

Item No.	Classification	Decision Level	Date
8	OPEN	PLANNING COMMITTEE	27.07.04
<b>From</b> INTERIM DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-AP-0780 )  Revisions to implemented planning permission 04-AP-0190 for a major mixed use development to provide an additional 14 flats in Building 'B' by reconfiguring floor layouts with minor elevational changes.(567 flats and retail and leisure uses are now proposed within previously approved building envelope).		<b>Address</b>  Tabard Square, site bounded by Long Lane, Southall Place, Sterry Street & Tabard Street SE1  <b>Ward</b> Chaucer	

#### **PURPOSE**

1. To consider the above application

#### **RECOMMENDATION**

2. Grant planning permission

#### **BACKGROUND**

3. 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
4. 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.

- 5 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.
- 6 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.
- 7 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.
- 8 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.
- 9 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

- 10 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.
- 11 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.

- 12 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 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).
- 13 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.
- 14 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
- 15 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.
- 16 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.
- 17 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 crossings, new traffic signalling on

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

- 18 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.

#### Outstanding planning appeal 03-AP-2243.

- 19 A planning application was submitted in December 2003 for a further revised version of the mixed development most recently permitted under 0200168. The principal differences were 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.
- 20 An appeal against the Council's failure to determine this application within the 8 week statutory time period was submitted in February 2003. This appeal is currently being held in abeyance for 3 months pending the outcome of the application which is the subject of this report.
- 21 It was resolved by the Planning Committee on 3rd of March 2004 that had they been empowered to determine this application permission would have been refused because

- i) the application site is an inappropriate application for a 28 storey building not being part of a cluster of tall buildings, in a town centre nor at a major public transport interchange which will mean that the building will be out of keeping with the surrounding townscape and dominating to its surroundings.
- ii) the 28 storey building by reason of its height proximity and design will have an adverse impact on the Borough High Street and Trinity Church Square Conservation areas and the listed St George the Martyr Church and Trinity Church and Merrick Square.
- iii) the proposed building by reason of its increased height and proximity to neighbouring residential properties would be over dominant in its relationship to them and result in an oppressive outlook and unacceptable loss of light to these properties.
- iv) the proposed loading and parking bays on Long Lane were considered to be unacceptable and detrimental to traffic flow and highway/pedestrian safety.

#### Planning refusal 03-AP-0063

- 22 This application is a duplicate of application 02-AP-2243 and on 30th March 2004 planning permission was refused for the first three reasons listed in the previous section. On reexamination of the traffic parking issue it was decided that the proposed parking loading bays in Long Lane were so similar to those previously approved then planning permission should not be refused for this reason. At the time of writing no appeal had been submitted against this refusal of planning permission.

#### Planning permission 04-AP-0190

- 23 Permission was granted in July 2004 to form 14 additional residential units within building B by subdividing 35 of the market units to create 49 Key worker apartments (5 studios, 41-1bed flats and 2x 2bed flats). This resulted in a development of 567 residential units and is subject to the same legal agreement as 02-AP-0168.

#### Current planning application

- 24 This application proposes to insert an additional 5 residential units into building C. This will be achieved by reducing the floor to ceiling heights from floor 9 upward and increasing the height of the shoulder section of the tower by between 1-2m although the height of the lantern (the tallest) section above would remain unchanged.
- 25 Also proposed are minor elevational changes to the pavilion Class A1/A3 building in the middle of the development which will have one of its fins removed. The roof line of building A will be modified so that it is less curved and consistent with that for parts of building A and C. The plant area on the 8<sup>th</sup> floor of building C will also be slightly enlarged and the roof lights will be removed from building B.
- 24 Berkley Homes have written to explain that if this scheme receives planning permission they intend to withdraw the appeal and it is not proposed to increase the height of the tower or the number of storeys contained within it beyond what is now proposed.

#### **FACTORS FOR CONSIDERATION**

26 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: complies.

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: impact on amenity of neighbours no worse than previously approved scheme than the previously approved schemes.

Policy E.4.3 Proposals Affecting Conservation Areas: the tower would not 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 not 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: development considered to be satisfactory.

No5: Standards Controls and Guidelines for Residential Development: No more impacts on surrounding occupiers than previously approved scheme.

27 Draft Southwark Plan (Second Deposit Draft April 2004):

Policy 1.1 Access to Employment Opportunities: complies.

Policy 1.5 Mixed Use Developments: complies

Policy-3.2 Protection of Amenity: amenity impacts no worse than previously approved scheme.

Policy-3.11 Quality in Design: The design of the proposal is considered to be of a high quality.

Policy 3.13 Urban Design: The appearance of the proposed buildings is considered satisfactory.

Policy 3.20 — Tall Buildings: building will not be noticeable taller than previously approved schemes.

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.

### **Government Guidance and Policies:**

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

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

Developments should maximise the potential of sites provide mixed uses and respect local character and context

#### *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.8 Tall buildings – location*

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

Development is acceptable in terms of design and impact on its surroundings.

Regional Planning Guidance 3: Proposal is not detrimental to the strategic viewing corridor from Alexandra Palace to St Paul’s Cathedral.

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.

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

## **Consultations**

Site Notice: none

Press Notice: none.

### 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.

Public Protection Group, Traffic Group, Conservation & Design Team, Housing Officer,.

### **Replies from:**

- 28 Traffic: With regard to the above proposal, I have no formal objections however, I require that all conditions previously requested be appended to any permission issued and all S106 funds previously secured be sought. the Council will change the existing traffic order so that occupiers of the development are prevented from applying for residents parking permits.
- 29 3 Aylesford House, Staple Street, Long Lane: Building C is already too high. Developer has no concern for the local environment, people living in the area nor the historic St George the Martyr Church.  
St Hugh's Church, Crosby Row: the increase in height further compounds the absurd incongruity of this building which is seriously out of keeping with the surrounding environment and will overshadow surrounding buildings. The building will not benefit local people and the extra 5 units is a typical developers ploy.

## **PLANNING CONSIDERATIONS**

### Appearance and Townscape issues.

- 30 The increase in height of the shoulder to the tower is very slight and will not noticeably affect the impact the building will have on the surrounding townscape. Similarly the change to the profile of building A and the deletion of the rooflights from Building B will be barely noticeable. The modifications to the pavilion will not be noticeable from outside and in any event are minimal

### Impact on the amenities of surrounding residents

- 31 The increase in the number of dwellings from 567 to 572 units is not considered to materially alter the impact the development will have on local traffic and parking conditions and levels of air pollution. The increase has been achieved through reconfiguring the floor layouts and the amount of habitable rooms within the



development will remain unchanged.

- 32 The increase in dwellings is considered to have a negligible impact on the density of the scheme and will not put an additional strain on local facilities nor lead to increased crime levels. The car and cycle parking is the same as the previous approval and is considered to be satisfactory to serve this scheme.
- 33 The increase in the height of the shoulder to the tower, the change in the roof profile of building B and the changes to the pavilion will not have any noticeable additional impact physical impact on the amenities of surrounding residents compared to the previously approved schemes.

Appropriateness of dwelling mix and Affordable housing.

- 32 The current submission changes the dwelling mix so that 37% family accommodation i.e., 2 and 3 bedrooms, is provided and the number of three bedroomed units is the same as the most recent approval. The proposal decreases the number of 1 bed units by three and increases the number of 2 bed units by 8. The affordable housing element will decrease very slightly from 34.1% to 33.7% if the key worker studios are included. Excluding these units then the proportion is 26.6%. This level of provision is so similar to what has been granted planning permission that it is considered to be acceptable.

**Comparison of- Dwellings by Size**

<b>Development</b>	<b>Studio</b>	<b>1-Bed</b>	<b>2-Bed</b>	<b>3-Bed</b>	<b>Total</b>
<b>Approved Scheme Unit Numbers 02-AP-0168 / 04-AP-0190</b>	45	320	174	28	<b>567</b>
<b>%</b>	8%	56%	31%	5%	100%
<b>Proposed Scheme Unit Numbers 04-AP-0780</b>	45	317	182	28	<b>572</b>
<b>%</b>	8%	55%	32%	5%	100%

- 33 UDP Policy on dwelling mix normally requires that the majority of the units in a scheme are family sized. However, having regard to the location and circumstances of this site a lower proportion of family units has been already been accepted. The mix proposed in the current scheme is sufficiently similar to the scheme which the Committee previously resolved to approve to be acceptable (see table for comparative figures). The Council has also accepted similar proportion of family sized units in other recent schemes in this part of the Borough.

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