

| Item No. | Classification | Decision Level | Date |
|---|----------------|---|------------|
| 3/4 | OPEN | PLANNING COMMITTEE | 13/01/2004 |
| From DEVELOPMENT AND BUILDING CONTROL MANAGER | | Title of Report DEVELOPMENT CONTROL | |
| Proposal (03-AP-1044) Retention of front facade of existing building, demolition of remainder of building and construction of part six, part seven storey building behind existing front facade comprising restaurant (Class A 3) use on part of ground floor and 82 self contained flats on part ground and upper floors with associated basement car parking and cycle storage and communal amenity space. | | Address 88-96 Peckham Road, Pelican House, SE15 Ward The Lane | |

1. PURPOSE

- 1.1 To consider the above application. This application requires Committee consideration due to the number of objections received.

2. RECOMMENDATION

- 2.1 Grant planning permission subject to a S106 agreement to secure the affordable housing contribution, environmental improvements to the Pelican Estate and subsidies to the rent levels of the proposed art cafe.

3. BACKGROUND

- 3.1 The application premises comprise a large vacant building previously used as offices. This part of Peckham Road has a mix of residential, commercial and educational uses although immediately to the south and west of the site are blocks of flats which form part of the Pelican Estate. Adjoining the site to the west are industrial premises which belong to Kennedy's who make food products.
- 3.2 An application for the conversion and extension of the building to form 26 live/work units and 14 flats was submitted in August 2000 and subsequently withdrawn in October 2001. A second application to demolish the existing building and construct a new five and six storey building was submitted in December 2001. This application was reported to Planning Committee in March 2002 when it was deferred by Member's who requested that Officers seek a revised scheme that would retain the building's 1930s facade. This application was subsequently withdrawn in July 2003.
- 3.3 Planning permission is now being sought for the construction of a new part 6 and part 7 storey building behind the retained 1930s front facade. The building will accommodate a restaurant and a separate cafe on part ground floor with 82 flats on part ground and all upper floors with cycle storage and 34 car

parking spaces in the basement. The building will have a contemporary appearance with steel structural framing, coloured glass panels and coloured render forming the main facing materials.

4. FACTORS FOR CONSIDERATION

4.1 Main Issues

The main issues in this case are the external appearance and size of the new building and its impact on the street scene and neighbouring buildings.

4.2 Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

The site has no designations on the UDP Proposals Map

Policy E.2.1 [Layout and Building Line] – complies, the front and rear building line is acceptable.

Policy E.2.3 [Aesthetic Control] – considered to comply, the design will enhance the appearance of the street.

Policy E.2.4 [Access and Facilities for People with Disabilities] – complies, the building will be fully accessible.

Policy E.3.1 [Protection of Amenity] - considered to comply, the building will have a satisfactory relationship with neighbouring buildings.

Policy H.1.4 [Affordable Housing] - complies

Policy H.1.8 [Standards for New Housing] – part complies, the communal amenity space does not fully meet standard.

Policy B.1.1 [Protection Outside Employment Areas and Sites] – complies, the building has been vacant for more than two years and attempts have been made to find an alternative occupier.

S.1.6 [Hot Food Outlets] - complies.

Policy T.1.3 [Design of Development] – does not fully comply, a 39% parking provision is provided.

Other Material Considerations:

PPG3 Housing and PPG13 Transport: Complies as the development is in keeping with the spirit of these documents.

Draft Southwark Plan [agreed for Deposit November 2002]:

The site has no designations on the UDP Proposals Map

Policy 1.5 [Mixed Use Developments] - does not comply, however Council has previously accepted principle of residential development on this site. Proposal does include Class A3 uses which will provide an element of employment.

Policy 2.5 [Planning Obligations] - complies, the proposed S106 will mitigate against negative impacts of developments.

Policy 3.2 [Protection of Amenity] - considered to comply.

Policy 3.14 [Quality in Design] - considered to comply.

Policy 3.15 [Urban Design] - considered to comply.

Policy 4.2 [Residential Design Standards] - part complies, the communal amenity space does not fully meet standard.

Policy 4.6 [Mix of Dwellings] - complies, development will provide an appropriate mix of units.

Policy 5.3 [Pedestrians and Cyclists] - complies, the development will provide

cycle storage facilities and through S106 improve pedestrian facilities in immediate vicinity.

Policy 5.5 [Density] - the density of development proposed is compatible with the local context.

Policy 5.6 [Parking] - complies, the level of parking provided is acceptable for this site which is well served by public transport.

4.3 Consultations

Site Notice: 10/07/2003

Press Notice: 18/11/2003

Consultees:

Peckham Society; 78-80, 82-86 & 102 Peckham Road; 1-18 Kingfisher House, Peckham Road; 1-52 Heron House, Peckham Road; Flats 1-11, 87 Peckham Road; 45-55 (odd) Southampton Way, SE15; Headteacher, Oliver Goldsmith School, Peckham Road, SE15; 1-18 (incl) Gannet House, Pelican Estate, off Talfourd Road, SE5 & 3 Talfourd Road, SE5; Councillors Mark Glover, Aubyn Graham and Andy Simmons.

Replies from:

External Consultees:

Peckham Society - supports proposal

Oliver Goldsmith School - supports proposal

Studio at the Mill, Hardwick - sounds a potentially good idea so long as the history/architectural heritage of the building is acknowledged, number of flats seems a lot. Delighted if facade is to be maintained.

1 Denman Road - supports notion of providing more housing and occupying vacant premises. Would prefer sandwich bar to fast food restaurant.

27 Gowlett Road - supports proposal, pleased that existing building will remain. Asks what garden provision will be made at the rear.

23 Heron House, Pelican Estate - would like assurances on noise, site traffic and hours of working and general disruption.

Flat 9, 76 Peckham Road - Pelican House is an eyesore and it lets the area down. A supermarket would be more beneficial to the neighbourhood.

9 Gannet House, Pelican Estate - would prefer to see a low-line housing development instead which would let daylight flow into area.

6 Gannet House, Pelican Estate - objects on grounds of increased traffic congestion and parking problems.

Southwark Friends of the Earth - with strong reservations would like to register support for the application. The building should have a car pool, should be energy efficient and should include solar panels. The development could be a flag ship low energy building.

Internal Consultees:

Traffic Group - no objections to parking provision or means of access.

Public Protection - no objection in principle subject to details on ventilation of car park and A3 facility. Applicant should submit a PPG24 Noise survey.

Housing Officer - support the terms of the legal agreement to provide option of providing affordable housing either on site or off-site.

5 PLANNING CONSIDERATIONS

Retention of the facade

- 5.1 The demolition of this building has been a contentious issue in previous planning applications. The front facade is recognised as being an attractive feature in the local townscape. At the Planning Committee in March 2001, when it was proposed to demolish the entire building, Members deferred consideration of the item to enable Officers to negotiate the retention of the building's facade. The current application again proposes a new building, however, this will be constructed around the retained front facade of the building. This approach has been welcomed by the Peckham Society, local residents and the Council's Conservation Officer.

Loss of Employment & Mix of Uses

- 5.2 When the previous application for residential development was considered by Members it was agreed that, due to the long period of vacancy (since 1993) and failed attempts to let or sell the building for an alternative employment use since 1999, the principle of residential development was acceptable. The application now under consideration again proposes a residential development however, it is now proposed to put an arts cafe and a restaurant on the front ground floor of the building. This will provide an additional facility for local residents and provide an interactive and vibrant ground floor to the building. Conditions will be attached to the decision notice to ensure these uses close at an appropriate time to help protect the occupiers of the flats on the upper floors and in adjacent buildings from late night noise and disturbance.

Height, Bulk and Massing

- 5.3 Behind the retained facade it is proposed to construct a part six and part seven storey building that will be positioned along the perimeter of the site to allow for a courtyard in the centre. The part of the building facing Peckham Road will comprise the retained three storey facade plus a three storey set back extension above. It is considered that as this part of Peckham Road is relatively wide, it can accommodate a building of this size. Peckham Road is a main route with a number of large buildings and the proposed building should complement these. The highest part of the building, at seven storeys, will be at the rear of the site facing Heron House which is itself 9 storeys high. The building will drop to five storeys on the south-west corner to reduce the bulk in relation to Kingfisher House immediately to the south. Overall the height, bulk and massing is considered appropriate.

External Appearance

- 5.4 Aside from the retained facade the building will have a contemporary appearance and will be constructed from steel structural framing with infill panels of aluminium and clear and coloured glass panels. The retained facade will be refurbished with new window openings to match existing and broken tiles replaced. The materials proposed for the new build are different to those found elsewhere in the area, however, as there is little architectural uniformity along this part of Peckham Road, this is considered acceptable. The use of colour will make reference to other vibrant buildings in the area such as the Peckham library, Burger King and Mecca Bingo building (under construction). The Conservation Officer supports the design concept and considers that the

building will enhance the appearance of this part of Peckham Road.

Impact on Neighbours

- 5.5 In assessing the impact on adjacent buildings, consideration needs to be given to the height of the existing building on the site. Whilst the new building will be bulkier, the relationship with neighbouring buildings is considered to be acceptable in terms of daylight and overlooking. Heron House is the closest building to the rear of the site, however, as the separation distance is 30m this will ensure there is no significant overlooking or loss of light. Kingfisher House is a three storey block of flats located 7.5m to the east of Pelican House. As there are no windows in the flank elevation it will be windows in the north and south elevations which will be affected. The six storeys proposed along the boundary with Kingfisher House will result in some loss of light however, as the principal habitable rooms face south, this is will not be significant. A daylight assessment carried out by the applicant has revealed that using the British Research Establishment's Average Daylight Factor (ADF) calculation, the difference in terms of daylight between existing and proposed will be less than 1%. Notwithstanding this, in order to improve the visual relationship between the two buildings, the rear south east corner has been reduced from six to five storeys, although the structural steelwork has been retained.
- 5.6 Immediately opposite Pelican House on the north side of Peckham Road is a recently constructed four storey block of flats. These are 25m from the front building line of Pelican House which is considered a sufficient front to front distance to prevent overlooking.

Car Parking

- 5.7 The development will provide 34 car parking spaces in the basement which is a 39% level of parking provision. This is acceptable to the Traffic Group as the site is well located in terms of public transport. There is a bus stop immediately outside the building which serves Peckham, Camberwell and the Underground Stations at Oval and Elephant and Castle. Access to the car parking will be via the existing roads which run through the Pelican Estate at the rear. The Neighbourhood Housing Office have agreed in principle to this arrangement subject to acceptable mitigating measures in terms of hard landscaping, lighting and CCTV. Further details are provided in paragraph 5.10.

Standard of Accommodation

- 5.8 It is proposed to provide 82 residential units with a mix of 52 two bedroom flats, 27 one bedroom flats and 3 three bedroom flats. The mix of units, internal floor areas and internal arrangements are acceptable and will ensure an adequate standard of accommodation and mix of units. The flats will be provided with a communal courtyard at ground floor level together with a small amount of communal amenity space on each floor and roof terrace on the top floor. The total amount of outdoor amenity space is approximately 900sqm which whilst slightly below the required 970sqm for a development of this size, is considered acceptable given the high density nature of the local area.

Affordable Housing.

- 5.9 The development will include 19 affordable units comprising a mix of 2, 3, 4 and 5 person flats. This represents a 25.8% level of provision (assessed in terms of habitable rooms) which complies with UDP policy. Alternative, fall-back arrangements to provide off-site units have also been provided in the legal agreement which satisfies the Housing Department.

S106 Agreement

The following heads of terms have been agreed with the applicant:

- 5.10
- To provide works to mitigate against impact of increased traffic on estate road as access to basement car park will be via the Pelican Estate. Such works (or appropriate financial contribution) to include re-surfacing, raised pedestrian table, traffic calming, new lighting, yellow lines, contribution to parking enforcement and additional enforcement signage;
 - To provide the 'Art Cafe' for a period of 10 years at a reduced market rent with 5 yearly rent reviews thereafter; and
 - Provision of 19 flats with a mix of 8 shared ownership units and 11 for rent.

6. EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 The development will provide the borough with affordable housing for people who cannot access housing at market rents.

7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 7.1 The development will bring a vacant building back into beneficial use and provide additional housing units for the borough.

LEAD OFFICER
REPORT AUTHOR
CASE FILE
Papers held at:

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Matthew Mason
TP/2282-88
Council Offices, Chiltern,
Portland Street SE17 2ES
[tel. 020 7525 5402]

Development and Building Control Manager
[tel. 020 7525 5470]

RECOMMENDATION

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

| | | | |
|-------------------------|----------------------------------|--------------------|------------|
| Applicant | Church Gate Estates Ltd | Reg. Number | 03-AP-1044 |
| Application Type | Full Planning Permission | Case Number | TP/2282-88 |
| Recommendation | Grant subject to Legal Agreement | | |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Retention of front facade of existing building, demolition of remainder of building and construction of part five, part six and part seven storey building behind existing front facade comprising restaurant (Class A 3) use on part of ground floor and 82 self contained flats on part ground and upper floors with associated basement car parking and cycle storage and communal amenity space.

At: 88-96 Peckham Road, Pelican House, SE15

**In accordance with application received on
and revisions/amendments received on 15/10/2003
21/11/2003
08/12/2003**

and Applicant's Drawing Nos. 287/01A, 02B, 03B, 04B, 05B, 06B, 07B, 08B, 09, 11A, 12B, 13B, 14, 15A, 16B, 19 & 20.
Un-numbered floor extract drawings & materials study brochure (dated September 2003)

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 The demolition of the building hereby approved shall not be commenced until details of a method statement (including detailed drawings at scale 1:20) for the retention of the front facade of the building has been submitted to and approved by the Local Planning Authority and the demolition of the building shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the demolition of the building to ensure the retention of the front facade in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 3 Samples of the facing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the facing materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 4 The restaurant and cafe uses hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy E.3.1: Protection of Amenity and Policy S.1.6: Hot Food Outlets of Southwark's Unitary Development Plan, and Planning Policy Guidance 24 Planning and Noise.

- 5 The dwellings hereby permitted shall not be occupied until full particulars and details (2 copies) of a scheme for the ventilation of the car park to an appropriate outlet level, including details of sound attenuation for any

necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In order to that the Council may be satisfied that the car park ventilation and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy E.3.1: Protection of Amenity and Policy E.2.3: Aesthetic Control of Southwark's Unitary Development Plan, and Planning Policy Guidance 24 Planning and Noise.

- 6 The car parking spaces hereby permitted shall only be used by occupiers of the approved building and shall not be used for any other purpose other than incidental to the flats and no trade or business shall be carried on therefrom. Thereafter the car parking shall be retained permanently for use as parking by residents.

Reason

The use of the car parking spaces by non-residents or for a use other than for car parking would reduce the parking provision in the building and result in an increased level of on-street parking which could be detrimental to highway safety and contrary to policy T.1.3; Design of Development of the adopted UDP.

- 7 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

To ensure that appropriate landscaping is provided in the interests of visual amenity in accordance with policy E.2.3: Aesthetic Control of the adopted UDP.

- 8 Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision or arising from a condition imposed as part of this decision, that is found to be dead, dying, severely damaged or seriously diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced by specimens of similar or appropriate size and species in the first suitable planting season.

Reason

As for condition 7.

- 9 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1: Safety and Security in the Environment of Southwark's Unitary Development Plan.

- 10 Details of any external lighting [including design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Policies E.1.1 'Safety and Security in the Environment' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 11 The cycle storage facilities as shown on drawing 287/01 shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Policy E.3.1 'Protection of Amenity' and T.1.3 'Design in Conformity with Council Standards' of the Southwark Unitary Development Plan.

- 12 Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 13 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 14 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 15 Details of the means by which the existing trees adjacent to the site on Peckham Road adjacent to Kingfisher House are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

In order to ensure that these trees which have significant amenity value are protected during building works in accordance with policy E.2.3 of the adopted UDP.

- 16 The cafe and restaurant units on the ground floor of the building shall not be open outside of the hours 07.30 to 23.30 Monday to Saturday and 08.30 to 23.00 on Sundays.

Reason

To protect the occupiers of flats within the building from noise and disturbance late at night in the interests of neighbour amenity in accordance with policy E.3.1 of the adopted UDP.

- 17 The gym located in the basement of the building shall only be used by occupiers and their visitors of the building hereby approved and shall not be open to members of the public.

Reason

The use of the basement gym by members of the public could create a nuisance in terms of noise and disturbance to the occupiers of the building contrary to policy E.3.1 of the adopted UDP.

Informative

The details and/or samples required by the Condition(s) above must be accompanied by a letter stating:

1. the LBS Reference Number which appears at the top of this decision notice;
2. the full address of the application site;
3. which condition(s) you seek to discharge; and
4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.

Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.

