

<b>Item No.</b>	<b>Classification</b>	<b>Decision Level</b>	<b>Date</b>
<b>6</b>	OPEN	PLANNING COMMITTEE	18.10.2004
<b>From</b> Interim Development & Building Control Manager		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-AP-0563 ) Demolition of the existing building and construction of a part 4, 5, 6, 7 and 8 storey building to provide a total of 87 dwellings (38 x 1bed, 39 x 2bed, 9 x 3bed), including an ancillary communal facility, communal gardens, landscaping and basement car parking.		<b>Address</b> 92 Webber Street SE1 <b>Ward</b> Cathedrals	

### **PURPOSE**

1. To consider the above application

### **RECOMMENDATION**

2. Refer to Government Office for London (GOL) with resolution to grant planning permission subject to the signing of a legal agreement. It needs to be referred to GOL because it is a major application and a departure from the UDP.
3. The application is for Committee consideration because of the size of the scheme and the number of objections which have been received from surrounding residents

### **BACKGROUND**

4. The application site is a part single part two storey L shaped industrial building on the south side of Webber Street and to the west of the southern section of Rushworth Street. The site has most recently been used as a car park. The entrance to the site is in Webber Street but the site becomes wider behind 94 Webber Street (a 3 storey office building) where is then has a frontage onto this section of Rushworth Street
5. The south east corner of the site is directly adjacent to the raised railway line leading to Blackfriars station. To the east of the site across Rushworth Street are industrial and storage buildings tight up against the railway and occupying arches beneath it.
6. To the south across King James Street is a small estate of industrial/storage buildings. Next to the west along King James Street on the opposite side due south of the site is

Gibbings house a 4 storey block of flats. To the west of and sharing a boundary with the site is Stopher house, a 5 storey block of flats which has a zig zag plan form and several banks of windows to the rear facing towards the site but at a 45 degree angle to the shared boundary with the site. At present the application building presents a three storey height blank wall towards Stopher House. To the north of the site across Webber Street is a three storey block of flats (59 Webber Street) and to the north east are two storey industrial buildings.

7. The application proposal is to demolish the existing buildings on site and to erect a 4 to 8 storey building to comprise 87 flats. This will consist of:
  - a **five storey building** directly fronting Webber Street which will have a terrace on its roof.
  - To the rear of this linking to the rest of the development is a **four storey building** up against the boundary with the rear of 94 Webber Street, the roof of which will be used as a terrace.
  - Further to the rear again where the site becomes wider there will be a **six storey section of building** fronting Rushworth Street occupying the eastern half of the site which will have a seven storey height lift shaft at its northern end. The roof of this will be used to provide a large roof terrace
  - To the rear of the six storey section fronting both Rushworth Street and King James Street the **building will increase in height to eight storeys** although the top storey will be recessed to all sides. The areas of roof left by the recesses will be used to form seventh floor roof terraces.
  - Along the remainder (about 40%) of the King James Street running up to the south west corner of the site elevation the building will reduce to **five storeys**. The roof of this section of building will be used to provide a roof terrace.
8. The development will be served by an underground car park which will be accessed from Webber Street. This will contain 36 parking spaces and also separate cycle storage are with space for 100 cycles. Two mechanical plant rooms will also be provided in the basement. The main pedestrian entrances will be from Webber Street and King James Street although will be a smaller entrance on Rushworth Street
9. A large (360sqm) garden area is proposed on the western side of the site adjacent to Stopher House. This will contain grassed areas timber decking and water features. Two small area of private garden are also proposed to serve two of the larger flats. Adjacent to the communal garden area within the four storey section of building will be a communal facility (a meeting room or similar).
10. The main street elevation to the building will consist of a rendered skeleton on the lower levels in filled with powder coated aluminum windows and areas of randomized zinc cladding. On the upper sections of building on the corner of Rushworth and King James Streets there will be glazed louvered screens with sections of coloured render behind. The recessed eighth storey will be a mixture of glazing and zinc panels. Zinc panels are also proposed on the upper two storeys of the six storey section of building on the north part of the Rushworth Street elevation. The elevation of the building

on the north part of the Rushworth Street elevation. The elevation of the building facing Stopher House will contain much larger area of white render which will be interspersed with zinc cladding around the windows and on the lift shaft.

11. The application contains a number of supporting documents including:
  - a design statement,
  - a daylight and sunlight report analyzing the impact on surrounding buildings.
  - a noise report assessing the likely noise levels from the adjacent railway and mitigation measures necessary to achieve a satisfactory residential environment within the development.
  - a planning statement.
  - an archaeology report.
  
12. Since the submission of the application the scheme has been amended in the following ways:
  - the mix of flats sizes has been changed to increase the proportion of two and three bedroomed units.
  - the overall number of dwelling has decreased for 88 to 86.
  - The proposed seventh floor has been setback from the edges of the building so that it is less visible.
  - The number of disabled parking spaces has been increased and some of the parking bays have been reconfigured.
  - The refuse storage has been relocated from the basement to ground floor level.
  - The cycle storage has been relocated to one central store.

## **FACTORS FOR CONSIDERATION**

### **13. Main Issues**

The main issues in this case are whether the redevelopment of this site for residential purposes is acceptable in principle, the appearance of the proposed development and the impact on the surrounding street scene, the impact of the development on the amenities surrounding residential occupiers, whether the residential accommodation proposed is of a satisfactory standard, and traffic and parking issues.

### **Planning Policy**

#### **14. Southwark Unitary Development Plan 1995 [UDP]:**

The site lies in an Employment Area

E.1.1 Safety and Security in the Environment: Complies

E.2.1 Layout and Building Design: Complies. Building does not disrupt existing street layout and building lines

E.2.2 Heights of Buildings: complies; setback of seventh floor will mean building ill not appear overdominant.

E.2.3 Aesthetic Control: complies; vertical and horizontal rhythms of street scene

respected.

E.2.4 Access and Facilities for People with Disabilities: Complies

E.2.5 External Space: Complies.

E.3.1 Protection of Amenity: Complies, minor infringement daylight and sunlight tests in levels in respect of some properties but complies BRE recommendations for city centre locations.

E.5.1 Archaeology: Complies, conditions recommended to ensure investigations occur and that any remains are protected.

R.2.2 Planning Agreements: complies (see 2.5 below).

Policy H.1.4: Affordable Housing: complies; 25% affordable housing can be secured by legal agreement.

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:

Policy H.1.8: Standards for New Housing: density is in excess of Borough wide density standard.

Policy B.1.1: Protection of Employment Areas and Identified Sites: does not comply but site used as a car park for many years.

Policy B.1.3 Protection of Warehouses: complies; site not purpose built warehouse capable of meeting modern requirements nor last used for storage purposes.

T.1.2 Location of Development in Relation to the Transport Network: Complies, the site is very close to bus routes and underground and over-land rail links.

T.1.3 Design of Development and Conformity with Council Standards and Controls: does not comply with Borough wide requirement for 110% parking provision

T.4.1 Measures for Cyclists: secure cycle parking provided in development and legal agreement will contribute towards cycling measures in the area.

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.

Supplementary Planning Guidance No1: Design and Layout of Developments: complies height and scale of building and relationship with surroundings.

No5: Standards Controls and Guidelines for Residential Development: generally complies; room sizes and layout of accommodation satisfactory and outdoor amenity space provided.

#### The Southwark Plan [Revised Deposit Unitary Development Plan] March 2004

Policy 1.5 Mixed use developments: complies; site has not been used for class B purposes for some time.

Policy 2.5 Planning Agreements: affordable housing and funds a variety of open space and transport improvements offered by applicant.

Policy 3.2 Protection of amenity: complies; no adverse impacts on nearby residents.

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Policy 3.4 Energy Efficiency: thermal performance of buildings to comply with building regulations.

Policy 3.8 Waste management: generally complies but condition need to ensure full compliance.

Policy 3.10 Efficient use of Land complies; does not prejudice use of surrounding sites.

3.11 Quality in Design: scheme considered to be acceptable.

3.12 Design Statement: complies statement submitted with application.

3.13 Sustainability appraisal; none submitted but development provided high density housing on a brownfield site.

3.14 Urban Design: scheme considered to be satisfactory.

4.1 Density of Residential Development: complies within acceptable range for central activities zone.

5.1 Locating development: complies; good access to public transport.

5.2 Transport Impacts: complies.

5.3 Walking and Cycling: complies.

5.6 Car parking: complies.

### **Consultations**

15. Site Notice: 07.05.04 Press Notice: 22.04.04

#### Consultees:

Conservation officer, Traffic. Public Protection, Archaeologist.

1-15,7A Belvedere Buildings; 92-98, U1-U4 98, flat 2 94, Webber Street; 65 Webber Street; flats 1-22 consec 12A ,12B, 59 Webber Street ; Rushworth studios 63 Webber Street flats 1-60 consec Stopher House, Webber Street; 148-154 evevns,150A Southwark Bridge Road; flats 1-12 consec Clandon House, Boyfield Street, Flats 1-15 consec Gibbings House, King James Street; 17-32 consec Matheson Court, King James Street; 1-36 consec Albury Buildings, Boyfield Street; U105, u 103, unit G1, unit G, unit G2 Glasshill Street; units 4,11, 14,15,1617,18, 33 Rushworth Street; 24-28, 35-37 Rushworth Street

#### **Replies from:**

16. Traffic initially expressed concerns about the layout of the car park and the cycle and refuse storage arrangement. In the light of the amendments the scheme is acceptable and provides satisfactory parking. Future residents of the development should be exempt from obtaining parking permits.

Conservation: the 8 storey section of building is considered to be too tall. However, the setback of this storey has now made the scheme acceptable in urban design terms.

Public Protection: no objection raised but a noise attenuation report should be submitted before development commences.

In response to the original consultation letter received from:

Flat 12B, flat 19, 59 Webber Street; flat 2 94 Webber Street; 2,9, Gibbings House; 1 Clandon House

7 letters were received in total, 4 expressing support or no objection and 3 objection on the following grounds:

- loss of light,
- loss of privacy
- increased traffic and highway safety problems
- worsening of parking situation in the area,
- Proposed building is too tall and out of keeping with street.
- Noise from construction of development.

In response to revised consultation letter received from

Flat 4 94 Webber Street

Objects on grounds of excessive height, loss of sunlight and increased overlooking.

### **PLANNING CONSIDERATIONS**

17. Acceptability of residential development of this site.

Although the site has the outward appearance of an industrial building it has been used as a car park for many years. The applicant has submitted a sworn statement from the foreman of the application site which specifies that he worked at the site between 1984 and May 2003 and in all that time it was used as a car park. On the balance of probabilities it is considered that this is the lawful use of the building.

18. The site is within a designated employment zone in the adopted UDP and a redevelopment of the site for residential purposes would be in conflict with this policy. However, given that the site has not been used for industrial or warehousing or similar employment generating purposes for a long time it is considered that to refuse planning permission for this reason could not really be justified because a change of use to residential purposes would not result in the loss of an employment generating activity.

19. Also the site is in close proximity to a large number of residential properties so to insist on an employment generating use on the site could be detrimental to the amenities of surrounding residents. The site is not designated as an industrial or an office location in the draft UDP and this is largely due to the mixed character of the area. Given the history of the site and the character of the surrounding area and the change in the UDP policy for this area then a change to residential use is considered to be acceptable.

### Appearance and townscape issues

20. As originally submitted the scheme contained an eight storey section of building on the corner of Rushworth and King James Street. This was considered to be excessive having regard to the general massing of surrounding buildings. However, the revised

plans pull the eighth storey significantly back from the edge of the building so it is unlikely to be widely noticeable from street level.

21. The building will be five storeys when viewed from Webber Street which is considered to be in scale with the surrounding buildings some of which have greater storey heights than the application building. The Rushworth Street elevation will not be widely visible from any distance as it is screened by the raised railway. The six and eight storey sections of building are well away from the lower buildings in the area so they are not considered to be of a scale which is out of character with the context. On the King James Street elevation the section of the building has been reduced to five storeys nearest to Stopher House which respects the local context to the extent that it is acceptable.
22. The application has a modern flat roofed design which is felt to be acceptable in this location which contains a wide variety of buildings ranging from 1960's blocks of flats to Victorian industrial buildings and railway arches. The existing building is not particularly attractive and the proposed development has the potential to improve the appearance of the street in which it is located.

#### Impact on the amenities of surrounding residential occupiers

23. The applicant has submitted a detailed daylight and sunlight analysis with the application which details all of the surrounding buildings likely to be affected. This analysis follows the recommendations of the Building Research Establishment on Daylight and Sunlight (BRE). Detailed sunlighting and daylighting surveys have been produced for Stopher House, Gibbings House and 94,96 and 98 Webber Street. With all of the assessment listed below it should be borne in mind that it is based on standards derived from a conventional two/three storey suburban housing layout and the BRE does specify that in city centre locations a more lenient approach should be taken to the day and sunlighting impacts on surrounding residential properties.
24. The analysis includes calculation of the Vertical Sky Component (VSC) which assesses the proportion of available light at a point on the affected windows and the Average Daylight Factor (ADF) which includes the VSC but also takes account of the size of the windows, the size of the affected rooms and the reflectivity of the surfaces within those rooms. The VSC and ADF have been calculated for the windows in the affected properties both before and after the development.
25. Stopher House which has windows facing the development contains a large number of windows which have overhanging balconies. In a situation such as this it is accepted in the BRE that the light analysis can be carried out with the balconies removed. With the balconies removed all of the affected windows in Stopher House will comply with the recommended ADF levels for habitable rooms. Including the balconies 106 out of 111 windows on Stopher House comply with the minimum recommended light levels for bedrooms. In Gibbings House all of the affected windows either comply with the recommended ADF levels or there is an insignificant difference between the proposed and the existing situation.
26. In 96 Webber Street there are two windows which do not comply with ADF after the development but these windows receive very low levels of light at present and the

building is mainly in commercial use. Two windows in the rear 94 Webber Street do not comply with the ADF but this is considered to be acceptable because these windows are only a short distance from the boundary with the application site and there is a current planning permission for a building, which would obstruct these windows.

27. The development will not have an undue impact on the sunlight levels reaching the windows in Stopher House and Gibbings House because all of these windows do not face a direction within 90 degrees of due south. The properties surveyed in Webber Street will either be left with an acceptable sunlight level measured in Annual Probable Sunlight House (APSH) or the change will be insignificant (less than 20% changes are not considered to be by the BRE to result in a material difference to sunlighting levels).
28. In terms of the impact on the outlook from nearby residential properties the biggest impact will be on Stopher House. The scheme will result in a three storey height wall on the boundary being replaced by much taller buildings but the central part of the site will be opened up by the garden area to the development which will result in an increased sense of open space. Indeed it could be said that the outlook from the windows in the lowered levels of Stopher House will be improved. On balance it is considered that the impact of the proposed development will not be materially worse than at present.
29. The windows in the sections of Stopher House facing the site are set at 45 degree to the boundary and so it is not considered that the proposed development will result in undue window to window overlooking. The section of the development nearest to Stopher House has a blank flank wall and the sections of the development with the main habitable windows are either at least 22m away or at such an angle that overlooking will be minimal. The windows in the north west of the development are to be set at an angle to ensure that no window to window overlooking occurs with Stopher House. The main bank of habitable room windows in the development is 15m away from the boundary so it is not felt that there will be serious degrees of close overlooking of the amenity areas to Stopher House.

#### Standard of accommodation

30. The proposed density of the development is 925 habitable rooms per hectare which is in excess of the Borough wide standards in the adopted UDP but in the appropriate density level of 650-1100 habitable rooms per hectare in the Second Draft UDP. The site has good accessibility to public transport so this level of density is considered to be appropriate.
31. As originally submitted the development contained too high a proportion of non family dwellings and as such failed to address the housing needs and demands of the Borough. However the scheme has been revised so that 55% of development now provides family accommodation and there is more than 10% three bedroomed accommodation. The room sizes for the different flats comply with the UDP minimum sizes and the general layout of the flats is considered to be satisfactory. A noise survey has been submitted with the application which demonstrates that any noise from the adjacent railway can be satisfactorily mitigated so as to create a satisfactory environment.



32. The proposed development contains a large communal garden area and many of the flats have balconies or roof terraces. This equates to approximately 19 square metres per flats. This level of provision is below what UDP guidelines would normally require but is considered acceptable because this is a heavily built up part of the Borough where one would not expect to find dwellings with large amounts of amenity space. In addition the applicant has agreed to provide monies through a legal agreement to carry out environmental improvements to several local parks and the streets surrounding the site. This would help to improve the public realm and areas of open space close to the site which would benefit both the future and existing residents in the area.

#### Affordable housing

33. The development will provide 25% affordable housing which is in keeping with the requirements of the adopted UDP but falls short of the 40% affordable housing requirement of the second draft UDP. The level of affordable housing is considered to be acceptable because the application in its original form was submitted before the second draft UDP was published. At the time of submission both the adopted UDP and the first draft of the UDP required the provision of a minimum 25% affordable housing and in these circumstances it is not considered that it would be justifiable to require the provision of additional affordable housing on this application proposal.

#### Traffic and parking issues

34. The development provides 36 car and 100 cycle parking spaces in a basement car park accessed from Webber Street. The layout of the car park and the access have been amended to address safety concerns expressed by the Council's Traffic Team. The level of parking provision equates to 41% which is marginally in excess of the maximum parking requirement (40%) for a site in the Central Activities Zone identified in the second draft of the UDP. As originally submitted the application did contain 40% parking provision but the number of units has reduced slightly through amendments to the scheme and this degree of discrepancy is not considered to be sufficient to warrant having the application amended further.
35. The level of cycle parking provision exceeds the minimum UDP standards and the site has good public transport accessibility so it is felt that the development will result in excess levels of traffic being attracted to the site as there are alternative means of transport to the car readily available. However, to prevent an increase in the levels of parking stress on the streets surrounding the development the future occupants of the development should be excluded from obtaining parking permits for the surrounding controlled parking zone by amending the traffic order relating to this area.

#### Legal Agreement Issues.

36. To mitigate the likely impacts of this development on the surrounding area the applicant has been asked to enter into a legal agreement to fund/provide:
- improvements (planting and play equipment ) to Mint Street and Little Dorrit Park.
  - a contribution towards the Bankside Opens Spaces Trust towards the greening

- of this part of Bankside,
- cycling improvements to Webber Street .
- lighting of the underside of the railway arches in Webber Street and King James Street.
- A workplace coordinator/measures to ensure that local pole are employed in the construction of the development.

37. The applicant has indicated that he is willing to contribute towards the above scheme but the precise level of contribution is still being negotiated and will be reported to the meeting. The legal agreement will also cover the provision of 25% affordable housing and the changes to the traffic order.

#### Conclusion

38. The development is considered to be acceptable use of the site and has an appropriate form in townscape terms. It is likely to improve the appearance of the appearance of the townscape in the immediate vicinity, makes provision for affordable housing and will not have an unduly detrimental impact on the amenities of surrounding residents and traffic and parking conditions in the area. Therefore it is recommended that planning permission be granted subject to the signing of legal agreement.

#### **EQUAL OPPORTUNITY IMPLICATIONS**

39. Affordable housing is provided within the scheme and the development will be accessible to wheelchair users.

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

40. High-density residential development provided in location accessible to public transport.

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