

# Borough and Bankside Community Council Planning

Wednesday 4 April 2012  
7.00 pm  
56 Southwark Bridge Road, London SE1 0AS

## Membership

Councillor Poddy Clark (Chair)  
Councillor Geoffrey Thornton (Vice-Chair)  
Councillor Claire Hickson  
Councillor Tim McNally  
Councillor Adele Morris  
Councillor David Noakes

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Acting Chief Executive

Date: Tuesday 27 March 2012



## Order of Business

- | Item<br>No. | Title  |
|-------------|--|
| 1.          | INTRODUCTION AND WELCOME                           |
| 2.          | APOLOGIES  |
| 3.          | 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.

**Item No.**

**Title**

**4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

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

**5. MINUTES**

To confirm as a correct record the minutes of the meeting held on 20 March 2012 (to follow).

**6. DEVELOPMENT MANAGEMENT ITEMS (Pages 4 - 9)**

**6.1. 1-13 PARK STREET, LONDON SE1 9AB (Pages 10 - 24)**

**6.2. 1-13 PARK STREET, LONDON SE1 9AB (Pages 25 - 34)**

Date: Tuesday 27 March 2012

## Borough&Bankside Community Council

### Language Needs

If you would like information on the Community Councils translated into your language please telephone 020 7525 7187 or visit the officers at 160 Tooley Street, London SE1 2TZ

### Spanish:

#### Necesidades de Idioma

Si usted desea información sobre los Municipios de la Comunidad traducida a su idioma por favor llame al 020 7525 7187 o visite a los oficiales de 160 Tooley Street, Londres SE1 2TZ

### Somali:

#### U-Baahnaanshaha Luqadda

Haddii aad u baahan tahay macluumaadka ku saabsan Guddiyada Beelaha oo lagu tarjumay luqaddaada fadlan soo wac khadka taleefoonka 020 7525 7187 ama booqasho ugu tag hawladeennada ku sugan 160 Tooley Street, London SE1 2TZ

### Arabic:

#### إحتياجات لغوية

إذا كنت ترغب في الحصول على معلومات عن مجالس المجموعات المحلية وترجمتها إلى لغتك الرجاء الإتصال برقم الهاتف: 020 7525 7187 أو زيارة المكتب في Tooley Street 160 SE1 2TZ London

### French:

#### Besoins de Langue

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### Bengali:

#### ভাষার প্রয়োজন

আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7187 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

Yoruba:

Awon Kosemani Fun Ede

Bi o ba ba nfe àlàyé kíkún l'ori awon Ìgbìmò Àwùjo ti a se ayipada si ede abínibí re, jọwọ tẹ wa l'aago si ori nomba yi i : 020 7525 7187 tabi ki o yo ju si awon òṣiṣé ni ojúlé 160 Tooley Street , London SE1 2TZ .

Amharic:

**የቋንቋ ተፈላጊነት**

**የነዋሪዎች ምክርቤትን መረጃዎች ወደ ቋንቋዎ እንዲተረጎሙ የምትፈልጉ ከሆነ እባክዎን በ 020 7525 7187 ይደውሉ። ወይም ወደ ቱሊ ስትሪት/መንገድ የቤት ቁጥር 160 ለንደን SE1 2TZ በመሄድ እዛው ያሉትን ሰራተኞች ይጎብኙ።**

Punjabi:

**ਭਾਸ਼ਾ ਦੀਆਂ ਲੋੜਾਂ**

ਜੇ ਤੁਸੀਂ ਚਾਹੁੰਦੇ ਹੋ ਕਿ ਕਮਿਊਨਿਟੀ ਕਾਂਊਸਿਲ ਬਾਰੇ ਜਾਣਕਾਰੀ ਦਾ ਤੁਹਾਡੀ ਭਾਸ਼ਾ ਵਿਚ ਤਰਜਮਾ ਕਰ ਦਿੱਤਾ ਜਾਵੇ ਤਾਂ ਕਿਰਪਾ ਕਰ ਕੇ 020 7525 7187 ਨੰਬਰ 'ਤੇ ਫੋਨ ਕਰੋ ਜਾਂ 160 Tooley Street, London SE1 2TZ ਜਾ ਕੇ ਅਫਸਰਾਂ ਨੂੰ ਮਿਲੋ।

## 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.**

# Agenda Item 6

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 4 April 2012	<b>Meeting Name:</b> Borough and Bankside Community Council
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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 legal and democratic services, 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 legal & democratic services. 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 <sup>nd</sup> 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**

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

**ITEMS ON AGENDA OF THE BOROUGH AND BANKSIDE CC  
on Wednesday 04 April 2012**

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**Appl. Type** Full Planning Permission  
**Site** 1-13 PARK STREET, LONDON, SE1 9AB

**Reg. No.** 11-AP-4342  
**TP No.** TP/1523-H  
**Ward** Cathedrals  
**Officer** Susannah Pettit

**Recommendation** REFUSE PERMISSION

### *Item 6.1*

**Proposal**

Refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.

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**Appl. Type** Listed Building Consent  
**Site** 1-13 PARK STREET, LONDON, SE1 9AB

**Reg. No.** 11-AP-4343  
**TP No.** TP/1523-H  
**Ward** Cathedrals  
**Officer** Susannah Pettit

**Recommendation** REFUSE PERMISSION

### *Item 6.2*

**Proposal**

Listed Building Consent for the refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.

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Ordnance Survey

Date 22/3/2012



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Scale 1/1250  
N.B

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 4 April 2012	<b>Meeting Name:</b> Borough and Bankside Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-4342 for: Full Planning Permission  <b>Address:</b> 1-13 PARK STREET, LONDON, SE1 9AB  <b>Proposal:</b> Refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	HEAD OF DEVELOPMENT MANAGEMENT		
<b>Application Start Date</b> 23 December 2011		<b>Application Expiry Date</b> 17 February 2012	

## RECOMMENDATION

- 1 Refuse Planning Permission.

## BACKGROUND INFORMATION

- 2 Councillors have requested for this application be brought to the Borough and Bankside Community Council, in order for it to be considered by the community council.

### Site location and description

- 3 The site comprises seven properties on the south side of Park Street. The properties are predominantly three storey with the exception of number five which has a mansard roof extension with 2 bay dormer. The ground floor of all of the units are in commercial use, with traditional shopfronts. Upper floors are predominantly in use as flats with the first floor of number 9 in use as an office, with approximately 60sqm useable floor area. There is a total of 7 flats or maisonettes spread over the upper floors. The properties are group listed grade II (numbers 1-13 odd). The seven flats are accessed individually from street level.
- 4 Borough Market lies to the east of the site, and opposite the site are three storey terraced houses of a similar age to the application properties although unlisted. A new development known as Brew Wharf Yard is taking place opposite the site, to create a new link through to Stoney Street with a new restaurant and retail units in the arches. The Floral Hall of Borough Market is grade II listed and this structure is within meters of the application site.
- 5 The site is in a District Town Centre, Central Activity Zone, Air Quality Management Area, Strategic Cultural Area, Archaeological Priority Zone and the Borough High

Street Conservation Area.

### **Details of proposal**

- 6 The applicant wishes to add a mansard roof to the row of terraces (1-11) in order to reconfigure the existing flats, and to result in the addition of five units in total. This would involve a small amount of lateral conversion with the removal of some of the partitions on the upper floors.
- 7 The roof to number 5 already has a dormer which was carried out prior to listing. The proposal seeks to remove butterfly roofs at numbers 1, 3 and 9. Number 7 and 11 already have pitched roofs, again, installed prior to listing. The roof to number 13 would be renewed with slate.
- 8 The existing chimneys would be raised to the new roof levels in bricks to match existing. Two-bay dormer windows would be provided to each mansard.
- 9 Number 1 Park Street  
 First and Second floor - 2 bedroom maisonette as existing  
 New floor comprising 2 bed flat joined with number 3.  
 Living room - 16sqm  
 Kitchen - 12sqm  
 Bedroom - 12sqm  
 Bedroom - 7sqm  
 Bathroom - 3.6sqm  
 Overall - 61sqm
- 10 Number 3 Park Street  
 First and Second floor - Two studio units as existing  
 Third floor, 2 bedroom unit joined with number 1.
- 11 Number 5 Park Street  
 Existing four bedroom maisonette to remain.
- 12 Number 7 Park Street  
 First and Second floor - two x 1 bedroom units as existing.  
 Third floor new one bedroom unit  
 Living room - 18sqm  
 Kitchen - 8sqm  
 Bedroom - 12sqm  
 Bathroom - 4.5sqm  
 Overall - 50sqm
- 13 Number 9 Park Street  
 First floor - new one bedroom flat joined with number 11 Park Street  
 Living room - 20sqm  
 Kitchen - 7sqm  
 Bedroom - 14sqm  
 Bathroom - 6sqm  
 Overall - 60sqm
- Second floor - one bedroom flat as existing
- Third Floor - new one bedroom flat joined with number 11 Park Street  
 Living room - 18sqm  
 Kitchen - 5.5sqm  
 Bedroom - 13sqm

Bathroom - 5sqm

Overall - 56sqm

- 14 Number 11 Park Street  
 First floor - new one bedroom flat joined with number 9 Park Street.  
 Second floor - existing one bedroom flat.  
 Third floor - new one bedroom flat joined with number 9 Park Street.
- 15 Number 13 Park Street  
 Existing 1 bedroom maisonette to remain.

### **Planning history**

- 16 Thameslink application TL12 (Transport and Works Act) consent granted for the demolition of the rear outbuildings at 1-13 Park Street following CPO by Network Rail.
- 17 11-AP-4343: Accompanying application for Listed building consent.

### **Planning history of adjoining sites**

- 18 08-AP-1650 was granted on 01/04/10 for the re-use of existing railway arches for a new restaurant, retail units, bakery and associated plant - the restaurant to extend into a new two storey building to the rear/side of 12/14 Park Street. Erection of four single storey retail units and ancillary stores/W.C. on existing yard. Creation of a new pedestrian link off Park Street connecting through Brew Wharf Yard to Stoney Street; alterations to building on west side of viaduct to facilitate access to service yard and formation of toilets/technical room on second floor.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 19 The main issues to be considered in respect of this application are:
- a) The acceptability of the proposal in land use terms
  - b) The impact of the alterations on the amenity of the existing and future residents, and on the users of the area.
  - c) The impact of the alterations on the fabric and setting of the listed buildings, the character and appearance of the conservation area, and on the appearance of the area generally,
  - d) Transport Implications
  - e) Flood Risk
  - f) Archaeology

### **Planning policy**

#### Core Strategy 2011

- 20 Strategic Policy 2 – Sustainable transport  
 Strategic Policy 5 – Providing new homes  
 Strategic Policy 12 – Design and conservation

Strategic Policy 13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

- 21 1.4 Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations  
 1.5 Small Business Units  
 3.2 Protection of Amenity  
 3.12 Quality in Design  
 3.15 Conservation of the Historic Environment  
 3.16 Conservation Areas  
 3.17 Listed Buildings  
 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites  
 4.2 Quality of Residential Accommodation  
 5.2 Transport Impacts  
 5.3 Walking and Cycling  
 Residential Design Standards SPD 2011

London Plan 2011

- 22 Policy 3.5 Residential Accommodation  
 Policy 3.8 Housing choice  
 Policy 6.13 Parking  
 Policy 7.1 Building London's neighbourhoods and communities  
 Policy 7.6 Architecture  
 Policy 7.8 Heritage assets and archaeology

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 23 PPS5

- 24 Draft NPPF

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Ministerial Statement Planning for Growth

**Principle of development**

- 25 The principle of providing additional residential units is unacceptable, both in land use principle, (as it would involve the loss of an office unit in number 9) and also amenity and design reasons.
- 26 The loss of the office unit on the first floor of 9 Park Street is not addressed by the applicant, and this is clearly occupied due to the objection received from the tenant. Policy 1.4 requires the following:



- 27 Outside the Preferred Office Locations, and Preferred Industrial Locations, on sites which have an established B Class use and which meet any of the following criteria:
- i) the site fronts onto or has direct access to a classified road; or
  - ii) The site is within a Public Transport Accessibility Zone; or
  - iii) The site is within the Central Activities Zone; or
  - iv) The site is within the Strategic Cultural Area.
- 28 Development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made where:
- a) The applicant can demonstrate that convincing attempts to dispose of the premises either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months have been unsuccessful, or
  - b) The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having a regard to physical or environmental constraints; or
  - c) The site is located within a town or local town centre in which case accordance with policy 1.7 suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floorspace may be used for suitable mixed or residential uses.
- 29 On employment sites outside the POLs and PILs and where criteria i-iv above do not apply, a change of use from an employment use to suitable mixed or residential uses will be permitted.
- Clause iii) and iv) apply to this development. The applicant has not justified the loss of B1 floorspace by way of marketing or a statement as to why the office may be unusable.
- 30 Policy 1.5 states that the LPA will protect and encourage appropriate business and commercial developments which meet the needs of small businesses in the following ways:
- i) Any proposals for the change of use or redevelopment of employment sites which include small business units and to which policies 1.2, 1.3 or 1.4 apply shall make equivalent provision for small business units within the replacement floorspace for class B uses, unless the existing small business units have been vacant for 12 months or if there is comparable alternative provision by the applicant.
  - ii) Railway arches outside Preferred Industrial locations may be used for A, B and D use classes, provided that the proposed use class would not have an unacceptable impact on the amenities of neighbouring occupiers or on car parking, traffic congestion and road safety.
  - iii) A planning condition shall be imposed to ensure that the spaces are not converted or extended to form larger spaces.
- 31 Small Units within the Core Strategy are defined as being less than 500m<sup>2</sup> in area (as opposed to 235m<sup>2</sup> within the Southwark Plan). The unit is categorised as being a small business unit within both documents.
- 32 Small Units within the Core Strategy are protected to help meet the needs of the local office market, and employment opportunities.
- 33 The loss of this unit means that the development is therefore contrary to strategic policy 10 'Jobs and Businesses' of the Core Strategy 2011.
- 34 No alternative provision has been made by the applicant to justify the loss of the small business unit. The proposal therefore contravenes both of these policies.
- 35 Density:

Existing is 820 HR/Ha and Proposed is 970 HR/Ha based on the following calculation:

$$\text{Commercial floorspace} = \frac{326}{27.5} = 11.8$$

Site Area = 0.04

Existing Habitable Rooms = 21

$$21 + 11.8 = \frac{32.8}{0.04} = 820 \text{HR/Ha}$$

Proposed Habitable Rooms = 27

$$27 + 11.8 = \frac{38.8}{0.04} = 970 \text{HR/Ha}$$

- 36 Both existing and proposed density complies with the Core Strategy requirement for the Central Activity Zone which is between 700 and 1100.

### **Environmental impact assessment**

- 37 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being less than 0.5ha in area and as it is not within a sensitive area and would not generate significant environmental impacts in this urbanised location.

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

#### New units

- 38 The new units comply with the minimum residential design standards. Whilst the studio units fall short of the minimum standards, these units are existing, therefore no objection may be raised.

#### Existing and nearby residential units.

- 39 It is not considered that the increase in height resulting from the mansard would inflict a loss of daylight or sunlight from the properties opposite on Park Street, due to the set back and low rise nature of the mansard. The upper floors of the even numbers of Park Street would already be overshadowed somewhat by the existing properties.
- 40 It is not considered that privacy to the upper floors across Park Street would be compromised, as the new units would be built atop existing units. There is already a view across the street, and this distance is 9m. Whilst the Residential Design Standards give a guideline of 12m between front windows, the distance between these properties is already established.
- 41 No further amenity issues are raised, therefore the scheme would comply with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007, and SP13 High Environmental Standards of the Core Strategy 2011.

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

- 42 No impact envisaged.

#### **Traffic issues**

- 43 No details of cycle parking have been provided with the application, although it is

possible that the applicant has not included this as the application relates to an additional floor. There is therefore no space on the ground floor for adequate cycle storage, and whilst it could be argued that this is due to site constraints, the addition of five units with no cycle storage is unacceptable as the residents would not have access to any storage facilities for cycles. This would fail to comply with saved policy 5.3 Walking and Cycling of the Southwark Plan, 2007, which requires new developments to provide secure, weatherproof and convenient storage for cycles.

- 44 If the development were to be recommended for approval, a legal agreement would be required to exempt future occupants from applying for car parking permits.
- 45 There is also no information in the application on the construction implications, and Construction Management Plan would be required if the application were to be recommended for approval.

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

- 46 Saved Policy 3.12 Quality in design, requires that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. New buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment.
- 47 It is considered that the uniform stripping of the existing/original roofs to the whole terrace represents an unacceptable loss of historic form and fabric. The Applicant's Heritage statement acknowledges that the proposal will "result in some harmful alteration to the listed terrace" and change to the historic architectural appearance of the terrace, with the new roof form appearing above the parapet instead of being screened behind it. It also notes that the existing mansard to No.5 has already caused notable harm to the unity of the listed group.
- 48 Saved Policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted. The character and appearance of conservation areas should be recognised and respected in any new development within these areas. Article 4 directions may be imposed to limit permitted development rights, particularly in residential areas. Policy HE7.2 of PPS5 also requires that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals. The particular nature of the groups significance lies within its consistency of form and detailing, within which there is some variety in the later C19 shopfronts, as well as the C20 alterations to the roofs of No.s 5, 7 and 11.
- 49 Section 3.4.15 of the Borough High Street Conservation Area Appraisal notes that on the south side, Park Street has a particularly good line of early 19th century houses (designed by Henry Rose, 1831), converted later in the 19th century to shops: these include some good traditional shop fronts. The strong line of the three-storey façade turns sharply and passes below the railway, closing the westward view, and the viaduct completes the enclosure of the street space.

- 50 Saved Policy 3.16 Conservation areas, requires that within conservation areas, development should preserve or enhance the character or appearance of the area. New development, including alterations and extensions, should respect the context of the conservation area, and not involve the loss of existing traditional features of interest which make a positive contribution to the character or appearance of the Conservation Area. The quality of this terrace of listed buildings is extremely important to the conservation area townscape, and the roofscape is also visible from the London Bridge to Waterloo train-line. Officers do not consider that the current variety of roof forms across the terrace is a negative feature to the area, indeed it adds variety and interest as well as showing the organic and incremental changes that have taken place over the last 180 years. Regularising this variety would be to the detriment of this character and authenticity of development.
- 51 Saved Policy 3.17 Listed buildings, requires that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Planning permission for proposals which involve an alteration or extension to a listed building will only be permitted where:
- i. There is no loss of important historic fabric; and
  - ii. The development is not detrimental to the special architectural or historic interest of the building; and
  - iii. The development relates sensitively and respects the period, style, detailing and context of the listed building or later alterations of architectural or historic interest; and
  - iv. Existing detailing and important later additional features of the building are preserved, repaired or, if missing, replaced.
- 52 This proposal represents an unacceptable loss of important historic fabric and fails to preserve existing detailing; at least half of the roofs in the terrace are original, and their loss cannot be justified. The proposal to completely change the roof-forms to mansards is detrimental to the special architectural and historic interest of the terrace, and fails to relate sensitively to the period, style, detailing and context of the listed building or later alterations of architectural or historic interest.
- 53 Strategic Policy 12 – Design and conservation of Core Strategy 2011, requires 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. We will do this by expecting development to conserve or enhance the significance of Southwark's heritage assets, their settings and wider historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens, world heritage sites and scheduled monuments.
- 54 Policy HE9.2 of PPS5 requires that where the application will lead to substantial harm to or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss. The public benefits that would arise from this proposal relate to the provision of additional residential accommodation within the mansard roof-space; while additional housing within the Borough is always welcomed in principle, it should not be at the significant loss of historic fabric and form. Accordingly it is not considered that this harm to national heritage is outweighed by the provision of limited quality residential units.

## **Other Matters**

### **Archaeology**

- 55 In the event of an approval, conditions requiring archaeological building recording and archaeological reporting within 6 months, would be required.

### **Flood Risk**

- 56 The Environment Agency have no objection to the proposal, and if recommended for permission a condition would be included to require the development to be carried out in accordance with the Flood Risk Assessment.

### **Conclusion on planning issues**

- 57 Due to the unacceptable loss of historic fabric from the listed terrace, as well as the shortfall in unit sizes proposed, the application is recommended for refusal.

### **Consultations**

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

### **Consultation replies**

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

### **Summary of consultation responses**

- 60 Concerns relating to loss of privacy, loss of light, and loss of important historic fabric.

### **Human rights implications**

- 61 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.

- 62 This application has the legitimate aim of providing addition of a mansard floor to provide five additional units. 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**

- 63 N/A

**BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/1523-H  Application file: 11-AP-4342  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5405 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Susannah Pettit, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	13 March 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	N/A	N/A
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	N/A	N/A
<b>Date final report sent to Constitutional Team</b>		23 March 2012

**Consultation undertaken****Site notice date:** 11/01/12**Press notice date:** 12/01/12**Case officer site visit date:** 11/01/12**Neighbour consultation letters sent:** 11/01/12**Internal services consulted:**

Design and Conservation  
 Transport Planning  
 Archaeology Officer

**Statutory and non-statutory organisations consulted:**

English Heritage

**Neighbours and local groups consulted:**

BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 7B PARK STREET LONDON SE1 9AB  
 JADE HOUSE 3 PARK STREET LONDON SE1 9AB  
 8 STONEY STREET LONDON SE1 9AA  
 7A PARK STREET LONDON SE1 9AB  
 2 PARK STREET LONDON SE1 9AB  
 11 PARK STREET LONDON SE1 9AB  
 6-8 PARK STREET LONDON SE1 9AB  
 9 STONEY STREET LONDON SE1 9AA  
 BASEMENT AND GROUND FLOOR 5 PARK STREET LONDON SE1 9AB  
 FIRST FLOOR AND SECOND FLOOR FLAT 3 PARK STREET LONDON SE1 9AB  
 GROUND FLOOR 13 PARK STREET LONDON SE1 9AB  
 BASEMENT AND GROUND FLOOR 9 PARK STREET LONDON SE1 9AB  
 FIRST TO THIRD FLOORS 5 PARK STREET LONDON SE1 9AB  
 12-14 PARK STREET LONDON SE1 9AB  
 10 PARK STREET LONDON SE1 9AB  
 8 PARK STREET LONDON SE1 9AB  
 1A PARK STREET LONDON SE1 9AB  
 FIRST FLOOR 9 PARK STREET LONDON SE1 9AB  
 BASEMENT AND GROUND FLOOR 4 PARK STREET LONDON SE1 9AB  
 LIVING ACCOMMODATION 9 STONEY STREET LONDON SE1 9AA  
 ROAST AT THE FLORAL HALL BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 1TL  
 MESSRS DRINKS CAGE LTD BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 BOROUGH MARKET CATHEDRAL STREET LONDON SE1 9AL  
 MARIAS MARKET CAFE BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 1TL  
 MESSRS LE MARCHE BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 28 SOUTHWARK STREET LONDON SE1 1TU  
 15 PARK STREET LONDON SE1 9AB  
 7 PARK STREET LONDON SE1 9AB  
 4A PARK STREET LONDON SE1 9AB  
 BRIDGE STUDIOS 13 PARK STREET LONDON SE1 9AB  
 7A STONEY STREET LONDON SE1 9AA  
 Ground floor Irwin House 118 Southwark Street London SE1 0SW

by email  
 c/o 13 Park Street London SE1 9AB  
 6 PARK STREET LONDON SE1 9AB

**Re-consultation:**

N/A

## Consultation responses received

### Internal services

Design and Conservation Comments: Objection. Comments incorporated into report.  
 Transport Planning: Objection. No cycle storage, no construction management plan.  
 Archaeology Officer: The alterations would have a significantly detrimental impact on the special interest of the listed buildings and should be refused, however, in the event of an approval, conditions requiring archaeological building recording and archaeological reporting within 6 months, would be required.

### Statutory and non-statutory organisations

English Heritage

Environment Agency: Initially raised an objection but following a revised FRA, removed the objection and recommended conditions.

### Neighbours and local groups

#### The Peer Group, the Hop Exchange: Objection

- The Design and Access statement is not clear - the plan on page three does not show the building abutting the railway track as it does.
- The aerial photograph is misleading because it includes the service yard within is the sole ownership of the Peer Group.
- There are no references to fire escape in the Design and Access statement.
- There is no provision for refuse collection within the building, and this is likely to significantly increase.

#### 9 Park Street: Objection

Park Street is a beautiful historic street, and the mansards will severely compromise the look of the street.

#### Michael Challenger (Park Street): Objection

Increasing residential floorspace by reconfiguring the building and constructing an additional 12 flats is overdevelopment of the site.

The listed terrace retains many of its original features and this proposal would have a detrimental effect on the integrity of the listed building and will destroy much of the roof space.

#### 4a Park Street: Objection

The development would destroy the character of the historic listed buildings. Our privacy would be affected as the residents would be able to see into our top floor windows. The extension would also block the sunlight. New residents would compromise parking in the street. The impact of all the developments would be distressing, however I understand you don't consider the impact of building work.

#### Cathedral Area Residents Association: Objection

Outlines the history of the terrace, and that the Cathedral Area Residents Association were instrumental in getting them listed.



It is relatively rare to find a Georgian terrace in this good condition, and the alterations proposed would severely harm these. The addition of 12 flats would harm the amenity of surrounding residents and would result in overdevelopment.

#### 10-14 Park Street: Objection

- 1) The additional floor will lead to a significant loss of light to my property. The buildings on the south side of the street are already one storey taller than my property, and the front windows to my property are the only ones which receive any light.
- 2) The proposal will lead to a lack of privacy to my roof terrace.
- 3) Parking is already a problem and the extra homes will add pressure.

#### 8 Park Street: Objection

Construction works have been a problem in the last few years, and this will add to the pressure.

An addition to the building opposite will cut a significant amount of light. The shadow cast by flats across the street already means that we seldom get sunlight at the front of the flat for more than an hour or two each morning. The additional floor proposed will exacerbate this problem.

The addition of one storey will have a significant impact on my family's privacy.

#### 5 Park Street: Objection

There is enough accommodation in Park Street already. It seems strange to change the facade of the block as it is listed. Any extra units will be an overdevelopment of the site and will cause overcrowding in such a busy street already. This will result in a loss of amenity for current tenants.

#### 5 Park Street: Objection

The proposal is an overdevelopment of the site and will result in overcrowding. There is no fire escape in the building. The terrace is fragile and my flat has already had work done to facilitate construction of the viaduct at the rear of the property.

#### 6 Park Street (Neal's yard Dairy): Objection

The development will harm the architectural and cultural history of Borough Market.

The development would place strain on infrastructure with more people demanding access to the limited infrastructure provision.

The mansard would restrict the tenants' quiet enjoyment of their home and the light received.

The development would also disrupt daily business in the shop during the construction phase, through congestion, hoarding's and scaffolding, limitations of foot traffic, and particulate pollution.

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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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.

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<b>Applicant</b>	Mr J Wintour United St Saviour's Charity	<b>Reg. Number</b> 11-AP-4342
<b>Application Type</b>	Full Planning Permission	
<b>Recommendation</b>	Refuse permission	<b>Case Number</b> TP/1523-H

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### Draft of Decision Notice

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**Planning Permission was REFUSED for the following development:**

Refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.

**At:** 1-13 PARK STREET, LONDON, SE1 9AB

**In accordance with application received on** 23/12/2011 08:03:49

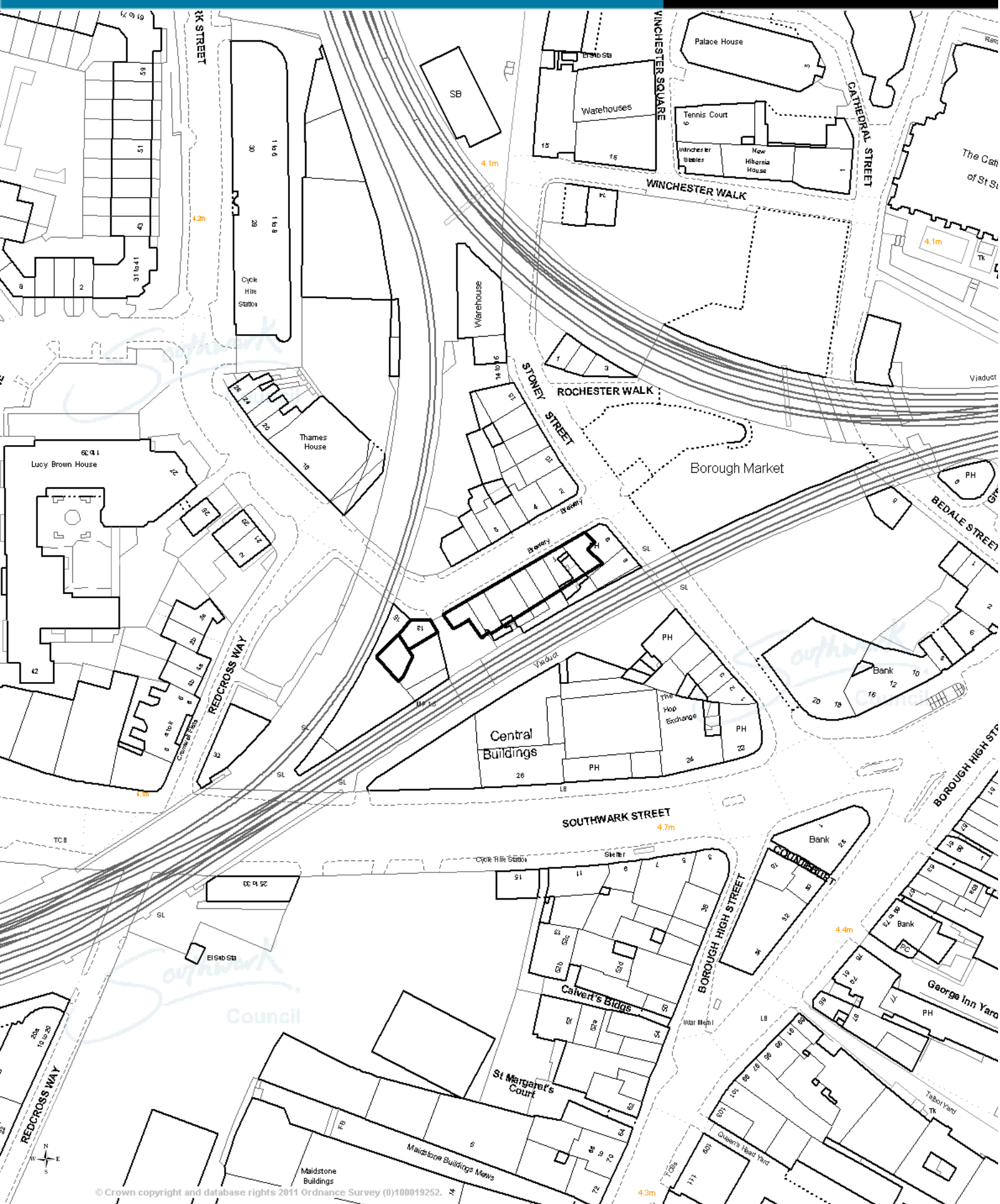
**and Applicant's Drawing Nos.** Design and Access Statement, Heritage Statement, Flood Risk Assessment, Existing and Proposed Views from West, Existing and Proposed Views from East, 11-030-D 00, 11 030- D02, 11-030 D03,, 11-030 D 04, 11-030 D 02, 11-030 D05

**Reason for refusal:**

- 1 The proposed change of use would result in the loss of a Small Business Unit and associated B Class floorspace, which would harm the local economy by reducing employment opportunities and services for local residents. The protection of small business units and existing office floorspace is important given the high demand for office floorspace within this town centre location. The proposed development is therefore contrary to saved policies 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' and 1.5 'Small business units' of The Southwark Plan 2007, strategic policy 10 'Jobs and Businesses' of the Core Strategy 2011.
- 2 The proposal would result in the loss of important historic fabric, detailing and building-form, and is detrimental to the special architectural and historic interest of the building, failing to relate sensitively to the period, style, detailing and context of the listed building, and is contrary to Saved Policy 3.17 Listed buildings of the Southwark Plan 2007, SP12 Design and Conservation of the Core Strategy 2011 and Policy HE9.2 of PPS5.
- 3 The scheme includes no provision for the safe, weatherproof and convenient storage of cycles in respect of the five proposed units, which would mean the residents would not have adequate cycle storage space and would therefore be unlikely to use this sustainable form of transport. This would fail to accord with saved policy 5.3 Walking and Cycling of the Southwark Plan, and SP2 Sustainable Transport of the Core Strategy 2011.

Ordnance Survey

Date 22/3/2012



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<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 4 April 2011	<b>Meeting Name:</b> Borough and Bankside Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-4343 for: Listed Building Consent  <b>Address:</b> 1-13 PARK STREET, LONDON, SE1 9AB  <b>Proposal:</b> Refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	HEAD OF DEVELOPMENT MANAGEMENT		
<b>Application Start Date</b> 23 December 2011		<b>Application Expiry Date</b> 17 February 2012	

## RECOMMENDATION

- 1 Refuse Listed Building Consent.

## BACKGROUND INFORMATION

- 2 Councillors have requested for this application be brought to the Borough and Bankside Community Council, in order for it to be considered by the community council.

### Site location and description

- 3 The site comprises seven properties on the south side of Park Street. The properties are all three storey with traditional shopfronts on the ground floor. Number five has a 2 bay dormer. The properties are group listed grade II (numbers 1-13 odd). There are seven flats in the buildings accessed individually from street level.
- 4 Borough Market lies to the east of the site, and opposite the site are three storey terraced houses of a similar age to the application properties although unlisted. A new development known as Brew Wharf Yard is taking place opposite the site, to create a new link through to Stoney Street with a new restaurant and retail units in the arches.
- 5 The site is in a District Town Centre, Central Activity Zone, Air Quality Management Area, Strategic Cultural Area, Archaeological Priority Zone and the Borough High Street Conservation Area.

### Details of proposal

- 6 The applicant wishes to add a mansard roof to the row of terraces (1-11) in order to reconfigure the flats slightly, and to result in the addition of five units in total. This

would involve a small amount of lateral conversion with the removal of some of the partitions on the upper floors.

- 7 The roof to number 5 already has a dormer which was carried out prior to listing. The proposal seeks to remove butterfly roofs at numbers 1, 3 and 9. Number 7 and 11 already have pitched roofs, again, installed prior to listing.
- 8 The roof to number 13 would be renewed with slate.
- 9 The existing chimneys would be raised to the new roof levels with materials to match the existing. Dormer windows would be provided to each mansard.

### **Planning history**

- 10 Thameslink application TL12 (Transport and Works Act) consent granted for the demolition of the rear outbuildings at 1-13 Park Street following CPO by Network Rail.
- 11 11-AP-4342 Accompanying planning application.

### **Planning history of adjoining sites**

- 12 08-AP-1650 was granted on 01/04/10 for the re-use of existing railway arches for a new restaurant, retail units, bakery and associated plant - the restaurant to extend into a new two storey building to the rear/side of 12/14 Park Street. Erection of four single storey retail units and ancillary stores/W.C. on existing yard. Creation of a new pedestrian link off Park Street connecting through Brew Wharf Yard to Stoney Street; alterations to building on west side of viaduct to facilitate access to service yard and formation of toilets/technical room on second floor.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 13 The main issues to be considered in respect of this application are:

The impact of development on the fabric and special interest of the Listed Building.

### **Planning policy**

#### Core Strategy 2011

- 14 Strategic Policy 12 – Design and conservation

#### Southwark Plan 2007 (July) - saved policies

- 15 3.17 Listed Buildings

#### London Plan 2011

- 16 Policy 7.8 Heritage assets and archaeology

#### Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 17 PPS5

### **Principle of development**

- 18 In Listed Building terms, a roof extension to these properties is unacceptable due to the loss of historic fabric, as set out below.

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

- 19 Saved Policy 3.12 Quality in design, requires that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. New buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment.
- 20 It is considered that the uniform stripping of the existing/original roofs to the whole terrace represents an unacceptable loss of historic form and fabric. The Applicant's Heritage statement acknowledges that the proposal will "result in some harmful alteration to the listed terrace" and change to the historic architectural appearance of the terrace, with the new roof form appearing above the parapet instead of being screened behind it. It also notes that the existing mansard to No.5 has already caused notable harm to the unity of the listed group.
- 21 Saved Policy 3.15 Conservation of the historic environment, requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted. The character and appearance of conservation areas should be recognised and respected in any new development within these areas. Article 4 directions may be imposed to limit permitted development rights, particularly in residential areas. Policy HE7.2 of PPS5 also requires that in considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals. The particular nature of the groups significance lies within its consistency of form and detailing, within which there is some variety in the later C19 shopfronts, as well as the C20 alterations to the roofs of No.s 5, 7 and 11.
- 22 Section 3.4.15 of the Borough High Street Conservation Area Appraisal notes that on the south side, Park Street has a particularly good line of early 19th century houses (designed by Henry Rose, 1831), converted later in the 19th century to shops: these include some good traditional shop fronts. The strong line of the three-storey façade turns sharply and passes below the railway, closing the westward view, and the viaduct completes the enclosure of the street space.
- 23 Saved Policy 3.16 Conservation areas, requires that within conservation areas, development should preserve or enhance the character or appearance of the area. New development, including alterations and extensions, should respect the context of the conservation area, and not involve the loss of existing traditional features of interest which make a positive contribution to the character or appearance of the Conservation Area. The quality of this terrace of listed buildings is extremely important to the conservation area townscape, and the roofscape is also visible from the London Bridge to Waterloo train-line. Officers do not consider that the current variety of roof forms across the terrace is a negative feature to the area, indeed it adds variety and

interest as well as showing the organic and incremental changes that have taken place over the last 180 years. Regularising this variety would be to the detriment of this character and authenticity of development.

- 24 Saved Policy 3.17 Listed buildings, requires that development proposals involving a listed building should preserve the building and its features of special architectural or historic interest. Planning permission for proposals which involve an alteration or extension to a listed building will only be permitted where:
- i. There is no loss of important historic fabric; and
  - ii. The development is not detrimental to the special architectural or historic interest of the building; and
  - iii. The development relates sensitively and respects the period, style, detailing and context of the listed building or later alterations of architectural or historic interest; and
  - iv. Existing detailing and important later additional features of the building are preserved, repaired or, if missing, replaced.
- 25 This proposal is considered to represent an unacceptable loss of important historic fabric and fails to preserve existing detailing; at least half of the roofs in the terrace are original, and their loss cannot be justified. The proposal to completely change the roof-forms to mansards is detrimental to the special architectural and historic interest of the terrace, and fails to relate sensitively to the period, style, detailing and context of the listed building or later alterations of architectural or historic interest.
- 26 Strategic Policy 12 – Design and conservation of Core Strategy 2011, requires 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. We will do this by expecting development to conserve or enhance the significance of Southwark’s heritage assets, their settings and wider historic environment, including conservation areas, archaeological priority zones and sites, listed and locally listed buildings, registered parks and gardens, world heritage sites and scheduled monuments.
- 27 Policy HE9.2 of PPS5 requires that where the application will lead to substantial harm to or total loss of significance, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss. The public benefits that would arise from this proposal relate to the provision of additional residential accommodation within the mansard roof-space; while additional housing within the Borough is always welcomed in principle, it should not be at the significant loss of historic fabric and form. Accordingly it is not considered that this harm to national heritage is outweighed by the provision of limited quality residential units.

### **Conclusion on listed building issues**

- 28 Due to the harmful impact that the proposal would have on the special fabric and interest of the listed building, including the loss of important traditional slate roofs, the proposal is contrary to the Council's policies and to Government advice and is therefore recommended for refusal.

### **Community impact statement**

- 29 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.

- 30 There will be no impact on local people as the proposal is recommended for refusal.

### Consultations

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

### Consultation replies

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

#### Summary of consultation responses

- 33 Concerns over loss of historic fabric.

### Human rights implications

- 34 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.
- 35 This application has the legitimate aim of providing mansard roof additions and five additional units. 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

- 36 N/A

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1523-H Application file: 11-AP-4343 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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5405 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>



**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Susannah Pettit, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	14 March 2012	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	No	No
<b>Date final report sent to Constitutional Team</b>	23 March 2012	

**APPENDIX 1****Consultation undertaken****Site notice date:** 11/01/12**Press notice date:** 12/01/12**Case officer site visit date:** 11/01/12**Neighbour consultation letters sent:**11/01/12**Internal services consulted:**

Design and Conservation team.

**Statutory and non-statutory organisations consulted:**English Heritage  
The Georgian Group**Neighbours and local groups consulted:**

BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 7B PARK STREET LONDON SE1 9AB  
 JADE HOUSE 3 PARK STREET LONDON SE1 9AB  
 8 STONEY STREET LONDON SE1 9AA  
 7A PARK STREET LONDON SE1 9AB  
 2 PARK STREET LONDON SE1 9AB  
 11 PARK STREET LONDON SE1 9AB  
 6-8 PARK STREET LONDON SE1 9AB  
 9 STONEY STREET LONDON SE1 9AA  
 BASEMENT AND GROUND FLOOR 5 PARK STREET LONDON SE1 9AB  
 FIRST FLOOR AND SECOND FLOOR FLAT 3 PARK STREET LONDON SE1 9AB  
 GROUND FLOOR 13 PARK STREET LONDON SE1 9AB  
 BASEMENT AND GROUND FLOOR 9 PARK STREET LONDON SE1 9AB  
 FIRST TO THIRD FLOORS 5 PARK STREET LONDON SE1 9AB  
 12-14 PARK STREET LONDON SE1 9AB  
 10 PARK STREET LONDON SE1 9AB  
 8 PARK STREET LONDON SE1 9AB  
 1A PARK STREET LONDON SE1 9AB  
 FIRST FLOOR 9 PARK STREET LONDON SE1 9AB  
 BASEMENT AND GROUND FLOOR 4 PARK STREET LONDON SE1 9AB  
 LIVING ACCOMMODATION 9 STONEY STREET LONDON SE1 9AA  
 ROAST AT THE FLORAL HALL BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 1TL  
 MESSRS DRINKS CAGE LTD BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 BOROUGH MARKET CATHEDRAL STREET LONDON SE1 9AL  
 MARIAS MARKET CAFE BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 1TL  
 MESSRS LE MARCHE BOROUGH MARKET BOROUGH HIGH STREET LONDON SE1 9AH  
 28 SOUTHWARK STREET LONDON SE1 1TU  
 15 PARK STREET LONDON SE1 9AB  
 7 PARK STREET LONDON SE1 9AB  
 4A PARK STREET LONDON SE1 9AB  
 BRIDGE STUDIOS 13 PARK STREET LONDON SE1 9AB  
 7A STONEY STREET LONDON SE1 9AA  
 Ground floor Irwin House 118 Southwark Street London SE1 0SW

by email  
 c/o 13 Park Street London SE1 9AB  
 6 PARK STREET LONDON SE1 9AB

**Re-consultation:**

N/A

## Consultation responses received

### Internal services

Design and Conservation team: Objection. Comments incorporated into the report.

### Statutory and non-statutory organisations

English Heritage: You are hereby authorised to determine the application for listed building consent, and English Heritage is not expressing any views.

The Georgian Group: Objection.

The proposal will result in the removal of significant historic fabric and be damaging to the architectural significance of the listed buildings as well as the conservation area. It is critical that the damage carried inflicted on this terrace in the past ie; the roof lights, a mansard roof at number 5, and pitched roofs at numbers 7 and 11, are not considered to be precedents for further damage.

The proposals will be damaging to the historic character of the buildings, and in addition will introduce a pastiche architectural detail masquerading as original Georgian design, which will harm the architectural integrity of the listed buildings. There are no objections to the removal of modern fabric at numbers 7 and 11, however, if the applicants wish to introduce a unity and rhythm to Park Street, they should reinstate butterfly roofs.

We are also concerned about the loss of the historic plan form and alterations to the staircase at 2nd floor to accommodate the mansard stair.

### Neighbours and local groups

#### 5 Park Street: Objection

The listed terrace 1-11 retains many of its original features and the proposal does not enhance the building. The terrace should be left and not developed in any way.

#### 1 Park Street: Objection

The plans will completely change the historic roof line of the terrace and viewed from the street, it will no longer look as the architect intended.

#### 10-14 Park Street: Objection

This row of listed buildings is surely worth preserving in their original state.

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr J Wintour United St Saviour's Charity	<b>Reg. Number</b> 11-AP-4343
<b>Application Type</b>	Listed Building Consent	
<b>Recommendation</b>	Refuse permission	<b>Case Number</b> TP/1523-H

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### Draft of Decision Notice

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**Listed Building Consent was REFUSED to carry out the following works:**

Listed Building Consent for the refurbishment and extension of Grade II listed terrace including mansard roof extension to No.s 1,3,7,9 & 11, to provide an additional 5 residential units: resulting in a total of 12 units, to comprise 2 x studio flats, 7 x 1 bed flats, 2 x 2 bed flats, and 1 x 4 bed flat.

**At:** 1-13 PARK STREET, LONDON, SE1 9AB

**In accordance with application received on** 23/12/2011 08:03:49

**and Applicant's Drawing Nos.** Design And Access Statement, Flood Risk Assessment, Existing and proposed Views from West, Existing and proposed views from East, 11-030-D 00, Heritage Statement, 11-030 D02, 11-030 D 03, 11-030 D 04, 11-030 D 02 11-030 D 05

**Reason for refusal:**

- 1 The proposal would fail to preserve or enhance the special interest, historic character and appearance of the listed buildings, with an adverse effect on the historic environment and the particular nature of the significance of the heritage asset, contrary to Saved Policy 3.15 Conservation of the historic environment of the Southwark Plan 2007, SP12 Design and Conservation of the Core Strategy 2011 and Policy HE7.2 of PPS5.
  
- 2 The proposal would result in the loss of important historic fabric, detailing and building-form, and is detrimental to the special architectural and historic interest of the building, failing to relate sensitively to the period, style, detailing and context of the listed building, and is contrary to Saved Policy 3.17 Listed buildings of the Southwark Plan 2007, SP12 Design and Conservation of the Core Strategy 2011 and Policy HE9.2 of PPS5.

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**NOTE:** Original held by Constitutional Team; all amendments/queries to  
Gerald Gohler Tel: 020 7525 7420

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