

Item No 3	Classification OPEN	Decision Level PLANNING COMMITTEE	Date 07/06/2004
From Interim Development & Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (Duplicate applications 03-AP-0637 & 03-AP-2071) Demolition of existing retail warehouse and construction of three buildings comprising of a single 10 storey building, part 11/part 13 storey and part 12/part 15 storey buildings, to accommodate 320 flats with community facilities at ground level and 200 car parking spaces at basement level with vehicular access from Canada Street, Central internal courtyard to provide landscaped amenity area, ball court and additional 5 car parking spaces.		Address Site E Units 3-4 Canada Water Retail Park, Surrey Quays Road SE16 Ward Surrey Docks	

PURPOSE

- 1 To consider application number 03-AP-0637 which requires Planning Committee consideration because of the size of the development and the number of representations received.
- 2 To consider how the Council would have determined application number 03-AP-2071 had an appeal not been made against the deemed refusal of planning permission by reason of the Council's failure to determine the application within the statutory period.

RECOMMENDATION

- 3 Refuse planning permission for application number 03-AP-0637
- 4 That had the Council still been empowered to determine application number 03-AP-0637 planning permission would have been refused for the same reasons as the refusal of the application number 03-AP-2071.

BACKGROUND

- 5 The application site is located on the eastern side of Surrey Quays Road at its junction with Canada Street. The site is currently occupied by a single storey retail warehouse that stood vacant for some time prior to its recent occupation on a short term tenancy by a retailer.

- 6 Immediately east of the site is the Harmsworth Quays Printing Press, a substantial industrial building with extensive parking and serving areas fronting Surrey Quays Road. To the north is the Mulberry Business Park. To the west, on the opposite side of Canada Street, is a vacant site for which permission has recently been granted for the erection of 2 x 7 storey, 3 x 8 storey and 1 x 10 storey block comprising 224 residential units, 18 live/work units and business and retail space. South of the site, on the opposite side of Surrey Quays Road, are two retail warehouse buildings currently occupied by Decathlon Sports.
- 7 Planning permission was granted on 23 November 2002 for two alternative proposals to develop the application site by a) the construction of a 6 to 11 storey office building and b) the construction of 6 and 7 storey buildings to provide office space and a telehotel, both with associated car parking. Both permissions were subject to a legal agreement.
- 8 The proposal under consideration is for the demolition of the existing retail warehouse and construction of three buildings for mainly residential use. Block A at the rear of the site will comprise 10 storeys, Block B fronting the road will be 7 to 11 storeys and Block C at the southern corner of the site will rise to 13 storeys. In total 320 flats will be provided plus community facilities at ground level of the Blocks B and C. Block B will comprise affordable housing. The blocks will be arranged around a central courtyard. There will be 200 car parking spaces at basement level with vehicular access from Canada Street.
- 9 The scheme has been amended since its submission to delete one floor from the whole of Block B and to further reduce the height of the same block at its northern end, to achieve a more satisfactory relationship with the smaller scale developments to the north and west.
- 10 In November 2003, a similar application for the demolition of existing retail warehouse and construction of three buildings comprising a single 10 storey building, part 11/part 13 storey and part 12/part 15 storey buildings to accommodate 320 flats with community facilities at ground level and 200 car parking spaces at basement level with vehicular access from Canada Street together with a central internal courtyard to provide landscaped amenity area, ball court and additional 5 car parking spaces, was submitted to the Council for consideration.
- 11 This application, ref: 03-AP-2071, is now the subject of an appeal against the Council's non determination of the application within the prescribed statutory eight week period. The Appellants have since written to the Planning Inspectorate with a request that the plans relating to the appeal proposal are substituted with the amended plans for application 03-AP-0637 which is the application still before the Council for consideration. This request was granted and the appeal will be determined on the basis of the amended plans so that

the appeal scheme and that still with the Council for consideration are the same..

FACTORS FOR CONSIDERATION

Main Issues

- 12 The main issues in this case are the principle of the development, the impact on the streetscape and the surrounding area and the compatibility with adjoining industrial uses.

Planning Policy

- 13 Southwark Unitary Development Plan 1995 [UDP]:

Application site is within:

- UDP Proposal Site 26 [Land North of Surrey Quays] designated for business, entertainment, housing, shops, ancillary open space and community facilities.
- designated Regeneration Area.
- Strategic Views Wider Consultation Zone

Policy E.1.1 - Safety and Security in the Environment - the proposal complies with this policy

Policy E.2.1 - Layout and Building Line - the proposal complies with this policy.

Policy E.2.2. - Heights of Buildings - the building heights are considered acceptable for the area having regard to the emerging proposals for the Canada Water area.

Policy E.2.3 - Aesthetic Control - the proposal is considered to comply with this policy

Policy E.3.1 - Protection of Amenity – the future occupiers of some of the proposed dwellings could be adversely affected by noise from the adjoining industrial premises.

Policy H.1.3 - New Housing - complies, the proposal will provide new housing.

Policy H.1.4 - Affordable Housing - complies, this will be secured by a legal agreement.

Policy H.1.7 - Density of New Residential Development - the density level is higher than current standards.

Policy H.1.8 - New Housing Standards - the proposal complies with the Council's floorspace/room size standards

Policy T.6.3 - Parking Space in New Developments - there is a shortfall in car parking spaces against current UDP standards.

- 14 The Southwark Plan [Revised Deposit Unitary Development Plan March 2004]:

The application site is within:

- Site 31P in site proposals schedule [Site E Canada Water] where Business use [Class B1] is required with residential [Class C3] and any other use being other acceptable uses.

- Public Transport Accessibility Zone
- Strategic Views Wider Consultation Zone
- Canada Water Action Zone

Policy 2.4 - Provision of Community Facilities - complies, the development includes a community use

Policy 2.5 - Planning Obligations - complies, the development will secure community benefits through a legal agreement.

Policy 3.2 - Protection of Amenity - the future occupiers of some of the proposed dwellings could be adversely affected by noise from the adjoining industrial premises..

Policy 3.3 – Sustainability Appraisal – the proposal complies with this policy.

Policy 3.11 - Quality in Design - the proposal is considered to comply.

Policy 3.13 - Urban Design - the proposal complies with this policy.

Policy 3.14 – Designing Out Crime – the proposal complies with this policy.

Policy 3.12 - Design Statements - the proposal complies with this policy.

Policy 3.20 – Tall Buildings – the proposal complies with this policy.

Policy 4.1 – Density of Residential Development - the high density is considered consistent with the emerging plans for the Canada Water area where higher densities are generally expected.

Policy 4.2 – Quality of Residential Accommodation - the proposal complies with room size/floor space standards, however there is a shortfall in car parking and amenity space provision.

Policy 4.3 – Mix of Dwellings – the proposal complies with this policy.

Policy 4.4 – Affordable Housing – complies, this will be secured by a legal agreement.

Policy 5.6 – Car Parking – the proposal complies with this policy

PPG24 Planning and Noise-

Consultations

15 Site Notice 24/04/2003 Press Notice: 08/04/2003

Consultees:

Canada Water Campaign Group, Canada Water Forum, Cllr Lisa Rajan
1-26 (incl) Wolfe Crescent, 1-11 (incl) James House, 1-14 (incl) Carlton House, 1-11 (incl) James's House, 1-11 (incl) Monkton House, all Wolfe Crescent

1-7 (incl) Saunders House, Brass Talley Alley

1-55 (incl) Basque Court, 1-11 (incl) Adelphi Court, Garter Way

6-10 (incl) and 12-21 (incl) Woodland Crescent, 1-6 (incl) Cedar House, Woodland Crescent, 1-9 (incl) Yew House, Woodland Crescent, 1-9 (incl) Rowan House, Woodland Crescent, 1-9 (incl) Cypress House, Woodland Crescent, 1-13 (incl) Sycamore House, Woodland Crescent, 1-4 (incl) Gorham House, Wolfe Crescent, 1-11 (incl) Adelaide Court, Garter Way, 1-15 (incl) Mulberry Business Centre, The Headteacher, Alfred Salter Primary School, Quebec Way, Harmsworth Quays Printing Press, Quebec Way

Replies from:

- 16 GLA - supports the proposal on the basis that the level of affordable housing provision is increased, provision of Selective Vehicle Detection traffic signals to avoid traffic movements impeding bus movements and a financial contribution towards transportation measures to improve pedestrian connectivity.
- Traffic Group – no objections in principle. Suggests funds should be sought for improvements to alternative travel facilities.
- Public Protection the design and layout of the scheme particularly with regard to parts of blocks B and C would result in noise and disturbance for future occupiers of these units. This is also likely to be prejudicial to the effective functioning of the adjacent HQP which is a 24 hour industrial use.
- Design and Conservation – no objections to the revisions, subject to conditions.
- Environment Agency – no objections subject to conditions.
- 10 Bray Crescent – object on grounds of height, bulk, and size of affordable housing units, inadequate car parking provision, and pressure on public transport.
- 10 Woodland Crescent – object on grounds of height, density and traffic problems.
- Alfred Salter Primary School – no formal objections but question whether available community facilities will be made available to non residents and whether the development would provide a safe environment for pupils traveling to school on foot or cycling.
- Harmsworth Quays Printing – object on grounds that the application site is adjacent to a noisy 24 hrs operation which include traffic noise, and the noise exposure is such that in terms of PPG 24, planning permission should not be granted, noise levels on the proposed balconies would exceed BS recommendations, the assessment of noise from Mulberry Business Park is underestimated and in relation to HQP, the noise assessment has considered noise emissions at low level and no consideration has been given to the noise exposure of flats at higher level. Site should be used for uses other than residential to avoid amenity problems.
- 148 Basevi Way, Millennium Quay – object on grounds of height and traffic.
- 17 Wolfe Crescent – object on grounds of potential noise for future residents.
- 16 Spruce House – object on grounds of pollution to existing wildlife and human life, insufficient services to cope with the population increase, traffic congestion, height and noise.
- 2 Basque Court – object on grounds of noise, height, traffic and light infringement
- 13 Wolfe Crescent – object on grounds of traffic and height of the proposed buildings.
- 4 James House, Wolfe Crescent – concerned about height of the proposed.
- 14 Wolfe Crescent – object on grounds of over-development, insufficient parking and lack of amenities around the area and potential noise problems if units are social housing.
- 8 Sycamore House – object on the grounds of height of the proposed

buildings, potential light infringement and noise.

3 Cypress House, Woodland Crescent – no objection in principle, but concerned at the level of car parking provision.

26 Wolfe Crescent – object on grounds of height and mass, the scale of the finished building, inadequate affordable housing provision, potential light infringement, over-development, inadequate car parking provision, site unsuitable for intense residential development, loss of trees and the site being unsuitable for residential development because of its proximity to adjacent employment sites.

18 Wolfe Crescent - object on grounds of height and mass, over-development, loss of trees, site being unsuitable for residential development given its proximity to adjacent employment sites.

23 Wolfe Crescent – object on grounds of height of proposed building, inadequate car parking provision, compromise to highway safety, site being unsuitable for residential development because of its proximity to adjacent employment sites.

16 Wolfe Crescent – object on grounds of over-development, height of the proposed buildings and dwelling mix of the units.

2 Carlton House – concerned about the height of the proposed buildings, pressure on existing community facilities and traffic problems.

4 Carlton House – concerned at the level of car parking provision, height of the proposed buildings and potential light infringement.

18 Woodland Crescent – concerned about potential traffic generation and noise.

10 Spruce House – no objections as long as there are telecommunications aerials proposed on the buildings.

9 Woodland Crescent – object on the grounds of height of the proposed buildings, density, inadequate car parking provision, insufficient infrastructure to cope with the proposed development, danger to highway safety given proximity of school and design.

PLANNING CONSIDERATIONS

Land Use Considerations

- 17 The site is within the Canada Water Action Area identified in the emerging Southwark Plan. Housing is planned to comprise a major component of the overall development. The application site lies on the opposite side of Surrey Quays Road to the present Surrey Quays shopping centre but nevertheless forms part of the wider context of that development. The development of the application site should therefore contribute to the overall regeneration objectives for the Action Area.
- 18 The site is adjacent to an existing employment site and is specifically designated for employment use in the emerging Southwark Plan although other uses, including residential, are also identified as being acceptable. The site forms part of a larger area designated for a number of uses, including

residential, in the current UDP, so no objection is raised in principle. It should also be borne in mind that because the application site is adjacent to an employment site this does not necessarily mean that any proposed use on the application site must of necessity also be solely. The introduction of residential use is clearly consistent with the Development Plan in so far as the principle is concerned. The principle of non-retail development has been established by the two earlier permissions and in that respect the loss of retail raises no policy issues.

Massing and Design

- 19 The three blocks will be arranged around the perimeter of the site, tight to the boundaries and forming an internal courtyard. Blocks B and C will provide a strong presence to the street; Block B occupying the majority of the street frontage and rising in height to 11 storeys with Block C occupying the southern corner of the site and rising to 14 storeys above ground.
- 20 Block B has been reduced in height following negotiations with the applicants and, whilst still substantially taller than its current neighbours, is considered, on balance, to relate satisfactorily to its immediate context. The block will follow the curvature of the road at this point. Towards Canada Street, the building stands at a height of seven storeys above ground rising to eleven storeys above ground at the axis of the highway junction. The building then steps down to nine storeys above ground running along Surrey Quays Road. It will have a residents' garden and amenity space at roof level.
- 21 The ground floor of Block B will be given over to community facilities. The applicants hope that this will comprise a doctor's surgery and are understood to be in discussions with local doctors. At the axis of the highway junction, the block is raised on columns to provide a two storey high pedestrian route into the central courtyard. The building has also been set further back from the back edge of the pavement than originally intended to create a more generous planting strip around the site.
- 22 Building C will have a triangular footprint to match the acute angle of the southern corner of the site closest to the car park to the Harmsworth Quays printing works. The building stands at twelve storeys above ground at its highest point with an off centre lift core rising up from a controlled entry lobby. As with the arrangement in Block B, the ground floor is allocated for community facilities. Block C has also been moved further back from the road frontage to create a more generous planting strip around the site and greater separation from the busy road.
- 23 Block A will comprise the affordable housing. This will be 'L' shaped in plan, set against the boundaries with the printing works and adjacent business park. All the units will be single aspect (south-west or north-west facing). The rear wall will be imperforate to act as a barrier against noise from the adjoining

commercial uses. The ground floor of the building will comprise predominantly three bedroom units, which can be adapted to accommodate special needs/disabled housing. Small enclosed gardens are also provided outside the ground floor units and have been designed to maintain privacy from the open courtyard space beyond.

- 24 The external materials proposed are proprietary laminated timber panels for the main elevation supplemented with metal panelling. Projecting balconies are proposed which will be framed with structural steel and glass balustrades. The roof will be proprietary aluminium standing seam type. The rear of block A which is immediately adjacent to the adjoining Harmsworth Quays building, will be clad in masonry finish.

Density Considerations

- 25 The density of the proposed development is calculated at 1072 habitable rooms per hectare. This is clearly in excess of standard densities set out in the existing UDP (up to 210 hrph in normal circumstances), although the plan does allow for higher densities in parts of the borough where the existing character and/or planned redevelopment proposals might permit it.
- 26 The emerging Southwark Plan has identified the Canada Water area as an Action Area and a Public Transport Accessibility Zone [PTAZ]. Within a PTAZ density levels are set at the Urban Zone level of 300-700 habitable rooms per hectare and where development should typically be 4 to 6 storeys in height. However, within a PTAZ the Urban Zone density may be exceeded on some sites where the increased scale of development is appropriate in terms of design and amenity but the development must provide:
- an exemplary standard of design
 - and a significant contribution to environmental improvements in the area, particularly relating to public transport/cycle/pedestrian movement, safety, security and public realm improvements.

Affordable Housing

- 27 The applicants submit that they are in negotiations with a number of Housing Associations with regard to the affordable housing provision within the scheme. Although it is not clear who the affordable housing partner is at this stage, the 25% requirement has been met and will be secured by a section 106 agreement.

Traffic and Car Parking

- 28 The site is close to Canada Water and Surrey Quays Underground stations and a number of bus services that terminate at Canada Water station or the Surrey Quays shopping centre. The submitted Traffic Impact Assessment study indicates that the development is unlikely to result in any highway network problems.

- 29 The proposed development makes provision for 200 car parking spaces, which equates to a 70% level of provision. These will be contained in the basement with access off Canada Street. This level of provision is considered acceptable given the site's proximity to good public transport services. It also complies with the main thrust of government advice as set out in PPG13 that local authorities should not normally impose minimum parking standards on residential developments but rather encourage more sustainable modes of transport. Agreement has been reached with the applicants to provide funds for the setting up of a car share scheme, and the development will include a total of 30 motorcycle and 365 cycle storage spaces.

Noise considerations

- 30 The application site is adjacent to a 24-hour printing press so that future occupiers could be exposed to potential noise nuisance. The applicants have addressed this issue. A noise survey and assessment was undertaken in accordance with the guidance set out in PPG 24, Planning & Noise, to ascertain what measures will be required to avoid noise disturbance. Noise measurements were taken from four positions around the site over a cumulative 24 hour period on a weekday.
- 31 The survey showed that, at ground level, daytime and night-time noise levels around the site fall into noise exposure categories (NECs) B and C, reducing to NEC B or better above 2nd floor level. The guidance in PPG 24 states that within NEC B, 'noise should be taken into account when determining applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise'. Within NEC C, 'planning permission should not normally be granted but, where it is considered that permission should be given, for example because there are no quieter sites available, conditions should be imposed to ensure a commensurate levels of protection against noise'. The applicant's reports conclude that adequate level of protection against noise (e.g. thermal double glazing and acoustic trickle vents on lower floors) must be incorporated into the scheme in those elevations facing the road.
- 32 The major source of noise is likely to be traffic entering and leaving the adjacent printing works, which includes a considerable volume of nighttime movement. The noise consultant's report indicates that this will not be a major issue at second floor level and above, although particular regard will need to be had for insulation of flats on all of the lower floors. It will also be necessary to ensure proper insulation of the rear wall of Block A at the back of the site which will set close to the large flank wall of the printing works. Overall, however, it is considered reasonable to rely upon conditions to secure their details before development commences.
- 33 Harmsworth Quays Printing raise a number of objections to the proposal, including noise from roof plant on top of their building. Although they point out

that a noise study has been carried out, they nevertheless raise concerns with the result of the noise survey in that the survey was undertaken at a relatively quiet period and that the readings were taken at low level and not at high level in terms of how the units on the upper floors of the proposed development might be affected by noise transmission.

- 34 Discussions between the applicants and the Council conclude that whilst the principle of residential might be acceptable, the design and layout of the units particularly with regard to part of blocks B and C would result in noise and general disturbance for future occupiers of the affected units. It is believed that in the absence of changes to the design and layout of the affected blocks, the effective functioning of the adjoining Harmsworth Quays could be prejudiced given its industrial nature and the fact that it is a 24 hour operation. The layout and design of the scheme will not overcome the issue with regard to noise and in the circumstances are likely to be detrimental to the amenities of future occupiers of the units concerned within the development, notwithstanding the fact that a condition restricts the maximum noise levels allowed by HQP as part of their operation.
- 35 The permission granted for the development of Harmsworth Quays Printing included a condition which stipulates maximum noise levels permitted as part of their operations. Condition 11 of the planning permission dated 17/10/1986 (S/86/97) stipulates that "The building shall be so designed and used that noise from fixed plant shall be limited to a maximum Corrected Noise Level, as defined in B.S. 4142. of 40Db(A) outside any existing residential development in the locality and outside any residential development on Surrey Quays Housing Site 6A. The permission granted was for the development of offices, newsprint and printing and publishing complex only and no other use. This removed the permitted development rights of the applicants in so far as changing to another use within the same Use Class. Subsequent permissions for extensions to the building as part of the printing operations included conditions restricting the noise levels.
- 36 An independent noise survey has been commissioned by the Council's behalf. This would provide a detailed assessment as well as analysis of the noise survey undertaken and the report submitted in support of the planning application. The assessment will also include analysis of the noise report submitted on behalf of Harmsworth Quays Printing as an objector to the residential scheme. Further information with regard to the findings and recommendations of the independent noise survey will be included in the addendum report on the basis it becomes available before the date of the Planning Committee.

Section 106 Agreement

- 37 The applicant has agreed to make a financial contribution to the Council to fund various projects which are considered to be directly linked to the

proposed development. The monies agreed are:

- £42,450 towards the improvement of existing and creation of new cycle networks routes around the Canada Water area.
- £28,900 towards setting up of a car share scheme, which also includes
- provision of 6 dedicated car spaces within the development.
- £15,000 towards environmental improvement works around the vicinity
- of the site.

- 38 Impact on the Surrounding Area and the Street scape
The proposed development is approximately 40 metres from the nearest residential properties on Wolfe Crescent which are mainly three storey in height. Although the building will rise to as high as 11 storeys on the corner of Canada Street, it is not considered that the proposed development would have a significant impact on the adjacent residential properties, particularly with regard to sunlight/daylight infringement or loss of privacy for that matter. The reduction in the height of Block B to 7 storeys at its northern end will help moderate any impact.
- 39 The development will be higher than its immediate neighbours with the exception of the printing works. It is considered that it will provide considerable visual interest in the street scene and represent an appropriate form of development both in scale and density, having regard to the emerging masterplan proposals for the Canada Water area. The earlier permissions for commercial development of the site involved buildings of a similar overall height although those schemes did generally place the taller elements towards the rear of the site and away from the street. Overall, and on balance, the scheme in its amended form is considered acceptable in this context.

EQUAL OPPORTUNITY IMPLICATIONS

- 40 Lifts available to all floors making the development accessible for people with mobility difficulties.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 41 The proposal would be located within close proximity of very good public transport services.

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