

Appeal Decision

Site visit made on 10 October 2016

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4th January 2017

Appeal Ref: APP/C5690/W/16/3155355

Unit 12, Excelsior Works, Rollins Street, London SE15 1EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Terence Williams (Terence Williams Design) against the decision of the Council of the London Borough of Lewisham.
 - The application Ref DC/15/90511, dated 12 January 2015, was refused by notice dated 9 May 2016.
 - The development proposed is 'demolition of existing single storey workshop with ancillary office at mezzanine level, replaced with new 4 storey building, gallery and workshop to the ground floor, six 1B/2P residential units (first-third floor) and rooftop solarium over'.
-

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by the appellant against the Council of the London Borough of Lewisham. This application is the subject of a separate decision.

Preliminary Matters

3. The application is in outline with all matters (access, layout, scale, appearance and landscaping) reserved for future consideration. Drawings have been provided within the application including layout, elevation and floor plans. I have treated these drawings as being only indicative or illustrative given that all matters are reserved.

Main Issue

4. The main issue is whether the proposed development would result in a comprehensive approach to the development of the Surrey Canal Triangle strategic site and accord with the development strategy for the area, with particular regard to how it would effect future redevelopment of the area, whether it would accord with the principles of high quality place making and whether it make best use of the land.
-

Reasons

5. The site is located within the Surrey Canal Strategic Site Allocation which is identified as being within a Regeneration and Growth Area. Policy 'Strategic Site Allocation 1' of the Lewisham Core Strategy 2011 (CS) recognises the Surrey Canal Strategic Site Allocation as one of several key development opportunities identified that both individually and collectively are of a scale and significance that make them central to the success of the CS. They are acknowledged as being able to play a crucial role in place making by creating new places and enabling a transformation of the wider area. Strategic Site Allocation 1 includes a requirement for a delivery strategy identifying matters such as delivery and development phasing.
6. Policy 'Strategic Site Allocation 3' of the CS relates specifically to the Surrey Canal Triangle allocated site. It requires a comprehensive phased approach to redevelopment in line with an approved masterplan that delivers a number of development priorities.
7. Outline planning permission was granted in 2012 (as amended by a subsequent s.73 application) for a phased mixed use development of the Surrey Canal Triangle Area. It includes a site-wide masterplan for the area. The appeal site is identified as being in phase 1b.
8. The appeal proposal seeks outline permission for a replacement mixed use building, comprising commercial and residential accommodation, on a small part of the overall masterplan area. In itself, such a scheme would in principle be capable of contributing to several of the overall objectives for the regeneration area. Nevertheless, having considered all the information before me, I have concerns about how it would fully accord with the aims of achieving a properly comprehensive and phased development for the wider area.
9. From the evidence before me, the details of how the wider site is proposed to be developed are not yet fully formulated. Whilst, individual sites may be ready to come forward, in order to achieve quality place making, I consider it important for the details of each phase of the wider area to be considered on a holistic basis.
10. The master plan shows the retention of Rollins House, and includes Unit 12. The Council says that, whilst the outline scheme includes the retention of the existing building on the appeal site and Rollins House, this does not preclude their redevelopment subject to a scheme which is master planned and demonstrates the optimisation of the land. There has been a recent outline application for the larger redevelopment of this part of the site, although this was withdrawn prior to determination.
11. Therefore, at the current time there appears to be some uncertainty, as to how this part of the regeneration area would be developed, including the parts of Rollins House that would be retained or redeveloped. It does seem, however, based upon both this appeal scheme and the previously withdrawn application for Rollins House, that there is a reasonable likelihood of some form of development taking place involving Rollins House. The appellant says that the only part of the Rollins House block that is suited to redevelopment is Unit 12 and that the appeal proposal optimises the use of that site. Given the current condition of Unit 12, I am in no doubt that this site could be improved through

- development, which if done comprehensively and collaboratively, would be in the interests of the wider strategic regeneration area.
12. It appears to me from the information before me that, whilst neither Unit 12 nor Rollins House is identified in the masterplan for redevelopment, it remains possible for either to be subject to redevelopment and/or alteration, subject to acceptable proposals coming forward that demonstrate how they comply with the Core Strategies regeneration aims for the area. Taking account of the very close relationship between the two, to achieve good place making, a linked and reconcilable solution for how the two sites are to be progressed appears to be in the best interests of place making across the wider site. Given the current uncertainty, in the context of the Council's Core Strategy seeking a comprehensive and phased redevelopment, this weighs against the appeal proposal.
 13. In terms of achieving good place making, providing a more comprehensive approach than shown by this proposal would accord more with the strategic vision set out by policies Strategic Site Allocation 1 and 3 of the CS. This is particularly so given the appeal site's location immediately adjacent to the proposed Excelsior Court which links with the proposed Surrey Canal Station Square. As a result the site would be prominent located and a very integral part of the wider area. There is some disagreement between the parties on whether the appeal proposal would be capable of integrating with the proposed Excelsior Court.
 14. Whilst the drawings are indicative, they show a building extending to the edge of the appeal site. Without knowledge of the detailed proposals for the public space, or the other surrounding development to emerge, I cannot be certain that the appeal proposal would be able to satisfactorily link with its surroundings in the comprehensive manner sought by the development plan. Indeed, from the indicative details provided with the application, I cannot be sure that the massing and siting of the proposed building would relate sympathetically with the vision for the adjacent Excelsior Court. I acknowledge the condition and appearance of the existing building. However, there is not sufficiently detailed information before me to demonstrate that the proposal would be in the interests of the comprehensive future development of the surrounding area. This adds to my concern that the development needs to be considered on a more comprehensive basis alongside proposals emerging for surrounding buildings and spaces.
 15. Furthermore, there is no certainty from the information before me, as to how the proposed development would fit in with the overall development phasing strategy for the area. It appears to me that proper phasing is an integral part of a comprehensive regeneration of a large area such as this, being important to the delivery of an integrated public realm, townscape and associated infrastructure. From the evidence, I have no details of how such phasing would be secured. The development of the appeal proposal prior to other surrounding developments could prejudice detailed design considerations which need careful thought on a comprehensive basis for successful place making to result.
 16. I have considered the appeal decision¹ referred to by the Council in the context of achieving comprehensive regeneration. Whilst I agree with the appellant that the circumstances of that case are not directly comparable with this

¹ APP/C5690/W/15/3132142

- appeal, it underlines the importance of ongoing discussions between all the relevant parties in respect of a comprehensive proposal and the need for an appropriate level of detail in respect of the wider regeneration area.
17. The appeal proposal, whilst located within the masterplan area does not provide any demonstration of how it would relate to any relevant obligations or conditions, which adds to my concerns over whether it would contribute to a comprehensive form of development as sought by the Development Plan.
 18. Whilst I acknowledge that the appellant has sought to show how the proposal would accord with the wider development objectives, I conclude that it has not been satisfactorily demonstrated that the proposed development would achieve a properly comprehensive approach to the development of the wider regeneration area. Whilst only a relatively small site, it would be likely to prejudice the details of the future redevelopment of the area and the principles of high quality place making. The proposal is therefore contrary to policies 'Strategic Site Allocation 1' and 'Strategic Site Allocation 3' of the CS.
 19. The Council's objections include reference to the appeal proposal not achieving the objective of maximising the potential for development as sought by policy 3.4 of the London Plan. The proposed development would make greater use of the site than the existing building, including residential development, and it has not been demonstrated that a larger building would be capable of reconciling with its surroundings as part of the wider regeneration of the area. However, a scheme designed more closely with any emerging proposals for its surroundings could achieve a more efficient use of the land, though I am mindful in this respect of considerations regarding its relationship with the adjacent proposed Excelsior Court.
 20. I acknowledge that the proposal retains floorspace for the appellant's business which has operated in the Borough for a considerable period. The Council's policies for the area seek to include a substantial quantum of commercial floor space. However, the inclusion of commercial floor space within this appeal proposal does not outweigh the likelihood of harm arising from my findings on the comprehensive development of the area. It is also possible that the appellant would be able to secure suitable premises within an alternative scheme.
 21. Whilst the appellant has sought to ensure that the development will accord with the development objectives and masterplan for the Surrey Canal Triangle area, from the evidence before me I do not consider this to be sufficiently evidenced so as to guarantee a comprehensively planned development. Therefore, whilst acknowledging the specific benefits of the proposal, I do not consider the proposal to amount to sustainable development as sought by the National Planning Policy Framework.
 22. I have been provided with a copy of a media report though this has no bearings on the planning merits of this appeal and I have given it only minimal weight.
 23. Having had regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cliff

INSPECTOR