

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

RECOMMENDATION

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

BACKGROUND INFORMATION

2. Site location and description

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

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

Details of proposal

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

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

5. Planning history

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

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

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

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

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

Relevant planning history of adjoining sites

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

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

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

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

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

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

8. 16 WINCHESTER WALK LONDON SE1 9AQ

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

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

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

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

Reason for refusal:

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

9. 1 CATHEDRAL STREET

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

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

This permission has expired but is a material consideration.

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

KEY ISSUES FOR CONSIDERATION

11. Summary of main issues

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

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

Planning policy

12. National Planning Policy Framework (the Framework)

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

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment

London Plan July 2015

Policy 3.5 Quality and design of housing developments

Policy 6.3 Assessing the effects of development on transport capacity

Policy 6.9 Cycling

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

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

Core Strategy 2011

Strategic Policy 1 Sustainable development

Strategic Policy 2 Sustainable transport

Strategic Policy 7 Family homes

Strategic Policy 10 Jobs and businesses

Strategic Policy 12 Design and conservation

Strategic Policy 13 High environmental standards

13. Southwark Plan 2007 (July) - saved policies

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

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

Policy 3.1 Environmental Impacts

Policy 3.2 Protection of amenity

Policy 3.11 Efficient use of land

Policy 3.2 Quality in design

Policy 3.13 Urban design

Policy 3.14 Designing out crime

Policy 3.15 Conservation of the historic environment

Policy 3.16 Conservation areas

Policy 3.17 Listed buildings

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

Policy 4.2 Quality of residential accommodation

Policy 5.2 Transport impacts

Borough High Street conservation area appraisal 2006

14. Summary of consultation responses.

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

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

Principle of development

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

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

18. Additional information has also been submitted regarding the expected employment the A3 use would generate. The agent's calculation shows that it would provide between 31 and 27 full time equivalent jobs.

19. While the proposed loss of office space has not been fully justified in accordance with policy 1.4, it is considered that the relatively modest loss is acceptable in this instance considering the net employment space would not decrease (including the A3 space), the benefit of providing an active frontage to this site and the reinstatement of historical features (see below).

20. **Environmental impact assessment**

Not required for an application of this scale

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

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

Noise

22. The proposed hours of operation for the restaurant are between 08:00 and 22:00 as detailed in the letter to the council on 12 May 2015 that included the calculation of expected job numbers. Such hours are not unusual for restaurants in the area. There are dwellings nearby and the potential impact of the restaurant on their occupiers requires careful consideration.

23. One source of noise is that from plant, particularly the kitchen exhaust system. Its flue would be routed up through the building itself and it would protrude above the top, eastern volume and be 6m from the nearest noise sensitive window, that for the bedroom of flat 12, Tennis Court. A proximity that is common in dense urban locations, the compliance condition recommended to control noise emission would ensure that there would be no harm to amenity from noise. The height of the flue would be sufficient to ensure that it would not cause an adverse impact on the existing amenity of nearby residents and the amenity area for 12 Tennis Court approved under planning permission reference 12/AP/1147.

24. Being a restaurant, one would not expect high levels of amplified music to be played within the premises. Sound from patrons could escape from the premises, particularly with the openings in at the ground floor that would be created. The area is busy during warmer times of the year when one would expect the openings to be used. There is, for example, a public house to the southwest of the site- The Rake- which has limited internal space. There are often many customers outside the premises in Borough Market, as well as visitors to the market itself. Similarly, there would be some noise from patrons arriving and leaving the premises but the majority of these would arrive and leave on foot because of the excellent public transport links for the site. There may be some private vehicles and taxis for customers which is not uncommon in a central London location. In this context, and with consideration to the

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

Daylight and sunlight

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

Potential for the development to be overbearing.

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

Quality of residential accommodation proposed

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

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

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

Scale massing and design

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

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

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

Significance of heritage assets

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

Southwark Cathedral

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

The Borough High Street Conservation Area

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

40. *Impact on heritage assets*

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

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

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

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

Transport issues

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

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

Community infrastructure levy (CIL)

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

Sustainable development implications

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

Other matters

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

Conclusion on planning issues

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

Community impact statement

51. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process. No adverse impact on any group with the protected characteristics identified above is expected as a result of this development.

Consultations

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

Consultation replies

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

Human rights implications

54. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

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

BACKGROUND DOCUMENTS

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

APPENDICES

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

AUDIT TRAIL

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

APPENDIX 1

Consultation undertaken

Site notice date: 14/01/2015

Press notice date: 05/02/2015

Case officer site visit date: 14/01/2015

Neighbour consultation letters sent: 15/01/2015

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

English Heritage
The Georgian Group
The Victorian Society

Neighbour and local groups consulted:

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

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

Re-consultation: 20/05/2015

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

English Heritage

Neighbours and local groups

Eform

Email representation

Email representation

Flat 11 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 12 Tennis Court SE1 9BN

Flat 2 3 Winchester Square SE1 9BH

Flat 2 7 Winchester Square SE1 9BN

Flat 3 Tennis Court SE1 9BN

Flat 3 3 Winchester Square SE1 9BH

Flat 6 Tennis Court SE1 9BN

Flat 6 3 Winchester Square SE1 9BH

Flat 8 Tennis Court SE1 9BN

Malthouse Farm Rockbourne SP6 3NA

Southwark Cathedral Montague Close SE1 9DA

Southwark Cathedral Montague Close SE1 9DA

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