

Item No. 7.2	Classification: OPEN	Date: 23 July 2013	Meeting Name: Planning Sub Committee A
Report title:	Development Management planning application: Application 13/AP/0351 for: Full Planning Permission Address: RAILWAY ARCHES 28 TO 31, GREAT SUFFOLK STREET, LONDON SE1 0BL Proposal: Change of use from General Industry (Class B2) to Offices (ClassB1 (a)) together with refurbishment and external alterations to the four arches 28-31 Great Suffolk Street		
Ward(s) or groups affected:	Cathedrals		
From:	Head of Development Management		
Application Start Date 06/03/2013		Application Expiry Date 01/05/2013	

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 site is located between Union Street and Surrey Row. The site has a Public Transport Accessibility Level of 6a, indicating a high level of access to public transport. The area is a mixed use area with commercial uses and residential uses nearby.
- 4 The change of use refers to four arches which are currently in General Industrial Use (Class B2) (car repair/workshop) use and comprise of a total of 527 square metres. The site is accessed from Great Suffolk Street.
- 5 Kings Bench Conservation Area is located to the south of the site with the northern boundary running along Surrey Row.
- 6 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.

Details of proposal

- 7 The proposed application comprises of the refurbishment of arches 28-31 and a change of use as per the following table:

8

	Existing Use	Proposed Use
Arch 28	B2	B1a
Arch 29	B2	B1a
Arch 30	B2	B1a
Arch 31	B2	B1a

- 9 The application also includes alterations to the arches to include external alterations to the rear and front elevations of each arch. A new glazed front elevation is proposed with a dark grey powder coated frame and ventilation grilles. New grey powder coated aluminium framed glazing is proposed at the rear. Two cast iron bollards are proposed for the entrance to ensure larger vehicles can no longer enter the site. New mezzanine floors are being created within the units but these do not require planning permission.

Planning history

- 10 There is no recent planning history relating specifically to arches 28-31.

Planning history of adjoining sites

- 11 Recent, relevant applications include
- 12 13/AP/0238 Outstanding application RAILWAY ARCHES 22-27 LOCATED BETWEEN 229-231 UNION STREET & SURREY ROW LONDON SE1 0LR for the change of use of six arches from uses A1/B1c in arch 22, A3 in arch A3, B2 in arch 24 and B8 in arches 25, 26 and 27 to B1a throughout.
- 13 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
- 14 LAND TO THE REAR OF 54-58 GREAT SUFFOLK STREET, LONDON SE1 0BL
- 15 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]
- 16 54-58 Great Suffolk Street
- 17 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:

- 18 - 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.
- 19 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.
- 20 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.
- 21 The 2 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.
- 22 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.
- 23 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.
- 24 60 Great Suffolk Street
- 25 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]
- 26 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:
- 27 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]
- 28 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) .
- 29 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.

30 Reasons for refusal:

31 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);

32 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;

33 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).

34 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.

35 66 - 68 Great Suffolk Street

36 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

37 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.

38 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.

39 70 Great Suffolk Street

40 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

- 41 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 including the setting of the Kings Bench Conservation Area.
 - f] Flood risk assessment
 - g] Waste and Recycling
 - h] Air Quality

Planning policy

Core Strategy 2011

- 42
- 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

- 43 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.
- 44
- 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
 - 3.18 Setting of listed buildings, conservation areas and world heritage sites

- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking

45 Draft Blackfriars Road SPD

Bankside, Borough and London Bridge SPD

London Plan 2011

- 46 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 4.11 Encouraging a connected economy
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)

- 47 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

- 48
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

- 49 The proposed development consists of a change of use from B2 to B1a use class. In total approx. 527sq. m. will undergo a change of use. A mezzanine floor is proposed for each arch which do not require planning permission. 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.

- 50 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.
- 51 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.
- 52 The provision of office (B1a) accommodation accords with the council's aim to provide employment space in appropriate locations, in this case within a town centre site in the Central Activity Zone as there is no loss of B class use. The change of use is in line with the principles of the NPPF which states that LPA should support economic growth and approve without delay developments which accord with the development plan.
- 53 Strategic Policy 10 – Jobs and Businesses of the Core Strategy is relevant in this instance.
- 54 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.
- 55 In relation to small and medium sized enterprises (SMEs) 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.
- 56 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
- 57 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.
- 58 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.

- 59 It is noted in the Southwark Plan 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. Criterion ii relates to impacts on neighbouring occupiers this is discussed later in the report but the proposal is not considered to impact on neighbouring occupiers.
- 60 In relation to Saved Policy 1.5 'Small Business Units' 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, 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
- 61 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.
- 62 In relation to saved Policy 1.7 above, it is considered that the scale and nature of the proposals are appropriate. In relation to criteria (ii) and (iii) the proposal proposes 4 arches which will be used as office units (B1) use. The application will result in a change of use from General Industry (B2) to four separate B1 units which will not result in harm to the vitality/viability of the Bankside and Borough district town centre, when considering the criteria in Saved Policy 1.7
- 63 In relation to criteria (v) the change of use will not have a detrimental impact on surrounding occupiers (see discussion on amenity below). In relation to criteria (vi) and (vii) the site is highly accessible and the proposed uses would not have a material impact on the road network over and above the existing uses.
- 64 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.

- 65 The draft Bankside, Borough and London Bridge SPD has not been formally adopted and as also has little weight.

Environmental impact assessment

- 66 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

- 67 It is not considered that a office (B1a) class use in this town centre location would have a detrimental impact on the amenities of surrounding occupiers, over and above the existing uses, having regard to considerations of noise and disturbance. In relation to noise, it is noted that there are air conditioning units proposed to the front of the site, adjacent to the entrance off Great Suffolk Street. 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.
- 68 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.

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

- 69 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 and the impact on the setting of the Kings Bench Conservation Area.

- 70 The proposed alterations to the arches include external alterations to the rear and front elevations of each arch.
- 71 The external alterations to the front of the arches include the insertion of dark grey powder coated aluminium 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. A wall mounted arch identification sign is proposed for each of the arches and a non-illuminated sign is also proposed adjacent to the entrance from Great Suffolk Street.

- 72 To the rear, grey powder coated aluminium framed glazing is proposed. Red face brick infill is proposed at lower level. Extract grills are also proposed for the rear.
- 73 It is noted that objections have been received in relation to the proposed alterations to the arches. 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.
- 74 In relation to the impact on views into and out of the Kings Bench Conservation Area, it is noted that the site will be visible from within the Conservation Area, on the southern side of Surrey Row. Saved policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites' of the Southwark Plan states that permission will not be granted for developments that would not preserve or enhance views into or out of a Conservation Area. Having regard to the design comments above, it is considered that the appearance of the arches to the rear will be improved and therefore views from within the Conservation Area will be enhanced.

Traffic issues

- 75 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.
- 76 In relation to cycle parking, Table 15.3 the Southwark Plan, states that for B1 use classes 1 space per 250m² should be provided. In total there is 1350 sq. m. of B1 space (including that space in arches 22-27).
- 77 A total of 20 cycles are proposed to the front of Arches 22-27. 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

- 78 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.

Air Quality

- 79 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 (B1a) use would lead to a reduction in air quality.

Mayoral Community Infrastructure Levy

- 80 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material

consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. 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

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

Other Matters

- 82 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.
- 83 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

- 84 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. 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. The proposed alterations to the front and rear arches are considered appropriate and it is not considered that there will be a detrimental impact on views out of the Kings Bench Conservation Area.

Community impact statement

- 85 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.
- 86 a) The impact on local people is set out above.
- 87 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
- 88 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 requiring the use of obscured glazing

Consultation

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

Consultation replies

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

Summary of consultation responses

- 91 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 Association; 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 Crompton Street, SE17 3AE; Chester Way, SE11 4UR; Flat 2, 31 Dolben Street, London, SE1 0UQ; 65 Santley House, Frazier Street, London SE1 7RE, London SE1 7RE; Castle Vale House, 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.
- 92 Current on-line petition of 8,912 (as of 10/07/13) signatures objecting to the loss of small businesses in the arches
- 93 The main planning issues raised by the objections are as follows but more fully reported in the consultation section:
- 94 Misleading Information; lack of consultation, proposal contrary to policy, loss of services to the local community and impact on local employment, affect amenities of local residents, impact on car parking spaces and refuse collection arrangements, in appropriate alterations which do not respect Southwark's history

Human rights implications

- 95 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.
- 96 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/RLY/12/BK1 Application file: 13/AP/0351 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

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Ronan O'Connor, Senior Planner	
Version	Final	
Dated	10 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
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
Date final report sent to Constitutional Team	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.

APPENDIX 2

Consultation responses received

Internal services

None

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 Association; 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, London SE1 7RE; Castle Vale House, 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.

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

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

APPENDIX 3

Neighbour Consultee List for Application Reg. No. 13/AP/0351

TP No	TP/RLY/12/BK1	Site	RAILWAY ARCHES 28 TO 31 GREAT SUFFOLK STREET, LONDON, SE1 0BL
App. Type	Full Planning Permission		

Date Printed	Address
20/06/1837	68-70 Great Suffolk Street (rear) SE1 0BL
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	50A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	66-68 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	UNION JACK 225 UNION STREET LONDON SE1 0LR
18/04/2013	60 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	62 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	204 UNION STREET LONDON SE1 0LX
18/04/2013	48A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	OCTAVIA HOUSE 235-241 UNION STREET LONDON SE1 0LR
18/04/2013	54 GREAT SUFFOLK STREET LONDON SE1 0BL
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	4 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	14 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	15 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	13 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	11 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	12 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	16 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	2 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	3 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	1 LAGARE APARTMENTS 53 SURREY ROW LONDON SE1 0DF
18/04/2013	17 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	18 LAGARE APARTMENTS 51 SURREY ROW LONDON SE1 0BZ
18/04/2013	LIVING ACCOMMODATION 225 UNION STREET LONDON SE1 0LR
18/04/2013	FIRST FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 202 UNION STREET LONDON SE1 0LX
18/04/2013	GROUND FLOOR FRONT 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 4 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 5 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 3 RAILWAY ARCH 24 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 1 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 RAILWAY ARCH 23 229 UNION STREET LONDON SE1 0BL
18/04/2013	UNIT 2 202 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	FIRST FLOOR AND SECOND FLOOR FLAT 48 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013	GROUND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL
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	THIRD FLOOR FRONT SKYLINE HOUSE 200 UNION STREET LONDON SE1 0LX
18/04/2013	SECOND FLOOR 64 GREAT SUFFOLK STREET LONDON SE1 0BL

18/04/2013 70B GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 70A GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 FLAT 8 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 FLAT 9 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 202 UNION STREET LONDON SE1 0LX
18/04/2013 56 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 58 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 7 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 UNIT 9 RAILWAY ARCH 26 229 UNION 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 6 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013 UNIT 7 RAILWAY ARCH 25 229 UNION STREET LONDON SE1 0BL
18/04/2013 FLAT 1 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 FLAT 5 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 2 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 FLAT 3 70 GREAT SUFFOLK STREET LONDON SE1 0BL
18/04/2013 The Arches 229 Union Street London SE1 0LR
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 by email
20/06/1837 59 Elm Grove London SE15 5DB
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 The Cut London SE1 8DF
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 by email