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Date: 10/06/2016

Dear Mr Smith

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: 4-10 BOMBAY STREET, LONDON, SE16 3UX

Proposal: Demolition of existing buildings and redevelopment of the site to provide a residential led mixed-use development in part 5 storey building part 6 storey, being the top floor set back. It comprises commercial and employment floorspace (flexible use class A1, A2, A3 and B1) to the ground floor, with a mix of residential units above, providing cycle parking and areas of shared and private amenity for residents

I write in connection with your pre-application enquiry received on 07/04/2016 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

I write in connection with your pre-application enquiry regarding a mixed-use scheme to redevelop the site above. This was received on 7th April and a meeting was held on 9th May 2016. I would like to apologise for the delay in response. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements.

Planning Policy

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

- Urban Density Zone
- Air Quality Management Area
- The Blue Local Town Centre

There are no heritage assets within the site boundary area and none in the wider context of the site.

Other key material considerations

The National Planning Policy Framework

Land Use

The site is 0.085ha and currently comprises 1 and 2 storey commercial properties (B1 use). The proposal would be to demolish the existing buildings and redevelop to provide commercial space (A1/A2/A3 and B1) on the ground floor (218sqm) and a total of 19 residential flats above.

The site located is not within a Preferred Industrial Location (PIL) where Industrial uses are both protected and encouraged (ref Southwark Plan (policy 1.2) 2007 and Core Strategy 2011 – SP10). The existing building

contains B1/B8 use. There are a number of existing individual buildings on the site, but you state that some of these to the rear are currently vacant. There is no planning history on the site that confirms the lawful use.

The submitted plans indicate that there would not be like-for-like replacement floor space.

Saved policy 1.4 of the Southwark Plan 2007 states:

Outside Preferred Industrial Locations and Preferred Office Locations, on sites which have an established B Class Use and which meet any of the following criteria:

- i. The site fronts onto or has direct access to a classified road; or*
- ii. The site is in a Public Transport Accessibility Zone; or*
- iii. The site is within the Central Activities Zone; or*
- iv. The site is within a Strategic Cultural Area.*

Development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made to this where:

- a) The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful; or*
- b) The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints; or*
- c) The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floor space may be used for suitable mixed or residential use.*

On employment sites outside the POLs and PILs and where criteria i-iv above do not apply, a change of use from an employment use to suitable mixed or residential uses will be permitted.

Following the adoption of the core strategy in April 2011 Town and Local centres have been added to the list of criteria in points i-iv.

You have not supplied existing floor plans of the buildings and there is no information to indicate the existing floor space. However, it is unlikely the 218sqm would provide the like-for-like replacement floor space. I have not been on site so I cannot confirm whether those buildings are actually vacant and the current physical condition that they are in. As such, the applicant should provide accurate survey plans and consider increasing the level of commercial floor space on the site.

An 'A' class use on the site would also be acceptable as part of the site is within the Blue Local Town Centre. A3 class uses would however need to be designed so that it does not affect the amenity of the residents above.

The principle of providing residential use above the commercial would be acceptable, but the existing industrial use and commercial uses in the railway arches may impact on the residential flats and this discussed further below.

Access and site layout

The access to the site from Bombay Street is considered acceptable. The site has a very irregular shaped footprint due to the number of buildings on the site and it being adjacent to the railway arches. The railway arches are currently occupied and the applicant is in discussion with Network Rail regarding its future use. The railway arches are not within the site boundary however, so Officers have assessed this application based on the fact that the existing occupiers and uses would remain. The vehicular access is to be retained for the use of the railway arches and this is considered acceptable. However, it is not clear what type of vehicles are typical for these arches and no swept paths have been provided to demonstrate large vehicles can still use this. The access to the rear allows only limited outdoor space for the railway arch units and it is not clear whether the development would affect the use of the arches by being so close. The proposed development of the site should not prejudice the existing users within the arches.

Pedestrian access is also proposed along the rear which provides secondary access to the commercial unit and a commercial bin store. This would need to be well designed to ensure there are no highway safety issues. Safety and security for the occupants along this No-through route should also be considered.

The proposed development would also have an irregular shaped footprint with the main commercial and residential entrance from Bombay Street which is acceptable. The building is set back from the adjoining buildings 257 - 267 Southwark Park Road and allows for a communal amenity space and communal cycle store to be provided. A secondary gate/entrance is proposed from Bombay Street which gives access to this amenity space and the flats. This could be accepted, but Officers would require further details on the appearance of this secondary entrance on the street and to ensure that it does not take away the importance of the main residential entrance. The set back of the development from the rear of 257-267 Southwark Park Road would allow for approximately 12m of separation. The submitted floor plans do not indicate the location of windows or provide detailed floor layout, but it has been shown that the main outlook/aspect from these flats would be to Bombay Street to the west, to the arches in the north and to the east. This ensures adequate privacy from the rear of 257-267 Southwark Park Road and is acceptable. However, the aspect out to the east would overlook an existing industrial/warehouse building immediately outside of the site boundary. Officers have not been on site and cannot confirm the existing height and use of this existing building, but there is the possibility for potential development of the adjoining site to the east. Any outlook from the proposed residential flats to the east would need to be designed so it does not prejudice future development of the adjoining sites.

At the meeting, you tabled plans for a potential redevelopment of the adjoining site which runs across the railway arches to the east and the row of buildings at 279 - 289 Southwark Park Road. You mentioned that the acquisition of the adjoining land is still in discussion and is therefore not included within this pre-application enquiry. Officers would encourage the two sites to be redeveloped comprehensively, but at present there is no firm plan to do so. As such, Officers can only comment on what has been formally submitted and the applicant is required to design the flats to have adequate outlook and not prejudice the future development of the adjoining site.

The commercial use is proposed on the ground floor with residential from the first floor and above, which provides an appropriate active frontage. However, as discussed in the design section of this letter, more could be done to make the base of the building more prominent.

Scale, height and massing

Plans submitted at this stage are indicative and true elevational drawings have not yet been submitted. The proposed height and massing at 6 storeys on the Bombay Street frontage and stepping down to 5 storeys to the east is considered appropriate. It is noted that more recently built schemes for residential flats are close to the site such as No. 27 Blue Anchor Lane and No. 13 Bombay Street, which are 6 - 7 storeys.

Detailed design

The submission did not include any architectural detail with only massing and capacity studies. The style is however, to be contemporary and may be acceptable provided it is of the highest design quality. The images shown indicate that an overhang goes over the ground floor, with some modulation on the elevations and the use of balconies to provide visual interest.

It is considered that the ground floor should be given greater prominence and this may require increasing the height of this floor. Officers consider that additional commercial floor space should be provided at first floor level or through the creation of a mezzanine level which would provide that extra height and the replacement commercial floorspace as required by policy. The first floor residential flats as currently proposed directly face the railway arches which are less than 5 metres away and there are concerns with the noise and disturbance from the adjoining uses. The introduction of commercial use on the first floor/mezzanine level on Bombay Street and facing the rear arches would then alleviate these concerns.

Further details and elevations to show the northern elevation (facing the railway viaduct) should be provided at formal application stage and this elevation should be of high design quality as it is highly visible when approaching by train.

Given that there would not be any outlook (hence windows) on the south elevation, this needs to be designed to provide good visual interest as it is visible from Southwark Park Road. The images currently indicate modulation and some articulation, but without further details Officers cannot provide a full assessment.

The applicant indicated that brick and metal cladding would be used and this is considered acceptable provided it responds well to the surrounding context.

Density

The proposal is estimated to have a density of 612 habitable rooms per hectare, but it does not include the commercial floor space. Officers have calculated this to be 705HR/Ha, which only marginally exceeds the

maximum density in the Urban Zone.

The proposed density is acceptable, subject to the quality of design. Density per se is not the sole determining factor however, and it is expected that developments achieve high standard of design, meeting minimum internal space standards as well as providing an acceptable standard of daylight and sunlight, privacy, good outlook and amenity space.

Housing Mix

The proposed dwelling mix would include 9 x 1 bed units (47%), 6 x 2 bed units (32%) and 4 x 3 bed units (21%). The combined total of the two and three bed units would need to meet the minimum requirement of 60% as set out under Core Strategy Policy 7. There is a requirement to provide a minimum of 20% of 3 or more bedroom units (considered family sized) in this location and this is met. The applicant would need to look at increasing the number of 2 or 3 bed units on the site to be policy compliant.

Housing tenure

There is no detailed information on the tenure mix and the applicant indicated that this is subject to viability appraisal. It is expected that the development complies with the affordable housing requirements as set out in Core Strategy Policy 6, which is a minimum of 35% on site. Saved Policy 4.4 of the Southwark Plan also requires new affordable housing to be split 30:70 between social rented and intermediate (shared ownership). The applicant should be aware that the Council's Viability SPD was adopted in March 2016 and it is advised that viability appraisals should be provided at pre-application and application stages.

Housing Quality

The submission only provides indicative floor plans and does not give details of all doors and windows. The main aspect and outlook of the units have been presented on the plans. Most of the flats would have dual aspect with the exception of the central north facing flats. Those single aspect flats would have deep rooms and may not comply with the daylight levels and this should be reconsidered along with the submission of daylight and sunlight assessments.

Due to the proximity of the railway viaduct, noise and air quality would also be an issue and the layout of these flats would need to be carefully designed with mitigation measures in place. The balconies being close to the arches and the railway line would not be attractive or provide good quality private amenity space. The balcony to the north western part of the site also appears to be very close to the entrance of the vehicular access and concerns are raised regarding its useability and whether large vehicles would impact on this.

It is also likely that there would be plant associated with commercial uses on site. As such, any application should be accompanied by a noise and vibration assessment to demonstrate that any harmful amenity impacts to future residents can be appropriately mitigated including sound insulation, design of windows and proposed ventilation. Plant noise and vibration should be designed to avoid both creep and potential disturbance to both existing residents and new occupants. An assessment of current background noise should be undertaken to influence design and mitigation. Residential units will need to be sound insulated from the proposed commercial use at ground floor. Any required mitigation should be incorporated into the design of the scheme.

There is a need to provide a minimum of 10% of wheelchair accessible units. All affordable wheelchair units should be designed to meet the South East London Housing Partnership Wheelchair Housing Design Guide space standards. Technical Guidance on these standards is set out in the Technical Update to the Residential Design Standards SPD on the Councils website dated October 2015.

http://www.southwark.gov.uk/downloads/download/2257/residential_design_standards_spd

There should also be 2 lifts to serve wheelchair units.

You should be aware that dwellings should be designed to have integral bulk storage facilities and should have a mix of open plan living-kitchen-diners and units with separate kitchen diners to offer choice to potential occupiers. Any three bed affordable dwellings should be designed to have separate kitchens in accordance with guidance in the 2015 Technical update to the Residential Design Standards SPD (2011).

Each dwelling should have sufficient private amenity space in accordance with the 2015 Technical update to the Residential Design Standards SPD 2011. Most of the units appear to have private amenity space with balconies, but these need to meet the minimum balcony sizes. The internal courtyard and roof terrace would

need to be designed well to provide an attractive communal area and adequately screened to avoid overlooking into neighbouring sites.

There is a requirement for child playspace within the development and as a minimum there should be child play space (door-step) for the 0-5 year age group and this should be in addition to any communal amenity space. The proposed amount of playspace to be delivered needs to be in accordance to the Mayors Play and Informal Recreation SPG.

Amenity impacts

The footprint and location of the proposed building would reduce any visual impact on the neighbouring properties on Southwark Park Road. No detailed elevational drawings or section drawings have been submitted and Officers can only provide limited assessment. A daylight, sunlight and overshadowing study should be carried out at the earliest opportunity allowing time for discussions with the local authority to address any issues in advance of a formal application.

Transport and servicing issues

Car parking

The proposal would provide be a car-free scheme, which may be acceptable subject to further assessment on parking. The site is within a PTAL rating of 4, which is considered to be medium in terms of its accessibility to public transport. Bombay Street sits just outside the Controlled Parking Zone (CPZ) and parking stress is very high. The applicant would need to provide a parking survey to show that the number of vehicles generated by the development (using census car ownership data) could be accommodated on-street in that area and still retain existing residents parking amenity. Until this is undertaken, Officers cannot confirm whether a car-free scheme is acceptable.

Furthermore, Southwark's standard is that there should be 1 No. disabled parking bay on-site for each wheelchair unit. The absence of such parking would need to be robustly justified.

Cycle parking

The submitted proposal would provide 30 residential cycle parking spaces in a covered store in the communal courtyard, which equates to at least 1 cycle space per 1 bed unit and 2 spaces for all other dwellings which is acceptable. There should also be a separate cycle parking area for the commercial element.

Refuse store for the commercial element is proposed in the north eastern corner and is some distance from Bombay Street, which may be inconvenient for refuse collectors. A servicing strategy and tracking drawings will need to be provided with any submission detailing what provision will be made to ensure servicing would be safe and would not have harmful impacts on either vehicle or pedestrian safety. The servicing strategy should include the predicted number of vehicles to and from the site and the nature of those vehicles. As noted above, the servicing strategy should indicate how the arches would be serviced once the development is in place. The document should be prepared in accordance with Transport for London document "London Freight distribution plan: A Plan for London" and "Managing Freight Effectively: Delivering and Servicing Plans".

Construction Management

We recommend that applicant consider how construction on this constrained site would be managed with minimal impact on the surrounding area. Should the construction of a development require the occupation or closure of the carriageway or footway; involve a high volume of construction related vehicle trips; or any other significant impact on the highway network then a Construction Management Plan will be required prior to any demolition or construction works on site. Detailed information on producing these plans can be found at:

www.tfl.gov.uk/microsites/freight/initiatives_and_projects.aspx

Sustainable development implications

Energy

The information submitted does not provide information on how the scheme would comply with London Plan Policy 5.2. The policy requires a reduction in carbon emissions of 35% below Part L 2013 target. The applicant should note that from 1st October 2016 the development is expected to be zero-carbon.

A detailed energy assessment, to demonstrate how the targets for carbon dioxide emissions reduction outlined are to be met within the framework of the energy hierarchy, should be provided. Major developments must also achieve a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy.

The development should also include meaningful areas of green living roofs and sustainability measures in the design, to ensure the development contributes positively to the environment and biodiversity.

BREEAM

No information has been provided on the BREEAM rating, but you should be aware that the Council will seek a rating of 'Excellent' for the non-residential component.

Air Quality

The site is in an Air Quality Management Area and potential air quality impacts may arise as a result of demolition and construction impacting on nearby sensitive receptors. Details of appropriate mitigation should be provided with any formal application to demonstrate that the effects of demolition/construction on air quality would not be significant and would be in accordance with the Mayors guidance.

Ground contamination

Based on the sites historic uses there is a risk of exposure to potential contaminants during construction and in the completed development to construction workers, future occupiers, ground water and surface water. For these reasons a full land contamination exploration and assessment will be required.

Flood risk

The site is situated in Flood Risk Zone 3. A Flood Risk Assessment should be provided any formal submission.

Community Infrastructure Levy

This development would be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. The chargeable rate for Southwark is £35 per square metre under MCIL and £50 per square metre for residential floorspace for SCIL (both subject to indexation). It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

Planning obligations (S.106 undertaking or agreement)

The submission fails to fully account for policy compliant planning obligations in accordance with the Planning Obligations SPD. Planning obligations may be required to offset the negative impacts of any development on the site. Draft Heads of Terms may be required and should be submitted in accordance with the S106 SPD as part of any formal application and are required for the purposes of validation.

Conclusion

The proposed mixed development is considered acceptable in land use terms, but the commercial floor space should be increased to provide like-for-like replacement. The commercial element could be introduced at first floor/mezzanine level which would also help to make this ground floor more prominent and active. Concerns are raised on the residential flats being so close to the railway arches which could lead to undue noise and disturbance to the future occupants. This sensitive use may lead to the arches being unviable. Information on servicing and delivery for the development and the existing arches would be required.

The housing mix should be amended to increase the number of 2 or more bedroom units. The development should deliver the minimum level of affordable housing and this is currently not confirmed.

The scale and massing of the building is broadly acceptable subject to detailed design and good quality materials. The main residential entrance should be designed to be more welcoming and given greater prominence. The building being set back from the adjoining buildings on Southwark Park Road is considered acceptable, but section drawings are required to demonstrate there is no significant impact on neighbours. The outlook to the east should also be re-considered as this may prejudice the future development of the adjoining site.

More detailed floor plan drawings are required for a more informed assessment of the quality of accommodation. The location of the balconies is questioned given its proximity to the vehicular access entrance and the adjoining railway arches. A robust parking survey and transport assessment would be required to demonstrate a car-free scheme would not impact on the local highway network.

For the above reasons the proposal would not be supported in its current form were it to be submitted as a planning application.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

Simon Bevan
Director of Planning