

<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 23 July 2013	<b>Meeting Name:</b> Planning Sub Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 13/AP/0238 for: Full Planning Permission  <b>Address:</b> RAILWAY ARCHES 22-27 LOCATED BETWEEN UNION STREET & SURREY ROW, LONDON SE1  <b>Proposal:</b> The proposed application is for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch 23, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout. In addition, there will also be external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to seclude bin storage under 2 metres and cycle storage area incidental to the change of use		
<b>Ward(s) or groups affected:</b>	Cathedrals		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 08/04/2013		<b>Application Expiry Date</b> 03/06/2013	

## RECOMMENDATION

- 1 Grant planning permission subject to conditions.

## BACKGROUND INFORMATION

- 2 This application is referred to members for a decision at the request of two Councillors and with agreement of the Chair of the Planning Committee.

### Site location and description

- 3 The application properties are located in railway arches between Union Street and Surrey Row, to the rear of properties in Great Suffolk Street. The area is in a mixed use area with both residential and commercial uses nearby. The site has a Public Transport Accessibility Level of 6a, indicating a high level of access to public transport.
- 4 The site is within the Central Activity Zone, Air Quality Management Area, Bankside and Borough District Town Centre and Bankside, Borough and London Bridge Opportunity Area.
- 5 The change of use refers to arches which are currently in use with a number of different businesses occupying them. There is 137 square metres of retail space, 153 square metres of Class A3 restaurant/cafes use and 133 square metres of General Industrial use Class B2. The site is accessed from Union Street by way of a vehicle entrance, although Arch 22 has a pedestrian entrance from Union Street into the arch.

## Details of proposal

- 6 The proposed application comprises of the refurbishment of arches 22-27 and a change of use to a total of 823 square metres of office floor space (Use Class B1a) of as per the following table:

7

	Existing Use	Proposed Use
Arch 22	A1/B1	B1a
Arch 23	A3	B1a
Arch 24	B2	B1a
Arch 25	B8	B1a
Arch 26	B8	B1a
Arch 27	B8	B1a

- 8 The application also includes alterations to the arches to include external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street and fencing to bin storage and cycle storage area incidental to the change of use.

## Planning history

- 9 AP/97/0501 229-231 Union Street including railway arches 22-27 Great Suffolk St & Union St, SE1 Grant permission for Continued use as car park [decision issued date 02/09/1997]
- 10 AP/99/1268 Grant Permission for Continued use of land for contract parking [decision issued date 16/12/1999]

## Planning history of adjoining sites

Recent, relevant applications include:

- 11 13/AP/0351 Outstanding application RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET LONDON, SE1 OBL Change of use from B2 to B1 (a) and refurbishment of the four arches 28-31 Great Suffolk Street as well as amendments to the front and rear elevations. (Report appears elsewhere on this agenda.)

LAND TO THE REAR OF 54-58 GREAT SUFFOLK STREET, LONDON SE1 OBL

- 12 12/AP/3706 Permission Granted for change of use of land to the rear of 54-58 Great Suffolk Street from land ancillary to the railway arch units (within B class) to private amenity space associated with the proposed residential development of 54-58 Great Suffolk Street (pursuant to permission LBS Reg 11/AP/3600 dated 29/12/2011 for Demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level). [decision date 01/02/2013]

## 54-58 Great Suffolk Street

- 13 05-AP-1147: Planning permission was refused on 22/09/05, for the demolition of the existing building and erection of a 5 storey building comprising restaurant (A3) use on the ground and first floors, and offices (B1) on the second to fifth floors. The reasons for refusal centred around the following issues:
- 14
- design and external appearance of the front building
  - no provision for refuse storage
  - balconies to the rear would cause overlooking

- insufficient information on ventilation
  - insufficient information on how the building would be protected from noise from the adjacent railway line.
- 15 Following its refusal the case was considered on appeal, and whilst the appeal was dismissed, the only reasons that were upheld were the design, refuse storage and overlooking from the balconies. The noise aspect and ventilation were considered capable of being dealt with by a condition.
  - 16 07-AP-0282: Planning permission was refused on 23/08/07, for demolition of existing buildings and erection of a 5 storey building to comprise A3 on the ground and first floors, and B1 office use on the second third and fourth floors.
  - 17 The two reasons for refusal were that the proposal was of a poor design with a projecting element that would have been incongruous within the streetscene, and that there was no provision for the secure, convenient and weatherproof storage of cycles for either of the proposed uses.
  - 18 09-AP-0383: Planning permission was granted on 25/05/09 for demolition of existing buildings on site and erection of a four storey office block with basement. This was granted with 12 conditions, one of which was a Grampian Condition requiring the occupiers to be made exempt from obtaining car parking permits in the surrounding Controlled Parking Zone.
  - 19 11-AP-3600: Planning permission was granted on 29/12/2011 for demolition of existing buildings and redevelopment with a four storey (plus basement) to provide seven residential units (1 x one bed, 5 x two bed and 1 x 3 bed apartments) and 139sqm of office floorspace at basement level. Planning permission was GRANTED in December 2011.

#### 60 Great Suffolk Street

- 20 12/AP/0015 Grant permission for the demolition of existing building and erection of a four storey building plus basement comprising gallery space (Use Class D1) at ground and basement level with ancillary retail and cafe (Use Class A1/A3); studio space at first and second floor level (Use Class B1) and ancillary living accommodation at third floor level [decision date 08/05/2013]
- 21 04/AP/1005 - Permission refused on 11-08-2004 for change of use from offices to dwelling house together with installation of sliding patio doors at first floor level and use of existing flat roof as terrace. The reason for refusal was as follows:
- 22 The proposal would result in the loss of a significant amount of useable Class B1 (office) floorspace, of which there is a proven need, resulting in the loss of current and future job opportunities in the area. The proposal is contrary to Policy B.1.1 'Protection of Employment Areas and Identified Sites' of Southwark's Unitary Development Plan (1995) and Policy 1.4 'Preferred Office Locations' of Southwark's Revised Unitary Development Plan [March 2004]
- 23 06/AP/1061 - Permission granted on 30-08-2006 for change of Use of Ground Floor and Part First Floor from B1 (Offices) to A1 (Shops)/D1 (Art Gallery) .
- 24 08/AP/2565 - Planning permission refused on 08-01-2009 for erection of a three storey extension on top of the existing three storey office and gallery building to create three live/work units for gallery staff.

#### Reasons for refusal:

- 25 1) The proposal by reason of its height, bulk and detailed design fails to respond to its context in terms of the proportions, materials and fenestration pattern adopted, as a result the scheme will be highly discordant and incongruous in this setting and will be detrimental to the visual amenities of this part of the streetscene. The proposal is therefore contrary to Policies 3.12 Quality in Design, 3.13 Urban Design of the Southwark Plan 2007 and Supplementary Planning Document: Residential Design Standards (2008);
- 26 2) The proposal, due to its height, depth and bulk, will be overbearing upon immediate neighbouring properties and will unduly impact open the light and rear prospect currently enjoyed by these properties, particularly the residential properties to the immediate north of the site, thereby harming their amenities, contrary to Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007) and Residential Design Standards SPD (2008) and;
- 27 3) The proposed live/work units are unacceptable due to their inadequate size, with insufficient definition between the two elements, which would render the units inadequate for employment purposes whilst not providing adequate residential accommodation, thereby contrary to Policy 1.6 'Live/work units' of the Southwark Plan (2007) and the Residential Design Standards SPD (2008).
- 28 11-AP-2018 - Planning application for the demolition of the existing A1/D1 gallery and B1 studio/offices and the construction of a new four storey building and basement to provide additional A1/A3/D1 retail/restaurant/gallery space at ground and basement level and 3 no. C3/B1 live/work units on the first, second and third floors was withdrawn on 20/09/2011.

#### 66 - 68 Great Suffolk Street

- 29 Planning permission (Lbs.Reg.No: 05-AP-1044) was granted on 14/10/2005 for continued use of the basement, ground, first, second and third floors of the building as B1 office use
- 30 05/AP/1044 - Permission granted on 14-10-2005 for Continued use of the basement, ground, first, second and third floors of the building as B1 office use.
- 31 07/AP/0282 - Permission refused on 23-08-2007 for demolition of existing buildings and erection of a five storey building with a restaurant (A3) use on ground and first floors, offices (B1) use on second, third and fourth floors.

#### 70 Great Suffolk Street

- 32 Planning permission (Lbs.Reg.No: 08-AP-0805) was granted on 17/07/2008 for erection of a six storey building comprising 174 sq.m of office space at ground and basement level and 9 residential units (5 x two bedroom and 4 x one bedroom units) on the upper floors, with balconies and terraces.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

- 33 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic

policies.

b] Impact on the amenities of neighbouring residents and occupiers

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

d] Traffic issues

e] Design issues and impact on the historic environment

f] Flood risk assessment

g] Waste and Recycling

h] Air Quality

### **Planning policy**

#### Core Strategy 2011

- 34 1 - Sustainable Development
- 2 - Sustainable transport
- 3 – Shopping and Leisure
- 10 – Jobs and Businesses
- 12 - Design and conservation
- 13 - High environmental standards
- 14 - Implementation and delivery

#### Southwark Plan 2007 (July) - saved policies

- 35 The Council's cabinet on 19th 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.
- 36 1.5 Small Business Units
- 1.7 Development within town and local centres
- 3.1 Environmental Effects
- 3.2 Protection of Amenity
- 3.4 Energy Efficiency
- 3.6 Air Quality
- 3.7 Waste reduction
- 3.11 Efficient use of land
- 3.12 Quality in Design
- 3.13 Urban Design
- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking

#### Supplementary Planning Documents

- 37 Draft Blackfriars Road SPD

## Bankside, Borough and London Bridge SPD

### London Plan 2011

- 38 Policy 1.1 Delivering the strategic vision and objectives for London  
Policy 4.7 Retail and town centre development  
Policy 4.8 Supporting a successful and diverse retail sector  
Policy 4.10 New and emerging economic sectors  
Policy 4.12 Improving opportunities for all  
Policy 5.3 Sustainable design and construction  
Policy 6.9 Cycling  
Policy 6.10 Walking  
Policy 6.13 Parking  
Policy 7.1 Building London's neighbourhoods and communities  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.5 Public realm  
Policy 7.6 Architecture

### National Planning Policy Framework (NPPF)

- 39 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

#### Relevant Sections

- 40
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
  12. Conserving and enhancing the historic environment

#### **Principle of development**

- 41 The proposed development consists of a change of use from A1/B1, A3 and B2 use classes to B1a. In total approx. 823 sq. m. will undergo a change of use. A mezzanine floor is proposed in each arch and will increase the overall floor space by 524 sq. m. It is noted that a large number of objections have been received in relation to the principle of the change of use, in particular the loss of the existing small business units and the replacement with office units. A detailed discussion of this issue is set out below.
- 42 The site lies within the Central Activity Zone, the Bankside and Borough District Town Centre and Bankside and the Borough and London Bridge Opportunity Area. As such the relevant policies in the NPPF, the London Plan, the Core Strategy and saved Policies of the Southwark Plan apply in this instance.
- 43 The NPPF states that local authorities should approve development proposals that accord with the development plan without delay; In relation to economic growth,

significant weight should be placed on the need to support economic growth through the planning system.

- 44 Strategic Policies 3 – Shopping and Leisure and 10 – Jobs and Businesses of the Core Strategy are relevant in this instance.
- 45 Strategic Policy 3 states the council will maintain a network of successful town centres which have a wide range of shops, services and facilities to help meet needs of Southwark's population. In relation to the Bankside and Borough Town Centre the council will support the provision of new shopping space in Bankside, Borough and London Bridge
- 46 Strategic Policy 10 – Jobs and Businesses seeks to protect existing business space and to seek the provision of existing business space. Small units are protected in specific locations including Bermondsey, Old Kent Road, Parkhouse Street and Mandela Way. Business spaces refers to B class uses.
- 47 In relation to small and medium sized enterprises (SME's) it is noted that these make up over 99% of the total number of business in Southwark. This policy seeks to protect SME to ensure a supply of premises suitable for SMEs. This policy will apply to both business (B class) units as well as retail (A class) units.
- 48 Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' states that outside Preferred Industrial Locations and Preferred Office Locations, on sites which have an established B Class Use and which meet any of the following criteria:
  - (i) The site fronts onto or has direct access to a classified road; or
  - (ii) The site is in a Public Transport Accessibility Zone; or
  - (iii) The site is within the Central Activities Zone; or
  - (iv) The site is within a Strategic Cultural Area
- 49 The above policy states that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. In this case the proposal will not result in the loss of Class B floorspace and therefore is policy compliant.
- 50 Saved Policy 1.5 Small Business Units states that the LPA will protect and encourage appropriate business and commercial developments which meet the needs of small businesses in the following ways:
  - (i) Any proposals for the change of use or redevelopment of employment sites which include small business units and to which Policies 1.2, 1.3 or 1.4 apply shall make equivalent provision for small units within the replacement floorspace for Class B uses unless the existing Small Business Units have been vacant for 12 months or there is comparable alternative provision provided by the applicant;
  - (ii) Railway arches outside Preferred Industrial Locations may be used for A, B, and D Use Classes, provided that the proposed use would not have an unacceptable impact on the amenities of neighbouring occupiers, or on car parking, traffic congestion and road safety;
  - (iii) A planning condition will be imposed to ensure that such units are not converted or extended to form larger work spaces.
- 51 It is noted in the Saved Southwark Plan Policies that Small Business Units are an important feature of a sustainable local economy as they provide employment opportunities and services for local, often socially excluded residents, stimulate enterprise, and reduce the need to travel. Small business premises are often vulnerable to displacement by other uses and therefore need special protection and support. Because of their size and physical constraints, railway arches and viaducts make an important contribution towards providing employment space for small

businesses. In relation to the above policy, it is considered that a planning condition as outlined in criteria (iii) is appropriate in this instance. While there is no loss in B class use, this policy does seek to protect small and medium enterprises (SME's). The restriction on floorspace by way of restricting conversion of the units will help to ensure that the units remain suitable for SME's.

- 52 Saved Policy 1.7 'Development within town and local centres' states that within town centres, the LPA will permit developments providing a range of uses, including retail and services, leisure, entertainment and community, civic, cultural and tourism, residential and employment (Class B1) uses, where the following criteria are met:
- i. The scale and nature of the proposal is appropriate to the character and function of the centre and the catchment area it seeks to serve; and
  - ii. The proposal will not harm the vitality and viability of the centre; and
  - iii. A mix of uses is provided where appropriate; and
  - iv. Any floorspace currently in A Class use should be retained or replaced, unless the proposed use provides a direct service to the general public and the proposal would not harm the retail vitality and viability of the centre (where the proposal site is located within a protected shopping frontage, the proposal should comply with Policy 1.9); and
  - v. The proposal would not materially harm the amenities of surrounding occupiers; and
  - vi. Where developments which are likely to attract a lot of people are proposed, the site should be highly accessible by sustainable modes of transport; and
  - vii. The road network has sufficient capacity to take any additional servicing traffic generated by the proposal without causing adverse effects on the environment, traffic circulation, or air quality; and
  - viii. The development addresses the street, provides an active frontage on pedestrian routes and would not erode the visual continuity of a shopping frontage; and
  - ix. The proposal provides amenities for users of the site such as public toilets, where appropriate.
- 53 In relation to Saved Policy 1.7, Office (Use Class B1a) use is considered acceptable in this town centre location. The existing retail (A1) and restaurant/ cafe (A3) uses are not within established shopping parades and therefore it is not considered that the proposal would impact on the viability and vitality of the town centre. The application properties are also within the Central Activity Zone and therefore exempt from permitted development rights to change to residential use without requiring planning permission. Furthermore, the change of use is in line with the principles of the NPPF which states that Local Planning Authority should support economic growth and approve without delay developments which accord with the development plan. The application properties are located in an highly accessible location and the proposed uses would not have a material impact on the road network over and above the existing uses.
- 54 In relation to Strategic Policy 3 and the change of use from an A class use, it is not considered that the loss of the A class uses will have a detrimental impact on the vitality and viability of the town centre. In relation to Strategic Policy 10 – Jobs and Businesses it is noted that arches are being maintained in a B class use and do not lead to a reduction in employment floorspace. In relation to saved Policy 1.4 the proposal does not result in the loss of B class floorspace. In relation to saved Policy 1.5 B classes uses are being maintained. In accordance with policy a condition can be imposed ensure that the units are not converted or extended to form larger work spaces.
- 55 In relation to the Draft Blackfriars Road SPD it is noted that this has recently gone out for consultation (Consultation period Friday 21 June to Thursday 12 September 2013). As such this has little weight at present. However this document supports the use of the railway arches for a range of business uses (B1) including small business space, creative and cultural industries, light industrial uses and appropriate A or D class uses.



## **Environmental impact assessment**

- 56 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project. Having reference to the Column 2 criteria, the site area does not exceed the initial threshold of 0.5ha. In addition it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects.

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

- 57 It is not considered that an office use (Class B1a) in this town centre location would have a detrimental impact on the amenities of surrounding occupiers, over and above the existing uses. Indeed restaurant and general industrial uses may have more of an impact on amenity than office use. It is noted that there are air conditioning units proposed to the front of the site, adjacent to the bin and cycle storage space. A condition in relation to noise levels should be imposed. It is noted that an objection has raised the issue with the impact of construction noise during the works. In relation to noise during construction, a Construction Management Plan condition is recommended. This will allow the council to control the hours and manner of working so as to ensure that noise and dust levels will be kept to a minimum.
- 58 In relation to overlooking of adjacent occupiers, it is noted that these proposals include the glazing of a proportion of the rear arches to serve the upper mezzanine floors. While not a residential use, this still could result in overlooking of those occupiers to the rear. As such it is considered that the glazed elements to the rear should be obscured. This can be required by way of condition. It is not considered that the glazing to the front would impact on amenity given the setback of the arches from these properties.

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

- 59 The surrounding uses are a mix of commercial and residential. As such it is not considered that the uses would impact on the amenity of future occupiers of this site.

## **Design issues**

- 60 The proposed alterations to the arches include external alterations to the rear and front elevations of each arch, including new landscaping and paving to the associated private forecourt, installation of bollards adjacent to Union street of a height under 1 metre, fencing to bin storage and cycle storage area incidental to the change of use
- 61 The external alterations to the front of the arches include the insertion of dark grey powder coated aluminum framed glazing and the insertion of blue facing brickwork. Grey powder coated ventilation grilles are also proposed. It is also proposed to clean and repair the existing viaduct wall and to remove redundant rainwater goods. A wall mounted arch identification sign is proposed for each of the arches and a non-illuminated sign is also proposed for the viaduct wall.
- 62 To the rear, grey powder coated aluminum framed glazing is proposed to match existing arch 25 and 26 infills. Red face brick infill is proposed to match existing arch

25 and 26 infills. Extract grills are also proposed for the rear.

63 New cast iron bollards are proposed for the entrance off Union Street and new opening is proposed to link to arches 28-31.

64 It is noted a number of objections have raised the issue of design and object to the alterations proposed. However, it is considered that these alterations are appropriate in appearance and do not detract from the character of the area. The works to the front and rear will improve the appearance of the arches and the materials proposed are considered to be appropriate. The proposed blue-faced brick to the front will improve the overall appearance and the red brick to the rear is in keeping with the existing arch infills to the rear. However a sample of both brick types should be requested by way of condition.

### **Traffic issues**

65 This proposed development is located in an area with a TfL PTAL rating of 6a reflecting the area's high level of access to all forms of public transport. No additional parking is proposed for this development and this is in line with policy. An objection has raised the issue of the current impact on car parking adjacent to the La Gare Apartments. There are no proposals under this application to make amendments to the current parking arrangements at this location.

66 In relation to cycle parking, Table 15.3 the Southwark Plan, states that for B1 use classes 1 space per 250m<sup>2</sup> should be provided. In total there is 1350 sq. m. of B1 space (including that space in arches 28-31).

67 A total of 20 cycles are proposed. These are to serve arches 28-31 also. The level of provision is considered acceptable and is in line with policy.

### **Refuse and Recycling Facilities**

69 The applicant has submitted details of waste storage which includes 7 X 1100ltr Eurobins within a timber screened enclosure. This is to serve arches 22-31. This is considered sufficient to serve the proposed development. It is noted an objector has raised the issue of the impact on the current refuse arrangements for the La Gare apartments. This current application does not propose to amend these arrangements.

### **Air Quality**

70 The site lies within an Air Quality Management Area. Saved policy 'Air quality of the Southwark Plan (2007) states that planning permission will not be granted for development that would lead to a reduction in air quality. It is not considered that the proposed office use (B1a use class) would lead to a reduction in air quality.

### **Mayoral Community Infrastructure Levy**

71 CIL is payable on applications for new floorspace over 100 sq. m, for change of use applications where the floorspace has not been in lawful use for the previous 6 months and for the creation of new residential units. The arches have been in lawful use and therefore CIL is not payable in this instance.

### **Flood Risk**

72 The proposal does not result in a more vulnerable use and therefore a Flood Risk Assessment is not required in this instance.

## **Other Matters**

- 73 A number of objectors have raised the issue of the site address and considered that the address supplied for the application is inaccurate and misleading. This issue was discussed with Street Naming and Numbering and it was confirmed that the address supplied for the application is as indicated in the report and consultation documents.
- 74 A number of objectors have raised the matter of the draft SPDs for the area (Blackfriars Road and Bankside, Borough and London Bridge). As noted above these have not been formally adopted and therefore have little weight.

## **Conclusion on planning issues**

- 75 Having regard to the above, the principle of the change of use is acceptable as it maintains employment floorspace in an appropriate town centre site. It is not considered that the loss of the A class floorspace would have a detrimental impact on the vitality and viability of the town centre, having regard to the limited A class floorspace lost, the replacement with employment use and the relatively limited footfall at this location, in comparison with the main retail areas. The imposition of a condition restricting the conversion of the units to larger units will ensure that they will remain suitable for small business units.

## **Community impact statement**

- 76 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.
- a) The impact on local people is set out above.
- b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as overlooking from the rear of the property
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are a condition recommending obscured glazing.

## **Consultation**

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

## **Consultation replies**

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

## **Summary of consultation responses**

- 79 Objections have been received from Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan

Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crampton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE; Castle Vale, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.

Current on-line petition of 8,912 (as of 10/07/13) signatures objecting to the loss of small businesses in the arches

80 The main planning issues raised by the objections are as follows:

#### Misleading Information

- Initial consultation was compromised by lack of a sign outside the site for the vast majority of the consultation period
- Consultation should be undertaken again
- Site is should be considered as one and development should be one major planning application as they are linked
- Plans were not available on the website
- Consultation start date was not communicated to tenants or neighbours
- Application is not shown on Southwark Maps
- Address is incorrect and is misleading
- Application forms part of a large development by Network Rail and can not be considered a minor alteration
- Appears to cover land not in the ownership of the applicant
- Application is fundamentally flawed and should not have been validated

#### Consultation Issues

More consultations should take place before any permissions are given

#### Contrary to Policy

- Applications run contrary to some of the Council's most important aspirations for the area expressed in core strategic policies
- Applications do not seem to be in compliance with the proposed Bankside Neighbourhood Plan

#### Loss of services to the local community and impact on local employment

- Small businesses contribute to the life of the area and provide a variety of services to local residents
- Much of SE1 has been taken over by glossy flats and lifeless offices
- Existing local businesses contribute to mixed use more than office space can do
- Should be encouraging local businesses that provide local employment
- Don't need more empty offices in the area at the expense of useful local services
- Plenty of office space already in the area including the two floors opposite the proposed development at 200 Union Street that have been vacant for the last two years
- Development takes no account of the social and economic needs of the community

- Impact on local employment – would put 30-50 jobs at risk including local apprentices booked on Government back to work and skill training
- No evidence that the proposed use would provide local employment and is far more likely to transfer existing employment from other parts of the capital
- Impact on culture, creativity and diversity
- Deprive the local community of services
- Arches are already inhabited by successful cultural businesses
- Both applications are completely inter-dependant and should be submitted as one due to the fire escape access for each crossing the other
- Council is committed to sustaining a range of small businesses in the area with special protection for small businesses. Creative and artistic activities are particularly encouraged.
- Strategic objectives also promise to ensure that local people and local businesses share in the benefits of local regeneration and development
- This applications threaten genuinely local, creative small businesses, employment and jobs
- Diversity of business life is vital to the wellbeing of this area and would encourage planners to stand by their principle and policies and reject this application.

#### Plans

- Need small business that relate to the community the way that the Union Theatre and Rocket Van do rather than facilities that cater to a transient population of office workers who contribute little if anything to the community
- Offices can sit empty like the offices in Burrell Street that have only recently been occupied despite having being finished several years ago
- The area's residents are already swamped by transient visitors with little or no investment in the neighbourhood
- Should not get rid of successful local businesses already occupying these arches in order to make way for office space when it isn't needed
- Wide range of interesting uses make the area attractive for visitors
- Would result in an erosion of local business diversity that operates here
- Existing businesses - Rocketvan and Rocketvan Box Shop have been trading for 7 years, Academy Costumes (trading for 4 years), Arcadian Wood and Bangkok Kitchen (trading for 2 years) and Millennium City Garage (trading for 15 years) – would be evicted to make what for the capital already has an abundance of.
- Don't care enough about the local business community already there
- Large chain companies will have a negative impact on the local area
- Current arches are a good place for small businesses
- Application will result in loss of creative industries
- Arches are in a Strategic Cultural Area design to protect and enhance the provision of arts, culture and tourism
- Removal of businesses cannot be justified
- Area has a high degree of social cohesion due to a large degree to the families and local businesses that live and work there
- Several of these business support the logistics services and creative requirements of local, developing and developed artists and theatres
- Many small enterprises are being closed down due to increasing leases or redevelopments
- This is not regeneration
- Lots of reasons for these local businesses to stay in this location including family and childcare as well as having built a strong local clientele
- Support network amongst businesses
- Should see the value of that already exists here
- Concerned about the proposed removal of the garage as there are no other similar garages nearby
- The Southwark Plan states that small business units are an important feature of a

sustainable local economy and that small business premises are often vulnerable to displacement by other uses and need special protection

- Relocation within zone 1 would be difficult and businesses could be forced to downsize
- More offices will erode the social character and culture of north Southwark Council
- Current businesses provide support and services which are badly needed for other small businesses in the area unlike the typical clients that will occupy the refurbished premises

#### Amenity Issues

- The proposed glass frontage to all of the arches will directly overlook the rear of the neighbouring buildings
- Will harm the amenity of surrounding occupiers and affects the vitality of all the small businesses in the area, including Great Suffolk Street, Blackfriars Road and The Cut.
- Impact on privacy - previous development of the arches should have installed frosted windows
- All new windows overlooking La Gare apartments should be frosted
- There should be no access doors onto private land
- Working hours need to be during the week and not weekends and should be agreed with residents who live behind the arches and on Great Suffolk Street
- Impact of noise during construction on resident who lives 10-15m away from the arches
- Need to provide information on how they will manage construction noise and the project overall
- Permission should not be granted until Network Rail has provided a construction plan that deals with the noise issue
- Would be advisable for representatives from Southwark Council to meet at this property with Network Rail to see how they will deal with this issue

#### Transport, refuse, pedestrian and cycle issues

- Should safeguard the possible use of the forecourt area as a potential pedestrian cycle route
- Impact on current car parking spaces
- Impact on current refuse collection arrangements

#### Design Issues

- Design of the new facades is inappropriate, failing to preserve the character of the existing structure
- Transparency of the arches should be preserved
- Arches have great architectural and heritage quality and work to them should respect this and enhance the area
- Should have fully glazed facades to both sides of the arches
- Choice of brick is entirely inappropriate
- Arches are an important part of Southwark's History and any scheme for their development should respect and maximise their value as a contributor to the environment and heritage of the neighbourhood.

Space to the front will not be publicly accessible space and not amenity space

#### **Human rights implications**

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.

- 82 This application has the legitimate aim of providing a change of use. 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**

- 83 None

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/RLY/12/BK1 Application file: 13/AP/0238 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 5446 Council website: www.southwark.gov.uk

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee list
Appendix 4	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Ronan O'Connor, Senior Planner	
<b>Version</b>	Final	
<b>Dated</b>	10 July 2013	
<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 & Corporate services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		11 July 2013



## APPENDIX 1

### Consultation undertaken

Site notice date: 22/04/13

Press notice date: n/a

Case officer site visit date: 28/05/13

Neighbour consultation letters sent:

18/04/13

Internal services consulted:

Environmental Protection  
Transport  
Planning Policy

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

None

**Neighbours and local groups consulted:**

As per Appendix 3

**Re-consultation:**

None.

### Consultation responses received

#### Internal services

Environmental Protection – recommend condition in relation to noise  
Planning Policy - No objection to the application

#### Statutory and non-statutory organisations

None

#### Neighbours and local groups

Objections have been received from:

Millennium City Garages, 68-70 Great Suffolk Street (rear), London, SE1 0BL (current tenant of arches 28-31); Academy Costumes (current arch tenant); Rocket Van Limited, The Arches, 229 Union Street, London, SE1 0LR (current arch tenant); 25 Lant House, Land Street SE1 1PJ; Southwark Cathedral, London Bridge SE1 9DA; 2 Walton House, The Drive, Walthamstow, London, E17 3DH; 31 Dolben Street, Flat 3, London SE1 0UQ; The Granary, Dunorlan Farm, Hall Holes Road, Tunbridge Wells, Kent, TN2 4RE; Millennium City Garages, Arches 28/31, 68-70 Great Suffolk Street, SE1 0BL; Union Street Traders; 29 Styles House, The Cut, SE1 8DF; Apt. 7, Horseshow Wharf, 6 Clink Street, London, SE1 9FE; 2 La Gare, 53 Surrey Row, London, SE1 0DF; 182 Crampton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE; Castle Vale, Railway Street, Berwick-upon-Tweed, TD15 1NF; 2 St. Alphege House, Pocock Street, London, SE1 0BJ; 59 Elm Grove, London, SE15 5DB; 72 Ravensdowne, Berwick-upon-Tweed; 31 Main Street, Spittal, Berwick-Upon-Tweed, TD15 1QY; 122 Rowland Hill House, Nelson Square, SE1 0LU; 53B The Cut; 12 Bench Apartments, 22 Kings Bench Street, SE1 0QX; and from 14 individuals who did not supply an address.

The objections are summarised in the summary of consultation responses above.

## APPENDIX 3

### Neighbour Consultee List for Application Reg. No. 13/AP/0238

<b>TP No</b>	TP/RLY/12/BK1	<b>Site</b>	RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW LONDON, SE1 0LR
<b>App. Type</b>	Full Planning Permission		

Date Printed	Address
18/04/2013	3 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	4 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	2 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	52A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	1 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	5 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	9 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	10 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	8 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	6 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	7 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	UNION JACK 225 UNION STREET LONDON SE1 0LR
18/04/2013	66-68 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	62 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	54 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	48A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	50A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	204 UNION STREET LONDON SE1 0LX
18/04/2013	OCTAVIA HOUSE 235-241 UNION STREET LONDON SE1 0LR
18/04/2013	11 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	8 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 52 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	7 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	5 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	6 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	SECOND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	PART GROUND FLOOR AND FIRST FLOOR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	15 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	16 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	14 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	12 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	13 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	17 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	3 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	4 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	2 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	18 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	1 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	FIRST FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	LIVING ACCOMMODATION 225 UNION STREET LONDON SE1 0LR
18/04/2013	UNIT 1 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 5 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 6 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 4 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	FIRST FLOOR AND SECOND FLOOR FLAT 48 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	THIRD FLOOR FRONT SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	FIRST FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	TOP FLOOR FLAT 66 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	RAILWAY ARCHES 45 TO 51 UNION STREET LONDON SE1 0NW
18/04/2013	SECOND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNIT 2 202 UNION STREET LONDON SE1 0LX
18/04/2013	UNIT 3 202 UNION STREET LONDON SE1 0LX
18/04/2013	THIRD FLOOR EAST AND THIRD FLOOR REAR SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	THIRD FLOOR AND MEZZANINE 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNIT 7 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL

18/04/2013 202 UNION STREET LONDON SE1 0LX  
18/04/2013 70B GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 9 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 70A GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 58 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 60 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 56 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FIRST FLOOR AND SECOND FLOOR FLAT 50 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 1 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 2 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 UNIT 10 RAILWAY ARCH 27 229 UNION STREET LONDON SE1 0BL  
18/04/2013 UNIT 8 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL  
18/04/2013 UNIT 9 RAILWAY ARCH 26 229 UNION STREET LONDON SE1 0BL  
18/04/2013 FLAT 3 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 7 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 8 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 6 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 4 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 FLAT 5 70 GREAT SUFFOLK STREET LONDON SE1 0BL  
18/04/2013 The Arches 229 Union Street London SE1 0LR  
18/04/2013 68-70 Great Suffolk Street (rear) London SE1 0BL  
20/06/1837 122 Rowland Hill House Nelson Square London SE1 0LU  
20/06/1837 by email  
20/06/1837 Apartment 7, Horseshoe Wharf 6 Clink Street London SE1 9FE  
20/06/1837 by email  
20/06/1837 182 Crampton Street London SE17 3AE  
20/06/1837 Chester Way London SE11 4UR  
20/06/1837 65 Santley House Frazier Street London SE1 7RE  
20/06/1837 by email  
20/06/1837 Castle Vale House Railway Street Berwick-upon-Tweed TD15 1NF  
20/06/1837 by email  
20/06/1837 by email  
20/06/1837 59 Elm Grove London SE15 5DB  
20/06/1837 by email  
20/06/1837 by email  
20/06/1837 Milcote House Milcote Street London SE1 0RX  
20/06/1837 31 Main Street Spittal Berwick-Upon-Tweed TD15 1QY  
20/06/1837 72 Ravensdowne Berwick-Upon-Tweed  
20/06/1837 12 Bench apart,metns 22 Kings Bench Street London SE1 0QX  
20/06/1837 by email  
20/06/1837 2 St Alphege House Pocock Street London SE1 0BJ  
20/06/1837 by email  
20/06/1837 Flat 2 31 Dolben Street London SE1 0UQ  
20/06/1837 29 Styles House 29 The Cut London SE1 8DF  
20/06/1837 by email  
20/06/1837 by email  
20/06/1837 by email  
20/06/1837 25 Lant Hse SE1 1PJ  
20/06/1837 X  
20/06/1837 2 WALTON HOUSE THE DRIVE WALTHAMSTOW LONDON E17 3DH  
20/06/1837 Southwark Cathedral London Bridge London SE1 9DA  
20/06/1837 The Granary Dunorlan Farn Halls Hole Road Tunbridge Wells TN2 4ER  
20/06/1837 FLAT 3 31 DOLBEN STREET LONDON SE1 0UQ  
20/06/1837 by email