

Item No. 6.3	Classification: OPEN	Date: 7 September 2011	Meeting Name: Bermondsey Community Council
Report title:	Development Management planning application: Council's own development Application 11-AP-2022 for: Council's Own Development - Reg. 3 Address: 160 TOOLEY STREET, LONDON, SE1 2QH Proposal: Fifth floor roof terrace - replacement of galvanized steel balustrading with stainless steel and glass balustrading, installation of lamp columns with luminaires, installation of LED floor lighting and alterations to main access door to open inwards.		
Ward(s) or groups affected:	Riverside		
From:	Head of Development Management		
Application Start Date 21 June 2011		Application Expiry Date 16 August 2011	

RECOMMENDATION

- 1 Grant permission.

BACKGROUND INFORMATION

- 2 This application has been brought before Bermondsey Community Council as 2 objections have been received and it is a Council's Own Development.

Site location and description

- 3 The application site comprises a 6 storey office block which extends southwards from Tooley Street along the length of Shand Street and Barnham Street to the railway line. The building is currently occupied by Southwark Council.
- 4 The site lies within the Tooley Street Conservation Area. No.'s 156-164 (even) are included on the draft list of Locally Listed Buildings.
- 5 No. 139-141 Tooley Street 'Fire Station' is located approximately 40m to the north-west and is a Grade II listed building.

Details of proposal

- 6 It is proposed to replace the existing galvanized steel balustrading at fifth floor roof terrace level with stainless steel and glass balustrading, to install lamp columns with luminaires, installation of LED floor lighting and alterations to main access door to open inwards.

Planning history

At 156-172 Tooley Street and buildings to the rear, including 31-39 Barnham Street & 1-7 Shand Street

- 7 05-AP-1441 - Planning permission granted with S106 on 3.4.06 for the retention of 156-172 Tooley Street and 1-7 Shand Street and redevelopment of vacant warehouse buildings including 31-39 Barnham Street and 9-27 Shand Street and land to the rear of 156-172 Tooley Street to provide a mixed use development comprising of 7 storey offices facing Barnham Street, 6 storey offices facing Shand Street and a 9 storey office tower at the southern end of the site, with retail or restaurant use (Use Classes A1/A3) at basement and ground floor of 1-7 Shand Street and 166-172 Tooley Street.
- 8 06-AP-0581 - Planning permission granted on 5.7.06 for retention and alterations to 156-172 Tooley Street & 1-7 Shand Street and redevelopment of vacant land to rear to provide a mixed use development comprising of offices, A1/A3 uses at ground floor and A1/A3/B1 at basement of 1-7 Shand Street & 166-172 Tooley Street and associated works.

At 160 Tooley Street

- 9 08-CO-0066 - Planning permission granted on 8.10.08 for alterations to Council Offices in Tooley Street including provision of new full height glazing along the Tooley Street elevation, a reconfigured entrance lobby with revolving doors and erection of an entrance canopy. Change of use of ground and basement of building on corner of Tooley Street and Shand Street from Class A4 to Class B1 (office) use.
- 10 09/CO/0011 Grant Permission for the change of use of part of the ground floor from Class A1/A2/A3 to Class B1 (office use), minor external alterations to the Tooley Street, Shand Street and the rear elevations and amendments to the rear parking layout to allow for the parking of three cars.
- 11 11/AP/1868 Grant permission for the Installation of three cantilevered flag poles to roof terrace at 5th floor frontage of 160 Tooley Street elevation set at an angle of 45 degrees.
- 12 11/AP/1867 Grant advertisement consent for three flag poles suspended from 5th floor flagpoles.

Planning history of adjoining sites

- 13 No relevant history.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 14 The main issues to be considered in respect of this application are:
 - a) The principle of development
 - b) Design and Conservation Issues
 - c) Impact on Amenity

Planning policy

Core Strategy 2011

- 15 Strategic Policy 1 Sustainable Development
Strategic Policy 12 Design and Conservation
Strategic Policy 12 High Environmental Standards

Southwark Plan 2007 (July) - saved policies

- 16 Policy 3.2 Protection of Amenity
Policy 3.12 Quality in Design
Policy 3.13 Urban Design
Policy 3.16 Conservation Areas
Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites

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

- 17 PPS 5 Planning for the Historic Environment.

Principle of development

- 18 There are no land use objections to this work. The terrace amenity area already exists.

Environmental impact assessment

- 19 Not required in this instance. No significant environmental impacts would arise.

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

- 20 The proposal includes the installation of 8 no. lighting columns of 3 m high and 35 in-ground recessed luminaire. The nearest residential occupiers are located at Lion Court, Shand Street, approx 25m distance and at Devon Mansions, approximately 30m distance. It is noted that an objection has come been received from a resident of Lion Court (as well as an anonymous objection which appears to have come from Devon Mansions). The issue of light and noise pollution has been raised.
- 21 In relation to light pollution is noted that the proposed lighting (REALTA Led) is a downward facing lamp. It is considered that the combination of the distance between the proposed lighting and the fact that the lamps are downward facing will mitigate any impact on the occupants of Lion Court and Devon Mansions. However in order to ensure that the lighting is not utilised at all times, a condition should be imposed limiting the hours of operation of the proposed lighting columns. It is not considered that the lighting should be turned on after 9pm Monday to Sunday.
- 22 In relation to noise, the proposal notes that the roof terrace could provide a useful staff amenity spaces if used safely and the current terrace balustrading does not conform with Building Regulations, making the terrace currently unusable. It is considered then the proposal will allow the terrace to be utilised more frequently, with potential impacts on neighbouring occupiers, having regard to noise. It is considered that the terrace should not be used after 9pm Monday to Sunday. This should ensure that any potential noise impacts be kept to a minimum, especially later in the evening when the background noise levels will be reduced and the potential for noise nuisance is greater.

Subject to conditions relating to hours of use and hours of lighting, it is considered that

the proposal complies with saved policy 3.2 and Strategic Policy 13.

Design issues and the impact on character and appearance of the Tooley Street Conservation Area.

- 23 It is not considered that the proposed balustrading would raise any design issues and it is considered that they would preserve the character and appearance of the Tooley Street Conservation Area. The balustrading is of a high quality appearance and is considered to be an improvement over the existing balustrading. Impacts on the streetscene would be minimal, given the transparency and high level location.
- 24 The lighting columns will be 3 m high and will be visible from certain vantage points including from buildings on Shand Street, opposite the site across Tooley Street and from Devon Mansions. However it is considered that the slim nature of the columns, combined with their location at fifth floor level, should ensure that their visual impact is minimal and that the character and appearance of the Tooley Street Conservation Area is preserved.
- 25 The impact of this proposal on the heritage asset - the Tooley Street conservation area and its setting - is considered against the requirements of PPS5 - Planning for the Historic Environment. Policy HE 9.4 of PPS5 – states that : "*Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:*
(i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and
(ii) recognise that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss."
- 26 This proposal will have a nominal impact on the character and appearance of the conservation area.
- 27 There is no harm to the setting of the conservation area. There is no loss of historic fabric and very limited impact on the viewer's appreciation of the conservation area or its setting. The same applies to the nearby listed buildings. Their setting would not be harmed by this proposal.

As such, it is considered that the proposal complies with the Council's design and heritage policies, and guidance in PPS5.

Other matters

- 28 No other matters have been identified.

Conclusion on planning issues

- 29 Having regard to the above the proposal is acceptable and the recommendation is to grant permission.

Community impact statement

- 30 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.

- 31 a) The impact on local people is set out above.

Consultations

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

Consultation replies

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

34 Summary of consultation responses

2 objections have been revived in relation to this proposal. The main issues raised include:

- noise and light pollution from terrace
- impacts on privacy
- may be similar impacts as from the roof terrace on Magdalene House
- should condition the hours of use of the proposed lighting and have no lighting between 10pm and 7am.

Human rights implications

- 35 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.
- 36 This application has the legitimate aim of providing balustrading and lighting. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 37 n/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1-154 Application file: 11-AP-2022 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5420 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ronan O'Connor, Planning Officer	
Version	Final	
Dated	23 August 2011	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team		25 August 2011

Consultation undertaken

Site notice date: 06/07/2011

Press notice date: 07/07/2011

Case officer site visit date: 23/08/2011

Neighbour consultation letters sent:

07/07/11

Internal services consulted:

None

Statutory and non-statutory organisations consulted:

None

Neighbours and local groups consulted:

As per Appendix 3

Re-consultation:

None

Consultation responses received**Internal services**

None

Statutory and non-statutory organisations

None

Neighbours and local groups

2 objections have been received in relation to this proposal. The main issues raised include:

- noise and light pollution from terrace
- impacts on privacy
- may be similar impacts as from the roof terrace on Magdalene House
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APPENDIX 3

Neighbour Consultee List for Application Reg. No. 11-AP-2022

TP No	TP/1-154	Site	160 TOOLEY STREET, LONDON, SE1 2QH
App. Type	Council's Own Development - Reg. 3		

Date Printed	Address
07/07/2011	FLAT 6 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 5 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 8 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 7 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	6-8 DRUID STREET LONDON SE1 2EU
07/07/2011	FLAT 18 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 17 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 22 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 21 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 16 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 12 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 9 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 15 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 13 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	9 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	36 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	35 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	38 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	37 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	34 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	31 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	30 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	33 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	32 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	6 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	5 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	8 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	7 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	42 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	4 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	39 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	41 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	40 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011	FLAT 23 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	SECOND FLOOR SHAND HOUSE 14-20 SHAND STREET LONDON SE1 2ES
07/07/2011	FIRST FLOOR SHAND HOUSE 14-20 SHAND STREET LONDON SE1 2ES
07/07/2011	PART GROUND FLOOR 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	BASEMENT 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	GROUND FLOOR SHAND HOUSE 14-20 SHAND STREET LONDON SE1 2ES
07/07/2011	THIRD FLOOR SHAND HOUSE 14-20 SHAND STREET LONDON SE1 2ES
07/07/2011	BASEMENT SHAND HOUSE 14-20 SHAND STREET LONDON SE1 2ES
07/07/2011	155 TOOLEY STREET LONDON SE1 2JP
07/07/2011	SECOND FLOOR 150-152 TOOLEY STREET LONDON SE1 2TU
07/07/2011	BASEMENT TO FIRST FLOOR 150-152 TOOLEY STREET LONDON SE1 2TU
07/07/2011	PART GROUND FLOOR 148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	PART THIRD FLOOR WEST 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	PART THIRD FLOOR EAST 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	PART FOURTH FLOOR 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	PART FOURTH FLOOR AND FIFTH FLOOR 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011	FLAT 28 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011	FLAT 32 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 31 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 3 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 33 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 30 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 26 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 25 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 29 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 27 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011	FLAT 19 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011	FLAT 11 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011	LION COURT 28 MAGDALEN STREET LONDON SE1 2EN

07/07/2011 FLAT 20 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011 FLAT 10 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011 FLAT 36 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011 FLAT 35 LION COURT 12 SHAND STREET LONDON SE1 2EP
07/07/2011 FLAT 2 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011 FLAT 1 LION COURT 28 MAGDALEN STREET LONDON SE1 2EN
07/07/2011 3 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011 FLAT 13 LEWES HOUSE DRUID STREET LONDON SE1 2ET
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07/07/2011 FIRST FLOOR 136-148 TOOLEY STREET LONDON SE1 2TU
07/07/2011 BASEMENT 22 SHAND STREET LONDON SE1 2ES
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07/07/2011 FLAT 5 1 SHAND STREET LONDON SE1 2ES
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07/07/2011 2 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011 20 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
07/07/2011 155 TOOLEY STREET LONDON SE1 2JP
07/07/2011 6-8 DRUID STREET LONDON SE1 2EU
07/07/2011 BASEMENT TO FIRST FLOOR 150-152 TOOLEY STREET LONDON SE1 2TU
07/07/2011 SECOND FLOOR 150-152 TOOLEY STREET LONDON SE1 2TU
07/07/2011 9 DEVON MANSIONS TOOLEY STREET LONDON SE1 2UD
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07/07/2011 FLAT 5 1 SHAND STREET LONDON SE1 2ES
07/07/2011 160 TOOLEY STREET LONDON SE1 2QH
07/07/2011 FLAT 1 1 SHAND STREET LONDON SE1 2ES
07/07/2011 FLAT 2 1 SHAND STREET LONDON SE1 2ES
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