

<b>Item No.</b> <b>2</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  PLANNING COMMITTEE	<b>Date</b>  01.03.04
<b>From</b>  Interim Development and Building Control Manager		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (03-AP-2243 and 04-AP-0069)  Redevelopment to provide 4 new buildings: <b>Building A</b> , located on the north side of the site: 8 storey building with Class A1, A2, A3, B1, D2 (shop/office/catering/business/assembly) uses at ground floor level with 89 residential units above. <b>Building B</b> , located on the south side of the site: 4-7 storey building with Class A1, A2, A3, B1, D2 uses on the ground floor with 158 residential units. <b>Building C</b> , located on the north west side of the site: 8-28 storey building with supermarket (Class A1) on part and Class A1, A2, A3, B1, D2 uses on the remainder of the ground floor, with 341 residential units above. Two-storey pavilion building located in the centre of public square to be used for shop or catering purposes (Class A1 or A3). Construction of basement with 249 underground car parking spaces, motorbike and cycle parking, refuse storage and plant equipment. <b>588 dwellings in total</b>		<b>Address</b>  Tabard Square bounded by Long Lane, Tabard Street, Sterry Street and Southall Place.  <b>Ward</b>  Chaucer	

## 1. PURPOSE

- 1.1 To consider the above application which needs to be considered by the Committee because of the size and strategic nature of the development and the number of objections received.

## 2. RECOMMENDATION

- 2.1 Resolve to refuse planning permission for application 03-AP-2243 had the appeal not been submitted on the grounds of non-determination.
- 2.2 Delegate refusal of planning permission of application 04-AP-0069 to officers after expiry of all statutory consultation periods. In the event of additional refusal reasons arising as a result of consultation responses authorisation is sought to add further reasons for refusal as appropriate.

### **3. BACKGROUND**

- 3.1 The application site is a large [1.2 hectares] piece of land bounded by Long Lane to the north, Sterry Street to the south, Tabard Street to the west and Southall Place to the east. The site is now vacant, and has been substantially excavated. Long Lane runs southeast to northwest and is characterised by a series of residential buildings ranging from 4-8 storeys in height. It is a busy road linking the north of the borough with central London. A number of new buildings have been constructed in recent years with commercial on ground floor and residential above, in particular 5/27 Long Lane (part 4, 5, 7 storeys in height) and adjoining the application site, 32 Long Lane (6 storeys in height). Brenley, Balin and Eynsford Houses (part of the Tabard Estate) lie to the north and opposite the application site. These buildings are 5/6 storeys in height, some with projecting walkways and balconies
- 3.2 Tabard Street to the west contains a mixture of buildings on a much lower scale, including three storey Victorian buildings backing onto the application site. These properties are a mixture of uses including retail, hot food take-away, and commercial with a combination of offices and residential on the upper floors. To the west and opposite 17-29 Tabard Street, are a number of 5/6 storey buildings, again a mixture of office and residential uses. Tabard Street was once a busy thoroughfare, but is now less so following Red Route traffic management works associated with Great Dover Street.
- 3.3 To the south lies Sterry Street, which is a narrow road between the application site and the rear of 28-52 [evens] Pilgrimage Street. The residential properties backing on to Sterry Street are 3 storey houses with traditional back gardens, ranging from 10 metres to 20 metres in length. The 'no-through' road is a narrow street, and is under-utilized by pedestrian access because of the intimidating environment, due to poor lighting and surveillance. The main function of Sterry Street is to access 6 car park spaces for the residents of the Tabard Estate.
- 3.4 Southall Place is a short, narrow cul de sac accessed from Long Lane only, but a continued pedestrian path from Southall Place linking through to Sterry Street. It is narrow, only 4 metres wide. No. 14-24 [even] Pilgrimage Street backs onto the pedestrian footpath, whilst a 4 storey warehouse building fronts onto Long Lane.
- 3.5 South of the site lies the Tabard Gardens Estate. Tabard Gardens Estate is a large, mainly inter-war estate of 3 to 6 storey buildings of varying scale and design. To the south of the site and within the Tabard Estate lies a park, Tabard Gardens which is actively used by local residents and visitors to the area.
- 3.6 The existing vehicle access to the site is via both Long Lane and Tabard

Street. Access to Tabard Street has been revised as part of the Long Lane Red Route and access is now only possible via Great Dover Street through to Silvester Street. Tabard Street is a one way street and egress from it is via Pilgrimage Street to the west towards Great Dover Street via Nebraska Street.

- 3.7 In December 2001 planning permission was granted for the redevelopment and construction of a number of buildings ranging from 4-8 storeys, with two 8-10 storey buildings containing live/work units, office and hot food uses. The development comprises 248 self-contained flats, 29 live/work units and office and restaurant uses. All the parking would be in an underground car park for 209 vehicles which would be accessed from a two-way ramp at a location opposite 40 Tabard Street. Permission was granted subject a legal agreement to finance affordable housing and the creation of a cycle route next to the site and along Sterry Street and secure new lighting and traffic management measures for adjoining roads.

#### Planning permission 0200167

- 3.8 In August 2003 planning permission was granted to redevelop the site and construct three new buildings comprising 481 self-contained flats (of which 122 would be affordable), 40 self-contained key worker units, a supermarket and ground floor dual uses in the form of retail, offices, restaurants/café, gymnasium and a doctor's surgery. The buildings would be sited around a large public square with a central restaurant and/or retail building surrounded by extensive landscaping. A basement would provide for 249 car parking spaces, 40 motor bike spaces and 208 cycle spaces, plus plant equipment, refuse storage and storage purposes with two-way ramped access from Tabard Street.
- 3.9 The main building on the north of the site (Building C) would include a 21 storey tower, reducing to 8 storeys along the western boundary of the site abutting properties in Tabard Street. The building would comprise 245 self-contained flats, of which 166 would be 1 bed, 59, 2 bed and 20, 3 bed, plus 40 studio/flats for key workers. There will also be a roof garden at first floor level for the future occupants of this building. Much of the ground floor would be occupied by a supermarket with entrances from Long Lane, Tabard Street and the public square. The remainder of the ground floor fronting Tabard Street has been identified for a combination of Class A1 retail, A2 financial and professional services, A3 restaurants/cafes, D1 non-residential institutions (eg. doctors surgery), D2 leisure services (eg. gymnasium) and B1 offices.
- 3.10 The building identified as Building A consists of ground plus 7 storeys and would be located on the north of the site facing Long Lane. This building would be opposite Brenley, Balin and Eynsford Houses. The ground floor to both the front and rear (facing the square) would consist of for Class A1, A2,

A3, D1, D2 and B1 purposes (see above). The floors above would comprise 89 private self-contained flats (30x1 bed, 42x2 bed, 17x3 bed).

- 3.11 Building B on the south side of the site includes ground plus 6 storeys and would be located to the south of the application site and would have a frontage along Sterry Street and Southall Place. The building line along Sterry St would be set back 1.5 metres from the front to create a small front garden for the ground floor flats. It would include 6 storeys with a 2 storey set back at 5<sup>th</sup> and 6<sup>th</sup> floors. Part of the ground floor fronting the public square on the north side of the building would be allocated to alternative use purposes of Class A1, A2, A3, B1, D1, D2 with 122 affordable flats & 25 private flats throughout the building.
- 3.12 Between the three buildings are three wide pedestrian accesses which provide access into the public square and buildings. There would also be access to the square through Building B directly from Sterry St. This would provide for pedestrian flow from the south, from Tabard Gardens and Pilgrimage Street
- 3.13 The central public square would provide approximately 4000m<sup>2</sup> of extensive soft and hard landscaping, with a 2 storey food and drink/retail pavilion located in the centre. The square is accessible to the public from 6am to midnight. Outside these hours the gated accesses would be locked. There would be elements of public art throughout the development, in particular within the square and along the Tabard Street elevations.
- 3.14 As originally submitted application 0200167 included 560 self-contained flats. The proposed tower was 26 storeys high and the Sterry Street building 8 storeys high, set back hard against the pavement with a number of large windows and balconies to the front elevations. Revisions were negotiated which included the reduction in the height of the tower to 21 storeys, with an additional 4 metre setback from the rear properties with Tabard Street. The Sterry Street building has been reduced to 6 storeys with 2 storey setback with the removal of all front balconies.
- 3.15 Planning permission 0200167 was subject a legal agreement which provided the following community benefits:
  - £507,000 towards highway improvements to Sterry Street, Southall Place, Tabard Street and Long Lane, including new pedestrian crossing, new traffic signaling on Long Lane, traffic calming on Tabard Street, new cycle path on Sterry/Southall Place extending to Crosby Row/Long Lane, new surfacing, street lighting, waiting restrictions on Long Lane. This would also include removal of Red Route designation and semi-pedestrianisation of Tabard Street subject to TfL and Council approval and consultations.
  - £95,000 towards environmental improvements in Tabard Gardens, in particular to proposed rest stop garden (for cyclists), lighting, informal area

and Mother & Toddlers area.

- £125,000 community benefits to Charter House at 40 Tabard St, for new disabled access ramp and internal lift.
  - £14,500 towards environmental improvements to Hankey Place Community Hall or other Community building within the Tabard Estate.
  - £100,000 towards environmental improvements to Sterry Street and Southall Place, including extensive landscaping scheme and increasing the height of the boundary walls to Pilgrimage Street properties.
  - £25000 for an outreach worker to Liberty, a local charity located at 21 Tabard Street.
  - 122 affordable dwellings and 40 key worker units
  - Public art throughout the development
- CCTV and other security measures.

#### Planning permission 0200168

- 3.16 Planning permission was granted in December 2003 for a revised version of the development permitted under 0200167 subject to the signing of a legal agreement. This permission increases the permitted number of residential units from 521 to 554 principally by changing the configuration of the floor layouts within the buildings. Minor changes were also permitted to the window configuration of Building B fronting Sterry Street. Apart from these changes the scheme was identical to that permitted under 0200167 and is subject to the same legal agreement.

#### Current application

- 3.17 The currently submitted application is for a further revised version of the mixed development most recently permitted under 0200168. The principal differences are that the height of the tower has been increased by a further seven storeys to 28 and the number of dwellings has increased by 35 to 588. The additional floors have been inserted between floor 9 and 12 of the 21 storey tower approved under 0200168. A further 17 units of affordable housing in proposed in building B.
- 3.18 Apart from the increase in the height of the tower the design of the scheme is as previously approved. The development still provides 249 offstreet parking spaces and the same commercial uses as before.
- 3.19 The application is accompanied by a detailed planning and design statement. dealing with townscape and urban design, land use and density and the environmental impacts of the development. An Environmental statement is not formally required for this application but the applicant has chosen voluntarily to submit information dealing with some of these issues in support of their proposal including a sustainability review. A formal environmental statement was not required for the two most recent permissions on the site.

3.20 Detailed technical reports have been submitted with the application covering the following issues:

- Daylighting and sun lighting.
- Wind conditions within and around the site.
- Traffic and Transport impacts.

These reports provide a comparison between the existing situation the approved scheme 0200168 and the current proposal.

3.21 Also included with the application are computer generated photographic views from Parliament Hill, Primrose Hill, Alexandra Palace, Horniman Museum, Greenwich, Westminster Bridge, Waterloo Bridge, Millennium Bridge, and Tower Bridge. More local views are produced from Merck Square, Trinity Church Square, and three views from St George the Martyr.

3.22 The application has been submitted in duplicate form but the second application was validated one month later than this proposal. The period for the receipt of all consultations on this application will expire after the Committee meeting.

#### **4. FACTORS FOR CONSIDERATION**

##### **4.1 Main Issues**

The main issues in this case are:

- The impact the increase in the height of the tower will have on the surrounding townscape and strategic views,
- The impact on the character and appearance of the Merrick Square and Trinity Church Square Conservation Area and Grade II\* listed St George the Martyr Church,
- overlooking and over shadowing to adjoining and adjacent residential properties,
- provision of affordable housing and key worker housing,
- parking and servicing issues.
- Noise and disturbance.

##### **4.2 Planning Policy**

Southwark Unitary Development Plan 1995 [UDP]:

Within the Central Area of Community Need, Employment Area and Archaeological Priority Zone.

Policy E.2.2 Heights of Buildings: Contrary to policy, policy discourages tall buildings in the borough.

Policy E.2.3 Aesthetic Control: the majority of the proposal complies, but the tower is too tall and will disrupt the surrounding townscape..

Policy E.2.4 Access and Facilities for People with Disabilities: Complies  
Policy E.2.5 External Space: Complies, provides both private and public spaces.

Policy E.3.1 Protection of Amenity: contrary to policy, would impinge on daylight to adjoining and adjacent residential properties to a worse extent than the previously approved schemes.

Policy E.4.3 Proposals Affecting Conservation Areas: the tower is excessive tall and would be detrimental to the character and appearance of the Trinity Church Square Conservation Area.

Policy E.4.6 Proposals Affecting Listed Buildings: the tower would be detrimental to the architectural and historic character of the adjacent Grade II\* listed church.

Policy E.5.1 Sites of Archaeological Importance: An assessment would be provided to ensure that any remains of importance are protected.

Policy H.1.4: Affordable Housing: Complies

Policy H.1.5 : Dwelling Mix of New Housing: Complies, mix of 1,2 and 3 bedroom units.

Policy H.1.7 Density of New Residential development: proposal in excess of Borough wide density requirements.

H.1.8: Standards for New Housing: proposal provides good sized flats, with private and public garden spaces in form of communal gardens, basement car park provided for some of the flats, cycle and motor bike parking provided in basement.

Policy B.1.1: Protection of Employment Areas and Identified Sites: does not comply but the proposal provides employment generating uses.

Policy T.1.2 Location of Development in Relation to the Transport Network: Complies, the site is very close to bus routes and in walking distance to Borough & London Bridge underground and over-land rail.

Policy T.1.3 Design of Development and Conformity with Council Standards and Controls: Complies

Policy T.4.1 Measures for Cyclists: complies subject to further conditions for visitor cycle racks to the supermarket and other commercial uses. Adequate provisions in the basement for residential dwellings and occupants of the site.

Policy T.6.3 Parking Space in New Developments: Does not comply, the parking levels are lower than the Council's standards for this type of development, but the site is close to good public transport links and motor cycle and cycle parking is provided.

No1: Design and Layout of Developments: does not meet the criteria for tall buildings.

No5: Standards Controls and Guidelines for Residential Development: conflicts, adverse impacts on the levels of daylighting and sunlighting received by surrounding occupiers.

Draft Deposit Southwark Plan (November 2002)

Policy 1.1 Access to Employment Opportunities: complies.

Policy 1.5 Mixed Use Developments: complies

Policy-3.2 Protection of Amenity: unacceptable additional impact on lighting levels to properties in Tabard Street in conflict with BRE.

Policy-3.14 Quality in Design: The design of the proposal is considered to be of a high quality but the tower is too high.

Policy 3.15 Urban Design: The appearance of the proposed buildings is considered satisfactory and the height is inappropriate for its surroundings.

Policy 3.18 — Tall Buildings: Conflicts, proposed tower is not within a town center nor an existing cluster of tall buildings nor is an appropriate site for a landmark building.

Policy 4.2 — Residential Design Standards and SPG: The size and general arrangement of the proposed flats is considered acceptable.

Policy 4.6 — Mix of Dwellings : Proposal provides a satisfactory mix of units.

Policy 5.6 — Parking: Complies, the amount of parking is still within the acceptable range for a central London location.

Policy 5.3 — Pedestrians and Cyclists: level of cycle provision satisfactory.

Draft Supplementary Guidance 18(Heritage Conservation), 25 (Tall Buildings) : tower in conflict with both of these guidance notes.

**Government Guidance and Policies:**

Mayor of London the *draft* London Plan: generally complies with the plan;

*Policy 4B.1 Design for a compact city*

A 28 storey building does not respect the local context and is in conflict with this policy.

*Policy 4B.3 Maximizing the potential of sites*

The Mayor will and boroughs should ensure development proposals achieve the highest possible intensity of use compatible with local context, the design principles in Policy 4B.1.....The Mayor will refuse permission for strategic referrals that under-use the potential of the site.

*Policy 4B.4 Enhancing the quality of the public realm*

The proposed increase in height of the building will not contribute to the enhancement of the public realm.

*Policy 4B.8 Tall buildings – location*

Conflicts; proposed tower is not in a recognised cluster and is too tall to be appropriate for the proposed location.



### *Policy 4B.9 Large-scale buildings –design and impact*

Conflicts: tower has an inappropriate impact on nearby listed buildings and conservation areas ,is out of keeping with the local context and will have a negative impact on the amenity of surrounding residents.

LPAC Strategic Planning Advice on High Buildings and Strategic Views in London: “*local authorities should identify appropriate locations for tall buildings. Tall buildings should be assessed in the light of the quality of the development, in particular the design, the local context, the impacts on the local environment, and the social and economic impacts of the building. Particularly sensitive sites are identified including strategic views*”.

Guidance on Tall Buildings – English Heritage and CABE July 2001: indicates that LPAC Guidance is particularly important and identifies criteria for evaluation of tall buildings such as local context and relationship to other tall buildings, relationship to transport infrastructure, Architectural quality, impact on public spaces and the local environment.

Regional Planning Guidance 3: : Proposal is not sufficiently detrimental to the strategic viewing corridor from Alexandra Palace to St Paul’s Cathedral to be refused for this reason..

Planning Policy Guidance Note 3: Housing: proposal complies, promotes efficient use of the land, provides high density, close to public transport, provides mixture of uses and central square.

Planning Policy Guidance Note 1: General Policy & Principles: generally complies, promotes mixed use scheme, pedestrian access throughout the site and surrounding area. The proposed tower is too tall and has a negative impact on the streetscape.

Planning Policy Guidance Note 13: Transport: generally complies, provides a number of car park spaces in the basement, including cycle and motor bike spaces. The site is in walking distance to a number of tube and rail stations as well as bus stops along Long Lane and Borough High Street. The site is adjacent to cycle route, which would encourage future occupants, workers and visitors to the site to walk and cycle.

Planning Policy Guidance Note 24: Planning and Noise: complies, subject to further consideration of mixed uses plant equipment, air conditioning units and refrigeration units for supermarket

## **4.3 Consultations**

Site Notice:.16.01.2004

Press Notice:.08.01.2004

Consultees:

1-38, Harbledown House, Manciple Street; 1-90, Becket House, Tennis Street; 1-40 Brenley House, Tennis Street; 1-70, Balin House, Long Lane; 1-24, Abinger House, Gt. Dover Street; 1-6, Daryington Court, Hankey Place; 1-6, Arcadia House, Silvester Street; 1-9, Elgood House, Tabard Street; 74/84, Long Lane; 9-29 (odds) & 30-44 (evens), Tabard Street; 14-52 (evens), Pilgrimage Street; 190/200, Gt. Dover Street; 29/35 & 85-91(odds),Long Lane; Beormund School, Long Lane; Gallery Court, Pilgrimage Street; Coroners Court, Tennis Street; St. Hugh's Church, Crosby Row; Bankside Business Partnership; Southwark Environment Trust, West Bermondsey Community Forum.

Greater London Authority, CABA, English Heritage, Environmental Agency, City Corporation, London Borough's of Haringey, Camden, Islington, City Corporation, Metropolitan Police Service, Council's Public Protection Group, Traffic Group, Conservation & Design Team, Housing Officer, Aboriculturalist Officer

**Replies from:**

Thames Water: no objection but suggest standard conditions.

Public Protection: more information needed on air quality impacts of proposal and servicing.

24 Eynsford House; 6 Pilgrimage Street; St Stephens Lodge, Hankey Place; 3,18 Becketts House, Tabard Street; Southwark Cathedral, 501,506 Madison, 5-27 Long Lane; 7 Mulvaney Way, Kipling Estate; 10 Russel Lodge, 26 Spurgeon Street, Harveys Brewery owners of Royal Oak Public House.

10 letters of objection received on the following grounds:

- loss of view.
- Increased overshadowing.
- Additional height and bulk is excessive in relation to surrounding buildings – a Tower of Babel.
- Inappropriate location for a tall building – not part of a cluster.
- Poor design of proposed buildings.
- Increased traffic and congestion.

One letter expresses no objection to the development itself but expressing concern that the developer has not complied with the Council's Code of Construction with hindered access, dust and muddy road. Conditions should be attached to any development, regarding site access, wheel washing and noise and dust.

## **5 PLANNING CONSIDERATIONS**

Impact on strategic views.

- 5.1 The application site lies within the wider setting and background consultation area of the strategic viewing corridor from Alexandra Palace to St Paul's Cathedral (the site lies on the left hand view). The overall height of the tower is 101.5 metres and it would be visible within the viewing corridor. However, the applicant's computer generated images demonstrate that the building would be largely screened from view by a building in north London known as Little Britain. Therefore the proposal is not considered to be in a position or of sufficient bulk to obstruct this important view of or the setting to St Paul's.
- 5.2 The building will be very prominent when viewed from the Horniman Museum but this is not a protected strategic view so the adverse impact on this view is not considered to constitute a material reason for refusing permission. Similarly the proposal is considered to be unobjectionable in the light of the other long distance views supplied by the applicant.

#### Impact on the surrounding townscape

- 5.3 The proposed tower is of a good quality architectural design but the application site is considered to be an inappropriate location for the height now proposed (101.5m) as it will not form part of a cluster and would be the tallest structure within the immediate area. The nearest high buildings are two 21 storey blocks of flats within the Kipling Estate, approximately 500 metres to the northeast, and Guy's Hospital tower, located approximately 1000m to the north at London Bridge.
- 5.4 The proposed tower would draw attention to a location which is not of civic or visual importance such as a town centre or a public transport interchange. The proposed location is considered to be unsuitable for a landmark building of this height which would completely dominate and be detrimental to the form of the surrounding townscape and is therefore in conflict with draft UDP Policy on tall buildings and the policies of the Draft London Plan on this issue.

#### Impact on nearby conservation areas and Listed Buildings

- 5.5 The proposed tower will be clearly visible and a prominent feature when viewed from Merrick Square and Trinity Church Square. This will have detrimental impact on the character and appearance of the conservation Area and also the architectural and historic character of the Grade II listed buildings, which make up the majority of these two squares.
- 5.6 The proposed building will appear unduly prominent and overbearing when viewed from alongside St George the Martyr Church a Grade II\* Listed building at the junction of Borough High Street Great Dover Street and Tabard Street. A building of the proposed height in this position is considered to be detrimental to the character and appearance of the borough High Street Conservation

Area and the architectural and historic character of St George the Martyr Church. For these reasons in addition to the wider townscape issue the proposed 28 storey tower is considered to be contrary to the UDP policy and also the draft London Plan.

#### Other Environmental issues

- 5.7 A specialist micro-climatological study was submitted with the application which was undertaken by Anemos Associates Ltd. It is concluded that the proposed increase in the height of the building would not make the wind conditions in and around the development any worse than the approved scheme.

#### Amenity Issues - Daylight & Sunlight & Overlooking Issues

##### *Daylighting and Sunlighting*

- 5.8 The applicant has commissioned a full independent, technical assessment of the effect of the proposal on neighbouring properties in terms of both sunlighting and daylighting, showing the impact of the approved schemes (0200167 and 0200168 and the scheme now proposed and a comparison with the previously existing buildings on the site.(warehouse buildings ranging from one to four storeys). Unsurprisingly, the redevelopment of this site, which increases the height of the buildings would also have an effect on the adjoining and adjacent residential properties and would breach the Building Research Establishment Report guide. (Site Layout Planning For Daylight and Sunlight). Balin, Brenley and Eynsford Houses, 9, 13, 21-23, 29, 28/28, 30-32, 40, 42, 44 Tabard Street, 16-52 [even] Pilgrimage St, and east end of Maddison Building opposite 32 Long Lane were tested against the guide.
- 5.9 The majority of windows in the blocks to the north of the site failed the standards set out in the BRE. However, as its name indicates these standards are for guidance and are not mandatory. Although it is included in the Supplementary Planning Guidance (No. 5:Standards, Controls and Guidelines for Residential Developments), it should not be applied as an instrument of planning policy to the extent that if the standard is not complied with then planning permission should be refused. The standards were also developed for primarily suburban situations (i.e two storey suburban housing) and the BRE documents accepts that in other situations planning authorities may wish to use different target values.
- 5.10 For these reasons the daylighting and sunlighting impacts of the previous scheme were accepted and planning permission was granted. From examining the latest daylighting survey the additional impact on the majority of affected properties is no more than 2-3 percentage points compared to the existing situation. However, the addition of the tower will have a much more significant

- impact on 9-17 Tabard Street directly adjacent to the site in some cases more than 20%. It is considered that the approved scheme represents the maximum acceptable envelope of building acceptable on this site and the proposed additional impact of the increased tower has tipped the balance of what is acceptable in terms of the impacts on the surrounding occupiers.
- 5.11

#### *Over-looking*

- 5.12 The proposed new windows to the residential accommodation provided by the increased height of the tower will be so high above ground level that they are unlikely to result in any significant additional overlooking impacts beyond those for the approved scheme

#### *Noise and disturbance*

- 5.12 A number of noise conditions have been included in the permission to ensure that the plant works and equipment to both the commercial units, supermarket and residential units do not give rise to noise and disturbance to both the future occupants, visitors to the development and adjoining residential properties. It is not felt that additional accommodation now proposed will noticeably increase levels of noise and disturbance above those for the scheme which has been approved on the site.
- 5.13 Some of the surrounding occupiers have expressed concerns about noise and disturbance and dirt/dust arising from the construction of the development currently being undertaken on site. This in itself is not considered to be a justifiable reason for refusing planning permission. This issue is normally dealt with by getting the developer to sign up to the Council's Code of Construction which is voluntary.

#### Traffic, Parking and Servicing issues

- 5.14 An extensive traffic assessment was undertaken for the application which takes account of the additional residential accommodation added. The report concludes that the additional number of dwellings will have no material impact on traffic conditions in the area when neither compared to the approved scheme nor will interfere with the servicing arrangements for the commercial uses.
- 5.15 The parking for the residential units is in the form of an underground car park with the one access/egress point on Tabard Street. This is in the same position as the permitted scheme, opposite 40 Tabard Street. Extensive highway and environmental improvements to Tabard Street including the removal of redundant bus bays and their conversion back to resident's parking will be secured through the proposed legal agreement. These matters would be subject to further consultations with TfL.

- 5.16 The number of parking spaces remains at 249 which is a level of 40% of the total number of residential units in the enlarged scheme, with 5% for disabled spaces and 5% for operational needs i.e commercial units, management. This is lower than the Council's adopted standard of 110%, however the UDP is under review and does not take into consideration that the site is located in the north of the borough which is well served by public transport and opposite a proposed cycle route linking the north with the south of the borough. Therefore it is considered that this should not be a reason for refusal.
- 5.17 The refuse arrangements have been agreed in principle by the Council's Waste Management Section, but further details would need to be submitted to ensure that the proposed refuse stores meet the capacity of the mixed uses.

#### Standards for Residential Accommodation:

- 5.18 A total of 588 self-contained flats are proposed, comprising 180 affordable housing units and 408 open market units. All units meet minimum floor area standards, with the large central square providing amenity space for both private and public use. A number of flats facing the square include private balconies, with an indented balcony on the Long Lane elevation to junction with Southall Place.
- 5.19 This application proposal would provide 1180 HRH (*habitable rooms per hectare*), in comparison with the approved scheme of 1099 RH. This is slightly in excess of the preferred densities of the *draft* London Plan, which is classified (for central London) as 650-1100HRH. However, given the degree of conflict and the fact that the site is well served by public transport it is not considered that permission should be refused for this reason.

#### Affordable Housing

- 5.20 The applicant has confirmed that 180 flats of the proposal are affordable, with Hexagon and/or Peabody Housing Association being the preferred partner/s. This would be secured by a legal agreement and would deliver 27% affordable housing on-site, which is in compliance with the 25% level that the Council's affordable housing policy..
- 5.21 The scheme will also include 40 key worker units which the National Health Service Estates have expressed an interest in securing. The site is in walking distance of Guys Hospital and therefore an ideal location for key worker accommodation. The studio flats are approximately 35m<sup>2</sup> in total, are all self-contained and provide an open plan living/kitchen area with separate bedroom.

## Legal Agreement Issues.

- 5.21 A revised legal agreement has not been negotiated with the developers because the application is recommended for refusal. It is understood that the applicants have been in discussion with local community groups and may offer further community benefits by way of a unilateral undertaking if they make an appeal against any refusal of permission.

## **6. EQUAL OPPORTUNITY IMPLICATIONS**

- 6.1 The proposal creates a mix of dwelling sizes, some suitable for families & key workers, including affordable housing. The proposal creates a safe and secure environment for the occupants of the flats, with all floors accessible by internal lifts for people with mobility difficulties.

## **7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

- 7.1 The proposal creates a mixed-use development in a location with good public transport accessibility. The Planning and Design statement submitted by the applicant indicates that the wider design impacts are acceptable.

## **8 CONCLUSION**

- 8.1 The proposed increase in height of the tower to 28 storeys proposed in this application is considered to be unacceptable because the application site is an inappropriate location for such a tall building. It does not relate to its local context, has an adverse impact on nearby listed buildings and conservation areas, and worsens the impact on the amenities of the neighbouring properties to the extent that it is unacceptable. It is considered that planning permission has already been granted for the maximum amount of development which is appropriate on this site and that the proposal is unacceptable for the reasons described above.

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