

Planning Sub-Committee A

Wednesday 12 June 2019

6.30 pm

Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor Kath Whittam (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Peter Babudu
Councillor Sunil Chopra
Councillor David Noakes
Councillor Martin Seaton
Councillor Leanne Werner

Reserves

Councillor Anood Al-Samerai
Councillor Renata Hamvas
Councillor Barrie Hargrove
Councillor Richard Leeming
Councillor Victoria Olisa

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

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

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: 4 June 2019



Planning Sub-Committee A

Wednesday 12 June 2019
6.30 pm

Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

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3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-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 - 3
	To approve as a correct record the minutes of the meeting held on 29 April 2019.	
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Date: 4 June 2019

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

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 committee.
3. The role of members of the planning 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 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 committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning 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 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.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

Contacts: General Enquiries
Planning Section, Place and Wellbeing Department
Tel: 020 7525 5403

Planning Sub-Committee Clerk, Constitutional Team
Finance and Governance Department
Tel: 020 7525 7420



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Monday 29 April 2019 at 6.30 pm
at Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Richard Leeming
Councillor David Noakes
Councillor Sandra Rhule
Councillor Martin Seaton
Councillor Michael Situ

OFFICER SUPPORT: Dipesh Patel (Development Management)
Sadia Hussain (Legal Officer)
Glenn Ruane (Development Management)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Councillor Richard Leeming, non-pecuniary, as this application was in his ward. While he was aware of the football club, he had not expressed any opinion on this application and had been unaware of it until he had received the meeting papers.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair asked the clerk to give notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 – development management items
- Members' pack.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 30 January 2019 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

RESOLVED:

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.

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 this 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 LONDON BOROUGH OF SOUTHWARK SPORTS CLUB, DULWICH COMMON, LONDON SE21 7EU

Planning application reference: 18/AP/1204

Report: see pages 10 to 23 of the agenda pack and pages 1 to 2 of the addendum report.

PROPOSAL

Installation of a floodlighting system for the pitch area to include 6 x 15 metre galvanised steel columns (with relevant concrete block foundations), each column to be mounted with

two floodlights, installation of an electrical junction box fabricated from galvanised steel with and associated underground cabling ducts. Hours of operation to be 12:00-22:00 Monday to Friday, 11:00-22:00 Saturday to Sunday and Bank Holidays.

The sub-committee heard the officer's introduction to the report and addendum report. Councillors asked questions of the officer.

A representative of the objectors addressed the meeting and answered questions from the sub-committee.

The applicant's representative addressed the sub-committee and answered questions posed by the sub-committee.

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

The sub-committee put further questions to officers and discussed the application.

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

RESOLVED:

That planning application 18/AP/1204 be granted with conditions as set out in report and addendum report.

Meeting ended at 7.45 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 12 June 2019	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 of Southwark Council's constitution 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 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 Law and Democracy

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 committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
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, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
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. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan 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	Beverley Olamijulo 020 7525 7234
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services		
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development		
Version	Final		
Dated	3 June 2019		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments Included
Director of Law and Democracy		Yes	Yes
Director of Planning		No	No
Cabinet Member		No	No
Date final report sent to Constitutional Team			3 June 2019

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Wednesday 12 June 2019

Appl. Type Full Planning Application
Site 2-4 MELIOR PLACE, LONDON SE1 3SZ

Reg. No. 18-AP-3229
TP No. TP/65-1
Ward London Bridge and West Bermondsey
Officer Sonia Watson

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 7.1

Proposal

Redevelopment of the site involving the construction of a 6-storey plus basement building, comprising a retail art gallery (Class A1) on the ground floor and 3 x 2 bed, 2 x 3 bed and 2 x 4 bed residential units on the upper floors

Appl. Type Full Planning Application
Site THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JE

Reg. No. 19-AP-0683
TP No. TP/240-30
Ward North Bermondsey
Officer Martin McKay

Recommendation GRANT PERMISSION

Item 7.2

Proposal

Construction of single-storey extension at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities

Appl. Type Listed Building Consent
Site THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JU

Reg. No. 19-AP-0698
TP No. TP/240-30
Ward North Bermondsey
Officer Martin McKay

Recommendation GRANT PERMISSION

Item 7.3

Proposal

Construction of single-storey extension at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities

Appl. Type Approval of Details - Article 30 DMPO
Site 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR

Reg. No. 19-AP-0277
TP No. TP/1140-151
Ward Chaucer
Officer Martin McKay

Recommendation GRANT PERMISSION

Item 7.4

Proposal

Details of Condition 4 - Section Detail Drawings for planning permission 15/AP/4980. (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level)

Appl. Type Approval of Details - Article 30 DMPO
Site 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR

Reg. No. 18-AP-4155
TP No. TP/1140-151
Ward Chaucer
Officer Martin McKay

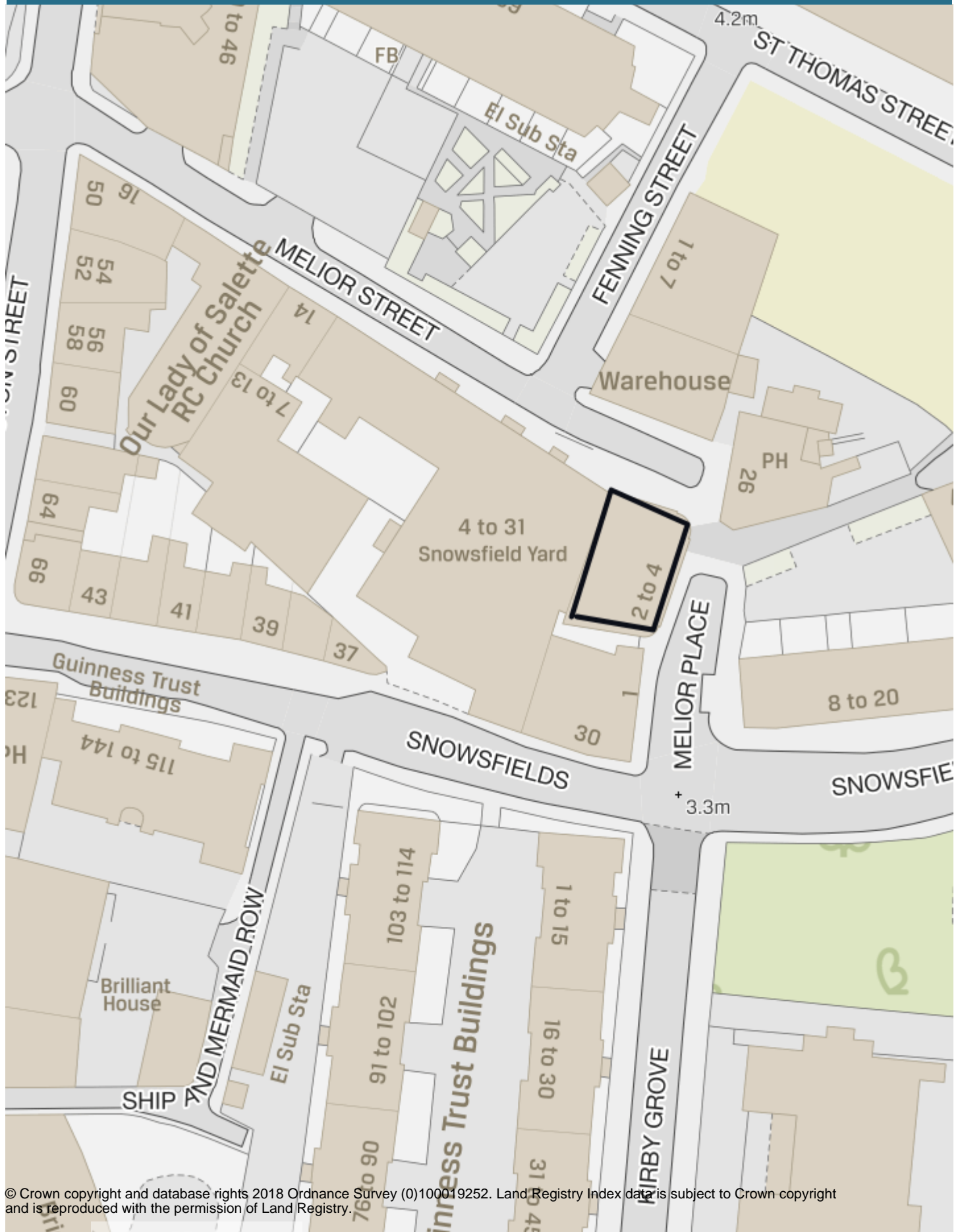
Recommendation GRANT PERMISSION

Item 7.5

Proposal

Details of Condition 11 Samples of External Facing Materials for planning permission 18/AP/4155 (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.)

ITEM 7.1 2-4 MELIOR PLACE, LONDON SE1 3SZ



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31-May-2019

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

RECOMMENDATIONS

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

Background Information

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

Site location and description

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

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

areas:

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

Details of proposal

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

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

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

Amendments / Additional information

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

Planning history

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

Relevant planning history of adjoining sites

30 Snowfields

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

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

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

Summary of main issues

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

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

Planning policy

National Planning Policy Framework (2019)

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

The London Plan 2016

- 20. Policy 2.10 - Central Activities Zone - strategic priorities
- Policy 2.11 - Central Activities Zone - strategic functions
- Policy 2.12 - Central Activities Zone - predominantly local activities
- Policy 2.13 - Opportunity Areas and Intensification Areas
- Policy 3.3 - Increasing housing supply
- Policy 3.4 - Optimising housing potential
- Policy 3.5 - Quality and design of housing developments
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.10 - Definition of affordable housing
- Policy 3.11 - Affordable housing targets
- Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 4.6 - Support for and enhancement of arts, culture, sport and entertainment
- Policy 4.7 - Retail and town centre development
- Policy 5.2 - Minimising carbon dioxide emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.7 - Renewable energy
- Policy 5.10 - Urban greening
- Policy 5.11 - Green roofs and development site environs
- Policy 5.12 - Flood risk management
- Policy 5.13 - Sustainable drainage
- Policy 5.15 - Water use and supplies
- Policy 5.16 - Waste net self-sufficiency
- Policy 6.9 - Cycling
- Policy 6.10 - Walking
- Policy 6.13 - Parking
- Policy 7.2 - An inclusive environment
- Policy 7.3 - Designing out crime
- Policy 7.4 - Local character
- Policy 7.6 - Architecture
- Policy 7.8 - Heritage assets and archaeology
- Policy 7.14 - Improving air quality
- Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Core Strategy 2011

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

Southwark Plan 2007 (July) - saved policies

22. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
23. Policy 1.7 - Development within town and local centres
Policy 1.11 - Arts, culture and tourism uses
Policy 3.1 - Environmental effects
Policy 3.2 - Protection of amenity
Policy 3.6 - Air quality
Policy 3.7 - Waste reduction
Policy 3.8 - Waste management
Policy 3.11 - Efficient use of land
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.14 - Designing out crime
Policy 3.15 - Conservation of the historic environment
Policy 3.16 - Conservation areas
Policy 3.19 - Archaeology
Policy 3.28 - Biodiversity
Policy 4.2 - Quality of residential accommodation
Policy 4.3 - Mix of dwellings
Policy 4.4 - Affordable housing
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling

Supplementary Planning Guidance Documents

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

Emerging planning policy

Draft new London Plan

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

New Southwark Plan

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

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

Summary of consultation responses

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

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

Acceptability of the proposal in land use terms

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

Impact on amenity of adjoining occupiers

Snowsfield Yard (6-14 Melior Street)

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

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

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

Arthur's Mission (30 Snowsfields)

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

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

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

8-20 Snowsfields

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

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

Horseshoe Inn

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

Impact on the amenity space at Snowfields Yards

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

Impact upon public amenity space

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

Quality of residential accommodation

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

Design issues and impact on the Bermondsey Street Conservation Area

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

considered to be acceptable.

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

Transport issues

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

Planning obligations and Community Infrastructure Levy (CIL)

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

69. An archaeology contribution of £3,389.00 is required as the site is located within an archaeological protection zone.
70. Lastly, the developer would be required to enter S278 agreement with the Highways Authority.
71. In the event that a satisfactory legal agreement has not been entered in by 30 August 2019 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

“In the absence of a signed S106 legal agreement there is no mechanism in place to secure adequate provision of affordable housing and mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Saved Policy 2.5 Planning Obligations of the Southwark Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011) Policy 8.2 Planning Obligations of the London Plan (2016) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).”

Other matters

Archaeology

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

Flood Risk

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

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

Energy

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

Refuse

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

BREEAM

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

Conclusion on planning issues

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

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

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

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
84. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
85. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
86. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

87. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
88. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/65-1 Application file: 18/AP/3229 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Sonia Watson, Team Leader		
Version	Final		
Dated	30 May 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		31 May 2019	

APPENDIX 1**Consultation undertaken****Site notice date:** 26/10/2018**Press notice date:** 18/10/2018**Case officer site visit date:** 14/11/2018**Neighbour consultation letters sent:** 15/10/2018**Internal services consulted:**

Ecology Officer

Economic Development Team

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

Flood and Drainage Team

HIGHWAY LICENSING

Highway Development Management

Housing Regeneration Initiatives

Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy

Environment Agency

Greater London Authority

Historic England

London Fire & Emergency Planning Authority

London Underground Limited

Metropolitan Police Service (Designing out Crime)

Natural England - London Region & South East Region

Network Rail (Planning)

Thames Water - Development Planning

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

Neighbour and local groups consulted:

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

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

32 Barnes Court Lofting Road N1 1JD

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

Email EMAIL
 36 Snowfield Yard Flat 31 SE1 3SU

Re-consultation: 15/02/2019

APPENDIX 2

Consultation responses received

Internal services

Economic Development Team
Flood and Drainage Team

Statutory and non-statutory organisations

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

Neighbours and local groups

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

DAYLIGHT RESULTS FOR 36 SNOWFIELDS – MIRROR IMAGE & EXISTING BASELINE

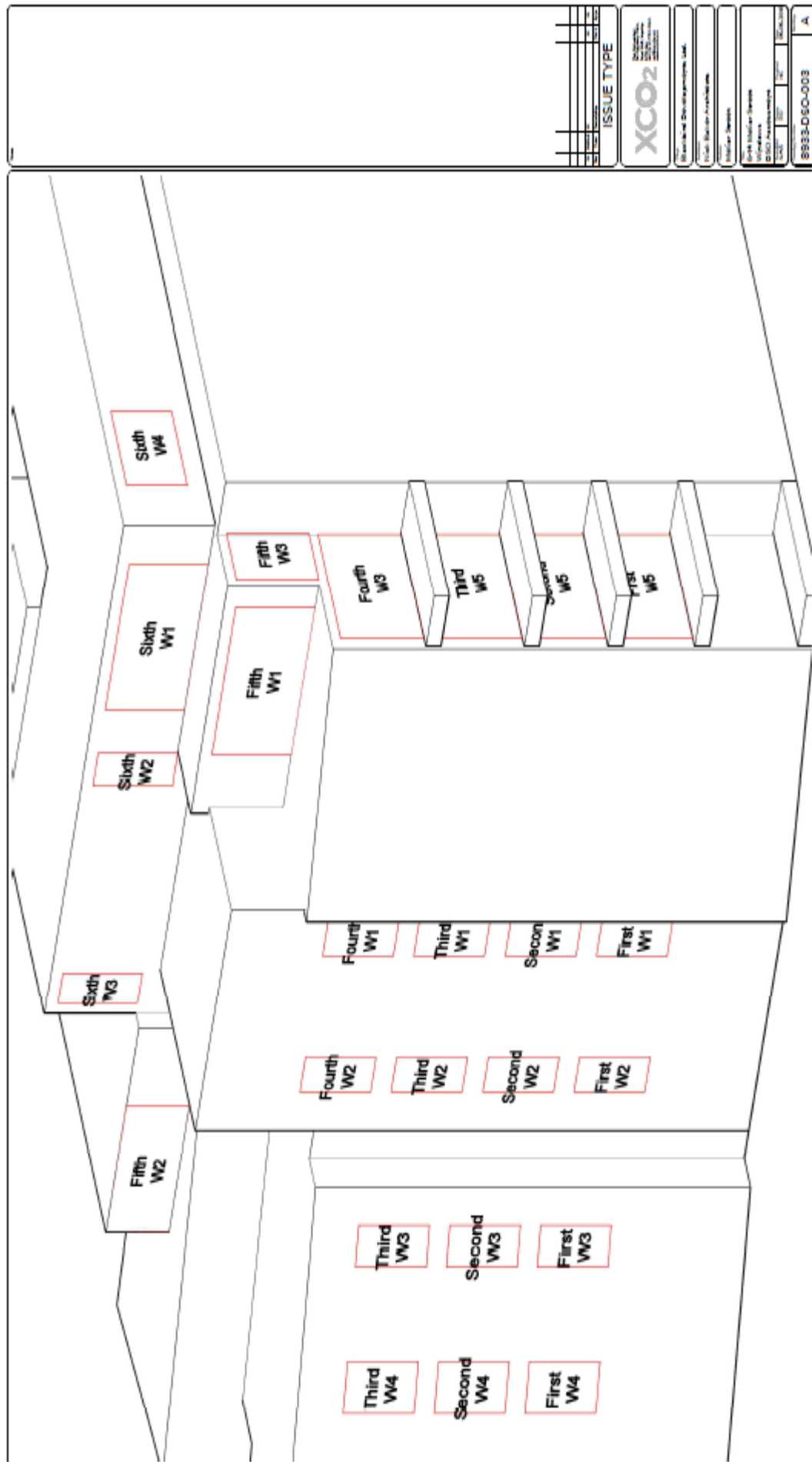
This is a presentation of the results submitted with the report for planning, with the change that absolute values are presented in detail for windows with proposed VSCs>27%; baseline VSC values are also presented for all windows. The Table has been updated to include the 'existing baseline' results for those windows for which the mirror image test was applied (12 out of 25; denoted with 'MR' for mirror-image results and 'EX' for existing baseline results).

'Existing' NSL results can be provided upon request.

Floor	Baseline	Window no.	25/45 degree plane test Pass?	VSC test			NSL Test		
				Proposed VSC >27%?	Existing VSC (%)	Relative VSC >0.8?	Proposed NSL (%)	Baseline NSL (%)	Relative NSL >0.8?
First	MR	W1	N	4.6%	2.7%	1.72	-	-	-
	EX				6.3%	0.73		-	-
First	MR	W2	N	7.9%	7.7%	1.03	-	-	-
	EX				12.4%	0.64		-	-
First	EX	W3	N	11.8%	21.6%	0.55	85.0%	89.0%	0.96
First	EX	W4	N	8.1%	9.3%	0.87	-	-	-
First	EX	W5	Pass	-					
Second	MR	W1	N	7.5%	3.6%	2.1	-	-	-
	EX				26.7%	0.28		-	-

Second	MR	W2	N	14.3%	12.0%	1.2	-	-	-
	EX				30.4%	0.47		-	-
Second	EX	W3	N	22.9%	34.5%	0.66	98.0%	99.0%	0.99
Floor	Baseline	Window no.	25/45 degree plane test Pass?	VSC test			NSL Test		
				Proposed VSC >27%?	Existing VSC (%)	Relative VSC >0.8?	Proposed NSL (%)	Baseline NSL (%)	Relative NSL >0.8?
Second	EX	W4	N	25.4%	30.9%	0.82	-	-	-
Second	EX	W5	Pas s						
Third	MR	W1	N	11.6%	4	2.67	-	-	-
	EX				37	0.30		-	-
Third	MR	W2	N	22.8%	15.5%	1.48	-	-	-
	EX				38.0%	0.60		-	-
Third	EX	W3	N	30.8%	39	0.78	-	-	-
Third	EX	W4	N	34.6%	39	0.87	-	-	-
Third	EX	W5	Pas s						
Fourth	MR	W1	N	15.9%	6.5%	2.46	-	-	-
	EX				38.3%	0.41		-	-

Fourth	MR	W2	N	29.5%	20.0%	1.47	-	-	-
	EX				39	0.74		-	-
Fourth	EX	W3	Pass	33.3%	35.7%	0.93			
Fifth	MR	W1	N	22.9%	29.2%	0.78	100%	100%	1.00
	EX				38.6%	0.59		-	-
Fifth	EX	W2	Pass	38.6%	39.4%	0.98	-	-	-
Floor	Baselin	Window no.	25/45 degree plane test Pass?	VSC test			NSL Test		
				Proposed VSC >27%?	Existing VSC (%)	Relative VSC >0.8?	Proposed NSL (%)	Baseline NSL (%)	Relative NSL >0.8?
Fifth	EX	W3	Pass				-		
Sixth	MR/EX	W1	Pass				-		
Sixth	MR/EX	W2	Pass				-		
Sixth	MR/EX	W3	Pass				-		
Sixth	EX	W4	Pass				-		



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 Moritz Melior Street GmbH & CoGK.	Reg. Number	18/AP/3229
Application Type	Full Planning Application	Case Number	TP/65-1
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

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

Redevelopment of the site involving the construction of a 6-storey plus basement building, comprising a retail art gallery (Class A1) on the ground floor and 3 x 2 bed, 2 x 3 bed and 2 x 4 bed residential units on the upper floors

At: 2-4 MELIOR PLACE, LONDON SE1 3SZ

In accordance with application received on 04/10/2018 16:01:30

and Applicant's Drawing Nos. P-001, P-002, P-003, P-004, P-008, P-009

P-010 Rev 01, P-011, P-012 Rev 01, P-013 Rev 01, P-014, P-015, P-016, P-017, P-019, P-020 Rev 01, P-021 Rev 02, P-022, P-023 Rev 03, P-024 Rev 02

8.933 Rev 03 (Air quality assessment), Covering letter, 8.933 (Internal daylight assessment), 8.933 Rev 04 (Daylight, sunlight and overshadowing assessment) and further response dated 17/01/2019, Design and access statement and addendum dated April 2019, Geotechnical monitoring report (Issue 2), Ventilation and extract statement, Servicing and refuse management plan, Historic environment assessment (Issue 4), 8.933 Rev 05 (Preliminary ecology appraisal), BREEAM Pre-assessment, RML 6595 (Borehole investigation report), Structural detail plans, Basement impact assessment, P-018 (Area schedule), Energy statement, 8_933 Rev 02 (Flood risk assessment and SuDS strategy), Heritage and visual impact assessment, 8.933 Rev 04 (Environmental and noise impact assessment), P-007 (Photographs of neighbouring buildings), P-006 (Key views of the site), P-005 (Photographs of the existing site), P-026 (Proposed heritage view 1), P-027 (Proposed heritage view 2), P-028 (Proposed heritage view 3), Planning statement, JRSODE21-001 (Transport statement), ASH/PEW/AIA/0803:18 (Arboricultural and planning impact assessment report)

Subject to the following ten 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: P-010 Rev 01, P-011, P-012 Rev 01, P-013 Rev 01, P-014, P-015, P-016, P-017, P-019, P-020 Rev 01, P-021 Rev 02, P-022, P-023 Rev 03, P-024 Rev 02

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 Before any work hereby authorised begins, including demolition, the applicant shall

a) secure the implementation of a programme of archaeological watching brief works, in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority. A suitably qualified archaeologist is to be present during the undertaking of any ground disturbing works within the development area, to observe, excavate and record any archaeological finds and deposits.

b) submit a copy of the watching brief report to the Local Planning Authority, for approval in writing, within six months of the fieldwork being completed on site.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource, in accordance with the National Planning Policy Framework (2019), policy 7.8 (Heritage assets and archaeology) of the London Plan (2016), policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policy 3.19 (Archaeology) of the Southwark Unitary Development Plan (2007).

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 The commercial element of the building shall be designed and built to achieve a BREEAM rating of very good.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2019, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

- 5 Before any above grade work hereby authorised begins, details of the green wall on the south elevation shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The wall shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The green wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the Walls and Southwark Council agreeing in writing the submitted plans.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2016, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

- 6 Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be presented on site 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 2019, 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.

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.

- 7 The first floor outdoor space to the south elevation shall not be used, other than for maintenance or repair purposes or means of escape.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise 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 2019.

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

Bedrooms - 35dB LAeq T**, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T **

Dining room - 40 dB 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2019.

- 9 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing P-011 P-010 Rev 01 and 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 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 10 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing P-011 shall be provided and made available for use by the occupiers of the building and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

Statement of positive and proactive action in dealing with the application

Informative

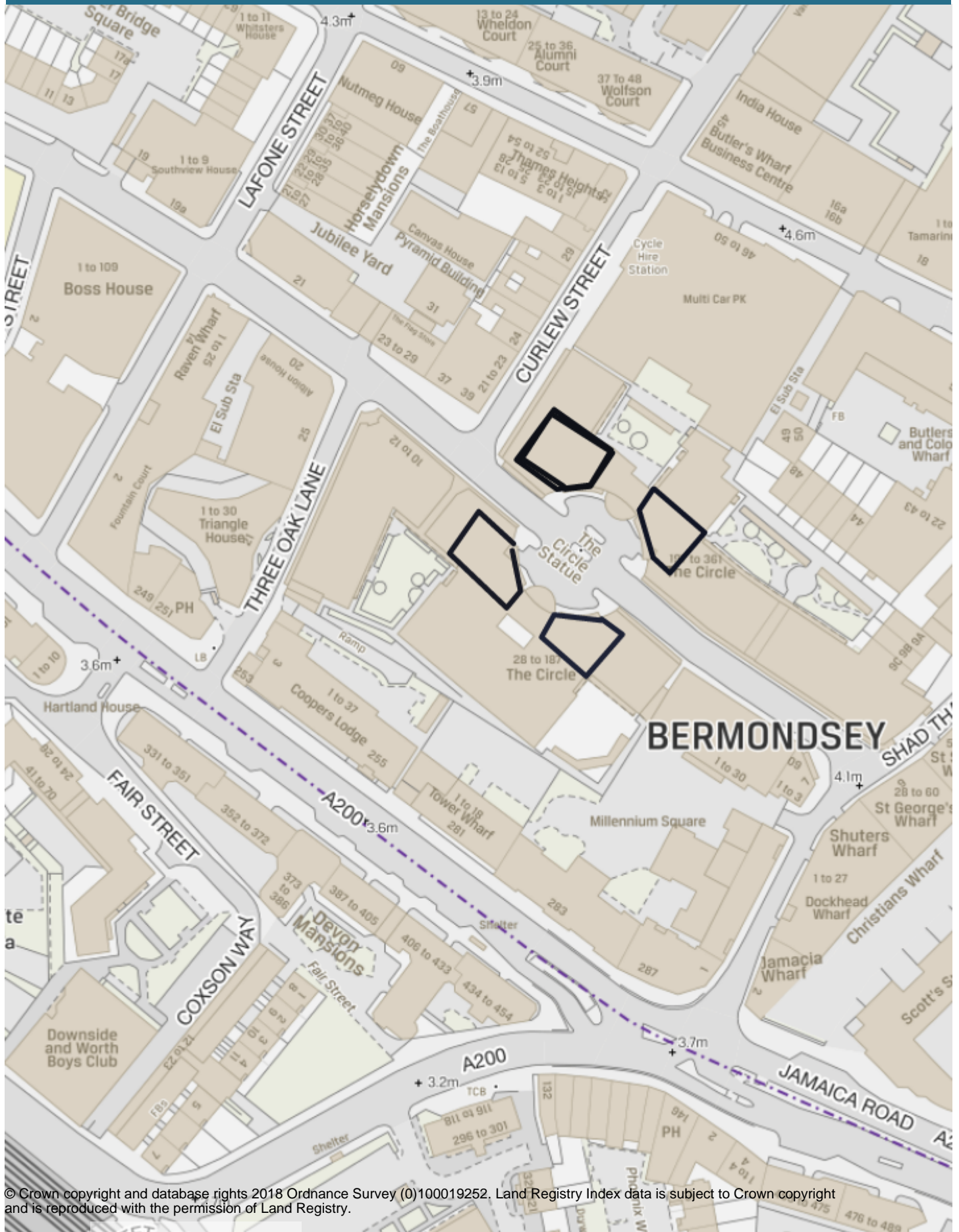
As the site is at residual risk from, and within a breach zone of the River Thames, a stand alone Flood Warning and Emergency Evacuation Plan should be submitted to Southwark's Emergency Planning department for their approval prior to occupation of the site. The plan should state how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services, and of the plan itself. The plan should provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood. The report should be proportionate and risk based in terms of sources of flooding.

Reason: To ensure that occupants have the opportunity to plan a response to flood events which can save them valuable time should an event occur.

Agenda Item 7.2



ITEM 7.2 THE CIRCLE, QUEEN ELIZABETH STREET, LONDON, SE1 2JE



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50 m

Scale = 1250

31-May-2019

Item No. 7.2	Classification: Open	Date: 12 June 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 19/AP/0683 for: Full Planning Application Address: THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JE Proposal: Construction of single-storey extension at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities		
Ward(s) or groups affected:	North Bermondsey		
From:	Director of Planning		
Application Start Date 04/03/2019		Application Expiry Date 29/04/2019	
Earliest Decision Date 18/04/2019			

RECOMMENDATION

1. That planning permission be granted, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The site is a 1980s complex of four apartment buildings between four and seven storeys high with a total of 299 flats along Elizabeth Street and commercial units on the ground floor. The focal point of the buildings is where the four buildings come together to define a spectacular circular space with a statue of a dray horse at its centre. The complex is one of the best known works by celebrated architects CZWG and is regarded as a leading example of post modernism.
3. The complex as whole is known as 'the Circle'. To distinguish this from the circular space at its centre, the circular space is referred to in this report as the 'Circus'.
4. The most striking aspect of the complex is the use of cobalt blue glazed bricks to face the seven-storey curved circus facade of each of the four apartment buildings. Each facade is shaped at high level to form prominent blue 'wings' or 'collars'. Elsewhere London stock bricks are used in a more straightforward way to match adjacent warehouse buildings. The wavy parapet above the fourth floor apartments facing Elizabeth Street alludes to waves on the nearby Thames.
5. The site is within Tower Bridge Conservation Area and is bound by large brick-built Victorian warehouses, now converted to apartment blocks, and by modern apartment blocks.
6. The complex was listed at Grade II in February 2018.



Details of proposal

7. The proposal is for a total of four single-storey roof-top apartments (three two-bed, four-person, one three-bed, six-person) - one each for each of the four buildings that face the circus.
8. The proposal is similar to a scheme which was first granted permission in 2003. A certificate of lawfulness (10/AP/2723) was granted in January 2011 confirming that planning permission 03/AP/0959 had been lawfully implemented within the five year time period.
9. The latest version of this scheme (15AP0060), a non-material amendment, was given planning approval in 2015, prior to the buildings being listed. This is referred to throughout this report as 'the approved scheme'.
10. Despite the certificate of lawfulness, progress has been slow, with only the steel work to support the new walls of the extensions above being installed until last year when the wooden structure of the external walls facing the circus was erected. Nevertheless the certificate of lawfulness means that in planning terms the scheme has to be considered as if the 2015 approved scheme extensions exist in their entirety.
11. This scheme will have an almost identical rooftop footprint as the approved scheme and is to be set back from the parapets of the main buildings by the same amount. As submitted it would have been between 0.725 and 0.875 m higher than the approved scheme (this figure varies according to which parts of the building are measured). However, it has been revised so that the parapets of the proposed extension (the most prominent part of the proposals) are only 220mm above those of the approved scheme. (see table below).

	Levels in approved scheme 15/AP/0060	Present application 19/AP/068 3 (revised)	Difference (m)	Comments
Height of top of existing blue parapet above AOD (above ordnance datum)	28.540 (existing)	No change	No change	Note: The parapet is with the exception of lift overruns, the top of the existing building.

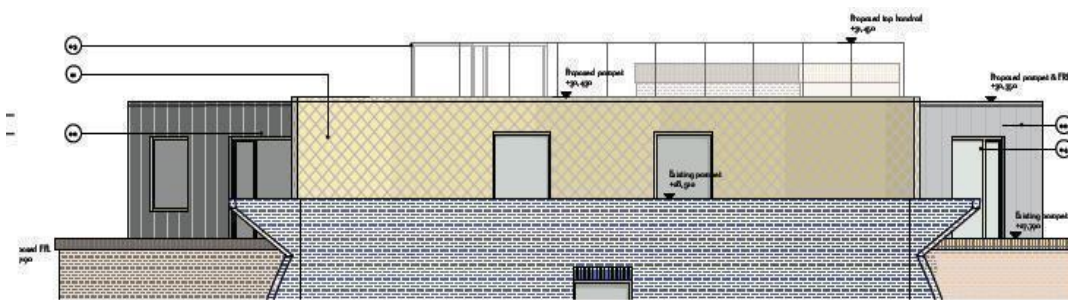
Height of front parapet of extension	30.210	30.430	+0.220	The most prominent part of the scheme. In views from within the Circle this will form the visible skyline.
Height of front parapet of extensions above existing blue parapet i.e height above existing facade	1.670	1.890	+0.220	Facades of approved scheme and present proposal are set back from existing blue facade by the same amount.
Height of side and rear parapets of extensions	30.210	30.350	+0.240	Rises above existing brick side facades

	Levels in approved scheme 15/AP/0060	Present application 19/AP/068 3 (revised)	Difference (m)	Comments
Height of top of existing blue parapet above AOD (above ordnance datum)	28.540 (existing)	No change	No change	Note: The parapet is with the exception of lift overruns, the top of the existing building.
Height of front parapet of extension	30.210	30.430	+0.220	The most prominent part of the scheme. In views from within the Circle this will form the visible skyline.
Height of front parapet of extensions above existing blue parapet i.e height above existing facade	1.670	1.890	+0.220	Facades of approved scheme and present proposal are set back from existing blue facade by the same amount.
Height of side and rear parapets of extensions	30.210	30.350	+0.240	Rises above existing brick side facades
Highest part of the building: (Rooflight- 15AP0660) (Balcony hand rail- present scheme)	30.750	31.450	+0.300	Not visible from surrounding streets.
Height of lift shaft	30.330	31.085	+0.755	Increase in lift shaft height granted by 18AP2755.
Height of FFL	27.157	27.190	+0.033	

12. The photographs below show the timber walls of the partially constructed extensions as approved in 2015. As indicated in the table above, the edge as seen against the sky would be marginally taller than the approved scheme but will otherwise form the same profile. The photographs therefore give a good indication of the visibility of the scheme now under consideration.



13. Outdoor amenity space will be provided on the roof of each extension. The balustrade enclosure to each amenity area will be well set back from the street edges of the scheme.
14. The extensions will in the main be clad with zinc. This will have a neutral grey colour. The proposed curved facades above the existing blue glazed brick of the circus will be clad in gold coloured shingles.



1. Gold coloured zinc shingles to match existing window frames



2. Vertical standing seam zinc cladding - adhering to the language of a mansard roof



3. Recessed glazed balustrade, not visible from street level of surrounding 5th & 6th floor balconies

15. A parallel listed building application accompanies the present proposal.

Planning history

- | | |
|-----|---|
| 16. | <p>15/AP/0060 Application type: Variation: non-material changes (VNMC)
 Non-material amendments to planning permission 03-AP-0959 for: "Extend building at 7th floor level to provide 4 flats together with associated car parking [Renewal of planning permission dated 27/08/1998 LBS Ref 9801150]" to allow:</p> <ul style="list-style-type: none"> · additional height to main extension (260mm) · alteration and additional height (165mm) to elements set back from roof edge (roof lights) · removal of recess on stair elevation for each quadrant (2.0 sq m). <p>Decision date 16/02/2015 Decision: Granted (GRA)</p> |
| | <p>03/AP/0959 Application type: Full Planning Application (FUL)
 Renewal of planning permission dated 27/08/1998 for: Extend building at 7th floor level to provide 4 flats together with associated car parking
 Decision date 23/01/2004 Decision: Granted (GRA)</p> |
| | <p>9801150 Application type: Full Planning Application (FUL)
 Planning permission for: Extend building at 7th floor level to provide 4 flats together with associated car parking
 Decision date 27/08/1998 Decision: Granted (GRA)</p> |
| | <p>10/AP/2723 Application type: Certificate of lawfulness of proposed use or development (CLP)
 Certificate of lawfulness of proposed use or development for: Extend building at 7th floor level to provide 4 flats together with associated car parking
 Decision date 24/01/2011 Decision: Granted (GRA)</p> |

Revisions

Since being submitted, the proposals have been revised in the following ways:

- 1) The extensions have been reduced in height to more closely match the height of the approved scheme.
- 2) The elevations of the curved facades of each extension has been altered to reflect the pattern of windows below.
- 3) The curved facades of the elevations facing the circus have been extended beyond the adjoining extension facades so that they are symmetrical with the existing facades below.
- 4) Edges to rooftop balconies have been replaced with glass balustrades in place of solid upstands.

Planning history of adjoining sites

17. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) Effect of proposed extensions on architectural significance of the listed building
- b) Effect on the character and appearance of the conservation area

- c) Effect on residential amenity.

Adopted planning policy

National Planning Policy Framework (NPPF)

19. The revised National Planning Policy Framework ('NPPF') was published in 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
20. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
21. Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of home
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places
Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

22. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 5.3 Sustainable design and construction
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology.

Core Strategy 2011

23. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

Strategic Policy 1 Sustainable development
Strategic Policy 2 Sustainable transport
Strategic Policy 5 Providing new homes
Strategic Policy 12 Design and conservation
Strategic Policy 13 High environmental standards.

Southwark Plan 2007 (saved policies)

24. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing

policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 3.1 Environmental effects
 Policy 3.2 Protection of amenity
 Policy 3.4 Energy efficiency
 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 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 5.3 Walking and cycling
 Policy 5.6 Car parking.

Emerging planning policy

Draft New London Plan

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

New Southwark Plan

26. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an examination in public (EIP). Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

SPDs / Appraisals

27. Residential Design Standards
 Sustainable Design and Construction
 Tower Bridge Conservation Area Appraisal

Summary of consultation responses

28. A total of 18 objections have been received from residents of The Circle. These cover the following matters:
 - a) Loss of daylight
 - b) Loss of privacy though overlooking
 - c) Harm to special architecture of the listed building-particularly to the prominence of the blue 'wings' of the building, use of over bright materials.
 - d) Loss of communal roofspace.

- e) A number of building construction matters - emergency egress to roof, access to roof for maintenance.
 - f) False representation by the planning agents - the present timber rooftop structure is a temporary structure that does not have permission.
29. Items (a)-(d) are addressed in the planning report. Item (e) is not a material planning consideration. With regard to Item (f), a certificate of lawfulness (10/AP/2723) was issued some time ago. This confirms that in planning terms the scheme has been implemented.
30. Comments were received; the Conservation Area Advisory Group (CAAG), the lead design architect for the original scheme and the 20th Century Society. These comments are about the design and impact on the heritage asset; they are reported and considered in detail within the report for the listed building consent application (19/AP/0698). Historic England had said that they did not wish to comment on the application.

Principle of development

31. In planning terms, the principle of additional flats on top of the existing buildings has been established by the certificate of lawfulness issued in 2010.
32. The effect of the proposals on the special architectural and historic interest of the building, as defined by its list description, is considered under this and the separate listed building application.

Environmental impact assessment

33. Not required.

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

34. The proposed extension would be 1.89 m above existing top parapet of the building. This is 0.220m higher than the extension permitted by the approved planning permission 15/AP/0060:



NB-depicts facade as originally submitted - window pattern and height of roof-top extension has been altered.

35. The flats on the additional storey would overlook existing flats. However the distance between the new windows and those on the opposite side of the Circle would be around 30m, much greater than the 12m separation referred to in the Residential Design Standards SPD for 'front to front' separation. In addition the outdoor amenity space of the

proposed extensions (from which overlooking would be expected) will be set well back from the roof edges of the Circle, thus minimising views down to the flats below.

36. By adding an additional eighth storey, the proposal may affect daylight and sunlight to existing properties within the complex but given that the increase in height as compared to the approved scheme is only 220mm at the edge of parapet, any impact would be very small

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

37. The proposed apartments would be at the top of their respective buildings. They would not therefore be subject to overlooking or overshadowing from adjacent buildings. Within the context of its urban location, there are no other particular issues.

Transport issues

38. The provision of one space for each residential unit (i.e. a total of four spaces) is to be reallocated from existing residents' parking within the existing basement car park. This follows the same arrangements permitted under 08/AP/2624 (*'Details of car parking spaces in the basement as required by Condition 4 of planning permission dated 23/01/04 (LBS reference: 03AP0959) to extend building at seventh floor level to provide four flats together with associated car parking [Renewal of planning permission dated 27/08/1998, LBS reference: 9801150']*).
39. Although no new car parking places are to be provided there is a surfeit of existing spaces (413 car parking spaces for 299 flats). In addition the scheme is on the border of PTAL zone 6a (excellent). It has bus stops nearby and is within easy walking distance of London Bridge Station and Bermondsey tube station. A Transport for London (TfL) bicycle docking station is also nearby. In summary the area has excellent transport links which reduces the need for reliance on motor cars.
40. Eight bicycle parking spaces would be provided within the basement. The basement car park is secure and weatherproof, and there is access by lift to the upper floors. Overall, the provision for transport is very adequate by modern Southwark standards but to ensure that there would be no impact on parking, it is recommended that a condition prohibiting occupiers of the proposed flats from obtaining a car parking permit is imposed.

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

41. Permission was granted for roof top extensions in 2003 - before the building was listed. This was granted a certificate of lawfulness in 2010 - i.e. it confirmed that scheme been started and could therefore be fully implemented. The 2013 approved scheme constitutes a non-material amendment to the lawful scheme.
42. The above means that the approved scheme can be regarded as implemented under planning legislation. The present scheme for which approval is now sought need therefore only be compared to the approved scheme for 1) its impact on the character and appearance of the conservation area and for 2) its impact on the (now) listed buildings.
43. As compared to the approved the scheme, the additional height of the edges of the extensions now proposed is 220mm. This increase in height and with it, bulk, is small and would have a negligible additional effect on the character and appearance of the conservation area and on the listed building.

44. The lift shaft is to be 0.755m higher than the approved scheme. However a separate planning approval has been granted for this increase in height (planning permission reference 18/AP/2755). This notwithstanding, the lift shaft is set well back from the street edges such that its additional height will not be conspicuous as viewed from surrounding streets. Similarly the glass balustrade enclosing the outdoor amenity space on top of the roofs of the extensions is set back from the street edges such that it is unlikely to be visible from surrounding streets. As above, the higher parts of the scheme now proposed would not affect character and appearance of the conservation area or the listed building (as compared to lawfully approved scheme).
45. The approved scheme was to have brick facades throughout and an almost blank facade facing the Circus. In contrast, the present scheme, in having neutral zinc clad facades to adjoining streets and a more assertive gold shingle facade to the Circus, follows the same design principles as the existing buildings i.e neutral street facing facades with more assertive facades to the Circus.
46. The use of shingles to clad the Circus facades of the extensions enables these facades to match the curve of the existing facades below (as compared to the alternative of continuing the zinc cladding which would have had to have been faceted around the curve- a much cruder arrangement). The gold colour of the shingles will contrast with the existing blue brickwork below such that the brickwork remains a conspicuous feature, and such that the silhouette of the blue Circus facades is still obvious, albeit viewed against a partially gold backdrop instead of the sky. The gold colour will also match the colour of the existing windows within the complex.

(NB: Conditions on materials and detailing are included in the recommendation on the parallel listed building application)

47. In addition, the windows on the curved facades of the revised current scheme would match the size of those of the facade below and follow the diagonal pattern of window openings across the lower facades.
48. In summary the currently proposed scheme is a marginally higher than the lawfully approved scheme. The additional effect of this increase in size on the character and appearance of the conservation area and the buildings of The Circle is negligible. The proposal is a more positive and bespoke response to the architecture of the characterful existing buildings as compared to the dull approved scheme. It leaves the key architectural features of this robust building intact and does not detract from its significance.

The effect of the proposals on the significance of The Circle is discussed in more detail in the officer's report on the parallel listed building application.

Quality of accommodation

49. All of the dwellings proposed would have triple aspect and more than the required 10sqm outdoor amenity space. The two bedroom flats would be at least 113sqm while the three bedroom flat would be 127sqm, all well in excess of the minimum standards required. The equality of accommodation proposed would be good.

Planning obligations (S.106 undertaking or agreement)

50. 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.

51. In Southwark the Mayoral CIL was established at a rate of £60 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 and in this instance would be £435 per sqm of residential floorspace, subject to the indexation.
52. Based on the CIL Info Form dated 28 February 2019 received from the applicant, 468sqm of chargeable GIA will be added by this development. This equates £28,080 of MCIL2 and £234,844.07 of SCIL in SCIL Zone 1 for residential use at this location
53. It should be noted that the CIL chargeable amount is subject to change when further check by the council is carried out whilst issuing the liable notices.

Sustainable development implications

54. By providing additional flats to current environmental standards in an accessible location, the proposed development would deliver on the three dimensions (economic, environmental and social) of sustainable development as set out in the NPPF.

Conclusion on planning issues

55. The proposal will deliver four additional flats that meet or exceed Southwark standards with regard to housing quality and standards. The proposals would affect the character and appearance of the conservation area and the buildings of the complex (which has recently been listed) but this impact, when considered against the extant permission, would be a positive one or neutral at worst..

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

58. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
 - a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such

persons is disproportionately low.

- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
- 59. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
- 60. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
- 61. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

- 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 rooftop extensions. 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/240-30 Application file: 19/AP/0683 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 1818 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	Martin McKay, Team Leader		
Version	Final		
Dated	28 May 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		31 May 2019	

APPENDIX 1**Consultation undertaken****Site notice date:** 26/03/2019**Press notice date:** 14/03/2019**Case officer site visit date:** n/a**Neighbour consultation letters sent:** n/a**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

Flat 81, The Circle Queen Elizabeth Street SE1 2JG

Flat 173 The Circle Queen Elizabeth Street SE1 2JL

74 The Circle Queen Elizabeth Street SE1 2JG

73 The Circle Queen Elizabeth Street SE1 2JJ

361 The Circle Queen Elizabeth Street SE1 2JU

80 The Circle SE1 2JG

Flat 207, The Circle, Queen Elizabeth Street London SE1 2JN

186 The Circle Queen Elizabeth Street SE1 2JL

Flat 231 The Circle Queen Elizabeth Street SE1 2JN

312 The Circle Queen

Elizabeth St SE1 2JU

347 The Circle Queen

Elizabeth St. SE1 2JU

1 Horn Lane Linton CB21 6HT

1 Horn Lane Linton CB21 6HT

174 The Circle Queen Elizabeth Street SE1 2JL

200a Wingletye Lane Hornchurch RM11 3AL

122 High Street Waterhall Cottages CB21 6JT

91 Vanilla & Sesame Court Curlew Street SE1 2NP

9 Gerda Road New Eltham SE9 3SW

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Flat 173 The Circle Queen Elizabeth Street SE1 2JL
 Flat 207, The Circle, Queen Elizabeth Street London SE1 2JN
 Flat 231 The Circle Queen Elizabeth Street SE1 2JN
 Flat 81, The Circle Queen Elizabeth Street SE1 2JG
 1 Horn Lane Linton CB21 6HT
 1 Horn Lane Linton CB21 6HT
 122 High Street Waterhall Cottages CB21 6JT
 174 The Circle Queen Elizabeth Street Queen Elizabeth Street SE1 2JL
 186 The Circle Queen Elizabeth Street SE1 2JL
 200a Wingletye Lane Hornchurch RM11 3AL
 312 The Circle Queen Elizabeth St SE1 2JU
 347 The Circle Queen Elizabeth St. SE1 2JU
 361 The Circle Queen Elizabeth Street SE1 2JU
 73 The Circle Queen Elizabeth Street SE1 2JJ
 74 The Circle Queen Elizabeth Street SE1 2JG
 80 The Circle SE1 2JG
 9 Gerda Road New Eltham SE9 3SW
 91 Vanilla & Sesame Court Curlew Street SE1 2NP

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 David Mayes Linden Property Holdings Limited	Reg. Number	19/AP/0683
Application Type	Full Planning Application	Case Number	TP/240-30
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of single-storey extension at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities

At: THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JE

In accordance with application received on 01/03/2019 16:06:02

and Applicant's Drawing Nos. Amended plan - CPH- WTA-00-XX-DR-A-1115 (Rev A) -PROPOSED WEST UNIT ROOF PLAN AND SECTIONS

Amended plan - CPH- WTA-00-XX-DR-A-1105 (Rev A) - PROPOSED SOUT WEST ELEVATION
 Amended plan - CPH- WTA- 00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A-1114 (Rev A) - PROPOSED SOUTH UNIT ROOF AND SECTIONS
 Amended plan- CPH- WTA-00-07-DR-A-1100 (Rev A) - PROPOSED BLOCK PLAN
 Amended plan - CPH- WTA-00-07-DR-A-1102 (Rev A) - PROPOSED 7TH FLOOR PLAN
 Amended plan - CPH- WTA-00-08 DR-A 1103 (Rev A) - PROPOSED ROOF PLAN (8TH FLOOR)
 Amended plan - CPH- WTA-00-XX-DR-A-1104 (Rev A) - PROPOSED NORTH EAST ELEVATION
 Amended plan - CPH- WTA-00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1106 (Rev A) - PROPOSED NORTH WEST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1107 (Rev A) - PROPOSED SOUTH EAST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1108 (Rev A) - PROPOSED NORTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1109 (Rev A) - PROPOSED EAST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1110 (Rev A) - PROPOSED SOUTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1111 (Rev A) - PROPOSED WEST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1112 (Rev A) - PROPOSED NORTH UNIT ROOF PLAN AND SECTIONS
 Plan - proposed - CPH-WTA-00-XX-DR-A-0012 - PROPOSED DEMOLITION - NE ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0013 - PROPOSED DEMOLITION - SW ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0015 - PROPOSED DEMOLITION - SW SECTION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0014 - PROPOSED DEMOLITION - NW SECTION
 Plan - proposed - CPH-WTA-00-B1-DR-A-1117 - PROPOSED CAR PARKING SOUTH AND WEST UNITS
 Plan - proposed - CPH-WTA-00-B1-DR-A-1116 - PROPOSED CAR PARKING NORTH AND EAST UNITS
 Plan - proposed - CPH-WTA-00-06-DR-A-1101 - PROPOSED 6TH FLOOR PLAN
 HERITAGE STATEMENT, February 2019
 PLANNING STATEMENT, February 2019
 DESIGN AND ACCESS STATEMENT, February 2019

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

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

Amended plan - CPH- WTA-00-XX-DR-A-1115 (Rev A) -PROPOSED WEST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A-1105 (Rev A) - PROPOSED SOUT WEST ELEVATION
 Amended plan - CPH- WTA- 00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A-1114 (Rev A) - PROPOSED SOUTH UNIT ROOF AND SECTIONS
 Amended plan- CPH- WTA-00-07-DR-A-1100 (Rev A) - PROPOSED BLOCK PLAN
 Amended plan - CPH- WTA-00-07-DR-A-1102 (Rev A) - PROPOSED 7TH FLOOR PLAN
 Amended plan - CPH- WTA-00-08 DR-A 1103 (Rev A) - PROPOSED ROOF PLAN (8TH FLOOR)

Amended plan - CPH- WTA-00-XX-DR-A-1104 (Rev A) - PROPOSED NORTH EAST ELEVATION
 Amended plan - CPH- WTA-00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1106 (Rev A) - PROPOSED NORTH WEST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1107 (Rev A) - PROPOSED SOUTH EAST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1108 (Rev A) - PROPOSED NORTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1109 (Rev A) - PROPOSED EAST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1110 (Rev A) - PROPOSED SOUTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1111 (Rev A) - PROPOSED WEST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1112 (Rev A) - PROPOSED NORTH UNIT ROOF PLAN AND SECTIONS
 Plan - proposed - CPH-WTA-00-XX-DR-A-0012 - PROPOSED DEMOLITION - NE ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0013 - PROPOSED DEMOLITION - SW ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0015 - PROPOSED DEMOLITION - SW SECTION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0014 - PROPOSED DEMOLITION - NW SECTION
 Plan - proposed - CPH-WTA-00-B1-DR-A-1117 - PROPOSED CAR PARKING SOUTH AND WEST UNITS
 Plan - proposed - CPH-WTA-00-B1-DR-A-1116 - PROPOSED CAR PARKING NORTH AND EAST UNITS
 Plan - proposed - CPH-WTA-00-06-DR-A-1101 - PROPOSED 6TH FLOOR PLAN

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.

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.

- 3 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.

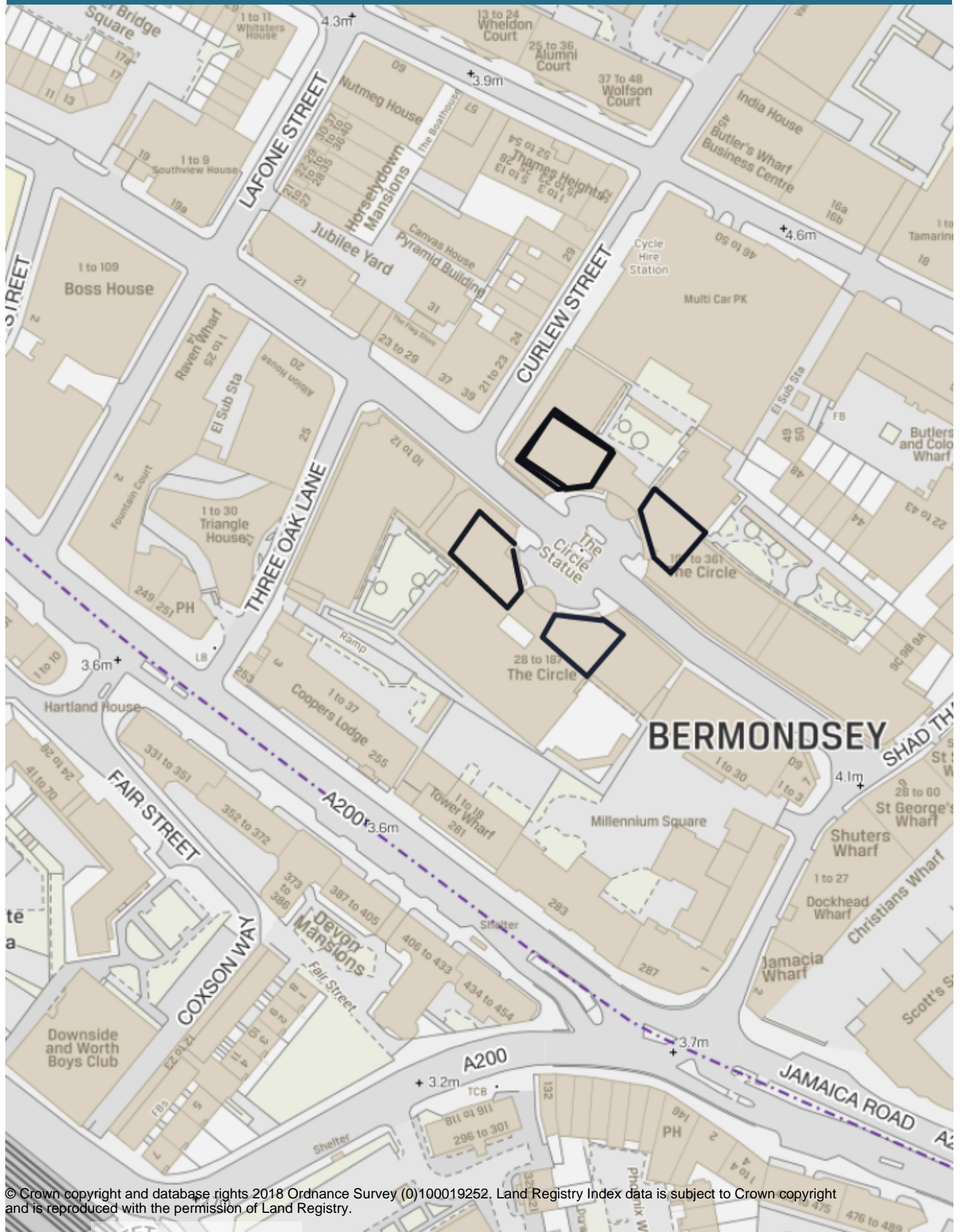
Statement of positive and proactive action in dealing with the application

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

Agenda Item 7.3



ITEM 7.3 THE CIRCLE, QUEEN ELIZABETH STREET, LONDON, SE1 2JE



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50 m

Scale = 1250

31-May-2019

Item No. 7.3	Classification: Open	Date: 12 June 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 19/AP/0698 for: Listed Building Consent Address: THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JU Proposal: Construction of single-storey extensions at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities		
Ward(s) or groups affected:	North Bermondsey		
From:	Director of Planning		
Application Start Date 04/03/2019		Application Expiry Date 29/04/2019	
Earliest Decision Date 24/04/2019			

RECOMMENDATION

1. That listed building consent be granted, subject to conditions.

Site location and description

2. Type of property 4no. 1980s apartment buildings between four and seven storeys high with commercial uses at the ground floor, set around a circular central space (referred to in the list description and in this report as a 'circus').

 Site bound by Historic warehouse buildings, now converted to flats
 Is property listed? YES - Grade II
 In conservation area? YES - Tower Bridge

The proposal is for:

3. Construction of single-storey extensions at roof level of each of the four buildings of the Circle to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities.

Relevant planning history

4.

15/AP/0060 Application type: Variation: non-material changes (VNMC)
 Non-material amendments to planning permission 03-AP-0959 for: "Extend building at 7th floor level to provide 4 flats together with associated car parking [Renewal of planning permission dated 27/08/1998 LBS Ref 9801150]" to allow:
 · additional height to main extension (260mm)
 · alteration and additional height (165mm) to elements set back from roof edge (roof lights)

· removal of recess on stair elevation for each quadrant (2.0 sq m). Decision date 16/02/2015 Decision: Granted (GRA)
03/AP/0959 Application type: Full Planning Application (FUL) Renewal of planning permission dated 27/08/1998 for: Extend building at 7th floor level to provide 4 flats together with associated car parking Decision date 23/01/2004 Decision: Granted (GRA)
9801150 Application type: Full Planning Application (FUL) Planning permission for: Extend building at 7th floor level to provide 4 flats together with associated car parking Decision date 27/08/1998 Decision: Granted (GRA)
10/AP/2723 Application type: Certificate of lawfulness of proposed use or development (CLP) Certificate of lawfulness of proposed use or development for: Extend building at 7th floor level to provide 4 flats together with associated car parking Decision date 24/01/2011 Decision: Granted (GRA)

Policy

5. Listed building consent is considered under the terms of the Listed Building and Conservation Areas Act (1991) [the Act] as amended and updated. The main principles of the Act are repeated in the NPPF (2018), and reinforced by the council's policies, and associated guidance documents. The main issue in these cases is the effect of the proposal on the special architectural and historic interest of the listed building.
6. The Act places great weight on the 'special interest' of heritage assets and their settings, and stresses the importance of preserving and enhancing their architectural and historic significance. The NPPF reinforces these principles stressing that heritage assets are irreplaceable and once lost can never be recovered. It requires Local Planning Authorities to avoid harm to heritage assets and to ensure that development conserves and enhances heritage assets and their settings.

National Planning Policy Framework (NPPF)

7. The revised National Planning Policy Framework ('NPPF') was published in 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
8. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
9. Chapter 16 Conserving and Enhancing the Historic Environment.

The London Plan 2016

10. Policy 7.8: Heritage Assets and Archaeology.

Core Strategy 2011

11. Strategic Policy 12: Design and Conservation

Southwark Plan 2007 (July) - saved policies

12. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007

unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

3.15 Conservation of the Historic Environment; and

3.17 Listed Buildings.

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

Revisions

13. Since being submitted, the proposals have been revised in the following ways:
 - 1) The extensions have been reduced in height by approximately 0.5m
 - 2) The elevations of the curved facades of each extension has been altered to reflect the pattern of windows below
 - 3) The curved facades of the elevations facing the Circus have been extended beyond the adjoining extension facades so that they are symmetrical with the existing facades below
 - 4) Edges to rooftop balconies have been replaced with glass balustrades in place of solid upstands.

Summary of consultation responses (including to parallel planning application)

14. A total of 18 objections have been received from residents of The Circle. These cover a range of matters of which the following relevant to this listed building application:
 - a) Harm to special architecture of the listed building-particularly to the prominence of the blue 'wings' of the building, use of over bright materials.
 - b) False representation by the planning agents- the present timber rooftop structure is a temporary structure that does not have permission.
15. The Conservation Area Advisory Group (CAAG) were concerned about the proposal's impact on the silhouette of the top of the building. They noted that the amount of the extension visible and hence the impact of its "gold" metal shingle clad facing on the view from below has been increased by the raising the proposed building's roof as compared to the approved scheme. The group noted that the designers claimed their design was in the spirit of the building but felt uncertain about that.
16. Pier Gough, the lead design architect for the original scheme and still a partner at CZWG, has objected to the proposal on the grounds that it fails to preserve or enhance the listed buildings and that the extensions appear discordant in form and materials.
17. The 20th Century Society does not oppose the principle of roof top development but raise concerns that the proposal would not read as a later extension and object to the gold coloured zinc shingle material proposed and say that the extensions should be subservient to the host building.
18. Historic England had said that they did not wish to comment on the application.

How the application addresses these

19. The revised scheme partially addresses some of the concerns of the CAAG and the original architect in that the extensions have now been reduced in height such that they are closer to the height of the approved scheme. The extensions will still be visible from within the Circle but will be less conspicuous and will have less of an impact on the character of the area and the complex.
20. Windows and the front facade of the extensions have been altered to address the original architect's concerns with regard to window pattern and symmetry.
21. The 20th Century Society's lack of opposition to rooftop extensions in principle is noted. Other concerns are addressed in the report.

Understanding the significance and the proposal

22. Paragraph 189 of the NPPF requires the applicant together with the Local Planning Authority to identify the architectural or historic significance of a designated heritage asset and to record the effect of any proposal on that architectural or historic significance.
23. The architectural or historic significance of any heritage asset includes its internal and external historic features and its setting. In addition to the facades of a Listed Building its features of significance could include its roof, its plan form, decorative internal features like original cornices, skirtings and fireplaces and important structures like floor beams, staircases or chimneys.

In addition to the features described or noted in the Listing Description, are there features of architectural or historic significance that this property currently retains?	No
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Details

24. The list description is comprehensive description of the listed buildings of The Circle and their significance. Amongst other reasons it states that the reason for the building's designation as a listed building is as follows:

"Architectural interest: for its compelling fusion of Post-Modern architectural design and place-making, which juxtaposes references to neighbouring warehouses with the dramatic urban intervention of a cylindrical void in brilliant blue..."
25. It goes on to state:

"There are two contrasting design forms employed in the scheme: street elevations in stock brick responding to the C19 warehouses of Shad Thames; and the blue cylinder of the circus which variously references storage vessels and the area's C19 dye and paint works. The circus is faced in cobalt blue glazed bricks and comprises four quadrants, each having a row of diagonal balconies. Each quadrant has a parapet with curved sides shaped like a vast vessel terminating with triangular projections."
26. A previous planning permission (15/AP/0060) for roof top extensions of very similar dimensions to those of the scheme now being considered was partially implemented at the time The Circle was being considered for listing. The extant timber structure of the circus facades of these extensions is mentioned in the list description under the

heading of 'context' but other than this the list description does not comment on this matter

Assessment of harm to significance architectural or historic significance of the heritage asset

27. The NPPF requires Local Planning Authorities to consider whether a proposal would result in harm to the significance of a heritage asset and to decide whether that harm would be substantial or less than substantial.
28. Paragraphs 195 and 196 of the NPPF also require Local Planning Authorities to weigh that harm against the public benefits of the development proposed, including securing the optimal viable use of the heritage asset.
29. Any harm should require clear and convincing justification and can arise from the loss of historic fabric or features of significance as well as impact on the setting of a heritage asset. In accordance with paragraph 194 of the NPPF, both substantial or less than substantial, any harm should be avoided and should be exceptional in the case of Grade II listed buildings and wholly exceptional in the case assets of highest significance.
30. The present scheme, in having neutral zinc clad facades to adjoining streets and a more assertive gold shingle facade to the Circus, follows the same design principles as the existing buildings i.e. neutral street facing facades with more assertive facades to the circus.
31. The street facing zinc-clad facades are to be set well back and will not be conspicuous features within the streetscape. Instead, the key issue is the effect of the proposals on the focal point of the scheme, the circus, as defined by four facade quadrants of the apartment buildings. Piers Gough of CZWG, the original architect, along with the 20th Century Society, has stated the importance of the dramatic silhouette of the existing blue circus facades against the sky. In this respect, Gough argues, any extension that breaks this silhouette goes against the original design intent and hence the significance of the building.
32. However, and as mentioned above, it should be noted that the timber inner skins of the front facades of the extensions as previously approved were installed prior to The Circle being listed and are clearly visible rising above the curved blue facades of the original buildings. The applicants sought a view from Historic England on this aspect at the time the buildings were being considered for listing. In an email to the Heritage Consultants working for the applicant, Historic England stated:

" Based on the review information supplied, an external visit was made by HE in April 2018. It is understood that the work taken place consisted of the installation of additional steel posts and timber stud-wall on the roof of the four central quadrants. These structures can be seen from street level, but are set back and partially obscured by the parapets. The review request does not claim that any elements of the original structure have been lost, and the distinctive blue tiling has not been significantly altered by the work. These additions have neither contributed to nor undermined the special architectural interest as set out in the list entry."
33. Above email from Andrew Dodge, Designation and Heritage Protection Casework Manager at Historic England, to Jonathan Edis of Heritage Collective, 12.54, 19 June 2018.
34. In effect the advice states that the additions do not undermine the special

architectural interest of the buildings and that they have caused no harm.

35. This stance is supported by officers- the curved facades of the circus are and will remain the dominant and spectacular feature that sets the character of The Circle. The existing timber facades and the currently proposed scheme take away, and will take away, very little from this. The buildings remain robust and assertive in character.
36. In addition, the timber facades were a part of the buildings at the time it was listed- they exist as a part of the building. The present scheme therefore has to be compared only to the timber facades in terms of the harm it would do to the special architecture of the buildings.
37. In this respect:
 - The proposed extensions would be only marginally higher than the existing timber facades. The additional height is negligible.
 - The use of use of shingles to clad the Circus facades of the extensions enables the cladding to match the curve of the existing facades below (as compared to the alternative of continuing the zinc cladding which would have had to have been faceted around the curve- a much cruder arrangement).
 - The gold colour of the shingles is intended to match the gold colour of the existing windows set within the blue brick facade below. It will contrast with the existing blue brickwork such that the brickwork remains a conspicuous feature, and that the silhouette of the blue Circus facades is still obvious, albeit viewed against a partially gold backdrop instead of the sky.
38. Overall, the proposal is a more positive addition to The Circle than the very dull brick elevations previously approved under separate planning legislation and very obviously more satisfactory than the unfinished extant facades.
39. It is accepted that the precise gold colour of the shingle cladding to the curves of the extensions should be selected with care. It should form an effective contrast with the brickwork below whilst not being overly bright or showy. The precise finish can be controlled via a listed building condition requiring samples of materials to be submitted at a later date for approval.
40. In summary, the proposal is a positive and bespoke response to the robust architecture of the characterful existing buildings. There will be no harm to the architectural significance of The Circle. The proposal is therefore acceptable.

Conclusion on planning and other issues

41. The NPPF requires Local Planning Authorities to consider whether the public benefits of the proposed development outweigh the harm that may arise and whether it is justified. In the case of substantial harm, Local Planning Authorities should consider whether the harm is necessary to deliver the public benefits. The greater the harm the greater the justification necessary.
42. In this case, whilst the public benefits may be small the modest scale and set-back design which closely follows the previously approved design causes no harm to the architectural and historic significance of The Circle.
43. The proposal demonstrates that it conforms with the Listed Building and Conservation Areas Act (1991) [the Act] as amended and updated. It complies with

current policy to: preserve and enhances the heritage asset and its setting; provide good design; and address issues raised by statutory consultees and should therefore be granted Listed Building Consent.

Community impact statement / Equalities Assessment

44. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act:
 - a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
45. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
46. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
47. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

48. 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.
49. This application has the legitimate aim of providing 4no flats. 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/240-30 Application file: 19/AP/0698 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 1818 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	Martin McKay, Team Leader		
Version	Final		
Dated	28 May 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		31 May 2019	

APPENDIX 1**Consultation undertaken****Site notice date:** 26/03/2019**Press notice date:** 14/03/2019**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 25/03/2019**Internal services consulted:**

n/a

Statutory and non-statutory organisations consulted:

Historic England
Twentieth Century Society

Neighbour and local groups consulted:

325 The Circle Queen Elizabeth Street SE1 2JU
326 The Circle Queen Elizabeth Street SE1 2JU
323 The Circle Queen Elizabeth Street SE1 2JU
324 The Circle Queen Elizabeth Street SE1 2JU
327 The Circle Queen Elizabeth Street SE1 2JU
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30 The Circle Queen Elizabeth Street SE1 2JG

[illegible][illegible]

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

186 The Circle Queen Elizabeth Street SE1 2JL
345 The Circle Queen Elizabeth Street SE1 2JU
72 The Circle Queen Elizabeth Street SE1 2JG

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 David Mayes	Reg. Number	19/AP/0698
Application Type	Listed Building Consent	Case Number	TP/240-30
Recommendation	Grant permission		

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:

Construction of single-storey extension at roof level to provide four residential units (Use Class C3), together with the provision of car parking spaces and bicycle storage facilities

At: THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JU

In accordance with application received on 01/03/2019

and Applicant's Drawing Nos.

Amended plan - CPH- WTA-00-XX-DR-A-1115 (Rev A) - PROPOSED WEST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A-1105 (Rev A) - PROPOSED SOUT WEST ELEVATION
 Amended plan - CPH- WTA- 00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A-1114 (Rev A) - PROPOSED SOUTH UNIT ROOF AND SECTIONS
 Amended plan- CPH- WTA-00-07-DR-A-1100 (Rev A) - PROPOSED BLOCK PLAN
 Amended plan - CPH- WTA-00-07-DR-A-1102 (Rev A) - PROPOSED 7TH FLOOR PLAN
 Amended plan - CPH- WTA-00-08 DR-A 1103 (Rev A) - PROPOSED ROOF PLAN (8TH FLOOR)
 Amended plan - CPH- WTA-00-XX-DR-A-1104 (Rev A) - PROPOSED NORTH EAST ELEVATION
 Amended plan - CPH- WTA-00-XX-DR-A 1113 (Rev A) - PROPOSED EAST UNIT ROOF PLAN AND SECTIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1106 (Rev A) - PROPOSED NORTH WEST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1107 (Rev A) - PROPOSED SOUTH EAST SECTION
 Amended plan - CPH- WTA-00-XX-DR-A 1108 (Rev A) - PROPOSED NORTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1109 (Rev A) - PROPOSED EAST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1110 (Rev A) - PROPOSED SOUTH UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1111 (Rev A) - PROPOSED WEST UNIT PLAN AND ELEVATIONS
 Amended plan - CPH- WTA-00-XX-DR-A 1112 (Rev A) - PROPOSED NORTH UNIT ROOF PLAN AND SECTIONS
 Plan - proposed - CPH-WTA-00-XX-DR-A-0012 - PROPOSED DEMOLITION - NE ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0013 - PROPOSED DEMOLITION - SW ELEVATION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0015 - PROPOSED DEMOLITION - SW SECTION
 Plan - proposed - CPH-WTA-00-XX-DR-A-0014 - PROPOSED DEMOLITION - NW SECTION
 Plan - proposed - CPH-WTA-00-B1-DR-A-1117 - PROPOSED CAR PARKING SOUTH AND WEST UNITS
 Plan - proposed - CPH-WTA-00-B1-DR-A-1116 - PROPOSED CAR PARKING NORTH AND EAST UNITS
 Plan - proposed - CPH-WTA-00-06-DR-A-1101 - PROPOSED 6TH FLOOR PLAN
 HERITAGE STATEMENT, February 2019
 PLANNING STATEMENT, February 2019
 DESIGN AND ACCESS STATEMENT, February 2019

Subject to the following three conditions:

Time limit for implementing this permission and the approved plans

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

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) 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.

- 2 The following samples shall be made available on site for inspection by the Local Planning Authority, and approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given.
- i) 1m² sample panel of gold shingle cladding

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 3 Construction drawings at a scale of 1:5 of the external envelope of the extensions showing

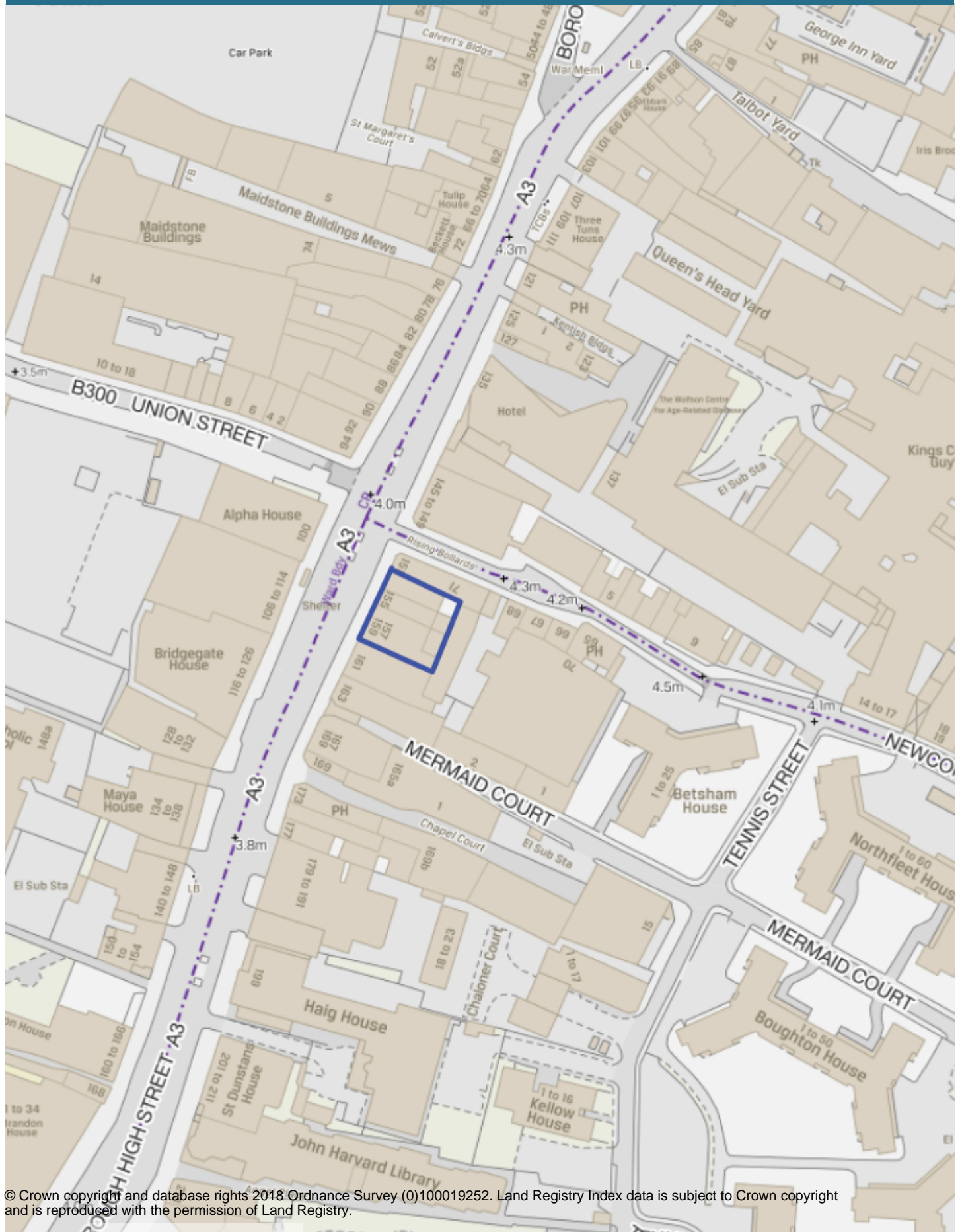
- 1) window/ wall junctions
- 2) roof/wall junctions, and
- 3) amenity area balustrades

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

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

ITEM 7.4 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR



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50 m

Scale = 1250

31-May-2019

Item No. 7.4	Classification: Open	Date: 12 June 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/4155 for Approval of Details - Article 30 DMPO Address: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR Proposal: Details of condition 11 samples of all external facing materials for planning permission 15/AP/4980 (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.)		
Ward(s) or groups affected:	Chaucer		
From:	Director of Planning		
Application Start Date 21/12/2018		Application Expiry Date 15/02/2019	
Earliest Decision Date 13/01/2019			

RECOMMENDATION

1. That the approval of the submitted details be given.

BACKGROUND INFORMATION

2. Members of planning sub-committee A resolved to grant planning permission for the hotel (reference 15/AP/4980) on 19 July 2016 with a stipulation that details of materials to be used for the building should be presented to planning sub-committee A for approval.
3. The detailed background information relating to this development is set out in the report on the original planning application 15-AP-4980 granted 19/01/2017 for:

Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.

Details of proposal

4. Condition 11 of planning approval 15/AP/4980 states :

“Samples of all external facing materials to be used in the carrying out of this permission, including 1sqm panels of the brickwork, showing mortar and pointing,
 (i) shall be presented on site to the Local Planning Authority and,
 (ii) shall be approved by the Council's Planning Sub-A Committee and,
 (iii) the decision shall be issued in writing, all before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

The samples and panel(s) should demonstrate that the size, tone, colour, bond and mortar used to form the brickwork will be appropriate for the specific context of this site.”

5. The committee report that accompanied application 15/AP/4980 stated the following:

“The brick proposed would be grey in colour, intended to provide a striking yet respectful contrast against the adjacent plots... Samples should be required by condition to ensure that the finish is appropriate for the conservation area and not too dark...”

6. The materials now submitted vary a little from that granted permission. A dark brick is still proposed for the lower part of the building, although it is a little lighter and more textured than before. As before the facade materials include projecting glass bricks adjacent to windows arranged in a random pattern to lighten the facade and provide a feature that alludes to previous signage on the site.
7. The upper 'box' of the proposals on the top floor is now to be clad in light coloured metal mesh in place of heavy brickwork. As before, the ground floor is to consist of a black metal shopfront but the doors, panels and window details within the shopfront are to have a pewter finish to add a level of crafted detail.

Facade as granted permission



Facade as now proposed with lightweight upper storey



KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issue to be considered in respect of this application is whether are the details submitted acceptable in terms of policy and are they sufficient to discharge the terms of the condition and reason for the imposition of the condition.

Planning policy

9. The revised National Planning Policy Framework ('NPPF') was published in 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
10. Paragraph 215 states that the policies in the framework are material considerations which should be taken into account in dealing with applications.
11. The detailed planning policy relating to this development is set out in the report on the original planning application. Any specific policy considerations relating to the submitted

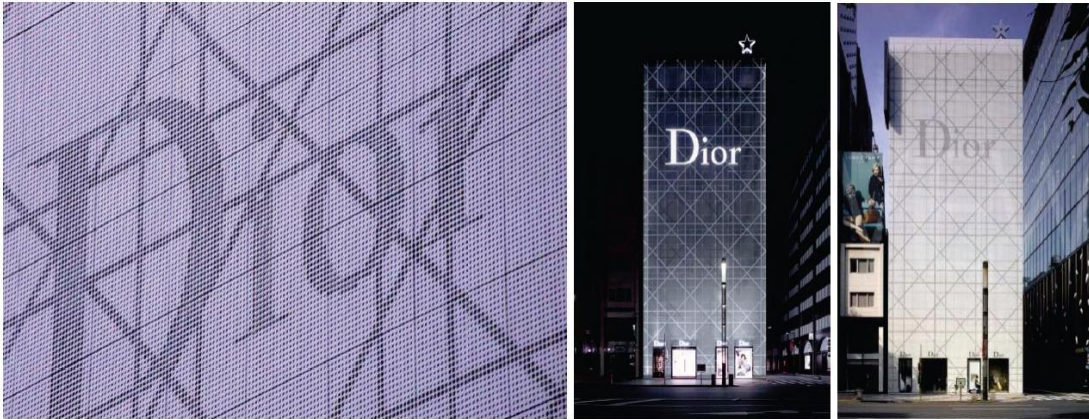
details are set out below.

Acceptability of the submitted details

12. The submitted brick which forms the main facades is a dark brown colour as opposed to the almost black brick previously proposed. It is slightly uneven and has a more variegated colour. Importantly it is dark enough for the inset glass bricks which are a key feature of the facade to stand out.
13. It is difficult to assess the finish and colour of the bricks and other materials from the CGIs and indeed from the photographs of the materials in the submitted brochure so the materials were examined on site. The bricks would sit comfortably with the dark and aged stock brick of the adjacent building. They are considerably more subtle than the example of 'black bricks' used at 201 and 160 Borough High Street. It is also important that the bricks will appear considerably lighter in sunlight, where they will appear to be grey/ brown in colour.



14. Two set back upper floors rise above the main facade. These were to have been clad in a lighter brick which would still have appeared heavy, especially given that these upper floors are higher than other buildings in the vicinity. The proposal is now that the top most floor will be clad in perforated metal mesh. This would appear much lighter against the sky than the previously proposed brickwork. In addition the silver metal colour will reflect the light of the sky such that it would vary in colour and reflectance according to the weather. The floor below this would be clad in a smooth dark grey panel. In the main this would be hidden by the set back of the floor at this point.



Examples of perforated metal cladding.

15. The decision notice that granted planning permission also asked for artwork to allude to faded signage currently visible on the flank wall of 161 Borough High Street, which is to be covered up. The artwork is subject to a separate condition. However, the general concept is for artwork to be shown on the cladding to the top storey of the North elevation by way of patterns in the perforated metal (as per the picture samples above).
16. In summary, the proposed materials are in general consistent with the architectural concept of the scheme as granted permission by the planning committee of 19 January 2017. However they have been refined and, whilst still quite bold, are now a more subtle and contextual response to their surroundings. The major revision is the change of the top floor of the building from heavyweight brickwork to lightweight perforated metal. Given the greater height of the building as compared to its surroundings, this lighter appearance to its upper storeys is welcomed.
17. Officers consider details submitted acceptable in terms of policy and recommend that they are approved. A sample panel of the proposed materials will be presented to members at the meeting.

Consultation

18. None.

Community impact statement / Equalities Assessment

19. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act

- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
20. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
21. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
22. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

23. 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.
24. This application has the legitimate aim of gaining approval for materials to be used in the construction of approved external facades. 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/1140-151 Application file: 18/AP/4155 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 2092 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	Martin McKay, Team Leader		
Version	Final		
Dated	30 May 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		31 May 2019	

APPENDIX 1**Consultation undertaken**

Site notice date: n/a

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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 Jeff Shapiro Raykor Ltd.	Reg. Number	18/AP/4155
Application Type	Approval of Details - Article 30 DMPO	Case Number	TP/1140-151
Recommendation	Grant permission		

Draft of Decision Notice

Approval has been GIVEN for the following details:

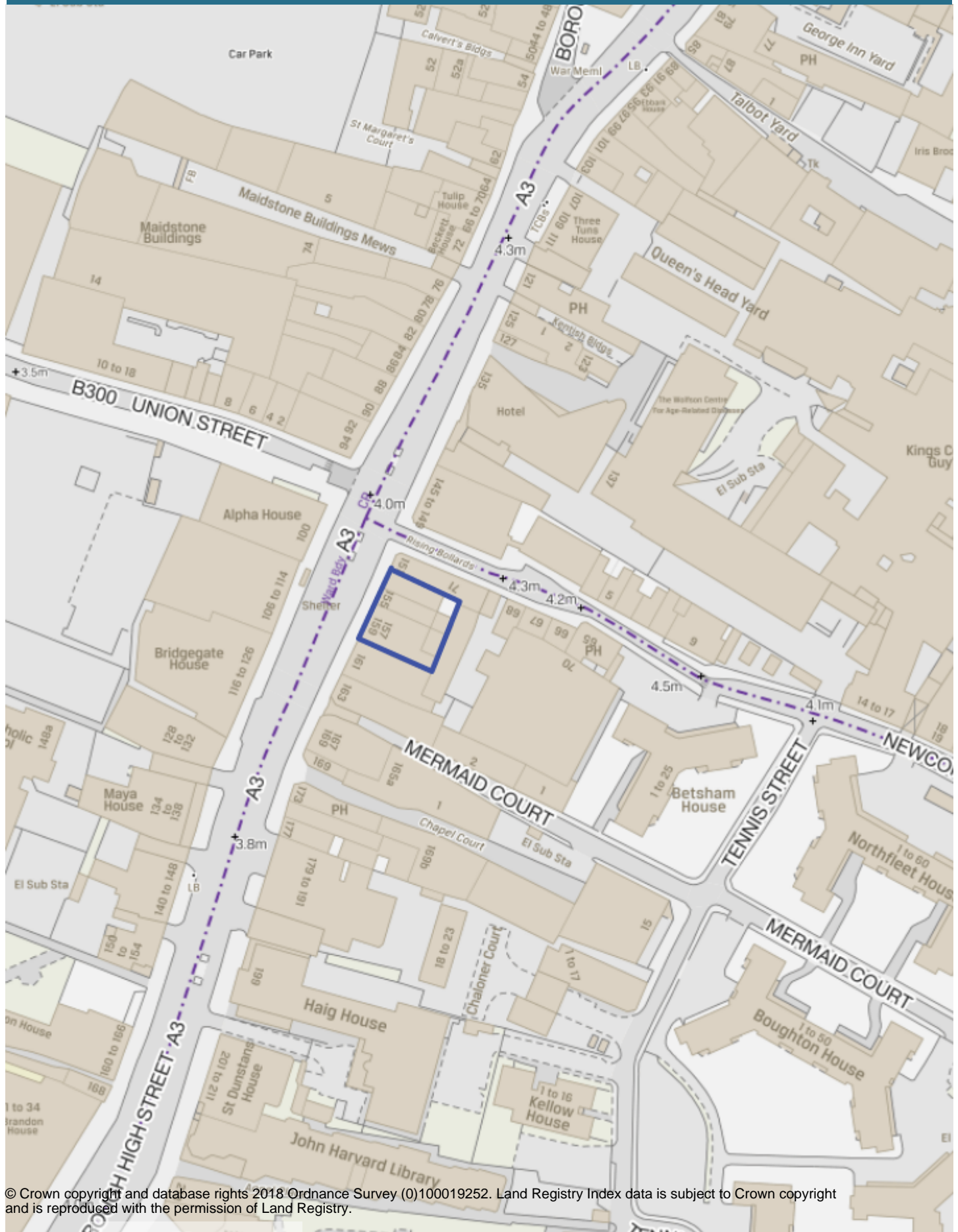
Details of Condition 11 Samples of External Facing Materials for planning permission 18/AP/4155 (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.)

At: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR

In accordance with application received on 21/12/2018 16:03:53

and Applicant's Drawing Nos. Brochure: Material Finishes 153-159 High Street, Revision A
JA-12_P_AL_001 - EXISTING LOCATION PLAN

ITEM 7.5 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR



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31-May-2019

Item No. 7.5	Classification: Open	Date: 12 June 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 19/AP/0277 for Approval of Details - Article 30 DMPO Address: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR Proposal: Details of Condition 4 - section detail drawings for planning permission 15/AP/4980 (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level)		
Ward(s) or groups affected:	Chaucer		
From:	Director of Planning		
Application Start Date 29/01/2019		Application Expiry Date 26/03/2019	
Earliest Decision Date 21/02/2019			

RECOMMENDATION

1. That the approval of the submitted details be given.

BACKGROUND INFORMATION

2. Members of planning sub-committee A resolved to grant planning permission for the hotel (reference 15/AP/4980) on 19 July 2016 with a stipulation that details of sections through facades; parapets; roof edges and openings for the building should be presented to Planning Sub-Committee A for determination.
3. The detailed background information relating to this development is set out in the report on the original planning application 15-AP-4980 granted 19/01/2017 for:

“Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.”

Details of proposal

4. Condition 4 states:

 “Section detail-drawings at a scale of 1:5m through: the facades; parapets and roof edges; and heads, cills and jambs of all openings, to be constructed in the carrying out of this permission, (i) shall be submitted to the Local Planning Authority and, (ii) shall be approved by the Council's Planning Sub-A Committee and, (iii) the decision shall be issued in writing, all of which shall be done before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. In addition, and notwithstanding the drawings hereby approved, 1:20m sections and elevations of the shop-front design, showing greater articulation in accordance with the council's shop

front design guidance shall also be submitted and approved.

Reason: In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; Policy 3.15 Conservation of the historic environment; Policy 3.16 Conservation areas; Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites of The Southwark Plan (UDP) July 2007.”

5. Detailed construction drawings have now been submitted in order to discharge this condition.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issue to be considered in respect of this application whether the details submitted acceptable in terms of policy and are they sufficient to discharge the terms of the condition and reason for the imposition of the condition.
7. The committee report that accompanied application 15/AP/4980 stated:

“Each of the shop front windows within this arrangement consists of a single pane of glass. This would be contrary to our shop front design guidance that discourages such an approach, particularly in historic locations such as this. Instead, a contemporary approach that utilised the traditional features of historic shop fronts, including stall risers and glazing bars to achieve an appropriate scale and proportion is encouraged. The shop front frames would be metal. Given the contemporary nature of the overall design, this is considered appropriate. It is recommended that a further revision to the proposed shopfronts in line with the council’s shopfront design guidance is secured by a condition.”
8. The design of the shopfront of the scheme have been altered from that originally submitted and now uses a richer mix of materials. The shopfront would consist largely of plate glass which will project in a thin frame beyond the rest the shopfront surround (which is as before is a black finished metal). The doors and solid panels within the shop fronts, along with the mullions that divide the plate glass units, would have a metal 'pewter' finish.
9. The rest of the submission covers all the details of the construction of the main facades - roof / wall junctions, window / wall junctions etc. at a very large scale. In effect they are the 'instructions' to the contractors as to how to build the building.

Planning policy

10. The revised National Planning Policy Framework ('NPPF') was published in July 2018 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
11. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
12. The detailed planning policy relating to this development is set out in the report on the original planning application. Any specific policy considerations relating to the submitted details are set out below.

Acceptability of the submitted details

13. The proposed shopfront detailing is crisp and modern. It would be an elegantly and minimally metal framed glass 'box' that would project slightly from the rest of the building. In this respect it would look a bit like the 'shopfront' that serves the new Science Gallery that is located on the flank wall of the listed Old Guy Hospital building. This is appropriate to the architecture of the building.
14. The rest of the submitted drawings show what would be a carefully constructed building with details which meet the design intentions of the approved scheme. The drawings will ensure a refined modern building with careful proportions and detailing which responds to the refined Georgian and Victorian architecture which forms its context.
15. Officers consider that the details are acceptable and recommend that the details submitted be approved.

Consultation

16. None.

Community impact statement / Equalities Assessment

17. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
 - a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
18. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
19. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
20. The council has given due regards to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

21. 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.
22. This application has the legitimate aim of providing a facade to a new building. 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/1140-151 Application file: 19/AP/0277 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 1818 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	Martin McKay, Team Leader		
Version	Final		
Dated	30 May 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing And Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		31 May 2019	

APPENDIX 1**Consultation undertaken**

Site notice date: n/a

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

APPENDIX 2**Internal services**
Consultation responses received

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None

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 Jeff Shapiro Raykor Ltd	Reg. Number	19/AP/0277
Application Type	Approval of Details - Article 30 DMPO	Case Number	TP/1140-151
Recommendation	Grant permission		

Draft of Decision Notice

Approval has been GIVEN for the following details:

Details of Condition 4 - Section Detail Drawings for planning permission 15/AP/4980. (Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level)

At: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR

In accordance with application received on 29/01/2019 08:08:02

and Applicant's Drawing Nos. Document - DESIGN DEVELOPMENT

Plan - 3846-3D-S-101 REV P1 - SECOND & THIRD FLOOR GENERAL ARRANGEMENTS
 Plan - 3846-3D-S-102 REV P1 - FOURTH & FIFTH FLOOR GENERAL ARRANGEMENTS
 Plan - 3846-3D-S-500 REV P1 - OVERALL SECTIONS SHEET 01
 Plan - 3846-3D-S-501 REV P1 - OVERALL SECTIONS SHEET 02
 Plan - 3846-3D-S-103 REV P1 - SIXTH & ROOF FLOOR GENERAL ARRANGEMENTS
 Plan - 3846-3D-S-700 REV P1 - TYPICAL SUBSTRUCTURE DETAILED SECTIONS SHEET 01
 Plan - 3846-3D-S-710 REV P1 - TYPICAL SUPER STRUCTURE 2
 Plan - 644_P18 REV A - DOC SEC+ELE_SHOPFRONT LHS
 Plan - 644_P20 REV A - DOC SEC+ELE_SHOP RHS
 Plan - 644_P22 REV A - DOC ELE_BRICKS-WEST
 Plan - 644_P19 REV A - DOC SEC+ELE_SHOP DOOR
 Plan - 644_P24 REV A - DOC ELE_BRICK PANEL
 Plan - 644_P32 REV A - DOC ELE_TOP CLADDING
 Plan - 644_WL101.01 REV A - PLAN_TYPICAL BRICK CAVITY - WEST FACADE
 Plan - 644_WL101 REV A - SECTION_BRICK CAVITY 1-4TH - WEST FACADE
 Plan - 644_3D-01 - 3D MODEL_NORTH WEST VIEW
 Plan - 644_WN101.02 REV B - DETAIL SECTION_FACADE WINDOW @1ST-4TH
 Plan - 644_WL105.02 - SECTION_FACADE+PARAPET - 5TH FLOOR
 Plan - 644_WN105.02 REV A - SECTION THROUGH GLAZING AT 5TH AND 6TH FLOOR
 Plan - 644_SH02.2 - SECTION_SHOPFRONT FIRE EXIT DOORS
 Plan - 644_SH02.1- SECTION_SHOPFRONT GLAZING
 Plan - 3846-3D-S-099 REV P1 - PILING LAYOUT & BASEMENT GENERAL ARRANGEMENTS
 Plan - 3846-3D-S-100 REV P1 - GROUND & FIRST FLOOR GENERAL ARRANGEMENTS
 Plan - 3846-3D-S-050 REV P1 - DEMOLITION SECTIONS & DETAILS
 Plan - SH01.5-plan_ WG01-3 Rev A
 Plan - SH02.5-sec_ WG1-3_shop wind
 Plan - 644_P23 REV A - DOC ELE_BRICKS-EAST
 Plan- 644_SH04-ele-shop RevA

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2019-20

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

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Councillor David Noakes	1		
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