



**LONDON BOROUGH OF LAMBETH**

**Planning, Transport and Development**

**Sustainable Growth and Opportunity**

**Civic Centre, Planning, Transport and Development, 3rd Floor, 6 Brixton Hill, London, SW2  
1EG**

**REBUTTAL**

**Doug Black**

**Town and Country Planning (Inquiries Procedure) (England) Rules 2000**

**Appeal by: Anthology Kennington Stage**

**Appeal site: Woodlands Nursing Home, 1 Dugard Way, LONDON SE11 4TH**

**Planning Inspectorate reference: APP/N5660/W/20/3248960**

**LB Lambeth Reference: 19/02696/FUL**

**06 November 2020**

**Policy Q26**

1.1 In para 5.38 Dr Miele expresses the view that the Lambeth tall building policy 'is a light touch, generally permissive' when compared to approaches elsewhere. I do not have the oversight of policy elsewhere to comment on the comparison drawn but what I can say is that Policy Q26 is robust and its range of requirements - which include amongst other things, that the tall building make a positive contribution to its local context, and cause no heritage harm - are essential if good placemaking is to result.

1.2 One example of a successful outcome resulting from the approach is the Shell Centre redevelopment off-site affordable housing provision at Lollard Street, Kennington. Here the Ethelred Estate dates from the 1960s and at Lollard Street comprised three tall buildings and significant podiums which created a physical barrier to natural permeability along the eastern edge of the Estate.

1.3 The scheme allowed the podiums to be replaced with new terraced housing along conventional street frontage and a 16 storey tower was well-integrated into the existing context. The scheme also re-provided the local day care nursery with modern, fit-for-purpose facilities. A fragmented post-war environment was improved and no heritage harm resulted. The scheme met all the requirements of Policy Q26.

1.4 Therefore, whilst Policy Q26 is accommodating of tall building development it does not operate so as to accommodate a 'free-for-all'. Instead, the policy is written to accommodate those instances, such as that illustrated at Lollard Street, where tall buildings can be brought forward in a policy compliant manner. In my experience those instances are rare.

1.5 It is worth noting too that the emerging Policy Q26 approach in the DRLLP takes a stricter line on tall buildings outside locations that are identified as appropriate for tall buildings. See Policy Q26 (b) and (b) (i). This stricter approach is in part responding to Historic England's concern that the existing policy's approach might be exploited, but also in order to reinforce the importance of good placemaking outcomes.

**Tall Buildings – General Point**

2.1 In relation to the effect on the Walcot CA, Dr Miele states:

*'8.39 I note, furthermore, that in other parts of the Borough there are similar views out from enclosed environments to larger buildings. 8.40 This is the effect recognised, I believe, by the Borough from development within the Waterloo Opportunity Area from the Roupell Street CA. I have direct experience of this from advising on the Elizabeth House proposals (application ref. 12/01327/FUL).'*

2.2 The Roupell Street CA experience referred to by Dr Miele does not warrant direct comparison to the effect of Block B on Walcot Square or St Mary's Square. I consider this a townscape consideration in its broadest sense rather one related solely to heritage settings.

2.3 The narrow streets of the Roupell Street CA are linear and enclosed by uniform rows of listed housing. As a result views are channelled up and down to west and east. The Westward view is of the planned tall building cluster formed of the three visible Casson Square towers (Shell Centre podium redevelopment), and the existing Elizabeth House (with consent for a larger replacement). These tall buildings read as a tight cluster standing well beyond the end of the narrow canyon formed by the historic housing. I consider the townscape effect of the distant modern buildings and the foreground historic buildings to be successful and this is due in part to their terminating role in the vista, and their understated design / recessive stone treatment. See image from Theed Street below figure 1.



Figure 1 – Theed Street

2.4 In contrast the relationship of Block B to its townscape generally is very different. Firstly, it has a much more immediate and dominant relationship to the Renfrew Road Conservation Area.

2.5 Secondly, when terminating the view down Hayle Street it is a totemic, solitary form rather than part of a coherent cluster. Thirdly, Block B looms behind the historic houses enclosing Walcot Square and St Marys Gardens rather than forming part of a coherent cluster composition at the end of the vista. Finally, the cluster seen at the end of Theed Street has an important place making role – it announces very precisely the location of Waterloo Railway Station and is within the Waterloo Opportunity Area.

### **Site Context**

3.1 Mr Graham’s Vu-City model on page 50 of his evidence illustrates how the plan-led system is delivering distinct, focused clusters of tall buildings in strategic locations. The extract shows the emerging clusters at Waterloo, Blackfriars Road, and the Elephant and Castle. The model also illustrates the extensive low-rise context to the west of the Elephant cluster. It is in this low-rise context in which Block B is proposed. I reproduce it below as Figure 2.



Figure 2

3.2 Mr Graham's Vu-City model on page 50 of his evidence then adds the proposal to the model. See Figure 3 below.



Figure 3

3.3 The proposed Block B is clearly apart from the Elephant and Castle cluster and is very much stand-alone within its extensive low-rise context to its north and west.

3.4 In his 6.15 Dr Miele states that '*from the point of the character of the area, the OA and borough boundaries have no perceptual reality.*'

3.5 I agree that the borough boundaries have no perceptible reality – the low-rise Pullen's character area flows seamlessly into Lambeth's low-rise townscape.

3.6 However, as illustrated by the VU City models, when completed the tall building cluster of central Elephant Castle OA will have its very own perceptible reality– the cluster's concentration of tall buildings will be distinctly different from the wider low-scale context on the west and south west. This is a conscious act of place making on Southwark's part. The OAPF SPD states:

*2.3.6 Built environment: Attractive neighbourhoods with their own character*

*• The redevelopment of the area that took place after the war has left a legacy of monolithic single use structures such as the shopping centre, London College of Communication, Perronet House and the Heygate estate and a traffic dominated road network that severs neighbourhoods and creates hostile public realm. However, the opportunity area is very diverse in its character. As well as containing over 150*

*listed buildings and structures, there are three conservation areas, St George's Circus, West Square and Pullens estate.*

*• The many development opportunities in the area create the potential to transform the environment in areas such as around the Heygate estate and shopping centre while reinforcing those areas which have got a positive and distinctive character. There are opportunities for tall buildings which can add interest to the skyline and mark the area's importance as a central London location, but care must be taken to ensure that these do not detract from London's heritage.*

### **3.2.9 Theme 5: Built environment: Attractive neighbourhoods with their own character**

*• Promote a high quality public realm which is safe, secure and attractive.*

*• Ensure that the design, scale and locations of new buildings contributes to reinforcing and creating neighbourhoods which have distinctive character and a sense of place.*

*• Promote the highest design and architectural quality in new and refurbished buildings commensurate with the role of the area as a southern gateway to Central London.*

*• Create a positive identity for the town centre which reflects its status as a major destination in south London and potential to appeal to a wide catchment.*

*• Conserve and enhance the historic environment and use the heritage of places as an asset to promote positive change.'*

3.7 Block B, having strayed well beyond the confines of the planned cluster, will weaken the cluster composition, and harm the established character of its low-rise context. It does not accord with the sound principles of Southwark's vision.

3.8 In para 6.8 Dr Miele stresses that the local character is 'varied in the extreme', Mr Graham asserts in his 12.3.2 that *'the site is unequivocally located in an area that is undergoing positive change'*.

3.9 These statements are generalisations that do not reflect the reality on the ground. The site is near the Elephant and Castle Opportunity Area which is undergoing positive change. However, the site itself is located in a different area, one which is not earmarked for

such change. When the low-rise Elliotts Row CA, Renfrew Road CA, Walcot CA and West Square CA are considered collectively they form a townscape of great consistency which are joined to the application site by similarly low-rise housing on Gilbert Road, Dante Road, Castlebrook Close and Renfrew Road. Collectively this is a significant area of consistent low-rise residential townscape which reads as a clearly separate place from the emerging tall buildings cluster of the Elephant and Castle central area. This is acknowledged in Southwark's OAPF SPD (Para. 4.5.16), which states that the Pullens character area was not appropriate for tall buildings.

### **Scale of Block B**

4.1 In para 6.26 Dr Miele states *'on first consideration, the dramatic difference in scale struck me on my first review of the proposals'*.

4.2 To use an adage 'First impressions last'. The 'dramatic difference in scale' which results from Block B is jarring; and it is likely to remain so. Southwark's policy position is clear - that it will not support tall building development in the Pullens Character Area, so it is unlikely that a tall building there might come forward to better anchor Block B to the cluster. Furthermore, tall building development is unlikely within the Elliot Row CA, Walcot CA, West Square CA or Renfrew Road CA or within the other tightly grained residential area around the site in Lambeth. Block B's 'dramatic difference in scale' is therefore unlikely to be softened by future development in Lambeth either. Its enduring contribution to local townscape will be an isolated and jarring one. This is well illustrated by images 4.27 and 4.28.

### **Setting of Heritage Assets**

5.1 In his paragraphs 7.38 – 7.44 Dr Miele identifies what he considers to be benefits to the setting which he states in para. 7.44 'go some way to off-setting the harm'. I disagree with his conclusion as I consider the effect of the benefits he identifies to be negligible when compared to the adverse visual effect of Block B.

5.2 Dr Miele in his paragraph 10.6 draws comparison with the case at 8 Albert Embankment. I do not consider these cases to be comparable. The scheme for no. 8 Albert Embankment brings public benefits far in excess of those offered by this proposal (443

residential units, a new fire station, a hotel, a museum, business and commercial floorspace. The Council considered those benefits to outweigh the heritage harm. No. 8 Albert Embankment is also located within an opportunity area characterised by tall buildings.

5.3 Dr Miele's paragraph Section 10 suggests the Council is unreasonable in considering development in the backdrop of the Grade I Palace to affect its setting. I disagree. The approach is well established, especially for Grade I listed buildings. For example, many of the LVMF River Prospect views of the Grade I listed Palace of Westminster have a protected silhouette and London Plan policy is clear that any development affecting that silhouette should be refused. The reason for the protected silhouette is recognition of the contribution the silhouette makes to the significance of the heritage asset. There are similar protected silhouettes of the Grade I listed St Paul's Cathedral. The Council recognises this through local view designation.

### **Elliots Row Conservation Area**

6.1 Dr Miele states in his para 6.128: *'I note that the Council allege no harm to this asset in its SoC, and agree.'*

6.2 I acknowledge that I have erred in relation to this conservation area. I mistakenly assumed that the whole of Hayles Street was within Southwark's West Square CA. However, only the northern part is within West Square CA and the remainder is within the Elliotts Row CA. Depending on the view location the viewer will be in one CA or the other. However, the effect will be the same.

6.3 At Hayles Street the broad, soaring form, viewed obliquely at the end of the street will be particularly dominant. This can be seen in the Appellant's View 8. However, it should be noted that the view location is on the western side of Hayles Street. Should the viewer cross the road the visual effect will be greater, as the whole building will be visible. The effect is negative.

6.4 The Elliotts Row CA is relatively modest and comprises of a handful of north – south streets and Brook Drive running west to east. The proposal is at its most dominant from Hayles Street. The result is less than substantial harm.

## **Existing Permeability**

7.1 In his para 6.57 Dr Miele states *'First, I think it will be common ground that opening up the site for public access benefits the way the area functions, increasing permeability'*.

7.2 As stated in my proof, I disagree with this. As a general principle permeability is desirable but only if the routes actually contribute something meaningful.

7.3 In para 7.65 Dr Miele states : *'I note that the experience of the CA from Renfrew Road is linear and relatively contained. Visibility and interaction with the interior part of the CA, centred on the Master's House, is limited from the west to fleeting views. I anticipate that the convoluted route through the residential development deters pedestrians from walking through the CA, limiting public engagement.'*

7.4 It is my understanding that Dr Miele is referring the existing route from Dante Road to Renfrew Road via George Mathers Road. He suggests the route is 'convoluted' and as a result likely to deter pedestrians. I disagree.

7.5 Even if I was to agree with Dr Miele that the existing route is convoluted, I do not consider that the addition of a second public route here would offer much in the way of a public benefit. If the existing route is convoluted then so too is the proposed new route, which has numerous turns. Mr Graham's illustration 7.03 (page 60, Section 7) shows both routes together.

7.6 From my working knowledge of the area, the existing route is a very useful one for anyone walking from the west because it provides them with an almost direct route into Elephant and Castle. See my crude illustration below:

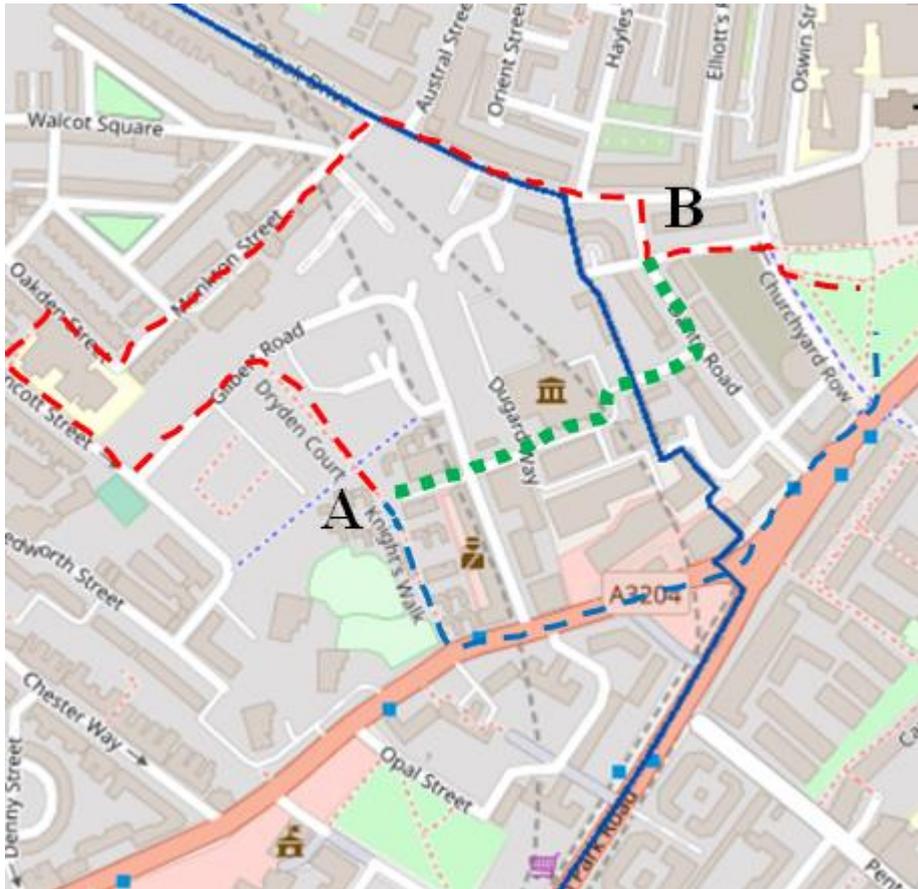


Figure 4

7.7 Anyone wishing to walk from Knights Walk (A) to Elephant and Castle (B) has three choices. Route 1 (red dotted line) is a long, circuitous route along Gilbert Road, Wincott Street, Bird Walk (an alleyway), Oakden Street, Sullivan Road, and Brook Drive. Route 2 (blue dotted line) is much shorter but along the heavily trafficked Kennington Lane. Route 3 (green dotted line) is the one through the conservation area. It is the most direct.

7.8 Not only is the existing route of great public benefit, it also allows the public to pass through the interior part of the RRCA. From Renfrew Road to the Dante Road / Longfield Road junction they pass through the locally listed gateway (where they gain the best view of the Masters House (my Figure 6) and then along a tree lined walk to George Mather's Road where they step out in the best location to appreciate the Water Tower (my Figure 11). This is a pleasant townscape. Along this route there is lots of natural surveillance and George Mather's Road and Dante Road offer conventional street arrangements with passing cars and on-street parking. A pedestrian taking this route passes 14 residential front doors / communal entrances and numerous ground floor flats and houses.

7.9 It may be that a stranger to the area may see the historic gateway from Renfrew Road and conclude that it still serves a secure campus with no through route. However, that conclusion might be similarly met by anyone approaching the proposal's new route from Longfield Road as it too will be framed by gate piers. The existing route into George Mathers Road has no such gateway and has very much the appearance of a conventional street, so is less likely to deter strangers seeking a route from east to west.

### **Walking Routes**

8.1 Illustrations 5.10 and 5.11 have been usefully provided by the applicant to illustrate walking routes and distances from local stations to the Cinema Museum and the distances covered. However, in 5.10 only the yellow route reaches the Museum's only entrance. The other routes inexplicably end at the Water Tower. Similarly, on map 5.11 the blue route inexplicably terminates at the water tower while the others make it to the Museum entrance. Had the blue route destination been the Cinema Museum entrance it would have taken a short cut at George Mathers Road rather than follow the route it does.

8.2 As it stands these maps are inaccurate and slightly misleading. For the purposes of comparison, all routes should end at the same place – either the Cinema Museum's entrance or at a single, central point within the site.

### **The New Route**

8.3 Mr Graham's illustration 7.03 (page 60, Section 7) suggests that the established route from Renfrew Road to Dante Road via George Mathers Road will be a 'secondary pedestrian route'. It shows also the relatively modest extent of the 'residential gardens' on the site in relation to the extensive public realm. The yellow servicing area is located right beside the public realm dedicated for childrens' play.

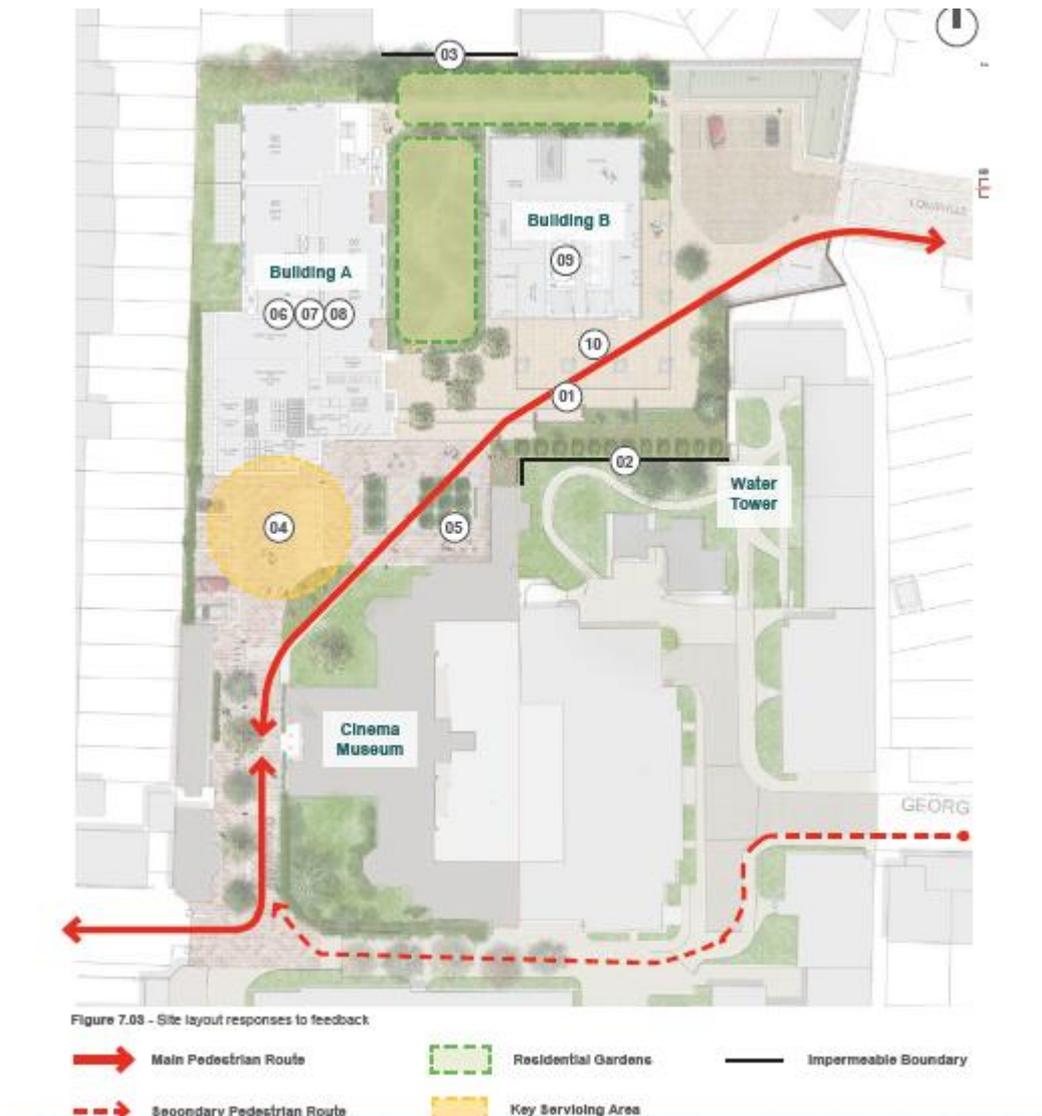


Figure 5

8.4 The illustrations on pages 64, 65, 66, 68 and 71 (Section 8) of Mr Graham’s proof do not persuade me of the legibility of the pedestrian route, assure me that there will be sufficient natural surveillance, or that the diagonal columns are appropriate. For example, in image 65 the diagonals restrict visibility much more than a conventional structural pillar would.

8.5 The plan on page 101 (Section 09) illustrates that at ground level the natural surveillance of the public route is largely dependent on the views out from the residential lobbies of both buildings. Residential lobbies and lift lobbies are generally not occupied for any amount of time therefore the surveillance benefit from them, I would say, is quite limited.

This illustration also shows how the pedestrian is expected to wend their way through the diagonal structural columns.

8.6 Illustration 9.59 shows a public route passing beneath a building. That building has conventional vertical piers in line with its façade which allow very clear views along the route ahead. Compare this to Mr Graham's image 65. Similarly, Mr Graham shows diagonal columns lining / defining a route in figure 9.71 but in contrast to that figure, the proposed columns here obstruct the proposed desire-line along the route.

8.7 I note that textured paving is suggested as a solution around the diagonal columns in order to make them safe. I assume that it will take the form of deterrent paving shown below.



Figure 6

8.8 I do not think this treatment will be effective for the visually impaired who use sticks (the stick sweeps above the footway) unless the deterrent paving area is large enough to be felt underfoot before the stick passes beneath the obstruction.

8.9 An alternative measure that is all too common in these circumstances is the guardrail / barrier. As the photographs below show. Whilst Mr Graham is not proposing it, it may turn out to be a necessity should the scheme be built.



Figs 7 and 8

8.10 Deterrent paving and barriers are symptoms of poor design rather than solutions to it. The diagonal columns are unnecessary physical and visual obstructions.

### **Natural Surveillance**

9.1 I note Mr Graham's comment in his 12.5.11 that views from the accommodation in Block B will provide natural surveillance towards Dante Road and Longville Road and that vehicle movements will activate the route. I understand the point he is making but consider that for surveillance to be effective in terms of community safety it needs to be along a route at ground and first floor levels where occupiers have an immediate relationship with the route and can readily engage with activity on the street should they feel compelled to. The elevated occupants of towers are removed from the activity on the ground by the height and their ability to directly intervene is much reduced as a result. For example, if there was an incident, such as a mugging, on George Mather's Road the occupiers of ground floor flats, if roused, could easily step out of their homes and intervene. The occupiers of Block B if they were to witness such an incident, could not so easily intervene.

9.2 Given the size and nature of the servicing / parking area off Dante Road I can't imagine it would generate much, if any vehicle movement late at night.

### **Landscape /Amenity Space**

10.1 I note Mr Farrer's 'refinements' of the landscape. However, the refinements do not address the fundamental flaws with the scheme. Primarily, that the space has been designed as a public realm route to the Cinema Museum and that amenity and playspace needs of the occupiers are merely accommodated within that space. This is clear illustrated in Mr Farrer's figure 2 where the areas for 'neighbourhood 5 to 11' and 'youth 12+' are overlaid on areas of public realm directly traversed by the desire line of the public desire line through the site as illustrated in Mr Farrer's Figure 4. The amenity value of the whole space to residents is significantly diminished by the design focus on the misplaced desire to provide a public route, and the fact that all of spaces are accessible to the public and free for public use. In residential schemes the needs of residents should be the primary design objective.