

Bermondsey Community Council Planning

Wednesday 9 May 2012

7.00 pm

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

Membership

Councillor Linda Manchester (Chair)
Councillor Graham Neale (Vice-Chair)
Councillor Anood Al-Samerai
Councillor Michael Bukola
Councillor Denise Capstick
Councillor Mark Gettleson
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor Nick Stanton

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Acting Chief Executive

Date: Tuesday 1 May 2012



Order of Business

**Item
No.**

Title

1. INTRODUCTION AND WELCOME
2. APOLOGIES
3. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.

Item No.

Title

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.

5. MINUTES (Pages 5 - 7)

To confirm as a correct record the minutes of the meeting held on 16 April 2012.

6. DEVELOPMENT MANAGEMENT ITEMS (Pages 8 - 13)

6.1. 29 CURLEW STREET, LONDON, SE1 2ND (Pages 14 - 28)

6.2. VALENTINE AND ORSON, 171 LONG LANE, LONDON, SE1 4PN (Pages 29 - 57)

Date: Tuesday 1 May 2012

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Tim Murtagh, Constitutional Officer, Tel: 020 7525 7187 or email: tim.murtagh@southwark.gov.uk
Website: www.southwark.gov.uk

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Bermondsey Community Council

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SE1 2TZ London

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Haddii aad u baahan tahay macluumaadka ku saabsan Guddiyada Beelaha oo lagu tarjumay luqaddaada fadlan soo wac khadka taleefoonka 020 7525 7420 ama booqasho ugu tag hawladeennada ku sugan 160 Tooley Street, London SE1 2TZ

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Planning at Community Council Meetings

This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors - if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located.

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes have elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council.

Members of the committee will then debate the application and consider the recommendation.

Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

The arrangements at the meeting may be varied at the discretion of the Chair.



BERMONDSEY COMMUNITY COUNCIL - Planning -

MINUTES of the Bermondsey Community Council held on Monday 16 April 2012 at 7.00 pm at Ground Floor Meeting Room G01B - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Linda Manchester (Chair)
Councillor Graham Neale (Vice-Chair)
Councillor Anood Al-Samerai
Councillor Michael Bukola
Councillor Denise Capstick
Councillor Mark Gettleson
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor Nick Stanton

**OFFICER
SUPPORT:** Tim Bostridge, Principal Project Officer
Nicky Bradbury, Senior Planning Lawyer
Vikki Lewis, Senior Planning Officer
Jeremy Pilgrim, Head of Property
Alison Squires, Planning Policy Team Leader
Al-Jawad Zayd, Section 106 Legal Agreements Manager
Tim Murtagh, Constitutional Officer

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

There were apologies for lateness from Councillors Anood Al-Samerai and Mark Gettleson.

3. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 8 March 2012 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT MANAGEMENT ITEMS

6.1 82 TOWER BRIDGE ROAD, LONDON, SE1 4TP

Report: See pages 16 to 28 of the agenda.

PROPOSAL

Change of use of ground floor from amusement arcade (Sui Generis) to financial and professional services (Class A2)

The planning officer presented the application and councillors asked questions of the planning officer:

The objectors, made a statement and councillors asked questions.

The applicant's agent made a statement and councillors asked questions.

There were no statements from local supporters of the application living within 100 metres of the site, or from ward councillors.

RESOLVED:

That application 11-AP-3808 be refused and that officers draft detailed reasons for refusal for consideration at the next meeting.

At this point, Councillors Michael Bukola, Paul Kyriacou and Linda Manchester left the meeting. Councillor Graeme Neale chaired the remainder of the meeting.

7. PLANNING POLICY AND AFFORDABLE HOUSING IN BERMONDSEY

The planning policy officer summarised the report and councillors asked questions.

There were additional contributions from the Head of Property, the Principal Project Officer and the section 106 Legal Agreements Manager. There were questions from councillors to each of those officers.

Councillor Anood Al-Samerai joined the meeting during the discussions and sat in the audience. Councillor Denise Capstick departed during the discussions.

Members noted the report and asked for the following additional information:

1. That the Development Capacity Assessment (DCA) be re-circulated with sites in the appropriate wards and an extra column added that indicates whether or not the sites had received planning permission. Also, that a commentary / explanatory notes be added where appropriate.
2. That a column be added to the DCA to show where funding has already been secured from the HCA.
3. That an invitation be extended to councillors to discuss the DCA with the additional information, on a ward by ward basis.

The meeting ended at 9.00pm

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 16 April 2012	Meeting Name: Bermondsey Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Deputy Chief Executive	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H of the Southwark Council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
10. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community impact statement

14. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Strategic Director of Communities, Law & Governance, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Strategic Director of Communities, Law & Governance. The planning permission will not be issued

unless such an agreement is completed.

17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
19. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
21. The National Planning Policy Framework (NPPF) is intended to bring together Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document. It is a consultation document and therefore may be subject to potential amendment. It is capable of being a material consideration, although the weight to be given to it is a matter for the decision-maker. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	7 February 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

ITEMS ON AGENDA OF THE BERMONDSEY CC
on Wednesday 09 May 2012

Appl. Type Full Planning Permission
Site 29 CURLEW STREET, LONDON, SE1 2ND

Reg. No. 12-AP-0395
TP No. TP/208-29
Ward Riverside
Officer Michael Mowbray

Recommendation GRANT PERMISSION

Item 6.1

Proposal

Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation and internal refurbishment

Appl. Type Full Planning Permission
Site VALENTINE AND ORSON, 171 LONG LANE, LONDON, SE1 4PN

Reg. No. 11-AP-4364
TP No. TP/147-E
Ward Grange
Officer Terence McLellan

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 6.2

Proposal

Demolition of existing building and erection of a 6 storey plus basement building to include 13 residential units and 2 levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking.

29 CURLEW STREET, LONDON, SE1 2ND

Ordnance Survey

Date 26/4/2012



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Item No. 6.1	Classification: Open	Date: 9 May 2012	Meeting Name: Bermondsey Community Council
Report title:	Development Management planning application: Application 12/AP/0395 for: Full Planning Permission Address: 29 CURLEW STREET, LONDON, SE1 2ND Proposal: Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation and internal refurbishment		
Ward(s) or groups affected:	Riverside		
From:	Head of Development Management		
Application Start Date 13 February 2012		Application Expiry Date 9 April 2012	

RECOMMENDATION

- 1 Grant permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application is brought before community council due to the number of objections to the scheme exceeding 3 and the recommendation to grant permission.

Site location and description

- 3 The application relates to an existing converted warehouse dwelling situated on the west side of Curlew Street within the Tower Bridge conservation area. The dwelling occupies the whole of the converted 19th century warehouse as a single unit which has subsequently been extended to incorporate an additional floor.
- 4 The area is mixed with the adjoining properties occupied as residential units. The immediately adjoining dwelling to the north is a conversion of a similar period warehouse, and there is a row of terrace properties to the south. There is a multi-storey car park situated opposite to the site with office buildings also in the vicinity.
- 5 The site is located within part of the Bankside, Borough and London Bridge Strategic Cultural Area. The site is also within an Archaeological Priority Zone.

Details of proposal

- 6 Alterations to the existing property consisting of the formation of a new basement level, alterations to the Curlew Street and rear elevation and a second floor rear extension.
- 7 The proposed basement level would provide space for a gym, wine cellar area and a small ancillary workshop. The proposed second floor alterations would provide space

for an additional bathroom. The dwelling would be converted into a single bedroom property with a library/study area situated to the first floor.

This is a single family dwellinghouse where there are permitted development rights for various alterations and extensions. Basement extensions with no external expression, together with alterations to windows, are normally permitted development. Permission was granted under a 2006 application to use this building as a dwelling and the permitted development rights were not removed at that time.

Planning history

- 8 **11-AP-2151**
Alterations and extension including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation.
Withdrawn: November 2011
- 9 **07-AP-1678**
Erection of an additional floor to provide additional living accommodation to existing dwelling house.
Approved: November 2007
- 10 **06-AP-0918**
Change of use of premises from live/work unit to residential with associated minor alterations to the external appearance of the front and rear elevation
Approved: July 2006

Planning history of adjoining sites

- 11 None identified.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 12 The main issues to be considered in respect of this application are:
- a) The design of the proposal and impact upon the conservation area
 - b) The potential impact upon the amenity of neighbouring residential properties.

Planning policy

Core Strategy 2011

Strategic Policy 12 'Design and conservation'
Strategic Policy 13 'High environmental standards'

Southwark Plan 2007 (July) - saved policies

3.2 'Protection of amenity'
3.11 'Efficient use of land'
3.12 'Quality in Design'
3.13 'Urban Design'
3.15 'Conservation of the historic environment'
3.16 'Conservation areas'
3.19 'Archaeology'

London Plan 2011

- 13 Policy 7.4 'Local character'
Policy 7.6 'Architecture'

National Planning Policy Framework

- 14 On 27 March, the DCLG published the National Planning Policy Framework with immediate effect. The NPPF replaces previous government guidance including all PPGs and PPSs. Full weight should be given to the NPPF as a material consideration in taking planning decisions.

- the policies in the NPPF apply from the day of publication and are a material planning consideration;
- for the purpose of decision-taking, the policies in the Core Strategy, DPDs and SPDs should not be considered out of date simply because they were adopted prior to the publication of the NPPF;
- for 12 months from the date of publication, decision-takers can continue to give weight to relevant local planning policies such as LDDs adopted in accordance with the PCPA 2004 and those in the London Plan. It should be noted that the weight accorded to saved policies of the Southwark Plan (UDP) should be given according to their degree of consistency with policies in the NPPF.

Principle of development

- 15 Extension to a residential dwelling raises no landuse issues.

Environmental impact assessment

- 16 Not required for a development of this type. No significant environmental impacts would arise.

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

- 17 The properties most potentially affected by the proposed works would be those situated either side of the application dwelling: Nos. 28 and 30 Curlew Street.
- 18 No. 28 Curlew Street lies to the south west. The proposed extension would not lead to any significant impacts on the sunlight able to enter either the first or second floor openings which are situated closest to the boundary with No.29 Curlew Street. The openings at No 28 Curlew Street which are closest to the boundary with the application site are set in from the steep sloping roof to the rear of this property which creates a light well arrangement. With the pattern of the sun moving to the south of this property adequate daylight would still be afforded to these openings. With regard to outlook, the proposed extension would extend out by two metres from the rear extension of the existing dwelling extending along the existing building line which is set at a slight outward direction angle from the application property. The proposed extension would block views only directly onto the terrace balcony of the application site and views to the rear of the buildings situated along Gainsford Street. With the use of an existing balcony views into the rear courtyard area situated in the centre of these buildings would not be significantly obscured. Given the modest scale of the proposed extension and the positioning of this neighbouring dwelling, it is not considered that the proposed extension would adversely impact upon the amenity of this neighbouring property through loss of light or outlook.

- 19 Concerning No 30 Curlew Street, although the proposed extension is situated to the south of this dwelling, the proposed extension would not lead to a loss of light accessible to this property. The ground floor and first floor windows are already obscured by the ground floor and first floor protruding section of the application site. Taking into account the second floor opening which is set just below the second floor level of the application property, with the positioning of the proposed extension set in from the boundary with No. 30 by approximately 1.2m and at the proposed height, the development would not lead to a loss of light to the 2nd floor opening of the dwelling. Given that the 3rd floor of this neighbouring property is set significantly above the 2nd floor of the application site, the proposed extension would not lead to a loss of light to this opening or the dwelling as a whole. Regarding outlook from the rear elevation openings, the proposed extension, again taking into account the set in from the boundary would not lead to a loss of outlook from this dwelling.
- 20 The proposed second floor extension would accommodate a bathroom. In order to prevent any potential overlooking into the rear of No.30 Curlew Street and the properties to the north at the Thames Heights development, a condition is recommended for obscure glazing. Whilst the flat roof at this level is shown as a terrace on the existing plans, access would be through a small window, and there is no balustrade. The proposed plans show a balustrade around the flat roof area beyond the bathroom, which has full height windows. Use of the flat roof here is likely to be infrequent, given its restricted size, and a condition is recommended that it is restricted to maintenance and means of escape only, given its close proximity to neighbouring windows.
- 21 The proposed alterations to the front of the building would not affect the amenity of dwellings either side of the application site. They amount to some minor roof alterations, change to window design and relocation of a gantry to a floor higher. At the rear, french windows would be enlarged. These works would not have significant amenity impacts on neighbours.
- 22 The proposed basement would be accessed solely from the internal ground floor level of the application site subject to internal re-arrangements. It is proposed to use this space as a small gym, workshop and wine cellar ancillary to the main dwelling. The proposed basement would not have any impact in a physical sense to the neighbouring dwellings. It is considered that the proposed uses are acceptable in a domestic context ancillary to the main dwelling.

Neighbours are very concerned about the works that would be involved in the basement construction, and whether there would be structural implications. Whilst these concerns are understood, these are not planning issues and not material considerations for assessing a planning application.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 23 No impact

Traffic issues

- 24 None anticipated.

Design issues

- 25 The proposed front facade would effectively be raised to remove the existing glass frontage at the top and to recreate the loading doors on all three floors. This is similar to the neighbouring dwelling which also has loading doors on each floor. The existing

loading doors at first floor level would be widened slightly with this style recreated to the second floor and the existing gantry brought to 2nd floor level. It is considered that the proposed alteration is more sympathetic to the design of the original building than the existing design which is a modern glass gable end feature. The proposed new openings would be recreated with care to reflect the features of the existing incorporating new lintels and timber painted sash windows.

- 26 Alterations at the rear introduce more glazing in the form of wider french doors. These are only visible from semi private views at the rear. The plans show use of aluminium; timber would be a more appropriate traditional material in a conservation area and a condition requiring this amendment has been included on the decision notice.

On balance, the alterations are considered to be acceptable in design terms. Much of the detailing on the house is non original work and the works to the front would be more reflective of a traditional warehouse.

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

- 27 The site is within the Tower Bridge conservation area. This is characterised in the Curlew Street area by modern development which is in contrast to the historical three storey warehouse buildings which are also evident in the area such as at 30 Curlew Street. The proposed addition would maintain the three storey element of the building and would recreate the features of it in a way which would preserve and enhance the characteristics of the main building. It is considered that with this careful recreation of the existing facade features set within the context of modern buildings, the proposed development would not adversely impact upon the character and appearance of the Tower Bridge conservation area. The development therefore accords with saved plan policy 3.16 'Conservation area' of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy

Impact on trees

- 28 None

Planning obligations (S.106 undertaking or agreement)

- 29 Not required.

Sustainable development implications

- 30 None identified

Other matters

Archaeology

- 31 The site is within an Archaeological Priority Zone and with the proposed works including underground excavation careful consideration must be given to the potential for archaeology at the site. After consultation with the Council's archaeology officer it was considered that details should be submitted showing how structural and engineering works will be carried out in order to carry out the excavation of the basement and also details of opportunities when archaeological excavation and recording can be carried out during the work.
- 32 The potential for post medieval archaeology relating to 'rookeries' of the Shad Thames area and pre-historic material and geographical deposits has been identified. A

programme of construction work will need to be carefully designed in order to make opportunity to maximise this potential.

- 33 It has been recommended that conditions be attached to any consent granted requiring details of proposed archaeological works, foundation design and recording.

Conclusion on planning issues

- 34 It is considered that the modest scale extension to the 2nd floor of the extension is acceptable and would not harm the amenity of adjoining residential properties. The proposed alterations to the front elevation are considered acceptable and would preserve the character and appearance of the conservation area. It is also considered that the formation of a basement level is acceptable and would not harm amenity. The proposed development is considered acceptable as a whole and is therefore recommended for approval.

Community impact statement

- 35 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.

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

Consultations

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

Consultation replies

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

Human rights implications

- 38 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.

- 39 This application has the legitimate aim of providing additional living accommodation. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**Strategic Director of Communities, Law & Governance**

N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/208-29 Application file: 12/AP/0395 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3602 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Original neighbour consultee list

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Michael Mowbray, Planning Officer	
Version	Final	
Dated	17 April	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Planning	Yes	Yes
Strategic Director of Environment and Leisure	No	No
Date final report sent to Constitutional Team		27 April 2012

Consultation undertaken

Site notice date: 23rd February 2012

Press notice date: 1st March 2012

Case officer site visit date: 23rd February 2012

Neighbour consultation letters sent: 23rd February/21 March 2012

Internal services consulted:

Design and Conservation Team
Archaeology Officer

Statutory and non-statutory organisations consulted:

Thames Water
Environment agency

Neighbours and local groups consulted:

See Acoalid list in Appendix 3

Re-consultation:

Additional neighbour consultees sent out to residents in adjacent Canvas House development who were not included in original consultation process.

Consultation responses received

Statutory and non-statutory organisations

Thames Water:

Recommended the fitting of a non-return valve to avoid the risk of back flow in storm conditions. Also recommended that the applicant contact Thames Water to discuss the ownership status of their sewage pipes in order to allow access for future maintenance should the proposed works change the current access situation.

Environment Agency:

No comments received.

Neighbours and local groups

A total of 8 letters of objection were received from adjacent and adjoining residents to the site. The objections raised the following points of concern:

- The potential loss of light to openings to the rear of No 28 Curlew Street.
- Potential overlooking from new openings onto the rear curtilage area of 28 Curlew Street.
- Potential overbearing impact upon residential properties which form part of the Thames Heights and Canvas House developments.
- The potential impact upon the Barclays/TFL cycle hire scheme, a station of which is situated opposite to the site.
- The design, in addition to the previously permitted alterations would lead to the loss of the character of the main dwelling.
- The disposal of the spoil from the excavation of the basement and the potential impact upon Curlew Street and the users of this highway.
- The stalling and inconvenience to neighbours of the works should the application be subject to archaeological assessments.
- The structural integrity of the excavation of a basement on the rest of the building and the neighbouring properties.

Objections were received from residents in the following addresses:

3 Canvas House
5 Canvas House
Canvas House
7 Canvas House
18A Thames Heights
2 Thames Heights
28 Curlew Street
30 Curlew Street

APPENDIX 3

Original neighbour consultee list

Neighbour Consultee List for Application Reg. No. 12-AP-0395

TP No	TP/208-29	Site	29 CURLEW STREET, LONDON, SE1 2ND
App. Type	Full Planning Permission		

Date Printed	Address
23/02/2012	18 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	19 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	20 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	17 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	18A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	15 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	16 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	21 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	FIFTH FLOOR INDIA HOUSE 45 CURLEW STREET LONDON SE1 2ND
23/02/2012	BASEMENT GROUND FLOOR AND MEZZANINE FLOOR 32 CURLEW STREET LONDON SE1 2ND
23/02/2012	25 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	22 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	23 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	13 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	2 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	3 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8A THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	1 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	28 CURLEW STREET LONDON SE1 2ND
23/02/2012	30 CURLEW STREET LONDON SE1 2ND
23/02/2012	5 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	10 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	11 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	12 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	9 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	6 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	7 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB
23/02/2012	8 THAMES HEIGHTS 52-54 GAINSFORD STREET LONDON SE1 2NB

Neighbour reconsultation list

TP No	TP/208-29	Site	29 CURLEW STREET, LONDON, SE1 2ND
App. Type	Full Planning Permission		

Date Printed	Address
21/03/2012	FLAT 3 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	1 THE CANVAS HOUSE JUBILEE YARD QUEEN ELIZABETH STREET LONDON SE1 2LP
21/03/2012	FLAT 4 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 7 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 6 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL
21/03/2012	FLAT 5 CANVAS HOUSE 25 QUEEN ELIZABETH STREET LONDON SE1 2NL

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Mr B. Green	Reg. Number	12/AP/0395
Application Type	Full Planning Permission	Case Number	TP/208-29
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Alterations and extension to No.29 Curlew Street including formation of a new basement, extension at second floor level, modifications to the Curlew Street elevation and internal refurbishment

At: 29 CURLEW STREET, LONDON, SE1 2ND

In accordance with application received on 13/02/2012 08:01:26

and Applicant's Drawing Nos. Site plan, 102 Rev A, 103 A, 110 A, 120 A, 202 A, 203 B, 210 B, 220 B
Design and Access Statement, Historic Environment Assessment, Flood Risk Assessment

Reasons for granting permission.

This planning application was considered with regard to various policies including, but not exclusively:

a] Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity. Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design. Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments. Policy 3.16 seeks that the extension or alteration of buildings within conservation areas preserves or enhances the character and appearance of conservations areas.

b] Strategic Policies 12: 'Design and Conservation' which requires the highest possible standards of design for buildings and public spaces; 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

c] National Planning Policy Framework

Particular regard was had to the objections in relation to the potential impact upon the amenity of the adjoining residential properties as a result of the second floor rear extension and excavation of the proposed basement. Also, the design of the proposed alterations to the front elevation and its ability to preserve and enhance the character and appearance of the conservation area.

However, it was considered that the proposal would present a unique and innovative design which would complement the site and adequately preserve the character and appearance of the conservation area. Given the proposed design which would preserve the existing character of the building and the acceptable scale of the development, it was considered that there would be no significant harm upon the neighbouring properties and the character and appearance of the conservation area would be preserved. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

202 A, 203 B, 210 B, 220 B

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Samples of the external materials to be used in the carrying out of this permission including all proposed new fenestration detailing shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of proposed external materials in the interest of the appearance of the building in accordance with Strategic Policy 12 - Design and Conservation' of the Core Strategy and saved plan policy 3.12 'Quality in Design' of the Southwark Plan.

- 4 The windows on the north facing side elevation of the proposed 2nd floor extension shall be obscure glazed and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 30 Curlew Street and Thames Heights residential properties from undue overlooking in accordance with saved policy 3.1 'Protection of Amenity' of the Southwark Plan and Strategic Policy 13 'High Environmental standards' of the Adopted Southwark Core Strategy.

- 5 Before any work hereby authorised begins, the applicant shall submit a written scheme of investigation for a programme of archaeological works which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

6 Archaeological Foundation Design

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

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 7 Before any work hereby authorised begins, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 8 Notwithstanding the plans hereby approved, the new windows in the rear elevation shall have timber frames, not aluminium as specified.

Reason

In order to be acceptable in design terms and to contribute to the character and appearance of the Tower Bridge Conservation Area, in accordance with saved policy 3.12 Quality in Design and policy 3.16 Conservation Areas of the Southwark Plan and Strategic Policy 12 Design and Conservation of the Core Strategy.

- 9 The flat roof outside the new bathroom hereby approved at second floor level shall be used for maintenance and means of escape purposes only, and not as a terrace or sitting out area.

Reason

To protect the amenity of neighbouring residents and provide undue overlooking or noise and disturbance arising, in accordance with saved Policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy.



Item No. 6.2	Classification: Open	Date: 9 May 2012	Meeting Name: Bermondsey Community Council
Report title:	Development Management planning application: Application 11/AP/4364 for: Full Planning Permission Address: VALENTINE AND ORSON, 171 LONG LANE, LONDON, SE1 4PN Proposal: Demolition of existing building and erection of a 6 storey plus basement building to include 13 residential units and 2 levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking.		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 23 December 2011		Application Expiry Date 23 March 2012	

RECOMMENDATION

- 1 Subject to the applicant first entering into an appropriate legal agreement by no later than 2nd July 2012, planning permission be granted subject conditions.
- 2 In the event that the requirements of 1) are not met by the 2nd July 2012, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraphs 49-57 below.

BACKGROUND INFORMATION

- 3 This application has been referred to Bermondsey Community Council for determination due to the number of objections received from third parties.

Site location and description

- 4 The application site refers to the building located at 171 Long Lane, Borough, London. The existing building is a vacant public house, The Valentine and Orson, that has fallen into a state of disrepair. The existing public house is part single, part two storey in height with the main access located on the Long Lane elevation. To the rear of the site there is a disused courtyard area with gated vehicular access gained from Weston Street. The vacant public house is of late 1960's/early 1970's design featuring materials such as brown brick, timber panelling, timber windows and a flat roof.
- 5 The application site is located within an area characterised by residential and commercial use, however residential use is the predominant feature. The site is bounded to the north by the courtyard of the adjacent commercial premises and the residential properties of the Kipling Estate, to the east by Weston Street and the adjacent commercial premises occupied by Stage Electronics, to the south by Long

Lane and the adjacent new flatted residential dwellings and bounded to the west by a single storey building accommodating Council Offices.

The building is not listed and is not located within a conservation area. Bermondsey Street conservation area lies to the north east.

Details of proposal

- 6 Permission is sought for the erection of a six storey building comprising a commercial unit at basement and ground floor level to be used for A1, A2, A3, A4 or B1 purposes. Floors one to five will accommodate 13 self contained dwellings comprising 2 x 1-bed flats, 8 x two bed flats, 2 x three bed flats and 1 x four bed dwelling. The fifth floor will be set back and all dwellings will feature a balcony or roof terrace providing private amenity space. The residential entrance will be on Weston Street with the commercial entrance on Long Lane and a business entrance on Weston Street. Cycle and refuse storage is provided at ground floor level adjacent to the residential lobby. Materials to be employed include glass curtain walling at ground floor level and brickwork/glass at all upper levels

Planning history

7

System	Reg. No.	Type	Description	Summary	End Date
DC	08/AP/1342	FUL	External and internal refurbishment of disused Class A4 public house. Erection of 105sqm single storey infill extension to rear of site also to be for public house use.	REF	05/09/2008
DC	08/EQ/0097	ENQ	Development of an 8 storey ground floor plus 7 building into 9 no residential flats two levels of B1 commercial space and two levels of A4 bar accommodation all with ancillary refuse and cycle storage at ground level	UNK	04/12/2008
DC	08/AP/2653	FUL	Refurbishment of Class A4 public house with infill extension to rear ground floor to provide additional accommodation for the pub; associated alterations to elevations.	GRA	13/02/2009
DC	10/EQ/0171	ENQ	Development of a 6 storey plus basement building to include 9 no residential units and 2 levels of bar accommodation ground and basement. With ancillary refuse and cycle parking at ground floor level.	EQC	30/11/2010
DC	11/AP/4364	FUL	Demolition of existing building and erection of a 6 storey plus basement building to include 13 residential units and 2 levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking.	BCC	
DC	11/AP/3492	FUL	Demolition of existing building and erection of a 6 storey plus basement building to include 13 residential units and two levels of A3 (restaurant/cafe) or A4 (drinking establishment) accommodation at ground and basement levels, together with ancillary refuse and cycle parking at ground floor level.	WDN	03/11/2011

Planning history of adjoining sites

- 8 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 9 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 of The Core Strategy 2011, the saved policies of The Southwark Plan 2007 (July and the provisions of The National Planning Framework.
- b] The impact on the visual, residential and commercial amenity of the area.
- c] The quality of residential accommodation to be provided.
- d] The design quality of the proposal.
- e] Transport impacts.
- f] All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 10 SP1 - Sustainable development
- SP2 - Sustainable transport
- SP3 - Shopping leisure and entertainment
- SP5 - Providing new homes
- SP6 - Homes for people on different incomes
- SP7 - Family homes
- SP10 - Jobs and businesses
- SP12 - Design and conservation
- SP13 - High Environmental standards
- SP14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

- 11 For 12 months from 27 March 2012 weight can continue to be given to relevant local planning policies adopted in accordance with the Planning and Compulsory Purchase Act 2004, and those in the London Plan, in making decisions on planning applications even if there is a limited degree of conflict with the National Planning Policy Framework (NPPF). The weight given to the saved policies of the Southwark Plan should be according to their degree of consistency with policies in the NPPF.
- 12 Policy 1.10 - Small scale shops and services outside the town and local centres and protected shopping frontages
- Policy 2.5 – Planning obligations
- Policy 3.1 – Environmental effects
- Policy 3.2 – Protection of amenity
- Policy 3.4 – Energy efficiency
- Policy 3.6 – Air quality
- Policy 3.7 – Waste management
- Policy 3.9 – Water
- Policy 3.11 – Efficient use of land
- Policy 3.12 – Quality in design
- Policy 3.13 – Urban design
- Policy 3.14 – Designing out crime
- Policy 3.31 - Flood defences
- Policy 4.2 – Quality of residential accommodation
- Policy 4.3 – Mix of dwellings
- Policy 4.4 – Affordable housing

- Policy 5.1 – Locating developments
- Policy 5.2 – Transport impacts
- Policy 5.3 – Walking and cycling
- Policy 5.6 – Car parking
- Policy 5.7 – Parking standards for disabled people and the mobility impaired

Supplementary Planning Documents

- Affordable Housing
- Residential Design Standards
- Section 106 Agreements
- Sustainable Design and Construction

London Plan 2011

- 13 Policy 2.10 - Central Activities Zone – strategic priorities
 Policy 3.3 - Increasing housing supply
 Policy 3.4 - Optimising housing potential
 Policy 3.5 - Quality and design of housing developments
 Policy 3.7 - Large residential 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 3.13 - Affordable housing thresholds
 Policy 3.14 - Existing
 Policy 4.3 - Mixed use development and offices
 Policy 4.10 - New and emerging economic sectors
 Policy 5.2 - Minimising carbon dioxide emissions
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 5.12 - Flood risk management
 Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 Policy 6.11 - Smoothing traffic flow and tackling congestion
 Policy 8.1 - Implementation
 Policy 8.2 - Planning obligations
 Policy 8.3 - Community infrastructure levy
- 14 National Planning Policy Framework (NPPF)
 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.
- 15 Relevant parts of the NPPF
1. Building a strong competitive economy
 4. Promoting sustainable transport
 6. Delivering a wide choice of high quality homes
 7. Requiring good design.
 10. Meeting the challenge of climate change, flooding and coastal change
 12. Conserving and enhancing the historic environment

Principle of development

- 16 The Council's housing needs survey was updated in 2006 and found that there is a significant shortfall of housing in the borough, a general need for more family housing, the greatest need in the private housing sector is for 1 and 2 bedroom properties and the greatest need in the affordable housing sector is for 3-bedroom properties. The proposal would be in accordance with the aims and objectives of The National Planning Policy Framework, in providing residential accommodation on a vacant, brown field site. There are no objections in principle to the redevelopment of the site to provide residential accommodation and there will be no conflict of use. The provision of residential accommodation and affordable housing will help meet the wider regeneration and housing needs of the borough whilst making a positive contribution to the area.
- 17 The development of the site will result in a net increase in the commercial floorspace available which is proposed for A1, A2, A3, A4 or B1 use. The increase in commercial floorspace is a positive move and is an acceptable proposal in principle. In land use terms there are no objections to the proposed development subject to compliance with relevant planning policies of The Southwark Plan 2007 (July), The Core Strategy 2011 (April and The London Plan (2011)). There will be no conflict of use detrimental to amenity.

Environmental impact assessment

- 18 The proposed development lies outwith the scope of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 and as such will not warrant the completion of an environmental impact assessment. No significant environmental effects would arise.

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

- 19 There are concerns surrounding the impact on the residential amenity of the adjoining occupiers and the surrounding area, and this has been raised in letters of objection. The scale of the building is similar to that opposite on Long Lane and as such it is not considered that there will be an adverse impact in terms of the proposed building dominating its neighbours or being oppressive in size.

Daylight and sunlight

- 20 The daylight and sunlight study demonstrates that several properties will experience a loss of daylight and sunlight, particularly on Long Lane and Helder Court. For the purposes of the daylight and sunlight assessment the worst case scenario has been presented with the assessment taking place along the ground floor windows where shadowing will be most noticeable. In accordance with BRE guidance there is no sunlight requirement for windows facing within 90 degrees of due north.
- 21 The test locations are those closest to the application site and which face directly onto the proposed development. W1 refers to the window located on the south side ground floor of Helder Court closest to the application site, W2 refers to the window of 122 West Street, W3-W5 refers to the ground floor north facing windows of Tangerine House closest to the application site and W6 refers to the window at ground floor level on Dunkirk House closest to the development site. W2-W6 are north facing windows and in accordance with BRE guidance there is no sunlight requirement for windows facing within 90 degrees of due north. W1 at Helder Court will see a reduction in sunlight; however it will continue to receive high levels in both summer and winter and as such complies with BRE guidance. Whilst it is noted that there will be a noticeable reduction in sunlight to the properties of Helder Court, it is not considered that this

reduction will be so significantly detrimental to amenity that permission should be withheld.

- 22 In terms of daylight, the Vertical Sky Component (VSC) has been measured and it is clear that of the six windows tested, four (W1, W2, W3 and W6) will continue to exceed the minimum of 27% VSC. W4 and W5 would fall below the 27% criteria by 0.38% and 1.7% respectively and in this instance is not considered to be an excessive reduction in daylight for an inner London location. Due to the reduction in daylight an average daylight factor ADF test has been undertaken on windows W4 and W5 which has shown that these rooms will still receive high levels of daylight post development.

Overall, whilst there will be some negative impacts on day and sunlighting, on balance, these are considered insufficient to lead to a loss of amenity for existing residents that would justify a refusal of planning permission.

In terms of overlooking distances, those to front and rear comply with the guidance in the Residential Design Standards SPD.

23 **Density**

The site lies within the Central Activities Zone and strategic policy 5 - Providing New Homes of The Core Strategy 2011 requires developments within this zone to achieve a density of between 600 and 1,100 habitable rooms per hectare. The proposal would achieve a density of 1,350 habitable rooms per hectare which exceeds the upper limit of the density range. However, given the sustainable location, the envelope of the building reflecting many others along Long Lane and the quality of accommodation being provided, this minor excess is considered acceptable. No significant harm is arising from the slight breach in density.

24 **Housing Tenure/Mix and quality of accommodation**

The proposal would provide the following mix of dwelling sizes:

- 2 x 1-bed flats (15%)
- 8 x 2-bed flats (62%)
- 2 x 3-bed flats (15%)
- 1 x 4-bed dwelling (8%)

- 25 Saved policy 4.3 of the Southwark Plan 'Mix of dwellings' states that all major residential developments should provide a mix of dwelling sizes and types to cater for the range of housing needs in the area. Core Strategy Policy 7 Family Homes requires at least 20% of dwellings to have 3 or more bedrooms.

- 26 Further guidance is contained within the draft Residential Development Standards SPD which states that for major residential schemes, the majority of units should have two or more bedrooms, in developments of 15 or more dwellings at least 10% should have direct access to private outdoor space and at least 10% should be suitable for wheelchair users. The proposed development will provide 85 % of units with two or more bedrooms including 23% with three or more bedrooms, One dwelling as a wheelchair unit (approximately 8% of units) and 100% of units with access to private outdoor amenity space.

- 27 The standard of residential accommodation provided is considered to be high with 77% of units being dual aspect with cross ventilation. The remaining units will be single aspect (flats 1, 5 and 8). All units exceed the Councils requirements regarding minimum room size as specified within the SPD: Residential Design Standards and exceed the requirements of The London Plan 2011.

- 28 Saved policy 4.4 of the Southwark Plan 'Affordable Housing' states that within the

Urban Density Zone at least 35% of all new housing must be affordable for developments capable of providing 15 or more additional dwellings; a tenure mix of 70:30 social rented to intermediate housing is required. In schemes of 13 units, policy 4.4 requires 4 of those units to be affordable.

In this instance, 4 affordable housing units are provided (on the first floor, 2x1 bed and 2x2 bed) in compliance with saved policy 4.4.

- 29 The affordable housing is all being provided as intermediate with no social rented and as such will not meet the 70:30 split . However, the proposed building has a single lift/stair core and in these circumstances it is not possible to provide dedicated circulation space for social rented units. Housing associations normally do not take small numbers of flats for social rent without having their own core. As such, in this case, given the limited number of affordable units, there are no objections to them all being intermediate and this approach is supported by the Council's Housing Regeneration Initiatives officers.

30 **Amenity Space**

The proposed development will provide an adequate level of amenity space for all dwellings in the form of balconies. In this instance all dwellings either meet or exceed the private amenity space requirements outlined in the SPD: Residential Design Standards. Communal amenity space for flatted developments is also a requirement of the SPD: Residential Design Standards which states that 50 square metres of communal amenity space should be provided per development. In this instance due to site constraints it is not possible for the applicant to provide an area of communal amenity space. Given that a good level of private amenity space is being provided for each residential unit the development is considered acceptable. To reflect the lack of communal amenity space and resulting pressure on local open spaces arising from this development, it is recommended that an additional financial contribution is sought towards open space and this should be included within the S106 Agreement for this application. A sum of £7500 has been agreed. There are local open spaces - Mary Magdalene, Leathermarket Gardens, where there are on going improvement projects to which the sum could contribute.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 31 The proposed development will be a combination of residential use and commercial use at ground floor level fronting Long Lane. The majority of the site will be occupied by residential use and as such conforms to the generally residential nature of the locality, particularly with regards to the adjacent building on the opposite side of Long Lane. As such it is considered that there will be no conflict of use detrimental to the amenity of the occupiers of the proposed development.

Traffic issues

- 32 The Transport team have been consulted on the proposed development and have raised no objections subject to planning conditions. The travel plan that has been submitted is of good quality and is acceptable. It is recommended that the travel plan is secured by Section 106 agreement and through this, commitment to travel surveys at one (within three months of occupation), three and five years, commitment to updating the travel plan following each of the surveys, and commitment to measures identified within the travel plan, are also sought.

Cycle Parking

- 33 Table 15.4 in the Southwark Plan, states that for residential developments the secure parking standard for cycles is a minimum of 1.1 spaces per unit. This is in line with

saved Policy 5.3 - Walking and Cycling. For this development of 13 units there is a minimum requirement for cycle storage with capacity for 14 cycles. However, given that the mix includes 3 and 4 bedroom units, and there is no vehicle parking spaces associated with the site a higher than minimum level of cycle parking should be secured. The applicant has provided plan 229 GA(01)01 which shows an area for 14 residential cycles within a shared cycle and bin store. The storage system used appears to be a two level rack which is not considered one of the recommended styles within best practice guidance; however this can be altered by way of condition in order to secure a higher level of cycle parking.

- 34 For A Class and B1 Class developments the secure parking standard is one space per 250 square metres of floorspace (minimum of two spaces) and as such for this development there will be a requirement for two cycle parking spaces. Plan 229 GA(01)01 shows a Sheffield stand located on the footway. Whilst this would be beneficial to visitors to the commercial area (especially if it came under A1 or A3 use), some provision of covered and secure cycle parking for staff within the building would be required and this should be secured by condition. The applicant is required to submit to the Council, for written approval, detailed and scaled drawings to demonstrate the provision of secure, convenient and weather proof cycle storage.

Car Parking

- 35 This proposed development is located in an area with a TfL PTAL rating of 4 reflecting the area's medium level of access to all forms of public transport. Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network. However, the site is also in the Central Activities Zone and is therefore expected to be car-free. This application is proposed as car free and as such is in accordance with Saved Southwark Plan Policy 5.6 - Car Parking.
- 36 The proposal site is situated in a CPZ. Therefore, in order to prevent possible overspill parking from the development, the development will not be eligible for parking permits and an amendment to the traffic order should be secured through the S106.

Servicing

- 37 Servicing for new developments is usually required to take place off street. However, given the size of this development and site constraints, this is not possible. It is therefore recommended that an informative be added to the decision notice, making the applicant aware that any servicing which takes place on street, is subject to any loading waiting and restrictions that operate in the area and that any contraventions will be enforced accordingly. A Service Management Plan and Construction Logistics Plan will also be required by condition in order to minimise the impact on the local road network.

Refuse Collection

- 38 Refuse collection will be undertaken from Weston Street, given the nature of the proposed development and the central location of the bin stores it is not thought there will be refuse vehicles stationary in the highway for an extended period.

Design issues

- 39 The proposal is for prominent corner site and proposes a six storey mixed use building. In terms of scale, massing and bulk this is considered acceptable and will respond well to the surrounding townscape, most notably Tangerine House on the opposite side of Long Lane which is only slightly lower in height.
- 40 The materials to be used are acceptable. This is a predominantly brick environment and the finish would be appropriate to the surrounding context on Long Lane. The southern elevation is characterised by the long horizontal lines of balconies which will

contextualise with the traditional blocks along Long Lane. The building includes some very large expanses of brickwork which will need a high quality brick and good quality of brick detailing in order to provide visual interest and as such a condition will be imposed in order to secure satisfactory materials and finishes. The west elevation is lacking in detailed design which only serves to increase the perception of bulk on this elevation and vistas from the west. The applicant has deliberately left this elevation blank in order to preserve the development potential of the adjoining site and this is a sensible approach. At ground floor level the frontage is open and active and should provide a positive presence on the street. In this instance it is considered appropriate to impose an amending condition in order that the design and appearance of the west elevation may be enhanced. Brickwork detailing and articulation of materials can be used on this elevation to soften its appearance and improve the design quality of the building when viewed from the west.

- 41 Subject to details of materials, the design approach is considered to be acceptable.

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

- 42 The building's most unrelieved elevation faces west towards the grade II* listed 142 - 148 Long Lane. From in front of the listed building looking east the largest building visible would be this one and as it is proposed it would show six storeys of blank wall. However, these are oblique views and any harm to the setting of the listed buildings is not considered sufficient to lead to a refusal of permission.
- 43 To the north of the site lies the Bermondsey Street Conservation Area and further heritage assets such as the Leathermarket and the Grade II* listed building on Weston Street. It is not considered that the development will have an adverse impact on the Bermondsey Street Conservation Area or the heritage assets on Weston Street or the Leathermarket.

Impact on trees

- 44 Although there are no trees within the application site, a semi-mature street tree on Long Lane and one other small street tree on Weston Street will be affected by development. A condition is therefore required for tree protection details to be provided. The tree on Long Lane in particular will require sensitive pruning in order to facilitate development and the specifications need to be agreed in advance of demolition. As such, planning conditions are recommended for tree protection measures and landscaping.

Planning obligations (S.106 undertaking or agreement)

- 45 Saved Policy 2.5 of the Southwark Plan states that the Council will seek to enter into planning obligations to avoid or mitigate the adverse impacts of development which cannot otherwise be adequately addressed through conditions; further guidance is contained within the Section 106 planning obligations SPD.
- 46 As the proposed development will provide more than 10 dwellings it is considered a major development and as such will be subject to a comprehensive Section 106 Agreement. A planning obligations statement submitted with the application offers contributions however the Council would seek the contributions outlined below in line with the standard charge formula.
- 47 Education £19,592
 Employment during construction £9,345
 Employment Management Fee - £758
 Public open space, children's play equipment and sports development £16,953

Transport strategic £6,899
 Transport site specific £6,500
 Public realm £9,750
 Health £14,221
 TMO Amendment £2,750
 Additional open space contribution £7500
 Admin charges £1,885
 TOTAL: £96,153
 This would provide £7,396 per unit.

- 48 As it stands the total value of the S106 agreement at present (excluding legal fees) will be £96,153 and all the contributions would be in accordance with the adopted SPD. As detailed in the Amenity Space section above, a further contribution towards open space will be sought in light of the lack of communal amenity space being provided on site.
- 49 In the absence of a legal agreement being completed by 2nd July 2012, the applicant would have failed to adequately mitigate against the impacts of the development and, in accordance with Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, it is recommended that the application be refused for the following reasons:
- 50 1. The development fails to adequately mitigate against the adverse impacts of the development in accordance with London Plan policy 8.1 - Implementation, Policy 8.2 - Planning obligations, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 51 2. The development fails to contribute towards increasing accessibility to employment through training and other schemes in accordance with London Plan policy 3.1 - Ensuring equal life chances for all, Southwark Plan saved policies 1.1 - Access to Employment Opportunities and 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 52 3. The development fails to contribute towards increasing the quality and quantity of open spaces and associated facilities in accordance with London Plan policy 2.18 - Green infrastructure: the network of open and green spaces , Southwark Plan saved policies 2.5 - Planning Obligations and 3.2 - Protection of Amenity, Core Strategy policies 13 - High environmental standards and 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 53 4. The development fails to contribute towards increasing the capacity of public transport provision and improving accessibility to the development in accordance with London Plan policy 6.4 - Enhancing London's transport connectivity , Southwark Plan policies 2.5 'Planning Obligations' and 5.2 'Transport Impacts', Core Strategy policies 2 - Sustainable transport and 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 54 5. The development fails to contribute towards increasing the quantity of health facilities in accordance with London Plan policy 3.2 - Improving health and addressing health inequalities and policy 3.16 - Protection and enhancement of social infrastructure, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 55 6. The development fails to contribute towards increasing the quality and quantity of

community and leisure facilities, in accordance with London Plan policy 3.2 - Improving health and addressing health inequalities and policy 3.16 - Protection and enhancement of social infrastructure, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).

- 56 7. The development fails to contribute towards the provision of affordable housing in accordance with London Plan policies 3.11 - Affordable housing targets, Southwark Plan policies 2.5 - Planning Obligations and 4.4 - Affordable Housing, Core Strategy policies 6 - Homes for people on different incomes and 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).

Sustainable development implications

- 57 Saved policy 3.4 - Energy efficiency of the Southwark plan 2007 (July)' states that all developments must be designed to maximise energy efficiency and minimise and reduce energy consumption and carbon dioxide emissions; major developments for residential use are required to provide an eco-homes assessment. Strategic policy 13 - High Environmental Standards of the Core Strategy 2011 requires major developments to achieve the highest possible environmental standards including targets based on the Code for Sustainable Homes and BREEAM. London Plan 2011 Policy 5.2 - Minimising carbon dioxide emissions states that for residential buildings from 2010 - 2013, a 25% reduction in CO2 emissions will be required and Code for Sustainable Homes Level 4 must be reached.
- 58 The proposed development will incorporate a combined heat and power scheme and solar thermal panels units to provide domestic hot water and electricity. The incorporation of the CHP system and the solar thermal panels will reduce CO2 emissions by 17% and 3% respectively.
- 59 The proposed development will also feature energy saving measures such as efficient lighting systems, efficient ventilation hot water and heating systems which will provide a further reduction in CO2 emissions of 10%. The total CO2 reduction for this development will therefore be in the region of 30% which meets the requirements of The London Plan 2011 and is equivalent to Code for Sustainable Homes Level 4.

Noise and air quality

- 60 The development will introduce residents into an air quality management area where there are likely to be measurable levels of particulates and nitrogen dioxide. This was confirmed in the air quality assessment submitted with the planning application. In cases where this impact is likely the developer should consider mitigating measures in particular to the first and second floor. In this case it is considered that mitigating measures can be secured by condition along with suitable conditions regarding land contamination, noise and the submission of an Environmental Management Plan.

Flood risk

- 61 As noted within the FRA, the application site is shown on the Environment Agency Flood Map as being located in Flood Zone 3a (high risk), within an area benefiting from the Thames Tidal flood defences. Assuming a breach in the defences (in combination with a 1 in 200 and 1 in 1000 year flood event), the site lies within an area at risk of residual flooding. Given the proximity of the site to the River Thames any breach in the defences would result in rapid inundation of the site and its environs. The Environment Agency have raised no objections subject to compliance with relevant conditions.

Community Infrastructure Levy

- 62 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material “local financial consideration” in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on this application. The applicant has completed the relevant form.

Conclusion on planning issues

- 63 The proposed development to provide commercial floorspace at ground floor and basement level and 13 residential units on upper floors is considered acceptable with regards to the impact on residential, commercial and visual amenity. The design and materials proposed are appropriate for the location and will have no adverse impact. The development complies with the relevant saved policies of The Southwark Plan 2007 (July), the strategic policies of The Core Strategy 2011, The policies of The London Plan 2011 and the provisions of the National Planning Framework 2012. As such it is recommended that detailed planning permission be granted subject to conditions and the satisfactory completion of a comprehensive Section 106 Agreement.

Community impact statement

- 64 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) There are no issues relevant to particular communities/groups.

c) There are no likely adverse or less good implications for any particular communities/groups.

65 Consultations

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

66 Consultation replies

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

67 Summary of consultation responses

All comments received in response to the proposed development have been summarised and addressed below;

- 68 Archaeology - The applicant's archaeologists, in paragraph 2.9 of the archaeological assessment have incorrectly stated that the site is not located within an archaeological priority zone. The site is located in the Archaeological priority zone of Borough, Bermondsey and Rivers. The document supplied also contains no details of the impact of the proposal or evidence that this has been considered in any way. As such this is not adequate as an archaeological assessment of the proposal. The proposal includes a basement level which will prevent the preservation of archaeological

remain, in situ, should they be present on site. The documentation supplied to enable the determination of the archaeological impacts of this proposal is not adequate and requires revision.

Response - In light of the comments above it is recommended that comprehensive Archaeological conditions be imposed on any consent issued.

69 Environmental Protection - No objections subject to conditions.

Response - Noted and agreed, the relevant conditions will be attached to any consent issued.

70 Planning Policy - Concerns regarding density and the shortfall in floorspace of one of the bedrooms within the building.

Response - Given the quality of accommodation being provided and the sustainable location, the excess in density is considered acceptable.

71 Transport - No objections subject to conditions regarding cycle parking and refuse.

Response - Noted and agreed, the relevant conditions will be attached to any consent issued.

Urban Forester – No objection subject to conditions to protect trees on Long Lane.

72 **Response** – Noted and agreed, the relevant conditions will be imposed on any consent issued.

73 External Consultees;

74 Environment Agency - No objections subject to conditions.

Response - Noted and agreed, the relevant conditions will be attached to any consent issued.

Thames Water – No response.

75 **Response** - Noted.

Transport for London - No response.

Response - Noted.

76 Following neighbour consultation, two letters of support and six letters of objection have been received. The main points of the letters of objection have been summarised and addressed below;

77 Objection – Flat 21 at Tangerine House (first floor) may experience a loss of daylight and sunlight due to the height of the building – this will impact upon quality of life and the value of the property.

Response – Issues surrounding the impact on the value of property are not valid material planning considerations. The daylight and sunlight study completed together with the orientation of Flat 21 will ensure that no detrimental loss of daylight or sunlight will occur.

78 Objection – The commercial property at ground floor level may result in a disturbance to properties in the area in terms of noise and as such relevant conditions will need to be imposed regarding noise levels and opening hours.

Response – Noted and agreed. Whilst it is not considered that the ground floor commercial premises will cause an undue disturbance to local residents, conditions regarding noise and opening hours will be imposed on any consent issued.

79 Objection – The height of the building will have an impact on the section of Weston Street between the Leathermarket and Long Lane due to forming a clutter of towers. This will also have an impact on the Bermondsey Street Conservation Area.

Response – The height of the proposed building is considered acceptable in this location and is only slightly taller than the neighbouring six storey building opposite the site on Long Lane. It is not considered that the conservation area or the streetscape will be compromised visually.

80 Objection – The building will have an adverse impact on the visual amenity of the flats at Tangerine House which currently enjoy a high degree of space and separation from surrounding buildings.

Response – The proposed building will be approximately 18 metres away from the face of Tangerine House and as such there will be no impact on residential amenity in terms of a loss of privacy or a sense of enclosure. It has been established in Planning Law that nobody is entitled to a view over a third parties land.

81 Objection – There will be a loss of privacy to the flats at Tangerine House due to the close proximity of bedrooms and terraces across the road.

Response - The proposed building will be approximately 18 metres away from the face of Tangerine House and as such there will be no impact on residential amenity in terms of a loss of privacy or a sense of enclosure.

Objection - The proposal does not include any vehicular parking and as such will impact on parking in surrounding streets.

82 **Response** – The site lies within a Controlled Parking Zone and all future occupiers will be exempted from obtaining parking permits. This will reduce parking dependency and overspill parking on surrounding streets. The car-free nature of the proposal is supported in this location.

83 Objection – There is no provision for an outdoor smoking area and this will cause a disturbance on Long Lane as well as blocking the pavement.

Response – This is an Environmental Health concern and as such any issues with regards to smoking on the street should be directed to the Councils Environmental Protection Team.

84 Objection – Flat 14 at Tangerine House (fourth floor), will experience a loss of daylight and sunlight.

Response - The daylight and sunlight study completed together with the orientation of Flat 14 will ensure that no detrimental loss of daylight or sunlight will occur.

Objection - There will be an increase in crime due to the proposed bar.

85 **Response** – There is no evidence to suggest that the A4 use will result in an increase in perceived or actual crime.

86 Objection – Current infrastructure will not be able to cope with the increased flow of traffic (cars and foot).

Response – The current street level infrastructure is more than sufficient to cope with 13 residential units and a commercial use at ground floor. The Councils Transport Team has been consulted on the proposal and have raised no objections.

87 Objection – The development will result in increased congestion on the adjoining highways and disruption to the free flow of traffic and particularly the legitimate movement of vehicles to and from the Stage Electronics site at 175 Long Lane. The scale of the development is also likely to dominate the premises at 175 Long Lane.

Response – Servicing of the development will take place on street in line with local restrictions. This has been accepted by the Councils Transport Team subject to a condition regarding a Service Management Plan. It is not considered that the servicing for a commercial unit and 13 dwellings will compromise the commercial operations at Stage Electronics and the development is unlikely to have an adverse impact on local highway conditions. The scale of the development is acceptable and will not

compromise the amenity of the commercial premises at 175 Long Lane.

88 **Objection** – The proposed development will have a significant adverse impact on the dwellings at Helder Court in terms of a loss of daylight and sunlight. The daylight and sunlight study submitted is misleading as it refers to only one property.

89 **Response** – The daylight and sunlight study takes the worst affected window and presents a worst case scenario. In this instance the report notes that the affected window will continue to receive daylight and sunlight throughout winter and summer. Whilst it acknowledges that there will be a reduction in sunlight hours in winter it will not be a detrimental reduction nor is it significant enough to warrant refusal of the application. In terms of daylight the dwellings at Helder Court will continue to receive levels in line with BRE guidance. In the view of this department, the reduction in sunlight to the properties at Helder Court in the winter months is not considered detrimental to amenity or the quality of the living accommodation and in itself does not render the application unacceptable given the Central London location of the application site.

Human rights implications

90 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.

91 This application has the legitimate aim of providing mixed use commercial and residential floorspace. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

92 **Strategic Director of Communities, Law & Governance**

N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/147-E Application file: 11/AP/4364 Southwark Local Development Framework and Development Plan Documents	Deputy Chief Executive's Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5365 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour Consultee List

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Terence McLellan, Senior Planning Officer	
Version	Final	
Dated	9 May 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	N/A	N/A
Director of Planning	Yes	Yes
Strategic Director of Environment and Leisure	N/A	N/A
Date final report sent to Constitutional Team		27 April 2012

Consultation undertaken

Site notice date: 16/01/2012

Press notice date: 12/01/2012

Case officer site visit date: 16/01/2012

Neighbour consultation letters sent: 16/01/2012

Internal services consulted:

Environmental protection
Planning Policy
Transport
Urban Forester

Statutory and non-statutory organisations consulted:

Environment Agency
Thames Water
Transport for London

Neighbours and local groups consulted:

As detailed in Appendix 3

Re-consultation:

Re-consultation not required.

Consultation responses received**Internal services**

Design and conservation
Environmental protection
Planning Policy
Transport
Urban Forester

Statutory and non-statutory organisations

Environment Agency

Neighbours and local groups

Heldar Court No. 5
Long Lane Nos. 175 (Stage Electronics) and 197 (Flat 45).
Tangerine House Nos. 14, 17 and 21.
Weston Street No. 119 (Flat 11).

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 11/AP/4364

TP No	TP/147-E	Site	VALENTINE AND ORSON, 171 LONG LANE, LONDON, SE1 4PN
App. Type	Full Planning Permission		

Date Printed	Address
16/01/2012	by email
16/01/2012	FLAT 5 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 6 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 3 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 4 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	122 WESTON STREET LONDON SE1 4XE
16/01/2012	122A WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 7 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	106A WESTON STREET LONDON SE1 3QB
16/01/2012	FLAT 13 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 14 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 11 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 12 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 17 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 2 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 15 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 16 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	171 LONG LANE LONDON SE1 4PN
16/01/2012	UNIT TR 1 1 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR G1 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR B 3 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR 1 2 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR G2 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR G3 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	160-162 LONG LANE LONDON SE1 4BS
16/01/2012	154 LONG LANE LONDON SE1 4BS
16/01/2012	158 LONG LANE LONDON SE1 4BS
16/01/2012	156 LONG LANE LONDON SE1 4BS
16/01/2012	UNIT TR B 1 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR B 2 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	MANAGEMENT OFFICE 169 LONG LANE LONDON SE1 4PN
16/01/2012	175 LONG LANE LONDON SE1 4PN
16/01/2012	FLAT 23 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
16/01/2012	FLAT 21 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
16/01/2012	FLAT 22 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
16/01/2012	FLAT 3 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 4 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 1 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 2 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	UNIT TR 3 01 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNIT TR B 4 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	UNITS TR 2 1 TO TR 2 3 TROWBRAY HOUSE 108 WESTON STREET LONDON SE1 3QB
16/01/2012	FLAT 19 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
16/01/2012	FLAT 18 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
16/01/2012	FLAT 5 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 16 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 17 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 14 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 15 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	UNIT TR G4 108 WESTON STREET LONDON SE1 3QB
16/01/2012	FLAT 1 HELDAR COURT KIPLING ESTATE WESTON STREET LONDON SE1 3RH
16/01/2012	FLAT 8 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 9 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 6 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 7 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 12 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 13 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 10 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 11 TANGERINE HOUSE 119 WESTON STREET LONDON SE1 4XE
16/01/2012	FLAT 20 TANGERINE HOUSE 176 LONG LANE LONDON SE1 4BS
20/06/1837	by email
20/06/1837	FLAT 45 197 LONG LANE LONDON SE1 4PD
20/06/1837	Pembroke House 15 Pembroke Road Bristol BS8 3BA

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Deco Design & Build Co. Ltd	Reg. Number	11/AP/4364
Application Type	Full Planning Permission	Case Number	TP/147-E
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing building and erection of a 6 storey plus basement building to include 13 residential units and 2 levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking.

At: VALENTINE AND ORSON, 171 LONG LANE, LONDON, SE1 4PN

In accordance with application received on 23/12/2011

and Applicant's Drawing Nos. 229 EX(01)01 Rev B, 229 EX(01)02 B, 229 EX(03) 01 B, 229 GA(01)01 H, 229 GA(01)02 G, 229 GA(01)03 G, 229 GA(01)04 G, 229 GA(02)01 D, 229 GA(03)01 F, 229 GA(03)02 F, 229 GA(03)03 F, 229 GA(03)04 E, Planning Statement, Design & Access Statement, Archaeological Desk Based Assessment, Sunlight, Daylight & Shadowing Report, Sustainable Energy Statement, Air Quality Assessment, Flood Risk Assessment, Transportation Statement, Servicing Management Plan "Framework", Travel Plan Framework, Parking Survey Report, PPG24 Survey & Assessment.

Photomontages: 229 GA (03) 05A, 06A, 07A

Reasons for granting permission.

This planning application was considered with regard to various policies including, but not exclusively:

Strategic policies of the Core Strategy 2011

- Strategic Policy 1 - Sustainable development states that development will improve the places we live and work and enable a better quality of life for Southwark's diverse population.
- Strategic Policy 2 - Strategic transport encourages walking, cycling and the use of public transport rather than travel by car.
- Strategic Policy 3 - Shopping, leisure and entertainment seeks to maintain a network of successful town centres which have a wide range of shops, services and facilities.
- Strategic Policy 5 - Providing new homes aims to ensure the Council meet the housing requirements of the Borough.
- Strategic Policy 6 - Homes for people on different incomes aims to ensure a sufficient supply of affordable housing.
- Strategic Policy 7 - Family homes seeks to provide decent family sized homes for families in Southwark
- Strategic Policy 10 - Jobs and businesses seeks to increase the number of jobs in Southwark and create an environment in which businesses can thrive.
- Strategic Policy 12 - Design and conservation states that development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.
- Strategic Policy 13 - High environmental standards states that development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change.
- Strategic Policy 14 - Implementation and delivery seeks to ensure that our strategic vision and objectives for further protecting, enhancing and regenerating Southwark are implemented.

Saved policies of the Southwark Plan 2007

- Policy 1.10 - Small scale shops and services outside the town and local centres and protected shopping frontages seeks to protect the provision of shops and services in local areas.
- Policy 2.5 - Planning obligations - aims to secure financial contributions to mitigate the adverse impacts of development.
- Policy 3.1 - Environmental effects - this policy seeks to minimise environmental impacts of developments.
- Policy 3.2 - Protection of amenity - seeks to protect and enhance amenity standards throughout the borough.
- Policy 3.4 - Energy efficiency - seeks to ensure that all developments are energy efficient.

- Policy 3.5 - Renewable energy - secures appropriate levels of renewable energy to be provided by new developments.
- Policy 3.6 - Air quality - aims to improve and protect air quality levels throughout the borough.
- Policy 3.7 - Waste reduction - seeks to reduce waste from new developments.
- Policy 3.9 - Water - seeks to ensure developments reduce demand for water and recycle water.
- Policy 3.11 - Efficient use of land - aims to ensure appropriate levels of development on application/development sites.
- Policy 3.12 - Quality in Design - promoted good design for all developments.
- Policy 3.13 - Urban design - seeks to secure a high standard of urban design from all developments.
- Policy 3.14 - Designing out crime - aims to reduce crime and the potential for crime through design.
- Policy 3.28 - Biodiversity - seeks to enhance and protect biodiversity in all developments.
- Policy 3.31 - Flood defences - seeks to ensure development takes place safely in the context of flood risk with flood mitigation measures.
- Policy 4.2 - Quality of residential accommodation - promotes a high standard of living accommodation from all developments.
- Policy 4.3 - Mix of dwellings - aims to secure an adequate mix of different dwelling types throughout the borough.
- Policy 4.4 - Affordable housing - seeks to provide good levels of affordable housing.
- Policy 4.5 - Wheelchair affordable housing - aims to provide wheelchair accessible housing in all developments.
- Policy 5.1 – Locating developments - seeks to locate developments in appropriate locations to minimise adverse impacts on local areas.
- Policy 5.2 - Transport impacts - aims to assess the likely impact of the development on the surrounding transport infrastructure.
- Policy 5.3 - Walking and cycling - seeks to promote walking and cycling in all developments.
- Policy 5.6 - Car parking - provides the maximum and minimum levels of parking for all developments.
- Policy 5.7 – Parking standards for disabled people and the mobility impaired - aims to ensure a sufficient supply of parking spaces to serve disabled users and those with mobility impairments.

Supplementary Planning Documents

- Affordable Housing
- Residential Design Standards
- Section 106 Agreements
- Sustainable Design and Construction

Policies of the London Plan 2011

- Policy 2.10 - Central Activities Zone – strategic priorities
- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.7 - Large residential 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 3.13 - Affordable housing thresholds
- Policy 4.3 - Mixed use development and offices
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.7 - Renewable energy
- Policy 5.12 - Flood risk management
- Policy 6.5 - Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.11 - Smoothing traffic flow and tackling congestion
- Policy 8.1 - Implementation
- Policy 8.2 - Planning obligations
- Policy 8.3 - Community infrastructure levy

National Planning Policy Framework 2012

- 1. Building a strong competitive economy
- 4. Promoting sustainable transport
- 6. Delivering a wide choice of high quality homes

- 7. Requiring good design.
- 10. Meeting the challenge of climate change, flooding and coastal change
- 12. Conserving and enhancing the historic environment

Planning permission was granted as the proposed development is located in a sustainable location within the CAZ with a high standard of residential accommodation and retained commercial use of a long vacant site. The proposed design was considered to be acceptable for the location and would not lead to harm to nearby heritage assets. Whilst there would be some noticeable impacts on sun and daylighting for existing neighbours, these were insufficient to support refusal, given the other benefits arising from the development. The proposal was considered to be sustainable development that complied with the NPPF.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 229 GA(01)01 H, 229 GA(01)02 G, 229 GA(01)03 G, 229 GA(01)04 G, 229 GA(02)01 D, 229 GA(03)01 F, 229 GA(03)02 F, 229 GA(03)03 F, 229 GA(03)04 E

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be submitted to the Local Planning Authority and approved in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. The brickwork shall be presented on-site as sample panels (at least 1mx1m) with proposed mortar and pointing.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 4 Detailed section drawings at a scale of 1:10 or 1:20 through:

- the ground-level piers;
- all junctions of materials;
- balconies/terraces;
- parapets;
- roof edges; and
- heads, cills and jambs of all openings.

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 5 An annotated ground floor plan at 1:50, to include details at a scale of at least 1:10 around the side entrance, cycle and refuse store shall be submitted to and approved by Southwark Council as local planning authority before any work is commenced on site. These shall show all material details for doors and glazing and shall show heavy glazed doors for the cycle and refuse store rather than roller shutters. The development shall not be carried out otherwise than in accordance with the details thus approved.

Reason

To ensure that the proposal provides an appropriate design solution for the context of the site in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 6 Detailed drawings showing a revised design for the west elevation and roof (including plant) of the proposed building shall be submitted to (4 copies) and approved in writing by the local planning authority before any work is commenced on the site: This part of the development shall be completed only in accordance with the alterations thus approved.

Reason

In the interests of visual amenity and to retain effective planning control in accordance with saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 7 Landscape layout plans showing the boundary details/features, materials and planting to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural qualities of the existing building and the amenity spaces around it in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 8 Details of the means by which the existing trees adjacent to the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved in writing by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works. No trees on or adjacent to the application site shall be lopped, topped, felled or pruned without the prior written consent of the Council as Local Planning Authority.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policies 3.2 Protection of amenity, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007, SP11 - Open Spaces and Wildlife, SP12 - Design and Conservation and SP13 - High Environmental Standards of The Core Strategy 2011 and Section 11 - Conserving and Enhancing the Natural Environment of the National Planning Policy Framework 2012.

- 9 All residential premises shall be designed to attain the following internal noise levels:
 Bedrooms- 30dB LAeq,T* and 45dB LAfmax
 Living rooms- 35dB LAeq, T*
 A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results submitted to the Local Planning Authority for approval.

*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007, SP12 - Design and Conservation of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 10 Dwelling houses, flats and rooms for residential purposes sharing a party element with non-residential premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The sound insulation of the party element shall be sufficient to ensure that NR25 is not exceeded in residential premises due to noise from the non-residential premises. Any scheme approved is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 11 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. The method of assessment shall be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report must include:

- i) A schedule of all plant and equipment installed;
- ii) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- iii) Manufacturer specifications of sound emissions in octave or third octave detail;
- iv) The location of all most affected noise sensitive receptor locations and the most affected windows;
- v) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- vi) The lowest existing LA90, T measurement as already established.
- vii) New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 12 An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - 1 • human health,
 - 2 • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - 3 • adjoining land,
 - 4 • groundwaters and surface waters,
 - 5 • ecological systems,
 - 6 • archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the

development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the Southwark Plan 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 13 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the Southwark Plan 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 14 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.1 Environmental effects of the Southwark Plan 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 15 The development permitted by this planning permission shall only be carried out in accordance with the following mitigation measures:

- 1). Based on the approved FRA all habitable rooms and sleeping accommodation to be provided at first floor and above;
- 2). Consider the implementation of appropriate flood resilient and resistant measures within the scheme where practical considerations allow using the guidance contained within Approved Document C of the Building Regulations and the publication 'Improving the flood performance of new buildings- Flood resilient construction' publication issued by the Department for Communities and Local Government in 2007;
- 3). The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, where possible, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates in line with Policy 5.13 of the London Plan.
- 4). Submit a Flood Response plan for approval by the local authority. This should set out provisions for safe refuge arrangements for ground floor occupants, details on safe access/egress routes in the event of an extreme event and procedures for residents to sign up to the Environment Agency Flood Warning system.

Reasons

To reduce the risk and impact of flooding on the proposed development and its future occupants and to

mitigate residual flood risk and ensure safety of the future occupants of the proposed development in accordance with saved policy 3.1 Environmental effects of the Southwark Plan 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 16 The use hereby permitted for A3 and A4 purposes shall not be carried on outside of the hours 09:00 to 23:00 on Monday to Saturday or 10:00 to 22:00 on Sundays and public holidays.

Reason

In the interests of amenity and to retain effective planning control in compliance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 17 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 18 The A1, A2, A3, A4 and B1 use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse have been submitted to (2 copies) and approved in writing by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

- 20 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved in writing by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made. the details submitted shall show segregated cycle parking facilities for the commercial and residential use.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved policies 5.3 - Walking and Cycling of the Southwark Plan 2007, SP2 - Sustainable transport of The Core Strategy 2011 and Section 4. Promoting sustainable transport of the National Planning Policy Framework 2012.

- 21 A Construction Logistics Plan (CLP), as referred to in the London Freight Plan, should be provided. The CLP should provide details on routes for construction vehicles, the types of vehicles expected. their frequency, their time of arrival and departure and any temporary traffic measures which might be required during the course of construction.

Reason

As recommended by Transport for London in the interests of residential and transport amenity in accordance with Saved Policies: 3.2 Protection of Amenity of The Southwark Plan (UDP) July 2007, SP13 - High Environmental Standards of the Core Strategy 2011, Policy 3.5 - Quality and design of housing developments of The London Plan 2011 and Section 7 - Requiring good design of The National Planning Policy Framework 2012.

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

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 23 Before any work hereby authorised begins, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

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

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 26 The use for Class A3 or Class A4 purposes hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of the Core Strategy.

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

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

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MUNICIPAL YEAR 2011-12**

NOTE: Original held by Constitutional Team; all amendments/queries to
Tim Murtagh Tel: 020 7525 7187

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