

Item No 30/01	Classification OPEN	Committee PLANNING COMMITTEE	Date 04.03.03
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report PLANNING COMMITTEE Full Planning Application	
Proposal Demolition of public house and ancillary residential accommodation and erection of 5 storey block containing café/ restaurant and community meeting room on ground floor, 11 self-contained flats on upper floors, plus landscaping.		Address King William IV Public House, 337 – 339 Albany Road, SE5 Faraday Ward	

1. **PURPOSE**

- 1.1 To consider the above application, which is for Committee consideration because the proposal is contrary to policy C.5.6: Metropolitan Open Land (MOL) and the number of representations received.

2. **RECOMMENDATION**

- 2.1 That the Development and Building Control Manager be authorised to grant planning permission subject to a) a legal agreement to secure funding for landscaping works to the adjoining areas of the park and b) to the Government Office for London and the Mayor of London not issuing an adverse direction on the application, it being referable to them as a departure from policy in the development plan relating to Metropolitan Open Land (MOL).

3. **BACKGROUND**

- 3.1 The application site is an existing vacant four storey public house known as King William IV, fronting Albany Road. To the rear of the public house there is an area of hard standing and small compound, both of which appear to currently be used for fly tipping. A corrugated metal fence encloses the compound and the rear of the development land. It is also bounded to the west by a relic road line of Canal Street. This street extends into the park and is currently used in part for parking. A section of the street extends beyond the park boundary fence.
- 3.2 Planning permission was granted in 1985 for the inclusion of former residential land into the curtilage of the public house and the erection of single storey side extension to the pub. This was implemented.
- 3.3 The proposal initially involved the replacement of the public house with a 7 storey block containing 17 flats with café/restaurant/bar/meeting room use in part of the ground floor and basement and 7 parking spaces. The proposal generated a lot of objections and concerns from nearby local residents, mainly on the grounds that the scheme would spoil the open character of the Metropolitan Open Land, traffic generation and the height of the building.

- 3.4 The scheme has now been substantially revised and now involves the erection of a 5 storey building comprising of 11 self-contained flats, with alternative Class A3 café/restaurant use or community meeting rooms on all of the ground floor, plus landscaping around the perimeter of the site.

4. FACTORS FOR CONSIDERATION

4.1 Main Issues.

The main issues in this case are whether the proposal would lead to loss of Metropolitan Open Land, the impact on the character of the Metropolitan Open Land, the loss of the public house and traffic issues.

4.2 Planning Policy

Southwark Unitary Development Plan [UDP]:

Application site is within designated Metropolitan Open Land

Policy E.2.1 Layout and Building Line: Complies.

Policy E.2.2 Heights of Buildings: Revised scheme compatible with surrounding building heights.

Policy E.2.3 Aesthetic Control: Complies

Policy E.2.5 External Space: Complies

Policy E.3.1 Protection of Amenity: Complies

Policy E.3.5 Vacant Sites and Buildings: Complies

Policy C.5.6 Metropolitan Open Land: Proposal involves building on land designated as MOL and is therefore at variance with policy. However, the site already contains a public house and the scheme will keep to the existing footprint. There will be no further encroachment on MOL.

Policy C.5.7: Use of Metropolitan Open Land and Green Chain Walk: Development will not encroach further on Metropolitan Open Land.

Policy C.5.8 Burgess Park: Proposed scheme will not encroach on Burgess Park and offers community facilities.

Policy H.1.1 Protection of Existing Housing Accommodation: Proposed scheme will increase more accommodation units within the site.

Policy-H.1.8 Standards for New Housing: Complies

Draft Supplementary Planning Guidance for Public Houses: Complies with local provision criterion because there are other existing public houses within a walking distance, but has not been vacant 24 months. Scheme includes replacement Class A3 space.

The deposit (UDP) of the Southwark Plan (November 2002):

The application site is part in air quality management area and metropolitan open land

Policy 3.8 – Metropolitan Open Land (MOL): Proposal does not detract from the open nature and character of the MOL or its strategic function. It includes Class A3 space that should enhance the use of the park.

The draft London Plan –Strategic Open Spaces in London: Proposal will not encroach on open space

Planning for Open Space, Sport and Recreation(PPG –17 will not encroach on Metropolitan Open Land.

4.3 **Consultations**

Site Notice: 4/2/2002 Press Notices: 7/2/2002

Consultees:

1-28 Arklow House; 77-104, 118, 119, 122-148 Westmoreland Walk, Westmoreland Road; Aylesbury Estate Tenant Association; BACC 84, 12 Red Lion Close.

Replies from:

Initial responses before final revised scheme

34, 11a, 14, 15, 40, 41, and 20 Addington Square;
9, 2, 1, 7, 3, 6, 8, 9, 10, 13, 14, 16, 19, 21, 24, Arklow House;
134, 141, 143, 129, 142, 132, 122, 138, and 126 Chartridge Westmorland Road;
Kitson Villa, Kitson Road;
82 Westmoreland Walk;
133 Chiltern House;
35 Belvoir Road;
17 Portland Street

Common grounds of concern included the implications of the proposal in land-use terms, generation of more cars and over flow of car parking onto Albany Road, generation of noise, pollution, imposing on the view to Burgess Park, height and design issues and loss of the existing building.

Friends of Burgess Park: The revised plans involve a smaller building that will have less impact on the park than the previous submission, but also loss of the café, restaurant, bar, meeting room, we strongly oppose the current scheme. It is inappropriate to build private housing on Burgess Park. The specific scheme remains considerably larger than the current building on that site, and will result in loss of sightlines in the park, detracting from the amenity value of the surrounding open space. The revised scheme has no amenity value for park users at all. Hence object to the proposal because the site is in Metropolitan Open Land, and the proposal will be contrary to the policies protecting Metropolitan Open Land.

Camberwell Society: Object to the proposal on the ground of over development of the site and inappropriateness in the context of Burgess Park.

Petition Letter: Received object to the proposal on the grounds that the park space should remain park space and the public house should remain a public house for local use; proposal will reduce the view of the park, it would generate pollution of the area from extra cars from residents and the blocking of the road by extra cars belonging to the residents of the new flats.

Responses received after the final revised scheme

1, 3, 9, 10 Arklow House;
121, 126, 129, 134, 139, 144, 149, 77, 75, 142, 102, and 149 Chartridge, Westmorland Road;
31 Taplow Westmoreland Road;
55 Innis House Westmoreland Road;
4 Pascall House;
18 Addington Square;
(Former) Cllr. David Noakes;

Their common grounds of objection include loss of amenity, proposed height, impact on Metropolitan Open Land (MOL) , possibility of overlooking and that it is not easy to walk to another public house and it is safer to use a local pub. The pub is an important place to meet with people and the park space should remain as a park space. There will be generation of pollution from cars which also causes parking problems to local residents. The variety of materials proposed will not be sympathetic with parkland landscape.

83 New Church Road: Support the proposed scheme.

Aylesbury Project Team: Would like to see an integrated approach in connection with the strategic aim of Aylesbury Estate development strategy.

Arboricultural Officer: Agreed with the arboricultural report by Quaif Woodlands that these trees have little amenity impact and can be readily replaced by planting semi-mature trees in Burgess Park.

Conservation Officer: The new drawings indicate a much improved design which not the special architecture. The height is acceptable and additional bulk is nearly always seen against a backdrop of bigger buildings from within the park. Given the scale of the open space to argue bulk harms setting of park would be difficult.

Parks Manager, Environment & Leisure Department: Notes that the site is MOL but comfortable with the scheme which addresses the park physically and is respectful of its location. Disagrees with the Mayor's view that a taller building would be preferable. Requests appropriate planning conditions to secure the removal and landscaping of Canal Street, removal of the various sheds around the existing building and the off-site planting of trees in the park to reduce the new building's impact. Query boundary treatment and whether proposed will include sitting out area for café/restaurant will be directly accessible from the park. Asks whether wider improvements to the park might be sought.

Greater London Authority: Following initial concerns, the Mayor is now satisfied that the proposal is well integrated with Burgess Park. He still feels however, that the lack of any affordable housing is unacceptable in strategic planning terms (n.b. the 11 flats is below the national guidance threshold of 15 where affordable housing is normally sought). The Mayor feels that, if an exception to planning policy for Metropolitan Open Land is to be made, the best overall package should be accepted. In his view, the additional impact of the seven storey scheme on the openness of the MOL is marginal compared to the current five storey scheme, but is superior in that it contained affordable housing. The Mayor therefore urges Southwark Council to ask the applicant to submit the original scheme.

Aylesbury Project Team: Generally support the proposed 5 storey revised scheme.

4.4 **Planning Considerations**

Land-use & Loss of Metropolitan Open space

- 4.5 The application site is located at the northern edge of Burgess Park and is currently occupied by the King William IV, public house which has been vacant for more than 12 months. The general character of the wider area is residential and dominated to the north of Albany Road by high-density 12 storey 1960s residential blocks. The vacant public house is bounded on both sides and rear by Burgess Park.
- 4.6 The public house is located within MOL, a designation that covers all of Burgess Park including the various isolated structures or buildings located within it, such as the existing

school (now play scheme) building at the junction of Portland Street and Albany Road, the Council office complex at Chumleigh Gardens and the former Wells Way library (now sports club). The proposed development has a larger footprint than the existing building but remains within the existing curtilage of the public house; no land accessible to the general public is impinged upon. It is not considered that the proposal is detrimental to the MOL status of Burgess Park or breaches the criteria of UDP policy C.5.7. It conforms with the specific UDP policy on Burgess Park (C.5.8), in that it offers a community facility without compromising the 'predominantly open landscape' of the park.

- 4.7 The Council's Environment & Leisure Department support the application in principle. There are no plans to acquire the site and incorporate it into Burgess Park, as the MOL designation in the UDP might suggest. In the circumstances the Parks Manager supports the application on the basis that the new building is no larger than the existing pub and incorporates uses on the ground floor that will positively benefit the park. The whole of the ground floor is now given over to alternative café/restaurant or community use and it is considered that either option will serve to promote and enhance the use made of the park.
- 4.8 The closure of the public house follows the apparent trend in Southwark where 'back street' pubs have closed with provision being concentrated or sometimes expanded in central/accessible locations. In relation to this site there are a number of pubs within walking distance on Walworth Road. The proposal includes the option of a replacement Class A3 use (which includes a pub) on the site.

Design, mass and height

- 4.9 The proposed building has been reduced from 7 to 5 storeys and the number of flats from 17 to 11. The height is now the same as the nearest block on the other side of Albany Road, Arklow House. The height and visual impact should be little different from the existing public house (which has a high ground floor and steep pitched roof). The scale of the amended scheme is thus considered acceptable.
- 4.10 The design is a modern one; there is no reason to consider this inappropriate in the context of the predominant 1960s housing blocks of Albany Road. Externally, the facing materials of the new building will be rendered masonry, brick and timber with glass. These facing materials are considered sympathetic to the character of the area including the park. Boundary treatment will be controlled by condition.
- 4.11 Internal floor space of each of the proposed residential flats with their room sizes, layout and stacking complies with Council standards and they do not raise any amenity issues.

Amenity

- 4.12 The initial scheme included 7 off-street car parking spaces. Because of the visual impact on the open nature of this part of Burgess Park, they have been deleted following the concerns raised by consultation responses. The deletion provided the opportunity to increase areas designated for landscaping which will be sympathetic to the open nature and character of the MOL. In addition the balconies which has been incorporated in the design details of the revised scheme provided areas of amenity space to each proposed flats.

Environmental improvements

- 4.13 The applicant has commissioned an arboricultural report. This found that the existing trees on site are dying. The applicant has agreed to contribute £10,000 through a Section 106 Agreement to plant 7 semi-mature trees in Burgess Park and carry out landscaping works around the perimeter of the site. This could include the reclaiming and landscaping of Canal

Street as part of the park, although the complete closure of the street to traffic would have to be subject to formal stopping-up procedures. In the event that this is not possible, the money would be spent on other enhancements to the perimeter of the site.

Traffic

- 4.14 The proposed scheme does not have provision for off-street car parking spaces; the application site fronts the section of Albany Road without parking restrictions providing opportunity for on-street car parking. There is provision of cycle storage at ground floor level.

5. EQUAL OPPORTUNITY IMPLICATIONS

- 5.1 The upper floors are both accessible through internal staircase and internal lift.

6. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 6.1 Given that the application site is within a designated air quality management area and adjacent to Burgess Park, the exclusion of off-street car parking in favour of additional landscaping is considered appropriate. The scheme should help to promote and enhance the use made of the park.

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