

## **Contents**

RECOMMENDATION .....	2
BACKGROUND INFORMATION .....	2
Site location and description.....	2
Details of proposal .....	3
KEY ISSUES FOR CONSIDERATION .....	6
Summary of main issues .....	7
Adopted planning policy.....	7
Impact of proposed development on amenity of adjoining occupiers and surrounding area...	10
Impact on character of a conservation area and on the significance of a listed building.....	11
Consultations .....	14

<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 1 October 2019	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 19/AP/0683 for: Full Planning Application  <b>Address:</b> THE CIRCLE, QUEEN ELIZABETH STREET, LONDON SE1 2JE  <b>Proposal:</b> 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		
<b>Ward(s) or groups affected:</b>	North Bermondsey		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 04/03/2019		<b>Application Expiry Date</b> 29/04/2019	
<b>Earliest Decision Date</b> 18/04/2019			

## 1. RECOMMENDATION

That planning permission be granted subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. This application was first considered by Planning Sub-committee A on 12 June. A decision was deferred pending a site visit. The site visit was carried out on 20 June.
3. 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.
4. 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.'
5. The most striking aspect of the complex is the use of cobalt blue glazed bricks to face the seven-storey curved circus façade of each of the four apartment buildings. Each façade 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.
6. 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.

7. The complex was listed at Grade II in February 2018



### Details of proposal

8. The proposal is for 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.
9. 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. (It should also be noted that planning permission was refused in 2006 for two storey extensions on each quadrant).
10. The latest version of the 2003 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'.
11. 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.
12. 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).

	<b>Levels in approved scheme 15/AP/0060</b>	Present application 19/AP/068 <b>3 (revised)</b>	Difference (m)	<b>Comments</b>
Height of top of existing blue parapet above	28.540 (existing)	No change	<b>No change</b>	The parapet is with the exception of lift overruns, the top of

AOD (above ordnance datum)				the existing building.
Height of front parapet of extension	30.210	30.430	<b>+0.220</b>	The most prominent part of the scheme. 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	<b>+0.220</b>	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	<b>+0.240</b>	Rises above existing brick side facades
Highest part of the building: (Rooflight-15AP0660) (Balcony hand rail- present scheme under consideration).	30.750	31.450	<b>+0.300</b>	Not visible from surrounding streets.
Height of lift shaft	30.330	31.085	<b>+0.755</b>	Increase in lift shaft height granted by 18AP2755.
Height of FFL	27.157	27.190	<b>+0.033</b>	

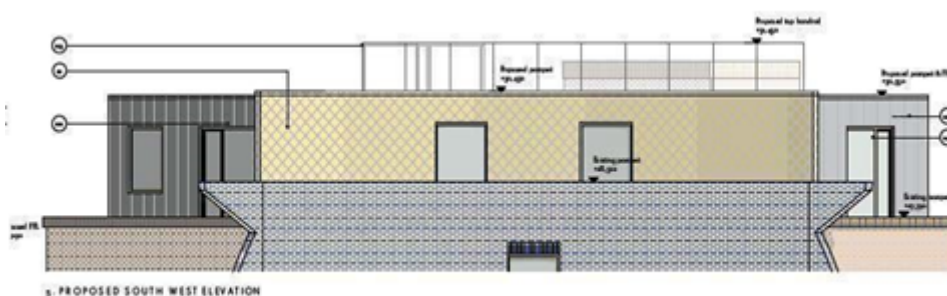


Site progress under NMA 15/AP/0060

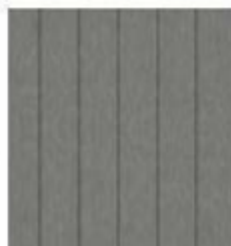


Site progress under NMA 15/AP/0060

13. The photographs above 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.
  
14. 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 and will hence not be visible from street level.
  
15. The extensions will in the main be clad with zinc. This will have a neutral grey colour. The proposed curved façade above the existing blue glazed brick of the circus will be clad in gold coloured shingles.
  
16. A parallel listed building application accompanies the present proposal.



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



*CGI of scheme as currently proposed.*

## Planning history

18/AP/2755 Application type: Full Planning Application (FUL) Installation of four replacement lift cars, extension of the lift infrastructure to service the roof level and associated works. Decision date: 11/10/19 Decision granted (GRA)
18/AP/2756 Application type: Listed Building Consent (LBC) Installation of four replacement lift cars, extension of the lift infrastructure to service the roof level and associated works. Decision date: 11/10/19 Decision granted (GRA)
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 sqm). Decision date 16/02/2015 Decision: Granted (GRA)
06/AP/0568 Application type: Full planning Application (FUL) Extension of building at 7th floor level to provide 4 no. two-storey flats (NB two storey extensions to each quadrant) Decision date: 17/07/06 Decision: refused (REF)
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)
801150 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)
NB above history omits alterations to shopfronts and approval of details

## Revisions

17. Since being submitted, the proposals have been revised in the following ways:
  - a) Extensions reduced in height to more closely match height of the approved scheme.
  - b) Elevations of the curved façades altered to reflect the pattern of windows below.
  - c) Curved façades of elevations facing the circus extended beyond the adjoining extension façades so that they are symmetrical with the existing façades below.
  - d) Edges to rooftop balconies have been replaced with glass balustrades in place of solid upstands.

## Planning history of adjoining sites

18. None relevant.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

19. 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)

20. 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.
21. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
22. 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

23. 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

24. 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)

25. 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

26. 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

27. 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**

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

Tower Bridge Conservation Area Appraisal



29. The Tower Bridge Conservation Area Appraisal documents the special architectural and historic interest of the area, including its character and appearance and has guidelines for its preservation and enhancement. Queen Elizabeth Street and the Circle are within Sub Area 4 – Gainsford and Queen Elizabeth Street. A map of the area within the appraisal marks The Circle as being a 'building that makes a positive contribution.
30. Paragraph 3.5.4 of the Appraisal states: Queen Elizabeth Street has become spectacularly redeveloped with new apartment buildings, the focus of which is CZGW's "The Circle". Its blue tiled façade and dray-horse statue make a new and distinctive local landmark, and it contains many quirky details (such as its bulky timber balconies and "wing-collar" cornice line).
31. The guidelines that accompany the Conservation Area Appraisal do not specifically refer to The Circle, although they do note the success of modern architecture in the area in replicating tight traditional street patterns. Roof top extensions are discouraged where these would disrupt the skyline of the conservation area, particularly in long views.

#### Shad Thames Management Plan

32. The Shad Thames Management plan was produced by residents of Shad Thames area in conjunction with the Council in 2014. It sets out a framework to protect, enhance and celebrate the features in and around Shad Thames which gave rise to its designation as a conservation area.
33. With regard to new development it says:
 

'New developments must, on the one hand, respect the scale and form of existing structures, and on the other hand, produce contemporary architecture of the highest quality.
34. It has as its objectives on urban design and townscape:
  - To repair, conserve and enhance existing buildings to maintain the traditional townscape character (including structures added to buildings, i.e rooftop terraces).
  - To create new structures of high architectural and urban design quality which make a positive and sustainable contribution to that townscape.
  - To ensure all structures respond to the social, environmental and economic needs of existing and future stakeholders.

#### **Summary of consultation responses**

35. A total of 29 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) Because of the balcony on the roof of the extension, the extension is higher than one storey
  - f) A number of building construction matters - emergency egress to roof, access to roof for maintenance.

- g) False representation by the planning agents - the present timber rooftop structure is a temporary structure that does not have permission.
36. Items (a)-(e) are addressed in the planning report. With regard to Item (f) the details of construction are primarily a building control matter. Informal advice has been taken from the council's building control section that the fire and structural requirements arising from an additional floor on each block could be met. With regard to Item (g), a certificate of lawfulness (10/AP/2723) was issued some time ago. This confirms that in planning terms the scheme has been implemented.
37. Comments were received from the Conservation Area Advisory Group (CAAG), the lead design architect for the original scheme and the 20th Century Society. These were 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. The Shad Thames Area Management Partnership detailed a failure to adhere to the requirements of the Shad Thames Management Plan.

#### **Principle of development**

38. In planning terms, the principle of additional flats on top of the existing buildings has been established by the extant and partially implemented planning permission 15AP0060 for the site.
39. 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**

40. Not required.

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

41. 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-shows façade as originally submitted - window pattern and height of roof-top extension has been altered.

42. 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.
43. By adding an 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**

44. 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**

45. 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]').
46. 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.
47. 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 of a conservation area and on the significance of a listed building.**

Preamble

48. 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 under planning law. The 2015 approved scheme constitutes a non-material amendment to the lawful scheme
49. The above means that the approved scheme can be regarded as implemented under

planning legislation. However the building is now listed. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states:

“In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

(NB: special architectural or historic interest is referred to in present government guidance (National Planning Policy Framework) as ‘significance’)

50. This means that when considering whether to grant planning permission the current scheme needs to be compared to the approved (and in planning terms, lawfully implemented) scheme in terms of its additional impact on the conservation area, and its additional impact on the building’s special significance or interest.
51. In addition, listed building consent is now required for any work (irrespective of any previous planning permissions) that could now affect the buildings’ special architectural interest. This is a separate area of legislation and is considered in a separate report.

#### Assessment

52. 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.
53. 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).
54. The approved scheme was to have brick façades throughout and an almost blank façade facing the Circus. In contrast, the present scheme, in having neutral zinc clad façades to adjoining streets and a more assertive gold shingle façade to the Circus, follows the same design principles as the existing buildings i.e neutral street facing façades with more assertive facades to the Circus.
55. The use of shingles to clad the Circus facades of the extensions enables these façades to match the curve of the existing façades 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 façades 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).

56. In addition, the windows on the curved façades of the revised current scheme would match the size of those of the façade below and follow the diagonal pattern of window openings across the lower façades.
57. In summary the currently proposed scheme is marginally higher than the lawful approved scheme. The additional effect of this increase in size on the character and appearance of the conservation area 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 would therefore preserve the character and appearance of the conservation area as required by saved Policy 3.16 of the 2007 Southwark Local Plan
58. In addition to the above, there will be no loss of architectural features, and the scheme will leave the key architectural features of this robust building intact as key stand-out elements of the original design. The design is bespoke to the Circle's architecture and will not detract to any meaningful extent from its special architectural interest or significance. The proposal therefore accords with saved Policies 3.15 and 3.17 of the 2007 Southwark Local Plan, Strategic Policy 12 of the Southwark Core Strategy, 2011, and Policy 7.8 of the London Plan 2016.

(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).

Assessment against Tower Bridge Conservation Area Appraisal and Tower Bridge Management Plan.

59. The 'quirky details' of The Circle referred to in paragraph 3.5.4 of the Tower Bridge Conservation Area Appraisal (paragraph 30 of this report) will not be altered by the proposals. The Circle will still stand out as distinctive local landmark that adds to the character of the area. The 'wing-collar cornice line' referred to in the same paragraph is the silhouette of the blue glazed drum at the centre of The Circle. In some views the proposed roof-top extensions will rise above this but it will still form an extremely powerful and assertive feature that defines the overall character of The Circle.
60. The proposed rooftop extensions would not rise above the general scale and form of the large and assertive warehouse and apartment buildings within the area. They would not therefore be prominent in any long distance views and will really only be visible from within Queen Elizabeth Street. They would form a small scale addition to the skyline in this specific location but, in line with the guidelines of the appraisal cannot be said to disrupt the general skyline of the area. It should also be noted that there are numerous rooftop additions in the surrounding area which do not detract from the general character of the conservation area.
61. By being very much secondary to the existing buildings and being a bespoke design, the proposed rooftop extensions would acknowledge and respect the existing buildings of The Circle as required by the Shad Thames Management Plan. They would form a carefully considered juxtaposition with the geometry of the existing buildings and would thus be of high urban design quality. The architecture of the extensions would also constitute a carefully considered response to the existing architecture and geometry of the existing buildings, and would form distinctive high quality architectural elements in themselves.
62. In summary, the proposal conforms with the guidelines laid down within the Tower Bridge Conservation Area Appraisal and the Shad Thames Management Plan. They will preserve the character of The Circle and would hence preserve the character of

this part of the conservation area, as required by statute.

### **Quality of accommodation**

63. All of the dwellings proposed would be triple aspect and would have 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)**

64. 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.
65. 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.
66. 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
67. It should be noted that the CIL chargeable amount is subject to change. A further check by the council will be carried out when the liable notices are issued.

### **Sustainable development implications**

68. 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**

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**

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

### **Consultation replies**

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

## Community impact statement / Equalities assessment

71. 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:
  - c) 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.
  - d) 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
72. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
73. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
74. 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

75. 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.
76. 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	Place and Wellbeing Department 160 Tooley Street London	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk

Southwark Local Development Framework and Development Plan Documents	SE1 2QH	Case officer telephone: 0207 525 5840 Council website: www.southwark.gov.uk
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## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Martin McKay, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	12 September 2019	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of 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
<b>Date final report sent to Constitutional Team</b>	19 September 2019	



### 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:** See parallel listed building application

**Internal services consulted:**

n/a

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

Historic England, 20<sup>th</sup> C Society, original architect, Conservation Area Advisory Group consulted on listed building application.

**Neighbour and local groups consulted:**

Shad Thames Area Management Partnership. see parallel listed building application

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

None

#### Statutory and non-statutory organisations

See parallel listed building application

#### Neighbours and local groups

28no. – see parallel listed building application