

Cuma Ahmet
Lambeth Council
Planning department
Civic Centre
Brixton Hill
London
SW2 1EG

Our ref: GLA/4963/01HS
Your ref: 19/02696/FUL
Date: 20 January 2020

Dear Mr Ahmet

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

Woodlands Nursing Home
Local Planning Authority Reference: 19/02696/FUL

I refer to the copy of the above planning application, which was received from you on 3 September 2019. On 20 January 2020, the Deputy Mayor for Planning, Regeneration and Skills under delegated authority considered a report on this proposal, reference GLA/4963/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Deputy Mayor considers that the application does not yet comply with the London Plan and the Intend to Publish London Plan, for the reasons set out in paragraph 87 of the above report; but that possible remedies set out in that paragraph could address these deficiencies.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is Andrew Milliken, e-mail v_AndrewMilliken@TfL.gov.uk.

Yours sincerely,



John Finlayson
Head of Development Management

cc Florence Eshalomi, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
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20 January 2020

Woodlands Nursing Home

in the London Borough of Lambeth

planning application no. 19/02696/FUL

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Redevelopment of the site to provide 258 residential units, together with servicing, disabled parking, cycle parking, landscaping, new public realm, a new vehicular and pedestrian access, and associated works in a single 29 storey building and peripheral part 3/part 4 storey building.

The applicant

The applicant is **Anthology** and the architect is **Rolfe Judd**.

Strategic issues

Principle of development: The principle of the redevelopment of this under-utilised site on the edge of the Elephant and Castle (E&C) Opportunity Area, the CAZ and the E&C major town centre is strongly supported. The agreed terms to secure the Cinema Museum's long-term future should be secured in the s106 agreement (paragraphs 26-40).

Housing: 50% affordable housing by habitable room with a tenure split of 31% affordable rent and 69% shared ownership is proposed. The scheme cannot follow the Fast Track Route before confirmation on the level of public subsidy is provided, along with Lambeth Council's agreement to the proposed tenure split. Further information on the rent levels for the affordable rent units should be provided. The scheme is therefore currently following the Viability Tested Route and officers are scrutinising the viability assessment to ensure the maximum quantum and affordability of the affordable housing. Early stage and late stage (should the scheme not follow the Fast Track Route) viability reviews must be secured. The residential quality should be improved and useable play space should be provided (paragraphs 26-40).

Urban design and heritage: The height of the proposed tower could be supported in the context of the neighbouring Elephant and Castle tall buildings cluster, however, the bulk and form of the tower should be slimmed down to free up space at ground level to improve the public realm and residential amenity, reduce visual impact on townscape and improve residential quality. Further public benefits should be demonstrated to outweigh the harm caused to the heritage assets (paragraphs 41-66).

Transport: The applicant should provide more information regarding trip generation and the movement of pedestrians and cyclists through the site. Financial contributions are required: £150,000 to fund the installation of cycle hire facilities in the area; £15,000 towards Legible London signage and £2 million toward the new Northern Line Ticket Hall (NLTH) at Elephant and Castle London Underground station (paragraphs 73-83).

Further information on **climate change** is required.

Recommendation

That Lambeth Council be advised that whilst the principle of development is supported the application does not fully comply with the London Plan and Intend to Publish London Plan, for the reasons set out in paragraph 87 of this report; but that the possible remedies set out in that paragraph of this report could address these deficiencies.

Context

1 On 3 September 2019 the Mayor of London received documents from Lambeth Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Categories 1A and 1C(c) of the Schedule to the Order 2008:

- 1A *"Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats";*
- 1C(c) *"Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London."*

3 Once the Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 0.7 hectare application site is bounded by Renfrew Road to the west and Dugard Way (an internal road which forms part of the site) to the west and south. To the south and east are residential blocks that were redeveloped by Bellway as part of the redevelopment of the former hospital site. To the east is George Mathers Road and to the north is Castlebrook Close, which comprises two storey terrace housing (with land owned by L&Q). The site forms the remaining part of the former Lambeth Hospital site and is currently occupied by Woodlands – a former nursing home which is now vacant and Masters House – a two storey Grade II listed building, which is currently occupied by the Cinema Museum. The site was owned until recently by the NHS.

6 The southern portion of the site is within the Renfrew Road Conservation Area. There are also a number of heritage assets adjacent to the site, including two locally listed lodges which frame the entrance gates into the site from Renfrew Road to Dugard Way, and the Water Tower is also Grade II listed. There are further listed buildings close by on Renfrew Road, including the former Lambeth Magistrates Court and Fire Station buildings and former Court Tavern.

7 The site is on the eastern boundary of the London Borough of Lambeth and adjoins the London Borough of Southwark, which also marks the boundary with the Elephant and Castle Opportunity Area and the Central Activities Zone (CAZ). The area surrounding the site is predominantly residential in character.

8 The site is currently accessed from Renfrew Road only. An access previously existed from Dante Road. Pedestrian only access is provided through a series of pathways including via George Mathers Road, which also provides vehicular access to the Bellway Homes development. The nearest section of the Transport for London Road Network (TLRN) is the A3204 Kennington Lane, located 930 metres to the south. The site is served by 5 high frequency bus routes within a five minute walk of the site, along with Thameslink Rail services and London Underground Services from Elephant and Castle Station a 10 minute

walk from the site. As a result, the site has a Public Transport Access Level (PTAL) range of 6a to 6b, on a scale ranging from 0 to 6b where 6b represents the greatest level of access to public transport services.

Details of the proposal

9 Planning permission is sought for the demolition of the former care home and the retention of the Grade II listed Masters House and associated ancillary buildings to provide 258 residential units, together with servicing, disabled parking, cycle parking, landscaping, new public realm, a new vehicular and pedestrian access and associated works, in a single tall building of 29 storeys and peripheral lower building of 3/4 storeys.

10 As part of this application a commitment has also been made by the applicant to sustaining the future of the Cinema museum, which currently leases the Masters House.

Case history

11 The proposal has been the subject of pre-application discussions. On 19 September 2018, an “in principle” meeting was held at City Hall to discuss the initial principles of the application. On 9 January 2019 a pre application meeting was held with GLA officers to discuss the scheme in more detail. Officers strongly supported the principle of the redevelopment of the site but advised the applicant that further work was needed in relation to the design of the scheme to demonstrate exemplary design. Further discussions in relation to housing and affordable housing were also required. A further meeting was then held on 24 April 2019 to discuss the progress of the scheme. At that meeting an update was also sought on the engagement of the applicant to date with Cinema Museum. Further meetings led by the GLA Housing and Culture teams were also arranged to clarify the terms under which the future of the Cinema Museum would be secured.

12 There is no other relevant strategic planning history associated with this site. However, relevant to this case is planning permission 01751/FUL which grants consent for the “conversion and change of use from hospital to a cinema museum with ancillary car parking”.

Strategic planning issues and relevant policies and guidance

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Lambeth Council’s Local Plan (2015) and the London Plan 2016 (The Spatial Development Strategy for London Consolidated with Alterations since 2011).

14 The following are also relevant material considerations:

- The National Planning Policy Framework (updated February 2019);
- National Planning Practice Guidance;
- The London Plan Intend to Publish version (December 2019). The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor and this was published on the GLA website on 21 October 2019. In line with paragraph 48 of the NPPF, the weight attached to the Intend to Publish London Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF;
- The Mayor’s Affordable Housing and Viability SPG (August 2017). This must be read subject to the decision in R (McCarthy & Stone) v. the Mayor of London;
- Draft Revised Lambeth Local Plan (October 2018).

15 The relevant issues and corresponding policies are as follows:

- Culture *London Plan;*
- Health facilities *London Plan;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG;*
- Heritage and urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Climate change *London Plan; Sustainable Design and Construction SPG; London Environment Strategy;*
- Transport and parking *London Plan; the Mayor's Transport Strategy.*

Principle of development

16 The site lies on the edge of the Elephant and Castle Opportunity Area, the Central Activities Zone (CAZ) and Elephant and Castle major town centre. As set out earlier in this report, the application site comprises a former nursing home (C2) for people over 65 with mental health problems, which is now vacant and was part of a much larger hospital site, which has been redeveloped piecemeal over the years. It also comprises a museum on a rolling lease. The application site was owned until recently by the NHS.

Health facility

17 London Plan Policies 3.16 and 3.17 and the Mayor's intend to publish London Plan Policies S1 resist the loss of social infrastructure in an area of defined need unless there are realistic proposals for re-provision or the loss is part of a wider public service transformation plan, which requires investment in modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services. The Intend to Publish London Plan Policy S2 requires boroughs working with Clinical Commissioning Groups (CCGs) and other NHS and community organisations to understand the impact and implications of service transformation plans and new models of care on current and future health infrastructure provision in order to maximise health and care outcomes.

18 The nursing home for Lambeth and Southwark older adult residents at Woodlands ceased to operate in 2013 and has remained vacant and surplus to the South London and Maudsley NHS Trust since then. A letter provided as part of the application from the Service Director of the Mental Health of Older Adults and Dementia (MHOAD) Services supporting this application provides reasons for the vacation of the service and its re-provision. It confirms that the model of care for mental health patients has changed and that investments in a greater range of community-based services in all boroughs has led to reduced admissions in inpatient facilities. It also confirms that in consultation with the CCG and User Groups, the service at Woodlands was consolidated as a specialist mental health continuing care services at Greenvale in Streatham.

19 The applicant has demonstrated that the closure of the Woodlands nursing home is part of an agreed programme of service reconfiguration and that the facility is no longer needed. The loss of the health facility is therefore acceptable in line with London Plan and the Intend to Publish London Plan Policy.

Cinema Museum

20 London Plan Policy 4.6 and the Intend to Publish London Plan Policy HC5 protect existing cultural venues and facilities.

21 The Masters House has a protected use (in so far as the associated planning permission restricts permitted changes of use within the same use class) which is for a Cinema Museum (see site history section of this report). The applicant's commitment to protect the Cinema Museum and secure its future is therefore strongly supported as this will not only secure an active use for the Grade II listed building but will also ensure that the future of an important local cultural and community asset is secured.

22 To allow the cinema museum to sustain and to access funding, it is proposed that the Cinema Museum acquires a 999 year long leasehold interest from the applicant. The offer is currently being discussed with the Cinema Museum Board of Trustees. Confirmation on the terms of the acquisition is required to demonstrate it would support a long-term sustainable business model for the museum. The agreed terms to secure the Cinema Museum's long-term future should be secured through a planning obligation.

Housing

23 London Plan Policy 3.3 seeks to increase London's supply of housing and in doing so sets borough housing targets, of which Lambeth's ten year minimum target is 15,594 additional homes between 2015 and 2025. The Intend to Publish London Plan Policy H1 introduces new targets and sets Lambeth Council a ten year housing target of 15,890 homes between 2019 and 2029 (it is noted that the Panel of Inspectors recommended this figure is revised to 13,350).

24 The proposal to deliver 258 residential units will contribute towards the delivery of London's housing requirements and the Council's minimum target in line with London Plan Policy 3.3 and the Intend to Publish London Plan Policy H1 and is strongly supported. As the site is public land, the GLA will expect the redeveloped site to deliver its full potential in terms of its affordable housing provision, as outlined further below.

Summary

25 Given the site's location on the edge of an opportunity area, the CAZ and a major town centre and the strategic support for enhanced cultural provision and additional homes, the principle of the redevelopment of this under-utilised site is strongly supported. Confirmation on the terms of acquisition of the Cinema Museum is required to demonstrate public benefits.

Housing

26 The following residential unit breakdown has been provided with the application:

	Market	Intermediate	Affordable Rent	Total
Studio	27	0	0	27 (10.5%)
1 bed	91	66	0	157 (60.8%)
2 bed	27	23	15	65 (25.2%)
3 bed	0	0	9 (3.5%)	9 (3.5%)
Total	145	89	24	258
Total % by units	56%	89%	9%	100%
Total % by hab rooms	50%	35%	15%	100%

Table 1: Proposed housing provision

Affordable housing

27 London Plan Policy 3.12 seeks to secure the maximum reasonable amount of affordable housing. Policy H5 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG set a strategic target of 50% affordable housing. Policy H6 identifies a minimum threshold of 35% (by habitable room) affordable housing, whereby applications providing that level of affordable housing, with an appropriate tenure split, without public subsidy, meeting other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor, as well as investigating grant funding, can follow the 'Fast Track Route' set out in the SPG. This means that they are not required to submit a viability assessment or be subject to a late stage viability review. Policy H7 of the Intend to Publish London Plan and the Mayor's Affordable Housing and Viability SPG sets out a preferred tenure split of at least 30% low cost rent (with London Affordable Rent as the default level of rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined in partnership with the local planning authority and the GLA. Lambeth's Local Plan sets a 50% affordable housing target where subsidy is available and 40% without public subsidy with a tenure mix of 70% of new affordable housing units as social and affordable rent and 30% as intermediate provision.

28 The Mayor's Affordable Housing and Viability SPG identifies a threshold for the fast track route of 50% affordable housing for schemes on public land, without public subsidy, which is also included in the Intend to Publish London Plan. This recognises the potential for development on surplus public sector land to make a higher contribution to affordable housing delivery than private land. This threshold applies on this site as the site was formally owned by the NHS.

29 The applicant proposes to deliver 50% of the scheme by habitable room as affordable housing (44% by unit) with a tenure split of 31% affordable rent and 69% shared ownership. The applicant should clarify whether the 31% affordable rented homes proposed will be low cost/London Affordable rents in line with the GLA's preferred tenure split set out above. If the scheme would provide a minimum of 30% low cost rent, it could meet the tenure requirements of the Fast Track Route, subject to Lambeth Council agreeing that the tenure split could be weighted towards intermediate accommodation in this instance. If the Council does not agree that the 40% to be determined by the local authority can be wholly intermediate accommodation (it is noted that Lambeth Council's preferred tenure split requires that 70% of new affordable housing units be provided as social and affordable rent and 30% as intermediate provision), the scheme cannot follow the Fast Track Route.

30 Furthermore, the applicant has advised that delivering 50% affordable housing without the support of public subsidy would not be viable. The applicant should clarify whether the 50% affordable housing offer can be secured unconditionally on-site (with no 'without grant' scenario). This will need to be secured within the S106 agreement. At present the application does not qualify for the Fast Track Route as it has not been confirmed that the 50% affordable housing provision can be delivered without public subsidy, as required by the Intend to Publish London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG.

31 If the Fast Track Route requirements cannot be met, the application must follow the Viability Tested Route, which requires the application to be supported by viability evidence and early and late stage viability reviews to be secured as set out in Policy H6 of the Mayor's London Plan and in the Mayor's SPG.

32 A viability assessment has been submitted with the application and GLA officers are working with the applicant, the Council and its advisors to robustly scrutinise the viability of the scheme to ensure the maximum amount of affordable housing is secured and to agree on a suitable tenure split with products that are genuinely affordable. The Section 106 agreement should stipulate the tenure mix for the scheme. The affordability of the proposed products must also comply with the requirements of Policy H7 and H13 of the Intend to Publish London Plan, the Mayor's Affordable Housing and Viability SPG, and the London Plan Annual Monitoring Report and should be secured in the S106 agreement. At present it is the applicant's intention that the qualifying income levels for the shared ownership homes will be in line with GLA policy for London Shared Ownership and capped at a household income of £90,000. Discussions on the rent levels for the proposed affordable rented units need to be held with Lambeth Council and GLA officers.

33 An early stage review and a late stage review will be required in accordance with Policy H6 of the Intend to Publish London Plan to optimise affordable housing delivery in accordance with strategic policy objectives. GLA officers request early engagement into the wording of the draft S106 agreement to ensure appropriate wording for review mechanisms, as well as obligations around delivery of affordable housing.

34 This scheme is subject to a GLA loan and has been modelled with grant funding to achieve 50% affordable housing. The applicant should clarify how the loan has been incorporated in the financial appraisals. The applicant has engaged with several registered providers but has not entered into any formal contract while the planning position remains uncertain. No confirmed GLA grant funding has been allocated for this scheme at this stage.

Housing choice

35 London Plan Policy 3.8 and the Intend to Publish London Plan Policy H12 encourage a full range of housing choice. Policy H4 of Lambeth revised Local Plan expects low cost rented element of residential developments to provide no more than 25% of 1 bedroom units, 25-60% of 2 bedroom units and at least 35% of 3 bedroom units. For market and intermediate housing, the policy requires a balanced mix of unit sizes, including family-sized accommodation.

36 The proposal would provide a range of studios, 1, 2 and 3 bedroom homes, which is welcomed (see Table 1 above). All of the family sized units proposed as part of the scheme would be affordable (3.5%), which is welcomed. However, it must be ensured that the number of affordable family homes meet local needs in consultation with the Council.

Residential quality

37 London Plan Policy 3.5 and Policy D4 of the Mayor's Intend to Publish London Plan promote quality in new housing provision, with further guidance provided in the Housing SPG. In accordance with strategic priorities, it is essential that schemes deliver the highest standard of residential quality, and baseline standards are exceeded wherever possible.

38 The residential layout of the proposed tower (Building B) exceeds the Housing SPG's preferred 8 units per core and does not provide naturally ventilated or naturally lit cores. The layout of the tower block should be reviewed to meet the Housing SPG requirements and demonstrate exemplary design. The orientation of the blocks means that most of the units have east/west aspect maximising penetration of sunlight and there are no north facing single aspect units. The proposed units also have a minimum 2.5 metre floor to ceiling height. The applicant should confirm that all units meet the relevant space standards. Winter gardens are proposed rather than external private amenity space. While this could be justifiable given that units are being provided within a tall building, this creates greater need to ensure the ground level amenity and public space is of the highest quality for all residents to use. The urban design section of this report provides further comments on the proposed amenity and public space.

Children's play space

39 Policy S4 of the Intend to Publish London Plan and London Plan Policy 3.6 seek to ensure that development proposals include suitable provision for play and recreation, and incorporate good-quality, accessible play provision for all ages, of at least 10 sq. m. per child with further detail provided in the Mayor's 'Shaping Neighbourhoods: Play and Informal Recreation' SPG. Policy S4 of the Intend to Publish London Plan also makes it clear that play space in new residential developments should not be segregated by tenure.

40 The GLA population yield calculator requires a total of 498.3 sqm of play space to be delivered on-site. The proposed scheme proposes to provide a total of 672 sq.m. of dedicated play space for all age ranges spread across the site within the public realm. While the GLA play space requirements would be met on site, the applicant should demonstrate that the different play zones identified would provide genuinely usable play space to be acceptable. The applicant should refer to the issues raised in the urban design section of this report to seek to improve the quality of the proposed play space. The applicant and the Council must ensure that play space is not segregated by tenure and would not become segregated in the future.

Heritage

41 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "*should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*" and in relation to conservation areas, special attention must be paid to "*the desirability of preserving or enhancing the character or appearance of that area*". London Plan Policy 7.8 and Policy HC1 of the Intend to Publish London Plan state that development should conserve heritage assets and avoid harm.

42 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to

'substantial harm' or total loss of the significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

43 The site is partly located within the Renfrew Road Conservation Area. It also comprises the Masters House, which is a Grade II listed building that is currently occupied by the Cinema Museum and that the applicant proposes to retain. The site is also adjacent to a number of heritage assets, which are the two locally listed lodges which frame the entrance gates into the site and the Water Tower to the former Lambeth Workhouse, which is Grade II listed. There are other heritage assets close by on Renfrew Road, including the former Lambeth Magistrates Court and Fire Station Grade II listed and the locally listed Former Court Tavern. Further to the north and south of the site are a number of conservation areas, including Elliot's Row, Walcot Square and West Square conservation areas with the Grade II listed Imperial War Museum. Given the scale of the proposed tall building, the proposal would be visible across a wide area, and would therefore have some visual impact on the settings of the nearby conservation areas and listed buildings. The applicant provided a detailed Heritage, Townscape and Visual Impact Assessment (HTVIA), which considers the visual impact of the proposed development on nearby heritage assets, including the listed buildings and conservation areas listed above, alongside other local and wider townscape views.

Heritage assets within and immediately adjacent to the site

44 The Masters House, the former water tower and the two lodges which frame the entrance gates into the site to the south are the only remains of the former Lambeth Workhouse complex and have an historic and architectural interest due to their rarity. The former Lambeth Workhouse complex also have value with the former Lambeth Magistrates' Court and fire station buildings to Renfrew Road and together form a good ensemble of Victorian public/institutional buildings.

45 The proposed tall building would create a high degree of visual impact on the above heritage assets, due to the relatively low scale of the surrounding buildings. In the views submitted by the applicant in the HTVIA, the proposed tall building would appear dominant above the former Magistrates' Court in the views from the Renfrew Road Conservation Area (Viewpoint 9), due to the close proximity of the proposed tall building to the viewer.

46 While it is welcomed that the Masters House will be retained and it is acknowledged that the setting of the Grade II listed building and its appreciation would be enhanced through improvements to the building's immediate environment, it is GLA officers' assessment that the tall building element because of its scale, bulk and form would also result in a degree of harm to the setting of the heritage assets within and immediately adjacent to the site. GLA officers consider that this harm to the significance of the heritage assets and Renfrew Road Conservation Area would be 'less than substantial'.

Surrounding conservations areas and heritage assets

47 The tall building element of the scheme would be visible in views from within the surrounding conservation areas, including West Square with the Grade II listed Imperial War Museum and Gardens (Views 3, 4 and 5), Walcot Square (Views 6 and 7) and Elliot's Row (View 8). In these views, the proposed tall building would create a high degree of visual impact, due to the relatively low scale of the buildings, the orientation of the roadways and the composition of the townscape around open public spaces or squares, which affords long views of the surrounding buildings. In views from Walcot Square in particular (Views 06A and

B), due to the proximity of the existing slender UNCLE tower, the proposed tall building would appear as a large and bulky feature on the skyline, merging with the existing UNCLE tower. In the view looking east (06A) it would also fall in the backdrop setting to the water tower, thereby removing the clear sky behind the water tower and making its form more difficult to discern in this view. In the view from St Mary's Garden (07), the proposed building due to its form would also appear bulky in the skyline. In the views from the Elliot's Row Conservation Area from Hayle Street (View 8), the proposed tall building would appear dominant at the end of the street due to the scale and bulk of the proposed tower.

48 Having regard to the applicant's views assessment and the statutory and policy framework set out above, GLA officers consider that the proposals would result in harm to the significance of the conservation areas assessed above, the listed buildings in Walcot Square and the listed water tower. However, this harm is considered to be 'less than substantial'.

Public benefits of the proposal.

49 In accordance with the NPPF policy where a development leads to 'less than substantial harm,' the harm should be weighed against the public benefits of the proposal.

50 While GLA officers consider that the proposals result in an improvement upon the existing setting of the Grade II listed Masters House building with new pedestrian links and a series of landscaped areas of public realm, the applicant should further demonstrate how the materiality, form and proportions of the surrounding buildings (most notably the listed Masters House and Water Tower) have been carried through into the architecture of the proposed tower and its base. Please also refer to the urban design section of this report.

51 The proposed development provides some public benefits in terms of bringing the vacant site back into use, improving the immediate setting of the Masters House through public realm improvements and new pedestrian links, potentially sustaining the permanent provision of a community asset, and providing a significant number of affordable homes. However, for GLA officers to conclude that the public benefits delivered by the scheme outweigh the harm caused, as raised in this report, the proposal should demonstrate exemplary design in terms of residential quality, quality of the public realm and residential amenity, including play space, mitigating its impact on local townscape and detailing of architecture as suggested in the urban design section of this report. It should also demonstrate that the future of the Cinema Museum over the long term can be sustained and that it will deliver genuinely affordable homes.

52 In coming to this conclusion, GLA officers have had regard to the statutory duties in relation to listed buildings and conservation areas set out in paragraphs 41 – 48 above and have given considerable importance and weight to the harm caused to heritage assets.

Strategic Views

53 London Plan Policies 7.11 and 7.12 and Policies HC3 and HC4 of the Intend to Publish London Plan identify strategically important views and state that development should not harm and seek to make a positive contribution to the characteristics, composition and landmark elements of these views. The London Views Management Framework Supplementary Planning Guidance 2012 (LVMF SPG) provides detailed guidance on each of the management plans for assessing development in London's strategic views.

54 The site would fall within a number of LVMF views. These are: London Panorama Primrose Hill to St Paul's (4A.1), London Panorama: Waterloo Bridge looking upstream from the Westminster bank (15A.2); River Prospect Hungerford Footbridge looking upstream from the Westminster bank (17A.2); River Prospect Westminster Bridge looking upstream from the

Westminster bank (18A.3); and River Prospect Victoria Embankment between Westminster and Hungerford Bridges (20A.1).

55 The applicant has undertaken a townscape and visual impact assessment (TVIA) testing the impact of the proposed development on the above strategic views. The TVIA shows that in all of the views the proposed development would not detract from the Panoramas as a whole or impact on the viewer's ability to recognise and appreciate the views from the river or any strategically important landmarks as the proposals are either screened from view or will have a negligible impact. This is in accordance with the LVMF guidance.

Urban design

56 The design principles in Chapter 7 of the London Plan and Chapter 3 of the Intend to Publish London Plan place expectations on all developments to achieve a high standard of design which responds to local character, enhances the public realm and includes architecture of the highest quality that defines the area and makes a positive contribution to the streetscape and cityscape. The Intend to Publish London Plan Policy D9 states that tall buildings should only be developed in locations that are identified in Development Plans. To date Lambeth Council has not carried out this exercise in this location.

32 In line with the Intend to Publish London Plan Policy D2, the applicant should undertake design reviews and GLA officers would welcome the submission of any written advice and any resulting design amendments as part of the planning submission.

Site layout

57 The provision of a new north east to south west pedestrian connection across the site is welcomed, however, the applicant should improve the legibility and openness of this pedestrian route through the site. As currently presented the colonnade at the base of the tower restricts the ability to create sightlines through the site, impacting on legibility and perception of being a publicly accessible route.

58 The footprint of the tower raises concern and the inclusion of the colonnade is at odds with the surrounding urban grain/character and creates an overbearing sense of enclosure. Options should be explored for reducing the tower footprint and removing or reducing the extent of colonnade coverage to achieve a more successful balance of public realm and building frontage.

59 The V-shaped columns at the base of the tower appear visually obtrusive in ground level views and they should be pared back to create a more elegant solution to how the tower meets the ground while allowing an improved sense of openness/views through the site. The height of the colonnade should also be increased as far as possible.

60 The landscaping strategy would benefit from further work with focus placed on creating zones of genuinely usable playspace, community links with the Cinema Museum and residential amenity.

61 The flank wall of the linear block presents a blank frontage onto the entrance into the site and options for providing an entrance to it to help animate the public realm and/or introduce green walling to link with the landscaping should be explored.

Height and massing

62 A 29 storey tower (Building B) with a lower 3/4 storey linear building (Building A) are proposed on the site. The massing of the proposed tall building (Building B) has been split down into two distinctive forms with the north/north western portion of the building stepping

down by 5 storeys. The proposed tower will have a noticeable presence in the townscape, introducing a taller and larger feature within the wider area and the skyline. In the townscape views provided in the HTVIA, the proposed tower, due to its proportion and form appears bulky in the views, resulting in negative visual impacts on the local townscape and surrounding listed buildings and conservation areas.

63 While the proposed height of the tall building is broadly consistent with the context of the neighbouring Elephant and Castle tall buildings cluster and raises no strategic issues subject to micro-climate/daylight/sunlight analysis, the massing of the proposed tower raises concerns because of its proportion and form. The bulk of the tower should be slimmed down to free up space at ground level to improve the public realm and residential amenity, improve residential quality, reduce the visual impact on the townscape and create an elegant building form on the skyline particularly when viewed in conjunction with the existing UNCLE tower

Architecture

63 There is no obvious connection between the proposed architecture and the historic character of the site's context. The applicant should consider how the materiality, form and proportions of the surrounding buildings (most notably the listed Cinema Museum and Water Tower) can be carried through into the architecture of the base of the tower. This might include introducing a datum at the base of the tower that aligns with the predominant scale/roofline of existing buildings.

64 The final appearance of the proposals will be subject to the quality of the materials and detailing. A condition should therefore be attached by the Council to secure key construction details and facing materials to achieve the highest design quality.

Fire safety

65 In accordance with Policy D12 of the Intend to Publish London Plan, a fire statement, produced by a third party suitable qualified assessor should be submitted.

Inclusive design

66 London Plan Policy 3.8 and the Intend to Publish London Plan Policy D5 requires that at least 10% of units within new build schemes are wheelchair accessible and the remaining 90% are wheelchair adaptable. The scheme has been designed so that 10% of all units will be available as wheelchair accessible across tenures. It is proposed that the wheelchair units are located in Block B and have varying unit sizes. The Council should secure M4(2) and M4(3) requirements with plans showing the location and number of wheelchair accessible/adaptable flats. Consideration should be given to including wheelchair accessible units in the tower as well, to provide a full choice of accommodation to disabled occupiers. Further comments in relation to the pedestrian environment and parking for disabled persons is provided in the transport section of this report.

Climate change

Energy

67 The applicant has submitted an energy assessment in accordance with London Plan Policy 5.2 and the Intend to Publish London Plan Policy SI2. The proposed strategy is generally supported, however, the applicant should submit further evidence to support the savings claimed and ensure compliance with London Plan and the Intend to Publish London Plan policies. In summary: further energy efficiency measures should be investigated; further information on the risk for overheating should be provided and justification should be given that the overheating models represent the worst case; an investigation of waste heat

opportunities should be undertaken; a commitment to ensure that the development is designed to allow future connection to a district heating network should be provided; further information on the proposed communal heat network and proposed heat pumps is also required and PV should be included on all suitable roof space. As the domestic buildings are required to meet the zero carbon target in line with the Intend to Publish London Plan Policy SI2, the applicant should ensure that the remaining regulated CO₂ emissions, equivalent to 71 tonnes of CO₂ per annum, is met through a contribution to the borough's offset fund. Full details of the outstanding issues relating to energy have been provided directly to the applicant and Council.

Water

68 The site is in Flood Zone 3, in an area benefitting from River Thames tidal defences. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF. However, the Flood Risk Assessment provided for the proposed development does not comply with London Plan policy 5.12 and the Intend to Publish London Plan policy SI.12, as it does not give appropriate regard to residual flood risks, and the need for resistance and resilience measures. The residual risk of flooding to ground floor dwellings should be more clearly explained and specific resistance and resilience measures proposed to manage this risk. Where the residual risk is too great to be managed by such measures the proposed ground floor dwellings should be relocated or reconfigured.

69 The surface water drainage strategy for the proposed development does not comply with London Plan policy 5.13 and the Intend to Publish policy SI.13 as it does not give appropriate regard to the drainage hierarchy. The applicant should provide plans showing additional green infrastructure-based SuDS.

70 The proposed development generally meets the requirements of London Plan policy 5.15 and the Intend to Publish London Plan policy SI.5. The applicant should also consider water harvesting and reuse to reduce consumption of wholesome water across the entire development site. This can be integrated with the surface water drainage system to provide a dual benefit.

71 The applicant should embed urban greening as a fundamental element of site and building design, in line with London Plan policy 5.10 and the Intend to Publish London Plan Policy G1 and G5. Features such as street trees, green roofs, green walls and rain gardens should all be considered for inclusion. The applicant should calculate the proposed development's Urban Greening Factor, as set out in Policy G5 of the Intend to Publish London Plan, and aim to achieve the specified target.

Equalities

72 The 2010 Equality Act places a duty on public bodies, including the GLA, in the exercise of their functions, to have regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines the protected characteristics, and in this case those of disability and age are of particular relevance. For the avoidance of doubt, GLA officers have had due regard to the duty under the Equality Act 2010 in the consideration of this case. As set out in paragraph 17 – 19 above, the applicant has demonstrated that the closure of the Woodlands nursing home is part of an agreed programme of service reconfiguration and that the facility is no longer needed.

Transport

Healthy Streets

73 The site is accessed by foot and cycle using existing roads from George Mathers Close, Renfew Road and Longville Road. Renfew Road and Longville Road are 'shared spaces' between pedestrians, cyclists and vehicles. Renfew Road will serve the cinema museum along with 5 blue badge spaces, with Longville Road providing access to the other 4 blue badge spaces. The pedestrian-only access from George Mathers Close is welcomed, along with the elimination of rat running through the site.

74 A pedestrian 'safe' zone through the site should be established, using a visible change in materials, and visible segregation from cars using raised kerbs or landscaping so that pedestrians with additional accessibility needs can safely navigate the site at all times, even when there is vehicle activity. This route should go past the disabled parking. Pedestrian space should be clearly marked using a change in material. Further details of pedestrian and cycle routes, along with materials should be provided in the Design and Access Statement before the application is referred back to the Mayor at Stage 2.

75 Legible London signage should be integrated into the site, way-marking the site and Cinema Museum. The integration of signage into the site was discussed at the pre-application stage. A sum of £15,000 should be secured in the s106 agreement to fund two new signs and three local map updates.

Trip Generation and Impact

76 Trip rates have been sourced from TRICS to estimate the trip generation for the development, however sites have been selected within suburban locations that are further from the CAZ and are not representative of the site location characteristics. The site is close to Elephant and Castle, and as such 'Edge of Town Centre' sites within TRICS would be considered more applicable. Therefore, the impact of the development on the transport network is underestimated. The trip generation should be revised accordingly to confirm the development impact.

Cycle Parking

77 The applicant is providing a total of 411 long stay spaces and six short stay spaces, which is compliant with the Intend to Publish London Plan minimum standards. However, the applicant is providing 90% of these spaces as 'X Type Racks' with only 10% Sheffield stands. The proportion of cycle parking spaces provided as 'X Type Racks' should be reduced to encourage cyclists of all abilities to use the cycle parking. A minimum of 25% of cycle parking provided should be Sheffield stands at the conventional spacing of 1.2 metres. A further 5% of the parking should be Sheffield stands spaced more widely (1.8 metres between stands) to accommodate larger cycles.

78 The applicant should ensure that all doors to access long stay cycle parking are electrically opened with a minimum opening of 1000mm, and that lifts to access the storage are a minimum of 1.2 metres by 2.3 metres, as set out in the London Cycle Design Standards (LCDS).

Car Parking

79 The development will only provide car parking for disabled persons, which is strongly supported. The Intend to Publish London Plan requires blue badge parking to be provided for 3% of dwellings from the outset and evidence that an additional 7% can be provided if there is demand. This equates to the provision of 8 blue badge parking spaces from the outset,

with evidence that a further 10 can be provided subject to demand. Evidence should be provided to show that the additional 7% of spaces can be accommodated. Given the small number of parking spaces, all should be provided with electric charging capabilities.

Servicing and Construction

80 A full Delivery and Servicing Plan (DSP) should be secured by condition, along with a detailed Construction Logistics Plan (CLP). These documents should be prepared in line with TfL guidance. The applicant should engage with the Elephant and Castle Development Forum, which aims to minimise the impacts of development in the area and is jointly led by LB Southwark and TfL.

Mitigation

81 Based on the predicted impact of the site, a contribution of £150,000 is requested to fund the provision of a cycle hire docking station in the area. This is due to a gap in the cycle hire network in this location. The applicant should also provide a three year cycle hire membership to the developments first residents (one fob per household), in line with the Mayor's Transport Strategy goals.

82 Although the site is in Lambeth, the nearest London Underground station is in Elephant and Castle in Southwark. This application is predicted to have a significant impact on the station's capacity. The Elephant and Castle SPD requires growth in the area to be accommodated by a new ticket hall for the Northern line (NLTH) at Elephant and Castle station, which TfL is currently at advanced stages of planning. All developments in the Southwark part of the OA contribute to the NLTH, originally via a strategic transport tariff, latterly through the borough CIL. The development will add directly to peak hour demand at Elephant and Castle LU station, and will benefit directly from the NLTH. A contribution should therefore be secured. As such, using the SPD strategic transport tariff as a guide, the development should contribute £2 million towards the NLTH.

83 The Mayoral CIL rate for Lambeth is £60 per square metre. The full CIL amounts should be confirmed by the Council.

Local planning authority's position

84 Lambeth Council officers are still assessing the scheme. A committee date for the application has not yet been set.

Legal considerations

85 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

86 There are no financial considerations at this stage.

Conclusion

87 London Plan policies on Opportunity Areas, visitor infrastructure, housing and affordable housing, heritage, urban design, inclusive access, environment and transport are all relevant to this application. Having regard to these policies the application complies with some of these policies but not with others as per the schedule below:

- **Principle of development:** The principle of the redevelopment of this under-utilised site on the edge of the Elephant and Castle Opportunity Area, the CAZ and Elephant & Castle major town centre is strongly supported. The agreed terms to secure the Cinema Museum's long-term future should be secured in the s106 agreement.
- **Housing:** 50% affordable housing by habitable room with a tenure split of 31% affordable rent and 69% shared ownership is proposed. At present, the scheme cannot follow the Fast Track Route before confirmation on the level of public subsidy is provided, along with Lambeth Council's agreement to the proposed tenure split. Further information on the rent levels for the affordable rent units should be provided. The scheme is therefore currently following the Viability Tested Route and officers are scrutinising the viability assessment to ensure the maximum quantum and affordability of the affordable housing. Early stage and (should the scheme not follow the Fast Track Route) late stage viability reviews must be secured. The residential quality should be improved and useable play space should be provided.
- **Heritage:** The proposed development provides some public benefits but the harm caused to the heritage assets should be outweighed by further public benefits, including the delivery of a scheme of exemplary design in terms of visual impact on townscape, quality of the public realm and residential amenity and detailing of architecture; securing a long term future for the Cinema Museum and the provision of genuinely affordable homes.
- **Urban design:** While the proposed height of the tall building is broadly consistent with the context of the neighbouring Elephant and Castle tall buildings cluster and raises no strategic issues subject to micro-climate/daylight/sunlight analysis, the massing of the proposed tower raises concerns because of its proportion and form. The bulk of the tower should be slimmed down to free up space at ground level to improve the public realm and residential amenity, improve residential quality, reduce visual impact on townscape and create an elegant building form on the skyline particularly when viewed in conjunction with the existing UNCLE tower.
- **Inclusive design:** The Council should secure M4(2) and M4(3) requirements with plans showing the location and number of wheelchair accessible/ adaptable flats.
- **Climate Change:** Further evidence is required to support the savings claimed and ensure compliance with London Plan and Intend to Publish London Plan policies. A contribution to the borough's offset fund should be secured. Further information on residual flood risks, the proposed surface water drainage strategy, and urban greening is required.

- **Transport:** The applicant should provide more information regarding trip generation and the movement of pedestrians and cyclists through the site. Financial contributions of £150,000 to fund the installation of cycle hire facilities in the area and £15,000 towards Legible London signage and £2 million toward the new Northern Line Ticket Hall (NLTH) at Elephant and Castle London Underground station are required.

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