Planning Obligations and CIL SPD (2015) and is calculated to be £4,510.00.
67. As seven relatively spacious units are proposed on site and the ground floor and basement is occupied by a use which could be converted in to residential accommodation in the future, it is considered necessary to include a clause in the S106 that would ensure that affordable housing consideration is triggered if future development on site results in addition of units that would overall exceed the threshold of 10.
68. The application site is located within a controlled parking zone and so a clause is proposed to prevent future occupiers of the development from being able to apply for a parking permit.

69. An archaeology contribution of £3,389.00 is required as the site is located within an archaeological protection zone.
70. Lastly, the developer would be required to enter S278 agreement with the Highways Authority.
71. In the event that a satisfactory legal agreement has not been entered in by 30 August 2019 it is recommended that the director of planning refuses 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 adequate provision of affordable housing and 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 (2016) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).”

Other matters

Archaeology

72. This small site lies at an interesting location within the 'Borough, Bermondsey and Rivers' Archaeological Priority Zone (APZ). The applicants have submitted an archaeological Historic Environment Assessment by MoLA and dated September 2018, which is approved. The applicants have also carried out pre-determination archaeological fieldwork in the form of a geo-archaeological borehole. The applicants have commissioned a borehole evaluation report from MOLA and dated October 2018. The results of the monitoring indicate that an archaeological watching brief should be maintained during preliminary ground works and subsequent foundation construction. This would adequately mitigate the impacts of the proposals by ensuring that any previously unrecorded archaeological assets are not removed without record.
73. The submitted information is sufficient to satisfy the requirement of Saved Policy 3.19 'Archaeology' of the Southwark Plan 2007, which requires that applications for development in APZs should be accompanied by an archaeological desk-based assessment (DBA) and an evaluation report. A pre-commencement condition is therefore recommended to secure the implementation of a programme of archaeological watching brief works.

Flood Risk

74. The application site is located within Flood Zone 3a and inside a flood defence breach zone, as such a flood risk assessment has been submitted by the applicant. The assessment sets out measures that have been incorporated into the design of the proposal to mitigate any potential flood risk. These measures include raising the basement threshold to 4.25m AOD, which would be in compliance with the Southwark's flood risk assessment guidance document. Furthermore, residential accommodation would be located at first floor and above, and so would be less likely to be affected by flood risk.
75. In terms of sustainable drainage measures, a 55 sq.m blue roof system is proposed with an associated 85m deep geocellular storage unit. This system would create a total of approximately 4.04 cubic metres of storage. This water would be attenuated and released to the existing Thames Water manhole located immediately south east of the development site at a controlled rate of 5 litres per second. This approach is found to be

acceptable and in line with the guidelines set out in the Southwark's policies and in the London Plan.

Energy

76. An energy statement has been submitted to set out how measures to increase energy efficiency of the proposed development as required by the council's policies as well as in the London Plan. It is proposed to install air source heat pumps that would produce space and domestic hot water heating as well as cooling for the residential units. PV panels are proposed to be installed to supplement the carbon reduction for both the residential and commercial uses.
77. The proposed measures would ensure that 35% minimum carbon reduction required by the London Plan would be exceeded for the residential component of the development. The commercial component of development would comply with the 35% London Plan target.

Refuse

78. All refuse would be stored in the basement of the building, though residential and commercial refuse would be separated as per the requirements of the council's policies. Space has been designed to accommodate sufficiently large bins in accordance with the waste management guidelines. As such, two 940 litre and one 360 litre bin would be allocated for the residential use purposes and one 720 litre and one 360 litre bin would be used for commercial purpose. Lift access would ensure that refuse stores in the basement are accessible and it is proposed that the building management would take care of disposing of the bins at collection times. The current refuse collection takes place from Snowfields, which would remain unchanged. This is within an acceptable distance to ensure that refuse would be collected.

BREEAM

79. BREEAM pre-assessment has been submitted in support of the proposal and in light of the requirement for new commercial development in the borough to achieve 'excellent' rating. The assessment shows that incorporation of sustainable measures, such as, would allow the development to be rated as 'excellent' with a potential score of 73.86%.

Conclusion on planning issues

80. In light of the above, the proposal is considered acceptable and the application is recommended for approval.

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

83. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

- 84. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
- 85. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
- 86. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

- 87. 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.
- 88. 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/65-1 Application file: 18/AP/3229 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing 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 5434 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Daylight results
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Sonia Watson, Team Leader	
Version	Final	
Dated	30 May 2019	
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		31 May 2019

APPENDIX 1

Consultation undertaken

Site notice date: 26/10/2018

Press notice date: 18/10/2018

Case officer site visit date: 14/11/2018

Neighbour consultation letters sent: 15/10/2018

Internal services consulted:

Ecology Officer

Economic Development Team

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

Flood and Drainage Team

HIGHWAY LICENSING

Highway Development Management

Housing Regeneration Initiatives

Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy

Environment Agency

Greater London Authority

Historic England

London Fire & Emergency Planning Authority

London Underground Limited

Metropolitan Police Service (Designing out Crime)

Natural England - London Region & South East Region

Network Rail (Planning)

Thames Water - Development Planning

Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Effingham House Arundel Street WC2
6 Melior Street London SE1 3QP
17 Snowsfields London SE1 3SU
18 Snowsfields London SE1 3SU
First Floor Flat The Glasshouse SE1 3SZ
The Glasshouse 3 Melior Place SE1 3QP
8-9 Snowsfields London SE1 3SU
30 Snowsfields London SE1 3SU
10-11 Snowsfields London SE1 3SU
Flat Above 10-11 Snowsfields SE1 3SU
Arthurs Mission Hall Snowsfields SE1 3SU
1 Melior Place London SE1 3SZ
15 Snowsfields London SE1 3SU
16 Snowsfields London SE1 3SU
12 Snowsfields London SE1 3SU
14 Snowsfields London SE1 3SU
3-4 Holborn Circus London EC1N 2HA
Arthurs'S Mission 30 Snowfields SE1 3SU
1 Melior Place London SE1 3SZ
Apartment 29 36 Snowsfields SE13SU
36 Snowsfields London SE1 3SU

Apt 25 36, Snowsfields SE13SU
27 Handen Road London SE12 8NP
Apartment 9 36 Snowsfields SE1 3SU
Apartment 21 Snowsfields Yard, Snowsfields SE1 3SU
Flat 8 36 Snowsfields SE1 3SU
Flat 24 36 Snowsfields SE1 3SU
Apartment 9 36 Snowsfields SE1 3SU
Flat 31, Snowsfields Yard 36 Snowsfields SE1 3SU
Apt 19, 36 Snowsfields London SE1 3SU
15 Snowsfields London SE1 3SU
Thavies Inn House 3-4 Holborn Circus EC1N 2HA

32 Barnes Court Lofting Road N1 1JD

533 Old York Road London SW18 1TG
Fairplanet 3 Melior Place SE1 3SZ

Email EMAIL
36 Snowsfield Yard Flat 31 SE1 3SU

Re-consultation: 15/02/2019

APPENDIX 2

Consultation responses received

Internal services

Economic Development Team
Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency
Historic England
London Fire & Emergency Planning Authority
London Underground Limited
Metropolitan Police Service (Designing out Crime)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Apartment 21 Snowsfields Yard, Snowsfields SE1 3SU
Apartment 29 36 Snowsfields SE13SU
Apartment 9 36 Snowsfields SE1 3SU
Apt 19, 36 Snowsfields London SE1 3SU
Apt 25 36, Snowsfields SE13SU
Arthurs's Mission 30 Snowfields SE1 3SU
Arthurs's Mission 30 Snowfields SE1 3SU
Email EMAIL
Email EMAIL
Email EMAIL
Email EMAIL
Email representation
Email representation
Email representation
Fairplanet 3 Melior Place SE1 3SZ
Flat 24 36 Snowsfields SE1 3SU
Flat 31, Snowsfields Yard 36 Snowsfields SE1 3SU
Flat 8 36 Snowsfields SE1 3SU
Flat 8 36 Snowsfields SE1 3SU
Thavies Inn House 3-4 Holborn Circus EC1N 2HA
1 Melior Place London SE1 3SZ
15 Snowsfields London SE1 3SU
27 Handen Road London SE12 8NP
30 Snowsfields London SE1 3SU
32 Barnes Court Lofting Road N1 1JD
3-4 Holborn Circus London EC1N 2HA
36 Snowsfield Yard Flat 31 SE1 3SU
36 Snowsfields London SE1 3SU
533 Old York Road London SW18 1TG