

Planning Sub-Committee A

Tuesday 21 July 2015

7.00 pm

Meeting room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Ben Johnson (Vice-Chair)
Councillor Nick Dolezal
Councillor Chris Gonde
Councillor Anne Kirby
Councillor Eliza Mann
Councillor Sandra Rhule

Reserves

Councillor Evelyn Akoto
Councillor David Hubber
Councillor Sarah King
Councillor Darren Merrill
Councillor Kath Whittam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

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Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 13 July 2015



Planning Sub-Committee A

Tuesday 21 July 2015
7.00 pm
Meeting room G02, 160 Tooley Street, London SE1 2QH

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3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group to confirm the voting members of the committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	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.	
6.	MINUTES	1 - 12
	To approve the minutes of the meetings held on 9 December 2014 and 10 June 2015 as correct records of the meetings.	
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Date: 13 July 2015



PLANNING SUB-COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Your role as a member of the planning sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the sub-committee (if they are present and wish to speak) for **not more than 3 minutes each**.

(a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

(b) The applicant or applicant's agent.

(c) One representative for any supporters (who live within 100 metres of the development site).

(d) Ward councillor (spokesperson) from where the proposal is located.

(e) The members of the sub-committee will then debate the application and consider the recommendation.

Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the sub-committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at council committees and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

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

Contacts: The Head of Development Manager
Chief Executive's Department
Tel: 020 7525 5437; or

Planning Sub-Committee Clerk, Constitutional Team
Corporate Strategy Division
Tel: 020 7525 7420

Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Tuesday 9 December 2014 at 7.00 pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
 Councillor Vijay Luthra
 Councillor Eliza Mann
 Councillor Sandra Rhule
 Councillor David Noakes

OFFICER SUPPORT: Rob Bristow (Planning Officer)
 David Cliff (Planning Officer)
 Rachel McKoy (Legal Officer)
 Michele Sterry (Planning Officer)
 Sarah Koniarski (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 absence from Councillors James Barber, Nick Dolezal and Lucas Green.

Councillor David Noakes attended as a reserve member.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as the voting members.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7
- Member pack relating to item 7.

Item 7.2 relating to UNIT 4, 17-19 Blackwater Street, London SE22 8SD was withdrawn.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 15 October 2014 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 and draft decision notices unless otherwise stated.
3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

8. 15 EVESHAM WALK, LONDON, SE5 8SJ

Planning application reference number: 13/AP/3509

Report: See pages 10 to 20 of the agenda pack.

PROPOSAL

Variation of condition 2 (approved plans) and condition 3 (materials) of planning permission dated 14/10/2013 [application no.13/AP/2335 for the erection of a single-storey rear extension to provide additional residential floorspace; installation of a flank wall window at ground floor level] to account for complications arising from existing inspection chamber on proposed extension site requiring amendments to building plan to build around chamber (condition 2) and to allow the use of the closest matching render not pebbledash on new extension (condition 3).

The sub-committee heard an introduction to the reports from a planning officer. Councillors asked questions of the officer.

Representatives of the objectors addressed the meeting. Councillors asked questions of the objectors.

The applicant's agent made representations to the sub-committee and answered members' questions.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 13/AP/35409 be granted, subject to the conditions set out in Appendix 3 to the report and the following additional condition:

The colour of the proposed render, hereby approved, shall match the colour of the existing render on the application property, as closely as possible, unless prior written consent of the local planning authority has been obtained for any proposed colour change.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

9. UNIT 4, 17-19 BLACKWATER STREET, LONDON, SE22 8SD

This item was withdrawn.

10. UNIT 3, 17-19 BLACKWATER STREET, LONDON, SE22 8SD

Planning application reference number: 14/AP/1787

Report: See pages 35 to 48 of the agenda pack and section 3.1 of the addendum report.

PROPOSAL

The retention of the ground floor as an assembly and leisure facility (Use Class D2).

The sub-committee heard an introduction to the reports from a planning officer and asked question of the officer.

The applicant and their agent made representations to the sub-committee and answered members' questions.

Councillor Rosie Shimell spoke in her capacity as ward member. Members of the committee asked questions of the ward members.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 14/AP/1787 be granted, subject to the conditions 5 and 6 set out in Appendix 3 to the report and amended conditions 1, 2, 3 and 4, together with the addition of condition 7 and an informative as follows:

1. Notwithstanding the provisions of Class D of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the use hereby permitted shall only include any use as a studio for fitness/excercise classes with a maximum occupancy of 30 people.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use and to protect the amenities of nearby residential occupiers in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

2. The use hereby permitted for excercise/fitness studio purposes shall not be carried on outside of the hours of 08:00 - 21:30hours Mondays to Fridays with no amplified music being played betwen 08.00 and 09.00; 08:45 - 18:00 hours Saturday; and 10:00 - 13:00hours Sunday and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties from noise and disturbance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

3. The doors and windows to Unit 3 shall be closed and remain closed while

classes are operating from the property.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

4. Within 2 months of the approval of this application details shall be submitted and approved in writing for the provision of a cycle rack for 6 bicycles, within 2 months of the written approval of the details, the cycle parking provision shall be provided and retained and the space shall be used for no other purposes than for cycle parking.

Reason

In order to ensure that satisfactory 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 The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

7. Within 2 months from the date of this decision a Management Plan for the proposal shall be submitted and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the use of the property as a studio for fitness/exercise classes. The Statement shall provide:
 - i) details of how the property will be used between 8.00 to 9.00 Mondays to Fridays;
 - ii) details of how the property will be managed in respect to users of the property and by third parties;
 - iii) details of measures to prevent congregation outside the application property; and
 - iv) details of notices with contact details for local occupiers should they have a concern over noise being emitted from the property or any other nuisance

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise, disturbance and nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

Informative

The applicant be informed that the use of the premises as an ancillary office and for the sale of ancillary sports and fitness clothing and equipment would be permitted providing the main use/floor area of the unit was being used as a studio for fitness/exercise classes.

11. 96 WEBBER STREET, LONDON SE1 0QN**Planning application reference number: 14/AP/0723**

Report: See pages 49 to 69 of the agenda pack and section 3.2 of the addendum report.

PROPOSAL

Alterations and extensions to existing building, including construction of a mansard-style roof extension, roof terrace and the raising of part of parapet front wall on corner of Webber Street and Rushworth Street, to extend existing first floor residential unit. Retention and refurbishment of the existing ground floor workshop (Class B1), retention of the first floor live/work unit. Construction of a new detached two bedroom, two-storey building at rear to accommodate a single family dwelling (Use Class C3) at ground and first floor levels.

The sub-committee heard an introduction to the reports from a planning officer. Councillors did asked questions of the officer.

Representatives of the objectors addressed the meeting. Councillors did asked questions of the objectors.

The applicant and their agent made representations to the sub-committee and answered members' questions.

Members debated the application and asked questions of the officers.

A motion to defer determination of the application was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That determination of application number 14/AP/0732 be deferred to enable officers to clarify issues relating to the existing uses and planning units at the site, including the outdoor yard area.

12. ALLEYNS SCHOOL, TOWNLEY ROAD, LONDON, SE22 8SU**Planning application reference number: 14/AP/2092**

Report: See pages 70 to 82 of the agenda pack.

PROPOSAL

Repaving and extending of hard landscaping to existing school sports facilities, to create 1 additional Netball court (thereby providing a total of 3 netball and 3 tennis courts) with associated fence alterations.

The sub-committee heard an introduction to the reports from a planning officer.

Members debated the application and asked questions of the officer.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 14/AP/2092 be granted, subject to the conditions set out in Appendix 3 to the report.

Meeting ended at 9.46 pm.

CHAIR:

DATED:



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Wednesday 10 June 2015 at 7.00 pm at 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
 Councillor Nick Dolezal
 Councillor Chris Gonde
 Councillor Anne Kirby
 Councillor Eliza Mann
 Councillor Sandra Rhule

OTHER MEMBERS PRESENT: Councillor Michael Mitchell

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Alex Gillot (Legal Officer)
 Alexander Cameron (Development Management)
 Matthew Harvey (Development Management)
 Gerald Gohler (Constitutional Team)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Ben Johnson.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as the voting members.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 - development management items

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 12 May 2015 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

7.1 THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ

Planning application reference number: 15/AP/0156

Report: see pages 11 to 26 of the agenda pack and page one of the addendum report.

PROPOSAL

Variation of condition 2 (approved plans) of planning permission dated 15/04/2013 [application no.12/AP/2620 for the 'Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1)'] to include reconfigured car parking spaces and the introduction of an electrical substation and gated access to the wilderness garden from the car park.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments in the addendum report. Members did not ask questions of the officer.

There were no objectors wishing to speak.

The applicant did not wish to speak.

There were no supporters of the development, who lived within 100 metres, or ward councillors wishing to speak.

Members debated the application and asked questions of the officers.

A motion to grant the application was moved, seconded and put to the vote and declared to be carried.

RESOLVED:

That planning permission (variation of condition 2) for application number 15/AP/0156 be granted subject to conditions, as set out in the report and addendum report.

7.2 68A BEAUVAL ROAD, LONDON SE22 8UQ

Planning application reference number: 15/AP/0618

Report: see pages 27 to 39 of the agenda pack and pages one and two of the addendum report.

PROPOSAL

Erection of a single storey side and rear extension.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments in the addendum report. Members asked questions of the officer.

Local residents who objected to the application made representations to the sub-committee and answered members' questions.

The applicant made representations to the sub-committee and answered members' questions.

There were no supporters of the development, who lived within 100 metres, wishing to speak.

Councillor Michael Mitchell spoke in his capacity as ward member. Members of the committee asked questions of Councillor Mitchell.

Members debated the application and asked questions of the officers.

A motion to defer the application was moved, seconded and put to the vote and declared to be carried.

RESOLVED:

That the decision on application number 15/AP/0618 be deferred to allow the applicant to submit revised drawings.

7.3 160 - 162 RYE LANE, LONDON SE15 4NB

Planning application reference number: 15/AP/0938

Report: see pages 40 to 55 of the agenda pack and pages three and four of the addendum report.

PROPOSAL

Minor amendments to planning permission 12-AP-2698 for: 'Part-three storey/part-four storey building to provide eight residential units (comprising of 2 x studio flat, 2 x 1b2p flat, 4 x 2b 4p flat) on first, second, third and fourth floors, with associated refuse and cycle storage, retention of ground floor and basement Class A1 retail use; new shopfront' consisting of: A basement extension to the commercial unit for additional storage space; Changes to the top floor material from glazing structure to bricks; High quality bricks proposed to the entire building; Further development to the elevations including shop front design; Additional balcony to the rear elevation; Relocation of refuse storage; Green roof proposed to the front at first floor level. Submission of further details in relation to refuse storage, details of the shop front, details of the balconies and details of the privacy screens.

The sub-committee heard an introduction to the report from a planning officer who also highlighted the additional comments and conditions in the addendum report. Members did not ask questions of the officer.

There were no objectors wishing to speak.

The applicant did not wish to speak.

There were no supporters of the development, who lived within 100 metres, or ward councillors wishing to speak.

Members debated the application.

A motion to grant the application was moved, seconded and put to the vote and declared to be carried.

RESOLVED:

That planning permission for application number 15/AP/0938 be granted subject to conditions, as set out in the report and addendum report.

Meeting ended at 8.10 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 21 July 2015	Meeting Name: Planning Sub-committee A
Report title:		Development management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning sub-committee items members are asked, where appropriate:
 - a. 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.
 - b. 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.
 - c. 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.

6. 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.
7. 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 maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. 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 sub-committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the sub-committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning sub-committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management 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 director of legal services, and which is satisfactory to the head of development management. 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 director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. 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).

15. 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 and the 2011 London Plan. 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).
16. 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.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make 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.A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."
18. 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. Due weight should be given to relevant development plan policies according to their degree of consistency with the NPPF. The approach to be taken is that the closer the policies are to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Lelsey John 020 7525 7228
Each planning sub-committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Gary Rice 020 7525 5437

APPENDICES

No.	Title
Appendix 1	Items to be determined by the planning sub-committee

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	9 July 2015	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		9 July 2015

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 21 July 2015

Appl. Type Full Planning Permission
Site 3A FRIERN ROAD, LONDON, SE22 0AU

Reg. No. 15-AP-0991
TP No. TP/2592-3
Ward Peckham Rye
Officer Neil Loubser

Recommendation GRANT PERMISSION

Item 7.1

Proposal

Erection of a 6-bedroom two storey dwellinghouse including landscaping, boundary treatment, and re-siting of vehicular access to front of building; installation of new dropped curb / cross-over.

Appl. Type Full Planning Permission
Site UNIT 9, 139-143 BERMONDSEY STREET, LONDON, SE1 3UW

Reg. No. 15-AP-1293
TP No. TP/11-139
Ward Grange
Officer Robin Sedgwick

Recommendation GRANT PERMISSION

Item 7.2

Proposal

Removal of white upvc framed conservatory. Extension of a two-bedroom flat by 95.6 sqm g/a to create a fourth storey with a further bedroom and additional living space.

Appl. Type Full Planning Permission
Site NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON, SE1 9AG

Reg. No. 14-AP-4405
TP No. TP/1146-B
Ward Cathedrals
Officer Dipesh Patel

Recommendation GRANT PERMISSION

Item 7.3

Proposal

Demolition of the roof extension and replacement with a part one and part two storey extension to contain a single three bedroom dwelling and associated roof terrace; change of use of the ground floor from offices (Use Class B1) to a restaurant (Use class A3) and alterations to the ground floor facade.

Appl. Type Outline Planning Permission
Site SATI, THE TANNERY, BERMONDSEY STREET, LONDON, SE1 3XN

Reg. No. 15-AP-0988
TP No. TP/11-51
Ward Grange
Officer Ciaran Regan

Recommendation GRANT PERMISSION

Item 7.4

Proposal

Erection of a two-storey terrace comprising of 4no. live/work studios.

Item No. 7.1	Classification: OPEN	Date: 21 July 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/0991 for: Full Planning Permission Address: 3A FRIERN ROAD, LONDON SE22 0AU Proposal: Erection of a 6-bedroom two storey dwelling house including landscaping, boundary treatment, and re-siting of vehicular access to front of building; installation of new dropped curb / cross-over.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date 01/04/2015		Application Expiry Date 27/05/2015	
Earliest Decision Date 24/04/2015			

RECOMMENDATION

1. That this application is referred to Members for consideration due to the number of objections; and that planning permission is granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The site is located at a sharp corner between Friern Road and Upland Road. The existing site is currently part of the private open space of 3 Friern Road, entirely enclosed by a brick boundary wall with metal railings on top. It is currently used as a paved parking area with a capacity of 6 cars. The remaining space at the far northern corner is used as an additional garden area for 3 Friern Road.
3. The application site comprises a parcel of land measuring 326m². The site is directly accessible from either Friern or Upland Roads. Friern and Upland Roads are predominantly residential streets comprising of 2 terraces houses. At the northern end of the proposal site is a Grade II listed K2 telephone kiosk.
4. The site is located within an air quality management area and urban density as identified by the development plan. The proposal site is not listed nor is it listed; however it is in the setting of a Grade II listed K2 telephone kiosk. The site falls within a medium PTAL rating of 3.

Details of proposal

5. Planning permission is sought for the construction of a 6-bedroom single family dwellinghouse, with 2 off-street parking bays and covered bicycle store for 2 bicycles with easy access from Friern Road.

Ground floor:

Description	Required size	Proposed size
Living / Dining / Kitchen	30m ²	47.34m ²
Bedroom 1	7m ²	14.95m ²
Bedroom 2	7m ²	13.47m ²
En-suite	3.5m ²	3.60m ²
En-suite	3.5m ²	3.60m ²
Terrace		6.37m ²
Amenity Space (Garden)	50m ²	123.82m ²

First floor:

Description	Required size	Proposed size
Bedroom 3	12m ²	18.11m ²
Bedroom 4	7m ²	14.19m ²
Bedroom 5	7m ²	13.69m ²
Bedroom 6	7m ²	16.68m ²
En-suite	3.5m ²	3.60m ²
En-suite	3.5m ²	3.60m ²
En-suite	3.5m ²	3.60m ²
Terrace		5.76m ²
Terrace		6.44m ²
Storage	2.75m ²	5.30m ²

6. The external area application site comprises a parcel of land measuring 326m² with a gross internal floorspace of 199m² over two floors. It comprises of a continuous green strip around the house, providing outdoor amenity with soft landscaping, and cycle and refuse storage proposed fronting Friern Road.
7. Amendments to scheme
- Re-siting of vehicular access to front of building; installation of new dropped curb / cross-over.
 - Removal of proposed balcony on Upland Road.
8. **Planning history**

<p>05/AP/2082 Application type: Full Planning Permission (FUL) Erection of ground-floor and first-floor rear extension to dwellinghouse. Decision date 28/11/2005 Decision: Refuse (REF)</p> <p>Reason(s) for refusal:</p> <ul style="list-style-type: none"> • The extension would by reason of excessive size and bulk and the prominence of the rear elevation be out of character with the scale of adjoining properties and have an adverse impact upon the appearance of the streetscene of Upland Road contrary to policies E.2.3 'Aesthetic Control' in the adopted Southwark UDP (1995) and 3.11 'Quality in Design' in the emerging Southwark UDP (February 2005). • The extension would by reason of excessive size and bulk have an adverse effect on the outlook and daylight and result in an unacceptable level of overshadowing to the neighbouring property contrary policies E.3.1 'Protection of Amenity' in the adopted Southwark UDP (1995) and 3.2 'Protection of Amenity' in the emerging Southwark UDP (February 2005).
<p>06/AP/1779 Application type: Full Planning Permission (FUL) Erection of a two storey rear extension and a loft conversion including two separate rear dormer window extensions all to provide additional residential accommodation to dwellinghouse. Decision date 07/11/2006 Decision: Refused (REF)</p> <p>Reason(s) for refusal:</p>

<p>The two storey rear extension, by reason of its height, scale and position, would create a visually dominating form of development which would be out of character with the existing dwelling and the Upland Road streetscene. As such, the proposal is contrary to Policies 3.11 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan 2006 [Modifications Version] and SPG 'Residential Design Standards'; and Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 [UDP] and SPG 5 'Standards, Controls and Guidelines for Residential Development'.</p>
<p>07/AP/0048 Application type: Full Planning Permission (FUL) Erection of a single storey rear extension and construction of two rear dormers (facing Upland Road) to facilitate a loft conversion; rooflights to front elevation; all to provide additional residential accommodation to dwellinghouse. Decision date 29/03/2007 Decision: Granted (GRA)</p>
<p>14/EQ/0072 Application type: Pre-Application Enquiry (ENQ) New build single family house on an enclosed private land Decision date 15/08/2014 Decision: Pre-application enquiry closed (EQC)</p>

Planning history of adjoining sites

9. 71 Upland Road

02/AP/1006 for: Full Planning Permission granted for change of use from single terraced dwelling house into 2 flats.

52 Upland Road

14/AP/1549 for: Full Planning Permission granted for the construction of a part single, part double storey rear extension and a single storey side extension following the demolition of the existing rear extension and lean too garage.

7 Friern Road

11-AP-1767 for: Full Planning Permission granted for the demolition of single storey conservatory; part single storey, part two storey side/rear extension to dwellinghouse, providing additional residential accommodation.

30 Friern Road

05-AP-1709 planning permission granted for the conversion of existing house to form 3 self contained flats and construction of a part single storey part three storey side extension with first floor roof terrace to form two flats and involving raising the ridge of the existing house; installation of new entrance gates onto Upland Road.

12/AP/3324 for Certificate of Lawfulness – proposed granted for planning permission (05-AP-1709) granted for: the conversion of the existing house at 30 Friern road to form 3 self contained flats and the construction of a part single storey part three storey side extension with first floor roof terrace to form two flats; certificate to confirm this permission was lawfully implemented.

50 Friern Road

14/AP/0087 for Certificate of Lawfulness – proposed granted for the conversion of two flats into a single family dwellinghouse.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) the design of the scheme and its relationship to the surrounding context
- b) impact on the amenity of adjoining and nearby occupiers

- c) quality of residential accommodation
- d) impact on the local transport network.
- e) impact on the setting of the Grade II listed telephone kiosk;
- f) all other relevant planning material considerations

11. **Planning policy**

National Planning Policy Framework (the Framework)

Section 1 – Sustainable development

Section 4: Promoting sustainable development

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

London Plan July 2011 consolidated with revised early minor alterations October 2013

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.9 Mixed and balanced communities

Policy 3.8 Housing choice

Policy 4.1 Developing London's economy

Policy 4.3 Mixed use development and offices

Policy 5.3 Sustainable design and construction

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 8.3 Community infrastructure levy

Mayor of London: Housing SPG (2012)

Mayor of London: Accessible London: Achieving an Inclusive Environment (Saved SPG, 2004)

The Mayor of London's Housing SPG (November, 2012)

Core Strategy 2011

Strategic Policy 1 - Sustainable Development

Strategic Policy 2 – Sustainable transport

Strategic Policy 5 – Providing new homes

Strategic Policy 6 – Homes for people on different incomes

Strategic Policy 7 – Family homes

Strategic Policy 12 - Design and Conservation

Strategic Policy 13 - High Environmental Standards

Strategic Policy 14 - Implementation and delivery

12. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF.

The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Saved policy 3.1 (Environmental Effects)
 Saved policy 3.2 (Protection of amenity)
 Saved policy 3.7 (Waste reduction)
 Saved policy 3.11 (Efficient use of Land)
 Saved policy 3.12 (Quality in Design)
 Saved policy 3.13 (Urban Design)
 Saved policy 3.18 Setting of listed buildings, conservation areas and world heritage sites
 Saved policy 4.1 Density of residential development
 Saved policy 4.2 (Quality of accommodation)
 Saved policy 5.2 (Transport impacts)
 Saved policy 5.3 (Walking and Cycling)

Residential Design Standards SPD 2011
 Dulwich SPD 2013

Summary of consultation replies (32)

13. A total of 32 objections have been received from neighbours for this application, many referencing similar concerns. Common reasons for objection include:
- Size and design of proposed build would be incongruous with the surrounding properties
 - Loss of privacy
 - Loss of daylight / sunlight
 - Impact on parking
 - Materials proposed

Land use

14. The existing use of the site is residential so there are no land use conflicts with planning policy

Environmental impact assessment

15. Not required for a development of this scale and type.

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

16. Saved Policy 3.2 states that development will not be granted where it would cause loss of amenity to present and future occupiers in the surrounding area or on the application site.
17. The proposed development is not considered likely to result in a significant loss of amenity for the occupiers of adjoining sites. The proposed two storey detached dwelling would not generate noise levels which would be inappropriate / excessive and the development would not be overbearing upon or likely to result in overshadowing of any neighbouring rooms or gardens.

Loss of privacy or overlooking:

18. The proposed development is approximately 24.5m away from the properties on Friern Road and 20.8m from those on Upland Road. This complies with section 2.8 'Privacy and security' of the Residential Design Standards 2011 which states that to prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve a minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway.
19. Subsequent to the concerns raised by objectors in regards to loss of privacy to their front rooms the scheme has been amended by removing of the proposed balcony on Upland Road.
20. Given the above, it is not considered that the proposed location of the development would result in any harmful loss of privacy or overlooking.

Loss of daylight/sunlight

21. The dwellings facing the site on Friern Road and Upland Road do not require daylight analysis, as the proposed building (3A Friern Road) falls beneath a 25 degree angle taken from a point 2m above ground level of the neighbouring properties. The BRE regulations states that no further analysis is required as there will be adequate skylight (i.e. sky visibility) available.
22. Based on the site layout and the proposed drawings, it is clearly shown that the existing buildings on Upland Road and Friern Road facing the site will retain access to daylight and sunlight.
23. The recommendation set down in the BRE report, 'Site layout for daylight and sunlight, a guide to good practice' would indicate , for residential properties, that a VSC value of greater than 27% is acceptable.
24. The BRE guide explains that diffuse daylight may be adversely affected if, after a development, the VSC is both less than 27% and less than 0.8 times its former value.
25. The proposed dwelling (3A Friern Road) would not cause loss of daylight and sunlight to any of the neighbouring buildings, the only loss would be for the Vertical Sky Component of the glazed door on the north East elevation of 3 Friern Road; however the Annual Probable Sunlight Hours was not below the recommended level.
26. The existing VSC for the glazed door is 37.52% and the proposed VSC is 10.96% which is below the recommended 27% as set out in the BRE guidance and a significant reduction proportionately. A mitigating factor is that the room served by the door benefits from a window which would not suffer any reduction in the VSC and the room would retain acceptable levels of light.
27. As a result of the site's location and its separation from neighbouring properties, it is considered that the proposed development would not result in a detrimental impact on the amenity of nearby neighbours in regards to loss of daylight / sunlight or the loss of privacy.

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

28. There will be no conflict of use detrimental to amenity such that neighbouring uses cannot co-exist with this development.

Transport issues

29. Car parking
The site is within an area with a Public Transport Accessibility Level of 3 which is moderate. The application site is not within a controlled parking zone. On site parking would be provided for two cars therefore it is not considered that the addition of the one residential unit would have an adverse impact upon parking in the local area.
30. It is proposed to remove the existing cross-over and reinstate the pavement. The proposed new cross-over would comply with the requirements of the Sustainable Transport (Southwark Council, 2010) Supplementary Planning Document and Southwark Streetscape Design Manual (SSDM).
31. Cycle parking
The proposed ground floor plan (4547/3B) indicates that two cycle parking spaces would be provided to the front of the dwelling fronting onto Friern Road. This level of provision would meet the London Plan cycle parking standards and would be supported.
32. Refuse storage
A suitable refuse storage area is shown adjacent to the cycle storage in close proximity to Friern Road. The storage area would provide storage for the following refuse containers: Food & Garden 240L, General waste 240L and Dry recycling 240L.
33. All of the above issues are therefore considered to be satisfactory and in accordance with the relevant Development Plan policies set out above.

Design issues

34. Local Context
The site is located at a sharp corner between Friern and Upland Roads. Mainly two-storey high terrace houses can be found in Friern Road and Upland Road. The proposal is for a contemporary 6-bedroom dwellinghouse, with 2 off-street parking bays and covered bicycle store for 2 bicycles with easy access from Friern Road.
35. The house would be detached, following the building line on Friern Road, and two storeys in height. The surrounding properties mainly consist of two storey developments, and as the proposal are set back from the street. The proposed development will have a similar ridge height than that existing at No. 3 Friern Road; however the roof ridge of the properties down Friern Road steps down in height therefore there are no consistent ridge height within Friern Road.
36. Site Layout and Design
The proposed 6-bedroom single-family house is a 'bottom-up' design. The height of the roofridge is a continuation of 3 Friern Road with the gap between No. 3 and 3a designed to have the same width as the gap between No.5 and 3 echoing the rhythm of the residential block. The dwellings would be appropriately sited on the land, and the dwellings are provided with an acceptable amount of private amenity space. The site is irregularly shaped, however, it appears that the site layout maximises the efficient use of the land.
37. While the design approach is quite different from the traditional Victorian dwellings along this street, it would not appear visually discordant with the surrounding area and the proposal does follow some horizontal elements of the neighbouring dwelling at No. 3, and has similar overall proportions in term of height, width, depth and following the building line of the street.
38. Amendments were sought in relation to the removal of a balcony fronting onto Upland Road and the re-siting of vehicular access to front of building; installation of new

dropped curb / cross-over.

39. The architectural design is considered to be acceptable. Concerns have been raised by a neighbouring resident that the development will result in overdevelopment and that the design of the buildings would result in loss of privacy and overlooking of neighbouring properties and should be refused.
40. Whilst this is noted, given that the height, scale and massing, and the separation between neighbouring buildings and the development is approximately 24.5m away from the properties on Friern Road and 20.8m from those on Upland Road, it is not considered that concerns regarding the architectural design resulting in overlooking would be sufficient grounds for refusing planning permission. Furthermore, the proposed development would equate to 245 habitable rooms per hectare and would therefore comply with this policy.
41. An objection was raised in regards to the extensive use of white render, which is notorious for weathering badly. Both numbers 3 and 5 Friern Road are currently finished in render and the proposal is for a contemporary building. As such it is considered that render is an appropriate material for the proposed development. Furthermore exterior painting is permitted under Class C of Part 2 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995 (as amended) and therefore the council cannot control what colour the dwelling would be painted.
42. A further objection was raised that the triangular footprint of the proposed dwelling would create two incredibly long façades for a two storey dwelling. The elevations have an uncomfortably strong horizontal feeling, which jars with the vertical rhythm of the traditional Victorian houses in the area. As a result of the objection the applicant removed the balcony on Upland Road and thereby reducing the long façade. Number 3 Friern Road is a detached dwelling with a rather large façade fronting the highway therefore it is considered that the contemporary design of the development on Friern Road is acceptable.

Quality of accommodation

43. Saved policy 4.2 requires new residential developments to provide a good standard of accommodation.
44. The overall size and layout of the dwelling would be acceptable as it accords with the Council's minimum room size and floorspace standards. The dwelling would have more than one aspect, would have good natural daylighting, generous floor-to-ceiling heights and would provide plenty of in-built storage space. The proposal would provide approximately 123.8m² private amenity space in the form of a garden for this development.
45. It would therefore provide very generous well-proportioned accommodation of a good standard.

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

46. The application site is within the setting of a Grade II Listed Building namely; K2 telephone kiosk at junction with Friern Road. It is considered that the proposed development through its careful design and detailing will preserve the special architectural or historic interest of the listed building and its setting.
47. The development is therefore acceptable in terms of design, scale, massing and materials.

Impact on trees

48. The development site is currently a residential property and garden that benefits a large corner plot. The garden edges have young / semi-mature trees, all of which have been subject to repeated reduction pruning. The site previously had 8 Lime Trees which was protected by TPO 64 (1979). These have all been removed over the years; however there are no Council records referring to the removal of these protected trees.
49. The site is not within a conservation area nor are there any protected (TPO) trees on the site therefore it is considered that the proposal would not result in a detrimental impact on the site in regards to trees.

Sustainable development implications

50. None of any particular significance

Other matters

51. CIL
Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration; however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
52. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to £7,964.46 and Southwark CIL amount is £39,800.
53. Density
Strategic Policy 5 (Providing New Homes) of the Core Strategy locates the site within the Urban Density Zone which has a density range of 200-700hr/ha.

The density of the proposed development would equate to 245hr/ha.
54. Back-land development
Dulwich supplementary planning document (July 2013) states that back-land development sites are those located predominantly to the rear of existing dwellings separated from the residential dwelling (e.g. not a conservatory or extension to the existing dwelling). The proposal is located at a sharp corner between Friern Road and Upland Road it is therefore not considered that this is a back-land development.
55. In-fill development
Dulwich supplementary planning document (July 2013) states that in-fill development occurs where there is development of sites located between existing property frontages, and where any new buildings should normally continue the lines of existing development to each side. Even though that this proposal is located at a sharp corner between Friern Road and Upland Road it can be assessed as an infill development.
56. The proposed dwelling follows the building line on Friern Road; however as a result of the shape of the application site and the contemporary design it could not follow the

building line at the rear on Upland Road. Furthermore the proposal makes efficient use of the land providing new housing within this residential area.

Conclusion on planning issues

57. On balance the proposed development in terms of design, scale, massing and materials would be suitable for this development within the streetscape. In addition, the proposal will not affect the setting of the listed telephone kiosk which is in close proximity to the application site. The development will have no significant adverse impacts on the amenity of any adjoining occupiers or the surrounding area and will provide high quality accommodation and is acceptable in land use terms.
58. The scheme complies with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and the NPPF 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

59. 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 as: None
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Human rights implications

62. 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.
63. This application has the legitimate aim of providing additional residential 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2592-3 Application file: 15/AP/0991 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5451 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	8 July 2015	
Key Decision	None	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	9 July 2015	

APPENDIX 1**Consultation undertaken****Site notice date:** 31/03/2015**Press notice date:** n/a**Case officer site visit date:** 31/03/2015**Neighbour consultation letters sent:** 24/03/2015**Internal services consulted:**

Highway Development Management

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

77 Upland Road London SE22 0DB	71a Upland Road London SE22 0DB
75 Upland Road London SE22 0DB	38 Friern Road London SE22 0AX
79 Upland Road London SE22 0DB	36 Friern Road London SE22 0AX
73 Upland Road London SE22 0DB	42 Friern Road London SE22 0AX
46 Friern Road London SE22 0AX	40 Friern Road London SE22 0AX
44 Friern Road London SE22 0AX	5 Friern Road London SE22 0AU
71 Upland Road London SE22 0DB	3 Friern Road London SE22 0AU
69 Upland Road London SE22 0DB	32 Friern Road London SE22 0AX
34b Friern Road London SE22 0AX	55 Upland Road London se22 0da
34a Friern Road London SE22 0AX	2 Friern Road East Dulwich SE22 0AT
Ground Floor Flat 83 Upland Road SE22 0DB	83 Upland Road London SE22 0DB
Ground Floor Flat 81 Upland Road SE22 0DB	13 Friern Rd East Dulwich Se22 0au
48b Friern Road London SE22 0AX	27 Friern Road London SE22 0AU
85 Upland Road London SE22 0DB	38 Friern Rd East Dulwich SE22 0AX
48a Friern Road London SE22 0AX	26 Friern Road SE22 0AT
87 Upland Road London SE22 0DB	12 Friern Road London SE22 0AT
Flat 4 30 Friern Road SE22 0AX	50 Friern Road East Dulwich se220ax
Flat 3 30 Friern Road SE22 0AX	25 Upland Road London SE22 9EF
1 Friern Road London SE22 0AT	52 Upland Road London se22 0db
Flat 5 30 Friern Road SE22 0AX	27 Friern Road East Dulwich SE22 0AU
Flat 2 30 Friern Road SE22 0AX	2 Friern Road East Dulwich SE22 0AT
First Floor Flat 83 Upland Road SE22 0DB	75 Upland Road London SE22 0DB
Upper Flat 81 Upland Road SE22 0DB	52 Upland Road East Dulwich SE22 0DB
Flat 1 30 Friern Road SE22 0AX	69 Upland Road London SE220DB
	36 Friern Road London SE22 0AX

Re-consultation: 15/06/2015

APPENDIX 2**Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

26 Friern Road SE22 0AT
 Ground Floor Flat 81 Upland Road SE22 0DB
 Upper Flat 81 Upland Road SE22 0DB
 1 Friern Road London SE22 0AT
 12 Friern Road London SE22 0AT
 13 Friern Rd East Dulwich Se22 0au
 13 Friern Rd East Dulwich Se22 0au
 13 Friern Rd East Dulwich Se22 0au
 2 Friern Road East Dulwich SE22 0AT
 2 Friern Road East Dulwich SE22 0AT
 2 Friern Road East Dulwich SE22 0AT
 25 Upland Road London SE22 9EF
 25 Upland Road London SE22 9EF
 27 Friern Road East Dulwich SE22 0AU
 27 Friern Road London SE22 0AU
 32 Friern Road London SE22 0AX
 34a Friern Road London SE22 0AX
 36 Friern Road London SE22 0AX
 36 Friern Road London SE22 0AX
 36 Friern Road London SE22 0AX
 36 Friern Road London SE22 0AX
 38 Friern Rd East Dulwich SE22 0AX
 38 Friern Rd East Dulwich SE22 0AX
 38 Friern Road London SE22 0AX
 38 Friern Road London SE22 0AX
 42 Friern Road London SE22 0AX
 44 Friern Road London SE22 0AX
 5 Friern Road London SE22 0AU
 50 Friern Road East Dulwich se220ax
 52 Upland Road East Dulwich SE22 0DB
 52 Upland Road London se22 odb
 55 Upland Road London se22 oda
 69 Upland Road London SE22 0DB
 69 Upland Road London SE220DB
 71 Upland Road London SE22 0DB
 75 Upland Road London SE22 0DB
 75 Upland Road London SE22 0DB
 77 Upland Road London SE22 0DB
 77 Upland Road London SE22 0DB
 77 Upland Road London SE22 0DB
 83 Upland Road London SE22 0DB
 85 Upland Road London SE22 0DB
 85 Upland Road London SE22 0DB

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 M. Nawaz	Reg. Number	15/AP/0991
Application Type	Full Planning Permission	Case Number	TP/2592-3
Recommendation	Grant permission		

Draft of Decision Notice

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

Erection of a 6-bedroom two storey dwellinghouse including landscaping, boundary treatment, and re-siting of vehicular access to front of building; installation of new dropped curb / cross-over.

At: 3A FRIERN ROAD, LONDON SE22 0AU

In accordance with application received on 13/03/2015

and Applicant's Drawing Nos. Daylight & Sunlight Simulation Analysis; Design and Access Statement; Code for Sustainable Homes Pre-assessment Report; DS.132 Vehicle Crossing; BS5837 Arboricultural Impact Assessment

4547/1A (Site and Location Plan); 4547/2A (Existing layout Plan); 4547/3B (Proposed GF Plan); 4547/4B (Proposed 1F Plan); 4547/5B (Proposed Roof Plan); 4547/6B (Proposed West Elevation – Friern Road); 4547/7B (Proposed East Elevation – Upland Road); 4547/8A (Proposed Section A-A); 4547/9 (Proposed Landscaping); 4547/10 (Aerial Views Part 1); 4547/11 (Aerial Views Part 2); 4547/12A (Aerial Views Part 3); 4547/13A (Street Views Part 1); 4547/14A (Street Views Part 2); 4547/15 (Photomontage View from Friern Road); 4547/16 (Block Plan); 4547/17 (Proposed Vehicular Crossover)

Subject to the following seven conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
4547/3B (Proposed GF Plan); 4547/4B (Proposed 1F Plan); 4547/5B (Proposed Roof Plan); 4547/6B (Proposed West Elevation ĵ Friern Road); 4547/7B (Proposed East Elevation ĵ Upland Road); 4547/8A (Proposed Section A-A); 4547/9 (Proposed Landscaping); 4547/10 (Aerial Views Part 1); 4547/11 (Aerial Views Part 2); 4547/12A (Aerial Views Part 3); 4547/13A (Street Views Part 1); 4547/14A (Street Views Part 2); 4547/15 (Photomontage View from Friern Road); 4547/16 (Block Plan); 4547/17 (Proposed Vehicular Crossover)

Reason:

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

- 2 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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 a) Prior to the commencement of any development, a site investigation and risk assessment shall 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 phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy 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 shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would 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. The approved remediation scheme (if one is required) shall 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 shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

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 off site receptors in accordance with saved policy 3.2 Protection of amenity of the Southwark Plan (2007), strategic policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2012.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 4 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

This shall show the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 5 Before the first occupation of the building the cycle storage facilities as shown on drawing 4547/3B shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 6 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 7 Notwithstanding the provisions of Classes A, B, C, D and E of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellings hereby approved.

Reason

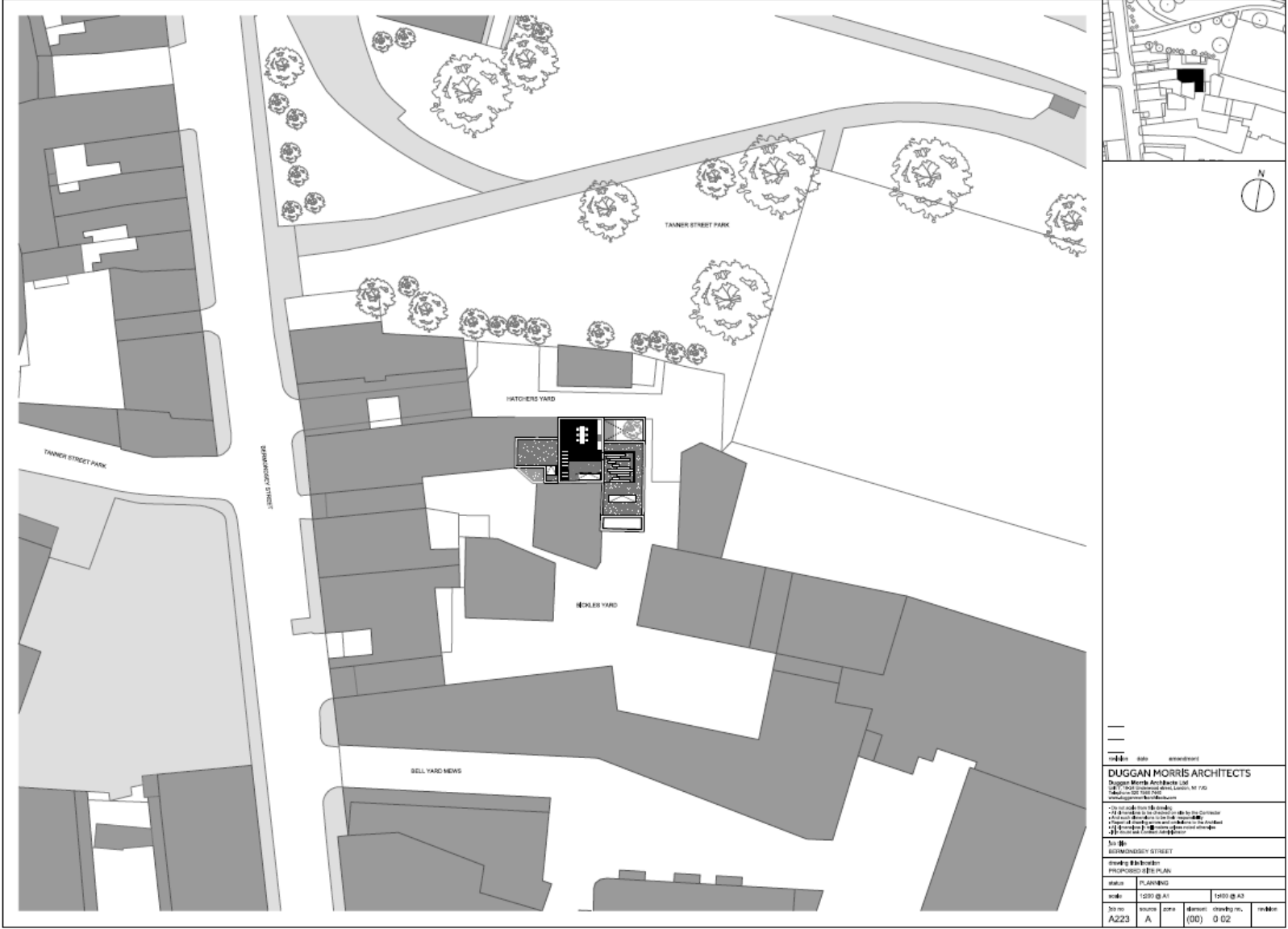
To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

Informative

1. Vehicle crossover to be constructed to the relevant SSDM standards. (Please contact Dale Foden, Street Care Manager on 0207 525 2045 to arrange).
2. The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980. Detailed drawings should be submitted confirming this requirement.
3. Two off-street parking spaces are proposed to be located at the western side of site and accessed from Friern Road. The pedestrian inter visibility splay is restricted for the western bay by a low wall. Pedestrian visibility splays of 2m x 2m must be provided. There should be no obstruction within the visibility splay area and the height of the low wall should not be higher than 600mm.
4. The existing speed hump on Friern Road should be relocated away from the proposed vehicle entrance.
5. There is bicycle store on the northern side of the site with doors opening outwards onto a private footway. It is advised that this door is designed to open inwards or sliding horizontally.
6. Prior to works commencing on site (including any demolition) a joint condition survey must be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. The applicant would also need to apply for a s184 License (temporary crossover) prior to any on site works. Please contact Iaan Smuts, Highway Development Manager on 020 7525 2135 to arrange.



SITE LOCATION PLAN - UNIT 9, 139-143 BERMONDSEY STREET, LONDON, SE1 3UW

Item No. 7.2	Classification: OPEN	Date: 21 July 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/1293 for: Full Planning Permission Address: UNIT 9, 139-143 BERMONDSEY STREET, LONDON SE1 3UW Proposal: Removal of white upvc framed conservatory. Extension of a two-bedroom flat by 95.6 sqm gia to create a fourth storey with a further bedroom and additional living space.		
Ward(s) or groups affected:	Grange		
From:	Director of Planning		
Application Start Date 11/05/2015		Application Expiry Date 06/07/2015	
Earliest Decision Date 01/07/2015			

RECOMMENDATION

1.
 - a. That this application is referred to members for decision;
 - b. That members grant full planning permission subject to conditions.

BACKGROUND INFORMATION

2. Site location and description

The subject property is a one bedroom flat within a three storey former warehouse building that has been converted into residential on the first and second floor and office on the ground floor. It is not a listed building but it is within the Bermondsey Street Conservation Area. The existing building is a hipped roof structure with a conservatory and terrace at the second floor level on the north elevation.

3. The site is bounded by Hatchers Mews to the north and east which is currently occupied by residential fronting onto Bermondsey Street and two two-storey detached office buildings behind this. To the south is Bickels Yard a mixed use office and residential development and to the west is a small courtyard and three storey residential building in use as flats that fronts onto Bermondsey Street. The site is also located within the Central Activity Zone, Air Quality Management Area, the Borough, Bermondsey and Rivers Archeological Priority Zone, London Bridge Strategic Cultural Area and the Bankside, Borough and London Bridge Opportunity Area.

Details of proposal

4. Full planning permission is sought for the removal of existing upvc conservatory at the second floor level and the erection of single storey extension to the roof of the building with associated roof terraces.

5. The proposed extension involves replacing the existing conservatory at the second floor level and the roof of the main building with a flat roofed modular structure with a double height recessed roof terrace at the north east corner at the second floor level, a recessed roof terrace at the third floor level adjacent to the boundary with the frontage property and a central roof terrace on the roof of the proposed third floor extension. The proposed roof extension would follow the L-shaped plan form of the existing warehouse. With the longer and most prominent elevations being the north and the east elevations.
6. The extension would project 4.8 m above the eaves level at its highest point and 2.8m above the existing ridgeline of the warehouse. When viewed from the north the extension would be arranged in three modular forms, each approximately a third of the width of the existing warehouse south elevation. From east to west the first module would have a height of 12.2m from the neighbouring Hatchers Mews, this part of the elevation would have a double height roof terrace accessed at the second floor level and a smaller terrace at the third floor level orientated towards the north east corner of the building. The central module would have a maximum height of 13.32m above Hatchers Mews and a large habitable room window at the second floor level through to the proposed dining room, replacing the existing conservatory and a window at third floor level through to the double height internal space of the dining room. Third modular element would include a recessed balcony and a set back third floor. The balcony level would be at 9.07m and the recessed third floor is shown with a flat roof at 12.16m.
7. When viewed from the west the closest element of the proposed extension would have a width of 3.8m and would project 1.8m above the existing parapet wall. The central element of the extension would be set back 5.35m from the west boundary and would project 2.84m above the parapet wall. The most easterly element would project a further 5.9m to the south and would be set back 8m from the existing west facing elevation of the building.

Planning history

8. 15/AP/0804 Application type: Cert. of Lawfulness - existing (CLE)
Existing residential use as a two bedroom maisonette at first and second floor levels
Decision date 30/04/2015 Decision: Refused (REF)
Reason(s) for refusal:

14/EN/0475 Enforcement type: Change of use (COU)
Use as residential flat.
Sign-off date 15/05/2015 Sign-off reason: Final closure - breach ceased (FCBC)

14/EN/0379 Enforcement type: Change of use (COU)
Use as residential flat.
Sign-off date 03/06/2015 Sign-off reason: Final closure - breach ceased (FCBC)

Planning history of adjoining sites

9. There is no recent planning history for neighbouring sites although the neighbouring site at Hatchers Mews is the subject of a current pre-application enquiry.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. The main issues to be considered in respect of this application are:
 - a) Principle of Development

- b) Design
- c) The impact of the proposed development on neighbouring residents.
- d) Other material planning considerations

11. **Planning policy**

National Planning Policy Framework (the Framework)

7. Requiring Good Design

12. Conserving and Enhancing the Natural Environment

London Plan March 2015

3.5 Quality and design of housing developments

7.4 Local character

7.6 Architecture

7.8 Heritage assets and archaeology

Core Strategy 2011

SP 11- High environmental Standards

SP12 - Design and Conservation

12. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

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

4.2- Quality of residential accommodation

13. Residential Design Standards Supplementary Planning Documents 2011

Summary of consultation replies

14. *Neighbouring Residents*

22 Representations have been received on behalf of local residents. A summary of the issues raised is provided below:

- The existing building should be listed and the loss of the hipped roof will damage the character of the existing warehouse within the Conservation Area.
- Construction will not be safe and will block access on Hatchers Mews
- The proposed development is not in keeping with the surrounding character and lacks understanding of historical context of site in terms of orientation, its failure to properly consider the existing courtyard and the position of

windows.

- The proposal will exploit skyline and view of London this is not a public benefit and is not orientated to get good sunlight
- The multi storey aluminium structure will dominate Hatchers Mews.
- The proposal fails to comply with Residential Design Standards as higher development should be located to the north and involves the installation of windows on the boundary which are worse than the existing situation and have no existing right to light.
- The proposed construction of such an extension will bring great disruption and disturbance for neighbouring residents.
- The proposed extension and in particular the windows on the boundary will not be able to be built/installed due to lack of access to neighbouring site and the inability of builders to check correct level of external finishing. It will not be possible to maintain proposed material without access to neighbouring sites.
- The existing building may not be able to take the weight of the proposed structure
- Construction will have a detrimental impact on the operation of neighbouring businesses.
- There will be a detrimental impact on the amenity of neighbouring residents of Hatchers Mews in terms of loss of privacy, sunlight, daylight and outlook.
- The submission information fails to give proper regard to Hatchers Mews and the position of this between the park and the development site and due to the loss of the conservatory and position of proposed windows will unreasonably affect the development of Hatchers Mews and reduce the amount of CIL the Council will receive for the development of that site.
- Pre-application consultation by the applicant was not with all neighbours and there was no consultation with Hatchers Mews
- Proposal would result in the provision of a 2-bed unit which is not a family unit.
- The submission information fails to properly show how the development would look when viewed from the neighbouring courtyard and facing habitable room windows.
- The applicant owns the first and second floor units of the building could just merge the existing flats for extra space or could amend the scheme to remove boundary windows while also ensuring that the flat retains adequate floor areas.

15. One objector has also submitted details of Counsel advice he has received in relation to the weight that should be given to the Residential Design Standards SPD when assessing the proposal, the extent to which the council should consider the development potential of a neighbouring site and whether the applicants desire to create a flat where he can work from and to maximise views is relevant to planning. This states that the Council must have regard to the RDS when determining planning applications and should take a consistent approach to the application of its policies. The fact that there are proposals in for the development of a neighbouring site is a material consideration. It also states that it is highly unlikely that the private

motivation of an individual wishing to work from home and maximise his views out of the property would of itself be found to weigh in favour of the grant of planning permission.

Principle of development with respect to land use

16. No change of land use is proposed, the principle of the residential extension is thus acceptable.

Environmental impact assessment

17. Not required for an application of this size

Design and impact on significance of heritage asset

18. *Scale and Massing*

The applicants have provided a section through Bermondsey Street to Tanner Park. This shows that the proposed extension would be lower than neighbouring buildings around the park and is also be below the ridge line of the Bermondsey Street Frontage buildings. Whilst the loss of an existing hipped roof form may be regrettable in a conservation area context, a well designed scheme can outweigh any harm caused. The additional floor would be responsive and complementary to the character of the existing building and would not overly dominate it. The overall design approach is a contemporary one, comprised of three distinct elements and with the design attempting to reduce the overall mass and bulk with the use of inset single and double height inset balconies. Its scale and massing would be suitable for this location while its design would provide a contemporary addition to the older host building.

19. *Significance of Heritage Asset*

The site falls within sub area 1 of the Bermondsey Street Conservation Area. For sites on Bermondsey Street, the Conservation Area Appraisal notes the following:

The combination of mediaeval scale and industrial detail creates a very distinctive townscape of narrow streets and building plots, arched alleyways to rear yards, warehouse architecture with tall loading bays, hoists, etc. and the backdrop of the railway arches on Crucifix Lane. This physical character continues to be expressed in a vibrant range of uses and activities that include housing, workshop and office-based businesses and many small-scale shops and cafés

The Conservation Area is also distinctive for its warehouses which are predominantly 4 storeys in height. Although the building is not a listed building and is not included within the character appraisal as a distinctive building nos. 139-143 are referred to in the Character appraisal as:

The latter include a renovated pair at 139-153 with distinctive central loading bays rising above three main storeys to serve an attic storey behind the roof parapet.

In principle, council officers raise no objection is raised to the removal of the modern uPVC extension facing onto Tanner Street, which does little to enhance the conservation area.

20. The proposed extension would follow the building line of the existing building and be flush with the north and east elevations of the building, as such it would preserve this pattern of development and would not impact on the distinctive features of the

Bermondsey Street frontage. The proposed extension would not be visible from Bermondsey Street as it is below the height of the frontage building. It would be prominent when viewed from Tanner Street Park to the east and the north of the site.

21. The proposed extension would be prominent when viewed from the park. However, it would appear as an extension to the original building and is of a similar or lesser massing than surrounding development. There is no single character for the development surrounding this park as there is a range of different building types from different eras using a variety of different materials. The scale of development around the park varies from 2-7 storeys in height, with a variety of roof scapes (Flat, monopitch, gable ended, hipped, mansard) and material finishes including brick, tiles, render and cladding. The proposed development is considered to be of a scale and design which would complement the existing character of development surrounding Tanner Street Park and the wider conservation area.
22. The courtyard is a distinctive feature of the Conservation Area. In this case it is a private courtyard which is accessed through an archway from Bermondsey Street. Following pre-application discussions with neighbouring residents the applicants have set the extension away from the chamfered corner of the existing building. As such the proposed extension would be partially visible from the access courtyard to the rear of the frontage building on Bermondsey Street but would not harm the character of this space which will still be dominated by the brick elevations and glazing of the existing buildings.
23. The proposed facing material is anodised aluminium of a bronze/brown tone. This type of material is considered to be a high quality which would work with traditional brick buildings. However further details including samples and detailed drawings showing the final finish are required to ensure that the proposed development would respect the character of the existing building. Full details of the materials including samples and detailed drawings of the materials can be sought through condition.
24. On the east elevation two existing second floor windows would be removed and blocked up with brick to match the existing. The walls would be marked with the remnants of the existing windows as a reference to the original building. Additional windows are proposed on this elevation at the first floor level. These are of a modern design and appearance, which would provide coherence with the new build element.
25. However, overall in relation to the detailed design, officers consider that the contemporary approach taken of necessity results in a clear differentiation between the new building element and the lower levels of the building. The resulting appearance is one of a building with an obvious later addition. This is a preferable design approach than an attempted pastiche or replication of the warehouse style form. The additional living accommodation created would comply with the Residential Standards SPD in terms of floor area and room sizes. The proposed development is considered to preserve the character and appearance of the property and the Bermondsey Street Conservation Area.

Quality of Proposed Accommodation

26. The proposed internal space involves the creation of double height dining area on the second floor, a large music room for the use of the applicant at the third floor level and a variety of terraces and balconies. It is considered to provide high quality internal and external spaces.

The impact of the proposed development on neighbouring residents.

27. The site of the proposed development is bounded by Hatchers Mews to the north

and east, Bickels Yard to the south and the main frontage building to the west. Given the conservation status of the frontage building and the fairly recent development of Bickels Yard the only site with development site with potential for future development is the neighbouring Hatchers Mews, which is the subject of a current pre-application enquiry. Concerns have been expressed that the proposed development would have an unacceptable impact on the development of this site due to the loss of the conservatory and the positions of proposed windows.

28. The proposed development would not unreasonably compromise the redevelopment of this site beyond the existing situation. The subject property already has habitable room windows and balconies on the east elevation at first and second floor levels and habitable room windows and terraces on the north elevation at the second floor level. Any proposed development of Hatchers Mews would already need to give due consideration to the impact on these windows. The proposed development currently would not significantly change the area of windows at the second floor level while the proposed rooms are predominantly dual aspect. There is a proposed sole habitable room window at the second floor level. This is set back 2.4m from the existing elevation which contains habitable room windows while the proposed terrace is situated directly next to the rear terrace of the neighbouring property at the third floor level of 139-143 Bermondsey Street.
29. Therefore it is considered that the proposed development would not unreasonably compromise the development potential of Hatcher's Mews or the other neighbouring sites.

Daylight and Sunlight

30. The applicants have submitted a daylight and sunlight analysis with the proposed submission documents which confirms that there would be no detrimental impact on daylight and sunlight through to neighbouring properties.
31. There are habitable room windows on the frontage buildings which face towards the proposed development. The most sensitive of these is a sole habitable room window at the first floor level. The proposed extension is set back from the existing building line closest to this window and the daylight report from Dixon Payne concludes that the proposed development would only result in a reduction of less than 15% in vertical sky component from this window. The Building Research Establishment (BRE) guidelines state that a reduction of Vertical Sky Component of greater than 20% would be noticed. As such the Dixon Payne surveyors state that the proposed development should be considered to entirely accord with the BRE guidelines for *'Site layout planning for daylight and sunlight: A guide to good practice' Second Edition 2011*.
32. The proposed development directly abounds the boundary with the neighbouring property at No. 139-143 Bermondsey Street and would be situated 4.62m from the rear elevation. The proposed extension is shown to have a height of 3m above external floor level at this point and is shown to project 1.6m above the existing boundary wall with a width of 3.4m. This additional height would have an acceptable impact on daylight and sunlight through to the neighbouring property of the frontage building.
33. The only residential properties to the north of the site are those situated in the upper floors of the frontage building of Hatchers Mews. The sunlight analysis shows that the proposed extension would have no detrimental impact from overshadowing or loss of sunlight. The proposed extension does not project beyond the existing flank wall so there is no detrimental impact on daylight to rear windows of the frontage building at Hatchers Mews.

Privacy

34. At the second floor level the proposed windows and roof terraces are situated in the same position as existing windows at this level and in some cases the proposed windows are shown to be smaller, as such any loss of privacy from these windows would be minimised. Towards the courtyard the existing habitable room window would be replaced with an obscure glazed window through to the wet room.
35. On the proposed third floor there is one habitable room window, one window over the internal void and two inset balconies. The proposed terrace closest to neighbouring development at the third floor level is that accessed from the proposed bedroom. The west boundary of this forms the rear boundary of a neighbouring roof terrace for the third floor flat within the Bermondsey Street Frontage building. The boundary is shown as a 1.4m high wall which is situated on the neighbour's land. This could result in loss of privacy and overlooking of the neighbouring property at No. 139 Bermondsey Street. To ensure that the privacy of residents is protected the applicants have submitted amended plans detailing proposed planters situated closest to this boundary.
36. On the east elevation two habitable room windows are proposed while on the south elevation one habitable room window is proposed. There are no habitable room windows proposed to face towards the existing courtyard of 139-143 Bermondsey Street. These windows reflect the position of the windows on the floor below and as such would not have a detrimental impact on the amenity of neighbouring residents.
37. An additional roof terrace is proposed on top of the third floor in the centre of the building. This has a 1.3m high boundary wall around the perimeter. Its central position would ensure that there is no direct overlooking of neighbouring habitable room windows. The flat roof sections closest to neighbouring properties are to be green roofs but with no access for residents. These would have an acceptable impact on the privacy of neighbouring residents.
38. There are two proposed windows at the third floor level in the south elevation. One facing towards the courtyard and one facing the rear courtyard shared with Bickels Yard. The window to the main courtyard is through to a bathroom and is high level. It does not directly face any habitable room windows of neighbouring development. The window facing the rear courtyard is a high level secondary window through to living space, it does not face any neighbouring windows and would have an acceptable impact on privacy of neighbouring residents.

Outlook

39. The proposed extension would be visible from habitable room windows of properties at 139 and 145 Bermondsey Street, Hatchers Mews and Bickels Yard. The proposed development is sufficiently set in from the boundary with the properties on Bermondsey Street such that there would be no significant loss of outlook from these windows. The extension does not project beyond the existing north elevation of the building and therefore there would be no significant loss of outlook from the residential properties on Hatchers Mews above that which presently exists.
40. The proposed development is therefore considered to have an acceptable impact on the amenity of neighbouring residents.

Transport issues

41. The site is in a very sustainable location in terms of good public transport

accessibility and its situation within the Central Activities Zone. The increase in the number of bedrooms should not have a significant impact on local parking or highway conditions.

Impact on trees

42. No impact on trees is anticipated.

Planning obligations (S.106 undertaking or agreement)

43. Not required for a development of this size.

Sustainable development implications

44. The proposed development is an intensification of residential use within a urban location with very good public transport accessibility and good access to local amenities. As such the development is considered to accord with the sustainable development principles of the NPPF 2012.

Other matters

45. A number of objections raise an issue with disruption during the construction of the development given the constrained nature of the site, the limited access points to the site and the unwillingness of neighbouring residents to provide access through their sites. In addition to this others have expressed concern that the existing building would require structural support to support the weight of the proposed development. There may be some disruption during construction but its impact can be controlled through existing regulations on noise and other environmental impacts from construction sites while the construction work whether any structural support would be needed is regulated through the Building Regulations.
46. Concern has also been raised that the proposed development fails to comply with the Residential Design Standards SPD. The SPD has the following objectives:
1. To provide a clear set of standards to guide the design of residential development
 2. To provide design guidelines for a wide range of dwelling types required to meet housing need.
 3. To ensure a high standard of housing design

While it is noted that the proposal will not comply with all aspects relating to the scale and design of extensions to the rear and roof of an existing building the impacts of the scale and appearance of the proposed extension are assessed above in relation to design and impact on significance of the heritage asset and the impact on amenity of neighbouring residents and are considered to be acceptable.

Conclusion on planning issues

47. The proposed extension is a modern extension to an existing building within the Bermondsey Street Conservation Area. It is considered to be of a scale, massing and design which preserves the significance of the heritage asset and is in keeping with its context. The proposed development would have an acceptable impact on the amenity of neighbouring residents. Accordingly approval is recommended subject to the conditions set out in the decision notice. It is recognised that there can be disruption associated with the construction of extensions however this is temporary in nature and is controlled by non-planning legislation in the form of building control, environmental and health and safety regulations.

Community impact statement

48. 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. No adverse impact on any group with the protected characteristics identified above is expected.

Consultations

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

Consultation replies

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

Human rights implications

52. 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.
53. This application has the legitimate aim of providing an extension to an existing residential property. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/11-139 Application file: 15/AP/1293 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403 Planning inquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3920 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Robin Sedgwick, Planning Officer	
Version	Final	
Dated	8 July 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		10 July 2015

APPENDIX 1**Consultation undertaken****Site notice date:** 15/05/2015**Press notice date:** 14/05/2015**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 08/06/2015**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 5 Rankin House SE1 3UW	5 Hatchers Mews Bermondsey Street SE1 3GS
Flat 4 Rankin House SE1 3UW	2 Hatchers Mews Bermondsey Street SE1 3GS
Flat 7 Rankin House SE1 3UW	1 Hatchers Mews Bermondsey Street SE1 3GS
Flat 6 Rankin House SE1 3UW	4 Hatchers Mews Bermondsey Street SE1 3GS
8 Hatchers Mews Bermondsey Street SE1 3GS	3 Hatchers Mews Bermondsey Street SE1 3GS
First Floor Flat 151b Bermondsey Street SE1 3UW	135 Bermondsey Street London SE1 3UW
Ground Floor Office 151b Bermondsey Street SE1 3UW	8 Bickels Yard 151-153 Bermondsey Street SE1 3HA
Units 18 And 19 Bickels Yard SE1 3HA	2-3 Bickels Yard 151-153 Bermondsey Street SE1 3HA
16 Bickels Yard 151-153 Bermondsey Street SE1 3HA	Ground Floor Rankin House SE1 3UW
Flat 8 Rankin House SE1 3UW	5 Bickels Yard 151-153 Bermondsey Street SE1 3HA
Top Floor Flat 145 Bermondsey Street SE1 3UW	26-27 Bickels Yard 151-153 Bermondsey Street SE1 3HA
Second Floor Flat 145 Bermondsey Street SE1 3UW	Second Floor Rankin House SE1 3UW
Rankin House 139-143 Bermondsey Street SE1 3UW	1 Bickels Yard 151-153 Bermondsey Street SE1 3HA
Ground Floor Flat 145 Bermondsey Street SE1 3UW	2 Hatchers Mews, Bermondsey Street London SE1 3GS
Flat 10 Rankin House SE1 3UW	2 Hatchers Mews Bermondsey Street SE1 3GS
Flat 9 Rankin House SE1 3UW	
First Floor Flat 145 Bermondsey Street SE1 3UW	8 Hatchers Mews Bermondsey Street SE1 3GS
2-4 Bickels Yard 151-153 Bermondsey Street SE1 3HA	Flat 4 Hatchers Mews London SE1 3GS
7 Hatchers Mews Bermondsey Street SE1 3GS	Flat 4 Keppel Row SE1 0FB
6 Hatchers Mews Bermondsey Street SE1 3GS	3 Hatchers Mews Bermondsey Street SE1 3GS
Unit 30 Bickels Yard SE1 3HA	5 Hatchers Mews London SE1 3GS
Flat 2 Rankin House SE1 3TQ	5 Hatchers Mews London SE1 3GS

Re-consultation: n/a

APPENDIX 2**Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Email representation

Flat 4 Hatchers Mews London SE1 3GS

Flat 4 Keppel Row SE1 0FB

Flat 5 Rankin House SE1 3UW

Flat 7 Rankin House SE1 3UW

135 Bermondsey Street London SE1 3UW

2 Hatchers Mews, Bermondsey Street London SE1 3GS

2 Hatchers Mews Bermondsey Street SE1 3GS

2 Hatchers Mews Bermondsey Street SE1 3GS

3 Hatchers Mews Bermondsey Street SE1 3GS

3 Hatchers Mews Bermondsey Street SE1 3GS

4 Hatchers Mews Bermondsey Street SE1 3GS

5 Hatchers Mews Bermondsey Street SE1 3GS

5 Hatchers Mews London SE1 3GS

5 Hatchers Mews London SE1 3GS

6 Hatchers Mews Bermondsey Street SE1 3GS

7 Hatchers Mews Bermondsey Street SE1 3GS

8 Hatchers Mews Bermondsey Street SE1 3GS

8 Hatchers Mews Bermondsey Street SE1 3GS

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 Daniel Pemberton	Reg. Number	15/AP/1293
Application Type	Full Planning Permission	Case Number	TP/11-139
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Removal of white upvc framed conservatory. Extension of a two-bedroom flat by 95.6 sqm gia to create a fourth storey with a further bedroom and additional living space.

At: UNIT 9, 139-143 BERMONDSEY STREET, LONDON SE1 3UW

In accordance with application received on 09/04/2015 08:04:45

and Applicant's Drawing Nos. (00) 02

(00) 1 00
 (00) 1 01
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(01) 0 02
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 (01) 1 01RevA
 (01) 1 02
 (01) 2 00RevA
 (01) 2 01
 (01) 2 02
 (01) 2 03RevB
 (01) 3 00
 (01) 3 01RevA
 (01) 3 02

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

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

(01) 0 02
 (01) 1 00
 (01) 1 01
 (01) 1 02
 (01) 2 00
 (01) 2 01
 (01) 2 02
 (01) 2 03
 (01) 3 00

Reason:

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

- 2 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.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 3 Prior to the commencement of any works above grade hereby approved (excluding demolition), the following information including:

material samples / sample-boards of all external facing materials to be used in the carrying out of this permission section detail-drawings at a scale of 1:5 through:

- parapets/roof edges;
- balconies/terraces;
- junctions between materials/levels; and
- reveals, heads, sills and jambs of all openings,

shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure 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 and 3.13 Urban Design of The Southwark Plan 2007 and Strategic Policy 12 in the Core Strategy.

- 4 Before any above grade work hereby authorised begins (excluding demolition), detailed drawings at a scale of 1:50 of a hard and soft landscaping scheme to the site; including private amenity space and rooftop gardens (including surfacing materials, pathways layouts, materials and edge details, roof top planters, biodiverse roof, all boundary treatments such as walls, fences and screens, and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority and the landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

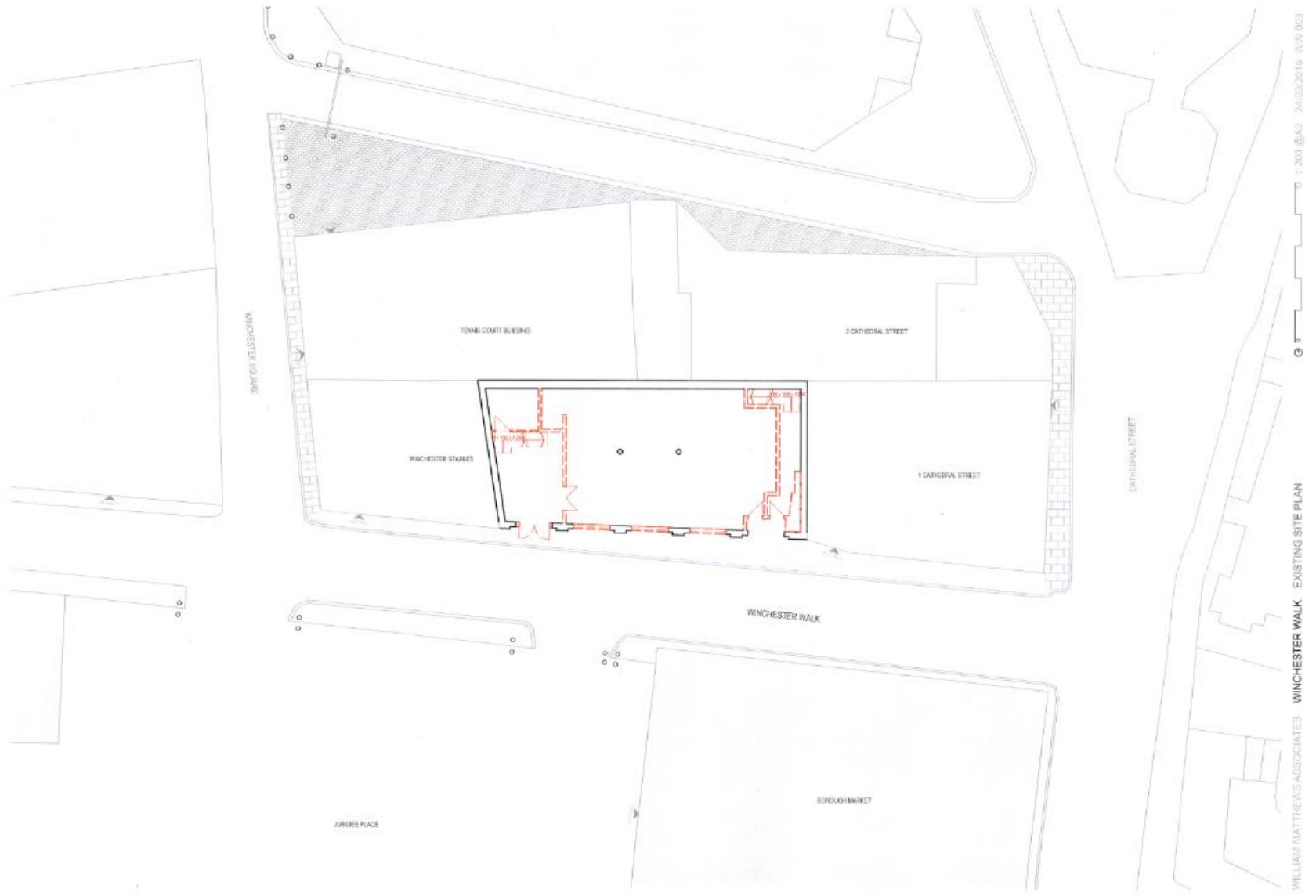
Reason:

In order to ensure that the design and details are acceptable and the spaces around the site are acceptable in accordance with saved Policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of The Southwark Plan 2007 and Strategic Policy 12 'Design and Conservation' and 13 'High Environmental Standards' in the Core Strategy.

Statement of positive and proactive action in dealing with the application

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended.

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The decision has been made in a timely manner.



SITE LOCATION PLAN - NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON, SE1 9AG

Item No. 7.3	Classification: OPEN	Date: 21 July 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 14/AP/4405 for: Full Planning Permission Address: NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON SE1 9AG Proposal: Demolition of the roof extension and replacement with a part one and part two storey extension to contain a single three bedroom dwelling and associated roof terrace; change of use of the ground floor from offices (Use Class B1) to a restaurant (Use class A3) and alterations to the ground floor facade.		
Ward(s) or groups affected:	Cathedrals		
From:	Director of Planning		
Application Start Date 29/12/2014		Application Expiry Date 23/02/2015	
Earliest Decision Date 28/02/2015			

RECOMMENDATION

1.
 - a. That this application is referred to members for decision;
 - b. That members grant full planning permission subject to conditions.

BACKGROUND INFORMATION

2. Site location and description

The site is a former warehouse of five storeys, the top floor covering only part of the site. It is presently used as an office. Built in the early 20th century, its style is that of 19th century industrial buildings. It is a building with architectural merit and in a historic commercial setting with Borough Market immediately opposite. It was converted to offices in the 1970s. The site has the following planning designations:

3. Air Quality Management Area
 Bankside and Borough District Town Centre
 Bankside, Borough and London Bridge Strategic Cultural Area
 Bankside, Borough and London Bridge Opportunity Area
 Borough High Street conservation area
 Borough, Bermondsey and Rivers Archaeological Priority Zone
 Central Activity Zone

Details of proposal

4. The proposal is for a change of use of the ground floor from office to a restaurant with alterations to the ground floor facade to restore some original features of the former warehouse. The top attic floor would be demolished and replaced with a part single and part two storey extension that would contain the three bedroom dwelling. This extension would be modern and consist of five 'volumes' on the fifth floor and two smaller ones on the sixth floor. They would have generous south facing glazing but

otherwise be constructed using cor-ten. There would also be a terrace that would wrap around the eastern and southern part of the top floor.

5. Planning history

<p>07/AP/0853 Application type: Full Planning Permission (FUL) Affix three retractable awnings to the existing building's frontage at fascia level on the front elevation Decision date 27/06/2007 Decision: Refused (REF) Reason for refusal: The awnings, by reason of their appearance, are inappropriate to the character of the building and therefore do not preserve or enhance the special interest or historic character of the building and the surrounding conservation area. The proposal is therefore unacceptable and is contrary to Policy E.4.3 Proposals Affecting Conservation Areas of the adopted Plan 1995 and Policies 3.12 Quality in Design, 3.13 Urban Design, 3.15 Conservation of the Historic Environment and 3.16 Conservation Areas of the emerging Southwark Unitary Development Plan March 2007.</p>
<p>10/AP/3171 Application type: Full Planning Permission (FUL) Demolition of the existing roof space used as ancillary office space, to be replaced with a two storey extension, comprising 3 residential units and extension to an existing flat within Tennis Court building. Other works include the building up of a parapet to eastern end to match detailing of western end and minor alterations to the ground floor entrance Decision date 18/05/2011 Decision: Refused (REF) Reasons for refusal:</p> <ol style="list-style-type: none"> 1. This proposal involves the loss of the traditional pitched slate roof from a key unlisted building within the conservation area. The replacement development is an excessively scaled extension that incorporates out-of-character detailing, which un-balances the composition of the building and appears incongruous within the historic streetscape. The proposal will thereby fail to preserve the character or appearance of the conservation area, as well as the setting of the nearby Grade I listed cathedral. The proposal is therefore contrary to Saved Policies 3.16 Conservation Areas, 3.17 Listed Buildings, 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites of the Southwark Plan and Core Strategy 2011, Strategic Policy 12 – Design and conservation. 2. The proposal will result in loss of office floorspace (Use Class B1) resulting in the loss of available job opportunities within the borough. The proposal is contrary to Core Strategy 2011, Strategic Policy 10 – Jobs and businesses and Saved Policy 1.4 Employment Sites outside the Preferred Office Locations.
<p>10/AP/3172 Application type: Conservation Area Consent (CAC) Demolition of the existing roof structure. Decision date 18/05/2011 Decision: Refused (REF) Reason(s) for refusal:</p> <p>There is no acceptable proposed replacement scheme, and no justification for the complete demolition of the roof of a key un-listed building in the Borough High Street Conservation Area which makes a positive contribution to the appearance and character of the conservation area. The proposal would neither preserve or enhance the character or appearance of the conservation area nor the setting of the Southwark Cathedral, a Grade I listed building and is therefore contrary to saved Policies 3.15 'Conservation of the Historic Environment', 3.16 'Conservation Areas', and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of The</p>

Southwark Plan 2007, Strategic Policy 12 'Design and Conservation' of The Core Strategy 2011 and PPS5 Planning and the Historic Environment.

14/EQ/0034 Application type: Pre-Application Enquiry (ENQ)

Proposal includes: change of use on the ground floor from B1 to A3 minor internal demolition to accommodate a new internal stair and lift, demolition of existing roof space used as ancillary office space, to be replaced with a part one, part two storey roof extension comprising of a single residential unit (class c3, approximately 150m²) and extension of an terrace to an existing flat within the Tennis Court Building. A further roof terrace is provided at the top level for the residential unit. (All as previously submitted with the exception of the reduction in floor area of the residential unit).

Decision date 24/07/2014 Decision: Pre-application enquiry closed (EQC). The reply to this enquiry is included as appendix 3.

Relevant planning history of adjoining sites

6.. REAR OF NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON, SE1 9AG

02/AP/2181. Planning permission granted on 17/03/2003 for:

The erection of a six storey building comprising a Class A3 unit at ground floor with 12 residential units on upper floors following demolition of existing single storey building.

7. FLAT 12, TENNIS COURT, 7 WINCHESTER SQUARE, LONDON, SE1 9BN

12/AP/1147, planning permission granted on 18/08/1012 for:

Renewal of planning permission reference 09AP0611 dated 30/6/2009, to construct a single storey extension at sixth floor level to the existing flat at 12 Tennis Court with part sedum roof and part terrace (and associated balustrading) area.

8. 16 WINCHESTER WALK LONDON SE1 9AQ

11/AP/3510. Planning permission granted on 21/03/2012 for:

Removal and replacement of roof by addition of one mansard floor, reconfiguration of internal floor levels, to allow refurbishment in connection with providing 3 floors of office space (1,121sqm) in basement, ground and first floors. Six residential flats at second and newly created third floor levels, to include 2 x 1 bedroom, 2 x 2 bedroom and 2 x 3 bedroom flats. Alterations to fenestration on all facades.

12/AP/0427. Planning permission refused on 15/11/2013 for:

Change of use of the first floor office space (Use Class B1) to 1 x 1 bedroom unit and 2 x 3 bedroom units.

Reason for refusal:

The loss of office floorspace is unacceptable as it would undermine the provision of protected employment floorspace within the CAZ, and no convincing viability or other argument has been presented which would justify this loss. The proposal is therefore contrary to sections 1 'Building a strong competitive economy' and 2 'Ensuring the vitality of town centres' of the NPPF 2012; Saved Policy 1.4 'Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations' of the Southwark Plan 2007 and Strategic Policy 10 'Jobs and Businesses' of the Core Strategy 2011.

9. 1 CATHEDRAL STREET

07/AP/0482, planning permission granted on 17/04/2007 for:

Refurbishment (replacement of timber entrance doors and replacement of windows with new timber framed windows), extension and alteration including replacement and extension of third storey and alterations necessary to allow for the construction of an evacuation route and access lift. Regularisation of the use of the building as a community facility (within D1 use class).

This permission has expired but is a material consideration.

10. The objection on behalf of the occupiers of 12 Tennis Court has referred to two planning applications, one at 38 Stoney Street and one at 1-13 Park Street. regard has been had to these applications but there are not considered to be material to the present application which must be considered on its own merits.

KEY ISSUES FOR CONSIDERATION

11. Summary of main issues

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

- a. Principle of the development with regard to land use
- b. Impact of the development on the amenity of neighbours
- c. Design and conservation issues (including the impact on heritage assets)
- d. Transport issues

Planning policy

12. National Planning Policy Framework (the Framework)

This application should be considered against the Framework as a whole, however the following sections are particularly relevant:

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
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
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

London Plan July 2015

Policy 3.5 Quality and design of housing developments

Policy 6.3 Assessing the effects of development on transport capacity

Policy 6.9 Cycling

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Core Strategy 2011

Strategic Policy 1 Sustainable development

Strategic Policy 2 Sustainable transport

Strategic Policy 7 Family homes

Strategic Policy 10 Jobs and businesses

Strategic Policy 12 Design and conservation

Strategic Policy 13 High environmental standards

13. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.4 Employment sites outside the preferred office locations and preferred industrial locations

Policy 3.1 Environmental Impacts

Policy 3.2 Protection of amenity

Policy 3.11 Efficient use of land

Policy 3.2 Quality in design

Policy 3.13 Urban design

Policy 3.14 Designing out crime

Policy 3.15 Conservation of the historic environment

Policy 3.16 Conservation areas

Policy 3.17 Listed buildings

Policy 3.18 Setting of listed buildings, conservation areas, and world heritage sites.

Policy 4.2 Quality of residential accommodation

Policy 5.2 Transport impacts

Borough High Street conservation area appraisal 2006

14. Summary of consultation responses.

A total of 17 representations have been received for this application, 15 of which are objections. Most are from neighbours of the site but objections have also been received from Historic England and the Fabric Advisory Panel of Southwark Cathedral. Along with other neighbour objections, a detailed objection received on behalf of the occupiers of 12 Tennis Court is of particular note as this is the property that would be most affected by the development. The main issues raised in objection are:

- Loss of employment floorspace
- Impact of the development (roof extension and restaurant) on local amenity
- Design of the scheme, including its impacts on heritage assets
- Highway impacts, including that from servicing

Principle of development

15. The development would result in a net loss of office floorspace. Saved policy 1.4 of the Southwark Plan protects office floorspace in the Central Activity Zone (CAZ). It does allow for a loss of floorspace to other town centre uses, including restaurants (A3) and where the development would address the street and provide an active frontage. The change of use of part of the ground floor to a restaurant is therefore acceptable in principle.
16. There would also be a loss of the office accommodation on the fifth floor. This would amount to a loss of 36sq.m. An additional area of 35sq.m. would be lost on the ground floor to accommodate the entrance, cycle and refuse storage space for the office and residential uses on the upper floors.
17. Seldom used other than for meetings, the office space on the top floor is poor quality and has poor layout. Nonetheless, there is the potential to retain this floorspace within

this development, but this would be at the expense of residential floorspace. Changes proposed to the internal layout of the lower floors mean that the net office area on these floors would increase because the western core would be removed. Each floor would see an increase in the net internal area of office floorspace from 136 to 147sq.m. This, together with the A3 floorspace would balance the loss of net internal area (NIA) office floorspace, meaning no overall commercial floorspace loss.

18. Additional information has also been submitted regarding the expected employment the A3 use would generate. The agent's calculation shows that it would provide between 31 and 27 full time equivalent jobs.
19. While the proposed loss of office space has not been fully justified in accordance with policy 1.4, it is considered that the relatively modest loss is acceptable in this instance considering the net employment space would not decrease (including the A3 space), the benefit of providing an active frontage to this site and the reinstatement of historical features (see below).
20. **Environmental impact assessment**

Not required for an application of this scale

21. **Impact of proposed development on amenity of neighbours**

A number of objections received from neighbours refer to the impact that the proposed development may have on their amenity. Issues include the impact of noise and disturbance from the A3, sunlight and daylight and potential for the development to have an overbearing effect. These are discussed below.

Noise

22. The proposed hours of operation for the restaurant are between 08:00 and 22:00 as detailed in the letter to the council on 12 May 2015 that included the calculation of expected job numbers. Such hours are not unusual for restaurants in the area. There are dwellings nearby and the potential impact of the restaurant on their occupiers requires careful consideration.
23. One source of noise is that from plant, particularly the kitchen exhaust system. Its flue would be routed up through the building itself and it would protrude above the top, eastern volume and be 6m from the nearest noise sensitive window, that for the bedroom of flat 12, Tennis Court. A proximity that is common in dense urban locations, the compliance condition recommended to control noise emission would ensure that there would be no harm to amenity from noise. The height of the flue would be sufficient to ensure that it would not cause an adverse impact on the existing amenity of nearby residents and the amenity area for 12 Tennis Court approved under planning permission reference 12/AP/1147.
24. Being a restaurant, one would not expect high levels of amplified music to be played within the premises. Sound from patrons could escape from the premises, particularly with the openings in at the ground floor that would be created. The area is busy during warmer times of the year when one would expect the openings to be used. There is, for example, a public house to the southwest of the site- The Rake- which has limited internal space. There are often many customers outside the premises in Borough Market, as well as visitors to the market itself. Similarly, there would be some noise from patrons arriving and leaving the premises but the majority of these would arrive and leave on foot because of the excellent public transport links for the site. There may be some private vehicles and taxis for customers which is not uncommon in a central London location. In this context, and with consideration to the

hours of use of use proposed, noise from the restaurant is not expected to give rise to a significant impact on residential amenity.

Daylight and sunlight

25. The increase in the built form for the site would be limited to the roof extension and the premises that would be most affected is the top floor flat on Tennis Court, number 12. Other dwellings in the area would be sufficiently removed from the extension not to be affected. A daylight and sunlight analysis has been undertaken for the impact on the bedroom window [sliding door] for this property which is behind where the western, taller volumes would be. The Vertical Sky Component (VSC) for this window is presently 35.21% and would reduce to 32.9% while the Annual Probable Sunlight Hours (APSH) is presently 73% and would be reduced to 71%. The VSC would be remain above 27%, below which a change in daylight would be notable while the APSD would be above 25%, below which an adverse impact may occur. There would thus be no adverse impact with respect to daylight or sunlight on this bedroom window according to the Building Research Establishment guidance.

Potential for the development to be overbearing.

26. Again, the primary impact on with this issue would be on the occupiers of 12 Tennis Court- the extension would be built both in front of and to the east of the balcony of a bedroom. With the detailed objection sent in on behalf of the occupiers of this premises is a helpful visualisation of the extension proposed (in appendix 9 of the objection from Anike Darnelle (planning consultant for the occupiers)) with views from the balcony outside the bedroom looking southeast and a view from within the bedroom looking south. These show that there would be some impact on the outlook from this bedroom and the balcony with the western flank of the upper volume extending 6.5m from the facade of the flat on Tennis Court and rising 2.9m from the ground level of the terrace. However, as the view from the bedroom itself demonstrates, the primary outlook from this bedroom is to the south and it would not be affected to an unacceptable degree. The proposed extension would frame the outlook in a similar way that the small protrusion of the flat itself does, to the west of the bedroom.
27. A small element (37cm) of the upper volume would cut across the terrace for the bedroom at 12 Tennis Court at its eastern extremity. This would have some adverse impact but as it would not be directly in front of the window, it would be limited. Another important factor is that the extension would affect a bedroom and the terrace outside it. It would have no significant effect on the living room for 12 Tennis Court and its primary outdoor amenity space which is the western balcony that comes off the living room.
28. It is not unusual for development in urban environments to have some impact on neighbours but for the reasons above, it is considered that the impact of the proposed development would be acceptable.
29. While the southern part of the terrace would overlook Winchester Walk, the eastern part of it could have an impact on the development potential for the adjacent site at 1 Cathedral Street. Planning application reference 07/AP/0486 (see above) although expired is a material consideration. The terrace or indeed the window proposed on the eastern elevation would not stymie development on the adjacent site unreasonably. The window is 4m from the boundary which is not unusual in dense urban locations. Further, any impact from mutual overlooking could be mitigated through reasonable screening or design for any development that may be forthcoming at 1 Cathedral Street.

Quality of residential accommodation proposed

30. A dwelling of almost 120sq.m. would provide for generous living accommodation. Coupled with a good quality outdoor space, the quality of the dwelling would be good. Its occupiers would have access to a cycle storage facility at ground floor level.

Design and conservation issues (including the impact on heritage assets)

31. Most of the objections received make reference to the design of the proposal and its impact on the two heritage assets that would be affected: Southwark Cathedral which is Grade I listed and the Borough High Street conservation area. Historic England have urged refusal and the Fabric Advisory Committee for Southwark Cathedral after advising initially that that the development would have minimal, if any, impact on views of the cathedral, revised their comments to strongly object to the scheme. Also a matter for objection is the concern that the scale, mass and materials proposed would be incongruous with the building and the area. These issues are discussed below.

Scale massing and design

32. The extension has been designed to take references from the original building which has both vertical and horizontal elements. In five volumes, the two tallest would be above the two western bays of the existing building while three shorter volumes would be above the three eastern bays, respecting the drop down in height established by the parapet at roof level. Two other volumes would sit above the two western most shorter volumes with a set back of 3.5m, effectively hiding them from many areas of the public realm at ground floor level. So from street level in views in which the whole building would be appreciated such as along Winchester Walk, the massing would not be overly excessive and would respect the composition of the facade height dropping to the east.
33. A design that is unashamedly modern, the extension would provide extensive areas of glazing on the southern facade while giving a modular appearance with an unusual material: cor-ten. This is a material that was traditionally used for industrial buildings but has recently become more fashionable for contemporary architecture in cities.
34. A characteristic of this area of the borough is the narrow streets which channel one's views of the urban landscape laterally. Views of the proposed development provided by the applicant suggest that views of the whole building itself are limited to Winchester Walk itself. Views from further afield would generally be limited to the upper storeys because existing buildings and structures would screen the existing building. Within Winchester Walk, the balance of the building would not be altered too detrimentally because of the set backs proposed for the volumes. Following the demolition of the existing roof, the highest part of the extension proposed would constitute one third of the building's height at 6m; the original building's height would be reduced to 12m. On the face of it, such an increase in height would seem excessive but the highest part of the extension would only be 3.2m wide compared to the building width of 9.6m. A set back of 3.5m would serve to lessen its impact so the extension will not be disproportionate to the host building because of the set backs and limited views.
35. Similarly, the use of cor-ten would introduce a material that has not previously been used in this historic part of the borough. The views of the material would be limited to the extension's flank and would rarely be seen in isolation. It would provide interest and result in a good balance between the cor-ten and the generous glazing proposed. Cor-ten can come in a number of different hues ranging from orange to darker browns, depending on the amount of exposure and weathering. It is important that the precise colour of the material would be appropriate and for this reason a condition is

recommended to ensure that samples are presented on site for approval. An extension of high architectural merit, it would provide a clean and proportionate addition to the roofscape. It is a very different scheme from the one refused (reference 10-AP-3171) which proposed an extension that was excessively scaled.

36. Objection has also been received regarding the proposed opening up of the ground floor bays and the installation of awnings, indeed the awnings were considered to be inappropriate to the character of the building by the council in 2007 which is why application reference 07/AP/0853 was refused. The facade was remodelled in the 1970s when the building was converted to offices. Awnings and loading bays were removed and brickwork and arches introduced at ground floor level. The proposal is for the removal of these later alterations and to reinstate the awnings and provide a better street frontage. Such changes would restore the ground floor to something closer to its original form; the applicant has submitted photographic evidence that awnings were previously in place at ground floor level (page 3 of the design and access statement).

Significance of heritage assets

37. It is important to understand the significance of the heritage assets that would be affected to fully understand the potential impact that this development would have. The significance of the heritage assets is summarised below.

Southwark Cathedral

38. Southwark Cathedral is one of, if not the most significant heritage asset in the borough. Its significance very much connected with its wider historical context as a relic of a medieval townscape in addition to its aesthetic and communal value. The significance of the Riverside sub-area of the of the conservation area lies in its Medieval core, warehouse and wharf development. New Hibernia House contributes to the setting of the cathedral, limiting the effect that the open area to the south has on it within the context of the narrow streets to the west.

The Borough High Street Conservation Area

39. Being in the Riverside sub-area of the conservation area, the significance of this part of the heritage asset is derived to a large degree by the presence and indeed the dominance of the cathedral. Later additions of significance are the warehouses which, along with the narrow streets, are so characteristic of this type of 19th century development. The site is within the Winchester Square area and Winchester Walk is a significant east-west link to which New Hibernia House makes a positive contribution.

40. *Impact on heritage assets*

One of the reasons for the refusal of the previous application on this site (10/AP/3171) was that the loss of the roof would have caused harm because its replacement would not have been acceptable. The roof is traditional and is the original roof for the building, its loss would only be acceptable if it were to be replaced by an alternative of sufficient quality.

41. After considering the significance of heritage assets (see above), the next phase in the tiered approach of the Framework with respect to heritage assets is whether substantial harm would be caused and, if it would, whether the benefits of the scheme would outweigh the harm. In this case, because of the limited views that would be afforded of the extension, its impact on the conservation area would not amount to substantial harm. In the context of the cathedral, the extension would only be seen from the railway viaduct to the south of the site other than as a peripheral element in

the view of the cathedral from Winchester Walk looking east. Views from the viaduct are not as sensitive as views of the cathedral from street level where most people would appreciate it. Such fleeting views of the cathedral would include a view of the extension which would be of high architectural quality. There would be sufficient separation between the extension and the cathedral for it not to cause substantial harm to the heritage asset. Higher up, the extension would form part of a diverse roofscape in the area and provide an example of good quality architecture in the context of somewhat utilitarian roofs. Many views of the cathedral would therefore be preserved while some may even be enhanced. The same can be said for the conservation area, particularly when one considers the works proposed on the ground floor.

42. As referred to above, one of the public benefits of the development would be the reinstatement of the historic frontage at ground floor level. Further, an active frontage would be introduced which would provide activity and natural surveillance for the area. Historic England have advised that the introduction of awnings would obscure the arched window detail above and interrupt the vertical orientation and rhythm of the facade. Any harm caused by this alteration would be outweighed by the benefit described above and the fact that awnings were previously in place.
43. In accordance with the policy framework of the London Plan, the significance of both the conservation area and the cathedral would be conserved partly because of the limited views of the extension in the context of views of the cathedral and its separation from it. Furthermore, it would add a high quality building element to a local roofscape that is presently lacking in such a feature.
44. Local planning policy requires that development either preserves or enhances heritage assets and/or their setting taking into account the guidance in the adopted conservation area appraisal. The scale and massing is considered to be acceptable in this location, taking into account the tight streets and limited views. It would be of architectural interest from further away, seen against a backdrop of diverse roofscapes retaining the vertical articulation called for by the conservation area appraisal. Indeed, it would arguably provide a better visual backdrop than the extensive blank southern wall of 2 Cathedral Street. It would enhance both the conservation area and the setting of the cathedral.

Transport issues

45. Objections received refer to the lack of cycle storage for end users of the development and the potential impact from servicing. Amendments have been made to the proposed development that show cycle storage. There are two cycle storage spaces shown for the residential development and three for the restaurant, both in accordance with the standards in the London Plan. No cycle parking is shown for customers and the constraints of the site mean that it would be difficult to provide suitable provision. Cycle parking provision does exist for customers, there are several stands on Park Street to the west and a number close by to the east. Two spaces are shown for the office use but as this is an existing use, no additional requirements would be needed.
46. According to the initial submission, vehicles servicing the site would park in the car park opposite which is part of Borough Market. The site presently has approximately 7 deliveries per day and this is likely to continue because the occupier of the office space (the applicant) would consolidate staff within the remaining office space. An additional 3-4 deliveries are expected for the restaurant. There is room on Winchester Walk for a van to be parked and another to pass by it, and while there are double yellow lines on both sides of the street, they are not accompanied by chevrons meaning that deliveries could take place from the street. An additional 3-4 deliveries to the site is not expected to result in significant transport or indeed amenity issues

because of the low number and the control of hours that is recommended as a condition.

Community infrastructure levy (CIL)

47. The development would be subject to both mayoral and local CIL at a charge of £2281 and £22 800 respectively.

Sustainable development implications

48. The proposal would result in a more economically sustainable use with the addition of a restaurant and the rationalisation of the remaining office floorspace. Social impacts such as the potential loss of amenity would be limited and benefits would include the addition of an active frontage and additional housing for the borough. Environmentally, it would improve the frontage of the building at ground floor level.

Other matters

49. Amendments to the scheme were sought and received including suitable areas for refuse for all three uses in the building and for cycle storage. The detailed objection on behalf of the occupiers of 12 Tennis Court also refers to the validation process and that there were some errors on the drawings, lack of a scale bar and other drawings. The errors were corrected in the latest set of drawings, otherwise the drawings are of sufficient detail to allow suitable assessment and interpretation of the proposal. Comments were also made about kitchen ventilation and the lack of a daylight and sunlight assessment. An assessment for the latter has been received and details of the kitchen exhaust route have also been received. All of this amended/new information and drawings were brought to the attention of neighbours through re-consultation.

Conclusion on planning issues

50. There would be a net loss of employment floorspace but this is considered to be acceptable on balance considering the quality of the floorspace in question, the employment that would be generated by the proposed restaurant and the internal rationalisation of the remaining office floorspace. The site would continue to contribute to the local economy by providing employment and the addition of a restaurant. The new dwelling would also contribute to much needed housing in the borough. There would be some impact on the amenity of the occupier of 12 Tennis Court but this would be limited and importantly not adversely affect sunlight or daylight.

Community impact statement

51. 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. No adverse impact on any group with the protected characteristics identified above is expected as a result of this development.

Consultations

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

Consultation replies

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

Human rights implications

54. 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.

55. This application has the legitimate aim of providing new residential accommodation and a restaurant. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 1146-B Application file: 14/AP/4405 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 1778 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-application reply
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Dipesh Patel, Team Leader- Major Applications	
Version	Final	
Dated	8 July 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		10 July 2015

APPENDIX 1**Consultation undertaken****Site notice date:** 14/01/2015**Press notice date:** 05/02/2015**Case officer site visit date:** 14/01/2015**Neighbour consultation letters sent:** 15/01/2015**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

English Heritage
 The Georgian Group
 The Victorian Society

Neighbour and local groups consulted:

15 Winchester Walk London SE1 9AG
 Basement 1 Cathedral Street SE1 9DE
 2 Cathedral Street London SE1 9DE
 Second Floor 1 Cathedral Street SE1 9DE
 First Floor 1 Cathedral Street SE1 9DE
 Ground Floor 1 Cathedral Street SE1 9DE
 The Rake 14a Winchester Walk SE1 9AG
 First Floor Former Meeting Room 16 Winchester Walk SE1 9AG
 Conference Rooms Southwark Cathedral SE1 9DA
 Flat 13 Tennis Court SE1 9BN
 First Floor Rear East 16 Winchester Walk SE1 9AG
 Part Ground Floor Front East 16 Winchester Walk SE1 9AG
 First Floor Centre East 16 Winchester Walk SE1 9AG
 Second Floor Rear West 16 Winchester Walk SE1 9AG
 Second Floor Rear East 16 Winchester Walk SE1 9AG
 First Floor Rear West 16 Winchester Walk SE1 9AG
 First Floor Centre 16 Winchester Walk SE1 9AG
 Second Floor Front 14 Winchester Walk SE1 9AG
 First Floor 14 Winchester Walk SE1 9AG
 Fish Cathedral Street SE1 9AL
 Ground Floor Rear 16 Winchester Walk SE1 9AQ
 Ground Floor Front West 16 Winchester Walk SE1 9AP
 Second Floor Rear 14 Winchester Walk SE1 9AG
 2 Tennis Court 7 Winchester Square SE1 9BN
 Flat 2 3 Winchester Square SE1 9BH
 Flat 1 3 Winchester Square SE1 9BH

9 Tennis Court 7 Winchester Square SE1 9BN
 Flat 5 3 Winchester Square SE1 9BH
 Flat 4 3 Winchester Square SE1 9BH
 Flat 3 3 Winchester Square SE1 9BH
 7 Tennis Court 7 Winchester Square SE1 9BN
 First Floor Front West 16 Winchester Walk SE1 9AG
 First Floor Front East 16 Winchester Walk SE1 9AG
 Second Floor Front 16 Winchester Walk SE1 9AG
 5 Tennis Court 7 Winchester Square SE1 9BN
 10 Tennis Court 7 Winchester Square SE1 9BN
 1 Tennis Court 7 Winchester Square SE1 9BN
 9 Winchester Square London SE1 9BP
 18 Winchester Walk London SE1 9AG
 Gift Shop Southwark Cathedral SE1 9DA
 Refectory Southwark Cathedral SE1 9DA
 Southwark Cathedral Montague Close SE1 9DA
 Flat 8 Tennis Court SE1 9BN
 Flat 12 Tennis Court SE1 9BN
 Flat 11 Tennis Court SE1 9BN
 Flat 6 3 Winchester Square SE1 9BH
 Flat 6 Tennis Court SE1 9BN
 Flat 4 Tennis Court SE1 9BN
 Flat 3 Tennis Court SE1 9BN
 Malthouse Farm Rockbourne SP6 3NA
 18 Eatonville Road London SW17 7SL
 124 Cardamom Building 31 Shad Thames SE1 2YR
 8 Southwark Street London SE1 1TL

Re-consultation: 20/05/2015

APPENDIX 2**Consultation responses received****Internal services**

None

Statutory and non-statutory organisations

English Heritage

Neighbours and local groups

Eform

Email representation

Email representation

Flat 11 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 2 3 Winchester Square SE1 9BH

Flat 2 7 Winchester Square SE1 9BN

Flat 3 Tennis Court SE1 9BN

Flat 3 3 Winchester Square SE1 9BH

Flat 6 Tennis Court SE1 9BN

Flat 6 3 Winchester Square SE1 9BH

Flat 8 Tennis Court SE1 9BN

Malthouse Farm Rockbourne SP6 3NA

Southwark Cathedral Montague Close SE1 9DA

Southwark Cathedral Montague Close SE1 9DA

Southwark Cathedral Montague Close SE1 9DA

124 Cardamom Building 31 Shad Thames SE1 2YR

18 Eatonville Road London SW17 7SL

8 Southwark Street London SE1 1TL



Chief executive's department
 Planning division
 Development management (5th floor - hub 2)
 PO Box 64529
 LONDON SE1P 5LX

Ms Julie Greer
 Greer Pritchard Planning & Urban Design



Your Ref:
Our Ref: 14/EQ/0034
Contact: Dipesh Patel
Telephone: 020 7525 1778
E-Mail: planning.applications@southwark.gov.uk
Web Site: <http://www.southwark.gov.uk>

Date: 24/07/2014

Dear Ms Greer

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: NEW HIBERNIA HOUSE, WINCHESTER WALK
Proposal: Proposal includes: change of use on the ground floor from B1 to A3 minor internal demolition to accommodate a new internal stair and lift, demolition of existing roof space used as ancillary office space, to be replaced with a part one, part two storey roof extension comprising of a single residential unit (class c3, approximately 150m²) and extension of an terrace to an existing flat within the Tennis Court Building. A further roof terrace is provided at the top level for the residential unit. (All as previously submitted with the exception of the reduction in floor area of the residential unit).

New Hibernia House

I write further to your pre-application enquiry received on 17 March 2014 that was submitted subsequent to a meeting with Dipesh Patel and Norman Brockie in December 2013. The scheme has been revised twice following the initial previous submission in 2013 (13-EQ-0196) and these this letter is based on the latest submission: HIBERNIAHOUSEREVISIONWMA 140504.

Description of proposal

The proposal is for a change of use of the ground floor from offices to a restaurant/cafe, and associated changes to the facade and a change of use of the top floor from office to residential along with a roof extension to accommodate the dwelling.

Policies

The Development Plan is made up of the London Plan 2011, Core Strategy 2011 and Southwark Unitary Development Plan 2007 saved policies, along with Supplementary Planning Documents. The National Planning Policy Framework is a material consideration.

Key issues

- Principle of development including proposed change of use
- Quality of residential accommodation
- Impact of proposed development on amenity of adjoining occupiers and surrounding area

- Transport
- Design and impact on the Borough High Street conservation area and the setting of nearby listed buildings

Principle

Being in the Central Activity Zone, office use is protected by saved Policy 1.4 of the Southwark Plan. However, within the Bankside and Borough District Town Centre, a suitable Class A use may be permitted subject to compliance with saved Policy 1.7. The principle of a change of use of the top floor to residential is less certain. It appears that clause a of Policy 1.4 has not been met which means that this part of the development would need to comply with clause b.

Quality of residential accommodation

The 3 bed apartment proposed exceeds the minimum dwelling size for a 3 bedroom flat, as it would seem do the individual room sizes. Outlook would be effectively be from a single aspect, however considering the constraints of the site, this is acceptable. The terrace area shown on the lower and upper floors would provide generous outdoor amenity space.

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

Restaurant/cafe

Details will be required on how this commercial unit would be serviced and from where to ensure that hours and method of servicing would not cause harm to local amenity. Similarly, consideration will need to be given for suitable plant and in particular to controlling noise and odour.

Residential

The proposed roof extension seems to be sufficiently distant to existing residential uses to the north and east to ensure that daylight and sunlight would not be affected. Drawings showing 25 and 45 degree lines for windows opposite and at right angles to the proposed extension would however be required to confirm this in accordance with the Residential Design Guidance.

Transport

Parking

No car parking is proposed and this is appropriate for a site in the CAZ. Cycle parking would be required. Two spaces for the residential property which would need to be accommodated within the ground floor envelope be secure and separate from cycle parking for the A3 use which would need 1 one cycle parking space per 20 staff plus one per 20 customers.

Servicing

Winchester Walk has double yellow lines which although it does not have kerb 'blips', seems too narrow to allow servicing along it without causing traffic disruption. This is a matter that will need detailed consideration. Details of the location for servicing will need to be included with any application.

Design

Ground floor

The proposal to reinstate the original rectangular openings at the ground floor and enlarge them to the ground to create a new active frontage is welcome. Shop windows in multi-paned critical type would be a significant improvement to the street level presence of the building. Changes to the ground floor elevation are likely to enhance the Borough High Street conservation area.

Upper floors

Scale and Massing

A two-storey roof-top extension is proposed for a new residential unit. The proposed extension is arranged in 5 geometric bays to echo the bay design of the existing building. The western bays from

the double-height living space of the residential unit and correspond with the gabled western bays of the existing building. The remaining three bays are set forward and terraced back on two floors to accommodate the bedroom wing of the proposed unit.

In terms of its height, the proposal steps back on the upper-most floor to reduce its visibility from within the conservation area and to limit any incursion into views of the Cathedral. In its scale this appears appropriate and will appear as a predominantly single attic storey at the top of this building which is appropriate in this context.

The massing of the proposed unit is deliberately broken down and articulated in bays that work well with the bayed arrangement of the existing building. However, in the most recent views of the proposal, the three eastern bays appear to be as tall as the two double-height western bays. This has an impact on the hierarchy of the facade which appears incongruous at first sight. A slight adjustment in the height of the three eastern-most single storey bays will reinstate that hierarchy and will ensure that the building appears to step down more deliberately as the viewer approaches the Cathedral especially when viewed from Winchester Walk and Bedale Street.

On closer inspection it appears that these three bays are raised to around 1 ½ storey to hide the handrail of the upper floor terrace. However, this does not mitigate the impact of this height on the conservation area and fails to preserve the hierarchy of the existing facade as noted above. Officers would instead suggest a handrail set-back from the southern edge and a reduction the height of the three eastern bays on the fifth floor.

The sixth floor design follows the bayed design and is set back further on the roof. The western-most bay on the sixth floor, is omitted to provide a roof-top terrace which is a welcomed improvement on the earlier design which rose sharply over two storeys at the party wall nearest the Cathedral and would have had a more overt impact on its sensitive historic setting. The further proposal to enclose that bay with a lattice-like frame is not welcomed and could add further bulk and mass in this sensitive location. Accordingly the lattice-like frame and should be omitted.

The rendered local views demonstrate that the proposal is visible from the public realm in the conservation area. Its materiality a combination of metal core-ten cladding with large expanses of glass. This will ensure that extension will appear like a recessive attic storey and not an overly dominant or harmful intrusion. Whilst distinctive, the core-ten cladding is a strident and earthy incursion and remains sensitive in this historic context.

Materials

The balance of glazing and a heavier cladding could work well with the correct detailing, detailed architectural design and choice of cladding material are likely to be reserved by condition should planning permission be granted.

Setting of the Borough High Street conservation area and listed buildings.

The Grade I listed Southwark Cathedral is the most significant heritage asset nearby and most sensitive to changes that might affect its setting. Core-ten as a choice for cladding is a concern as it would affect the setting of this listed building, particularly as the extension would frame views to the cathedral from the west. A more muted material akin to traditional roof cladding such as dark zinc or lead could still result in a confident design while respecting the cathedral's setting. Changes to the massing recommended above would also lessen this impact.

Mayoral Community Infrastructure levy

With a new residential dwelling, the development would be subject to a financial contribution under the Community Infrastructure Levy, presently £35 per m² of new floorspace.

Sustainable development implications (environmental)

The dwelling would need to be designed to comply with Code for Sustainable Homes Level 4. Extensive glazing to the south may result in overheating during the summer and loss of heat during

colder months, this matter will need detailed design consideration.

List of documents required at application stage

The following link will take you to the council's webpage where you can view the list of documents that should accompany the application:

https://www.southwark.gov.uk/downloads/download/2021/full_planning_permission

Conclusion

The scheme proposed is broadly acceptable with the introduction of an active frontage at ground floor level particularly welcome. With some amendments to the massing of the upper floors proposed, the impact on local views, including views to Southwark Cathedral, would be acceptable.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Yours sincerely

Gary Rice

Head of Development Management

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 Mark Lamb Davis Harriss Lamb LLP	Reg. Number	14/AP/4405
Application Type	Full Planning Permission	Case Number	TP/1146-B
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of the roof extension and replacement with a part one and part two storey extension to contain a single three bedroom dwelling and associated roof terrace; change of use of the ground floor from offices (Use Class B1) to a restaurant (Use class A3) and alterations to the ground floor facade.

At: NEW HIBERNIA HOUSE, WINCHESTER WALK, LONDON SE1 9AG

In accordance with application received on 24/11/2014 8:02:10 AM

and Applicant's Drawing Nos. Design and access statement

Flood Risk Assessment

Letter from agent dated 12 May 2015 with restaurant employment projection.

Planning statement

Servicing statement

Drawings

Existing:

WW 001
WW 010
WW 011
WW 012
WW 013
WW 014
WW 015
WW 042
WW 051

Proposed:

WW 002
WW 016
WW 017
WW 018
WW 019
WW 020
WW 021
WW 022
WW 040
WW 041
WW 043
WW 044
WW 050

Subject to the following eight conditions:

Time limit for implementing this permission and the approved plans

1 The development hereby permitted shall not be carried out otherwise than in accordance with the following

approved plans:

WW 002
 WW 016
 WW 017
 WW 018
 WW 019
 WW 020
 WW 021
 WW 022
 WW 040
 WW 041
 WW 043
 WW 044
 WW 050

Reason:

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

- 2 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.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 3 Prior to the commencement of that part of development:

sample materials of the roof extension shall be presented on site to and details submitted to the local planning authority for approval
 detailed drawings (1:20) detailing works to the ground floor facade shall be submitted to the local planning authority for approval.

The development shall only proceed in accordance with any details approved.

Reason:

In order to ensure that samples and detailed work will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012; Policy 7.8 heritage assets and archaeology of the London Plan 2015; Strategic Policy 12 design and conservation of the Core Strategy 2011 and saved policies 3.12 quality in design; 3.13 urban design; 3.15 conservation areas and 3.17 listed buildings of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 4 Prior to the occupation of the ground floor restaurant, details of a scheme of sound insulation shall be submitted for approval to the local planning authority detailing how the rating noise level from the kitchen exhaust system shall be controlled to be at least 10dB(A) below the lowest relevant background sound level 1m from nearby noise sensitive windows and how noise from it would be controlled to ensure that it would not exceed NR20 Leq, 5 min within the dwelling within the same building.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises and the dwelling within the same building do not suffer a loss of amenity from noise in accordance with The National Planning Policy Framework 2012, Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan 2015; Strategic Policy 13 high environmental standards of the Core Strategy 2011 and saved Policy 3.2 protection of amenity of the Southwark Plan 2007

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 5 Any deliveries, unloading and loading to the restaurant on the ground floor shall only be between the following

hours: 07:00 - 20:00

To safeguard the amenity of neighbouring residential properties in accordance with the National Planning Policy Framework 2012; Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan 2015; Strategic Policy 13 high environmental standards of the Core Strategy 2011 and saved Policy 3.2 protection of amenity of the Southwark Plan 2007.

- 6 The restaurant hereby permitted on the ground floor shall only be open to customers between 08:00-22:00.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with the National Planning Policy Framework 2012; Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan 2015; Strategic Policy 13 high environmental standards of the Core Strategy 2011 and saved Policy 3.2 protection of amenity of the Southwark Plan 2007.

- 7 The dwelling hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T * and 45dB LAFmax
Living rooms - 30dB LAeq, T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework 2012; Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan 2015; Strategic Policy 13 high environmental standards of the Core Strategy 2011 and saved Policy 3.2 protection of amenity of the Southwark Plan 2007

- 8 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

I.0 Site Location Plan



SITE LOCATION PLAN - SATI, THE TANNERY, BERMONDSEY STREET, LONDON, SE1 3XN

Item No. 7.4	Classification: OPEN	Date: 21 July 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 15/AP/0988 for: Outline Planning Permission Address: SATI, THE TANNERY, BERMONDSEY STREET, LONDON SE1 3XN Proposal: Erection of a two-storey terrace comprising of 4no. live/work studios.		
Ward(s) or groups affected:	Grange		
From:	Director of Planning		
Application Start Date 30/04/2015		Application Expiry Date 25/06/2015	
Earliest Decision Date 28/05/2015			

RECOMMENDATION

1. a. That this application is referred to members for decision;
b. That members grant outline planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site forms part of a larger backland site situated between Crucifix Lane and Bermondsey Street known as 'The Tanneries'. It is currently possible to gain access to the site from three points; from Crucifix Lane to the north (via a manually-operated gated vehicular access on the east side of Champion House; from Black Swan Yard – a narrow side thoroughfare leading off of Bermondsey Street and 60m to the north of this through a gated 'stagecoach entrance' through No. 49-55 Bermondsey Street, which is a Grade II Listed Building also known as the Shiva Building.
3. Whilst the north and western part of the larger Tanneries site is situated within Bermondsey Street Conservation Area, the application site lies outside, approximately 40m to the east.
4. The nearest Listed Buildings to the application site are at No.s 59, 61 and 63 (and attached railings) Bermondsey Street (east side) and the railway viaduct arches on the approach into London Bridge Station on the north side of Crucifix Lane. Both are Grade II Listed.
5. The eastern boundary of the site is currently lined with a row of Poplar trees. These sit inside the existing 2.7m high brick wall which separates The Tanneries from White's Grounds Estate further to the east. These trees are not subject to a Tree Preservation Order.

Details of proposal

6. The application is submitted in outline form with all matters reserved (i.e., the details of access, appearance, landscaping, layout and scale have been reserved for later determination).
7. It seeks outline permission for the erection of a two-storey terrace comprising of 4no. live/work studios. The terrace is aligned to face westwards with its east facing rear elevation abutting the existing brick boundary wall between the site and White's Grounds Estate (a residential development).
8. The building would be approx. 33.5m long and 6.7m wide. It would have a maximum height of 7.54m to the top of its arched roof-lights and otherwise its rear parapet wall would be 5.73m high while its taller front parapet wall would be 6.43m high.
9. Although outline (all matters reserved) some indicative details of its external appearance (design) and its internal layout have been provided.

Planning history

10. 14/AP/3064
Outline Planning Permission: Construction of six residential dwellinghouses within a three-storey terrace.
REFUSED:

Reason for refusal:

1. The proposed development, by reason of the combination of the height, length and siting of the rear wall in such close proximity to the communal courtyard and west-facing habitable room windows of flats within the adjacent block at No.s 67-91 Whites Grounds Estate would create an overbearing sense of enclosure to these dwellings as well as resulting in an unacceptable loss of outlook, daylight and sunlight to them. The amenities of the occupiers of these adjacent dwellings would therefore suffer significant adverse impacts, contrary to the National Planning Policy Framework (2012), policy 7.6 (Architecture) of The London Plan (2011), saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document - Residential Design Standards (October, 2011).

12/EN/0572

Enforcement type: Unauthorised building works (UBW)

Built three apartments

Sign-off date 16/01/2013 Sign-off reason: Final closure - no breach of control (FCNB)

Planning history of adjoining sites

11. None relevant

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
 - a) Principle of the development
 - b) Impact on the amenity of neighbouring occupiers
 - c) Impact of adjoining and nearby uses on occupiers and users of proposed development

- d) Design issues
- e) Quality of residential accommodation provided
- f) Traffic issues

Planning policy

13. National Planning Policy Framework (Published 27 March 2012)
Section 7: Requiring good design.

The London Plan (2015)

- Policy 3.3 Increasing housing supply
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

- Policy 5.13 Sustainable drainage
- Policy 5.17 Waste capacity
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character

- Policy 7.6 Architecture
- Policy 7.14 Air quality
- Policy 7.15 Reducing and managing noise, etc
- Policy 8.3 Community infrastructure levy

Supplementary Planning Guidance

- Housing (2012)
- Sustainable Design and Construction (2006)
- Accessible London – Achieving an Inclusive Environment (2014)

Southwark Core Strategy (Adopted 6 April 2011)

- Strategic Policy 1 - Sustainable development
- Strategic Policy 2 - Sustainable transport
- Strategic Policy 5 - Providing new homes
- Strategic Policy 10 - Jobs and businesses
- Strategic Policy 12 - Design and conservation
- Strategic Policy 13 - High environmental standards

14. Southwark Unitary Development Plan (Adopted 28 July 2007) (Saved Policies)

The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.6 (Live/work units)
 Policy 3.2 (Protection of Amenity)
 Policy 3.4 (Energy efficiency)
 Policy 3.6 (Air Quality)
 Policy 3.7 (Waste reduction)
 Policy 3.9 (Water)
 Policy 3.11 (Efficient use of land)
 Policy 3.12 (Quality in Design)
 Policy 3.13 (Urban Design)
 Policy 4.2 (Quality of residential accommodation)
 Policy 5.2 (Transport impacts)
 Policy 5.3 (Walking and cycling)
 Policy 5.6 (Car parking)

Residential Design Standards SPD (2011)
 Sustainable Design and Construction SPD (2009)
 Bankside, Borough and London Bridge SPD (Draft, 2010)

Principle of development

15. The draft Bankside, Borough and London Bridge Supplementary Planning Document (2010) contains information from a Strategic Housing Land Availability Assessment that was undertaken by the Greater London Authority with the purpose of identifying sites having some potential to provide new housing as part of a process of assessing the future housing capacity of the borough. It reaffirms a long-standing policy position that the wider Tanneries site (including the application site) has some potential to provide new housing.
16. There are no other conflicting proposals in the current development plan for the borough so there is no objection to the principle of providing live/work units within the wider Tanneries site of which the application site forms a part.

Environmental impact assessment

17. The proposal lies outside the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and as such there is no requirement for an EIA.

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

18. Saved Policy 3.2 (Protection of Amenity) of the Southwark UDP (2007), Strategic Policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and policy 7.6 (Architecture) of the London Plan (2011) seek to ensure that new development does not adversely impact upon the standard of residential amenity for occupiers nearby.

At section 2.7, the Residential Design Standards SPD (2011) states that,

19. 'Residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties. Development should seek to minimise overshadowing or blocking of light to adjoining properties. A lack of daylight can have negative impacts on health as well as making the development gloomy and uninviting.

Maximising sunlight and daylight also helps to make a building energy efficient by reducing the need for electric light and meeting some of the heating requirements

through solar gain. The orientation of buildings can maximise passive solar gain to keep buildings warm in winter and cool in summer. See the Design and Access Statements Supplementary Planning Document and the Sustainable Design and Construction Supplementary Planning Document for further information.

Developments should meet site layout requirements set out in the Building Research Establishment (BRE) Site Layout for Daylight and Sunlight – A Guide to Good Practice (2011). In particular the following minimum tests need to be applied to avoid the unacceptable loss of daylight and/or sunlight resulting from a development, including new build, extensions and conversions.

Daylight and sunlight tests on the impact of the new development on neighbouring properties

Daylight tests

This test should be used where the proposed development faces the affected window of the neighbouring property

1. Draw a line at 25 degrees upwards from the centre of the affected window;
2. If the proposed development is higher than this 25 degree line, there may be an unacceptable loss of daylight to the affected window.'

20. In comparison to the previous three-storey scheme (application ref. 14/AP/3064) the current proposal is only two-storeys. The key issue in the previous application and so also in this current application is the height and proximity of the rear elevation (abutting the boundary) to the existing block of flats within White's Grounds Estate immediately to the east. With the loss of a storey the rear elevation of the current scheme would represent a reduction in height of between 4.57m and 5.47m. The submitted plans for the current proposal show cross-sections at two different points along the building and these demonstrate that this new lower two-storey building would substantially comply with the above test. As such, it is now accepted that any loss of daylight and sunlight to the nearest habitable ground-floor windows that would face the proposal's rear wall would be within reasonable tolerances and would not be significant in planning terms.
21. Similarly, and also with regard to the communal courtyard and west-facing habitable room windows of flats within the adjacent block at No.s 67-91 Whites Grounds Estate (particularly those at ground-floor level), it is considered that the development's 5.73m high rear wall would not result in any undue restriction of outlook and would not create an overbearing sense of enclosure on the boundary, particularly as its height would represent a relatively modest increase of only 2.13m over and above the existing 3.6m high brick boundary wall.
22. A query has been raised in one of the neighbor consultation responses received asking whether officers are satisfied that it would not be possible for existing residents with balconies on the upper floors of the adjacent block in Whites Grounds Estate to overlook the first-floor residential accommodation within the proposed live/work units.
23. Having had regard to the indicative perspective drawings of the scheme which show the roof articulated with a row of shell-shaped north-facing clerestory windows, it is considered that notwithstanding their size and proximity to the adjacent residential block at Whites Grounds Estates, their northward orientation would ensure that they would not result in a loss of privacy either to the neighbouring residents in White Grounds Estate or (in the reverse direction) to future occupiers of the proposed accommodation.

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

development

24. The area immediately surrounding the site comprises a mixture of offices and light industrial uses. These uses are not especially noisy and so adequate noise attenuation from external sources could be achieved through the imposition of an appropriate condition.

Design issues

25. Saved policies 3.12 and 3.13 seek to ensure that all new development is designed to a high standard.
26. There is no objection to the indicative design or architectural style of the proposal. This matter will be considered within a subsequent application or applications for the reserved matters of 'appearance' and 'landscaping' in any event.

Quality of residential accommodation

27. Section 7 of the National Planning Policy Framework (2012), policy 3.5 of the London Plan (2015), strategic policy 12 (Design and conservation) of the Southwark Core Strategy and saved policies 1.6 (Live/work units) and 4.2 (Quality of residential accommodation) all require new residential developments to not only be of a high quality aesthetically but also of a high quality architecturally (or functionally), providing good internal living conditions for their future occupiers.

28. Saved policy 1.6 (Live/work units) of the Southwark UDP (2007) states that,

'Live/work units will be permitted on sites where both employment and residential uses are acceptable. Live/work units will only be permitted if they meet the following criteria:

i. At least 40sqm of useable work space (B1 Use Class) must be separately defined within the unit. This must be capable of accommodating a range of business activities and a number of staff in isolation from the living space; and

ii. Taking into account the need to provide a useable workspace, the living space (C3 Use Class) should provide a satisfactory standard of residential accommodation (see Policy 4.2).

A condition will be attached to any planning permission to protect the employment and residential floorspace.'

29. The schedule of the proposed accommodation is set out in the table below. With the exception the ground-floor workshop for Unit 2 (38sqm) all the units are compliant with saved policy 1.6 in terms of their gross internal floorspace as well as the other aspects of the policy. They are also all compliant with saved policy 4.2 and the Residential Design Standards SPD in their size and indicative layout of the first-floor residential studio elements.

	Floorspace (sqm)	
	Ground floor (workshop)	First-floor studio (residential)
Unit 1	45.1	45.5
Unit 2	38	38.4
Unit 3	41.7	41.5
Unit 4	43	43

30. As such, the quality of accommodation that the proposed live/work units would offer is considered to be of an acceptable standard.
31. Notwithstanding this, it is suggested that the internal layout at first-floor level could be improved by moving the proposed WC/shower room from the rear to the niche in front of the stairwell with the two-fold benefit being, (1) the removal of a window on the boundary with Whites Ground Estate (thus ensuring a reduced perception of overlooking on the part of existing residents within the Whites Grounds Estate, notwithstanding any obscure-glass treatment and opening restrictions that might be imposed) and, (2) leaving a more usable/flexible square floorplan for the main studio room. Such matters could be explored through the assessment of a subsequent reserved matters application.

Traffic issues

32. There are no objections to the transport impacts of the development providing that adequate, secure and easily-accessible cycle storage is provided and that acceptable refuse/recycling storage facilities and collection arrangements are put in place.
33. More fundamentally, however, any reserved matters application seeking to resolve the matter of access would need to demonstrate the provision of a safe, segregated passage to the dwellings for pedestrians and cyclists given that throughout the yards of the larger Tanneries site large vehicles travel through regularly. A safe passage from the extent of the public highway to all the proposed units will therefore be required.

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

34. The scale, massing and indicative design / appearance of the proposed terrace will have an acceptable impact on the setting of Bermondsey Street Conservation Area further to the west and north-west.

Impact on trees

35. Although it is appreciated that the existing poplar trees along the inside of the east boundary of the site (i.e., they are within the application site) provide a degree of visual amenity (a point that has been raised in a neighbor consultation response), nonetheless officers do not consider the trees to be worthy of protection.
36. On the previous refused application, 14/AP/3064, the Council's Urban Forester advised that the developer should be encouraged to replace some of this lost greenery, through, for example, the provision of a living wall on the rear elevation. However, the current proposal is a storey lower than that previous scheme and hence the area of the rear wall is much reduced offering much less scope for a living wall. In any event, officers consider that this is not necessary to make the development acceptable and that by abutting the boundary as well as being east-facing a living wall here is unlikely to be properly maintained and hence is unlikely to thrive.

Planning obligations (S.106 undertaking or agreement)

37. None identified.

Sustainable development implications

38. None of any particular significance identified.

Other matters – CIL Liability

39. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
40. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm.
41. The 388sqm figure stated on the applicant's CIL form has been used to calculate a Mayoral CIL liability of £15,529. However, for the Southwark CIL, the live-work units' C3 & B1 split in the form is considered to be incorrect. 24sqm of C3 exclusive floor space on the ground level has been included to give a total of 218sqm of C3 floorspace (rather than the figure of 194sqm stated on the applicant's CIL form), this results in a Southwark CIL liability of £43,600. (The rate for B1 in Zone 2 of the Southwark CIL charging schedule is nil.)

Conclusion on planning issues

42. Subject to the imposition of necessary, relevant, precise and reasonable conditions and for all the reasons stated above, the development is considered to be acceptable in principle, having demonstrated compliance with relevant policies in the Development Plan for the Borough and the Government's National Planning Policy Framework (2012) and therefore it is recommended that outline planning permission should be GRANTED.

Community impact statement

43. The impacts of this application have been assessed as part of the application process with regard to local people in respect of the "protected characteristics", as set out in the Equality Act 2010, the Council's Community Impact Statement and Southwark Council's approach to equality: delivering a fairer future for all, being age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (a man or a woman), and sexual orientation.

In assessing this application, the Council has consulted those most likely to be affected as part of the application process and considered these protected characteristics when material to this proposal.

The impact on local people is set out above.

There are no issues relevant to particular communities/groups likely to be affected by the proposal, and,

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

Consultations

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

Consultation replies

45. Details of consultation responses received are set out in Appendix 2.
46. Summary of consultation responses:

Flat 74, Whites Grounds Estate:

Concerned at the likely level of noise and disruption during construction works and noisy building works going on outside of reasonable hours to the detriment of residents of Whites Grounds Estate.

Concerned for loss of light and privacy.

The representations of daylight/overshadowing are incorrect in showing the estate as already existing in a state of near-permanent darkness.

18 Winchester Walk:

Object to the loss of the Poplar trees

Leathermarket Joint Management Board:

Loss of light

Loss of visual amenity (as a result of the loss of the trees)

Concern about potential for overlooking / loss of privacy

Environment Agency:

No objections subject to conditions to deal with potential contaminated land, the prevention of piling or other forms of penetrative foundation design and the prevention of infiltration of surface water run-off.

Thames Water Ltd. - No objections

Southwark Transport Policy Team:

We would expect the development to be car free, and permit free. Cycle parking should be provided in line with the more onerous London Plan standards. Pedestrians and cyclists will need a separate or segregated access as the yard has large vehicles traveling through regularly. A safe passage from the extent of the highway to all residential units will be required. This is so that pedestrians and cyclists interaction with vehicles using the yard is kept to a minimum. Conveniently located bin stores should be shown.

Archaeological Officer: - No objection subject to pre-commencement conditions requiring the undertaking of an on-site archaeological evaluation, etc and the submission of detailed drawings showing the proposed foundation design.

Urban Forester:

(Comments provided on previous refused application ref. 14/AP/3064)

No objections. These Poplars are not protected and are not worthy of protection. However, the developer should be encouraged to replace some of this lost greenery, through, for example, the provision of a 'living wall' on the rear elevation.

Human rights implications

47. 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.
48. This application has the legitimate aim of seeking to provide additional residential 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/11-51 Application file: 15/AP/0988 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5461 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Ciaran Regan, Planning Officer	
Version	Final	
Dated	10 July 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	10 July 2015	

APPENDIX 1

Consultation undertaken**Site notice date:** 01/05/2015**Press notice date:** N/a**Case officer site visit date:** 30/04/2015**Neighbour consultation letters sent:** 05/05/2015**Internal services consulted:**

Transport Planning Team
 Archaeological Officer
 Urban Forester

Statutory and non-statutory organisations consulted:

Environment Agency
 Thames Water Ltd.

Neighbours and local groups consulted:

85 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 84 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 87 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
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 69 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 68 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 71 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 70 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 75 BERMONDSEY STREET LONDON SE1 3XF
 1 BLACK SWAN YARD LONDON SE1 3XW
 67 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 3 BLACK SWAN YARD LONDON SE1 3XW
 77 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 76 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
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 75 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 74 WHITES GROUNDS ESTATE WHITES GROUNDS LONDON SE1 3JU
 18 WINCHESTER WALK LONDON SE1 9AG

Re-consultation: N/a

APPENDIX 2

Consultation responses received

Internal services:

Transport Planning Team:

We would expect the development to be car free, and permit free. Cycle parking should be provided in line with the more onerous London Plan standards. Pedestrians and cyclists will need a separate or segregated access as the yard has large vehicles traveling through regularly. A safe passage from the extent of the highway to all residential units will be required. This is so that pedestrians and cyclists interaction with vehicles using the yard is kept to a minimum. Conveniently located bin stores should be shown.

Archaeological Officer: No objection subject to pre-commencement conditions requiring the undertaking of an on-site archaeological evaluation, etc and the submission of detailed drawings showing the proposed foundation design.

Urban Forester:

(Comments provided on previous refused application ref. 14/AP/3064)

No objections. These Poplars are not protected and are not worthy of protection. However, the developer should be encouraged to replace some of this lost greenery, through, for example, the provision of a 'living wall' on the rear elevation.

Statutory and non-statutory organisations:

Environment Agency:

No objections subject to conditions to deal with potential contaminated land, the prevention of piling or other forms of penetrative foundation design and the prevention of infiltration of surface water run-off.

Thames Water Ltd.:

Waste Comments - There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we

would not have any objection to the above planning application.

Water Comments - On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Neighbours and local groups

Flat 74, Whites Grounds Estate

Concerned at potential for noise and disruption during construction works and noisy building works going on outside of reasonable hours to the detriment of residents of Whites Grounds Estate. Also concerned about the effect of light loss, privacy and noise disturbance should the building be erected. The representations of daylight/overshadowing shown in Document No. 2015TAN-RED-Rev.A in my opinion seek to show the estate as already existing in a state of near-permanent darkness. This is not the case, with flats on the first and second floors enjoying many hours of tree-shaded sunlight in the afternoon and evening. Flats on the ground floor have always suffered a lack of light due to the excessively high boundary wall between The Tanneries Yard and the estate – a problem that has led to unwanted antisocial nighttime activities from others beyond the estate. I urge the council to scrutinise the light-loss ramifications further and not to take the document as fact. Considering probable future light loss and the likely subsequent noise pollution from the new buildings once completed, I stress that I oppose this application in the strongest terms.

18 Winchester Walk, SE1 9AG

I very strongly object to this application which brazenly intends to fell a fine row of healthy poplar trees 'to facilitate construction'. Just when the presence of trees is proven to be vital to the health and wellbeing of residents, the developer, as ever in search of an immediate buck, decides they are of no importance at all.

Leathermarket Joint Management Board

The removal of the trees will cause a substantial loss of amenity for the residents of the neighbouring block in Whites Grounds. The Tanneries site is currently substantially of an industrial nature - full of rusting containers and very unattractive. The trees provide a shield to the Whites Grounds residents that will be lost if the development goes ahead. The trees also provide important greenery for the Whites Grounds estate and surrounding area, in what is a highly-developed part of London. I would like to see a plan for replacement trees for those proposed for removal.

Some concern that it may be possible to look into the proposed first-floor accommodation via the north-facing skylights from the upper balconies of the Whites Grounds block.

The wall against which the properties are being built is not in great condition and has had a number of patch repairs over the years. There has also been a continuing dispute about the condition of a sewer which lies immediately under the proposed site of the houses. There is ongoing uncertainty about responsibility for the wall.

I would like to see an analysis of the effect of this development on the state of the wall and sewer and would wish to see a plan to mitigate any problems cause by the construction and development of this area.

I appreciate the applicant's attempts to demonstrate that the overshadowing impact would be acceptable. However I note that a line of trees is not as impermeable to light as a brick wall, which does not seem to have been acknowledged in this analysis.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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 Russell Gray SHIVA LTD	Reg. Number	15/AP/0988
Application Type	Outline Planning Permission	Case Number	TP/11-51
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a two-storey terrace comprising of 4no. live/work studios.

At: SATI, THE TANNERY, BERMONDSEY STREET, LONDON SE1 3XN

In accordance with application received on 19/03/2015 8:01:42 AM
and revisions/amendments received on 01/06/2015

and Applicant's Drawing Nos. Drawings Pack Document No. 2015TAN-RED-Rev.B

Subject to the following twenty-one conditions:

Time limit for implementing this permission and the approved plans

- 1 An application for the approval of access, appearance, landscaping, layout, and scale, which were reserved matters in this approval, shall be submitted to, and approved in writing by, the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be begun either before the end of five years from the date of this permission or before the end of two years from the date of the approval of the last of the reserved matters, whichever is the later, and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: Outline Application Drawings Pack Document No. 2015TAN-RED-Rev.B

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Prior to the commencement of any development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority:
 - 1) a Preliminary Risk Assessment (PRA) which has identified:
 - (i) all previous uses;
 - (ii) potential contaminants associated with those uses;
 - (iii) a conceptual model of the site indicating sources, pathways and receptors;
 - (iv) potentially unacceptable risks arising from contamination at the site;
 - 2) a site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;
 - 3) the results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they

are to be undertaken;

4) a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall only be implemented as approved.

Reason:

For the protection of controlled waters as the site is located over a secondary aquifer and may be affected by historic contamination and therefore to ensure that risks from land contamination to 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 Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

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

Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 5 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 6 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure 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 the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2011), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

- 7 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic

Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 8 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

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 Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 9 No unit shall be occupied until the 1100L Euro-bins (2 x Refuse and 1 x Dry Recyclables) shown on the approved plans, Document No. 2015TAN-RED-Rev.B, have been provided.

Reason:

To ensure 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 the National Planning Policy Framework (2012), policy 5.17 (Waste capacity) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) and 3.7 (Waste reduction) of the Southwark Unitary Development Plan (2007).

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 10 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no construction or excavation of a basement and no other form of extension, enlargement or other alteration to the development hereby permitted shall be carried out without the prior permission in writing of the local planning authority.

Reason:

To safeguard the character and the amenities of the premises and adjoining properties and to ensure that the archaeological potential of the site is dealt with appropriately, in accordance with sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2015), strategic policies 13 (High environmental standards) and 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) and 3.19 (Archaeology) of the Southwark Unitary Development Plan (2007).

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason:

For the protection of controlled waters as the site is located over a secondary aquifer and may be affected by historic contamination and therefore to ensure that risks from land contamination to 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 Unitary

Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 12 No piling or any other foundation designs using penetrative methods shall be employed in the construction of the development hereby approved other than with the prior written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated through the submission and approval of appropriate details that there will be no resultant unacceptable risk to groundwater. The development shall only be carried out in accordance with the approved details.

Reason:

As piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters and therefore 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 Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 13 No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated through the prior submission and approval of appropriate details that there will be no resultant unacceptable risk to controlled waters. The development shall only be carried out in accordance with the approved details.

Reason:

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater and therefore 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 Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 14 The first-floor residential parts of the live/work units hereby approved and shown on the approved drawings: Doc.No.2015TAN-RED-Rev.B shall only be used for residential (Class C3 of the Town and Country Planning (Use Classes) Order 1987) purposes in association with the work part of the live/work units and shall not be used for any other purpose.

Reason:

In order to ensure that the live/work unit operates effectively and to protect the employment element on this site in accordance with the National Planning Policy Framework (2012), policies 4.1 (Developing London's economy) and 4.2 (Offices) of the London Plan (2015), strategic policy 10 (Jobs and Businesses) of the Southwark Core Strategy (2011) and saved policy 1.6 (Live/work units) of the Southwark Unitary Development Plan (2007).

- 15 The ground-floor work part of the live/work units hereby approved and shown on the approved drawings: Doc.No.2015TAN-RED-Rev.B shall only be used for purposes falling within Class B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 in association with the residential parts of the units as shown on the submitted plans hereby approved and shall not be used for any other purpose.

Reason:

In order to ensure that the live/work unit operates effectively and to protect the employment element on this site in accordance with the National Planning Policy Framework (2012), policies 4.1 (Developing London's economy) and 4.2 (Offices) of the London Plan (2015), strategic policy 10 (Jobs and Businesses) of the Southwark Core Strategy (2011) and saved policy 1.6 (Live/work units) of the Southwark Unitary Development Plan (2007).

- 16 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 17 No meter boxes, flues, vents or pipes (other than rainwater pipes) or other appurtenances not shown on the approved drawings shall be fixed or installed on the front (west) elevation of the building, without the prior written consent of the Local Planning Authority.

Reason:

In order to ensure that approved design is not later compromised by the proliferation of such appurtenances and thus to ensure that the design and detailing of the building will remain of a high quality in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2011), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

- 18 The first-floor residential parts of the live/work units hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T * and 45dB LAFmax

Living rooms - 30dB LAeq, T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the National Planning Policy Framework (2012), policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Unitary Development Plan (2007).

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or other openings, other than those shown on the approved plans, shall be installed in the east-facing rear elevation of the development hereby permitted, without the prior permission in writing of the local planning authority.

Reason:

To safeguard the amenity of existing residents in accordance with policy 7.6 (Architecture) of The London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011), saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document: Residential Design Standards (2011).

- 20 The first-floor windows in the east-facing rear elevation of the development hereby permitted shall be glazed with purpose-made obscure glass and shall be fixed shut up to a height of 1.8m above the internal finished floor level of the rooms they serve and shall be retained as such in perpetuity, as shall any future replacements or repairs.

Reason:

To safeguard the amenity of existing residents in accordance with policy 7.6 (Architecture) of The London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011), saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document: Residential Design Standards (2011).

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 21 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.

Informatives

1 Information for the applicant from Thames Water Ltd.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

With regard to surface water drainage Thames Water would advise that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 2 Notwithstanding the indicative first-floor layout shown within the approved plans pack, it is suggested that the internal layout at first-floor level could be improved by moving the proposed WC/shower room from the rear to the niche in front of the stairwell. The two-fold benefit of this would be, (1) the removal of four windows on the boundary with Whites Ground Estate (thus reducing the perception of being overlooking on the part of existing residents of Whites Grounds Estate [notwithstanding that these windows are conditioned to be obscure-glazed and to have restricted opening], and (2) creating a more usable/flexible square floorplan for the main studio room. Such revised details could be proposed within a subsequent reserved matters application.

PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2015-16

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