

Item No. 2	Classification OPEN	Decision Level PLANNING COMMITTEE	Date 07.12.04
From Interim Development & Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (03-AP-2419) Demolition of existing structures and redevelopment to provide a five storey building comprising new Class B1 employment workspace and 32 affordable keyworker housing units.		Address 32 Lovegrove Street SE1 Ward South Bermondsey	

PURPOSE

1. To consider the above application

RECOMMENDATION

2. Refuse planning permission
3. This application is for Committee consideration because of a request from Councillor Hunt, who believes that the transparency of a committee decision would ensure more widespread acceptance of whatever decision might be reached.

BACKGROUND

4. The application site comprises an area of vacant land boarded up just North of the junction of Old Kent Road and St James Street. The site has facades on both Lovegrove Street and St James Street. West of Lovegrove street is a blank wall from the Six Bridges Industrial Estate. The entire triangle in between Old Kent Road, Six Bridges until the end of Lovegrove Street is currently undeveloped land that is in a dilapidated state, and used as a dumping ground for rubbish and abandoned cars. Opposite St James's Road and Old Kent Road are large stores such as PC World and Curries and drive-through restaurants like McDonalds.
5. A recent application (by the same developers) at the top end of Lovegrove Street for B1 use on ground floor with 8 apartments on four storeys above was refused on land use grounds contrary to UDP policy and overlooking in February 2004. This application is now subject to an appeal and a hearing will be held on the 14th of December 2004. The developers have resubmitted the application, incorporating changes to the window-layout to avoid overlooking onto the neighbouring live/work unit.
6. A previous application for a much larger site incorporating this site and buildings along Old Kent Road for a retail warehouse was withdrawn in 1998.

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7. Another application has been recently been refused (on grounds of inappropriate use of land contrary to UDP policy) for demolition of existing structures and erection of a three-storey building to be used for retail purposes with parking for 6 spaces and additional parking for 8 offstreet parking spaces in area enclosed by new rendered wall at north end of Lovegrove Street.
 8. Full planning permission is sought for the demolition of existing structures and redevelopment to provide a five storey building comprising new Class B1 employment workspace on the ground floor and 32 affordable keyworker housing units on the second to fifth floors. The ground floor would have a commercial unit of 110 m² and a sub dividable commercial unit of 504 m². Furthermore, a lift, cycle parking, refuse storage facilities and two stairwells would be situated on the groundfloor.
 9. On the upper floors, the flats would be laid out around an internal courtyard, with four flat facing Lovegrove Street and four flats facing St James Road on each floor. Each floor would have three 1-bed flats, three 2-bed flats and two 3-bed flats.
 10. No off-street parking is proposed for the development, but cycle storage provision would be provided on the ground floor for the commercial units and in front of each flat on the walkways on each floor.
 11. The development would have facades on both St James Road and Lovegrove Street. The ground floor facades would be made up of aluminium framed glass curtain waling within a light coloured masonry block. The upper floors would be windows set in zinc cladding. The staircases would be brightly rendered, contrasting the zinc cladding. The roof would be a green sedum roof.
 12. The applicant has stated in a letter dated 10 November 2004 that the site has been empty and in a state of disrepair for a number of years. The proposed residential accommodation would create natural 24-hour surveillance in Lovegrove Street, and as such would generate the regeneration of the neighbourhood.
 13. The applicant furthermore pointed out the nearby 330 St James Road, which is located in the same Preferred Industrial Location. Planning permission was refused for residential accommodation ancillary to the light industrial use (motorcycle workshop). The decision was appealed and the appeal was granted. As such, there would be a precedent for some sort of residential accommodation within this Preferred Industrial Location.

FACTORS FOR CONSIDERATION

Main Issues

14. The main issues in this case are the principle of the mixed use within an employment area, the standards of residential accommodation provided and

the bulk of the proposed development.

Planning Policy

15. 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; industrial environment will mean building will not appear overdominant.

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

E.2.5 External Space: Complies.

E.3.1 Protection of Amenity: Does not comply, infringement daylight and sunlight in lower level apartments, overlooking in between units, as well as potential nuisance from neighbouring industrial sites.

H.1.4: Affordable Housing: complies; 100% key worker housing provided by housing association.

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

B.1.1: Protection of Employment Areas and Identified Sites: does not comply; development would introduce residential use in Employment Area and would jeopardise further development of employment area.

T.1.2 Location of Development in Relation to the Transport Network: Complies, the site is close to bus routes 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.

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 cycle parking is provided.

Supplementary Planning Guidance

No5: Standards Controls and Guidelines for Residential Development: Does not comply, infringement daylight and sunlight in lower level apartments, overlooking in between units, as well as potential nuisance from neighbouring industrial sites.

16. The Southwark Plan [Revised Deposit Unitary Development Plan] March 2004:

Site is in Strategic Employment Area

Policy 1.4 Preferred Industrial Locations: Fails to comply; introduces residential accommodation into employment area.

Policy 3.2 Protection of amenity: Does not comply, infringement daylight and sunlight in lower level apartments, overlooking in between units, as well as potential nuisance from neighbouring industrial sites.

Policy 3.10 Efficient use of Land Does not comply; does prejudice future development of surrounding sites.

3.11 Quality in Design: Does not comply, would not create high amenity environment.

3.14 Urban Design: fails to comply; windows on boundary would be unacceptable.

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.

SPG 1: Preferred Industrial and Office Locations and Mixed Use -fails to comply

Consultations

17. Site Notice: 3.2.2004 Press Notice: 29.1.2004
Consultees:
Pow Wow, Six Bridges Industrial Estate, SE1 5JT
B&Q, 520/594 Old Kent Road SE1 5BA
Comet - Halfords, 520/594 Old Kent Road SE1 5BA
25-29 Lovegrove Street SE1
328,330,334,336 St James Street SE1

Replies from:

18. Traffic Group
No objections in principle, but the following observations are made:
If planning permission would be granted, a Section 106 agreement should be drawn up to secure that the existing traffic order shall be changed to prevent future residents to be eligible for residents parking permits, as well as a payment of £5000 for the implementation of parking controls such as single and double yellow lines and associated signage and traffic orders.
Furthermore, a condition is required for refuse storage arrangements.
Cycle storage must be provided as shown on plans.
An informative should be added to any consent granted to state that the developer should fund any alterations to the highway that shall be carried out under this proposal.
19. 330 St James Road
generally supports the application but concerned that windows overlooking are rather large and that as our business operates 7 days a week the development should be designed in such a way that there will be no conflict between the long established activities in our yard and the new properties.
20. Councillor Hunt
Requests that application not be dealt with under delegated powers or Community Council.
21. Neighbours

Letters supporting the application have been received from Carphone Warehouse of North Acton, Fuelforce, Aldi Supermarket, 1 Alderney Mews SE1, 142 Brunswich Quay SE16, 194 Bermondsey Street SE1, and 306 St James Road. A questionnaire supporting various elements of the scheme with 27 signatures and a petition supporting the regeneration of the wider area with 35 signatures were received.

PLANNING CONSIDERATIONS

Land use considerations

22. Under the adopted UDP, the site is located in an Employment Area. Policy B.1.1 of this UDP states that planning permission will normally only be granted for proposals that fall within use class B (office/light industrial/storage etc). In the emerging Southwark Plan, the site is located in a Strategic Preferred Industrial Location. The Plan states that within these areas permission will only be granted for developments falling within the B use class.
23. Strategic Preferred Industrial Locations are included in the Southwark Plan as a means to protect land that can generate employment usage. A recent survey from the Councils Planning Policy unit found that there is a healthy market for B1 light industrial floorspace, with limited vacancies. As such, it is considered that the site could be developed in a more suitable manner for employment purposes. It is therefore considered that this application should be refused since it does not comply with Council policy due to the proposed residential units.
24. The future development of the Preferred Industrial Location would further be jeopardised by the layout of the site. Livingroom windows and bedroom windows overlook the site and are located as little as 1.5m away from the boundary, which would make future development of the lands on both sides of the building virtually impossible.
25. The windows facing Lovegrove Street face a 6 metre high blank wall of the Six Bridges Industrial Estate. Although currently this black wall is of sufficient distance from the development, it is considered that the proposal would have a detrimental impact on the future development opportunities of the industrial estate.

Standards of residential accommodation

26. All units comply with the Council's standards for residential accommodation in terms of room sizes and overall floorspace. All flats would have level-access via the lift.
27. Bedroom windows facing the internal courtyard would be a minimum of eight metres apart from each other, and only receive light through a relatively small lightwell. As such, it is considered that a number of the flats would have habitable rooms that would suffer from sufficient daylight, sunlight and outlook.
28. Further windows immediately overlook neighbouring sites that are currently

empty. Would these sites be built upon, levels of daylight and sunlight as well as outlook, would be greatly affected, and likely to be insufficient. Furthermore, development with light industrial uses of the neighbouring sites would likely lead to nuisance to the detriment of residential amenities of future occupants of the flats.

29. All the residential units would be affordable which would exceed the Council's normal policy requirements.

Traffic and Parking Issues

30. No off-street parking is provided with this development. The site is just off Old Kent Road, which is served by a number of bus lines. Furthermore, South Bermondsey Overland station is not far away. The proposal is furthermore in line with the Council's parking standards. As such, this car-free is considered to be acceptable.

31. Cycle parking is provided both on the ground floor for the B1 use as well as just outside every flat. This is considered to be sufficient.

Design

32. The building would have a good contemporary design. The height and bulk of the building is considered to be acceptable for this location. Although there are various issues about the layout of the building, it is considered that the overall design of the development would not constitute in a reason for refusal.

Issues raised by applicant

33. It is considered that the site and indeed the whole of Lovegrove Street are in need of regeneration, as the street and the surrounding plots are currently used as a dumping ground, which creates health and safety issues. However, it is not considered that the development is comparable to the live/work unit on 330 St James Street, nor that the development currently proposed would be appropriate for the site.

34. The residential unit above the workshop on St James Street is clearly ancillary to the motorcycle workshop on the ground floor, and creates a practical surveillance over the motorcycle workshop, which due to the nature of the business is liable to burglary. The majority of the floorspace of the site is used for the B1 use, and the residential use does not jeopardise current and future B1 usage of the site due to the direct involvement of the occupier of the residential unit, who owns the workshop, with the ground floor business.

35. The current proposal however is of an entirely different nature, and there are not exceptional circumstances why the existing UDP and emerging Southwark Plan should be set aside. The development is for 32 flats above B1 floorspace, with none of the flats directly relating to the commercial use on the ground floor. The proposal would offer 604.5 sq m commercial floorspace and 1893.2 sq m residential floorspace, excluding shared hallways/refuse storage areas etc. As such, the development would offer less than 32% commercial floorspace, and the B1 usage would be ancillary to the residential use. It is

considered that the existence of such a number of residential flats in the middle of the employment zone would jeopardise the further development of the street for B1 use.

Conclusion

36. In summary, the proposed change of use is considered inappropriate in this industrial environment, as it fails to protect the Strategic Employment Area and future employment opportunities for local residents for industrial purposes, as well as failing to provide a suitable residential environment. Furthermore, the development would not create sufficient standards of accommodation. It is therefore recommended to refuse planning permission.

EQUAL OPPORTUNITY IMPLICATIONS

37. The proposal would provide for affordable housing and all flats would have level access.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

38. The development would have a sedum roof.

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