

Item No. 3	Classification OPEN	Decision Level PLANNING COMMITTEE	Date 07.12.04
From Interim Development & Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (04-AP-0340) Demolition of existing structures and redevelopment to provide a five storey building with ground floor business (Class B1) space and 8 'keyworker' flats above - RE-SUBMISSION		Address Site at east side of 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 is located at the east side of Lovegrove Street. The site is, like its surroundings, derelict land that has been vacant for a number of years. 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. This application is a resubmission for a similar building with B1 on ground floor and 8 residential units on four floors above. The previous application was refused for the following reasons:

"The proposal introduces non employment uses into a designated employment area. It is not considered that this is appropriate in this location as it fails to protect the character and functioning of the wider employment area. As such the proposal is contrary to Policies B.1.1 (Protection of Employment Areas and Sites) of the Southwark Adopted Unitary Development Plan and Policies 1.4 (Preferred Industrial Locations) of the Draft Southwark Unitary

Development Plan as agreed for deposit November 2002”

and

“The proposed development would result in overlooking to the rear of the site; this would be contrary to policy E.3.1 (Protection of Amenity) of the Southwark Unitary Development Plan and policy 3.2 (Protection of Amenity) of the Draft Southwark Unitary Development Plan as agreed in November 2002”

6. The applicant has appealed this refusal and a hearing will be held on the 14th of December 2004.
7. An application has been submitted by the same developers for a site on the southern end of Lovegrove Street with elevations on Lovegrove Street and St James Road (03-AP-2419). The application is for a building with B1 commercial space on the ground floor and four storeys containing 32 apartments above. The building would be of a similar design of the current application.
8. 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.
9. 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.
10. The current application that is under determination now is for the redevelopment of the existing site to provide a five storey building. It would comprise of new Class B1 employment workspace on the ground floor and 8 affordable keyworker housing units on the second to fifth floors. The ground floor would have two commercial units of 69.9 m² and 72.4 m². Furthermore, a lift, refuse storage facilities and a stairwell to the upper floors would be situated on the groundfloor.
11. The flats would all be one-bedroom flats with a balcony facing Lovegrove Street, and would have a living room with dining area and built in kitchen, double bedroom, bathroom, separate toilet and study. No off-street parking is proposed for the development.
12. The north, east and south elevations, not facing Lovegrove street, would have light-grey masonry block on the ground floor, with zinc cladding above with a rendered stripe for the stairwell. Facing Lovegrove Street, the ground floor facade would be made up of aluminum framed glass curtain waling within a light coloured masonry block. The upper floors would be windows set in zinc cladding. The roof would be a sedum roof.
13. 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.
- 14.

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

15. 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

16. 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.3.1 Protection of Amenity: Does not comply, nuisance from neighbouring industrial sites.

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

Policy H.1.5 : Dwelling Mix of New Housing: does not comply; only 1-bed units provided.

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.

17. 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, 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: Complies

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; introduces residential accommodation into employment area.

Consultations

18. Site Notice: Press Notice:
7.1.2004 8.1.2004
19. Consultees:
Pow Wow, Six Bridges Industrial Estate, SE1 5JT5
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:

20. 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.
21. Councillor Jonathan Hunt
Requests that application not be dealt with under delegated powers or Community Council.
22. 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, instigated by the developer, 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

23. 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.
24. 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.
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 neighbouring 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. The development would only provide one-bedroom dwellings, contrary to SPG29 (Residential Design Standards), which states that all developments of more than one unit should provide a mix of unit sizes.
28. At the end of Lovegrove Street, next to the application site is a car breakers yard. It is considered that the proximity of this use to the flats would have a detrimental impact on the residential amenities of future occupiers. The applicant has pointed out that the use is illegal, and the Council has now started Planning Enforcement proceedings. However, since it is unsure how long the car breakers yard has been in place, it is unsure how successful these proceedings will be.
29. In any case, the surroundings of the site are in the Employment Area in which light industrial uses are deemed acceptable, and development of the currently vacant lands would almost certainly have a detrimental impact on the residential amenities of future occupants of the eight flats.
30. All the residential units would be affordable which would exceed the Councils normal policy requirements.

Traffic and Parking Issues

31. 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 routes. Furthermore, South Bermondsey Overland station is not far away. The proposal is furthermore in line with line with the Council's parking standards. As such, this car-free is considered to be acceptable. Cycle parking is provided outside every flat on the landings. 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.

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 does not display exceptional circumstances why the existing UDP and emerging Southwark Plan should be set aside. The development is for 8 flats above B1 floorspace, with none of the flats directly relating to the commercial use on the ground floor. The proposal would offer one floor of commercial floorspace and four floors residential floorspace. As such, the development would offer approximately 20% commercial floorspace. 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. Also, the development would fail to provide an appropriate mix of units. 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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