

## RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

<b>Applicant</b>	SCCD Developments & Southwark Free School Trust	<b>Reg. Number</b>	13/AP/0065
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2354-9
<b>Recommendation</b>	Refuse permission subject to GLA referral		

### Draft of Decision Notice

**Planning Permission was REFUSED for the following development, subject to referral to the GLA:**

Demolition of existing building and the erection of a part 6, part 19 storey building (maximum height from ground 61.3m) with basement for a mixed use scheme comprising of 158 residential dwellings, primary school for Southwark Free School, sixth form and community centre for City of London Academy, with associated amenity and play space, basement car and cycle parking and landscaping.

**At:** 399 ROTHERHITHE NEW ROAD, LONDON, SE16 3HG

**In accordance with application received on** 10/01/2013 08:02:40

**and Applicant's Drawing Nos.** Planning Statement, Design and Access Statement, Free School Site Search, Industrial Land/ Marketing Assessment, Energy Strategy, Transport Assessment and Travel Plan, Sunlight and Daylight Report, Wind Study, Contamination/ Site Investigation Report, Flood Risk Assessment, Noise Survey/ Impact Assessment, Air Quality Assessment, Biodiversity/Ecology Study, Foul and Surface Water Drainage Strategy, Site and Waste Management Plan/ Construction Environmental Plan, Utilities Assessment, Statement of Community Involvement.

Drawing Numbers:

L(PA) 100 P1, 102 P1, 103 P1, 104 P1, 019 P2, 020 P1, 000 P2, 001 P2, 002 P2, 003 P2, 004 P2, 005 P2, 006 P2, 007 P2, 008 P2, 009 P2, 010 P2, 011 P2, 012 P2, 013 P2, 014 P2, 015 P2, 016 P2, 017 P2, 018 P2, 020 P1, 021 P1  
S(PA) 001 P2,  
E(PA) 001 P1, 002 P1, 003 P1

**Reason for refusal:**

- 1 The site lies within the Old Kent Road Preferred Industrial Location (PIL), where in accordance with saved Policy 1.2 of the Southwark Plan, planning permission will only be granted for developments falling within the B Class use and sui generis industries. There is a demonstrable need for industrial land and premises in Southwark which have good access to strategic transport networks, adequate servicing capacity, lack of disturbance from residential uses and 24 hour access. The loss of the site for education and residential uses would erode the reservoir of industrial and warehousing land, seriously harming the functioning of the PIL by the introduction of sensitive and incompatible uses. The loss of the industrial site is therefore considered unacceptable, and would be contrary to saved Policy 1.2 "Strategic and local preferred industrial locations" of the Southwark Plan, Strategic Policy 10 "Jobs and Businesses" of the Core Strategy and Policies 2.17 "Strategic industrial locations" and 4.4 "Managing industrial land and premises" of the London Plan as well as Section 1 Building a strong, competitive economy of the National Planning Policy Framework 2012.
- 2 The proposal does not satisfactorily mitigate against the adverse noise conditions of both the busy Rotherhithe New Road the industrial Verney Road thereby fails to protect the quality of life and amenity of future occupiers against significant harm, contrary to saved policies 3.1 "Environmental Effects", 3.2 "Protection of Amenity" of the Southwark Plan 2007, Strategic Policy 13 "High Environmental Standards" of the Core Strategy and Policy 7.15 "Reducing noise and enhancing soundscapes" of the London Plan.
- 3 The proposal represents an overdevelopment of the site, providing a density considerably and significantly exceeding the upper limit for the 'Urban Zone'. The density of the development results in accommodation which is unsatisfactory in several respects including in relation to layout and noise, and creates a building whose form and detailed elevations are overbearing in its context. The development is therefore contrary to policy 4.1 "Density of residential development" and 4.2 "Quality of residential accommodation" of the Southwark Plan 2007, Strategic Policy 5 "Providing new homes" of the Core Strategy, the council's adopted SPD for Residential Design Standards 2011 and also Policy 3.4 "Optimising housing potential" of the London Plan.

- 4 The proposed development fails to provide an adequate level of affordable housing, based on a review of the scheme's viability. The proportion of affordable housing, at 6% (as measured by habitable room), significantly falls short of the 35% policy target. The proposal is therefore contrary to Saved Policy 4.4 "Affordable housing" of the Southwark Plan, Core Strategy Policy 6 "Homes for people on different incomes", London Plan Policy 3.12 "Affordable housing targets", the council's adopted Affordable Housing SPD 2008, the draft Affordable Housing SPD 2011 and Section 6 Delivering a wide choice of high quality homes of the National Planning Policy Framework 2012.
- 5 The proposal would result in harmful transport impacts, as it fails to include sufficient mitigation of the increased road safety risk of the development, creates unacceptable and harmful impact on congestion, and fails to include a proper assessment of the transport impacts of the scheme. The level of parking provision is considered low, with no reasonable way of controlling or mitigating the harmful impacts arising from overspill parking. Further, the applicant would need to confirm payment of a number of measures to secure transport mitigation, such as contributions towards road safety mitigation, the bus network and cycle hire provision. The proposal is therefore contrary to saved policies 5.1 "Locating Developments", 5.2 "Transport Impacts", 5.3 - "Walking and Cycling", and 5.6 - "Car Parking" of the Southwark Plan, Core Strategy Policy 2 "Sustainable transport" and the following policies of the London Plan 6.3 "Assessing transport capacity", Policy 6.9 "Cycling", Policy 6.10 "Walking", Policy 6.11 "Smoothing traffic flow and tackling congestion", Policy 6.12 "Road network capacity" and Policy 6.13 "Parking".
- 6 The development fails to comply with the requirements of Saved Policy 3.20 'Tall Buildings' of the Southwark Plan, as it fails to make a positive contribution to the local townscape, is not at a point of landmark significance or within the Central Activities Zone, is of a poor architectural quality, and does not make any significantly positive contribution to public realm or the skyline. This is due to its inappropriately large scale, architectural expression and the form, massing and design of the building. The proposal also fails to comply with Policy 7.6 "Architecture" and Policy 7.7 "Location and Design of Tall and Large Buildings" of the London Plan, due to its harmful impact upon the local townscape, poor relationship to the local context in terms of proportion, scale, massing and composition, and poor relationship with the public realm, and does not comply with the National Planning Policy Framework, Section 7 Requiring good design.
- 7 The development is of poor architectural and urban design, in terms of building form, layout, massing, composition and materials. It does not respond appropriately to its local context resulting in harm, and its site layout does not enable the development to make a positive contribution to the public realm in the area, due to its overbearing and dominant form. The proposal therefore fails to comply with the requirements of Policies 3.11 "Efficient use of land", 3.12 "Quality in design" and 3.13 "Urban design" of the Southwark Plan, and Policies 7.4 "Local Character", 7.5 "Public Realm" and 7.6 "Architecture" of the London Plan, as well as the National Planning Policy Framework, Section 7 Requiring good design.

#### **Statement of positive and proactive action in dealing with the application**

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. In this instance the applicant chose to use the pre application advice service, but the advice issued was not adhered to. The local planning authority delivered the decision in a timely manner.