

Item No.	Classification	MEETING NAME	Date
7	OPEN	Planning Committee	18/10/2004
Report title: Development and Building Control Manager		DEVELOPMENT CONTROL	
Ward(s) or groups Affected:		SOUTH BERMONDSEY	
Proposal (03-AP-2443) Demolition of existing buildings replaced with a mixed use development of a part four/part three storey building and a four storey building, comprising of 5 business/light industrial units, 12 'live-work' units, 12 one bed flats, 36 two bed flats and 12 three bed flats (resubmission)		Address 262-284 & 286-302 Lynton Road, SE1. (Falcon Works)	

RECOMMENDATION

1. That the Development & Building Control Manger be authorised to grant permission subject to:
 - (a) a legal agreement to secure on-site affordable housing provision, and contributions of £50,000 towards amenity provision by way of environmental improvements to nearby parks and also £84,000 towards improvements to cycle routes, lighting and footways and to enable the residential occupiers to secure on-street parking permits.
 - (b) No adverse direction from the Government Office for London to whom the application will be referred as a departure from the Unitary Development Plan.

BACKGROUND

2. The application is being reported to Planning Committee due to the number of residential units proposed, the number of objections received and the fact it is a departure from the adopted Unitary Development Plan.
3. The site, measuring some 0.58 hectares, is located on the south side of Lynton Road approximately 80m from the junction with Galleywall Road. It comprises Falcon Works, a paper storage and assembly business, the adjacent scaffolding yard and ancillary office building. The site is of an irregular shapeThe full usage includes a mixture of light industrial, warehouse, storage and office buildings in varying states of repair. The Paper storage business is to be dissolved and relocated due to the operation's changing requirements. The scaffolding firm will similarly be discontinued with the employees relocating to other such businesses.
4. The site, accessed from Lynton Road, is bounded by St. Augustines Church to the west and a small industrial unit to its east. On the opposite side of the road to the north are a mixture of residential properties ranging from single storey to

four storey in height. However, the site is separated from these buildings by two storey live-work units that adjoin the site. On the south side are primarily residential properties but the site also partially backs onto industrial units in the Admiral Hyson Industrial estate.

5. The proposal is for the demolition of the existing buildings and their replacement with a mixed use development comprising a four storey building and a larger part four/part three storey building, the former accommodating 4 ground-floor live-work units with flats above, and the latter comprising 8 ground-floor live-work units with flats above, with the three-storey element accommodating the 5 Business (Class B1) units.
6. This scheme is a revised submission from a previous application, submitted in May 2003 proposing 85 flats, 10 live/work units and 6 Business units. The application was later withdrawn.
7. The current scheme would comprise approximately 1,311 sq m of B1 floorspace with an additional 1,531 sq m by way of the live/work units, resulting in an overall total of 2,842 sq m Business floorspace. The 60 flat units, comprise 12 one-bed, 36 two-bed and 12 three-bed units. The largest of the blocks would be four storey and would back onto the residential properties in Sheppards Drive. 18 on-site parking spaces would be provided for the development.

FACTORS FOR CONSIDERATION

Main Issues

8. The main issues in this case are the principle of the mixed use development in this location, the proposed scheme's density, the mix of flat units, highway implications and the impact of the development on adjoining properties.

Planning Policy

9. Southwark Unitary Development Plan 1995 [UDP]:

Within a Designated Employment Area

Policy E.2.3: Aesthetic Control: Complies. The design is sympathetic and appropriate.

Policy E.3.1: Protection of Amenity: Complies. The building will not significantly compromise the amenity enjoyed by other occupiers of the area.

Policy B.1.1: Protection of Employment Areas and Identified Sites: Does not comply as the only employment space will be the work areas within the proposed live/work units.

Policy B.2.3 Class B1 Business Proposals: Live/work units will comply in so far as they will not have a detrimental effect on adjoining occupiers or the area generally.

Policy T.1.2: Location of Development in Relation to the Transport Network: complies

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

Policy 1.5 - Mixed Use Developments: Complies. The resultant employment floorspace exceeds 30% of the overall amount proposed.

Policy 1.7 - Live/Work Units: Complies. At least 40% of the usable work space is to be clearly defined.

Policy 3.2 - Protection of Amenity: Complies. The proposed development would not involve a material loss of amenity to local residents and occupiers.

Policy 3.10 - Efficient Use of land: Complies. The proposed development is to an appropriate scale and design, would not compromise the development of neighbouring sites and would not compromise local amenity.

Policy 4.1 - Density of Residential Development: Complies. The proposed density would equate to 463 HRH which satisfies that earmarked for the Urban Density Zone, within which the site lies, of 300-700 HRH.

Policy 4.2 - Quality of Residential Accommodation: Complies. A good quality living environment will result, although no evident wheelchair access provision.

Policy 4.3 - Mix of Dwellings: Complies. The majority of units proposed are two-bed flats.

Policy 4.4 - Affordable Housing: 25% provision, which complied with required quota when application was submitted.

Consultations

10. 262-310 (evens), Lynton Road
255-291 (odds), Lynton Road
1-30 Holford House, Tenda Road
1-16 Montain House, Roseberry Street
1-16 Radcliffe House, Roseberry Street
1-11 Roseberry Street
1-9 Anchor Street
1-8 Admiral Hyson Industrial Estate, Hyson Road
217-229 (odds), Stevenson Crescent
61-131 (odds), Sheppard Drive
1-16 Redcliffe House, Anchor Street

Conservation & Design Officer
Traffic Group
Environmental Health
Arboriculturalist Officer

Site Notice:

5/2/2004

Press Notice:

8/1/2004

Replies from:

Conservation & Design - No objections, 3-4 storeys are acceptable in this location.

Traffic Group - Ingress & Access points to be separated; funding towards CPZ; Forecourt areas to be delineated from public highway; Refuse storage doors

should not open out onto the public highway; details as to how service vehicles should enter the site and condition survey of public highway required.

Arboriculturalist - Method Statement required in order to protect trees on public highway.

Sheppard Drive

Block 11 (flats 67 and 71), Block 13 (flats 75, 77 and 79), Block 17 (flats 101, 103 and 105), Block 19 (flats 109, 111, 113, 115 and 117), Block 21 (flats 121, 123, 125 and 127), Gainsborough Place.

Rosetti Road

No.12

Lynton Road

Freehold owners of work units 288-300, Freehold owners of work units 304-312

Summary of Neighbour Representations:

A total of 22 letters of objection have been received following neighbour notification of proposed development. These relate to:

- Loss of light and privacy due to overlooking of bedrooms as proposed building would be distanced only 20 metres from the residential flats in Sheppard Drive;
- The proposed building would be only 7 metres, at its nearest point, from the rear wall of the work units, 288-300 Lynton Road, resulting in general loss of privacy and amenity;
- The height of the proposed building would prohibit any future redevelopment of the existing work units fronting Lynton Road;
- Overdevelopment of the site
- Increased noise and disturbance from site;
- Concerns regarding security and safety and likelihood of fire hazard;
- Concerns regarding car-parking, fencing and loss of trees;
- Loss of employment at the site;
- The development will lead to increased traffic and parking congestion, particularly from school-runs.

NB. Copies of all written representations will be available for examination at the Committee meeting.

PLANNING CONSIDERATIONS.

Land Use Considerations

11. The site is within an Employment Area as defined in the adopted UDP. In such circumstances, policy would normally allow only employment generating uses falling within the 'B' Use Class, in order to protect the stock of employment land in the borough and to control the incursion into those areas of possibly non-compatible uses. In this case, however, there are considered to be special circumstances to justify a departure from the adopted Policy designation.
12. The Draft Revised Unitary Development Plan no longer zones the site and its immediate surroundings as a designated Employment Area. The emerging Plan gives the site no designation, and as a result Draft Policy 1.5 for mixed use development is a relevant material consideration. There would be a reduction in employment floorspace of 1719 sq m (some 43%), although this reduces to 188 sq m when including the proposed live/work units. Indeed, some 39% of the total overall floorspace proposed would be employment related. Policy 1.5 requires that at least 30% of the gross floorspace should be set aside for B1 Business use. The current usable space amounts to approximately 3055m² floor space and would be replaced by 3,170 m². Accordingly, 40% of the floor space would be developed as B1 light industrial and livework units. As a result, the redevelopment would comply with the Revised Draft UDP.

Massing and Density

13. The siting, bulk and massing are considered acceptable and in keeping with the general character of the area. In addition to the nearby large residential blocks there are local buildings of varying heights in proximity to the application site. Indeed, a recently approved scheme for the redevelopment of 316 Lynton Road involves the erection of a 4-storey building, comprising 22 flats and 4 ground-floor live/work units.
14. The application site measures some 0.4 hectares and 216 habitable rooms are proposed. The resultant density, thereby, equates to 463 habitable rooms per hectare which is within the parameters of 300-700 HRH required within the Urban Zone within which this site falls.

Impact on Residential Amenity

15. Objections have been received from local residents in respect of a resultant loss of privacy from overlooking should the development proceed. The four storey block would be 20m from the nearest residential properties which are in Sheppard Drive. The Council attempts to achieve a distance of 21 metres, where possible, between facing habitable room windows. However, some flexibility needs to be applied in varying circumstances, and in this instance, bearing in mind that the scheme has been revised to delete the originally proposed juliet balconies to the rear elevation, and also the lesser height of the proposed building in relation to the blocks of flats to the south whose northwards elevations face the application site, it is not considered that any undue loss of residential privacy would result.
16. Objections have also been received from occupiers of the flats to the rear on the grounds of loss of daylight and sunlight. The proposed buildings have

been designed to avoid overshadowing or undue loss of light to accord with The Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight - a guide to good practice'. In terms of daylight, the proposed development falls below the critical angle of 25 degrees in respect of the angle from the centre of the lowest window of the existing building to the top of the building as proposed.

17. As regards sunlight the publication comments that obstruction to sunlight may become an issue if some part of the development is situated within 90 degrees of due south of a main window wall of an existing building and the development is greater than the critical 25 degree angle. As the proposed development lies to the north of the existing residential blocks, loss of sunlight will not be an issue and the proposal complies with BRE guidelines.
18. The proposed buildings would face towards the rear elevations of the work units, which are located near to the proposed boundary, which would be adequately enclosed by fencing. There are, however, no existing windows in these elevations and there would be no implications for overlooking or loss of privacy for the work unit employees. It is also considered that the extinguishment of a considerable proportion of the site's commercial use rights with its part replacement by controllable Class B1 Business and live/work units would improve the current potential for disturbance occasioned to local residential occupiers.

Affordable Housing

19. The proposal is in accordance with policy in the first draft of revised UDP. This required that at least 25 % of the flats would be reserved for affordable housing . Although this has since been increased to 35% in the second draft version the application was received before April this year. Accordingly, the requirement for 25% affordable housing is considered acceptable in this instance.

Amenity Space provision and Environmental Improvements

20. The proposed scheme includes some amenity space provision to the rear of the residential blocks and the applicant has also offered a financial contribution of £50,000 towards environmental improvements to nearby parks.

Parking and Servicing

21. 18 parking spaces have been provided for the development. The Traffic Group have indicated that they have no objections to this level of parking. An additional contribution of £84,000 has been offered by the applicant towards cycle-routes, lighting and footways and to enable those residential occupiers who would not benefit from an on-site parking space to secure on-street parking permits. The traffic group have not objected to the possible impact of increased traffic movement during school-run times.

EQUAL OPPORTUNITY IMPLICATIONS

23. Residential units, as shown on the submitted plans, not apparently accessible to wheelchair users.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

24. Redevelopment of brownfield site and recycling provision for waste refuse.

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