

ADDRESS:	Woodlands Nursing Home, 1 Dugard Way, London, SE11 4TH
Application Number:	19/02696/FUL
Ward:	Princes
Proposal: Redevelopment of the former Woodlands and Master's House site retaining the Master's House and associated ancillary buildings; demolition of the former care home; the erection of 29 storeys building and peripheral lower development of 3/4 storeys, 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.	
Applicant:	Neil Sams, Anthology
	Agent: Donald Considine, tp bennett

NOTE:

An appeal against non-determination was submitted in March 2020. The appeal was accepted by the Planning Inspectorate and given a start date of 6TH May 2020. The appeal (ref. APP/N5660/W/20/3248960) is currently listed to be dealt with by way of Public Inquiry. The Public Inquiry has been scheduled to take place on the 17th November 2020.

In circumstances where there is an appeal against non-determination, the local planning authority loses the power to determine the application. The purpose of this report is to set out the local planning authority's assessment of the planning application and its recommendations had it still been empowered to determine the application. The report and its recommendations herein will provide the basis on which the local planning authority will support its case at the appeal.

RECOMMENDATION:

1. Had the local planning authority been empowered to determine the application, planning permission would have been refused for the reasons as stated separately below;
2. Recommendation (1) informs the local planning authority's position on the appeal; and
3. In light of the report and its reasons for refusal (Recommendation 1), conditions and planning obligations be negotiated during the course of the appeal in order to meet the requirements of the Planning Inspector.

INDICATIVE REASONS FOR REFUSAL:

Inadequate Affordable Housing Tenure Mix

1. The proposed affordable housing split at 31%/69% (by habitable room) and 21%/79% (by unit) in favour of intermediate tenure does not comply with council's policy which requires a 70:30 split in favour of social and affordable rented tenure in order to meet the housing needs of the borough. The applicant's supporting viability information does not adequately justify the development's inability to support the maximum reasonable amount of affordable housing in respect to a policy compliant tenure mix. As such the proposal would not be in accordance with the National Planning Policy Framework (NPPF) (2019) Chapter 5, and development plan policies including London Plan Policy 3.11 (MALP 2016); Policy H5(C) and H6(A2) of the Intend to Publish London Plan (December 2019); Lambeth Local Plan Policy H2(a)(iii) (2015) and Draft Revised Lambeth Local Plan Policy H2(v) (Submission Version January 2020).

Affordability of Intermediate Shared Ownership

2. The proposed development has failed to demonstrate that the provision of intermediate shared ownership in this location would be genuinely affordable to future tenant occupiers in accordance with the income thresholds in Lambeth's Tenancy Strategy. Accordingly, it would be contrary to Policy 3.10 of the London Plan (MALP 2016); Policies H4 and H6 of the Intend to Publish London Plan (December 2019); Policy H2 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policy H2 (Submission Version January 2020).

Inadequate Residential Unit Size Mix

3. The proposed development would provide a private market residential unit mix that disproportionately overprovides for smaller households with no family-sized accommodation. In addition, the lack of one bed sized units in the social rented element does not provide for the full range of affordable housing needs in the borough. This is inadequately justified and therefore does not comply with the objectives of ensuring mixed and balanced communities through a range of dwelling sizes to meet housing need, including family sized housing. The proposals would therefore be contrary to Chapter 2 of the National Planning Policy Framework (NPPF) (2019); Policy 3.8 of the London Plan (MALP 2016); Policy H10 of the Intend to Publish London Plan (December 2019); Policy H4 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policy H4 (Submission Version January 2020).

Inappropriate Design and Unacceptable Impact on Townscape

4. The proposed layout, height and massing relate poorly to the site itself and are also considered out of keeping with the site, its context and townscape and is symptomatic of over-development. The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes and forms an overbearing relationship to adjacent sites which in turn would cause harm to amenity. The scheme fails to achieve a high quality of architectural design in terms of its form, materials, and finished appearance and therefore does not make an overall positive contribution to area.. The

proposal is therefore considered not to be of the highest quality and would be contrary to NPPF (2019) Chapters 12 and 16 and development plan policies including London Plan (MALP 2016) Policies 3.4, 3.5, 7.4, 7.5, 7.6 and 7.7; Policies D3, D4, D6, D8, D9 of the Intend to Publish London Plan (December 2019); Policies Q1, Q2, Q3, Q5, Q6, Q7, Q14, and Q26 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q1, Q2, Q3, Q5, Q6, Q7 and Q26 (Submission Version January 2020).

Unjustified harmful impacts on the setting of heritage assets and insufficient public benefits

5. The proposed bulk, scale and massing of development would cause less than substantial harm to adjacent heritage assets which has not been justified and is not outweighed by the public benefits of the scheme. In particular, the 29-storey element by reason of its size, architectural design and choice of materials creates a dominant building form that amplifies its incongruousness with designated heritage assets. The heritage issues that arise as a result of the unsuitable development design are symptomatic of over-development. As such the proposals would be contrary to London Plan Policies 7.7 and 7.8; Policies D9, HC1 and HC3 of the Intend to Publish London Plan (December 2019); Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) (Submission Version January 2020).

Adverse Impact on Existing Residential Amenities (Daylight Effects to Habitable Rooms and Sunlight Amenity Effects to Gardens)

6. The proposed development, by reason of its scale and massing and proximity to neighbouring residential properties would have a detrimental impact on the residential amenity of the occupiers in terms of loss of sunlight amenity to gardens specifically at Castlebrook Close, Brooks Drive and George Mathers Road and loss of daylight amenity to habitable rooms especially at (Wilmot House) & (Bolton House) George Mathers Road, Castlebrook Close, Brooks Drive and Dante Road. As such, the proposal would be contrary to and Policy 7.7(D) (a) of the London Plan (2016), D9 (3) (a) of the Intend to Publish London Plan (December 2019); Policies Q2 (iv) and Q26 (vi) of the Lambeth Local Plan (2015) and Policies Q2 (iv) and Q26 (vi) of the Draft Revised Lambeth Local Plan (Submission Version January 2020).

Inadequate Residential Amenity For Future Occupiers Of Development

7. The proposed development, by reason of its density, scale, massing and resulting proximity would result in inadequate levels of residential amenity for future occupiers of Blocks A andB with specific regard to increased overlooking and loss of privacy including poor levels of daylight within habitable rooms of Block A. As such, the proposal would be contrary to Policy Q2 of the Lambeth Local Plan (2015) and Policy Q2 of the Draft Review Lambeth Local Plan (Submission Version January 2020).

Poor Quality Communal and Playspace Amenity

8. The proposed layout and design of communal amenity and playspace is inadequate in terms of its quality, safety and usability which in turn would result in a poor quality residential environment for future occupiers of the development. As such the proposals would be contrary to NPPF (2019) Chapters 2 and 12; London Plan Policies 3.5, 3.6;

Intend to Publish London Plan (December 2019) Policies D4 and D6; Mayor's Play and Informal Recreation SPG; Lambeth Local Plan (2015) Policies H5 and Q1 and Draft Revised Lambeth Local Plan Policies H5 and Q1 (Submission Version January 2020).

Flood Risk Safety

9. The applicant's submitted Flood Risk Assessment does not give appropriate regard to residual flooding risks in the event that the River Thames flood defences are breached. The finished floor levels for all sleeping accommodation have not been designed sufficiently above the relevant modelled breach flood level and does not give appropriate regard to the need for resistance and resilience measures. Accordingly, it has not been satisfactorily demonstrated that the development can be made safe for its occupiers and therefore fails to comply fully with the exceptions test for vulnerable sites/uses in accordance with paragraph 160 of the NPPF. Therefore the proposed development would be contrary to NPPF (2019) Chapter 14; London Plan (MALP 2016) Policy 5.12; Intend to Publish London Plan (December 2019) Policy SI 12; Lambeth Local Plan (2015) Policy EN5 and Draft Revised Lambeth Local Plan Policy EN5 (Submission Version January 2020).

Inadequate Residential Cycle Parking Design

10. The proposed cycle parking design by reason of providing an excessive amount/number of semi-vertical racks would prejudice less able users and discourage cycling as a sustainable form of travel. Therefore the proposed development would be contrary to NPPF (2019) Chapters 2, 8, 9 and 12; London Plan Policies (MALP 2016) 6.9 and 7.2; Intend to Publish London Plan (December 2019) Policies D5 and T5; Chapter 8 of the London Cycle Design Guide (2014); Lambeth Local Plan (2015) Policies Q1, Q13 and T1; and Draft Revised Lambeth Local Plan Policies Q1, Q13 and T1 (Submission Version January 2020).

Failure to Maximise Renewable Energy Opportunities

11. The applicant has not satisfactorily demonstrated that it is unable to make adequate provision for solar PV within the proposed development. Therefore the development is not considered to have maximised all renewable opportunities at the Be Green stage of the London Plan Energy Hierarchy. Therefore the proposed development would be contrary to NPPF (2019) Chapters 2 and 14; London Plan Policies (MALP 2016) 5.2, 5.3 and 5.7; Intend to Publish London Plan (December 2019) Policy SI 2; Lambeth Local Plan Policy EN4 and Draft Revised Lambeth Local Plan Policy EN4 (Submission Version January 2020).

Planning Obligations

12. In the absence of agreed heads of terms and a legal agreement to secure agreed policy compliant financial and non-financial contributions that includes: affordable housing, employment & skills contributions; and transport and sustainable design matters the development fails to mitigate its impact on local services, amenities, infrastructure and environment. The above would be contrary to the requirements of Chapter 4 of the National Planning Policy Framework; London Plan Policy 8.2; Intend to Publish London Plan (December 2019) Policy DF1; Lambeth Local Plan Policy D4 and Policy D4 of the Draft Revised Lambeth Local Plan (Submission Version January 2020).

Inadequate Information

13. Insufficient information has been submitted with the application relating to the following matters: car parking design and management plan; delivery and servicing management plan; and a preliminary site risk assessment/strategy in respect to contamination. As such it has been not been possible to assess adequately that the site is suitable for its proposed use. Accordingly, the proposal is contrary to London Plan Policies 5.21,6.36.13 including associated advice in Table 6.2 and 7.1; Policies GG1, D12 and T6 and T6.1 of the Intend to Publish London Plan (December 2019); Lambeth Local Plan Policies Q1T, T7 andT8 and EN4; and Draft Revised Lambeth Local Plan Policy T7, T8 and EN4 (Submission Version January 2020).

SITE DESIGNATIONS

Relevant site designations:	
Conservation Area	Renfrew Road (CA41)
Statutory Listed Buildings	Water tower and Administrative Block to Former Lambeth Workhouse (Master House) (Grade II); Former Fire Station and Former Lambeth Magistrates' Court adjoining to east on Renfrew Road (Grade II).
Non-Statutory Locally Listed Buildings	Gate piers to former Lambeth Hospital (adjoining); North and South Lodges (part adjoining) to Lambeth Hospital and North and South Reception buildings to Lambeth Hospital.
Flood Risk	Zone 3
Neighbourhood Planning Area	Kennington Oval and Vauxhall Forum
Tunnel Safeguarding Line	London Underground

LAND USE DETAILS

Site area (ha):	0.7ha
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NON-RESIDENTIAL DETAILS

	Use Class	Use Description	Floorspace (m ²) (Gross Internal Area)
Existing	C2	Residential care home	Unknown
	D2	Museum	Unknown
Proposed	D2	Museum (retained)	Unknown

RESIDENTIAL DETAILS

	Residential Type	No. of bedrooms per unit						Total Habitable Rooms	
		Studio	1	2	3	4	Total		
Existing	Affordable	-	-	-	-	-	0	0	
N/A	Private/Market	-	-	-	-	-	0	0	
	Total	-	-	-	-	-	0	0	
<hr/>									
Proposed On-Site	Affordable Rented (LAR)	0	0	15	9	0	24 (9%)	90 (15%)	
	Social Rented	0	0	0	0	0	0 (0%)	0 (0%)	
	Intermediate (TBC)	0	66	23	0	0	89 (35%)	201 (35%)	
	Private/Market	27	91	27	0	0	145 (56%)	290 (50%)	
	Total	27	157	65	9	0	258	581	

	Amount (£)
Payment in Lieu of Affordable Housing	N/A

ACCESSIBILITY

	Block A	Block B
M4(2) Units	21	211
M4(3) Units	3	23

PARKING DETAILS

	Car Parking Spaces (General)			Car Parking Spaces (Disabled)			% of EVCP	Bike Spaces	Motor-cycle Spaces
	Resi. Care Home	Commercial	Visitor	Resi	Commercial	Visitor			
Existing	20	0	0	0	0	0	0	9	0
Proposed	0	0	0	9	0	0	0	411	0

1 THE APPLICATION SITE

- 1.1 The site comprises 0.7 hectares to the east and north of Renfrew Road and Dugard Way and is located in Kennington, falling within Princes Ward. It occupies a backland site bounded by buildings fronting Renfrew Road (west), Castlebrook Close / Brook Drive (north), Dante Road (east) and Kennington Lane (south). Currently the site comprises the remaining part of the former Lambeth Hospital site and includes Woodlands, a former nursing home, (Use Class C2) which ceased use in 2013 and Master's House, a Grade II listed building (Figure 1 below). Master's House is currently occupied by the Cinema Museum (Use Class D2).



Figure 1: Application site as existing.

- 1.2 Woodlands Nursing Home was purpose built in the mid-1990s as a 30-bed nursing home for people over the age of 65 with mental health problems. The building comprises a two / three storey brick, block and render structure with steel roof with associated parking and comprises the northern part of the application site (see Figure 3, Section 3). The nursing home ceased operating permanently in 2016 and has since been unoccupied.
- 1.3 Master's House (Grade II listed) comprises the southern part of the application site and is located within the Renfrew Road Conservation Area (CA41). At one time it functioned as the administrative block and chapel to Lambeth Workhouse, later becoming part of Lambeth Hospital and now the Cinema Museum. The building is a two storey brick built structure with slate tiled roof (see Figure 4 in Section 3).

- 1.4 There are also two locally listed lodges, which frame the entrance gates into the site from Dugard Way. Only the North Lodge and adjoining Reception Building are included within the application site (see Figures 5 and 6, Section 3).
- 1.5 The majority of trees are located to the north of the site around the former nursing home building. None of these are protected by Tree Preservation Order, although are protected by virtue of the conservation area designation.
- 1.6 The site provided approximately 22 car parking spaces and were mainly allocated to the former nursing home use. The site is also located within Flood Zone 3 (although benefits from the River Thames tidal flood defences) and within an area of increased potential for elevated groundwater.
- 1.7 The site can be accessed by vehicular traffic from Renfrew Road (east) leading onto Dugard Way. To the west, pedestrian only access to the site is provided through a series of pathways including George Mathers Road which provides vehicle access to the Bellway homes development and Water tower(see Figure 4, Section 3). The PTAL of the site ranges from 6a to 6b, both of which are classified as being excellent. The nearest bus stops to the site are located along the A3, approximately 250m to the south providing for both northbound and southbound services. National Rail and underground interchange services (Northern Line) are provided at Elephant Castle and Kennington and are respectively located approximately 750m -800m to the north-east and south of the site.

2. THE SURROUNDING AREA

- 2.1 The immediate built context is mainly characterised by residential development with three storey houses/flats to the north, west and east. Much of the former Lambeth Hospital site to the east and south were redeveloped in c. 2008 for 3-5 storey flat blocks. Part of the redevelopment also involved the retention, conversion and extension of the Grade II listed Water tower for residential reuse which stands prominently at 9 storeys high. To the further southwest, a trio of tall residential towers comprise the Cotton Garden Estate.
- 2.2 There are a number of conservation areas located within (approximately) 500 metre radius of the application site falling within both Lambeth and Southwark boroughs. These include as follows:

Lambeth: Walcot (CA9) and Lambeth Walk and China Walk (CA50) to the north and northwest; Kennington (CA8) to the southwest;

Southwark: West Square, Elliot's Row and St George's Circus located north approximately 200-500 metres away; Walworth located 500m to the east; Pullens Estate approximately 300 metres to the southeast and Kennington Park Road approximately 220 metres to the southwest.

- 2.3 Listed buildings (all Grade II) nearest to the site (all of which fall within the Renfrew Road Conservation Area) are as follows:
- i. Former Fire Station (East side of Renfrew Road);
 - ii. Former Lambeth Magistrates' Court (East Side of Renfrew Road);
 - iii. K2 Telephone Kiosk (outside former Magistrates' Court (as above)); and
 - iv. Water tower(former Lambeth Workhouse and later hospital).

- 2.4 A further number of Grade II listed buildings are clustered within Walcot, West Square and Kennington conservation areas.
- 2.5 In terms of locally listed buildings adjacent/nearest the site (all of which fall within the Renfrew Road Conservation Area), these are as follows:
- South Lodge and Reception Buildings;
 - Former Gate Piers to Former Lambeth Hospital site; and
 - Former Court Tavern PH (Renfrew Road).
- 2.6 A comprehensive list of all heritage assets including the map below are provided at Appendix 5 of this report.
- 2.7 An Archaeological Priority Area is designated on the west side along part of Kennington Road, south of the site. There are no Historic Parks or Gardens, Registered Battlefields, or Scheduled Ancient Monuments adjacent to or in the immediate vicinity of the site.

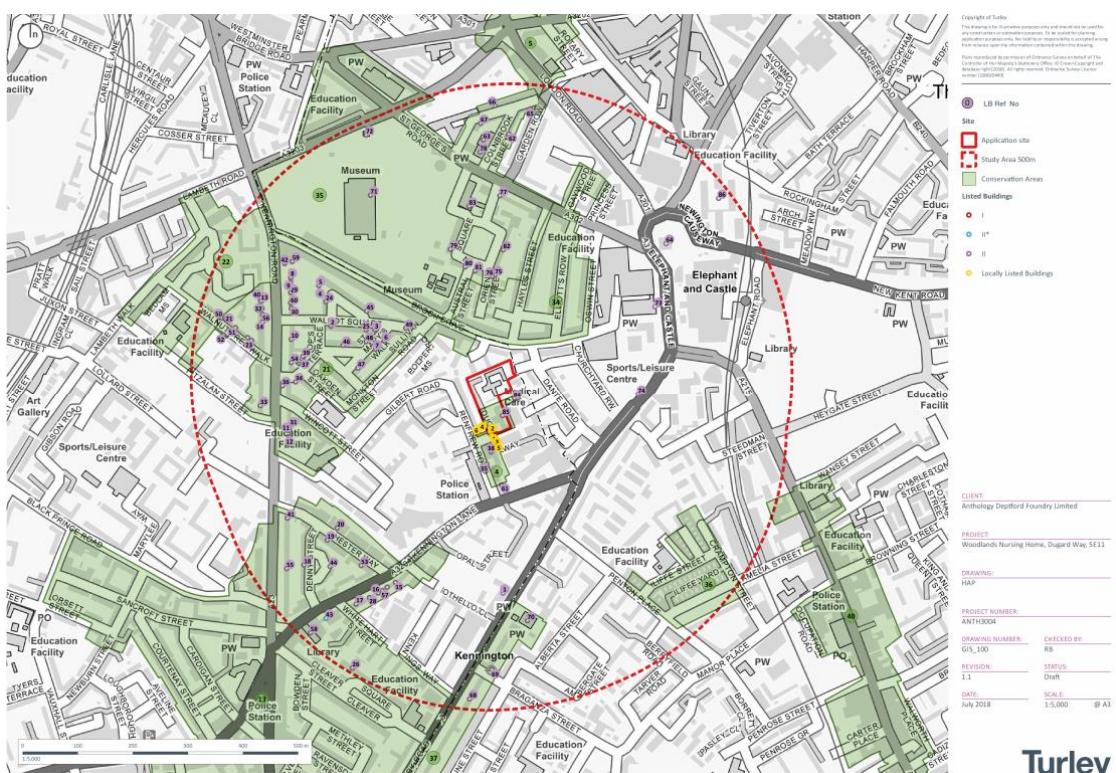


Figure 2: Heritage assets (Turley HTVIA, 2019).

- 2.8 The established built character surrounding the application site is predominantly finer in urban grain made up of intimate/traditional street patterns with low scale buildings (no more than 5 storeys) of varying age. This character provides an immediate buffer to the emerging tall building cluster at Elephant and Castle (E&COA) to the east which is located within the administrative boundary of London Borough of Southwark. There are taller buildings in the E&COA (such as Highpoint, One the Elephant and the Strata SE1) which have typically wide open settings and are located on large main roads or at the confluence of key junctions.

3 SITE PHOTOGRAPHS & IMAGES



Figure 3: Front entrance to Woodlands Nursing Home.



Figure 4: Master's House (aerial view).



Figure 5: Locally listed North Lodge building.



Figure6: Locally listed Reception Building.

4 PROPOSAL

- 4.1 The proposals consist of a full planning application for the following works:
- Demolition of the former Woodlands nursing home building;
 - Erection of a single tall building of twenty-nine (29) storeys and peripheral lower development of three and four storeys to provide two hundred and fifty eight (258) residential units in total of which 50% (by habitable room) will be assigned for a range of affordable housing needs;
 - Retention of Master's House including the locally listed North Lodge and 'Reception Buildings' for continued use by the Cinema Museum; and
 - Servicing, disabled car parking, cycle parking, landscaping and new public realm and new vehicular and pedestrian access off Dante Road.
- 4.2 Site Layout
- 4.3 The constraints of the site dictate that the two proposed buildings (for ease of reference these are referred to as 'Blocks A and B') are located to the northern part of the site with the main access from Dugard Way which is located to the south including a new access point proposed from/off Longville Road. The application proposes that the access from Dugard Way will form the main entry point for refuse collection vehicles with loading and waiting facilities for service vehicles provided in the proposed northeast car park off Longville Road. Nine disabled parking bays are proposed in total located parallel to Dugard Way and to the aforementioned northeast car park. The remaining areas of the site are proposed as a mix of public and private landscaped amenity spaces including play space (Figure 7).



Figure 7: Proposed site layout.

4.4

Block A

4.5

Block A is a linear shaped part 3 and part 4 storey building sited parallel with the western boundary with Renfrew Road. The building will comprise 24 units (or 90 habitable rooms) in total of which 15 are 2 beds and 9 are 3 beds type units arranged around a single core. Cycle storage will be provided at both ground and basement levels with refuse and plant equipment storage at ground level. All 24 units will be provided as at London Affordable Rent levels. Visually, the building is composed mainly of brick façades broken up with rendered sections, varying fenestration sizes and balconies.



Figures 8 & 9: Block A Front elevation and ground floor plan.

4.6 Block B

- 4.7 Block B is designed as a part 24 and part 29 storey building located to the east of Block A. This block contains 234 residential units (or 491 habitable rooms) in total of which 89 are intermediate shared ownership tenure and 145 are for market (private) sale. In terms of unit mix, the block is comprised of a mix of studios, one and two bed units (27 studios, 157x1 beds and 65x2 beds). Resident block access is provided from the ground floor entrances to the east side of the building. The ground floor mainly comprises the main lobby, reception and resident lounge areas including single stair and lift core, refuse storage and management office. With respect to external appearance, the 24 storeys element of the building is made of a white framed exoskeleton with solid panels and secondary vertical fins and frameless windows with the approach reversed in the taller element (part 29 storeys) which consists of a warm toned frame exoskeleton and white solid panels. Both elements of the building are terminated with a raised rail feature at skyline. The ground floor is expressed with full length glazing panels and 'V' shaped structural columns on the eastern side.

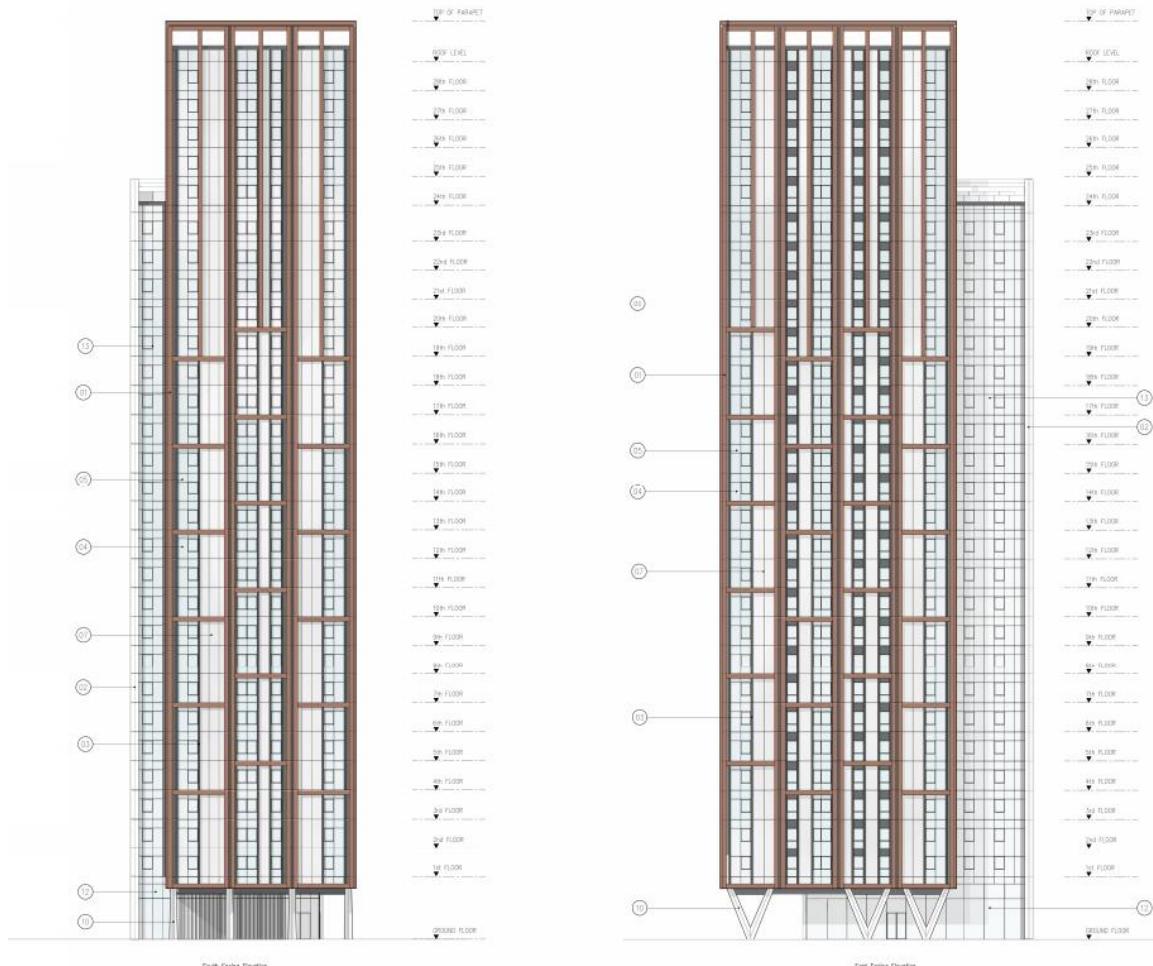


Figure 10: Block B elevations of 'taller component' (south and east facing elevations respectively)

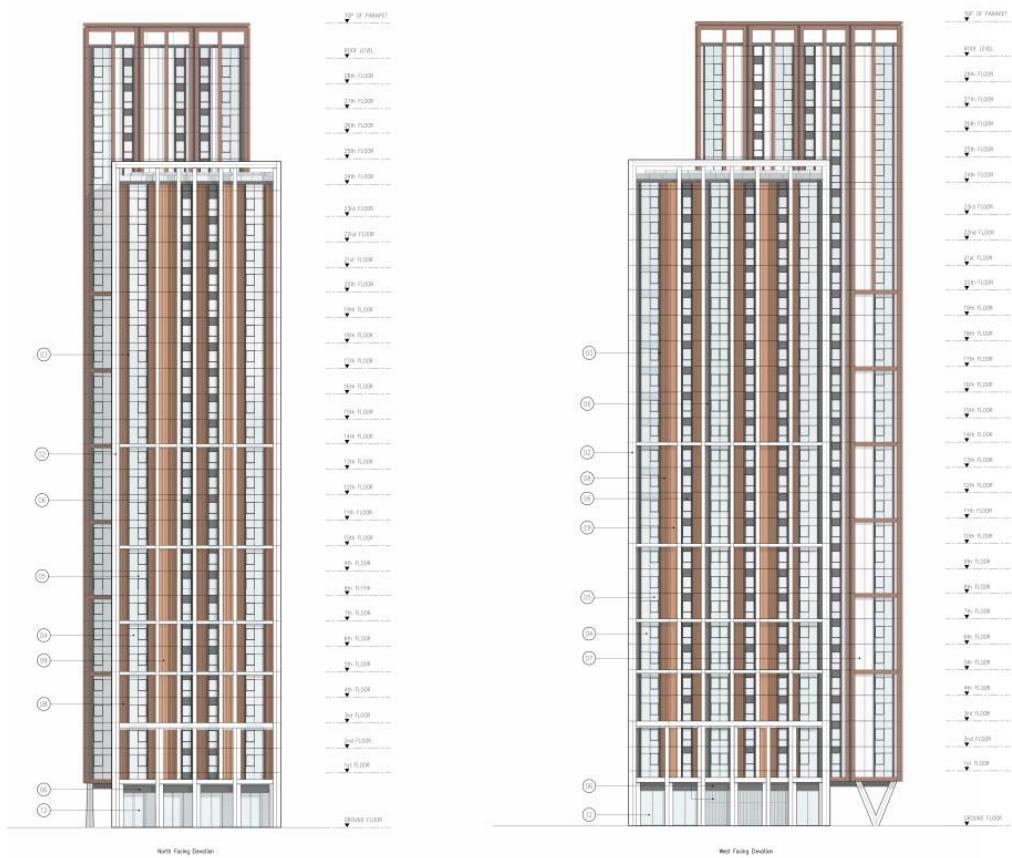


Figure 11: Block B elevations of 'lower component' (north and west facing elevations respectively).



Figure 12: Block B ground level.

4.8 Master's House

4.9 Master's House including the North Lodge and Reception Building also form part of the application proposals. The application does not propose to carry out any physical alterations or refurbishment works to the building.

4.10 Environmental Screening

4.11 A screening opinion was issued by the council in March 2019 confirming that the environmental effects of the proposed development would not be of a scale and nature that would require a full Environmental Impact Assessment to be carried out (see Section 6 for full detailed description).

5. PRE-APPLICATION

5.1 The current proposals have been the subject of pre-application consultations (under a Planning Performance Agreement) which commenced in February 2018 and continued until the formal planning submission in July 2019. The consultation process has included at various stages councillors and officers from development management planning, transport, highways, heritage and design teams at Lambeth as well as the applicant and their consultant teams.

5.2 The applicant has also conducted three separate public consultations events with the local community. The full details including dates and nature of comments made at each event and the response to concerns are contained in the Statement of Community Involvement prepared on behalf of the applicant by Built Environment Communications Group and forms part of the formal submission information.

6. RELEVANT PLANNING HISTORY

6.1 The planning history of the site which also includes schemes on adjoining or other nearby sites which are considered to be of particular relevance to the development, is listed in the table below.

THE APPLICATION SITE			
Application No.	Proposals	Decision	Date
18/04018/EIASCR	Request for a Screening Opinion in respect of an Environmental Impact Assessment in respect of proposals for approximately 320 residential units at Woodlands and the Master's House comprised within a single tall building of up to 35 storeys and peripheral lower development. The proposals also include the retention of the existing cinema museum use at Master's House and provides a new access point.	Not EIA development	20.03.2019
97/01751/FUL	Conversion and change of use from hospital to a cinema museum, with ancillary car parking.	Granted planning permission subject to condition limiting use of the building to Cinema Use only.	27.02.1998
PART OF FORMER LAMBETH HOSPITAL SITE (Adj.Dugard Way)			
Water Tower			
09/03933/FUL & 09/03934/LB	Change of use and works to the existing listed 'Old Water Tower' building within the site together with a three storey extension and lift shaft structure to provide a five bedroom residential dwelling and one car parking space, with associated landscaping and access (Town Planning and Listed Building Consent applications ref: 09/03934/LB).	Granted planning permission and LB consent	30.06.2010
Bellway Homes Development comprising Wilmot House, Goddard House, Freeman House and Bolton House			
08/00427/FUL	Redevelopment of the site involving the construction of 7 residential blocks ranging from 2 - 5 storeys in height to provide 112 residential units an extension of the existing water tower to provide a 4 bed house and 22 car-parking spaces with access onto George Mathers Road.	Granted with legal agreement	16.05.2008
ELEPHANT & CASTLE OPPORTUNITY AREA (LB OF SOUTHWARK)			
5-9 Rockingham Street & 2-4 Tiverton Street SE1 6PF			
19/AP/0750	Demolition of existing buildings and erection of a 21-storey building (max height 70.665m AOD) with basement and associated roof plant to provide 6,042.3sqm (GIA) of new commercial floor space and redevelopment of 3 railway arches to provide 340.1sqm of flexible commercial space (A1,B1,D1,D2) with associated cycle parking storage, waste/recycling stores and new public realm.	Decision pending.	

**Shopping Centre Site Elephant And Castle 26 28 30 And 32 New Kent Road Arches 6
And 7 Elephant Road And London College Of Communications Site London SE1**

16/AP/4458	Phased, mixed-use redevelopment of the existing Elephant and Castle shopping centre and London College of Communication sites comprising the demolition of all existing buildings and structures and redevelopment to comprise buildings ranging in height from single storey to 35 storeys (with a maximum building height of 124.5m AOD) above multi-level and single basements, to provide a range of uses including 979 residential units (use class C3), retail (use Class A1-A4), office (Use Class B1), Education (use class D1), assembly and leisure (use class D2) and a new station entrance and station box for use as a London underground operational railway station; means of access, public realm and landscaping works, parking and cycle storage provision, plant and servicing areas, and a range of other associated and ancillary works and structures. In the Council's opinion the proposal may affect the setting of the following listed buildings and conservation areas: Metro Central Heights, Newington Causeway; Metropolitan Tabernacle, Newington Butts; Michael Faraday Memorial, Elephant and Castle; the Imperial War Museum, St George's Road; and the Obelisk at St George's Circus. Elliot's Row; St George's Circus and West Square Conservation Areas and the listed buildings therein, and the Walcot Square Conservation Area in Lambeth The application is accompanied by an Environmental Statement (ES) submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) 2011 (as amended).	Granted with legal agreement.	10.01.2019
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87 Newington Causeway London SE1 6BD			
16/AP/3144	Redevelopment of the site for a mixed use development comprising a basement/mezzanine basement, ground plus twenty-three floors to accommodate a 140 room hotel (levels 1-11), 48 residential units (levels 12-24), a retail unit (at ground floor), associated cycle parking, servicing and refuse and recycling, landscaping and private and communal residential amenity space (including at roof top level), external refurbishment to the front of the railway arches, and a new pedestrian route through the site linking Newington Causeway with Tiverton Street.	Granted with legal agreement.	29.01.2018.
Former Leisure Centre 22 Elephant And Castle London SE1 6SQ			
12/AP/2570	Redevelopment to provide a new public leisure centre (maximum height of 21.2m) comprising swimming pool, learner pool, gymnasium, four court sports hall, studio spaces, indoor cycling room, creche and cafe, disabled parking, cycle parking, landscaping and public realm, servicing and plant areas.	Granted.	07.11.2012
12/AP/2239	Redevelopment to provide a 37 storey building (maximum building height 127m AOD) and 4 storey pavilion building (maximum building height 22.47m AOD), comprising 284 residential units, 809 sq.m flexible ground floor retail / financial and professional services / restaurant uses (Use Classes A1-A3) and 413 sq.m commercial (Use Class B1) use, basement car parking, cycle parking, vehicular access from Brook Drive, servicing and plant areas, landscaping and public realm improvements and associated works.	Granted with legal agreement.	23.11.2012

Eileen House 80-94 Newington Causeway London SE1 6EF			
09/AP/0343	Demolition of existing building and erection of a 41 storey (128.7m AOD) building and separate 8 storey (35.60m AOD) building incorporating 270 private flats (16 x studio, 126 x 1-bed, 92 x 2-bed and 36 x 3-bed), 65 intermediate flats (17 x 1-bed, 44 x 2 bed and 4 x 3-bed), 4,785sq.m. of office (Use Class B1) and 287 sq.m. of retail (Use Class A1-A5), together with 34 disabled car parking spaces, 44 motorcycle spaces and 411 cycle spaces within 2 basement levels, plus associated servicing facilities (4,626sq.m.) and public realm improvements including creation of a resident's garden (458sq.m.) and University Square (2,768sq.m.).	Granted with legal agreement.	07.01.2014
Skipton House 80 London Road Perry			
18/AP/4194	Part retention, part demolition, reconfiguration and re-cladding of existing building and extension to create six additional storeys to accommodate 41,750sqm office space (Use Class B1) at upper floor levels, a 780sqm gym (Use Class D2) and 993sqm flexible retail/commercial uses (Use Class A1/A2/A3) at ground floor level with associated cycle parking, landscaping, ancillary servicing and plant and all associated works	Decision pending.	
Former Castle Industrial Estate Elephant Road London SE17 1LA			
07/AP/1449	Construction of a new mixed use development comprising three buildings linked together by a two storey podium incorporating retail and restaurant use across the ground floor (Use Classes A1/A3), retail/restaurant and cinema use across the first and mezzanine floors (Classes A1/A3/D2) and basement car parking with associated storage facilities together with new landscaping to link to a proposed market square. Northern building located on New Kent Road to consist of 18 storeys (68.3mAOD) for 247 student accommodation rooms (Use Class C2); Western building along Elephant Road to consist of 23 storeys (87.5mAOD) for 231 private residential units (Use Class C3); Southern building comprising of 14 storeys (59.85mAOD) for 81 private residential units (Use Class C3).	Granted with legal agreement.	28.05.2008

08/AP/2403	Erection of 3 buildings linked by a two storey podium incorporating retail and restaurant use across the ground floor (Use Classes A1/A3), retail/restaurant/ creche and cinema use across the first and mezzanine floors (Use Classes A1/A3/D1/D2) and basement car parking with associated storage facilities together with new landscaping to link to a proposed market square and 577 cycle spaces. Northern building located on New Kent Road to consist of 243 student rooms (Use Class C2) over 18 storeys above podium level (68.3mAOD, lift overrun to 70.7m); Western building along Elephant Road to consist of 262 private residential units (Use Class C3) over 23 storeys above podium level (87.5mAOD); Southern building to consist of 111 private residential units (Use Class C3) over 15 storeys above podium level (63.10mAOD). [RESUBMISSION]	Granted with legal agreement.	22.12.2008
Site Of The Former London Park Hotel 80 Newington Butts London SE1 4QU			
07/AP/0760	Erection of buildings comprising 1 building of up to 44 storeys (145.5 metres AOD) and a terrace of up to 7 storeys in height to provide 470 residential flats (Class C3), theatre (Class D2) and cafe (Class A3) uses and a pavilion building for retail/marketing suite purposes (Class A1/ Sui Generis) with associated public open space, landscaping, underground car parking for 30 cars and servicing space.	Granted with legal agreement.	01.04.2008

14/AP/2207	Variation of the approved drawings condition of planning permission 07-AP-0760 (as amended by 14-AP-1017) granted on 1 April 2008 [for: Erection of buildings comprising 1 building of up to 44 storeys (145.5 metres AOD) and a terrace of up to 7 storeys in height to provide 470 residential units (Class C3), theatre (Class D2) and cafe (Class A3 uses) and a pavilion building for retail/marketing suite purposes (Class A1/Sui Generis) with associated public open space, landscaping, underground car parking for 30 cars and servicing space] to secure the following minor material amendments: Increase the height of the main building to 152.8 metres Above Ordnance Datum (AOD); and Removal of the two storey building fronting Newington Butts to be used as a marketing sales suite and future retail unit.	Granted with legal agreement.	05.11.2014
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7. CONSULTATIONS

7.1 Statutory External Consultees

- 7.1.1 The following section of the report presents the responses received from statutory consultees. Any issues raised are addressed within the planning assessment section of the report
- 7.1.2 Greater London Authority (GLA) Stage 1 Report (Received 20th January 2020)
- 7.1.3 Broad support is given to the principle of redevelopment (including securing the Cinema Museum's long term future through S106 agreement) although the following concerns have also been raised and are summarised below:
- **Housing:** Scheme cannot follow Mayor's Fast Track Route until the level of public subsidy has been confirmed including Lambeth Council's agreement to the proposed tenure split of 31% affordable rent and 69% shared ownership. Further information in respect of rent levels should be provided including improvements to residential quality and useable play space. (See section 10.2 of report).
 - **Heritage:** The harm caused to heritage assets should be outweighed by further public benefits including the delivery of an exemplary design in terms of visual impact on townscape, quality of public realm, residential amenity and detailing of architecture; securing the long term future of the Cinema Museum and providing genuinely affordable homes. (See section 10.4 of report).

- **Urban Design:** Proposed height of the building is broadly consistent with the context of the Elephant and Castle tall buildings cluster and raises no strategic issues subject to micro-climate/daylight/sunlight analysis. However, the proposed tower raises concerns due to its proportion and form. The bulk of the tower should be slimmed down to free up space around the 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. (See section 10.4 of report).
- **Climate Change:** Further evidence is required to support the carbon savings claimed and ensure compliance with London Plan and Intend to Publish London Plan policies. A contribution to the borough's carbon off-set fund should be secured. Further information on residual flood risks, the proposed surface water drainage strategy and urban greening is required. (See section 10.6.61 and 10.8 of report).
- **Transport:** More information regarding trip generation and movement of pedestrians and cyclists' through the site required. (See section 10.7 of report).

7.1.4 Planning obligations and /or conditions (where appropriate) to secure the following are recommended subject to addressing the above noted concerns:

- Securing Cinema Museum to long-term future at Master's House;
- Contribution towards borough's carbon off-set fund (see section 11 of report);
- Financial contributions of £150k to fund the installation of cycle hire facilities in the area and £15K towards Legible London signage and £2 million towards the new Northern Line Ticket hall at Elephant and Castle Underground Station has been requested;
- TfL Cycle membership for each household (one fob per residence); and
- Secure M4(2) (Accessible and adaptable dwellings) and M4(3) (Wheelchair user dwellings) requirements with plans showing the location and number of wheelchair accessible/adaptable flats.

Obligations are considered further in section 11 of the report.

- 7.1.5 National Air Traffic Services (NATS) comments received 21.08.19 – The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has *no safeguarding objection* to the proposal.
- 7.1.6 Transport For London (Infrastructure Protection) comments received 03.09.19 – No objections subject to a condition that secures submission and approval by the LPA of a detailed design and method statement for each stage of development including demolition, foundations, basement and ground floor structures. The applicant is also requested to contact London Underground in advance of preparing the final design.
- 7.1.7 Greater London Archaeological Advisory Service (GLASS) comments received 03.09.19 – Development has potential to cause harm to below ground assets although the impacts can be managed through a planning condition. Planning condition recommended to secure a Written Scheme of Investigation to be approved by the LPA before demolition or development commencing.

- 7.1.8 Historic England comments received 09.09.19 – Objection. The proposals would have a harmful impact on a number of designated heritage assets in the vicinity of the development site. In particular, there are concerns about the precedent an approved tall building scheme in this location might set and the resulting cumulative impact this has on this historic part of Lambeth. (see section 10.4 of the report).
- 7.1.9 The Victorian Society comments received 25.09.19 – Objection. Concerns relating to the adverse impacts of Block B on the setting of the Grade II listed buildings, Water Tower, Master's House and the Renfrew Road and Walcot Conservation Areas. (see section 10.4 of the report).
- 7.1.10 Environment Agency comments received 30.08.19 – Objection. The applicant's flood risk assessment (and associated supporting information) is inadequate in that it fails to demonstrate that sleeping accommodation will be located above the Thames tidal breach flood levels. (see section 10.6.61 of report).
- 7.1.11 Design Officer (Metropolitan Police) comments received 22.08.19 – no objections subject to pre-commencement and pre-occupation conditions to secure end to end compliance with Secure By Design and relevant certification.
- 7.1.12 Thames Water comments received 03.10.19 – No objections subject to conditions being imposed to secure details of water network upgrades and informatics to protect underground water assets in proximity of the site.
- 7.1.13 London Borough of Southwark comments received 03.01.20 – Does not object although notes that the Block B is of a taller order than would be expected for this site outside the Elephant and Castle Opportunity Area, away from gateway locations into Elephant and Castle and in an area of primarily two-to-five storey properties. The proposals would add a significant number of residents and visitors to the area and therefore appropriate transport improvements and mitigations will be necessary. The applicant is also advised that it will need to enter into a section 184 (permanent crossover) agreement with Southwark highway authority to access the site off Dante Road/Longville Road and meets its recommended design standards. Officers also request that Lambeth secures sufficient detail of the proposed substation and cycle store at the end of no.7 Dante Road to ensure that it does not increase and become intrusive to the outlook of neighbouring properties.
- 7.1.14 Network Rail comments received 13.09.19 – No observations or comments to make.
- 7.1.15 Health and Safety Executive desktop enquiry received 07.08.19 – Site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline and therefore does not need to be consulted on any development on this site.
- 7.1.16 London Fire Brigade comments received 23.09.19 and 23.10.19 – Does not object although expects formal consultation under the Regulatory Reform (Fire Safety) Order 2005. Furthermore, adequate consideration needs to be given to the provision of fire hydrants in the location.
- 7.1.17 Lambeth Clinical Commissioning Group comments received 08.05.19 - Does not object as site is surplus to their requirements. For an inner London borough we have more than sufficient nursing home beds for our population needs and so therefore are supportive of the developer's plans to use this site for housing.

7.2 Internal Consultees

- 7.2.1 The following section of the report presents the responses received from colleagues across the Council. The comments are considered within the planning assessment section.
- 7.2.2 Design and Conservation comments received 20.08.19 – Object in principal to the height of 29 storey building as it will have an inappropriate visual impact on the immediate townscape and heritage assets which are harmful and need to be fully assessed against the proposed benefits that will be provided by the scheme. In addition, the proposals do not create a convincing site layout with regards to pedestrian movement, amenity space and play space where there are conflicts between the intended users of the space and the overall legibility of the route. In addition, the proposal has shortfalls in regard to communal amenity space, dual aspect units and breaches to sunlight and daylight. The architectural approach will also need to be further refined in terms of its materiality. (see section 10.4 of the report).
- 7.2.3 Lambeth Building Control comments received 01.06.20 – Fire strategy demonstrates a reasonable and thorough approach to Fire Safety at this point in the design stage. Access for emergency vehicles could be more detailed regarding the access route width, kerb spacing, turning circles/ hammerheads, hydrant locations which may impact on final landscaping layouts (albeit as part of the Building Control process, the Fire Brigade would be consulted; they may accept some flexibility with consideration to any inclusive fire safety provisions on site). The internal floor layouts suggest some partial open plan arrangements and inner rooms, basement access, and means of escape arrangements; again these would be subject to justification/ alteration to the satisfaction of the Building Control Body as part of the Building Regulations approval.

- 7.2.4 Regulatory Support Services (Environmental Health) comments received 15.09.19 – No objection on matters relating to environmental and operational noise and vibration impacts, ground conditions/contamination, wind and micro climate. The scheme can therefore be supported subject to conditions as recommended. The comments received have been incorporated in the assessment below.
- 7.2.5 Transport comments received 30/03/20 – No objection in principle although concerns are raised in relation to the following matters:
- Proposed cycle parking design using X-Type racks is unacceptable. In particular the 25% minimum standard provision (of total) for Sheffield Stand type is still not met as recommended in the Intend to Publish London Plan and Submission Draft Review Lambeth Local Plan. in addition, a further 5% of total provision should also be provided for larger and adapted cycles;
 - clarification of predicted trip rate generation for service vehicles is still absent; and
 - car parking management and in particular how the applicant proposes to ensure a minimum 3% of spaces are provided at the outset of occupation and how this can be increased to 10% in line with Policy T6.1 (G part 2) of the Intend to Publish London Plan remains unclear although this could be conditioned if necessary.
- Subject to the applicant resolving the aforementioned issues, permit free parking, car club membership, car parking management plan and a financial contribution of £50k towards the Low Traffic Neighbourhood initiative will need to be agreed and secured via S106 and/or planning conditions. (see section 10.7 of the report).
- 7.2.6 Travel Plan Coordinator comments received 28.08.19 – No objections although recommends further updates and clarifications to be made to the Travel Plan Statement and asks that it is secured by planning obligation (including relevant travel plan monitoring fees).
- 7.2.7 Bioregional (consultant advisors) comments received 30/03/20 – No objections in principle although concerned that the applicant has not properly evidenced why solar PV cannot be maximised onsite and therefore cannot offer its full support in respect to the energy strategy.
- 7.2.8 Lead Local Flood Officer comments received 02.10.19 – No objection in principle although requests micro-drainage (runoff) calculations to ensure that the drainage system is appropriate in a critical storm scenario. Should this information be received and considered acceptable, it would recommend planning conditions to secure a SuDS strategy and (lifetime) management/maintenance plan for the development.
- 7.2.9 Air Quality comments received 21.08.19 – No objections raised subject to conditions being included to secure details of measures that will mitigate impacts of construction and operational phases on air quality.
- 7.2.10 Employment and Skills comments received 05.02.20 – No objections subject to securing financial contributions amounting to a total of £167,700 which will be put towards supporting workplace training initiatives; and providing an Employment and Skills Plan that will outline commitments that will support jobs during construction and end-use occupation phases of development.
- 7.2.11 Waste Services (Veolia) comments received 09.09.19 – No objections.

- 7.2.12 Planning Policy comments received 04/09/19 – No objections to the redevelopment of the care home in principle subject to appropriate confirmation that there is no longer a need for this type of provision. The headline 50% rate of affordable housing provision is supported although there is concern that the proposed tenure mix does not comply with the policy requirement of 70:30 (social/affordable rent/intermediate) and should therefore be viability tested independently by officers. Scheme does not meet the preferred borough-wide housing mix for the social/affordable rented and intermediate housing set out in adopted Local Plan policy and does not provide a balanced mix of unit sizes for affordable andmarket housing, particularly given the lack of family-sized accommodation (as defined in both the Local Plan and London Plan). (See section 10.2 and 10.3 of report).
- 7.2.13 LBL Housing comments received 22.05.20 - In regard to Anthology's affordable housing proposals, they will need to establish a joint venture arrangement with an Registered Provider (RP) in order to secure the highest grant rate of £60,000 per unit to provide London Affordable Rent Accommodation and start the construction of the Woodland's Scheme by the end of March 2022 in relation to the GLA's 2016/21 Homes for Londoners' Affordable Housing Funding Programme. Otherwise, as is more normal in S106 Agreement Affordable Housing Schemes, RPs buy affordable housing from private developers. However, the GLA only pays grant at £38,000 for such property, which would reduce the level of grant obtained which can affect the amount and type of affordable housing that can be provided.

Whilst it is possible to envisage that an RP will develop a partnership with Anthology to construct the 24 London Affordable Rent properties as these are located in a self-contained block within the development, it is difficult to consider that most of the Council's RP partners will consider providing additional rented property beyond 31% of the affordable accommodation in the tower without incorporating a separate access core to serve this property.

In regard to the shared-ownership accommodation, it is likely that this will need to be marketed to the upper reaches of the GLA's income affordability ranges, possibly even the maximum of £90,000, in presuming that this accommodation is provided on an equitable basis by an RP. (See section 10.2 of report).

7.3 Other Consultees

- 7.3.1 Cllr Jon Davies (Ward Member for Prince's) comment received on 03.09.19: Advises intention to make representation to the planning committee. Very disappointed that developers have submitted application that despite obvious local opposition has hardly altered over the months. The size of development is completely out of proportion and will have significant effects on local residents in Prince's ward and in neighbouring Southwark.
- 7.3.2 Pearman Street Residents Association comments received 30.09.19: Objects to the application on grounds that the 29 storey building would be wholly out of place visually, resulting in severe loss of amenity to adjoining residential and business premises through extensive overshadowing and loss of sunlight and strong winds around the base.
- 7.3.3 West Square Residents Association comments received 25.09.19: Objects on grounds that proposals are overdevelopment of the site and cites adverse impacts of the tall building on the character of the adjoining Conservation Areas including West Square and other heritage assets. State that this will set a harmful precedent if approved.
- 7.3.4 Cleaver Street and Bowden Residents Association comments received 03.09.19: Objects on grounds that the tall tower would overshadow the entire area. Kennington is unique and special area in London and is not Nine Elms or Elephant and Castle. We acknowledge housing is a priority and we are in favour of development that is appropriate to the context of the site. These proposals manifestly ignore that context.
- 7.3.5 Vanbrugh Court Resident's Association comments received 02.10.19: Objects on grounds of excessive height, bulk and overdevelopment including the corresponding impacts this will have on existing local traffic and social infrastructure service provision.
- 7.3.6 Stop The Blocks Action Group comments received 22.10.19: Objects to the development on six separate grounds relating to impacts on heritage assets; inadequate provision of amenity space for future occupiers; adverse impacts on neighbouring daylight and sunlight; failure to make a positive contribution to the existing townscape and skyline; loss of specialist care home and failure to demonstrate the site will be safe in accordance with the NPPFs sequential and exceptions tests. The application should be refused as it is entirely inappropriate for the site.

8. Adjoining owners/occupiers

- 8.1 Site notices were displayed from 20.08.19 and the application was also advertised in the local paper on 23.08.19. The formal consultation period ended on 22.10.19.
- 8.2 Four hundred and forty six letters (446) of objection have been received at the time of writing. Four hundred and thirty six letters (437) were in objection and nine (9) were in support. The main planning related concerns raised are noted as follows:
- Gross overdevelopment of the application site (density, height, bulk and scale of proposals);
 - Loss of care home not justified;
 - Proposed height of Block B is disproportionate to the existing heights of buildings in the immediate location;
 - Affordable social rented housing provision is very low/derisory and subjective;
 - Poor urban design,
 - Limited amenity space;
 - Pedestrian environment is tight;
 - Natural daylight will be severely limited by the scale of buildings proposed;
 - The site is outside of the Elephant and Castle Tall Building Cluster and Central Activities Zone where tall and dense development would be better suited;
 - Privacy of local residents will be affected adversely;
 - The scheme if approved would set a planning precedent;
 - Serious consequences for existing local infrastructure and public services;
 - Significant overshadowing by Block B;
 - Would dominate conservation area and listed buildings and in particular would diminish the significance of the Grade II Water Tower;
 - Adverse impacts on heritage assets goes beyond Lambeth;
 - Tall building would create adverse wind tunnel effects;
 - Contextually and aesthetically inappropriate development;
 - Will increase deliveries into the narrow roads – Transport Statement assumptions are incorrect;
 - Highway safety will be compromised by more traffic generated by development;
 - Development does not add/support creating a sense of place;
 - Construction phase impacts in respect to noise and dust will increase;
 - Car parking demand will go up in an already congested area;
 - Traffic impacts will generally increase as a result of this development; and
 - Proposals are contrary to the aims and objectives of the London and Lambeth Plans.

9. POLICIES

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lambeth is the London Plan (2016, consolidated with alterations since 2011) and the Lambeth Local Plan (September 2015).
- 9.2 In December 2019 the London Plan (Intend to Publish version) was published by the Mayor of London. This followed the Examination in Public on the Draft London Plan (published in December 2017), which was held between January and May 2019. On 21 October 2019 the Panel of Inspectors appointed by the Secretary of State issued their report and recommendations. Many of these recommendations (although not all) were incorporated into the Intend to Publish version. The draft London Plan is given a significant amount of weight in planning decisions. It will not be given full weight until the final version of the London Plan is published.
- 9.3 On 13 March 2020 the Secretary of State formally directed the Mayor to make a number of detailed modifications to the wording of various policies in the Intend to Publish version released in December 2019. Under the Greater London Authority Act 1999, whilst such a direction remains in force, the Mayor must not proceed to publish the London Plan (in its final form) without modifying the Intend to Publish version so as to comply with the direction. From the Mayor's reply to the Secretary of State on 24 April 2020 as published on the GLA website, it appears that there may be further dialogue between the Mayor and the Secretary of State about the modifications. However, the outcome of this process is not known at present. This report has taken into account the effect of the Secretary of State's direction on emerging London Plan policies.
- 9.4 Although the Secretary of State's modifications affect certain emerging policies in the Intend to Publish version that are relevant to this application, the council does not consider that the effect of those changes is to introduce materially new emerging policy considerations to the assessment of the scheme. This is because the modification relating to Draft London Plan policy H10 on dwelling mix (and the emphasis on the need for family housing) does not materially alter the council's assessment of the scheme. The degree of weight to be attached to the draft London Plan as a whole is noted above.
- 9.5 The Lambeth Local Plan is currently under partial review to ensure it complies with amendments to changes in the NPPF and London Plan. The Draft Revised Lambeth Local Plan (DRLLP) underwent public consultation from October to December 2018 under Regulation 18 of the Town and Country Planning (Local Plans) (England) Regulations 2012. Pre-submission publication (Regulation 19) of the Draft Revised Lambeth Local Plan Proposed Submission Version occurred between 31 January and 13 March.
- 9.6 In terms of the weight to be given to the policies in the emerging DRLLP, paragraph 48 of the NPPF requires the local planning authority to have regard to: 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 council's statement under Regulation 22(1)(c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 submitted with the draft plan identifies the extent and nature of unresolved objections to the emerging policies. Given this position, the council will attach some weight to the relevant policies.

- 9.7 The latest National Planning Policy Framework was published in 2018 and updated in 2019. This document sets out the Government's planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.
- 9.8 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been set out in Appendix 3 to this report.

10. ASSESSMENT

10.1 Land Uses

- 10.1.1 Loss of nursing home facility
- 10.1.2 Woodlands nursing home sits within use class C2 (Residential Institutions) and is afforded protection through local and regional planning policies.
- 10.1.3 Policy H8 of the Lambeth Local Plan (LLP) relates specifically to C2 housing both in respect of enabling and protecting existing provision in the borough. Where a loss of provision is being proposed, it must be demonstrated either:
 - (Part B)
 - i. the accommodation is no longer needed and the accommodation will instead meet another identified priority local need; or
 - ii. the existing accommodation will be adequately re-provided to an equivalent or better standard on-site or elsewhere in the borough.
- 10.1.4 Policy S2 of the Intend to Publish London Plan (IPLP) has similar aims and objectives to Lambeth's policy and in addition advocates/supports new models of care provision to meet identified needs.
- 10.1.5 Woodlands was constructed in the 1990s by Lambeth Healthcare before being transferred to South London and Maudsley NHS Trust (SLaM) in 1999. It formerly provided cross-borough in-patient specialist mental health care treatment for adults as part of SLaM NHS Trust before ceasing use in 2013 and has since then remained vacant. Greenvale in Streatham remains the only active specialist in-patient care facility in the borough following the closure of Knights Hill in West Norwood.
- 10.1.6 The closure of the mental health/dementia unit at Woodlands is a direct consequence of the changes in national health and social care legislation over the last 15 years which in principle sought to move away from delivering care in an institutionalised environment to a model that supports early intervention and prevention within individual communities and/or in a person's home. Maintaining and improving existing capacity for specialist mental health/dementia care in communities remains a key objective despite these changes.

- 10.1.7 Lambeth Clinical Commissioning Group (LCCG) is the body responsible for implementing and delivering specialist mental health care provision in Lambeth. In accordance with the new approach to health and social care, it has already established a range of services and programmes that will provide for specialist mental health care needs for adults in the borough, e.g. 'Memory Service', a 2010 joint commissioning with Southwark CCG (operated by Kings Health Partners and SLaM) which aims to increase early diagnosis of dementia and provide support to those people choosing to remain independent within their community. Further support services include Community Mental Health Teams and the Home Treatment Team. Where acute in-patient specialist care services are still needed, these continue to be funded by LCCG and are provided at existing (local) centres like Greenvale including Guy's and St Thomas' Hospitals and King's College Hospital.
- 10.1.8 During pre-application discussions, LCCG confirmed that its decision to close Woodlands (and Knights Hill) as in-patient specialist care facilities was a managed process between SLaM, clients, staff and families which ensured that people were transferred to Greenvale if they needed continued specialist care or moved into other in-patient nursing homes either within Lambeth or in another borough. They indicate that the closure was in-step with national policy and any resulting costs-savings achieved would be re-invested into supporting community-based care provision.
- 10.1.9 Therefore with regard to Policy H8 part B (i) and (ii), it is considered as follows:
- as confirmed by LCCG, the accommodation formerly provided at Woodlands is no longer required for adult health care/dementia care home and has since been replaced with alternative programmes (see paragraph 10.1.7) that are both community led/based and can be delivered in individual patients homes; and
 - the existing former use for the care home has remained vacant for the last 7 years and there is no realistic prospect of the care use resuming onsite.

On this basis, the loss of Woodlands as a mental health care facility would not conflict with Lambeth Local Plan Policy H8, Draft Lambeth Local Plan Policy H8 or Adopted London Plan Policy 3.16 or Intend to Publish Version of the Draft London Plan Policy H12 and therefore is accepted.

10.1.10 New Housing

- 10.1.11 Underutilised land such as that at Woodlands provide a valuable opportunity to meet the local and strategic housing needs (including affordable housing). The first strategic objective of the Local Plan (see Policy H1 of the LLP) is to increase the overall supply of housing to address the need for all types of housing, including affordable housing and the needs of different groups in the community. In principle, residential reuse of the land could be supported by officers subject to meeting the council's identified housing needs and other design and transport related aims and objectives.
- 10.1.12 The Draft Revised Lambeth Local Plan Submission Version January 2020 (DRLLP PSV) plans to meet and exceed the borough-level housing set in the emerging new London Plan. The ten-year housing target (2019/20 to 2028/29) that Lambeth is expected to plan for according to the Intend to Publish version of the London Plan (IPLP) is 13,350 new homes or 1,335 new homes per year over the (plan) period. This is reflected in policy H1 of the DRLLP PSV.
- 10.1.13 The council's latest Annual Position Statement published in September 2019 indicates that housing delivery in the borough has performed strongly against the current London Plan (minimum) target of 1,559 homes per year. The statement confirms that it is expected to exceed both its five and ten-year housing supply targets. This is illustrated in the updated housing trajectory and remains true even with the inclusion of a 5% buffer (for ten-year supply) or 10% buffer (for five year supply). Over the ten-year period 2015/16-2024/25, the cumulative housing target (including the 5% buffer) is likely to be exceeded by 1,774 dwellings. For the period 2020/21- 2024/25, housing delivery is expected to exceed the housing target plus a 10% buffer by 771 units.
- 10.1.14 In terms of the emerging housing delivery position under the DRLLP PSV, Lambeth's housing trajectory set out in Annex 13 demonstrates how the council plans to meet and exceed its London Plan target over the ten year period 2019/20 to 2028/29 (LP target for borough 13,350 new homes) and identifies a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement. In summary, the council expects to continue to meet and exceed its emerging five and ten-year housing supply targets (even with the inclusion of 5% and 10% buffers). It is also important to note is that the housing supply trajectory does not include the proposed scheme.
- 10.1.15 The council's housing supply evidence shows that the council will continue to meet its housing delivery targets exclusive of the proposed provision that would be made by this scheme. Whilst the proposal's contribution to the overall housing delivery target can be welcomed in principle, officers consider that the continued strong performance of housing delivery in the Borough outweighs the planning benefit of providing additional housing alone.

10.1.16 Retention of Cinema Museum use at Master's House

- 10.1.17 The council granted planning permission in 1998 for Master's House to be used as a Cinema Museum. The permission included a condition that limited the use to a Cinema Museum and for no other use, including those within the same use class (in this case D2).
- 10.1.18 The Cinema Museum (which has charitable status) has occupied the building since 1998 on a rolling one-year lease since being granted planning permission. Whilst the planning use is protected insofar as the existing planning permission is concerned, as noted above, the short-term nature of the lease has prevented TCM from obtaining proper funding to sustain itself in the longer term. The applicant has proposed that it will seek to agree a permanent long leasehold to enable TCM to remain in occupation of Master's House but would only be in a position to do so in the event it obtained planning permission for the residential redevelopment of the Woodlands Nursing Home site. The applicant therefore indicates that the retention of TCM is a public benefit of the development proposals. Officers are aware that the applicant and TCM have been in negotiations since late Summer 2019 regarding a long term lease although no formal agreement has been confirmed to date.
- 10.1.19 The council is supportive of the cinema museum and is keen to facilitate its retention at Master's House in order to secure the long term sustainable use of the building and as a key cultural venue in the borough.
- 10.1.20 The retention of TCM at Master's House is therefore welcomed by officers and is consistent with the aims of Lambeth Local Plan Policy ED11 and Policy 4.6 of the London Plan including Policy HC5 of the IPLP which supports the safeguarding and enhancement of social/community and cultural infrastructure. Notwithstanding, officers consider that the long term lease does not in a planning sense relate to the land or the character of the use of the any of the land within the site and therefore cannot be considered as a material consideration in the granting of planning permission. It is a commercial agreement between two separate entities that the cannot be guaranteed and/or controlled under planning.
- 10.1.21 The above consideration has implications in terms of:
- whether the lease can be considered (lawfully) a public benefit under paragraph 196 of the NPPF; and
 - whether it would satisfy the requirements of Regulation 122 of the CIL Regualtions 2010 (as amended).
- 10.1.22 Both points are considered separately in paragraph 10.4.81 of the report and paragraphs 11.4-11.10 respectively.
- 10.1.23 Overall, the proposed retention of TCM at Master's House complies with LLP Policy ED11 and Policy 4.6 of the London Plan and Policy HC5 of the IPLP which seeks to safeguard and improve cultural facilities/venues

10.2 Affordable Housing and Viability

- 10.2.1 Policy 3.13 of the London Plan and Policy H2 of the Local Plan require affordable housing for schemes of 10 or more units, with a mix of tenures being required in the interests of balanced and mixed communities. The Local Plan has a target of 50%

affordable housing where public subsidy is available (or 40% on sites where there is no public subsidy), with a 70:30 split between social/ affordable rent and intermediate tenure. The London Mayors Affordable Housing and Viability SPG (LMAHV SPG), London Plan and Draft Lambeth Local Plan (Submission Version) advocate affordable housing targets on a habitable room basis rather than unit basis.

- 10.2.2 The London Mayors Affordable Housing and Viability SPG (2017) establishes the ‘fast track’ and ‘viability tested’ routes for assessing affordable housing provision, requiring that planning applications that provide less than 35% are supported by a Financial Viability Assessment (FVA). The SPG promotes the delivery of a range of tenures, including at least 30% low cost rent (social rent or affordable rent) and at least 30% as intermediate products (with London Living Rent and/or shared ownership being the default tenures). The LMAHV SPG at paragraph 2.49 indicates that shared ownership is generally not appropriate where unrestricted market values of a home exceed £600,000. It goes on further to say under paragraph 2.50 that: “...LPAs and applicants should ensure that intermediate housing provision is for households within the full range of incomes below the relevant upper limit....”.
- 10.2.3 In terms of the emerging policy position, Policy H4 of the IPLP (2019) specifies that all major developments of 10 units will trigger a requirement to provide affordable housing onsite and in the case of public sector land, it will expect provision to be at least 50%. To qualify for the Fast Track Route, it is expected to follow the threshold approach set out in Policy H5 which requires that:
- affordable provision meets or exceeds the relevant threshold level without public subsidy;
 - it is consistent with the prescribed tenure mix;
 - it meets other policy requirements and obligations; and
 - it demonstrates that the 50% target in Policy H4 has been taken into account.
- 10.2.4 Policy H2 of the DRLLP PSV (2020) states that the council will maximise the delivery of affordable housing in accordance with London Plan policy and the borough-wide approach which includes:
- ensuring threshold approach in Policy H5 is followed;
 - proposals between 10 and 25 units (gross) may follow Fast Track Route where they meet the relevant threshold level of affordable housing off site or as an in-lieu payment;
 - On sites fewer than 10 units (gross) a financial contribution towards off-site affordable housing will be sought in line with the council’s preferred methodology;
 - tenure split of 70% low cost rented (Social Rent/London Affordable Rent) and 30% intermediate (London Living Rent/London Shared Ownership) in accordance with the principles set out in the council’s Tenancy Strategy; and
 - review mechanisms as per the London Plan and associated Supplementary Planning Guidance and Lambeth Development Viability SPD 2017.
- 10.2.5 In addition to the above policy wording, supporting text in paragraph 5.30 indicates that the council’s will set out its preferred mix of rental levels for all affordable housing including intermediate affordable through its Tenancy Strategy. The Mayor’s Affordable Housing and Viability SPG states that shared ownership will not normally be appropriate in locations where market sales values exceed £600,000 and where this is the case London Living Rent should be the intermediate product provided.

- 10.2.6 Parts B and C of policy H2 respectively relate to the compliance of affordable housing with the council's preferred housing size mix stated in policy H4 and ensuring it is equivalent in design terms to market based housing.

Affordable proposals

- 10.2.7 The proposed scheme seeks to provide a target headline rate of 50% (291 rooms on a habitable room basis) as affordable housing on the basis that the site was formerly public land. In terms of affordable housing tenure split, the applicant has proposed 31% to be provided as affordable rent (London Affordable Rent) and 69% as intermediate (London Shared Ownership) by unit which would be the equivalent of 90 and 201 habitable rooms respectively. Given that the applicant has not confirmed the level of public subsidy to be provided including the fact that the proposal does not comply with Lambeth's preferred policy on tenure split 70/30 (social and affordable rent/intermediate), the scheme has followed the Viability Tested Route to ensure the maximum quantum and affordability of affordable housing is achieved.
- 10.2.8 The applicant has adopted the 'Existing Use Value' approach and allows for an additional landowner premium (EUV+) in determining the benchmark value. This approach is consistent with the IPLP, Mayor's Affordable Housing and Viability SPG and the Lambeth Development Viability SPD and is acceptable in principle subject to agreement of an acceptable level of premium. The applicant's Valuation Report (prepared by CBRE) provides market evidence (in terms of similar sites/properties recently sold) to support its adopted existing use valuation for the application site. Accordingly, the applicant had adopted a BLV of £4.2m which comprises an existing valuation for the site of £3.5m plus 20% premium.

Benchmark Land Value (BLV)

- 10.2.9 The applicant has adopted the 'Existing Use Value' approach and allows for an additional landowner premium (EUV+) in determining the benchmark value. This approach is consistent with the Mayors Affordable Housing and Viability SPG and is acceptable in principle subject to agreement of an acceptable level of premium. The applicant's Valuation Report (prepared by CBRE) provides market evidence (in terms of similar sites/properties recently sold) to support its adopted existing use valuation for the application site. Accordingly, the applicant had adopted a BLV of £4.2m which comprises an existing valuation for the site of £3.5m plus 20% premium.
- 10.2.10 In respect of the applicant's existing use valuation, the council's viability consultant advises that the base price of £3.5m is a reasonable expectation. However, with respect to the 20% premium, it considers that these types of properties would normally attract lower premiums than would be the case for other uses. When assessing transactional evidence for assets in this use class, they typically transact on an unconditional basis which inevitably will reflect some form of premium for an alternative use. Consequently, a reduced premium of 15% is justified, which results in a revised BLV of £4.02m (less £175,000 than as originally proposed by the applicant). The revised BLV has subsequently been agreed by the applicant.

Gross Development Value (GDV)

- 10.2.11 The GDV of the scheme is achieved by working out the estimated value of the development on the open market if it were to be sold in the current economic climate. In this case, the main elements that generate value are the residential units (both private and affordable) and the cinema museum.

- 10.2.12 The applicant anticipates an average sales value of £903 per square foot (psf) for the private units. The council's consultant has compared this against prices achieved (based on "sold prices" of units) at seven similar schemes in this part of London, e.g. The Dumont, Blackfriars Circus, Two Fifty One, Palace View, Trilogy, Elephant Park and The Levers.
- 10.2.13 Based on the sales information for each of the seven comparable schemes, the council's consultant concludes that the proposed scheme could realistically achieve an average sales value of £987psf for the 145 private units whilst also taking into account the effects of providing 50% affordable housing onsite. On this basis, the proposals would generate a value of c.£83m (based on a total net internal area of 84,186 sq ft). The applicant's base valuation of £903 psf would generate a lower valuation of c.£76m. The difference between valuations can be attributed (in part at least) to the undervaluation of residential units in the upper floors of Block B which the council's viability advisor has indicated could realistically achieve premium values based on comparative sales evidence in similar new build schemes locally. Therefore, based on the latest market evidence, officers are of the opinion that the applicant has significantly underestimated the gross development value of the site without justification.
- 10.2.14 With regard to the GDV of the affordable units (rented and intermediate tenures), the applicant has assumed unit values of £280 psf and £535 psf respectively. Whilst these have not been substantiated by the applicant, the council's consultant expert accepts that these are broadly in line with their own expectations for a scheme of this scope and scale. The GDV (as agreed) are therefore as follows:

Intermediate Units: £29.15m

Affordable Rent Units: £6.05m

Total combined value: £35.2m

- 10.2.15 In terms of the Cinema Museum, the applicant has included a price of £1.5m in their assessment as an expected receipt from TCM for the leasehold purchase of Master's House, The Gatehouse, and the former Male Receiving Wards. Officers are now aware that a price of £1m has since been agreed between both parties although no formal purchase agreement has been entered into (Refer to Appendix 4). In addition, the applicant has not indicated whether the price agreed is based on a commercial/market rate or if it has been discounted. Notwithstanding, the reduced price indicated has been adopted for the purposes of calculating the GDV.
- 10.2.16 On a nil grant funding basis, the total receipts from all the residential and cinema museum elements would amount to a GDV of £116.9m. In comparison, the applicant's projected GDV is lower at £112.5 (-£4.4m difference) which is largely attributed to the lower £/psf valuation adopted by the applicant for the private residential units. In summary, agreement has not been reached on GDV between parties.

Construction Costs

- 10.2.17 The applicant's original cost plan has been updated following discrepancies in its own assumption of the number of units and therefore gross internal area of the new build

elements. The applicant's revised cost plan has since been reviewed by the council's consultant. To date, no agreement has been reached in terms of the base build costs and 'other costs' as reported below.

- 10.2.18 The applicant has adopted a core build cost of c.£340 psf. The council's consultant adopts a core build cost of c.£325 psf. Both costs rates are inclusive of preliminaries, design development risk and constriction risk allowances. The comparative base construction costs and the overall difference are set out in the table below:

	AY (£ circa)	Applicant (£ circa)	Difference
Build Cost	£76,906,351	£80,489,000	-£3,582,649

Table 1: Build cost comparisons.

Other costs

- 10.2.19 Additional items such as acquisition costs, professional fees, sales and marketing, finance costs and S106/CIL amount to c.£23.3m.
- 10.2.20 Avison Young has estimated the total costs of the scheme to be c.£100.2m. Given that the applicant has not provided an updated appraisal with the amended costs inputted, officers are unable to make a precise comparison in this instance.

Profit (%GDV)

- 10.2.21 Deducting costs from GDV, the current scheme (without grant) would produce a profit of c.£16.7, which equates to 14.43% on GDV and 16.69% on costs. Given the complexity of the scheme and current market confidence, it is expected that this level of return would be sufficient to incentivise the developer to deliver.
- 10.2.22 Cognisant of the assumptions being made on costs and scheme value, it is the opinion of the council's consultant advisor that the scheme in a 'without grant scenario' could support a marginally improved tenure split of 57% intermediate and 43% affordable rent if compared to the applicant's own initial assessment. Nevertheless, the without grant scenario does not enable a policy compliant affordable housing mix.
- 10.2.23 However, were the applicant to secure GLA grant as it has advised it would be seeking to do, the council's independent advisor indicates that the scheme could viably provide a policy compliant affordable housing tenure mix in favour of affordable rent units (71% affordable rent and 29% intermediate). Grant funding is normally provided at a rate of £60k for London Affordable Rent homes and £28k for London Living Rent and London Shared Ownership homes. On that basis, the developer profit would be in excess of the benchmark of the agreed profit margins of c.£680,000.
- 10.2.24 In terms of the proposed intermediate shared ownership units, officers are concerned that these would not be 'genuinely affordable' to eligible households given that the average open market values of properties will exceed £600,000 in this location. The Mayor's Affordable Housing and Viability SPG states at paragraph 2.49 that generally shared ownership is not appropriate where unrestricted market values of a home exceed £600,000; this position is also reflected in DRLLP SV paragraph 5.30, which

adds that in those areas London Living Rent should be the intermediate product provided.

- 10.2.25 Whilst the applicant has not demonstrated affordability against the GLA's upper income limit for intermediate shared ownership, officers consider that future tenant/occupiers are likely to require incomes towards the GLA's maximum cap of £90,000 per annum in order to be able to afford them. This is contrary to the position stated in the current London Plan (2016) and the IPLP (2019) paragraph 4.6.9 which expects that boroughs ensure that intermediate provision provides for households with a range of incomes below the GLA's upper income limit(s).
- 10.2.26 Overall, officers consider that the applicant's viability analysis has significantly underestimated the value that would reasonably be expected in a scheme of the quality and location involved. Consequently, this has therefore resulted in an affordable housing tenure split that is not properly justified as demonstrated and therefore unacceptable. Accordingly, it is recommended that the application is refused on grounds that it fails to provide a policy compliant affordable tenure mix in accordance with the requirements of Policy 3.11 of the London Plan; Policy H5(C) and H6(A2) of the IPLP (2019); and Policy H2(a)(iii) of the Lambeth Local Plan and Policy H2(v) of the DRLLP PSV (2020).
- 10.2.27 The applicant had also failed to demonstrate that the provision of intermediate shared ownership in this location would be genuinely affordable to future tenants occupiers and therefore is contrary to Policy 3.10 of the London Plan and Policies H4 and H6 of the IPLP (2019) including the Mayors Affordable Housing and Viability SPG.

10.3 Housing size mix

- 10.3.1 Policy H4 of the LLP states that the council will support proposals that offer a range of dwelling sizes and types to meet current and future housing needs. It requires in part (a)(i) that the affordable housing elements of residential developments (including conversions) should reflect the preferred borough-wide housing mix for social/affordable rented and intermediate housing as follows:
 - 1 bed units - not more than 20%
 - 2 bed units - 20-50%
 - 3 bed units - 40%
- 10.3.2 The policy position is not as prescriptive for private market housing in that it states that a 'balanced mix of unit sizes including family accommodation' should be provided.
- 10.3.3 Policy H10 of the IPLP (2019) requires, for low cost rent, boroughs to provide guidance on the size of units required (by number of bedrooms) to ensure affordable housing meets identified needs. The IPLP has significant weight as a material planning consideration. In accordance with policy H10, policy H4 of the DRLLP PSV (January 2020) requires the low cost rented element of residential developments to reflect the preferred borough-wide housing mix:
 - 1-bed units Not more than 25%
 - 2-bed units 25-60%
 - 3-bed units Up to 30%

- 10.3.4 The preferred borough-wide size mix for affordable social rent has been amended in favour of a higher proportion of 2 bed units and there is no longer a specified mix for intermediate affordable housing. The DRLLP PSV states that for market and intermediate housing, a balanced mix of unit sizes including family-sized accommodation should be provided.
- 10.3.5 The supporting text to Local Plan policy H4 states that to ensure mixed and balanced communities, a range of dwelling sizes including family-sized housing will be sought from all new developments. Family-sized accommodation is defined as having three or more bedrooms (at least one of which is a double-bedroom). The Draft London Plan also defines family-sized units as 3 bed + units. In addition, the supporting text to the Local Plan policy H4 also states that while developments are expected to reflect the preferred dwelling mix set out above, rigid application of these requirements may not be appropriate in all cases. When considering the mix of dwelling sizes appropriate to a development, the council will have regard to individual site circumstances including location, site constraints, viability and the achievement of mixed and balanced communities. In all cases proposals will be expected to demonstrate that the provision of family-sized units has been maximised although it should be noted that the DRLLP PSV requires proposals to demonstrate that the provision of family-sized units has been considered.

- 10.3.6 The following table provides a breakdown of the proposed housing unit mix by tenure.

	Unit	Total	Hab/Room	% Unit Mix
Affordable Rent	Studio	0	0	0.0%
	1B/2P	0	0	0.0%
	2B/3P	0	0	0.0%
	2B/4P	15	45	5.8%
	3B/5P	9	45	3.5%
Intermediate	Studio	0	0	0.0%
	1B/2P	66	132	25.6%
	2B/3P	23	69	8.9%
	2B/4P	0	0	0.0%
Private	Studio	27	27	10.5%
	1B/2P	91	182	35.3%
	2B/3P	27	81	10.5%
	2B/4P	0	0	0.0%
	TOTAL	258	581	100.00%

Table 2: Proposed housing size mix

- 10.3.7 The proposed affordable housing mix (both affordable rent and intermediate) is calculated as a proportion of the total number of units to be provided in this tenure (113 in this instance). As such the proposed unit mix is as follows:

1 bed -58%; 2 bed - 34%; and 3 bed - 8%.

- 10.3.8 With regard to the 145 proposed private/market units, the mix proposed is as follows:

Studio – 19%, 1 bed – 63%; and 2 bed – 19%.

- 10.3.9 Across both tenure types (affordable social rent/intermediate and private), it is clear that there is preponderance of 1 bed units and correspondingly fewer 2 and 3 bed units which at the outset does not comply with the council's need to maximise larger family homes.
- 10.3.10 With regard to emerging local plan policy (DRLLP PSV), the low cost rented element would provide the following mix:
- 1 bed – 0%; 2 bed – 62.5%; and 3 bed – 37.5%
- 10.3.11 In this emerging policy scenario for low cost housing, the scheme would overprovide for 2 and 3 beds sized units and would not provide any 1 bed units. Whilst officers appreciate that family sized accommodation is a priority need in the borough, its overprovision would impact on the ability to achieve a proper balanced mix to meet all identified needs for low cost accommodation.
- 10.3.12 In terms of intermediate and market elements under the emerging local plan policy, the scheme would provide the following mix:
- Studio – 12%; 1 bed – 67%; 2 bed – 21%; and 3 bed – 0%.
- 10.3.13 Similar to the conclusions above relating to the affordable housing mix, the scheme in this element significantly over provides for 1 beds and underprovides in the family sized accommodation type (3 beds).
- 10.3.14 In summary, the above analysis of the mix of housing in both the adopted and emerging planning policy scenarios shows that:
- the scheme does not meet the preferred borough-wide housing mix for the social/affordable rented or the intermediate housing set out in adopted Local Plan policy and does not provide a balanced mix of unit sizes for the market housing, particularly given the lack of family-sized accommodation (as defined in both the Local Plan and London Plan);
 - under emerging policy, which is a material planning consideration, the mix of units does not reflect the preferred borough-wide housing mix for the affordable element of the scheme given the overprovision of 2 and 3 bed units and lack of 1 bed units; and
 - the intermediate and market element of the scheme does not provide a balanced mix of unit sizes given the overprovision of studio and 1 bed units and the lack of family-sized accommodation.
- 10.3.15 Officers acknowledge that site constraints such as a reduced developable area and proximity of existing neighbouring dwellings can impact on the housing size mix. However, in this instance it is considered that site constraints are not an overriding reason for why there is a significant imbalance in the housing mix (particularly in the overprovision of 1 bed units in the private/market elements). Rather it would appear that the combination of the constrained nature of the site and financial viability has resulted in a scheme that realistically would be unable to meet evidenced housing needs. Whilst officers recognise the need to optimise development on all sites, this approach should not be at the cost of achieving a housing size mix that responds to

the borough's identified needs and the objective of achieving mixed and balanced communities.

- 10.3.16 Officers have noted that the applicant is seeking to justify the proposed housing mix from drawing conclusions from data in the SHMA 2017 with specific references made to household sizes, tenure and under occupancy in the Princes Ward. The SHMA does not intend to provide an 'area profile' of the borough and therefore should not be used to determine detailed dwelling size mix in developments in a given ward. The SHMA is also evidence only and not planning policy and therefore the applicant's arguments made to justify its approach to housing size mix cannot be relied on. The starting point for considering an appropriate housing size mix is the borough level policy (both adopted and emerging Policy H4) and determination in accordance with the development plan.
- 10.3.17 Overall, the over-provision of smaller units and under-provision of family sized units particularly in the private element fails to meet the current stated housing needs of the borough. In addition, the lack of one bed sized units in the affordable social rented element does not provide for the range of housing needs in the borough. The applicant has not provided robust justification for the proposed housing size mix in both low cost/social rented housing and market housing elements of the scheme. In the absence of this, the scheme would therefore fail to achieve the objective of securing mixed and balanced communities as advocated in both London Plan Policy 3.8; IPLP Policy H10; Lambeth Local Plan Policy H4 and DRLLP Submission Version Policy H4.

10.4 Design and Conservation

10.4.1 Optimising Density

- 10.4.2 Optimising housing potential is a key requirement advocated in Policy 3.4 of the London Plan and LLP Policy H1. The application site is PTAL6a And based on the physical developable area of the site, which excludes the cinema museum and its curtilage and access road, the proposed development would equate to a density of c.500 u/ha, which is in excess of the maximum upper end (405u/ha).
- 10.4.3 The resulting density of the proposals initially highlights that the site may not be suited for the level of development being proposed. To understand the appropriateness of the proposed development on this site better, the following section of this report considers the impact of the design on the established built character in the immediate and wider context of the location. This approach reflects the emerging design-led approach being advocated by Policy D9 of the IPLP for determining the appropriate optimum level of development. Later sections of the report analyse the impacts on residential amenity, transport and environment which in addition will contribute to the wider understanding of whether the proposed amount of development is indeed appropriate.

10.4.4 Context of immediate and wider surroundings

- 10.4.5 The application site occupies a corner of the former Lambeth Hospital complex which started life as the Lambeth Workhouse. It occupies a backland site bounded by buildings fronting Renfrew Road (west), Castlebrook Close / Brook Drive (north), Dante Road (east) and Kennington Lane (south). There are only two means of entry into the former Hospital complex – Dugard way to the southwest and George Mather's Road to the east.

- 10.4.6 The remaining historic buildings of the former Workhouse sit immediately to the south of the site. They comprise the impressive Grade II listed Administrative Block / known as Master's House (occupied by The Cinema Museum) and the Grade II listed Water tower(in residential use), and lodges / reception buildings which are locally listed. These historic buildings form a key component of the Renfrew Road Conservation Area (RCCA). The Renfrew Road Conservation Area Statement (2007) states:

'The Renfrew Road Conservation Area was first designated in 1985 in recognition that it is a unique assemblage of 19th Century civic and institutional buildings. Each of these has its own strong form based on its function and use and this variety is also reflected the architectural styles. During the middle part of the C19th, intensification of land use took place, and Renfrew Road and the surrounding streets were laid out in a grid and developed with terraced housing. On Renfrew Road the Court Tavern public house terminated one of these terraces. The greater numbers of residents in turn required increased public services and to this end a number of civic buildings were built on or around Renfrew Road, a large police station, the court-house with prison cells (1869), the fire station (1868), a work-house (1870) and later an infirmary. The fire station was subsequently extended in the 1896, the infirmary became Lambeth Hospital in the 1920s and the police station (outside the conservation area) was replaced by Gilmour Section House. The main block of the work house can be seen below and the original plan of the complex is on the opposite page.'

The conservation area's character is derived from Victorian buildings fronting onto Renfrew Road, and in the Lambeth Hospital site which is behind the buildings on east side of Renfrew Road and accessed via Dugard Way.

The appraisal concludes:

The Renfrew Road conservation area contains an impressive collection of historically important and architecturally interesting civic and institutional buildings dating from the mid-late 19th Century. However, it has a forlorn and neglected character due to the dereliction and vacancy of some buildings / sites and the surrounding unsympathetic built environment. Opportunities for sympathetic re-use and redevelopment abound.

- 10.4.7 Most of the remaining hospital was redeveloped c. 2008 and comprises 2, 3 and 5 storey residential blocks arranged around George Mather Road. The use of stock brick complements the historic buildings within the conservation area and the layout was designed to better reveal and celebrate the historic Grade II listed water towerwhich terminates the view north up George Mathers Road (see Figure 13 below).



Figure 13: View down George Mathers Road towards listed Water Tower. The application site is immediately to rear of the tower. Google – March 2019.

- 10.4.8 The sympathetic extension and conversion of the water tower to residential use (c2009) featured in Channel 4's 'Grand Designs' and has been well received. Prior to conversion it was on the Buildings at Risk Register. These works are considered to have enhanced the character and appearance of the RRCA. The water tower was statutory listed in 2008 (after the preparation of the Conservation Area Character Appraisal). The list entry gives the following reasons for designation:

Water tower

*'The water tower to the former Lambeth Workhouse and Infirmary is designated for the following principal reasons: * of special architectural interest as an imposing and distinctive water tower in the Venetian Gothic style, constituting a rare feature in inner London; * historic associations with Lambeth Workhouse and Infirmary; * group value with the former workhouse administrative block, whose style it complements, and with the nearby former courthouse and fire station in Renfrew Road (qv); a good ensemble of Victorian public buildings.'*

- 10.4.9 Beyond this the context is more varied. To the north is the extensive West Square Conservation Area (WSCA) (in Southwark) which comprises largely 19th Century housing, some London squares and the Imperial War Museum. Southwark's Conservation Area Appraisal (2013) describes it as:

'3.1.1 The West Square Conservation Area is a notable example of high quality late Georgian and mid-19th century townscape, with a number of significant public buildings. The Imperial War Museum, with its surrounding parkland; Geraldine Mary Harmsworth Park, is the centrepiece of the conservation area. St George's Roman Catholic Cathedral is another important building.'

3.3.2 The layout of West Square was started in 1794 and was completed in about 1810. It is one of the earliest surviving Georgian squares in south London. The terraces around the square are generally uniform, arranged around a central green. This uniformity was interrupted with the construction of the Charlotte Sharman School of 1884, which replaced Nos. 1-5 (consec.) West Square on the north-west side. The north-east side of the square is a reconstruction in a neo-Georgian style following war damage.

3.7.2 West Square on the other hand is a completely formal square with limited access from the north and south, which gives it a sense of privacy despite public ownership. It is enclosed by railings and overlooked by the surrounding terraces. The square is dissected by a cross pattern of paths with trees and flowerbeds planted within the quarters. The Mulberry trees display a typical reclining habit and are of especial importance due to their likely planting date coterminous with the square itself. The enclosure of a central bed with a fence of rustic poles is entirely at odds with the Georgian elegance of the square.'

- 10.4.10 To the West is the Walcot Conservation Area (WCA) which comprises mostly Grade II listed late Georgian homes around London squares. The draft Walcot Conservation Area Appraisal (2015) states:

'Walcot Conservation Area was first designated (as Walcot Square) in June 1968 and represents an attractive example of late C18 and early to mid C19 terraces, including two garden squares. The boundary and name of the conservation area were altered in 1980 when it was extended on all sides.

The conservation area is notable for Walcot Square, of three sides, particularly attractive terraces, dating to 1837-9, located around a central garden. St Mary's Garden is also of interest due to its two mid C19 terraces and one late C19 terrace located around a central garden. Some of the best examples of the remarkably complete collection of late C18 to early C19 terraces on Kennington Road are included within the conservation area, as are some fine late C18 terraces in Walnut Tree Walk. There are also a number of late C19 and early C20 buildings incorporated within the conservation area, many of which make a positive contribution to its character.

Walcot Square and St Marys Gardens

Also in 1835 the trustees had an assignment of an adjoining piece of ground from Lytton George Kier and Isaac Lawrence. The land, which had previously been garden ground in the occupation of Dionysus Fairclough, was laid out to form what is known as Walcot Square, though in fact it is a triangle.

This square was laid out and the houses erected in 1837-39, Nos. 9-81 by John Woodward of Paradise Street, Nos. 16-24 by Charles Newnham of Newnham Place, Paris Street, and Nos. 26-50 by John Chapman of Waterloo Road, builder.

St Marys Gardens

This is one of the attractive garden squares, of three sides, within the Conservation Area. It has a sense of modest elegance. The northern and eastern sides of the square contribute most to this as they were the first to be built, in the mid C19.

Walcot Square

This is the principal of the two garden squares and one of the areas most attractive features. The centre of the square has a particular sense of modest elegance but although a triangle it has legs leading off each corner which are less formal and have a subsidiary character. The north-eastern, western and southern terraces of the three sided square were erected 1837–39, but are by three different builders and consequently differ in design.

The appraisal concludes:

The Walcot Conservation Area represents one of the most intact and architecturally coherent areas of late C18 and early/mid C19 town planning within Lambeth. The relationship between the landscape framework and the well-detailed buildings creates an area of strong streetscape character. The area is worthy of its conservation area designation.

The conservation area as a whole is characterised by very good groups of historic buildings and spaces. A key part of the management strategy will be the resistance to unsympathetic development. This will help to ensure that those characteristics, which define the area, are retained and not lost via a gradual process of erosion. Enhancement opportunities are limited within the conservation and lie mainly with; the repair or reinstatement of historic features and replacement of inappropriate shopfronts. These, the council believes, can be achieved through good development control and working in partnership with business owners and local residents.'

- 10.4.11 The adjoining context of the Woodlands Site outside the immediate confines of the historic hospital complex and conservation area is very low residential density. There are three storey 1970s townhouses fronting Renfrew Road, two storey 1990s cul-de-sac housing on Castlebrook Close, two storey 1990s homes and three storey flats to Brook Drive, and two storey 1990s housing to Dante Road.
- 10.4.12 To the southwest is the extensive Kennington Conservation Area (KCA) which comprises a rich townscape of 18th, 19th and 20th Century housing (much of which is grade II listed). The Kennington Conservation Area Statement (2012) states:

'Kennington Conservation Area was designated in 1968 and is characterised by smart terraced housing which developed from the late 18th Century and the impressive Duchy of Cornwall Estate which was laid out in the early 20th Century. The conservation area boundary was extended in 1979 and again in 1997.

2.14 The conservation area is characterised by the contrast between the busy and noisy arterial roads that transect the area (Kennington Park Road, Kennington Road and Kennington Lane) and the side-streets which tend to have a sense of quiet orderliness and modest elegance. The area's green open spaces such as Kennington Green and the garden squares, its street trees and the large front gardens fronting Kennington Road contribute significantly to its generous spatial qualities. Kennington Road, Kennington Park Road and Cleaver Square have the grandest houses with larger gardens. The remaining houses tend to be more modest with smaller gardens. Tenement and apartment blocks tend to be three storeys in height. The over-all effect is of a well ordered urban environment.

The appraisal concludes:

2.140 The Kennington Conservation Area represents one of the most intact and architecturally coherent areas of architecture and townscape within Lambeth dating from the late 18th Century to early 20th century. The conservation area is considered to have London wide significance in this respect. However, some problems existing— inappropriate shopfronts and signage, hoardings, poor boundary treatments etc. which require enhancement. There may also be scope for modest boundary changes.

- 10.4.13 To the south the remaining part of the RRCA extends along Renfrew Road. The key buildings here are statutory listed: Former Lambeth Magistrates Court (Renfrew Road) and K2 telephone kiosk (Grade II). The list descriptions of these are very brief, the detailed accounts of each below are taken from the Renfrew Road Conservation Area Statement (2007):

*2.7.2 Jam Yang Buddhist Centre, Renfrew Road (former Courthouse)
This building frames the other side of Dugard Way. It was built in 1869 in a Tudor Gothic Style to designs by Thomas Charles Sorby (1836-1924.). It is of red brick with stone dressings, the Tudor doors have nail-head detailing and foliated spandrels over and a crest decorates the façade. The roof is of slate with swept (sprocketed) eaves and a parapet with castellated and pierced detail. The windows are timber sashes set within transoms and mullions. The Northern elevation (to Dugard Way) was extended circa 1930 to include an additional storey, which is generally sympathetic and has Georgian style metal windows. The building is reputed to be the earliest surviving example of a Criminal Magistrates Court in London.*

*2.7.3 K2 Telephone Kiosk, outside Jam Yang Centre, Renfrew Road
Located outside the former Courthouse yard on Renfrew Road, this K2 type red kiosk dates from a 1927 design by Giles Gilbert Scott. Red kiosks of this type are now an established design ‘icon’ and this one makes a positive contribution to the street scene of the conservation area.*

- 10.4.14 Combined, these four conservation areas encircle the wider context of the site to the south, southwest, west, northwest and north.

- 10.4.15 To the east is the Elephant and Castle Opportunity Area where Southwark Council have developed a cluster of tall buildings in recent years. These include Strata SE1 tower (148m AOD), 80 Newington Butts (145m AOD), Two Fifty One (128mAOD), One The Elephant (127m AOD), and E&C Town Centre (124m AOD). Finally, a little to the south west a trio of 1960s point blocks on the Cotton Gardens Estate which were designed by the acclaimed George Finch for Lambeth Council. The immediate surrounding context of the site is relatively low to mid rise therefore the tall buildings cluster is visible in the distance.

- 10.4.16 The Grade I listed Lambeth Palace complex stands about 1km to the west of the application site. The Palace is the principal feature of the Lambeth Palace Conservation Area. Standing beside the Palace and also within the CA, is the Grade II listed former St Mary’s Church with its medieval tower. The Conservation Area Appraisal (2017) states:

‘As the official seat of the Archbishop of Canterbury Lambeth Palace represents ‘Church’ and as the seat of government the Palace of Westminster represents ‘State’; this is exceptionally important to London and to the nation. Lambeth Palace is a

complex of great significance both architecturally and historically; it contains elements dating from the early 12th century and still has a strong constitutional and physical relationship with the Palace of Westminster. This relationship has significantly influenced the development of the area over the centuries and many local buildings and projects have carried a connection with the Palace or former Archbishops of Canterbury.

Lambeth Palace's substantial private gardens and the adjoining Archbishop's Park encompass a large proportion of landscaped open space which, being so close to the centre of the city, has great importance as an amenity space, public park and habitat. The conservation area also looks out in part to London's exceptional river frontage which allows views of the Palace of Westminster which is the key landmark in the internationally significant Westminster World Heritage Site.

2.36 In spite of its location close to Westminster it is only in recent decades that the wider area has begun to benefit from new development which is bringing vitality and regeneration. The wider Waterloo, Albert Embankment and Vauxhall areas are subject to ambitious plans for growth. Within this context, the conservation area is of exceptional importance with its large open spaces and invaluable architectural heritage. The impact of development on views of Lambeth Palace from the Palace of Westminster / Victoria Tower Gardens are particularly important given the historic relationship between these two Palaces. The proximity to the Westminster World Heritage Site means that major developments within or adjoining the conservation site could affect its setting (including views out).

2.37 The conservation area is a very important part of and a positive contributor to the character of the Thames in central London. It is highly visible from the river and from across the river.

2.47 Lambeth Palace is an exceptionally important group of historic buildings dating from the 11th Century onwards. It was been in the ownership of the See of Canterbury since its establishment and it is the official HQ of the Archbishop of Canterbury.

2.71 Lambeth Palace is an exceptionally important complex of buildings, the earliest dating from the medieval period, and the principal ancient monument of Lambeth. It is, therefore, worth discussing in detail:

Lollard's Tower

2.74 Archbishop Chichele built Lollard's Tower in 1434-5. It is faced with roughly coursed Kentish Ragstone except to the East and South fronts which are of red brick, with stone quoins. It is of four-storeys with staircase turret at the North-east corner rising one storey higher, and is battlemented. It has a bell-cote on the South-east side with cusped and traceried barge-boards to its gable and a bell dated 1687.

Morton's Tower

2.75 Cardinal Morton erected this fine early Tudor brick building, circa 1490. It has a recessed central entrance bay flanked by five-storey towers. Constructed in red brick which is relieved in places by diaper-work formed of black header bricks and has stone dressings.

Great Hall

2.76 Archbishop Juxon rebuilt Great Hall circa 1660-3. It has a Gothic style, oak hammer-beam roof and lancet windows combined, unusually, with some classical frieze and pediments. It is built in red brick with stone dressings. The roof is carried by buttresses and at either end of the West elevation there are square bay projections with Classical pediments, each with a finial. The timber lantern, placed centrally on the ridge of the tiled roof, is glazed and has an ogee shaped cupola which carries a gilded weather-vane with ball and mitre finial. This has been restored. See above.

Blore Building

2.77 Built as a residential wing and completed 1833 it was designed by Edward Blore in a Tudor Gothic style and is faced with Bath stone. The main South elevation has a large central entrance tower. The entrance is a four-centred arch with moulded jambs and hood mould. The North elevation, which fronts the garden and abuts Cranmer's Tower to the West, has similar detail but is without a central dominant feature. At the North-east corner there is a gabled wing of four storeys which has angle buttresses and a battlemented bay projection running through three storeys. The East elevation is divided by an octagonal tur-ret and a gabled wing adjoining.

St Mary's Church, Museum of Garden History

2.80 The tower dates from 1370, however, the body of the church was rebuilt on the medieval footings in 1851-2 in a sympathetic Decorated Gothic style. Both the tower and the body of the church are in coursed Kentish Ragstone with limestone dressings.

Views and Vistas

2.85 This section looks only at the particularly noteworthy views. It should not be seen as a definitive list as others of quality and interest exist.

2.86 Lambeth Palace is uniquely placed in central London on the banks of the River Thames opposite the Palace of Westminster. There is historic significance here too in the fact that the latter represents the heart of 'the state' and the former the home of the established 'church'. This exceptional context creates numerous views and vistas of importance:

Locally Important Views

2.88 The following views are protected by Policy Q25 of the Lambeth Local Plan:

Landmark Silhouette (ix) View W from Lambeth Palace's garden to Houses of Parliament (Victorian Tower) as viewed through the gap between St Thomas's Hospital building and Guy's and St Thomas's Medical School building - Victoria Tower looks particularly impressive when framed to the North by Block 8 of St Thomas Hospital to the North and Block 9 (the former Medical School building) to the South.

The appraisal concludes:

3.37 The Lambeth Palace Conservation Area has at its heart the Archbishop of Canterbury's Official Residence – Lambeth Palace, the principal ancient monument of Lambeth. It is an exceptionally important complex of buildings, the earliest dating from the medieval period, set in extensive gardens and park (now Archbishop's Park). The Palace's visual, historic and constitutional relationship to the Palace of Westminster (Westminster World Heritage Site) cannot be underestimated. The legacy of generations of Archbishops is evident throughout the area too.

3.38 The former St Mary's Church (the fourteenth century tower is Lambeth's oldest) with its charming historic churchyard and the exceptional contribution made by the other open spaces create an exceptional place in the heart of the city.

10.4.17 Townscape Impacts

Arrangement of Buildings on the Site

- 10.4.18 The new route from Dante Road provides servicing and vehicular access, the lower block is placed North to South on the western side of the site and the tall building is placed centrally. This arrangement allows for a pedestrian route through the site linking Longville Road with Dugard Way.

Pedestrian Route

- 10.4.19 This route passes through an undercroft beneath the tall building and has a 90 degree turn along its length. These combined would create poor legibility for users approaching from either direction and whilst the applicant asserts that there is public benefit in this being a public route officers would disagree. The poor legibility, the undercroft arrangement and the absence of nighttime activation at pedestrian level combined are a real cause for concern.
- 10.4.20 Whilst officers accept that the existing routes to the Cinema Museum (from Renfrew Road via Dugard Way and from Dante Road via George Mathers Road) are not direct at least these have vehicular movement and active frontages which make them safe to use at night. The view from the corner of Dante Road and Longville Road is down the flanks of suburban houses (see Figure 14 below) with little overlooking or surveillance.



Figure 14: View from Dante Road looking towards the site (Google, March 2019).

- 10.4.21 The proposal will be of a tall residential building with associated parking area determining this vista. Visitors seeking the museum would have to walk down the road and enter the site into this service area / car park, pass through the undercroft through an arrangement of V shaped colonnades (blocking visibility) and turn disappears to the left through the residential amenity space. Any visitor will feel as though they have strayed into a private residential curtilage and this too will add to the feeling of illegibility in terms of the lack of clarity between what is public and private space. The GLA has indicated that it is also concerned by the legibility of the proposed pedestrian route as a result of the inclusion of the colonnades (see paragraphs 57-59 of its Stage 1 response). Given their scale and number, the proposed V-Shaped colonnades further amplify its lack of coherence with the immediate diminutive surroundings and as such is contrary to Policies Q5 and Q6 of the Lambeth Local Plan.
- 10.4.22 The poor legibility is not acceptable (contrary to Policy Q6 (iii)), and will be particularly poor for the sight-impaired or wheelchair users (contrary to Policy Q1(ii)) and all this has implications for community safety (Policy Q3(i, ii)). This can be seen on pages 116 and 117 of the D&A statement.
- 10.4.23 Officers consider this new route would be undesirable to pedestrians seeking the Cinema Museum, especially given its offer is largely an evening one. At no point will the pedestrian actually see their destination's entrance until they happen upon it. Its public benefit is very limited.

Communal Amenity Space / Play space

- 10.4.24 As touched upon above, there is conflict between pedestrian movement and the provision of communal amenity space / play space. The public route passing through the site diminishes the opportunity for the relatively limited outdoor space at the foot of the tall building to genuinely serve the needs of future residents in the proposed 258 new homes. The route through the site becomes a dominant landscape feature when instead it should be the landscape provision for residents which dominates.

10.4.25 On a more detailed level, all the communal amenity space appears to be subdivided into playable space. However, given the public access through the site, and vehicle manoeuvres at each end, parents will not be comfortable leaving their children to play in this sort of environment. In this regard we consider the proposal to fail the requirements of Lambeth Local Plan Policy Q2 (vi). Playable space is offered instead of truly dedicated play space which we consider unacceptable as no proper play equipment is proposed. London Plan Supplementary Planning Guidance 'Shaping Neighbourhoods' Play and Informal Recreation, 10sqm provision per child as per spg. Play areas should be easily accessible and overlooked by habitable rooms with appropriate play equipment. In this regard officers consider the proposal to fail the requirements of Policy Q2 (vi) of the adopted Lambeth Local Plan and advice contained in the aforementioned London SPG.

Bulk, Scale and Mass- Immediate Impact

10.4.26 The tall element takes of the form of two slender, interlocking masses one of which is taller than the other. In some views this gives the impression of two slender buildings overlapping.

10.4.27 As stated above this backland site sits in an immediate context of 2 and 3 storeys properties from the 1970s to the 1990s. Dropping in a 29-storey point block into the centre of this makes for an incongruous form of development. The incongruity will be especially jarring when viewed from Brook Drive (Figure 15), Castlebrook Close (Figure 16), Dante Road (Figure 14), George Mathers Road (Figure 13), Gilbert Road (Figure 17) and Renfrew Road (Figure 18) where the scheme will tower above the two and three storey housing.

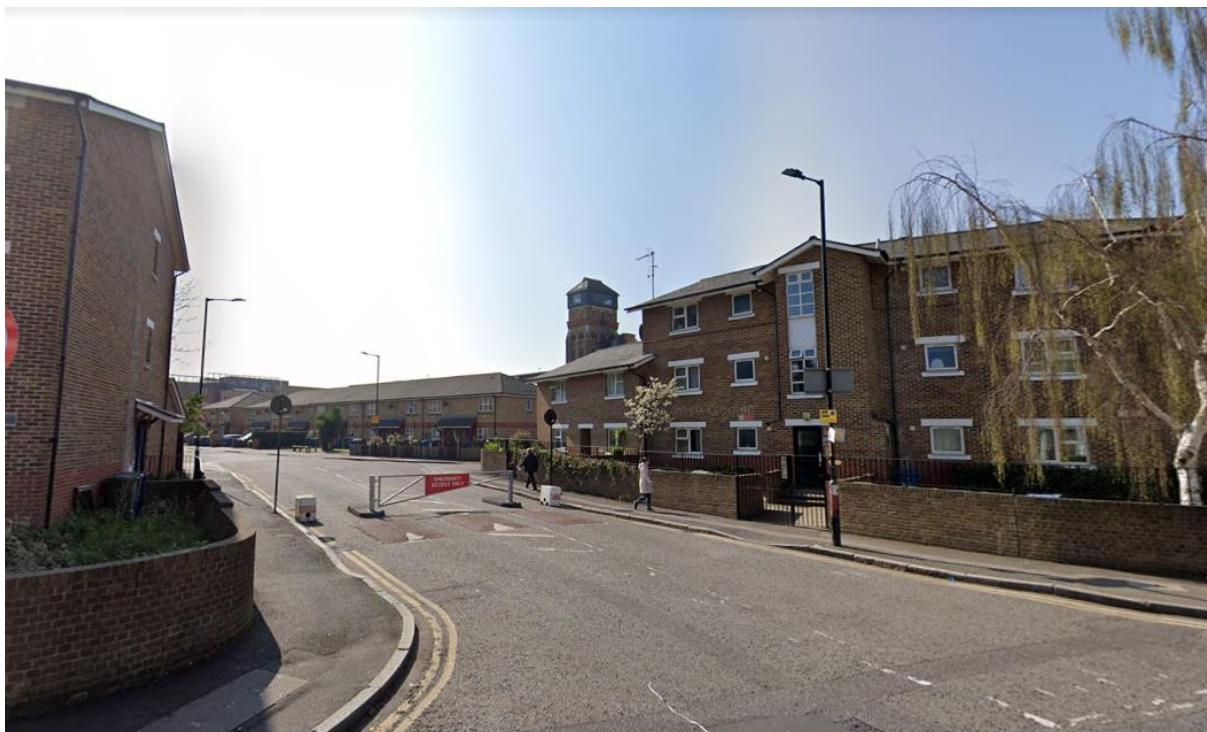


Figure 15: Brook Drive looking towards the site (to right of water tower). (Google, March 2019).



Figure 16: Castlebrook Close with the application site to top of image (Google March 2019).



Figure 17: View along Gilbert Road towards the site (situated immediately behind the foreground houses), (Google, March 2019).



Figure 18 – Renfrew Road looking towards the application site, (Google, March 2019).

- 10.4.28 Whilst it is accepted that the Elephant and Castle tall building cluster is nearby, it is generally viewed as a separate, slightly distant entity when viewed within this low-rise residential context. By contrast the proposed tall and bulky building looks out of the heart of this low-rise residential context. The impact of such an overwhelming built form can't be mitigated by the good façade design. It will be excessively dominant and alien to its neighbours in this immediate low-rise context. In this regard it fails to meet the requirement of Policy Q7 (ii) London Plan Policy 7.7 and IPLP Policy D9. An undue sense of enclosure would also result to immediate neighbours of Renfrew Road and Castlebrook Close contrary to Policy Q2(iii).

Apearance

- 10.4.29 Whilst it is often the case that detailed design can lessen perceived bulk and play down the appearance of mass, as stated above it is the sheer scale of the proposal given its oppressive bulk, scale and mass, that is problematic. Officers consider that even if the appearance was considered exemplary, this alone would not be sufficient to mitigate the adverse impacts caused by the bulk, mass and height of the 29 storey building on its very immediate neighbours. It is generally in medium and to a lesser extent distant views that an effective architectural treatment can achieve the greatest beneficial visual effects.

- 10.4.30 The applicant's Design and Access Statement (DAS) states the facade composition of the 29 storey element takes inspiration from movie celluloid. This is interesting as a concept but the resulting design is so abstract that the casual viewer would not understand this influence on the design. The proposal has a skin of solid panels and glazing aligned vertically overlaid by the celluloid inspired frame. The horizontal elements of the frame thin out as the building rises which extrudes the verticality at the upper parts of the two interlocked masses that form the tower. The result is generic in character and the vertical extrusions tend to emphasise the height rather than play it down. As a result the effect of height is amplified. The current red and black colour tones for the materials palette create a contrasting effect which

contributes to the visual dominance. It does not meet the high standards of design quality required by the London Plan Policy 7.6 and 7.7 or by Policy Q7 (i) of the Lambeth Local Plan.

- 10.4.31 The base of the 29 storey tower has 'V' shaped structural colonnades carrying the building so that much-needed additional space can be provided at ground level. The result is a dense mass of concrete which restrict visibility and legibility. Furthermore, angled columns are notoriously problematic for pedestrians – people walk into them – especially the blind and partially sighted. This approach is not good design.
- 10.4.32 Officers do not consider this new route would be desirable to pedestrians seeking The Cinema Museum, especially given its offer is largely an evening one. At no point would the pedestrian actually see their destination's entrance until they happen upon it. The poor legibility would not be acceptable (contrary to Local Plan Policy Q6(iii)), it would be particularly poor for the sight-impaired (contrary to Policy Q1(ii)) and in turn has implications for community safety (Policy Q3(i and ii)). This can be seen on pages 116 and 117 of the DAS.

Single Aspect

- 10.4.33 The large proportion of single aspect units occur in Block B with a fewer number in Block A although none of these are north facing. Officers are cognisant of the impact that a constrained site area can have on building design and layout and therefore the ability to achieve fewer single aspect units. In this particular instance, it is considered that the amount of development being proposed on a comparatively small area of land exacerbates the applicant's ability to avoid single aspect units and therefore achieve a better quality of development.
- 10.4.34 Overall, the bulk, scale and mass of Block B would have an excessively dominant presence on the established character of this part of Kennington. The V-Shaped structural columns supporting the south side of the building further amplify the lack of harmony with its immediate diminutive surroundings and disrupt the legibility of the new pedestrian route that is suggested to improve access into the site and the Cinema Museum. The proposed scale of the footprint of Block B at ground level also directly impacts on the ability to provide good quality and dedicated play space for future residents' children. The GLA indicates similar concerns relating to the bulk and massing of Block B and its impact on the public realm, residential amenity and quality of development. They also advise that Block B should be 'slimmed down' to free up space at the ground level to improve public realm, residential amenity, residential quality and to reduce the impact on visual impact on townscape.
- 10.4.35 Combining all these concerns together, officers consider that the proposal represents an overdevelopment of the site and thereby conflicts the following policies of the London Plan Policies 3.4, 3.5, 7.4, 7.5, 7.6 and 7.7; Policies D3, D4, D6, D8, D9 of the Intend to Publish London Plan; Policies Q1, Q2, Q3, Q5, Q6, Q7, Q14, and Q26 of the Lambeth Local Plan and Draft Revised Lambeth Local Plan Policies Q1, Q2, Q3, Q5, Q6, Q7 and Q26.

10.4.36 Impact on Heritage Assets

- 10.4.37 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 impose a statutory duty on planning authorities to have special regard to the

desirability of preserving listed buildings, their settings and any features of special architectural or historic interest that they possess. Section 72 of the Act imposes a statutory duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of conservation areas.

- 10.4.38 Paragraphs 8 and 9 of the NPPF 2019 state that overarching economic, social and environmental objectives need to be pursued in mutually supportive ways and in ways which contribute to protecting and enhancing the built, natural and historic environment. Paragraph 193 of the NPPF advises that “when considering the impact of a proposed development 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”. Paragraph 194 further advises that “any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification”.
- 10.4.39 If the harm is deemed to be less than substantial, paragraph 196 of the NPPF requires the harm to be weighed against the public benefits of the proposals, including securing the optimum viable use of the heritage asset. If the harm is substantial, or results in a total loss of significance, paragraph 195 states that local authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or that all four of the following criteria apply:
- the nature of the heritage asset prevents all reasonable uses of the site;
 - and no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
 - and conservation by grant-funding or some form of not for profit charitable or public ownership is demonstrably not possible;
 - and the harm or loss is outweighed by the benefit of bringing the site back into use.
- 10.4.40 Policy 7.8 of the London Plan and Policies Q20 and Q22 of the Local Plan explain that development should identify, value, conserve, restore, reuse and incorporate heritage assets, where appropriate. Policy Q20 requires developments affecting a listed building to not diminish the buildings *“ability to remain viable in use in the long term”* and not harm the significance/setting (including views to and from) listed buildings.
- 10.4.41 Turning to consider the application of the legislative and policy requirements referred to above, the first step is for the decision-maker to consider each of the designated heritage assets (referred to hereafter simply as “heritage assets”) which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the heritage asset.
- 10.4.42 The decision of the Court of Appeal in *Barnwell Manor* confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker.
- 10.4.43 However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development (in the course of undertaking the analysis required by s.38(6) PCPA 2004) the decision-maker is not free to give the harm such

weight as the decision-maker thinks appropriate. Rather, *Barnwell Manor* establishes that a finding of harm to a heritage asset is a consideration to which the decision-maker must give considerable importance and weight in carrying out the balancing exercise.

- 10.4.44 There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In the *Forge Field* case the High Court explained that the presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But a local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 10.4.45 The case-law also establishes that even where the harm identified is less than substantial (i.e. falls within paragraph 196 of the NPPF), that harm must still be given considerable importance and weight.
- 10.4.46 Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect.
- 10.4.47 The following paragraphs set out the officers’ assessment of the extent of harm which would result from the proposed development to the scoped heritage assets.

10.4.48 Impact on Renfrew Road Conservation Area (RRCA) and Listed Buildings

Existing Woodlands Nursing Home

- 10.4.49 The existing 1990s nursing home is part one and part two storeys arranged in low wings within mature garden spaces. There is also a car park to the front. It is a very typical building of its period with coloured render panels and quirky roofs. However, whilst competent in design it is not considered by officers in any way to be noteworthy or special.
- 10.4.50 Its low and spreading form combined with its tucked-away location means that it is unobtrusive. It can’t really be seen from any vantage points – it is screened by trees from Dante Road and is hardly visible from within the conservation area as it is largely screened by the Master’s House and the water tower that occupy the northern side of the RCCA. The absence of visibility of the nursing home building allows Master’s House and water tower to be appreciated against an unobstructed background.
- 10.4.51 Given the above, officers consider that the Woodlands Nursing Home does not detract from the setting of the RCCA.

Bulk, Scale and Mass – Renfrew Road Conservation Area

- 10.4.52 The 29 storey tall building itself is located immediately outside the conservation area boundary and a short distance to the north of the Grade II listed Water Tower. As

indicated previously, the conservation area is characterised by 1-5 storey development with the modern buildings arranged to make the water tower the landmark on George Mathers Way. The water tower can also be glimpsed from Dante Road over the rooftops of the lower housing. (See Figures 13 and 14).

- 10.4.53 The proposal, being situated immediately behind the Grade II listed water tower in Figure 13 will completely diminish the Grade II listed buildings contribution to the character and appearance of the conservation area as the proposed 29 storey tower will become the dominant townscape feature to the detriment to the settings of the conservation area and the Water Tower. This is particularly concerning given this is the principal public view of this Grade II listed designated heritage asset. In terms of impact caused, officers consider Block B would have a major adverse impact on setting.
- 10.4.54 The principal approach into the hospital complex is through the historic gateway to Renfrew Road and the Master's House was designed to present its formal façade to this main entrance. The list entry gives the reason for designation as:

'The former administrative block to Lambeth Workhouse has been designated for the following principal reasons:

- * Of special interest for the architectural quality of the exterior, whose principal elevations are virtually intact and highly ornate for a workhouse building of the time, especially so for London;*
- * The chapel has special interest for its decorative treatment, which echoes that of the façade, and its unusual and elaborate roof;*
- * Of rarity value in London as the principal building of a Victorian metropolitan workhouse, of which only few examples survive;*
- * Historic interest as one of the earliest metropolitan workhouses to be rebuilt following the Metropolitan Poor Act (1867);*
- * Historic interest for the Charlie Chaplin association, and the Doulton connection; and*
- * Group value with the water tower, and the courthouse and fire station in Renfrew Road (qv), altogether a good ensemble of Victorian public/institutional buildings.'*

- 10.4.55 Master's House is thus best appreciated as a three-dimensional architectural composition in the view northward from the gateway where it can be seen in conjunction with the listed water tower. In this view currently the Grade II listed Master's House is the dominant structure in the view and has primacy (see Figure 19 below).



Figure 19: The Master's House (Cinema Museum) from the gateway at Dugard Way in 2008 The application site lies immediately behind the Master's House. A more recent image is provided in the applicant's Heritage Statement – Figure 3.2.

- 10.4.56 If built the proposed 29 storey tower will emerge in the background of the Master's House – becoming the dominant form in the view to the detriment of the setting of the Grade II listed building and the RRCA. This is particularly concerning given this is the principal public view of this designated heritage asset. A major adverse effect results. This is less than substantial harm to its setting.
- 10.4.57 In current views from Renfrew Road the Elephant and Castle tall building cluster can already be appreciated in the backdrop to the conservation area and in the setting of the K6 telephone kiosk (Grade II) and the former Magistrates Court (Grade II). For descriptions of their significance see paragraph 10.4.15 (See Figures 20 and 21 below).



Figure 20: Grade II listed K6 Kiosk with distant tall buildings visible (Google, March 2019).



Figure 21: Grade II listed former Magistrates Court with distant tall buildings visible (Google, March 2019).

10.4.58 However, the proposed 29 storey building won't be viewed as part of that distant cluster as it will be much, much closer and viewed obliquely. The result is an effect of heritage assets that are dominated by a distracting built form which is highly visible from nearly every part of the conservation area.



Figure 22: View looking towards the application site with Grade II listed former Magistrate's Court and Grade II listed K6 kiosk in the foreground (Google, March 2019).

10.4.59 On the above basis, it is considered that the moderate adverse effects would result in less than substantial harm to the setting of the RRCA and the setting of these designated heritage assets which is not outweighed by the public benefits of the scheme and is therefore contrary to the aims and objectives of Policies 7.7 and 7.8 of the London Plan; Policies D9 and HC1 of the IPLP; Policies Q5, Q20, Q22 and Q23 of the Lambeth Local Plan and Policies Q5, Q20, Q22 and Q23 of the Draft Revised Lambeth Local Plan Submission Version.

10.4.60 Wider Impact on Heritage Assets

10.4.61 As described in paragraph 10.4.10 and 10.4.11 above there are conservation areas to the north and northwest (West Square) and west (Walcot Square). The West Square Conservation Area (WSCA) (Southwark) is impressive and expansive with many of the roads aligned north to south. To some degree the Elephant and Castle tall building cluster has a visual presence already within the conservation area (for example, from Mary Harmsworth Park) but this proposal, being separate from the cluster and further west starts having a dominant visual impact in the view south down roads such as Hayle Street and from West Square itself. At Hayle Street the effect is stark and jarring and not helped by the vertical emphasis of the architectural treatment. On West Square (View 5B of the applicant's heritage statement) it appears obliquely almost as two buildings emerging over the listed buildings on the

south side and visible from almost every part of the London square. Whilst West Square lends its name to this conservation area it is extensive and the proposal has a limited impact. On balance a minor adverse effect results to the setting of the WSCA as a whole with a moderate adverse effect on the setting of the listed buildings (nos. 20 – 45 West Square). Therefore, it fails against Policies 7.7 and 7.8 of the London Plan; Policies D9 and HC1 of the IPLP; Policies Q5, Q7, Q20, Q22 and Q23 of the Lambeth Local Plan and Policies Q5, Q20, Q22 and Q23 of the Draft Revised Lambeth Local Plan Submission Version.

- 10.4.62 The key London squares (Walcot Square and St Mary's Gardens) within the Walcot Square Conservation Area (WSQCA) have a west to east alignment which means many of the eastward views terminate with the Elephant and Castle Cluster. This is particularly the case on Walcot Square where the cluster is a distant form terminating the eastward vista of the triangular London Square. In View 6A of the applicant's heritage statement the 29 storey proposal appears much closer than the Elephant and Castle tall building cluster, emerging at the end of the behind the Grade II listed houses enclosing square (nos. 14 – 56 and nos. 27 – 81 Walcot Square). Its greater proximity (when compared to the distant cluster) combined with its mass and visual effect of being two buildings overlapped make for a dominant and intrusive form of development encroaching further into the fine grain, low rise character of these historic places. The fact that it is viewed obliquely and stepped in form would suggest two (rather than one) buildings here which in turn contributes to its domineering presence. View 6B of the applicant's heritage statement shows a similar effect from a slightly different viewpoint within the square showing that the proposal will dominate pretty much the whole of the Walcot Square. The result is a moderate adverse effect on the setting of the listed buildings and WSQCA.
- 10.4.63. The effect on the eastern side of St Mary's Gardens (View 7 of the applicant's heritage statement) is even more exaggerated because the Grade II listed buildings in the foreground are only two storeys high. Here the proximity of the proposal (in comparison to the more distant Elephant and Castle tall building cluster) is readily noticeable. Accordingly, it is considered that a moderate adverse effect would result to the setting of the listed buildings at nos. 18 – 28 St Mary's Gardens. Less than substantial harm is caused in this instance.
- 10.4.64 Overall, given the size of the WSQCA and the visual impact of the proposals officers consider the effect to be moderate adverse to the setting of the WSQCA. Therefore, in this respect, the proposals fail the policy tests of Policies 7.7 and 7.8 of the London Plan; Policies D9 and HC1 of the IPLP; Policies Q5, Q20, Q22 and Q23 of the Lambeth Local Plan and Policies Q5, Q20, Q22 and Q23 of the Draft Revised Lambeth Local Plan Submission Version.

10.4.65 Strategic and Local Views

- 10.4.66 The applicant's visual impact assessment considers the impact of the proposed 29 storey building on (5) key strategic views identified in the London View Management Framework. The applicant's assessment concludes in each case that the impact would be neutral in effect. Officers do not disagree with the conclusion.
- 10.4.67 Policy Q25 of Lambeth Local Plan (2015) identifies a range of significant/important local views which were identified as part of an extensive views study in 2014. Some of the most significant local views relate to historic buildings around the River Thames – often buildings of national or greater significance. Lambeth Palace is one such site. Its significance is outlined in detail in paragraph 10.4.18 and the

importance. The significance of its river frontage is acknowledged in Landmark Silhouette View (xv) from Victoria Tower Gardens in Westminster.

- 10.4.68 This view is particularly impressive because of the richness of the Palace roofscape rising about the riverfront trees. Morton's Tower 15th Century, the Great Hall 17th Century, Lollards Tower (15th Century), Cranmer's Tower (16th Century). The adjoining St Mary's Tower, standing outside the Palace gate, is 14th Century It has been illustrated many times over the centuries and is one of London's least changed parts of the River Thames frontage in the last 200 years.
- 10.4.69 Victoria Tower Gardens is an important public space (a designated landscape) serving the Westminster World Heritage Site. Lambeth Palace has been official residence of the Archbishop of Canterbury (the nation's most senior cleric) since Medieval Times. Its physical relationship across the river from Parliament reinforces the exceptionally important role of Church and State.
- 10.4.70 It is regrettable that the buildings in the Elephant and Castle cluster have an adverse impact on the setting of the Palace in this view. It can only be assumed that the regeneration benefits of the cluster as a whole were considered sufficient to outweigh the harm. As seen in View 1B, the 29 storey element of this proposal is visible and contributes cumulatively to the diminution of the silhouette. In View 1B, for example, it will obscure the silhouette of the Grade I listed Great Hall. The three views in the Applicant's visual impact study illustrate that the proposal will track across behind Lambeth Palace as the view moves along the river frontage of Victoria Tower gardens. There is a major adverse effect on the setting of the Grade I listed Palace and on the setting of St Mary's Tower. This is less than substantial harm. The conservation area impact is moderate adverse effect on the setting which is less than substantial harm.
- 10.4.71 Overall, the proposals would fail the policy tests of Policies 7.7 and 7.8 of the London Plan; Policies D9, HC1 and HC3 of the IPLP; Policies Q5, Q7, Q20, Q22, Q23 and Q25 of the Lambeth Local Plan and Policies Q5, Q7, Q20, Q22, Q23 and Q25 of the Draft Revised Lambeth Local Plan Submission Version.

10.4.72 Heritage Conclusions

- 10.4.73 The effects are generally more adverse on the settings of listed buildings than to the settings of conservation areas largely because the buildings are generally small and typically have one principal frontage therefore the viewer often can't avoid seeing the proposal. The conservation areas, on the other hand, are area designations and the experience is greater and multi-directional – as a result there will be times when the proposal is not visible. Officers have taken this into account when undertaking its assessment. Officers have also taken into account the grade and significance of the assets. A summary of the effects and resultant harm is set out below:

Designated Heritage Asset	Impact on Setting	Degree of Harm
Renfrew Road CA	Major Adverse	Less than substantial harm
Water tower(Grade II)	Major Adverse	Less than substantial harm
Master's House (Grade II)	Major Adverse	Less than substantial harm
K6 kiosk (Grade II)	Moderate Adverse	Less than substantial harm

former Magistrates Court (Grade II)	Moderate Adverse	Less than substantial harm
West Square CA	Minor Adverse	Less than substantial harm
20 – 45 West Square (consec.) (Grade II)	Moderate Adverse	Less than substantial harm
Walcot CA	Moderate Adverse	Less than substantial harm
14 – 56 Walcot Square (evens) (Grade II)	Moderate Adverse	Less than substantial harm
27 – 81 Walcot Square (odds) (Grade II)	Moderate Adverse	Less than substantial harm
18 – 28 St Mary's Gardens (evens)	Moderate Adverse	Less than substantial harm
Lambeth Palace CA	Moderate Adverse	Less than substantial harm
Lambeth Palace (Grade I)	Moderate Adverse	Less than substantial harm
Former St Mary's Church (Grade II)	Moderate Adverse	Less than substantial harm

10.4.74 Based on the foregoing assessment of heritage harm, officers consider that the cumulative effects of the heritage harms to the individual assets (as a result of the bulk, scale and massing of the development proposals) would result in less than substantial harm. Notwithstanding, in order to determine the overall acceptability of heritage harm officers must consider the following:

- i. Whether there is clear and convincing justification for harm or loss of significance to a designated heritage asset (paragraph 194 of the NPPF); and
- ii. Whether the public benefits of the scheme proposals outweigh the heritage harm caused (paragraph 196 of the NPPF).

These points are considered separately below.

10.4.75 Clear and Convincing Justification for Harm

10.4.76 Paragraph 194 of the NPPF requires that any harm or loss of significance to a designated heritage will require 'clear and convincing justification'. Given the foregoing conclusions above, officers are not satisfied that there is clear and convincing justification for the heritage harm resulting from the proposals.

10.4.77 Heritage Harm vs Public Benefits

10.4.78 Paragraph 196 of the NPPF notes that, where the overall net balance of heritage considerations is that any harm is less-than-substantial, "*this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.*"

10.4.79 Planning Practice Guidance and case law have established that when the balancing exercise is being undertaken by decision-makers, the cumulative effect of those several harms to individual assets must be properly considered. Indeed, considerable

importance and weight must be attached to each of the harms identified and to their cumulative effect.

- 10.4.80 The above officer assessment of heritage impacts has identified less than substantial harm would be caused to each of the respective assets as a result of the proposed 29 storey building. The applicant has indicated a range of benefits that would accrue in the event that planning permission was given and which they consider would outweigh the less than substantial harm that is caused to the aforementioned heritage assets. These broadly comprise as follows:
- Securing future of the Grade II Cinema Museum via a permanent lease;
 - Contribution to better place-making; and
 - Social and Environmental, e.g., provision of 50% affordable housing, providing a range of homes and enhancing natural, built and historic environment.
- 10.4.81 As discussed in paragraphs 10.1.16 to 10.1.22 of the report, officers welcome the principle of retaining the continued use of Master's House by TCM. However, it is also stated by officers that the retention of TCM (as a principal public benefit of the proposed scheme) on a long term (or permanent lease) is not connected to the proposed use of the land and therefore cannot be considered as a material consideration in the granting of planning permission. Officers have also considered that even if the proposed lease was to be taken into account as a material consideration, the purported public benefit it offers would not be sufficient (in combination with the benefits of the development) to overcome the heritage harm. Further consideration regarding how the lease agreement would meet the Regulation 122 tests under Community Infrastructure Levy (2010) (as amended) is set out in paragraphs 11.4-11.7 of the report.
- 10.4.82 The second benefit would involve addressing the fragmented urban layout of the site in accordance with good design practice advice as advocated by CABE's design principles for place-making and the Mayor's Healthy Streets initiative. However, it is an expectation of planning policy that all new development proposals maximise the opportunity to create better places to live, work and play. Whilst it can be acknowledged that there is an opportunity to improve the layout and connectivity of the site and better reveal its intrinsic qualities, the nature of the current proposals does not achieve this. For these reasons, it is considered that limited weight can be attributed to this benefit and therefore it does not sufficiently justify nor outweigh the harm caused to the identified heritage assets.
- 10.4.83 The third and final set of benefits refer to the social and environmental contributions of the proposed development in overcoming heritage harm. In terms of the social related benefits, the applicant's planning statement specifically refers to the contribution that the proposals make towards affordable housing. In this particular respect, officers have previously set out in paragraphs 10.2 to 10.2.18 that whilst the target rate of provision (50%) would comply with policy requirements, the tenure mix of affordable units is vastly disproportionate to the identified needs of the borough. Again, 50% affordable housing is a policy requirement unless it can be demonstrated that a scheme is unviable and the scheme does not meet adopted planning with regard to tenure mix. In addition to this, the proposed housing size mix (in both affordable and private elements) does not provide an adequate range of dwelling sizes to meet housing need, including family sized housing. Accordingly, this particular benefit is given limited weight and therefore does not justify nor outweigh the harm caused to the heritage assets identified.

- 10.4.84 In respect of the environmental benefits, re-use of a brownfield site, provision of new landscaping and the benefits in terms of enhancing ecology and biodiversity are welcomed although these are not unique and are minimum requirements of planning policies in consideration of all new redevelopment schemes. Accordingly, limited weight is given to this. The economic contributions from new development, in terms of creation of jobs during construction phases and regeneration related effects are important although these could be equally achieved in an alternative, sympathetically scaled development that preserves the setting of heritage assets. Based on these considerations, these benefits do not sufficiently outweigh the cumulative harm caused to the identified heritage assets.
- 10.4.85 Redevelopment of this brownfield site to provide new housing may be considered as a dual public benefit only if it contributes to meeting an identified need. As stated in paragraphs 10.1.11 to 10.1.15, the council's housing supply evidence demonstrates that under the current adopted plan period it will meet and exceed its housing delivery targets. This position is further reinforced where the council's housing trajectory forecasts that this will continue under the new plan period exclusive of the proposed provision that would be made in this scheme. On this basis, officers therefore consider that the planning benefit gained from reusing a brownfield site to provide additional housing offers only a limited benefit.
- 10.4.86 Taking into consideration the requirement of primary legislation and planning policy guidance which seeks to protect and enhance heritage assets, it is considered that the current proposed scheme offers public benefits that can only be given very limited weight and therefore does not sufficiently outweigh the cumulative extent and nature of the identified harm to these assets.
- 10.4.87 Overall, the impacts on heritage assets as a result of the development proposals would be considerable and permanent and are not outweighed individually or collectively by the public benefits that may arise as a result of granting planning permission. The proposals are therefore unacceptable and fail to comply with Chapter 16 of the NPPF; Policy 7.8 of the London Plan; Policies HC1 and HC3; Policies Q5, Q20, Q22 and Q23 of the Lambeth Local Plan and Policies Q5, Q20, Q22 and Q23 of the Draft Revised Lambeth Local Plan Submission Version.

10.5 Quality of Residential Accommodation & Amenity

- 10.5.1 Matters relating to density, housing mix and general design have been considered previously in sections 10.3 and 10.4 above. This section considers the quality of housing accommodation being proposed including communal/play space amenity.
- 10.5.2 Unit sizes and layout
- 10.5.3 Policy 3.5 of the London Plan promotes high quality design of housing development that takes into account its physical context, local character, density, tenure and land use mix and relationship with, and provision for public, communal and open spaces taking into account the needs of children and older people.
- 10.5.4 New development should conform to the minimum space standards set out in the National Technical Housing Standards as shown in Table 3 below (Table 3.3 of the

London Plan) below.

Dwelling Type (bedroom (b) / persons-bed spaces (p))	GIA (sq.m)
1p	39
1b2p	50
2b3p	61
2b4p	70
3b4p	74
3b5p	86
4b5p	90
4b6p	99
4b7p	108
4b8p	117

Table 3: Technical housing standards - nationally described space standard

- 10.5.5 Policy Q1 of the Local Plan further promotes inclusive environments, which is echoed within the London Plan. Under the London Plan, development should, amongst other things, enable people to live healthy active lives as per Policy 7.1 of the London Plan, and be inclusive including addressing the specific needs of older and disabled people as per Policy 7.2.
- 10.5.6 Within the proposed development, the units would meet the minimum required GIA's for unit size as prescribed in the National Technical Standards for Housing (March 2015). In terms of Block B, external private amenity is accommodated within each unit in addition to the standard minimum floorspace requirements.
- 10.5.7 Accessible, Adaptable and Wheelchair Housing Provision
- 10.5.8 The proposals respond to Policy 7.2 of the London Plan and Policy Q1 of the Local Plan to achieve an accessible and inclusive environment. Policies 3.5 and 3.8 of the London Plan require that 90% of new dwellings are 'accessible and adaptable' (this is defined by building regulations – Part M4 (2) and 10% of new dwellings are 'wheelchair user dwellings' (this is defined by building regulations – Part M4 (3)).
- 10.5.9 The proposal provides 10% (26) wheelchair units to an adaptable standard distributed through all tenures and levels of the development including provision in the affordable units in accordance with Part M4 (3). This provision would need to be secured through an appropriate condition. The rest of the affordable housing and market housing (232 in total) is designed to meet Part M4 (2) 'Wheelchair User Dwelling' as confirmed in the Design and Access Statement. The scheme is therefore considered to comply with planning policy.
- 10.5.10 Daylight, Sunlight, Privacy and Aspect
- 10.5.11 An internal daylight and sunlight assessment has been provided with the application, as part of the Daylight and Sunlight Analysis report undertaken by Point 2 Surveyors, to assess the quality of daylight and sunlight into the new residential units. Their analysis on this subject has concluded that the proposed scheme generally complies with BRE minimum recommendations whilst taking into account its scale and urban location. The report has been independently reviewed by the council's appointed

daylight expert Schroeders Begg.

- 10.5.12 In summary, the council's consultant review confirms that habitable rooms within the 29 storey Block B would meet the minimum target Average Daylight Factor (ADF). However, they also confirm that there are a number of rooms not meeting ADF target within Block A. The numbers of rooms affected and the reasons for non-compliance are considered further below. In respect of sunlight, reasonable levels of sunlight are available within the development, especially to some important rooms / living rooms.
- 10.5.13 Within Block A, of the 90 No. habitable rooms reviewed, 34 No do not meet the target ADF. Whilst it is appreciated that these are all bedrooms where daylight could be considered less important (except 2 No. LKDs which achieve an ADF of 1% as opposed to the desired target of 1.5%), it is noted that the majority of these bedrooms achieve very low levels of ADF with some isolated bedrooms at 0.2% or even 0% (when the target is 1% ADF for a bedroom). These bedrooms typically have balconies thus limiting some daylight but also typically face towards Block B where the effect of 'self-blocking' also contributes to the low levels of daylight.
- 10.5.14 Officers acknowledge that the number of habitable rooms in Block A not meeting minimum ADF target levels would represent a small proportion (c.6%) of the overall total number of habitable rooms within the proposed development. However, the inference given in the advice is that the bulk, scale and mass of Block B and its resulting proximity to Block A would (at least) in part contribute to the poor levels of daylight to these habitable rooms. Accordingly, officers consider that poor daylight amenity in these circumstances are not acceptable.
- 10.5.15 The Mayor's Housing SPG advises that habitable rooms should be provided with suitable privacy. 18-21m is indicated as a suitable minimum distance between facing habitable rooms, although the standard notes that "*adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city and can sometimes unnecessarily restrict density*". The separation distance between facing habitable rooms between Blocks A and B would approximately measure 10 and 11 metres. Whilst there is an expectation that some overlooking will occur in a dense urban situation, the extent of overlooking and the impact this would have on the privacy between future residents is made worse by their closer proximity, caused in large part by the bulk, scale and mass of Block B. Whilst this issue could be mitigated to some degree by incorporating individual screens/curtains, officers would not normally advocate this as a design solution at the outset. This is therefore unacceptable.
- 10.5.16 Officers consider that the combined effects of poor daylight to habitable areas in Block A and lack of privacy between Blocks A and B are significant concerns and would further amplify the fact that the amount of development proposed is contributing to a poor quality of development overall. Accordingly, the proposed scheme design is contrary to policy Q2 of the Lambeth Local Plan and Policy Q2 of the DRLLP Submission Version.
- 10.5.17 In terms of the overlooking and impact on privacy to existing neighbouring occupiers, the relationship between Block A and Nos. 20-34 is of most importance given their proximity. The first and second floor layouts of Block A include mainly bedroom windows and inset balconies leading of living rooms. At their nearest point, the separation distance between bedrooms would measure approximately 17 metres and approximately 21 metres (in the case of living rooms). Having regard to policy guidance, the impact on privacy of occupiers of Renfrew Road and tenants of Block A

is considered acceptable.

10.5.18 Noise and disturbance

- 10.5.19 Policy 7.15 of the London Plan requires development proposals to contribute to the reduction of noise. This approach is maintained in the emerging new draft London Plan Policy ED7, which seeks to reduce, manage and mitigate noise.
- 10.5.20 A noise and vibration assessment was provided by Sharpe Redmore on behalf of the applicant. This assesses the likely noise effects on the development from surrounding traffic sources and potential vibration effects from the London underground route that runs beneath the site.
- 10.5.21 The council's noise consultants advise that the noise impacts on future residents of the development would be acceptable subject to appropriate mitigation. Mitigation measures include mechanical ventilation and glazing and ensuring building insulation specifications are followed; these measures are considered to be sufficient in mitigating noise impacts associated with existing and new road traffic noise. No adverse impacts are predicted to external amenity areas. In terms of vibration impacts, the advice is that a further survey should be undertaken in the event that pile foundation is used.
- 10.5.22 If the application were to be approved, the precise details of noise mitigation could be secured by planning condition. No objections are raised in this respect.

10.5.23 Residential Amenity and Play Space

- 10.5.24 All residential units accommodate private external amenity space in accordance with size recommendations in the London Housing SPG. For avoidance of doubt, units in Block B have been oversized to accommodate private amenity although they will not be open but enclosed behind the main building façade and separated off from living accommodation. This level of design mitigation is normally reserved for sites on noisy and/or areas with poor air quality.
- 10.5.25 Policy 3.6 of the London Plan seeks to ensure that development proposals include suitable provision for play and recreation, with further detail in the Mayor's supplementary planning guidance 'Shaping Neighbourhoods: Play and Informal Recreation', which sets a benchmark of 10sq.m of useable child play space to be provided per child, with under-fives play space provided on-site as a minimum.
- 10.5.26 In accordance with the Mayor's Play and Informal Recreation Play SPG, approximately 40 children are predicted to live in the development. In this context, a scheme of the mix and tenure proposed would require the following minimum provision for playspace:
- Doorstep (under 5) **191m²**
 - Neighbourhood (5-11) **123m²**
 - Youth (12+) **84m²**
 - Total dedicated playspace **399m²**
- 10.5.27 The applicant proposes that the entire public realm would be dedicated for play for under 5's and 5-12+ rather than providing a separate/formally defined play space. The Mayors SPG supports this approach only if the open space is genuinely

'playable'.

10.5.28 In quantum terms the applicant advises that the scheme would provide the following amount of playspace:

- Doorstep (under 5) **336m²**
- Neighbourhood (5-11) **128m²**
- Youth (12+) **208m²**
- Total dedicated playspace **672m²**

10.5.29 Whilst the applicant indicates that the play space requirements would be met in quantum terms, officers are concerned that the design of this space is not genuinely 'playable'. The lack of genuine doorstep play for under 5's in particular would result in families having to travel elsewhere. In addition, the concept of the communal area acting as 'playable' space is unrealistic as much of this space will have competing demands put upon it from disabled car parking, providing access for vehicles and a through route for pedestrians and cyclists. On this basis the open spaces are not considered to provide genuine 'playable' space. It is considered that the applicant's approach to providing play and communal amenity amplifies the lack of space within the scheme which results from the amount of development it is proposing.

10.5.30 The areas of green landscaping provided offer some respite from the hard landscaped spaces generally but these are mainly confined to the edges of the development envelope and therefore the benefit it provides is limited.

10.5.31 Overall, it is considered that the design and layout of proposed play/communal amenity provision and in terms of its quality and usability is inadequate and would contribute to a poor residential environment for future occupiers. As such, it does not comply with Policy 3.6 of the London Plan and associated supplementary guidance and LLP Policy H5.

10.6 ENVIRONMENTAL EFFECTS

10.6.1 Daylight and sunlight impacts

10.6.2 In accordance with Lambeth Local Plan 2015 Policy Q2 (Amenity) the application is accompanied by a Daylight and Sunlight Assessment prepared by Point 2 Surveyors. This provides an assessment of the potential impact of the development on sunlight, daylight and overshadowing to neighbouring residential properties and open spaces based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide'. Shroeders Begg was appointed by the council to review the applicant's submitted daylight/sunlight assessment.

10.6.3 The review focusses on the impacts of the proposals to the most sensitive properties which are summarised below by relative location:

WEST OF SITE including:

18-41 & 42 Renfrew Road
23-26, 30-32 & 33-34 Heralds Place
22 Gilbert Road

EAST OF SITE including:

Nos 7-31 (odds) & 6 Dante Road

George Mathers Road : 3 (Goddard House), 4 (Limelight House), 5 (Wilmot House), 6 (Osborne Water towerHouse), 7, 8 & 9 (Bolton House) & 10 (Freeman House)

NORTH OF SITE including:

Nos 1-17 Castlebrook Close
Nos 124-144 (evens) & 126A, 130A, 134A 136 A and 141-155 (odds) Brook Drive
1 & 3 Dante Road

10.6.4 Daylight Impacts

18-41 & 42 Renfrew Road

- 10.6.5 These 3 storey terraced modern townhouses are typically arranged with a bedroom a 1st & 2nd floor served by a window facing site and kitchen/dining and in some instances living area / conservatory extension with windows facing onto the application site.
- 10.6.6 In terms of Vertical Sky Component (VSC) reductions the following summary can be made:

Nos. 19, 37-42 : meet default BRE Guide target criteria
Nos. 18, 21-20, 31-36 : 'minor adverse' reductions
Nos. 22, 23 & 28-30 : 'moderate adverse' reductions
Nos. 24-27 : 'major adverse' reductions

- 10.6.7 For the 'major adverse' reductions, the lowest retained values are:

Property No	Retained VSC value in proposed scenario
24	19.7
25	19
26	18.9
27	20.2

Table 4: Summary of "worst affected" properties on Renfrew Road

- 10.6.8 The BRE guidance suggests that if the VSC is greater than 27%, enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. Should the VSC with development be both less than 27% and less than 0.8 times its former value, occupants of the existing building shall notice a reduction in the amount of skylight they receive. The guide says: "the area lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time".
- 10.6.9 Given the above retained values, whilst reductions will be noticeable to all those properties not meeting default BRE Guide target criteria, even for the 'major adverse' reductions, retained VSC values in the proposed scenario can be considered reasonable for this urban context.

- 10.6.10 In terms of Daylight Distribution (DD), all reductions meet the default BRE Guide target criteria with isolated exception to 4 No properties (Nos. 23, 24, 26 & 30) which are the ground floor habitable rooms having ‘minor adverse’ reductions, respective reductions are 28%, 27.4%, 36.3% 22.2%). Such close adherence to the default BRE Guide target criteria with only isolated minor impact in terms of daylight distribution is considered acceptable.

Nos. 23-26, 30-32 & 33-34 Heralds Place

- 10.6.11 For all applicable reductions, in respect of daylight VSC and DD, these all meet the default BRE Guide target criteria.

Nos. 22 Gilbert Road

- 10.6.12 For all applicable reductions, in terms of daylight VSC and DD, these all meet the default BRE Guide target criteria.

Nos. 7-31 (odds) & 6 Dante Road

- 10.6.13 These 2 storey terraced houses appear typically arranged with an anticipated ground floor living room and 1st floor bedroom served by windows facing the site with the exception of No 6 Dante Road which is a 4 storey apartment block.

- 10.6.14 In terms of VSC reductions the following summary is made:

Nos 19 – 31 (odds) and No 6 : meet default BRE Guide target criteria

Nos 11-17 (odds) : ‘minor adverse’ reductions

Nos 7 & 9 : ‘moderate adverse’ reductions

There are no ‘major adverse’ reductions.

- 10.6.15 For the ‘moderate adverse’ reductions, the lowest retained values are:

Property No	Retained VSC value in proposed scenario
7	20.4
9	21.3

Table 5: VSC – Results of worst affected properties on Dante Road.

- 10.6.16 The BRE guidance suggests that if the VSC is greater than 27%, enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. Should the VSC with development be both less than 27% and less than 0.8 times its former value, occupants of the existing building shall notice a reduction in the amount of skylight they receive. The guide says: “the area lit by the window is likely to appear gloomier, and electric lighting will be needed more of the time”.

- 10.6.17 Whilst reductions will be noticeable to all those properties not meeting default BRE Guide target criteria, it is considered, even for these ‘moderate adverse’ reductions, retained VSC values in the proposed scenario is considered reasonable for the context.

- 10.6.18 With regard to DD results, all reductions meet the default BRE Guide target criteria with isolated exception to 7 Dante Road which has two ‘minor adverse’ reductions of

20.2% and 23.6 respectively. Such close adherence to the default BRE Guide target criteria with only isolated minor impact in terms of DD is considered acceptable.

George Mathers Road

- 10.6.19 For all applicable reductions, in terms of VSC the properties noted below either meet or are considered close to the default BRE Guide target criteria and for daylight distribution.

3 (Goddard House), George Mathers Road
 4 (Limelight House), George Mathers Road
 6 (Osborne Water towerHouse), George Mathers Road
 7 & 8, George Mathers Road

- 10.6.20 The remainder of the properties considered on George Mathers Road are considered below.

5 (Wilmot House), George Mathers Road

- 10.6.21 This a modern 5 storey apartment block. In terms of VSC reductions, these are summarised in Table 6 below:

VSC reductions	No of windows applicable	% of windows
Meets BRE Guide	37	67%
Minor adverse	-	-
Moderate adverse	12	22%
Major adverse	6	11%
Total	55	100%

Table 6: Summary of VSC compliance at Wilmot House.

- 10.6.22 In terms of “major adverse” impacts, the 6no. habitable room (types) affected are as follows:

Room	Room use	Window	Existing VSC	Proposed VSC	% reduction
R1/260	LKD	W1/260	19.5	7.8	60%
R3/260	Bedroom	W3/260	23.8	12.6	47.2%
R1/261	Bedroom	W19/261	27.0	15.1	43.8%
R2/261	LKD	W20/261	29.4	17.3	41.0%
R7/261	Bedroom	W21/261	21.5	12.1	43.9%
R7/262	Bedroom	W18/262	26.1	14.6	44.3%

Table 7: Worst affected habitable rooms at Wilmot House.

- 10.6.23 With respect to the 'major adverse' reductions, these relate to 2 no. living/kitchen/diners (LKD) and 4 no. bedrooms (the latter where daylight can be considered less important). The retained VSC value at 17.3 for LKD room R2/261 is still considered reasonable for an urban context but for LKD room R1/260 at a retained VSC value of 7.8, a degree of harm is evident.
- 10.6.24 With regard to DD results, all reductions meet the default BRE Guide target criteria with an isolated exception of one reduction of 20.1% (which is negligible over a 20% reduction).

9 (Bolton House), George Mathers Road

- 10.6.25 This is a modern 3 storey apartment block (top floor within pitched roof arrangement).
- 10.6.26 Table 8 below summarises the VSC reductions.

VSC reductions	No of windows applicable	% of windows
Meets BRE Guide	6	19%
Minor adverse	3	9%
Moderate adverse	8	25%
Major adverse	15	47%
Total	32	100%

Table 8: Summary of VSC compliance at Bolton House.

- 10.6.27 In terms of the 'major adverse' impacts to VSC, some rooms have more than one window and so this adversity relates to 12 no. rooms in total; 2 no. LKDs, 6 no. bedrooms and 4 no. rooms unknown. Whilst all reductions are major adverse, it is noted that all rooms would have at least one window with a retained VSC value of 15 or more with the isolated exception of one bedroom (rooms R7/200) which would have a retained VSC of 12.4.

- 10.6.28 With regard to DD, all reductions meet the default BRE Guide target criteria.

10 (Freeman House), George Mathers Road

- 10.6.29 This a modern 3 storey apartment block.
- 10.6.30 Table 9 below summarises the VSC reductions.

VSC reductions	No of windows applicable	% of windows
Meets BRE Guide	33	80%
Minor adverse	5	12%
Moderate adverse	2	5%
Major adverse	1	3%
Total	41	100%

Table 9: VSC – Summary of VSC compliance at Freeman House.

10.6.31 In terms of the ‘major adverse’ impacts to VSC, this relates to 1 no. LKD, which is served by two windows with one of the windows maintaining a VSC above 15 in the proposed scenario.

10.6.32 With regard to DD, all reductions meet the default BRE Guide target criteria.

Nos. 1-17 Castlebrook Close

10.6.33 These 2 storey modern houses are just to the north of site but typically, 12-17 are the main properties as having windows facing towards site (not directly but on an angle).

10.6.34 Table 10 below summarises the reductions in VSC. It shows that over two-thirds meet the default BRE Guide target criteria with just under one-third within ‘minor adverse’ impacts with the exception of 2 No windows with ‘moderate adverse’, reductions to No 1 Castlebrook Close.

Room	Room use	Window	Existing VSC	Proposed VSC	% reduction
R4/1110	tbc	W5/1110	22.0	13.8	37.2%
R5/1110	tbc	W4/1110	19.6	12.0	38.9%

Table 10: Worst affected habitable rooms (moderate adverse) relating to No.1 Castlebrook Close.

10.6.35 It is noted that both the above rooms would a retained VSC value of below mid-teens.

10.6.36 In terms of DD, all reductions meet the default BRE Guide target criteria with isolated exception to No 16 & 17 Castlebrook Close which have in total, three ‘minor adverse’ reductions slightly over 20% reduction. Such close adherence to the default BRE Guide target criteria with only isolated minor impact in terms of daylight distribution is considered acceptable.

Nos. 124-144 (evens) & 126A, 130A, 134A 136 A and 141-155 (odds) Brook Drive

10.6.37 These are predominantly 3 storey townhouses to the north side and two storey houses to the south.

10.6.38 Table 11 below summarises the reductions in VSC here:

VSC reductions	No of habitable rooms applicable	% of habitable rooms
Meets BRE Guide	34	42%
Minor adverse	25	31%
Moderate adverse	9	11%
Major adverse	13	16%
Total	81	100%

Table 11: Summary of VSC compliance at Freeman House.

- 10.6.39 In terms of the ‘major adverse’ impacts to VSCs, this relates to the properties neighbouring at Nos. 134-138 Brooks Drive which are closest to the proposed tower (Block B). The adverse impact to 13 No windows typically relates to two-thirds bedrooms and one-third living rooms. Whilst all these reductions are major adverse, it is noted that all rooms would have at least one window with a retained VSC value of 15 or more with the isolated exception of one habitable room (rooms R3/801) which would have a retained VSC of 14.3.
- 10.6.40 With regard to DD, all reductions meet the default BRE Guide target criteria with isolated exceptions to Nos.134A, 136, 136A & 138 Brooks Drive; for these properties there are 11 No rooms with reductions greater than 20% and can be summarised as 2 no. ‘minor adverse’, 6 no. ‘moderate adverse’ and 3 no. ‘major adverse’. In terms of retained DD, the majority of these particular rooms would still retain daylight distribution of over 60% in the proposed with only four rooms below this with the lowest retained daylight distribution being 53% of the room area having the direct sky availability at the working plane within the room.

Nos. 1 & 3 Dante Road

- 10.6.41 No 1 is a 3 storey apartment block and No 3 is a single dwelling on the south-west side of Dante Road.
- 10.6.42 Table 12 summarises the VSC reductions here:

VSC reductions	No of windows applicable	% of applicable windows
Meets BRE Guide	-	-
Minor adverse	10	50%
Moderate adverse	10	50%
Major adverse	-	-
Total	20	100%

Table 12: Summary of VSC compliance at Nos.1 & 3 Dante Road.

- 10.6.43 In terms of the ‘moderate adverse’ impacts to VSC, the adversity relates to two- thirds living rooms and one-third bedrooms. Whilst all these reductions are moderate adverse, it is noted that all rooms would have at least one window with a retained

VSC value of 15 or more with the isolated exception of 5 no. habitable room which would have retained VSCs ranging between of 13.3 – 14.1.

10.6.44 With regard to DD, all reductions meet the default BRE Guide target criteria with an isolated exception of one reduction of 20.8%.

10.6.45 Sunlight Impact

10.6.46 Point 2 have reviewed sunlight to neighbouring habitable rooms and as per the BRE Guide, for assessment of windows that face within 90 degrees of south (assessment of windows that face within 90 degrees of north is not applicable on the basis that the availability of sunlight is already limited).

10.6.47 Whilst there are some high reductions to a number of applicable windows (reflecting the minimal massing on site), in the majority of instances, the retained values of sunlight still readily meet the default BRE Guide target criteria for sunlight.

10.6.48 With regard to sunlight to neighbouring amenity spaces, Point 2 have provided a detailed review for the BRE Guide 2 hour amenity test with 69 No amenity areas having been analysed both at the equinox (standard test criteria) and supplemental analysis at mid-summer (21st June).

10.6.49 All neighbouring amenity areas meet the 2 hour target criteria with the exception of 10 no. amenity areas which are indicated in Table 13 below.

Amenity Ref	Property	2 hour at equinox (BRE benchmark)			2 hour at mid-summer (21 st June)		
		Existing	Proposed	Reduction	Existing	Proposed	Reduction
	1 Castlebrook Close						
1A.	Front	76.1%	63.1%	17%	96.0%	92.0%	4%
1B.	Rear	1.7%	0%	100%	66.1%	42.2%	36%
2	2 Castlebrook Close	52.8%	27.0%	49%	87.8%	87.4%	1%
3	3 Castlebrook Close	39.9%	19.3%	52%	88.4%	88.0%	1%
4	4 Castlebrook Close	69.1%	11.5%	83%	95.5%	95.5%	0%
5	130A Brook Drive	67.8%	41.6%	39%	97.0%	95.1%	2%
6	136A Brook Drive	74.5%	33.0%	56%	95.8%	94.2%	2%
7	138 Brook Drive	70.1%	28.3%	60%	97.2%	94.6%	3%
8	144 Brook Drive	54.6%	34.5%	37%	85.5%	81.9%	4%
9	144 Brook Drive	48.6%	33.4%	31%	83.6%	83.4%	1%
10	7 George Mathers Road	19.0%	1.8%	90%	69.5%	53.1%	24%
11	8 George Mathers Road	19.6%	0.0%	100%	98.3%	14.6%	85%

Table 13: Sunlight reductions on amenity spaces at spring equinox (March 21st) and mid-summer equinox (June 21st).

10.6.50 Table 13 shows that there are significant reductions to the 10 no. amenity areas not meeting BRE Guide target criteria. Officers consider that reductions to 7 No amenity areas are 'major' adverse. In the case of 7 & 8 George Mathers Road, Shroeders Begg indicate that these areas have already fairly minimal sunlight (for the area that can receive 2 hours of sunlight) at just below 20% of the amenity area as existing, which may potentially make limited meaningful use of such sunlight at the 21st March equinox. Therefore, for these two particular amenity areas (ref. 10 & 11), the impacts could be considered more 'moderate/major'. There are also 3 No amenity areas which we have considered as 'moderate' adverse (refs. 5, 8 and 9).

10.6.51 Whilst not the BRE benchmark, a useful criteria is to also consider the data at mid-summer (21st June) when amenity spaces are generally utilised more during the summer months. On this basis the proposed situation results in a very limited reduction in reference to the 2 hour test at mid-summer with the isolated exception to

8 George Mathers Road. In respect of No 8 George Mathers Road, the ‘major’ adverse effect at mid-summer from the proposals is due in part to its relative small amenity area and its position to the north side of the property. In effect, sunlight will appear to be gained during the latter part of the day. The position of the proposed 29 storey tower (Block B) will effectively block the major part of this sunlight availability.

- 10.6.52 Given some 59 no. amenity areas are satisfactory and 10 no. do not meet BRE Guide target criteria with 5 no. major adverse, 2 no. moderate/major adverse and 3 no. ‘moderate’ adverse impacts, there are clearly some noticeable incidents of harm to neighbouring amenity areas.
- 10.6.53 With regard to transient shadowing, whilst there will be a significant increase in the extent of the shadow path as a result of the proposals, this will be for limited periods of the day only.
- 10.6.54 The applicant’s assessment has not considered the impacts from solar glare and therefore officers are unable to comment further on this matter. This matter could be dealt with at a post planning stage via an appropriately worded planning condition.
- 10.6.55 Overall, whilst target compliance to the BRE Guide is not mandatory, it is reasonable to conclude that there are some noticeable and harmful reductions to some neighbouring properties in terms of daylight reduction (primarily VSC) and sunlight to neighbouring amenity in terms of overshadowing from Block B. When these concerns are considered in context of the foregoing conclusions on design, density and residential quality, it is clear that these shortcomings are fundamental. On that basis, it is considered that the proposed development, by reason of its scale and massing and proximity to neighbouring residential properties, would have a detrimental impact on the residential amenity of the occupiers of George Mathers Road, Castlebrook Close Brook Drive and Dante Road in terms of loss of sunlight amenity through overshadowing and daylight. As such, the proposal would be contrary to and Policy 7.7(D) (a) of the London Plan (2016), D9 (3) (a) of the IPLP (2019); Policies Q2 (iv) and Q26 (vi) of the Lambeth Local Plan (2015) and Policies Q2 (iv) and Q26 (Vi) of the DRLLP (January 2020).
- 10.6.56 Wind microclimate
- 10.6.57 Policy 7.7 of the London Plan states that tall buildings should not have an unacceptable harmful impact on their surroundings and should not adversely affect microclimate or wind turbulence.
- 10.6.58 White Young Green were appointed by the applicant to consider the likely significant effects of the proposed development on the site and surrounding area in terms of the wind microclimate.
- 10.6.59 The assessment concludes that inclusive of the mitigation measures in the design layout, maximum wind speeds are predicted to be below the lower safety criteria threshold at the majority of locations. It also recognises that there will be a slight exceedance of the lower safety criteria threshold in the area to the west of Block B although the highest predicted resulting wind speeds are still below the higher safety criteria threshold and are also expected to occur infrequently.
- 10.6.60 The council’s consultant advisor does not object to the applicant’s conclusions

although recommends that the details of proposed mitigation measures should be secured by planning condition.

10.6.61 Flood Risk and Surface Water Flooding

- 10.6.62 This site is in Flood Zone 3, an area at high risk of flooding. Ordinarily new housing is not supported without an flood risk assessment and sequential/exception tests showing the justification for this site as well as how the applicant will provide means of escape, and ensuring the scheme will not add to flood risk elsewhere (NPPF paragraphs 155, 158, 159, 160 and 163 and Lambeth Local Plan Policy EN5).
- 10.6.63 The Environment Agency (EA) has objected on the basis that the applicant's Flood Risk Assessment (FRA) shows that the floor levels for sleeping accommodation in Block A (ground floor) are set below the modelled breach flood level (to year 2100). It has subsequently advised the council not to accept the applicant's proposed planning condition which would secure details of an emergency evacuation plan and flood warning service as appropriate mitigation and states that this would only be acceptable alongside raising the finished floor levels.
- 10.6.64 On this basis, the development proposals do not comply with paragraph 155 of the NPPF which states: "*Where development is necessary in ... areas [at risk of flooding], the development should be made safe for its lifetime without increasing flood risk elsewhere*". The proposed development does not satisfactorily meet part b of the 'exception tests' set out in the NPPF and therefore does not comply with LLP Policy EN5 and London Plan Policy 5.12.
- 10.6.65 In terms of SUDs, the LLFA does not object subject to its recommended planning conditions. Should this development have been recommended for approval, this matter would have been satisfied by planning conditions.

10.6.66 Construction Impacts

- 10.6.67 The submitted Framework Construction Environmental Management Plan (CEMP) outlines details of monitoring and mitigation measures to control the potential environmental impact during the construction phase including procedures for handling complaints.
- 10.6.68 The council's environmental health advisor has advised that more information is required in respect to the identification of sensitive receptors, arrangements for noise and dust monitoring and site contact procedures. This matter could be dealt with by planning condition to ensure the CEMP is effective in managing impacts arising from the construction.

10.6.69 Land Contamination

- 10.6.70 Potential sources of site-wide contamination have been identified on site as part of the applicant's Preliminary Site Risk Assessment. Further intrusive site investigation works are recommended by the council's specialist advisor. The additional

information including confirmation that the remediation has been fully implemented would be capable of being secured by planning condition had the application been recommended for approval.

10.7 Transport and Accessibility

Access

- 10.7.1 The existing access (Dugard Way) via Renfrew Road will be retained for vehicular, emergency and delivery and servicing access to the Cinema Museum only including refuse vehicle access for the future residential development. A new vehicle access into the site is also proposed via Dante Road, which will provide access to the Blue Badge spaces, deliveries and emergency access. The applicant will need to apply to LB Southwark for a section 184 (permanent crossover) agreement to enable access from Dante Road.
- 10.7.2 Pedestrian and cycle access will be permitted via both access points with clear pedestrian/cycle routes throughout the site, which will aid the permeability of the area and the site.
- 10.7.3 Officers do not object to the access arrangements for vehicles, emergency and delivery and servicing access.

Trip Generation

- 10.7.4 The applicant's trip rates for the development were originally estimated using TRICS database and considered sites (as comparators) in suburban locations that are further away from the CAZ. Both Lambeth Transport and TfL officers did not consider this to be representative of the application sites' location characteristics and therefore requested the applicant to revise its analyses based on an 'Edge of Town Centre' site scenario to confirm the development impact.
- 10.7.5 In response, the applicant's transport consultant has carried out a sensitivity test which compares its original trip rates with the requested 'Edge of Town Centre' scenario. The results of the sensitivity test are presented below:

Time Period	Transport Statement	Sensitivity Test	Net Change
AM Peak	107	166	+59
PM Peak	108	83	-25

Table 14: Comparison of total person trips (two-way).

- 10.7.6 The results show an increase in morning peak travel compared to a decrease in evening peak travel. The modal split for the sensitivity test is compared to the modal split provided within the original Transport Statement and is presented below.

Journey Purpose	Travel to Work Data	Transport Statement		Sensitivity Test		Net Change	
		AM	PM	AM	PM	AM	PM
Underground	28%	30	30	47	23	+17	-7
Train	7%	7	8	12	6	+4	-2
Bus	27%	29	29	44	22	+16	-6
Taxi	0%	0	0	0	0	0	0
Motorcycle, scooter or moped	1%	1	1	2	1	+1	0
Driving a car or van	0%	0	0	0	0	0	0
Passenger in a car or van	1%	1	0	1	0	0	0
Bicycle	10%	10	12	17	9	+6	-3
On foot	26%	28	28	43	22	+15	-6
Total	100%	107	108	166	83	+60	-24

- 10.7.7 Underground and bus use represent the largest modal share for journeys. In terms of underground trips, the sensitivity test indicates that the proposals are predicted to generate 47 and 23 trips in the morning and evening peaks respectively, which represents a net change of 17+ during the morning peak period and a -7 persons in the evening peak period.
- 10.7.8 Based on the sensitivity analysis information, it is considered that the proposed development would not have a significant impact on the trains and the underground as the key form/mode of transport.
- 10.7.9 TfL has requested a £2m contribution towards upgrading work to the Northern Line Ticket Hall at Elephant and Castle underground station.
- 10.7.10 The financial contribution is requested for infrastructure which the council will not be responsible for operating and is believed to have been requested by making comparisons with other similar schemes in the vicinity of the application site and with reference to planning policy and guidance from adjoining boroughs. Furthermore, the council is not privy to the data inputs and underlying modelling within these documents.
- 10.7.11 As such, whilst the council recognises in principle that proposal is a scheme of such scale to potentially require financial contributions to secure mitigation measures, the council is not able at this time to judge whether the level of the contribution is fairly and reasonably related in scale and kind to the development.
- 10.7.12 As no offer is currently before the council to mitigate the impact of the proposal, the scheme is considered to be unacceptable in this regard. However, were further information to be submitted together with discussions and negotiations with TfL held, there is the potential that this issue could be resolved.

Car Parking

- 10.7.13 The site is within a CPZ and no car parking is proposed on site. A planning obligation under secured by legal agreement would be required to secure permit free car parking for future residents.
- 10.7.14 In accordance with the emerging draft London Plan standards, the development would provide 9 Blue Badge spaces; 4 of these spaces would be accessed via Dante Road whilst the other 5 spaces would be accessed via Renfrew Road. Policy T6.1 Residential parking standards in the IPLP (2019) requires a Car Parking Design and Management Plan to demonstrate how remaining bays to a total of one per dwelling for ten per cent of dwellings can be secured and provided when required. In addition a car club membership (minimum 3 years) for all residents and restricted parking for The Cinema Museum. These matters could be dealt with by way of a planning condition and Section 106 respectively.

Cycle parking

- 10.7.15 Four hundred and eleven (411) long-stay cycle parking spaces and a minimum of six (6) short-stay spaces would be provided, which is in accordance with the emerging draft London Plan standards. It is proposed that a minimum of 10% of these spaces would be provided as Sheffield Stands, whilst the rest would be provided as X-Type bike racks or semi vertical cycle stands. Lambeth Transport and TfL have advised that the semi vertical cycle stands are unacceptable due to the difficulty they would pose for less abled users. At least 25% of the total cycle parking provision should also be of the most accessible type, such as 'Sheffield' stands, with a minimum spacing of 1m between the stands, of which 5 per cent of the total cycle parking provision should be designed and clearly designated for larger and adapted cycles.
- 10.7.16 Whilst the quantum of cycle parking proposed complies with policy requirements, a significant proportion (90% or 369 spaces) would take the form of a semi-vertical type rack. It is considered that this approach to cycle design would prejudice less able (future) residents and therefore discourage cycling as a sustainable travel mode. The applicant should consider alternative cycle racking design in order to facilitate a more inclusive cycle parking design. Therefore, officers consider the proposed cycle design solution inappropriate and contrary to the aims of LLP Policy Q1 and Q13 which seeks for all new development to be inclusive in design and LLP Policy T1 which encourages/supports sustainable forms of travel.
- 10.7.17 TfL has requested a £150k contribution towards funding an additional cycle docking station to meet future demand in the area as a result of new development. Based on the predicted impact of this size of development this is considered reasonable in terms of its principle and scale of contribution and therefore is supported by officers. The request to provide 3-yr cycle hire memberships for each household is also supported as is the £15k contribution towards Legible London signage. These matters can be secured by S106 Agreement.

Delivery and Servicing

- 10.7.18 Deliveries that will be made on-site are likely to be made by panel vans or transit vans. These deliveries will access the site via the Renfrew Road and Dante Road accesses. Lambeth Transport has requested the applicant to resubmit their swept path analysis, showing the a 300mm error margin having been corrected whilst also demonstrating that all vehicles expected to service the site can access and exit the site in a forward gear. The same concern has been raised in respect to refuse vehicles arriving via Renfrew Road access. This information has not been received to date although can be secured by planning condition.

Travel Plan

- 10.7.19 The applicant has submitted a Travel Plan Framework that has been assessed by the council's Travel Plan Coordinator (TPC). In principle, the TPC agrees with the key principles included to encourage sustainable travel initiatives subject to further updates/clarifications. A S106 obligation would normally secure the final version for approval by the council (and any updates) including the requisite travel plan monitoring fees.

Low Traffic Neighbourhood Initiative

- 10.7.20 Lambeth's transport officer has requested a financial contribution of £50k towards supporting its Low Traffic Neighbourhood initiatives. The Lambeth Transport Strategy (2019) supports this request in that one of its key aims is to improve walking, cycling and use of public transport including public health. This contribution is considered necessary in order to mitigate the impacts of increased residential population on the surrounding highway infrastructure; in that it would relate to making improvements to the immediate walking and cycling infrastructure in the vicinity of the site and fairly and reasonably relates to the size and type of development being proposed. Accordingly, the request is supported in planning policy terms and is justified under CIL Regulation 122 (as amended).

10.8 Sustainable Design and Construction

- 10.8.1 Policies 5.2 and 5.3 of the London Plan and Policy SI2 of the IPLP relates to minimising CO₂ emissions and requires that all major developments demonstrate the fullest contribution to minimising carbon dioxide emissions in line with the London Plan energy hierarchy (Lean-Clean-Green). This is expressed in terms of the 2013 Building Regulations Part L, with a minimum improvement (on-site reduction) of 35% and zero carbon thereafter. Policy 5.7 states that they should provide on-site renewable energy generation. Policy 5.5 states that Boroughs should seek to create decentralised energy networks, whilst Policy 5.6 requires development proposals to connect to an existing heating network as a first preference if one is available.

Carbon Reduction

- 10.8.2 The application has been accompanied by a site wide Energy Strategy and separate Sustainability Statement which have been reviewed by the council's sustainability advisor Bioregional.
- 10.8.3 The applicant's Energy Strategy estimates a carbon reduction of 35.4% over Part L 2013 Baseline, achieved through energy efficiency measures (Be Lean) and air source heat pumps (Be Green). The council's sustainability advisor (Bioregional) and GLA have queried the robustness of the proposed heating strategy and in particular the efficiency of air source heat pumps including whether the opportunity for solar PV has been properly maximised. The applicant has satisfied officers in respect of the efficiency of the air source heat pumps although its justification for not providing any solar PV based on basis of cost and viability is not accepted. The applicant has been requested to provide a roof plan to show how roof spaces will be used although this has not been provided at the time of writing and therefore the proposed heating strategy cannot be supported. Accordingly, the proposed development is contrary to NPPF (2019) paragraphs 7, 8 and 153; London Plan Policies (MALP 2019) 5.2, 5.3 and 5.7; Intend to Publish London Plan (2019) Policy SI 2; Lambeth Local Plan Policy EN4; and Draft Revised Lambeth Local Plan Policy EN4 (Submission Version January 2020).
- 10.8.4 Off-setting of remaining regulated carbon emissions is required under Policy 5.2 and LLP Policy D4. This would be achieved through a financial contribution secured under S106 towards the council's carbon offset fund. The total amount to be secured is as follows:

**Current charging rate of £60 per tonne x 128.71 CO₂ per annum x 30 years
tonnes of regulated emissions = £231,678.**

Overheating and Cooling

- 10.8.5 In terms of overheating, the applicant's strategy is to minimise risk through using mechanical ventilation, passive and controlled solar shading and openable windows. Cooling of the building is anticipated to meet the CIBSE recommendations for comfort. Both matters could be dealt with via planning conditions in the event a planning permission was recommended.

District Heating

- 10.8.6 The Heat Map indicates that the SELCHP, SBEG and VNEB networks are in the surrounding area of the development. The applicant has contacted the operators of all 3 networks and received responses from VNEB and SEPCHP. It was confirmed that neither network is being extended towards the site and therefore a connection would not be feasible. However, the communal heating system to be used for this

scheme could be adapted in the future should a network become available. This matter can be secured as a planning obligation under S106.

Water Efficiency

- 10.8.7 The submitted Sustainability Statement indicates that the proposed design would meet the London Plan water consumption target of 105 litres/person/day. This requirement would be secured as a planning condition.

10.9 Other Matters

- 10.9.1 Secure By Design (SBD)

- 10.9.2 Policy Q3 requires development to be designed in a manner that does not engender opportunities for crime or anti-social behaviour or create a hostile environment that would produce fear of crime. Therefore, development should not be permitted where opportunities for crime are created or where it results in an increased risk of public disorder.

- 10.9.3 The applicant has advised that it would seek to achieve SBD accreditation. This requirement can be secured as a planning condition.

- 10.9.4 Employment and Training

- 10.9.5 Lambeth seeks to maximise local employment opportunities and help address skills deficits in the local population. Accordingly, the s106 legal agreement would secure an Employment and Skills Plan (ESP) developed in accordance with the Employment and Skills SPD (Feb 2018) with the following key requirement:

- Reasonable endeavours to secure 25 per cent of jobs and training opportunities created by the development during construction and the first 2 years of end-use occupation for local residents; and

- 10.9.6 The Employment and Skills SPD also seeks a monetary contribution to help support those sections of the Lambeth workforce that are furthest from employment, having been out of work for a long period of time and/or having low levels of skills. The financial contributions will be used by the council to fund training and support to enable access to newly created employment opportunities arising from development. For this development the financial contribution would be £167,700 based on the formula set out in the SPD. The calculation in this case is as follows:

$$\text{258 (number of units proposed) / 10 (25.8) } \times \text{ £6,500 (cost of vocational training)} = \text{£167,700}$$

- 10.9.7 Both matters can be secured in a Section106 legal agreement. Subject to this agreement, the development would be compliant with Policy 4.12 of the London Plan and Policy ED4 of the Local Plan.

10.9.8 Fire Safety

- 10.9.9 Given the emerging weight in the planning process for fire safety, including Draft Policy D12 (Fire safety) of the IPLP (2019), the applicant has submitted a Fire Strategy. The submitted document has been assessed by colleagues in Building Control and they are satisfied that it represents a reasonable and thorough approach to Fire Safety considerations at this point in the development design.

11. Planning Obligations and CIL

- 11.1 The LLP Policy D4 and Annex 10 sets out the Council's policy in relation to seeking planning obligations and the charging approaches for various types of obligation. Monetary obligations towards supporting training/work opportunities from construction are set out separately in the Employment and Skills SPD (adopted 2018).
- 11.2 The planning obligations that are proposed are considered necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in kind and in scale to the development. They are therefore compliant with the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 11.3 The following listed obligations would normally be secured via a S106 Agreement in the event a planning permission was given. In the absence of an agreed heads of term between parties, the impacts of the proposed development cannot be appropriately mitigated to ensure the development is acceptable in all respects. As such the proposals have not complied with the advice contained in Chapter 4, paragraphs 54 and 56-of the NPPF relating to 'Planning conditions and obligations'; Policy 8.2 of the London Plan (2016); Intend to Publish London Plan (2019) Policy DF1; Lambeth Local Plan Policy D4 and Draft Revised Lambeth Local Plan Policy D4 (Submission Version January 2020).

Planning Obligation Required	Other Relevant Information
Affordable Housing	Provision of affordable housing on-site at 50% in accordance with the council's preferred tenure mix of 70% social and affordable rent/ and 30% intermediate. Early and late stage review mechanisms shall be included in the circumstances that the applicant cannot provide a policy compliant affordable mix.
Travel Plan Framework	5 year review period
Travel Plan Monitoring Fee	£5,300
Permit Free Parking	All households.
Car Club	3 yr membership (all households).
TfL Cycle Docking Station	£150,000

TfL Cycle Membership	3 yr (all households).
TfL Legible London Signage	£15,000
LBL Low Traffic Neighbourhoods	£50,000
Employment and Skills Plan	Reasonable endeavours to secure 25 per cent of jobs and training opportunities created by the development during construction and the first 2 years of end-use occupation for local residents; and
Employment and Skills Contribution	£167,700
Connection to District Heat Network	Requires communal heating to accommodate connection infrastructure in its design.
LBL Carbon Off-Set Fund	£231,678
S106 Monitoring Fee	Capped at 5% of total value of financial contributions

Retention of Cinema Museum on permanent lease

- 11.4 Before any public benefit can be lawfully taken into account, the decision-maker must be satisfied that it passes the test of what is a material consideration for development control purposes.
- 11.5 The retention of the Cinema Museum on a permanent lease has been discussed in light of whether it is a material planning consideration in paragraphs 10.1.16 – 10.1.21 and whether it can therefore be lawfully taken into account as a public benefit in the consideration of heritage harm in paragraph 10.4.81. Whilst the offer of a permanent lease is not considered to be a material planning consideration by virtue of the fact that it serves no tangible planning purpose, for completeness officers have also considered whether a permanent lease would satisfy the Regulation 122 tests under CIL (2010).
- 11.6 In determining whether the permanent lease constitutes a valid planning obligation under Regulation 122, officers consider the legal principles established in Supreme Court judgement: *R (Wright) v Resilient Energy Severndale Ltd and Forest of Dean District Council [2019]* are relevant. In summary, this case concerned a proposal to make available a community benefit fund following the grant of permission for a wind turbine. The Supreme Court said that the law in relation to what amounts to a valid planning obligation as follows:

[P]revents a planning authority from extracting money or other benefits from a landowner as a condition for granting permission to develop its land, when such payment or the provision of such benefits has no sufficient connection with the proposed use of the land. It also prevents a developer from offering to make payments or provide benefits which have no sufficient connection with the proposed

use of the land, as a way of buying a planning permission which it would be contrary to the public interest to grant according to the merits of the development itself.”

- 11.7 Officers consider that the legal principles established in this case apply which in turn means that the proposed obligation to secure TCM on a permanent lease would not be comply with all three tests set out under Regulation 122 of the CIL (2010) in that there is insufficient evidence to establish that there is a sufficiently close connection between granting a lease to TCM (the benefit) and the proposed change in the character of the use of the site, e.g., there is no operational development nor is there a change of use to Master's House.
- 11.8 Based on the foregoing considerations, the applicant's offer of a permanent lease agreement to secure the occupation of Master's House by TCM is not a public benefit as is it not a material consideration for granting planning permission. Even in the event that it was considered to be a public benefit, officers would only give it limited weight in the consideration of heritage harm. As such, in either scenario, the public benefits put forward by the appellant do not outweigh the harm of the scheme in terms of heritage and townscape
- 11.9 The proposed development would also be required to pay the Lambeth Community Infrastructure Levy (CIL) including Mayoral CIL.
- 11.10 Expenditure of the majority of a future Lambeth CIL receipt will be applied towards Borough infrastructure needs in accordance with the applicable policies and procedures relating to expenditure decisions.
- 11.11 Allocation of Lambeth CIL monies to particular infrastructure projects is not a matter for consideration in the determination of planning applications. Separate governance arrangements are being put in place for Borough Infrastructure needs.

12. Conclusion

- 12.1 The proposed redevelopment of the former Woodlands Nursing Home to provide 258 new residential units which in addition would support the long-term retention of The Cinema Museum are welcomed by officers.
- 12.2 However the proposed scheme has raised several concerns which would result in officers having to propose that the application is refused. The main areas of concern are summarised in the order they have been reported:

Inadequate Affordable Housing Tenure Mix: The applicant has proposed a non-policy compliant affordable tenure mix of 31%/69% in favour of intermediate tenure. The supporting financial viability assessment and its subsequent review by the council's viability advisors confirms that were the applicant to obtain GLA housing grant a policy compliant tenure mix of 70% social rented and 30% intermediate units can be achieved.

Affordability of Intermediate Shared Ownership The applicant has failed to demonstrate that the provision of intermediate shared ownership in this location would be genuinely affordable to future tenant occupiers in accordance with the income thresholds in Lambeth's Tenancy Strategy. Accordingly, it is contrary to Policy 3.10 of the London Plan (MALP 2016); Policies H4 and H6 of the Intend to Publish London Plan (December 2019); Policy H2 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policy H2 (Submission Version January 2020).

Inadequate Residential Unit Size Mix: The proposed housing mix is predicated on over-providing studio and 1 bed units within the market/private element which will have the effect of creating a homogeneous and unbalanced residential community. In addition, the lack of one bed sized units in the social rented element does not provide for the full range of affordable housing needs in the borough. This is inadequately justified and therefore does not comply with the objectives of ensuring mixed and balanced communities through a range of dwelling sizes to meet housing need, including family sized housing.

Inappropriate Design and Unacceptable Impact on Townscape: The proposed density of development results in an oversized and dominant built form which is amplified in the scale, bulk and mass of Block B. The amount and scale of development is at odds with the traditionally scaled/suburban character of this backland site.

Unjustified harmful impacts on the setting of heritage assets and insufficient public benefits: The proposed amount and scale of development would cause cumulative harmful impacts on the setting of heritage assets both in the immediate and wider locus of the site. The harm caused is considerable and permanent and is not outweighed by the public benefits that could be achieved by granting planning permission.

Adverse Impact on Existing Residential Amenities (Daylight Effects to Habitable Rooms and Sunlight Amenity Effects to Gardens): The development, by reason of its scale and massing and proximity to_neighbouring residential properties would have a detrimental impact on the residential_amenity of the occupiers of George Mathers Road, Castlebrook Close Brook Drive and_Dante Road in terms of loss of sunlight amenity to gardens from overshadowing and daylight to habitable rooms.

Inadequate Residential Amenity For Future Occupiers Of Development: The proposed development, by reason of its density, scale, massing and resulting proximity would result in inadequate levels of amenity for future occupiers of Blocks A and B with specific regard to increased overlooking and loss of privacy including poor levels of daylight within habitable rooms of Block A.

Poor Quality Communal and Playspace Amenity: The proposed communal amenity and playspace provision by reason of its design and layout adversely impacts on its quality, safety and usability. This would unfortunately result in a poor residential environment for future residential occupiers of the site.

Flood Risk Safety: The applicant's FRA has failed to demonstrate that the development and can be made safe from flooding for its lifetime. As such the design of development has not complied with part b of the exceptions test as set out in the NPPF.

Inadequate Residential Cycle Parking Design: The proposed cycle parking design incorporates an overprovision of semi-vertical cycle stands which would prejudice less able users and discourages cycling as a sustainable travel mode.

Failure to Maximise Renewable Energy Opportunities: The applicant has not provided robust evidence that it is unable to provide solar PV in the proposed design of development. As such it is considered that the development has not maximised all renewable opportunities at the Be Green stage of the London Mayors Energy Hierarchy.

Planning Obligations: In the absence of agreed heads of terms and a legal agreement to secure agreed policy compliant financial and non-financial contributions including the following:

- affordable housing (50% headline rate; 70% (social rented) /30% (intermediate) tenure mix;
- employment skills plan and training opportunities;
- range of transport measures to mitigate the impacts of development including travel plan (with monitoring fees); car club provision/membership and contributions towards improving/enhancing pedestrian and cycle environment;
- sustainable design matters including ensuring a connection to a future District Heat Network and contributions towards Lambeth's Carbon Fund; and
- S106 monitoring fees.

Inadequate Information: Insufficient information has been submitted with the application relating to the following matters which would be required to make the development acceptable:

- car parking design and management plan;
- delivery and servicing management plan; and
- a preliminary site risk assessment/strategy in respect to ground contamination.

13. Equality Duty and Human Rights

13.1 Officers in making its recommendation have had regard to the Public Sector Equality Duty which seeks to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

13.2 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.

14. Recommendation

- 14.1 Should the LPA had the power to determine the application, it would have resolved to refuse planning permission on the following grounds:

Inadequate Affordable Housing Tenure Mix

1. The proposed affordable housing split at 31%/69% (by habitable room) and 21%/79% (by unit) in favour of intermediate tenure does not comply with council's policy which requires a 70:30 split in favour of social and affordable rented tenure in order to meet the housing needs of the borough. The applicant's supporting viability information does not adequately justify the development's inability to support the maximum reasonable amount of affordable housing in respect to a policy compliant tenure mix. As such the proposal would not be in accordance with the National Planning Policy Framework (NPPF) (2019) Chapter 5, and development plan policies including London Plan Policy 3.11 (MALP 2016); Policy H5(C) and H6(A2) of the Intend to Publish London Plan (December 2019); Lambeth Local Plan Policy H2(a)(iii) (2015) and Draft Revised Lambeth Local Plan Policy H2(v) (Submission Version January 2020).

Affordability of Intermediate Shared Ownership

2. The proposed development has failed to demonstrate that the provision of intermediate shared ownership in this location would be genuinely affordable to future tenant occupiers in accordance with the income thresholds in Lambeth's Tenancy Strategy. Accordingly, it would be contrary to Policy 3.10 of the London Plan (MALP 2016); Policies H4 and H6 of the Intend to Publish London Plan (December 2019); Policy H2 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policy H2 (Submission Version January 2020).

Inadequate Residential Unit Size Mix

3. The proposed development would provide a private market residential unit mix that disproportionately overprovides for smaller households with no family-sized accommodation. In addition, the lack of one bed sized units in the social rented element does not provide for the full range of affordable housing needs in the borough. This is inadequately justified and therefore does not comply with the objectives of ensuring mixed and balanced communities through a range of dwelling sizes to meet housing need, including family sized housing. The proposals would therefore be contrary to Chapter 2 of the National Planning Policy Framework (NPPF) (2019); Policy 3.8 of the London Plan (MALP 2016); Policy H10 of the Intend to Publish London Plan (December 2019); Policy H4 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policy H4 (Submission Version January 2020).

Inappropriate Design and Unacceptable Impact on Townscape

4. The proposed layout, height and massing relate poorly to the site itself and are also considered out of keeping with the site, its context and townscape and is symptomatic of over-development. The scheme does not successfully integrate the proposed uses on site or with the surrounding area, creates illegible pedestrian routes and forms an overbearing relationship to adjacent sites which in turn would cause harm to amenity. The scheme fails to

achieve a high quality of architectural design in terms of its form, materials, and finished appearance and therefore does not make an overall positive contribution to area. The proposal is therefore considered not to be of the highest quality and would be contrary to NPPF (2019) Chapters 12 and 16 and development plan policies including London Plan (MALP 2016) Policies 3.4, 3.5, 7.4, 7.5, 7.6 and 7.7; Policies D3, D4, D6, D8, D9 of the Intend to Publish London Plan (December 2019); Policies Q1, Q2, Q3, Q5, Q6, Q7, Q14, and Q26 of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q1, Q2, Q3, Q5, Q6, Q7 and Q26 (Submission Version January 2020).

Unjustified harmful impacts on the setting of heritage assets and insufficient public benefits

5. The proposed bulk, scale and massing of development would cause less than substantial harm to adjacent heritage assets which has not been justified and is not outweighed by the public benefits of the scheme. In particular, the 29-storey element by reason of its size, architectural design and choice of materials creates a dominant building form that amplifies its incongruousness with designated heritage assets. The heritage issues that arise as a result of the unsuitable development design are symptomatic of over-development. As such the proposals would be contrary to London Plan Policies 7.7 and 7.8; Policies D9, HC1 and HC3 of the Intend to Publish London Plan (December 2019); Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) of the Lambeth Local Plan (2015) and Draft Revised Lambeth Local Plan Policies Q5 (b), Q7 (ii), Q20 (ii), Q21(ii) Q22 (ii), Q25 and Q26 (iv) (Submission Version January 2020).

Adverse Impact on Existing Residential Amenities (Daylight Effects to Habitable Rooms and Sunlight Amenity Effects to Gardens)

6. The proposed development, by reason of its scale and massing and proximity to neighbouring residential properties would have a detrimental impact on the residential amenity of the occupiers in terms of loss of sunlight amenity to gardens specifically at Castlebrook Close, Brooks Drive and George Mathers Road and loss of daylight amenity to habitable rooms especially at (Wilmot House) & (Bolton House) George Mathers Road, Castlebrook Close, Brooks Drive and Dante Road. As such, the proposal would be contrary to and Policy 7.7(D) (a) of the London Plan (2016), D9 (3) (a) of the Intend to Publish London Plan (December 2019); Policies Q2 (iv) and Q26 (vi) of the Lambeth Local Plan (2015) and Policies Q2 (iv) and Q26 (vi) of the Draft Revised Lambeth Local Plan (Submission Version January 2020).

Inadequate Residential Amenity For Future Occupiers Of Development

7. The proposed development, by reason of its density, scale, massing and resulting proximity would result in inadequate levels of residential amenity for future occupiers of Blocks A and B with specific regard to increased overlooking and loss of privacy including poor levels of daylight within habitable rooms of Block A. As such, the proposal would be contrary to Policy Q2 of the Lambeth Local Plan (2015) and Policy Q2 of the Draft Review Lambeth Local Plan (Submission Version January 2020).

Poor Quality Communal and Playspace Amenity

8. The proposed layout and design of communal amenity and playspace is inadequate in terms of its quality, safety and usability which in turn would result in a poor quality residential environment for future occupiers of the development. As such the proposals would be contrary to NPPF (2019) Chapters 2 and 12; London Plan Policies 3.5, 3.6; Intend to Publish London Plan (December 2019) Policies D4 and D6; Mayor's Play and Informal Recreation SPG; Lambeth Local Plan (2015) Policies H5 and Q1 and Draft Revised Lambeth Local Plan Policies H5 and Q1 (Submission Version January 2020).

Flood Risk Safety

9. The applicant's submitted Flood Risk Assessment does not give appropriate regard to residual flooding risks in the event that the River Thames flood defences are breached. The finished floor levels for all sleeping accommodation have not been designed sufficiently above the relevant modelled breach flood level and does not give appropriate regard to the need for resistance and resilience measures. Accordingly, it has not been satisfactorily demonstrated that the development can be made safe for its occupiers and therefore fails to comply fully with the exceptions test for vulnerable sites/uses in accordance with paragraph 160 of the NPPF. Therefore the proposed development would be contrary to NPPF (2019) Chapter 14; London Plan (MALP 2016) Policy 5.12; Intend to Publish London Plan (December 2019) Policy SI 12; Lambeth Local Plan (2015) Policy EN5 and Draft Revised Lambeth Local Plan Policy EN5 (Submission Version January 2020).

Inadequate Residential Cycle Parking Design

10. The proposed cycle parking design by reason of providing an excessive amount/number of semi-vertical racks would prejudice less able users and discourage cycling as a sustainable form of travel. Therefore the proposed development would be contrary to NPPF (2019) Chapters 2, 8, 9 and 12; London Plan Policies (MALP 2016) 6.9 and 7.2; Intend to Publish London Plan (December 2019) Policies D5 and T5; Chapter 8 of the London Cycle Design Guide (2014); Lambeth Local Plan (2015) Policies Q1, Q13 and T1; and Draft Revised Lambeth Local Plan Policies Q1, Q13 and T1 (Submission Version January 2020).

Failure to Maximise Renewable Energy Opportunities

11. The applicant has not satisfactorily demonstrated that it is unable to make adequate provision for solar PV within the proposed development. Therefore the development is not considered to have maximised all renewable opportunities at the Be Green stage of the London Plan Energy Hierarchy. Therefore the proposed development would be contrary to NPPF (2019) Chapters 2 and 14; London Plan Policies (MALP 2016) 5.2, 5.3 and 5.7; Intend to Publish London Plan (December 2019) Policy SI 2; Lambeth Local Plan Policy EN4 and Draft Revised Lambeth Local Plan Policy EN4 (Submission Version January 2020).

Planning Obligations

12. In the absence of agreed heads of terms and a legal agreement to secure agreed policy compliant financial and non-financial contributions that includes: affordable housing, employment & skills contributions; and transport and sustainable design matters the development fails to mitigate its impact on local services, amenities, infrastructure and environment. The above would be contrary to the requirements of Chapter 4 of the National Planning Policy Framework; London Plan Policy 8.2; Intend to Publish London Plan

(December 2019) Policy DF1; Lambeth Local Plan Policy D4 and Policy D4 of the Draft Revised Lambeth Local Plan (Submission Version January 2020).

Inadequate Information

13. Insufficient information has been submitted with the application relating to the following matters: car parking design and management plan; delivery and servicing management plan; and a preliminary site risk assessment/strategy in respect to contamination. As such it has been not been possible to assess adequately that the site is suitable for its proposed use. Accordingly, the proposal is contrary to London Plan Policies 5.21,6.36.13 including associated advice in Table 6.2 and 7.1; Policies GG1, D12 and T6 and T6.1 of the Intend to Publish London Plan (December 2019); Lambeth Local Plan Policies Q1T, T7 and T8 and EN4; and Draft Revised Lambeth Local Plan Policy T7, T8 and EN4 (Submission Version January 2020).

APPENDICES

Appendix 1: Relevant plans and documents

T20099 P3 Proposed Basement Site Plan
T20100 P4 Proposed Ground Floor Site Plan
T20101 P4 Proposed 1st Floor Site Plan
T20102 P4 Proposed 2nd Floor Site Plan
T20103 P4 Proposed 3rd Floor Site Plan
T20104 P4 Proposed 4th - 11th Floor Site
T20112 P4 Proposed 12th Floor Site Plan
T20113 P4 Proposed 13th - 23rd Floor Site Plan
T20124 P4 Proposed 24th Floor Site Plan
T20125 P5 Proposed 25th - 28th Floor Site Plan
T20129 P3 Proposed 29th Floor Site Plan
T20201 P4 Proposed Site Elevation 1 West Facing
T20202 P4 Proposed Site Elevation 2 East Facing
T20203 P4 Proposed Site Elevation 3 West Facing
T20204 P4 Proposed Site Elevation 4 East Facing
T20205 P4 Proposed Site Elevation 5 North Facing
T20206 P4 Proposed Site Elevation 6 South Facing
T20301 P4 Proposed Site Section S1
T20302 P4 Proposed Site Section S2
T20303 P2 Proposed Site Section 3
TA20099 P5 Block A Proposed Basement Plan
TA20100 P5 Block A Proposed Ground Floor Plan
TA20101 P5 Block A Proposed 1st - 2nd Floor
TA20103 P5 Block A Proposed 3rd Floor Plan For
TA20104 P3 Block A Proposed 4th Floor Plan (Roof)
TA20201 P3 Block A Proposed Building Elevations
TA20202 P2 Block A Proposed Building Elevations
TA704201 P4 Block A Proposed Wheelchair Flat Plan Type 201
TA704202 P4 Block A Proposed Wheelchair Flat Plan Type 202
TA704301 P4 Block A Proposed Wheelchair Flat Plan Type 301
TB20100 P5 Block B Proposed Ground Floor Plan
TB20101 P5 Block B Proposed First Floor Plan
TB20102 P5 Block B Proposed 2nd - 11th Floor Plan
TB20112 P5 Block B Proposed 12th Floor Plan
TB20113 P5 Block B Proposed 13th - 23rd Floor Plan
TB20124 P5 Block B Proposed 24th Floor Plan
TB20125 P5 Block B Proposed 25th - 28th Floor Plan
TB20129 P3 Block B Proposed 29th Floor Plan (Roof)
TB20201 P4 Block B Proposed North & West Elevations
TB20202 P4 Block B Proposed East & South Elevations
TB704101 P4 Block B Proposed Wheelchair Flat Plan Type 101
TB704201 P4 Block B Proposed Wheelchair Flat Plan Type 201
TB704202 P4 Block B Proposed Wheelchair Flat Plan Type 202
TB704203 P4 Block B Proposed Wheelchair Flat Plan Type 203

TB704204 P4 Block B Proposed Wheelchair Flat Plan Type 204
TB704205 P4 Block B Proposed Wheelchair Flat Plan Type 205
TB704206 P4 Block B Proposed Wheelchair Flat Plan Type 206

Landscape

709-FHA-XX-00-DP-L-001 P2: Illustrative Masterplan
709-FHA-XX-00-DP-L-101 P2: Landscape GA
709-FHA-XX-00-DP-L-301 P1: Levels and Drainage
709-FHA-XX-00-DP-L-401 P2: Soft Landscape Plan (to be read with associated planning schedule)
709-FH-XX-00-DP-L-401 P1: Typical Tree Pit Details
709-FHA-XX-00-DP-L-501 P2: Walls and Boundaries
709-FHA-XX-00-DP-L-601 P2: Furniture and play Elements
709-FHA-XX-00-DP-L-701 P2: Lighting
709-FHA-XX-00-DT-L-101 P2: Site Sections
Maintenance and management plan (Farrer Huxley) May 2019
Landscape Statement (Farrer Huxley) July 2019

Supporting Technical Documents

Air quality assessment (White Young Green) June 2019
Arboricultural Impact Assessment (PJC Consultancy) 1st May 2019
Arboricultural Method Statement (PJC Consulting) 2nd May 2019
Archaeological Desk-Based Assessment (White Young Green) July 2019
Artificial Lighting Strategy (Griffiths Evans) 5th July 2019
Bat Survey Report (White young Green) June 2019
Daylight and Sunlight Report (Point 2 Surveyors) July 2019
Delivery and Servicing Management Plan (Vectos) July 2019
Design and Access Statement (Rolfe Judd) July 2019
Drainage Strategy (Curtins) 17th May 2019
Drainage Maintenance Manual (Curtins) 26th April 2019
Ecological Appraisal (White Young Green) June 2019
Energy Assessment Report (Giffiths Evans) 29th May 2019 including addendum dated 17th March 2020
Environmental noise and vibration assessment (Sharps Redmore) 11th July 2019
Financial Viability Assessment (Montagu Evans) July 2019
Flood Risk Assessment (Curtins) July 2019 including addendum note received on 13th March 2020.
Fire Statement (Fire Risk Consultants) 19th February 2020
Framework Construction Environmental Management Plan (White Young Green) June 2019
Heritage, Townscape and Visual Impact Assessment (Turleys) July 2019
Planning Statement (tp bennett) June 2019
Preliminary Site Assessment (Curtins) 3rd Mary 2019
Statement of Community Involvement (BECG) July 2019
Sustainability Statement (Greengage) July 2019
Transport Statement (Vectos) July 2019 including addendum dated March 2020.
Residential Travel Plan (Vectos) July 2019
Waste Management Plan (Transport Planning Practice July 2019
Wind Microclimate Assessment (White Young Green) June 2019

Appendix 2: List of consultees (statutory and Other Consultees)

Statutory

Environment Agency
Greater London Archaeological Advisory Service
Greater London Authority
FOD London Division (Health & Safety)
National Air Traffic Safeguarding Office
Natural England
Historic England
LB Southwark
L.F.C.D Authority
London Underground
Network Rail
OFSTED
Transport for London
Thames Water

Internal

EHST Air Quality
EHST Fume Extraction
EHST Impacts of Construction
EHST Land Contamination
EHST Light Pollution
EHST Noise Pollution
LBL Arboricultural Officer
LBL Building Control
LBL Employment & Skills Officer
LBL Flooding – SUDS
LBL Heritage and Design
LBL Highways
LBL Housing
LBL Parks & Open Spaces
LBL Planning Policy
LBL Regeneration
LBL Sustainability Team On Air Quality
LBL Transport
LBL Ward Councillors
LBL Waste Services (Veoila)
Neil Coyle MP (Bermondsey & Old Southwark)

Other

Association of Waterloo Groups

Bioregional (Consultant Sustainability Advisors)
Brook Drive Tenants Resident Association
Civil Aviation Authority
Cleaver Square
Commission For Architecture & The Built
Communities & Local Government
Design Officer (Metropolitan Police)
Dryden Court Residents Association
Education – Estate Team
Friends of Archbishop's Park
Friends Of Lambeth High Street Recreation Ground
Friends of Old Paradise Gardens
Friends of Vauxhall Park
Friends of Vauxhall Pleasure Gardens
Greater London Assembly
Heart of Kennington Residents' Association
Highways Agency
Housing Association/S106 Hsg
Housing
I.M.P.A.C.T.
Jubilee Walkway Trust
Kennington Association Planning Forum
Kennington Oval & Vauxhall Forum
Kennington Park Road Residents' Association
Lambeth Environmental Consortium
Landscape Architects
LB Wandsworth
LB City of Westminster
London Ecology unit
London Cycling Campaign
London Heliport
London Wildlife Trust
Lansdowne Residents Association
Oval & Kennington Residents Association
Pearman Street Residents Association
Regulatory Support Services (Consultant Environmental Health Advisors)
Stop The Blocks Action Group (Not registered).
Transport For London Land Use Planning Team
TFL Road Network Development
Vanbrugh Court Residents' Association
Vauxhall One Business Improvement District
Vauxhall 5 Chair of the TRA
Vincennes Tenant And Residents Association
Walcot Estate Tenants Association
Waterloo Community Development Group
Whitgift Estate Tenants Association

**Appendix 3: List of relevant policies in London Plan (and IPLP), Lambeth Local Plan.
Reference to SPGs, SPD and other relevant guidance**

The London Plan (2016)

Provided below is a list of the key London Plan policies which are considered relevant in the determination of these applications:

- Policy 1.1 Delivering the strategic vision and objectives for London
- Policy 2.9 Inner London
- Policy 2.10 Central Activities Zone – strategic priorities
- Policy 2.11 Central Activities Zone – strategic functions
- Policy 2.12 Central Activities Zone – predominantly local activities
- Policy 2.13 Opportunity Areas and Intensification Areas
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children & young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.10 Definition of affordable housing
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential & mixed use schemes
- Policy 3.13 Affordable housing thresholds
- Policy 3.15 Coordination of housing development and investment
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.4 Retrofitting
- Policy 5.4 A Electricity and gas supply
- Policy 5.5 Decentralised energy networks
- Policy 5.6 Decentralised energy in development proposals
- Policy 5.7 Renewable energy
- Policy 5.8 Innovative energy technologies
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater infrastructure
- Policy 5.15 Water use and supplies
- Policy 5.16 Waste net self-sufficiency
- Policy 5.17 Waste capacity

- Policy 5.18 Construction, excavation and demolition waste
- Policy 6.1 Strategic approach
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.4 Enhancing London's transport connectivity
- Policy 6.7 Better streets and surface transport
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.11 London View Management Framework
- Policy 7.12 Implementing the London View Management Framework
- Policy 7.13 Safety, security and resilience to emergency
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing and managing noise
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.20 Geological conservation
- Policy 7.21 Trees and woodlands
- Policy 8.1 Implementation
- Policy 8.2 Planning obligations
- Policy 8.3 Community infrastructure levy
- Policy 8.4 Monitoring and review

Intend to Publish London Plan (December 2019)

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG6 Increasing efficiency and resilience
- Policy SD1 Opportunity Areas
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, other strategic functions and residential development in the CAZ
- Policy SD10 Strategic and local regeneration
- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy H1 Increasing housing supply
- Policy H4 Delivering affordable housing
- Policy H5 Threshold approach to applications
- Policy H6 Affordable housing tenure
- Policy H7 Monitoring of affordable housing
- Policy H10 Housing size mix
- Policy H11 Build to Rent
- Policy H12 Supported and specialised accommodation
- Policy S2 Health and social care facilities
- Policy S4 Play and informal recreation
- Policy HC1 Heritage conservation and growth
- Policy HC2 World Heritage Sites
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework
- Policy G1 Green infrastructure
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 6 Digital connectivity infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking

- Policy T6.1 Residential parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning
- Policy DF1 Delivery of the Plan and Planning Obligations

Regional Guidance

Relevant publications from the GLA include:

- Affordable Housing and Viability SPG (August 2017);
- Housing SPG (March 2016);
- Central Activities Zone (March 2016)
- Social Infrastructure (May 2015)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Sustainable Design and Construction (April 2014)
- Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG (2013)
- Shaping Neighbourhoods: Play and Informal Recreation SPG (Sep 2012)
- London View Management Framework (March 2012)
- London Cycle Design Guide (2014)

Lambeth Local Plan (2015) policies

Provided below is a list of the key Local Plan policies which are considered relevant in the determination of these applications:

- D1 Delivery and monitoring
- D2 Presumption in favour of sustainable development
- D3 Infrastructure
- D4 Planning obligations
- EN1 Open space and biodiversity
- EN3 Decentralised energy
- EN4 Sustainable design and construction
- EN5 Flood risk
- EN6 Sustainable drainage systems and water management
- EN7 Sustainable waste management
- H1 Maximising housing growth
- H2 Delivering affordable housing
- H4 Housing mix in new developments
- H5 Housing standards
- H8 Housing to meet specific community needs
- Q1 Inclusive environments
- Q2 Amenity
- Q3 Community safety

- Q5 Local distinctiveness
- Q6 Urban design: public realm
- Q7 Urban design: new development
- Q8 Design quality: construction detailing
- Q9 Landscaping
- Q10 Trees
- Q11 Building alterations and extensions
- Q12 Refuse/recycling storage
- Q13 Cycle storage
- Q15 Boundary treatments
- Q18 Historic environment strategy
- Q20 Statutory listed buildings
- Q22 Conservation areas
- Q23 Undesignated heritage assets: local heritage list
- Q25 Views
- Q26 Tall and large buildings
- S1 Safeguarding existing community premises
- S2 New or improved community premises
- T1 Sustainable travel
- T2 Walking
- T3 Cycling
- T4 Public transport infrastructure
- T6 Assessing impacts of development on transport capacity
- T7 Parking
- T8 Servicing
-

Local Guidance / Supplementary Planning Documents

Relevant local guidance and SPDs for Lambeth include:

- Development Viability SPD (2017)
- Employment and Skills SPD (2018)
- Refuse & Recycling Storage Design Guide
- Waste Storage and Collection Requirements - Technical Specification
- Air Quality Planning Guidance Notes

Appendix 4: Letter from Anthology

Lifestory
160 Borough High Street
London, SE1 1LB
020 3540 9890
sbangs@lifestory.group
lifestory.group



Katharine Ford
The Cinema Museum
The Masters House
1 Dugard Way
London SE11 4TH

23rd December 2019

Dear Katharine,

Anthology Kennington Stage

Thank you again for your time at our meetings to discuss the recent planning feedback that we have received and how this may impact the future relationship between Lifestory and the Cinema Museum.

As we discussed, there are four planning scenarios that could come to pass for our proposed redevelopment of the site:

1. Permission is granted for the submitted application by LB Lambeth early in 2020.
2. Permission is granted for an alternative application by LB Lambeth before end May 2020.
3. Permission is secured for the site via an appeal to the Planning Inspectorate.
4. Planning is not secured via any of the three routes set out above.

As we discussed, should either scenario 1 or 2 be realised, our offer to the Cinema Museum (TCM) would be as follows:

- TCM to be granted a four-year lease at a peppercorn
- TCM have until that lease expires to acquire the Masters House, the Male Receiving Wards and the Gatehouse for £1million
- This will be on the basis of a 999-year lease
- The red line around the Masters House will be on the basis of our correspondence from August of this year
- The £1million premium payable by TCM will be re-invested back into the development works for the refurbishment and upgrade of the TCM buildings.

Should scenario 3 be realised, the above terms remain aside from the £1million premium being reinvested back into the development works as this sum will be needed to fund the appeal process.

In the event that the planning process has been unsuccessful and scenario 4 is the

outcome, Lifestory will be obliged to sell our interest in the site with a view to seeking the maximum price payable for the former nursing home, the current Cinema Museum buildings, or the two land holdings combined.

The land will be openly marketed and The Cinema Museum will be very welcome to bid but we will not be able to offer any favourable terms under this scenario.

We have always sought to be clear with the Cinema Museum that we are keen to work with you to secure the optimum outcome for all concerned. We have made a firm and, we believe, favourable offer to allow the Museum to acquire your buildings whilst committing our support towards your redevelopment works should our planning permission be forthcoming.

In conclusion, we remain confident that we will be able to secure a planning permission from LB Lambeth and our conversations with the Authority continue to be positive. However, we realise the importance of the Museum and that you must be prepared for any planning scenario. Therefore, I hope that this letter is helpful in providing clarity on the implications of the possible planning outcomes.

Yours sincerely

Steve Bangs
Managing Director

cc. Neil Sams – Lifestory

Ref	Conservation Area Name	Ref	Scheduled Monument Name	Ref	Listed Building Name
4	Renfrew Road	1	Baynard's Castle, 78m south-west of St Benet Metropolitan Welsh Church	1	THE OLD RED LION PUBLIC HOUSE
5	St Georges Circus	2	Roman riverboat, 136m west of Greenwood Theatre	2	14-32 WALCOT SQUARE SE11
13	Kennington	3	Abbey buildings, Bermondsey	3	52, 54 AND 56, WALCOT SQUARE SE11
21	Walcot	4	Queenhithe dock	4	25, WALCOT SQUARE SE11
22	Lambeth Walk & China Walk	5	Remains of Winchester Palace, Clink Street and waterfront	5	RAILINGS AT END OF ROAD IN NORTH WEST CORNER OF SQUARE
34	Elliot's Row	6	Smiths' Wharf	6	1-10, ST MARY'S WALK SE11
35	West Square	7	The Chapter House and Pyx Chamber in the abbey cloisters, Westminster Abbey	7	11-13, ST MARY'S WALK SE11
36	Pullen's Estate	8	The Jewel Tower	8	128 AND 125, KENNINGTON ROAD SE11
37	Renfrewton Park Road	9	The Rose Theatre, Rose Court, Southwark	9	127 AND 129, KENNINGTON ROAD SE11
40	Walworth Road	10	The Globe Theatre	10	155-161, KENNINGTON ROAD SE11
		11	Romano-British bath house and medieval remains at 11-15 Borough High Street	11	188 AND 191, KENNINGTON ROAD SE11
		12	The Hope Playhouse, and the remains of three further bear gardens, Bankside	12	193, KENNINGTON ROAD SE11
		13	112 AND 116, KENNINGTON ROAD SE11	13	NUMBERS 2-18 AND ATTACHED RAILINGS
		14	126, 126 AND 128, KENNINGTON ROAD SE11	14	COUNBROOK STREET SCHOOLS
		15	113, 113, 115A, 117, 117B, 119, 119A AND 121, KENNINGTON LANE SE11	15	MICHAEL FARADAY MEMORIAL
		16	127, KENNINGTON LANE SE11	16	NUMBERS 3-11 AND ATTACHED RAILINGS
		17	137-147, KENNINGTON LANE SE11	17	ALBERT TERRACE AND RAILINGS
		18	1-20, DENNY STREET SE11	18	NUMBERS 13-35 AND ATTACHED RAILINGS
		19	10, 11 AND 12, CHESTER WAY SE11	19	NUMBERS 87-121 AND ATTACHED RAILINGS
		20	37, 38 AND 39, CHESTER WAY SE11	20	KENNINGTON UNDERGROUND STATION
		21	54 AND 55, WALCUTT TREE WALK SW11	21	TOWER AND PORTAL OF CHURCH OF ST MARY NEWINGTON
		22	64 AND 65, CLEAVER SQUARE SE11	22	IMPERIAL WAR MUSEUM
		23	66, WALNUT TREE WALK SE11	23	LOGGE TO IMPERIAL WAR MUSEUM
		24	9-23, WALCOT SQUARE SE11	24	METROPOLITAN TABERNACLE
		25	46, 48 AND 50, WALCOT SQUARE SE11	25	RAILINGS, GATES AND PIERS TO OLD ST MARYS CHURCHYARD
		26	50,51 AND 52, CLEAVER SQUARE SE11	26	NUMBER 1 AND ATTACHED RAILINGS
		27	123, KENNINGTON LANE SE11	27	NUMBERS 3, 5 AND 7 AND ATTACHED RAILINGS
		28	128-135, KENNINGTON LANE SE11	28	63-83, ST GEORGES ROAD
		29	131 AND 133, KENNINGTON ROAD SE11	29	FORMER CHURCH OF ST JUDE
		30	139,141 AND 143, KENNINGTON ROAD SE11	30	NUMBERS 6-19 AND ATTACHED RAILINGS
		31	177-187, KENNINGTON ROAD SE11	31	NUMBERS 26-24 AND ATTACHED RAILINGS
		32	118 AND 120, KENNINGTON ROAD SE11	32	NUMBERS 25-28 AND ATTACHED RAILINGS
		33	162,164 AND 166, KENNINGTON ROAD SE11	33	NUMBERS 29-45 AND ATTACHED RAILINGS
		34	K2 TELEPHONE KIOSK	34	CHARLOTTE SHARMAN SCHOOL, BLOCK FRONTING GERALDINE STREET
		35	K2 TELEPHONE KIOSK, OUTSIDE MAGISTRATES COURT	35	WATER TOWER TO FORMER LAMBETH WORKHOUSE
		36	K6 TELEPHONE KIOSK, OUTSIDE 3 WINSCOTT PARADE	36	ADMINISTRATIVE BLOCK TO FORMER LAMBETH WORKHOUSE
		37	STABLES IMMEDIATELY TO SOUTH WEST OF NUMBER 10-11	37	Metro Central Heights
		38	FORMER LAMBETH MAGISTRATES COURT	38	
		39	NUMBERS 10-11 AND ATTACHED WALLS AND OUTBUILDINGS	39	
		40	10-112, KENNINGTON ROAD SE11	40	
		41	CHESTER HOUSE	41	
		42	WALL, GATE PIERS, RAILINGS AND GATE TO FRONT GARDEN OF NUMBER 121	42	
		43	156 AND 157, KENNINGTON LANE SE11	43	
		44	1-16, DENNY CRESCENT SE11	44	
		45	27-81, WALCOT SQUARE SE11	45	
		46	5-13, ST MARY'S GARDENS SE11	46	
		47	18-28, ST MARY'S GARDENS SE11	47	
		48	14, ST MARY'S WALK SE11	48	
		49	BOUNDARY STONE TO SIDE OF NUMBER 66	49	