

<b>Item No.</b>	<b>Classification:</b>	<b>Date:</b>	<b>Meeting Name:</b>
6.1	OPEN	19 January 2012	Rotherhithe Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 11-AP-2618 for: Full Planning Permission  <b>Address:</b> 67-105 ORMSIDE STREET, LONDON, SE15 1TF  <b>Proposal:</b> Retrospective application for the change of use from light industry (Class B1) to a storage and logistics yard (Class B8) to support the Blackfriars Station redevelopment, associated temporary single storey building and boundary treatment.		
<b>Ward(s) or groups affected:</b>	Livesey		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 7 September 2011		<b>Application Expiry Date</b> 7 December 2011	

## RECOMMENDATION

- 1 To grant temporary planning permission until 31 December 2012.

## BACKGROUND INFORMATION

### Site location and description

- 2 To be determined at Rotherhithe Community Council due to three objections received. The application site is a service and goods yard occupying 1935sqm (0.1935ha) of land within the Preferred Industrial Location (PIL). It is currently in use by Network Rail as a servicing and logistics yard (Class B8) in connection with the Blackfriars station redevelopment project, and it is this use that is retrospectively being applied for here.
- 3 There are no buildings on site, as these were demolished during 2008, prior to the occupation by Network Rail. The site was previously occupied by four industrial buildings in light industrial use (Class B1), used as a plating factory which closed in 2004 (according to previous planning application form in connection with 08-AP-1223 - see paragraph 19)
- 4 The site lies within the Old Kent Road Preferred Industrial Location, the Urban Density Zone and the Air Quality Management Area. The site is bounded to the north by further commercial units, to the east by Ormside Street, to the south by the residential units at Manor Grove and bounded to the west by the recently opened Waste Management facility.
- 5 The site has a Public Transport Accessibility Level of 3, indicating a medium access to public transport.

## Details of proposal

- 6 Change of use:
- 7 The site would remain within B use class, but would add a more intensified B8 use to the site. The planning history is fairly ambiguous as to the existing (previous) use of the site, although from records it is clear that some form of light industrial (B1(c) and an element of B8 storage) occurred here.
- 8 Physical Alterations:
- 9 All previous buildings that were on site had been demolished prior to the applicant's occupation of the site. A palisade fence has been erected around the perimeter of the site, to a height of 2.5m.
- 10 Network Rail wish to continue to use the site as a logistics and storage yard in connection with the Blackfriars station redevelopment. The use of the site for this purpose falls within B8 and would cease at the end of December 2012.
- 11 Hours of operation of the southern part of the site would be between 08:00 and 22:00 Monday to Saturday and 09:00 to 21:00 on Sundays. The northern part of the yard would be in use for 24 hours, however the only deliveries or collections, of which there would be between three to six per night, would taken place through the northern gate during the night time hours (outside the normal operating hours stated above). This section would be screened with an acoustic screen.
- 12 There is a collection of 4 temporary timber buildings towards the northern end of the site of the following dimensions:
- 13 Toilet: 4.8m (L) x 2.4m (W) x 2.4m (H)  
Tea Room: 4.8m (L) x 2.4m (W) x 2.4m (H)  
Stores: 6m (L) x 2.4m (W) x 2.4m (H)  
Drying Room: 3m (L) x 2.4m (W) x 2.4m (H)
- 14 Seven inward facing floodlights have been positioned on the eastern perimeter of the site. Eight members of staff are permanently employed on the site.
- 15 The Transport Statement submitted with the application sets out the three types of vehicles that use the yard:
- **Suppliers:** Fifteen deliveries per day, up to 20 in busy periods. Restricted to the following times:  
Mon-Fri 08:00 - 18:00
  - 16 Sat 08:00 - 13:00  
Sun & BH - None
  - 17 - **BBCEL Logistics:** To use the site 24/7, although movements between 22:00 - 08:00 will be kept to a minimum.
  - 18 - **BBCEL Telehandler** for yard based material, tools, plant or equipment, off loading, or distribution.

The document indicates that there is sufficient space within the site to allow all vehicles to turn on site and to leave in a forward direction. The site would be one-way south-north.

## **Planning history**

- 19 08-AP-1223: Planning permission was refused on 29/07/08 for the demolition of existing buildings and erection of two attached industrial units (Class B1(c) or Class B8 with ancillary offices B1(a)) with associated lorry parking and security fencing. The three reasons for refusal were:
- 20 1) The proposed building, by reason of its bulk together with poor design and use of materials, would be of an excessive scale and hostile in appearance to the surrounding area, to the detriment of the streetscene. As such, the proposal is contrary to 3.11 'Efficient Use of Land', 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan 2007 (July).
- 21 2) The proposal fails to include or demonstrate that the incorporation of renewable energy would adversely affect the viability of the scheme. As such, the proposal is contrary to Policy 3.5 'Renewable Energy' of the Southwark Plan 2007 (July).
- 22 3) The proposal fails to demonstrate that adequate provision for waste and recycling storage, disposal and collection would be made within the development. As such, the proposal is contrary to Policies 3.1 'Environmental Effects', 3.2 'Protection of Amenity', 3.7 'Waste Reduction' and 3.11 'Efficient Use of Land' of the Southwark Plan 2007 (July).
- 23 Planning permission was granted on appeal on 08/05/09 for the development referenced above and the Planning Inspector observed that at the time of the site visit the buildings on site had been demolished.

## **Planning history of adjoining sites**

- 24 783 Old Kent Road  
08-AP-2209  
Planning permission was granted with legal agreement on 16/02/10 for the erection of an Integrated Waste Management Facility (incorporating mechanical biological treatment plant and waste transfer station, material recycling facility and household waste re-use and recycling centre), 16.2m high to top of ridge (20.33m AOD), with ancillary infrastructure including a municipal depot, contract administration and visitor centre (Resource Centre) with associated landscaping, car parking and internal access road.

## **KEY ISSUES FOR CONSIDERATION**

### **25 Summary of main issues**

- 26 The main issues to be considered in respect of this application are:
- a) The land use implications of the proposal.
  - b) The impact of the proposal on the amenity of surrounding residential and other occupiers.
  - c) The impact of the proposal on the highway network including parking provision in the area.
  - d) The visual appearance of the fence and temporary buildings.

## **Planning policy**

### Core Strategy 2011

- 27 Strategic Policy 2 – Sustainable transport  
Strategic Policy 12 – Design and conservation  
Strategic Policy 13 – High environmental standards

### Southwark Plan 2007 (July) - saved policies

- 28 1.2 Strategic and local preferred industrial locations
  - 3.1 Environmental Effects
  - 3.2 Protection of Amenity
  - 3.12 Quality in Design
  - 3.7 Waste Reduction
  - 3.9 Water
  - 3.11 Efficient Use of Land
  - 5.2 Transport Impacts
  - 5.6 Car Parking

### London Plan 2011

- 29 Policy 6.12 Road network capacity  
Policy 6.13 Parking  
Policy 7.15 Reducing noise and enhancing soundscapes

### Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 30 Ministerial Statement: Planning for Growth.
- 31 Draft National Planning Policy Framework (NPPF)

### **Principle of development**

- 32 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.
- 33 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).
- 34 The site is within a Preferred Industrial Location, which promotes its use for employment generating uses such that would otherwise be unacceptable in residential areas. The planning history for the site accords with this, and states that due to the previously derelict nature of the site an active industrial use would be welcomed.

### **Environmental impact assessment**

- 35 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being

less than 0.5ha in area and as it is not within a sensitive area and would not generate significant environmental impacts in this urbanised location.

### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

- 36 The main impact of the use on nearby residential occupiers and office occupiers will be from the noise and presence of large vehicles entering and leaving the site, as well as the floodlights.
- 37 The yard will not be used for manufacturing or contain noisy plant or machinery, so noise will not result from activities associated with the site. Vehicles using the site will typically be present for a short time each, as they drop off or make collections of materials and items stored here. The restriction on hours of operation will ensure that activity is located away from the residential uses (to the north of the site) during the night time hours.
- 38 The floodlights are facing into the site, and the nearest lamp column to residential property is 32m away which is considered sufficient distance that the residential amenity would not be harmed. In addition, the windows facing the site are flank windows and not likely to relate to habitable rooms.
- 39 The proposal is therefore in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007, and SP13 High Environmental Standards of the Core Strategy 2011.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

- 40 None envisaged.

### **Traffic issues**

- 41 Car Parking  
Appendix 15 of the Southwark Plan details the maximum parking standards for a B8 land use. They are as follows:
- 1 lorry space per 200m<sup>2</sup> gfa (minimum of 1):
  - 1 car parking space per 1000m<sup>2</sup> gfa.
- 42 As indicated within the application form the applicant is proposing the following car parking provision:
- 2 car parking spaces:
  - Parking for 2 LGVs and 1 large lorry; and
  - Space for a telehandler.
- 43 The on-site parking spaces provided are in line with these maximum parking standards. The plan provided shows these as being located within the site, close to the corner of Ormside Street and Manor Grove.
- 44 In terms of overspill car parking, during the day only 8 employees are forecast to be present on site. Within the Transport Statement the applicant states that 75% of the existing employees travel to the site by public transport (mainly via buses on Old Kent Road). This is perfectly possible as the site benefits from a PTAL of 3 (medium public transport accessibility). With the majority of existing employees travelling by public

transport and there being the provision of 2 car parking spaces on site it is unlikely that there will be significant overspill car parking from the development.

45 In terms of other vehicles accessing the site these will usually be there to load/un-load and are therefore by their nature unlikely to be in-situ for any length of time. Loading/un-loading of vehicles will take place from within the site and therefore not cause overspill car parking.

46 Therefore as the proposed on-site car parking is in line with the maximum parking standards and it is unlikely that there will be significant overspill car parking the level of car parking is acceptable.

#### Cycle Storage

47 Whilst no cycle storage has been indicated on the site plans, it is not considered necessary to require details of cycle storage provision to be submitted as there is sufficient space on site for these to be accommodated satisfactorily.

#### Disabled Parking

48 Due to the nature of the development it is not considered necessary for any disabled car parking to be secured through this planning application. The land use is not forecast to generate a need for disabled car parking.

#### Trip Generation/Highway impacts

49 The proposed trip generation and highway impact are forecast to be similar to that of the existing B1 light industrial use. Therefore the new use would have a neutral impact on highway movements.

50 Given the above it is considered that in this case there is no need to secure a Service Management Plan by condition.

### **Design issues**

51 The new palisade fence at 2.5m is appropriate and not having any adverse impact on the appearance of the area. It is the type of fence that would be expected within a Preferred Industrial Location, therefore no objections are raised to the retention of this fence for the same period as the use, and being removed after 31/12/12 along with the remainder of the materials associated with the site.

52 The temporary buildings are positioned towards the north eastern end of the site, which abuts a taller industrial building (1-2 commercial storeys) on a neighbouring site. They are standard timber temporary buildings painted blue and white, and none are taller than 2.4m high. The impact they are having on the streetscene is minimal, being positioned in the part of the site which is least visible from the public domain.

53 The appearance of the temporary logistics yard is considered to be acceptable, and appropriate to the site's location, in accordance with saved policy 3.12 Quality in Design, of the Southwark Plan 2007, and SP12 Quality in Design of the Core Strategy 2011.

### **Other matters**

54 The double yellow lines were applied to the road in accordance with a Traffic Management Order. This was to reduce the double parking on the corner which was creating a pinch point in the road. It is not considered that the application proposal is affected by, or affects the parking in the street or conflicts with the double yellow line.

### **Conclusion on planning issues**

- 55 The proposal is not envisaged to have any adverse impact on the transport or amenity of the area, and for a limited period is considered that the retention of the B8 use and associated structures is acceptable.

### **Community impact statement**

- 56 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

### **Consultations**

- 57 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

- 58 Details of consultation responses received are set out in Appendix 2.

### **Summary of consultation responses**

- 59 Objections from three nearby residents regarding parking, heavy goods vehicles blocking the entrance to Manor Grove, noise, disturbance, dust and hazard late at night.

### **Human rights implications**

- 60 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 61 This application has the legitimate aim of providing a temporary service and logistics yard within B8 use class. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Strategic Director of Communities, Law & Governance**

- 62 None

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2407-E  Application file: 11-AP-2618  Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5405 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Susannah Pettit, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	29 November 2011	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	N/A	N/A
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	N/A	N/A
<b>Date final report sent to Constitutional Team</b>		9 January 2012



**Consultation undertaken**

- 63 **Site notice date:** 16/09/2011
- 64 **Press notice date:** 22/09/11
- 65 **Case officer site visit date:** 16/09/2011
- 66 **Neighbour consultation letters sent:** 20/09/11

**Internal services consulted:**

- 67 Environmental Protection Team
- 68 Transport Planning Team
- 69 Waste Management
- 70 Public Realm.

**Statutory and non-statutory organisations consulted:**

- 71 N/A

**Neighbours and local groups consulted:**

- 72 85 MANOR GROVE LONDON SE15 1EH
- 87 MANOR GROVE LONDON SE15 1EH
- 89 MANOR GROVE LONDON SE15 1EH
- 83 MANOR GROVE LONDON SE15 1EH
- 110-116 ORMSIDE STREET LONDON SE15 1TF
- THE UNIVERSAL CHURCH OF GOD 107-109 ORMSIDE STREET LONDON SE15 1TF
- 91 MANOR GROVE LONDON SE15 1EH
- PART FIRST FLOOR 78-94 ORMSIDE STREET LONDON SE15 1TF
- 113 ORMSIDE STREET LONDON SE15 1TF
- 118-120 ORMSIDE STREET LONDON SE15 1TF
- GROUND FLOOR 78-94 ORMSIDE STREET LONDON SE15 1TF
- 93 MANOR GROVE LONDON SE15 1EH
- 95 MANOR GROVE LONDON SE15 1EH
- 97 MANOR GROVE LONDON SE15 1EH
- UNITS 1I TO 1L AND UNIT 1N 96-108 ORMSIDE STREET LONDON SE15 1TF
- UNIT 1A AND 1B 96-108 ORMSIDE STREET LONDON SE15 1TF
- UNIT 1C 96-108 ORMSIDE STREET LONDON SE15 1TF
- 24B MANOR GROVE LONDON SE15 1SX
- UNITS 1D AND 1E 96-108 ORMSIDE STREET LONDON SE15 1TF
- FIRST FLOOR 78-94 ORMSIDE STREET LONDON SE15 1TF
- 24A MANOR GROVE LONDON SE15 1SX
- UNIT 1H 96-108 ORMSIDE STREET LONDON SE15 1TF
- 61 MANOR GROVE LONDON SE15 1EH
- 63 MANOR GROVE LONDON SE15 1EH
- 24 MANOR GROVE LONDON SE15 1SX
- 59 MANOR GROVE LONDON SE15 1EH
- GROUND FLOOR 96-108 ORMSIDE STREET LONDON SE15 1TF
- 115-125 ORMSIDE STREET LONDON SE15 1TB
- 57 MANOR GROVE LONDON SE15 1EH

**Re-consultation:**

- 73 N/A

### Consultation responses received

#### Internal services

- 74 Environmental Protection Team: No objections
- 75 Transport Planning Team: Transport DC have no objections to this application, however the following should be provided.
- The applicant should provide adequate cycle parking as is detailed above (minimum of 4 cycle parking spaces):
  - We would look for a Delivery and Service Management Plan to be conditioned:
  - We would look for the travel information pack for employees to be conditioned.
- 76 Waste Management : No comments
- 77 Public Realm: No objections

#### Statutory and non-statutory organisations

- 78 N/A

#### Neighbours and local groups

- 79 95 Manor Grove: Objection  
I strongly object to the permission for the activities to continue, the people working there have no consideration for the tenants/owners nearby. The noise and the fact that they simply commandeer parking spaces, and use our entrance to Manor Grove as a turning and parking point, this also goes on in the early hours. It must cease.
- 80 97 Manor Grove: Objection.  
From the onset of Network Rail moving into the site it has been a nightmare for those of us who live at Manor Grove. There has been unbearable noise from the site on several occasions. Manor Grove was also frequently blocked by heavy duty trucks which was hazardous and prevented us several times from being able to access our home.  
Residents have held meetings with Network Rail and a senior officer from Southwark's Environmental Protection team, and a number of promises have been made. Nothing has been put into place.  
The residents of Manor Grove can no longer endure noise, disturbance, dust and hazard. We therefore urge Southwark Council to seek first the 'well-being' of its residents and ensure their safety against environmental pollution.
- 81 Saltash Enterprises Ltd., 110-116 Ormside Street: Objection.  
The parking restrictions in this area are already a major problem and further reduction following the commencement of works has increased the continuous problems surrounding our offices.  
The road is an industrial road and is in constant use by large heavy goods vehicles, waste carriers, and delivery trucks as well as individuals driving to their respective places of work.  
With the recent changes in the area, including one side of Ormside Street now having double yellow lines, the available parking has been severely restricted. To ease congestion and to free the road for ease of use to the industrial vehicles, the hardstanding to the front of the building has been used with no detriment to passers by for the last ten years. However, Southwark's enforcement officers are now constantly issuing tickets to those parked on the hardstanding who in their opinion contravene an invisible line denoting pavement/hardstanding, thus requiring the need

for more vehicles to park on the road.

With additional anxiety caused by the demolition works taking place at Manor Grove end of the street, parking is now at best extremely limited and precarious, reducing the already restricted availability and we respectfully request your consideration of addressing additional parking requirements during these works.

Notably, the new access and egress points to the site have reduced the parking by a considerable amount to accommodate the size of vehicles who will be entering it and now have double yellow lines to reduce it further.

Network Rail assured interested parties that their working vehicles would be kept off the roads and parking would be available to their workforce on site. This is not the case. We have on several occasions requested workmen on site to move their vehicles, in some cases they take up three spaces with only two cars.