<table>
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<tr>
<th>Case Number :</th>
<th>07/01681/FUL</th>
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| Application Address : | 1 Gyn Street  
London SE11 5HT |
Redevelopment of the site involving the demolition of the existing building and erection of a seven-storey building to provide 69 self-contained flats (41 x 1-bedroom, 20 x 2-bedroom and 8 x 3-bedroom affordable housing units), with a retail/café unit (Use Class A1/A3) to part of ground floor level fronting onto Auckland Street and cycle store.

Application Type  Full Planning Permission
Application No  07/01681/FUL/DC_JFU/8301
Applicant  Genesis Housing Group Ltd - Mr Peter Emmerton
Agent  Rolfe Judd - Jan Donovan
Old Church Court
Claylands Road
The Oval
London
SW8 1NZ
Date Valid  26 June 2007
Considerations
Adopted UDP Protected View UDP Protected View : V4 : Parliament Hill to Palace of Westm
Approved Plans
A-100/106 (inc); A-201/204 (inc); A-301/303(inc); 501; 120;1
Archaeological desktop Assessment; Planning Statement;
Sustainable Energy Strategy; Design Statement;
Transport assessment; Marketing report
Recommendation  Grant Permission
Officer Report

1. Summary of Main Issues

1.1 The main issues involved in this application are:

- The principle of the loss of the employment generating use on the site
- The suitability of the site to provide 100% affordable housing
- Whether the dwelling mix is appropriate for the housing needs of the Borough
- Suitability of the proposed building and its design impact on the appearance of the surrounding area
- The likely impact of the proposal on the amenities of adjoining residential occupiers
- The acceptability of the parking and cycle provision on site and its impact on on-street parking stress in surrounding streets

2. Site Description

2.1 The application site is a rectangular shaped 1,055sq.m site, which is located at the southern end of Spring Gardens in Vauxhall. The site is bounded by Auckland Street to the north-east and north west and Glyn Street to the south-east, which connects to Kennington Lane (A3204) and into the Vauxhall Cross gyratory.

2.2 The site comprises a building ranging from single to three storeys in height. It has a lawful commercial (Use Class B1/2) and has a history of vacancy and partial occupancy. It is presently vacant.

2.3 The surrounding area contains a mixture of land uses. To the north of the site is Spring Gardens, a public open space. Accommodated within the Gardens is a games area and the Vauxhall City Farm. Goding Street and the railway viaduct and arches run along the western boundary of the Gardens. This forms a zone of light industrial, retail, entertainment and food and drink uses. To the south-west, the application site directly adjoins the flank wall of a four-storey (plus basement) office building at 350 Kennington Lane. Further to the south-west, approximately 55 metres from the application site, is the Royal Vauxhall Tavern, a bar/nightclub, at 372 Kennington Lane. To the south-east lies a three/four-storey terrace of properties that front onto Kennington Lane (Nos. 322-348). This terrace is designated as a local shopping centre under the Adopted UDP and accommodates a shopping parade at ground floor level with residential units on the upper floors. Located to the rear of 348 Kennington Lane, opposite the application site, is a mini cab office. On the corner of Glyn Street and Auckland Street is 39 Glyn Street which is a three-storey commercial/residential building with attached single-storey garage.

2.4 The site is located 300m from Vauxhall Interchange. This includes underground, bus and train services, providing access into central and other areas of London and throughout the South East.

2.5 The site does not lie within a Conservation Area but the Vauxhall Conservation Area is situated to the south and south-east of the site. The site lies within a protected view for Parliament Hill to the Palace of Westminster. It also falls within an area designated as having 'Major Development Opportunity' (MDO109 1-3 Glyn Street) under the Replacement UDP.
3. Relevant Planning History of the Application Site

3.1 January 1986 - Planning permission granted for the erection of two single-storey extensions at second floor level, formation of a roof garden and alterations to the elevations in connection with the proposed use as recording studios with ancillary offices, residential accommodation and the formation of a means of vehicular access (85/01987).

3.2 May 1986 - Planning permission granted for the change of use of the first floor warehouse to use as offices, together with alterations to the elevations including the installation of two roller shutter doors and formation of two new vehicular accesses on the Auckland Street frontage (86/00512).

3.3 September 1987 - Planning permission granted for the independent use of 280sq.m of the first floor as offices together with elevational alterations (87/00795).

3.4 October 1987 - Planning permission granted for the installation of an entrance door and glazed canopy on the Auckland Street elevation (87/01005).

3.5 July 1988 - Planning permission granted for the erection of an extension at first and second floor level for use as offices and the change of use of part of the ground floor from storage to offices (88/00283).

3.6 July 1996 - Planning application withdrawn for the use of offices ancillary to existing warehouse/storage use of premises (96/01062).

3.7 March 1997 - Planning permission granted for the use of entire premises as Use Class B1 (offices) (96/01619).

3.8 April 2000 - Planning permission granted for the refurbishment and extension of first and second floors of building to provide additional B1 office use and a self-contained apartment (99/00209/FUL).

3.9 November 2001 - Planning application withdrawn for the redevelopment including erection of new seven-storey building partly on existing public highway with four-storey south-western wing over new access road to include retail (Use Classes A1, A2, A3) at ground floor level, office use (Use Class B1) at part basement and levels one to six (01/00813/FUL). This application was refused on the grounds that the proposed building, by virtue of its height, bulk, scale and massing, would have been harmful to the open character of Spring Gardens as well as the character and appearance of the adjoining conservation area and nearby listed buildings.

3.10 November 2001 - Planning application withdrawn for the erection of new seven-storey building partly to include retail (Use Classes A1, A2, A3) at ground floor level, office use (Use Class B1) at part basement and levels one to six and enclosed roof plant above together with ancillary parking (01/00977/FUL).

3.11 October 2002 - Planning permission refused for the redevelopment to provide the erection of a new building comprising a basement plus six-storeys together with an additional storey in a tower partly on existing public highway with a three-storey south western wing over a new accessway (02/00378/FUL). This application was refused on the grounds that the proposed building, by virtue of its height, bulk, scale and massing, would have been harmful to the open character of Spring Gardens as well as the character and appearance of the adjoining conservation area and nearby listed buildings.

3.12 January 2004 - Planning permission granted for the redevelopment of existing building to provide new building comprising basement, ground and upper four floors plus roof plant, for use as retail (class A1/A3) on part ground floor and business space (B1) in the remainder (03/01049/FUL). This permission has not been implemented but remains extant.
3.13 13 November 2006 – planning permission refused for the redevelopment of the site involving the demolition of the existing building and erection of a seven-storey building to provide 67 self-contained flats (32 x 1-bedroom, 24 x 2-bedroom and 11 x 3-bedroom affordable housing units), with a retail/café unit (Use Class A1/A3) to part of ground floor level fronting onto Auckland Street and cycle store. This application was refused for the following reasons:

1 The proposal would result in the loss of existing, functional, employment-generating floorspace. The applicant has failed to demonstrate that no effective demand exists, or is likely to exist in the future, to use the land or buildings for employment generating activities. Therefore, the proposal would be prejudicial to the Council’s aim to retain employment-generating floorspace in the Borough. For these reasons, the proposal is contrary to Policies EMP6 and EMP7 of the Lambeth Adopted Unitary Development Plan (1998) and Policy 23 of the Replacement Unitary Development Plan (2006).

2 The proposed development, by virtue of its bulk, scale, design and articulation of materials, would result in a visually over-dominant form of development, which would be visually intrusive in the streetscene and harmful to the setting of Spring Gardens and the Vauxhall Conservation Area. The proposal is thereby be contrary to Policies CD2 and CD15 of the Adopted Unitary Development Plan (1998) and Policies 31, 32, 42 and 72 of the Replacement Unitary Development Plan (2006).

3 Inadequate information was submitted regarding transport issues to allow the Local Planning Authority to assess whether the application site would be, or could be rendered suitable for the use proposed without detrimental impact to highway and pedestrian safety conditions. The proposal is therefore considered contrary to Policies T17, T38 and T39 of the Adopted Lambeth Unitary Development Plan (1998) and Policies 9, 10 and 11 of the Replacement Unitary Development Plan (2006).

3.14 An appeal has been lodged against this decision and a Public Inquiry is scheduled for 3 October 2007.

3.15 Relevant Planning History of the Surrounding Neighbourhood

3.16 Spring Gardens
March 2006 - Planning permission granted for the removal of existing games area, re-distribution of ground material and construction of a new multi-use games area including new play surface, fencing and four floodlights, along with associated hard and soft landscaping works (06/00183/RG3).

August 2006 - Planning permission granted for the removal of existing games area, re-distribution of ground material and construction of a new multi-use games area including new play surface, fencing and four floodlights, along with associated hard and soft landscaping works (06/01958/RG3).

3.17 39 Glyn Street
October 1987 - Planning permission granted for the conversion and extension to provide a three-storey building comprising a studio/workshop on the ground floor, ancillary offices on part of the first floor and a residential unit on part first and all of the second floor (87/00560).

October 1989 - Planning permission granted for the alterations to Glyn Street and Spring Gardens elevations in connection with planning permission 87/00560 (89/00444).
September 1996 - Planning permission granted for the change of use of ground and part first floor from studio/workshop and ancillary office to residential use (96/01227).

3.18 350 Kennington Lane
March 1989 - Planning permission granted for the erection of a four-storey plus basement building for use as offices with ancillary facilities, together with the formation of a new vehicular access, a refuse store, highway improvements and landscaping (86/01026).

April 1992 - Planning permission granted for the change of use from Class B1 (offices) to Class D1 (Training Centre) (92/01277).

4. Scheme Details

4.1 The proposal involves the redevelopment of the site involving the demolition of the existing building and erection of a seven-storey building to provide 69 self-contained flats, with a retail/café unit (Use Class A1/A3) to part of the ground floor level fronting onto Auckland Street. Cycle storage is also proposed.

4.2 The proposed dwelling mix is 41x1-bedroom units, 20x2-bedroom units and 8x3-bedroom units. All the units would be affordable housing, the applicant being Genesis Housing Association, and all would be built to Lifetime Homes standards.

4.3 The proposed building would be arranged around a central courtyard area. At ground floor level there would be 2 principle entrances to the building, one located on Park Street and the other on Auckland Street. A retail/café unit is proposed at the corner of Auckland Street and Park Street fronting the park. Secure cycle storage is located within the central courtyard area which is accessible from Auckland Street.

4.4 The proposed redevelopment broadly follows the footprint, general height and profile of the previously approved office scheme (03/01049/FUL – see above). The scheme has been developed in an attempt to overcome the reasons for refusal of the previous residential scheme (06/02151/FUL).

5. Consultation and Responses

5.1 The application has been the subject of extensive consultation involving external agencies, adjacent occupiers and relevant Council Services. Consultation letters were sent to 84 adjacent addresses, including those adjoining in Glyn Street, Auckland Street and Kennington Lane.

5.2 The following external and internal consultees were also notified:

   Internal
   Planning Policy
   Housing Department
   Housing (Affordable Housing)
   Conservation and Design Team
   Transport/Highways Team
   LBL Crime Prevention Unit
   Environment Team
   Parks and Open Spaces
   Regulatory Services (Noise and Pollution)

   External

   Vauxhall Society
Objections | Response
--- | ---
Loss of employment use on the site and that the recent occupation is indicative of existing viability | Glyn Street has a long established lawful storage and office use and as such it is regarded as being an employment generating use. However, it is an isolated site and does not lie within a Key Industrial and Business Area. Outside KIBAs, Policy 23 protects employment uses and requires that applications for changes of use from employment uses to non-employment uses will only be supported if they are accompanied by cogent evidence to confirm that the site is either no longer suitable for employment use or, if vacant as is the case now, that it can be demonstrated that there is no reasonable prospect in the medium term or its re-use or re-development for employment use. However, there is an exemption clause. The policy states that none of the caveats apply “where the proposal will result in a development solely of affordable housing and/or community facility, or for local arts and culture uses for which there is a demonstrable need”.

The temporary leases of all 3 tenants have been terminated and the building has been vacant since mid June 2007. The applicant has advised that the termination of the leases was in accordance with the tenants’ lease agreements, each of whom were taking the opportunity of the very low/nominal rent offered on a short term let (3 month rolling break clause in the contracts) being collected by the owner pending redevelopment of the site. Now that the building is vacant, it is understood that it is the intention of the site owner to demolish the building and clear this site by the end of 2007.

This application proposes 69 units of 100% affordable housing for which there is a significant need in Lambeth.

The lack of provision of socially rented units | The proposed 69 affordable housing units
<table>
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<tr>
<th>Meaning that this development will do nothing to ease the huge housing need in the area with above average unemployment.</th>
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<tr>
<td>Height, scale and bulk being out of keeping with the character of the general townscape and Spring Gardens.</td>
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<tr>
<td>The proposal adheres to the footprint and broad height and profile of the previously approved scheme. However, the external design draws on the positive aspects of the approved scheme whilst introducing simplicity and consistency in the design of the elevations. Given that the building profile of this scheme is broadly the same as that previously approved and that this scheme now introduces a more simple and cohesive detailed design, it is considered that the proposal overcomes the previous reason for refusal on design/townscape grounds.</td>
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<td>The interior of the flats are cramped with extremely low ceilings.</td>
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<td>All units have been designed to Lifetime Homes standards and all comply with the Council's SPG 4: Internal Layout and Room Sizes.</td>
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<tr>
<td>The character and use of the building is out of keeping with the area.</td>
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<tr>
<td>The applicant has submitted reports analysing background noise levels, prevention of crime measures, flood risk assessment, studies on day and sunlighting etc all of which confirm that this is an appropriate location for residential accommodation, including for families. Notwithstanding, the character of the immediate location which includes a number of nightclubs and Vauxhall Interchange it is considered that the use of the site for housing is acceptable in this location. Moreover, this application proposes 69 units of 100% affordable housing for which there is a significant need in Lambeth. The proposal is not therefore out of character with the area.</td>
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<tr>
<td>Impact of the building being larger and more bulky than the previously refused scheme.</td>
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<td>The proposed building is not materially larger than the refused scheme. It has however been remodelled to address the previous reason for refusal and elements of the massing have been repositioned. In particular, this scheme reintroduces the tower element which fronts Spring Gardens. This was not a feature in the refused scheme and as such does represent an increase in height over the previous scheme but as it fronts Spring Gardens, it would have a material impact on the amenity of existing adjacent residents.</td>
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<td>Loss of amenity to adjoining occupiers, and those at 39 Glyn Street in particular, by reason of increased sense of enclosure, loss of privacy and general amenity.</td>
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<td>The closest neighbouring residential properties are 340-348 Kennington Lane and 39 Glyn Street. The properties fronting Kennington Lane have rear windows that face northwards towards Spring Gardens. These windows are located 12-20 metres away from the application site. With regards 39 Glyn Street, the windows are located 12-20 metres away from the application site.</td>
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Street, this property is located on the opposite side of Glyn Street, 12 metres away from the application site. The windows within this property are north-west facing. However, again there will be no opportunities for overlooking as 39 Glyn Street is located further up Glyn Street than the application site, therefore the windows are not directly opposite one another. As such, it is considered that the proposed building will not result in a material increase in the sense of enclosure or a loss of privacy to neighbouring properties.

Moreover, this proposal is broadly within the profile of the approved scheme (and that of the refused scheme which was considered acceptable having regard to its impact on the adjoining residents). The revisions to the height and overall massing are not considered to be materially different having regard to impact on the amenity of adjoining occupiers and as such, the scheme, as with those previously submitted, is considered acceptable having regard to the amenities of adjoining occupiers.

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<th>Impact of the development on the community, Spring Gardens and adjacent residents and the Council’s failure to consider the interests of the community.</th>
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<tr>
<td>It is considered that the provision of 69 additional residential units on this site would be a sustainable development within the community. The application has been the subject of extensive consultation and the representations received have been considered as an integral part of the assessment of the application. The developer has acknowledges that the scheme will have an impact on the locality, notably Spring Gardens and is proposing a raft of mitigation measures, including substantial financial contributions towards additional park facilities and street improvements. These would be secured by a Section 106 Agreement and these facilities would be for the benefit of the community as whole. Also, the proposed A1/A3 unit fronting Spring gardens would be open to the public.</td>
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<th>Disruption during demolition and building works to the Riding Therapy Centre at Vauxhall City Farm which may prevent activities taking place.</th>
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<tr>
<td>Although of obvious concern, noise and disruption during the construction phase is controlled through separate legislation and as such is not a material planning consideration.</td>
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6. Relevant Policies:

6.1 The following national guidance contained in Planning Policy Statements and/or Guidance Notes is considered relevant to this application.

(i) PPS1 (Delivering Sustainable Development) sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system. It states that good design is indivisible from good planning and encourages planning authorities to secure high quality and inclusive design for all development, which positively contribute to making better places for people live and work.

(ii) PPS3 (Housing) was published in November 2006 and replaces PPG3 (Housing, 2001). It provides advice on the role of the planning system in relation to housing policy and reiterates the principle objectives of PPG3. In particular Para 69 states that in deciding planning applications, Local Planning Authorities should have regard to: "... achieving high quality housing; ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups; the suitability of a site for housing, including its environmental sustainability; using land effectively and efficiently..."

(iii) PPG15 (Planning and the Historic Environment) advises that new buildings do not have to copy their neighbours, noting that most interesting streets include a variety of building styles, materials and forms of construction. It indicates that redevelopment in conservation areas or in adjacent areas should provide opportunity for imaginative, high quality design which enhances the character and appearance of the area.

(iv) PPG13 (Transport) deals with transport and particularly the way in which it integrates with the proper planning of the environment. It seeks to promote more sustainable transport choices and accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling and discourages the need to travel by car. Para 17 states that parking standards should not be expressed as minimums and requires planning authorities to revise parking standards to allow for lower levels of off-street parking especially in locations which are served by good public transport.

(v) PPG 24 (Planning and Noise) provides guidance on the use of planning powers to minimise the adverse impact of noise. It outlines the considerations to be taken into account in determining planning applications both for noise-sensitive developments and for those activities which generate noise.

(vi) PPS25 (Development and Flood Risk) sets out Government policy on development and flood risk. It's aims are to ensure that flood risk is taken into account at all stages in the planning process to
avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally, necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

6.2 **The London Plan (2004)**

The London Plan is the Mayor's spatial strategy, which seeks to accommodate significant growth in ways that respect and improve London's diverse heritage while delivering a sustainable world city. It proposes to achieve this through sensitive intensification of development in locations well served by public transport.

Policy 3A.1 seeks to provide 30,000 additional homes per year from all sources in London. The target for Lambeth for the period 1997-2017 is 28,910, which equates to an annual monitoring target of 1450 dwellings. Policy 3A.2 states that UDP policies should seek to exceed their targets by identifying new sources of housing and intensification of housing provision through development at higher densities particularly where there are good public transport links.

6.3 **Adopted Unitary Development Plan (2007):**

6.3.1 The Replacement Unitary Development Plan, October 2006, was formally adopted on 6 August 2007 without further revision. It is now the main document to be used for development control purposes.

- **Policy 7:** Protection of Residential Amenity
- **Policy 9:** Transport Impact
- **Policy 10:** Walking and Cycling
- **Policy 14:** Parking and Traffic Restraint
- **Policy 15:** Additional Housing
- **Policy 16:** Affordable Housing
- **Policy 23:** Protecting and Location of Other Employment Uses
- **Policy 31:** Streets, Character and Layout
- **Policy 31a:** Community Safety/Designing Out Crime
- **Policy 32:** Building Scale and Design
- **Policy 32a:** Renewable Energy in major Development
- **Policy 32b:** Sustainable Design and Construction
- **Policy 35:** Design in Existing Residential/Mixed Use Areas
- **Policy 36:** Streetscape, Landscape and Public Realm Design
- **Policy 37a:** Views
- **Policy 42:** Conservation Areas
- **Policy 43:** Archaeology: Recording and Analysis of Buildings
- **Policy 48:** Pollution, Public Health and Safety
- **Policy 50:** Waste
- **Policy 50a:** Planning Obligations
- **Policy 70:** Vauxhall - Urban Design and Public Realm Improvements
6.4 **Supplementary Planning Guidance:**
SPG4 (Internal Layout and Room Sizes) is also considered to be relevant.

7. **Planning Considerations**

7.1 **Land Use**
National guidance in PPG3, particularly as amended in Para 42A, actively promotes the use of formerly developed sites including surplus employment land for housing. In order both to promote regeneration and minimise the amount of Greenfield land being taken for development, the government is committed to maximising the re-use of previously developed land and empty properties and conversion of non-residential buildings for housing.

Similarly, the London Plan, supplemented by the draft SPG on industrial capacity in the Capital supports a flexible criteria-based approach to the release of surplus industrial land to non-business uses, particularly to provide affordable housing. Local Councils are required to formulate policies that seek to make the best use of previously developed land and empty properties.

Accordingly, Policy 6 of the Lambeth Adopted UDP encourages development of previously developed urban land, including conversions, use of empty property and changes of use in the interests of sustainable development. Policy 15 of the AUDP has a presumption in favour of provision of additional housing through the conversion, re-use of empty buildings or redevelopment "unless retention of viable uses is protected by other policies".

7.1.1 1 Glyn Street has a long established lawful storage and office use and as such it is regarded as being an employment generating use. However, it is an isolated site and does not lie within a Key Industrial and Business Area. Outside KIBAs, Policy 23 protects employment uses and requires that applications for changes of use from employment uses to non-employment uses will only be supported if they are accompanied by cogent evidence to confirm that the site is either no longer suitable for employment use or, if vacant, that it can be demonstrated that there is no reasonable prospect in the medium term or its re-use or re-development for employment use. However, there is an exemption clause. The policy states that none of the caveats apply "where the proposal will result in a development solely of affordable housing and/or community facility, or for local arts and culture uses for which there is a demonstrable need". This application proposes 69 units of 100% affordable housing for which there is a significant need in Lambeth.

7.2.1 It is understood that the site has a history of vacancy or partial occupancy. In 2002, at the time when the owner submitted the first office scheme, the building was totally vacant and remained
so up to the approval of the second office scheme in 2004. Subsequently, the building has been partially occupied; however it has only been let on a short term basis (with rolling 3 month break clauses) at nominal rents in order to avoid problems of dereliction and squatting etc. The developer alleges that the occupancy on short term leases has only been an expediency as it has always been his intention to redevelop the site.

7.2.2 In 2006, when the previous residential scheme (06/02151/FUL) was considered, the building was partially occupied by 3 tenants, Eurocom, ACI Television and Franks and Lewin, on short term leases. As such, the building was demonstrably neither vacant nor redundant. The decision to refuse planning permission was made having regard to the existing partial occupancy of the building and the terms of the then adopted policies EMP6 and EMP7 of the previous adopted UDP. In essence, these sought to protect land or buildings currently or last in use in employment use from non-employment uses as with current adopted Policy 23; however neither former policy had the exemption clause set out in the currently adopted policy, enabling the provision of affordable housing on such sites.

7.2.3 The temporary leases of all 3 tenants have now been terminated and the building has been vacant since mid June 2007. The applicant has advised that the termination of the leases was in accordance with the tenants’ lease agreements, each of whom were taking the opportunity of the very low/nominal rent offered on a short term let (3 month rolling break clause in the contracts) being collected by the owner pending redevelopment of the site. Now that the building is vacant, it is understood that it is the intention of the site owner to demolish the building and clear this site by the end of 2007.

7.2.4 Notwithstanding the terms of Policy 23, officers have sought to test the developer’s allegations. The 3 previous tenants have been contacted and asked to confirm whether they have successfully relocated elsewhere and what rate of rent they were paying. 2 responses have been received from the former tenants, both of whom confirm they have found alternative premises in the immediate vicinity (both are in Vauxhall) albeit at a higher rent.

7.2.5 It is considered that there has been a series of material changes in circumstance between the consideration of the previous 2006 residential scheme (which is the subject of the public inquiry on 3 October 2007) and the current application. With regard to the site itself, it is acknowledged that the building is as a matter of fact now vacant, when in 2006 it obviously was not. Moreover, is considered that the reasons why it is now vacant are legitimate, not deliberately contrived, given the history of vacancy/partial occupancy of the building over the years and that the previous occupiers were on short term lets (with rolling break clauses) and on extremely low rents pending the owner acquiring an appropriate scheme to redevelop the site. Also, it is relevant to consider the 2004 office scheme, which is extant and could still
be implemented which if built would offer relatively little to the local community. Moreover, any argument to resist the change of use is considered to be further weakened given the thrust of national guidance, set out in PPS3 and regionally in The London Plan regarding the flexible approach to the release of industrial land and the need for additional affordable housing and the benefits derived from the Section 106 Agreement. These facts together with the recent adoption of Policy 23, and as a consequence previously adopted policies EMP6 and EMP7 now no longer applying for development control purposes, demonstrate that the principle of the change of use of this site from what is now vacant employment land to affordable housing is compliant with Policy 23 and is therefore considered to be acceptable in land-use terms.

7.2.6 The applicant, Genesis Housing Group Ltd, seeks to re-develop the site to accommodate 69 self-contained flats (41 x 1-bedroom, 20 x 2-bedroom and 8 x 3-bedroom units).

7.2.7 Policy 15 of the Adopted UDP seeks to promote a range of new housing development to meet different needs and demands including that for affordable housing and Part (C) states that a mix of dwelling type, affordability and size of units will be required on developments. Part (B) of Policy 16 of the Adopted UDP states the normal expected level of provision of affordable housing will be 50% of habitable rooms. Part (C) states that typically 70% of affordable units should be affordable to people on low incomes who cannot afford general market housing and 30% should be immediate housing for people on moderate incomes to buy or rent at below market value. All (100%) of the proposed residential units are for affordable housing. Of this 60% of habitable rooms will be for social rent and 40% for shared ownership.

7.2.8 The proposed mix would be 15 Intermediate units (or 21.74% by unit numbers), 32 Shared Ownership units (46%) and 22 Social Rented units (32%). The social rented units would be located at ground, first, second and third floor levels with the shared ownership units located at fourth and fifth floor levels. All of the 3-bedroom units and the majority of the 2-bedroom units will be retained for social rent.

7.2.9 The Council's long term Partner Compact with RSLs contains the expectation that independent affordable housing schemes should mainly (60% plus of units) provide social rented accommodation. In response to the previously refused scheme this application has been redesigned which has necessitated a change on the mix including a reduction in the amount of social rented housing to deliver a financially viable development. The Council's Housing Department has been consulted. They consider that the proposed dwelling and tenure mix was acceptable and were generally very supportive of the scheme, particularly with the number of 3-bedroom units that the scheme will provide. The Housing Partnership Team considers the proposed shared ownership to be affordable within the terms of
the Compact i.e available to people whose incomes are between £15-40,000. Also, the Compact requires socially rented dwellings to be 38% 1 Bedroom, 13% 2 bedroom, 34% 3 bedroom and 15% 4+ bedroom. Whilst not meeting the requirements of the Compact the development does contain a reasonable proportion of socially rented family sized units and housing have confirmed that level of provision has their support and is therefore considered acceptable. Given the proposed dwelling type, affordability and size of units, it is considered that the proposal is in accordance with Policies 15 and 16 of the RUDP.

7.2 Quality of accommodation to be provided.

7.2.1 Policy 15 of the Adopted UDP states that unless otherwise stated in the plan, housing is an appropriate use on all sites which can provide a suitable residential environment for existing and future residents. The Council has also produced SPG4 sets out prescribed standards for room sizes of habitable rooms.

Flats and Room Sizes
7.2.2 All of the units proposed would be built to Lifetime Homes standards. Each of the rooms within these units scheme exceeds the standards set out in SPG4. Furthermore, rooms of a similar type have broadly been handed and stacked between the units throughout the development so as to minimise noise transmission. Any mutual overlooking of occupiers of the proposed flats, from internal facing windows, i.e. across the internal courtyard, would be overcome by either high level windows or obscure glazing.

7.2.3 When looked at individually the internal layouts of each flat comprise a logical arrangement of the internal space that would offer liveable environments for future residents.

7.2.4 The development is therefore considered to provide a reasonable standard of living accommodation for future residents in accordance with Policy 15 of the Adopted UDP and SPG4 standards.

7.2.5 The development would have to meet Part M of the Building Regulations, which deals with aspects of the Disability and Discrimination Act (DDA) including width of doors and corridors, level thresholds, toilet facilities, stairs etc. The Design and Access statement states that all flats have been designed to Lifetime Homes standards to ensure that they are flexible and meet the need of future residents. It is considered therefore that the scheme complies with the aims of the disability and discrimination legislation.

7.2.6 Amenity Space Provision
There is no formal communal amenity space provided within the proposed development. The only amenity space that would be created would be at sixth (top) floor level where the recessed floor allows for the provision of small terraces on the Glyn Street
frontage and marginal larger terraces on the Park Street and Auckland Street elevations. The ground floor units would be recessed and it is proposed to introduce planting into these recesses. This street level provision is more of a visual amenity and privacy screen for the occupiers of the ground floor units rather than a providing a useable terrace or balcony. This design approach allows the reuse of the site to be maximised and it is an approach supported by the applicant who, as a Registered Social Landlord, does not generally seek balconies or roof terraces due to the associated maintenance and safety issues. However, the site does adjoin Spring Gardens which would offer a significant amount of amenity space, albeit shared publicly with the wider local community. The applicant recognises that additional use will be made of the park by occupiers of the development and proposes to make a substantial financial contribution towards improvements to park facilities via the Section 106 agreement. This contribution would be envisaged as providing new or improved play facilities. In addition to this contribution, a budget has been established for improvements to the park edge landscaping, which would improve this public amenity space. At the time writing, a financial contribution of £200,000 has been put forward.

7.2.7 Sources of Noise and Disturbance for the Future Occupiers

Turning to the wider location of the site, it is located very close to, if not within, a busy and noisy urban environment, being located 300m from Vauxhall Interchange and Kennington Lane which is a very busy road with high levels of traffic. The applicant has commissioned an environmental noise survey from an acoustic consultant to assess existing sources and levels of noise and what mitigation measures need to incorporated into the design and specification of the new building. The survey was undertaken between the hours of 07.14 hours on Tuesday 20 June 2007 until 03.24 hours on Wednesday 21 June 2007.

7.2.8 The survey reveals that noise levels in Glyn Street during the day time were dominated by the road traffic and aircraft noise; a traffic count carried out in Kennington Lane between 08.00 and 08.30 registered 626 vehicles in 30 minutes (which equates to 1252 vehicles an hour). The noise levels at the rear of the site in Auckland Street were dominated by railway noise and aircraft during the daytime. The noise was less intrusive than that on Glyn Street.

7.2.9 At night time, aircraft noise stopped at approximately midnight, however road traffic on Kennington Lane continued. During the period between 03.24 and 04.30 traffic levels were at a similar frequency to those earlier in the evening. From 04.30 the traffic levels increased due to general delivery lorries, mail and newspaper delivery lorries. At night time on Auckland Street noise levels were low.

7.2.10 The consultant confirms that the primary source of noise penetration is through windows and that the means to control this is by critically specified glazing and window acoustic
ventilators. Accordingly the consultant has recommended a technical specification of the windows which would satisfactorily attenuate noise penetration. This would be prescribed by condition.

7.2.11 The Council’s Noise and Pollution Enforcement Officer has considered the proposal having regard to PPS24. It is acknowledged that the site lies within a Noise Exposure Category (C) as defined by the PPS and for that reason conditions are requested to ensure the provision of adequate sound insulation in order to protect future occupiers of the flats from any unreasonable environmental noise.

7.2.12 It is considered that these attenuation measures would also mitigate against the noise and disturbance generated by the nightclubs in the immediate area both in terms of noise emanating from within the clubs and the disturbance generated by people meeting and congregating outside and in the vicinity of the site.

7.2.13 Secure by Design
The Police Crime Prevention design officer has been consulted and confirms that he has met the developer to discuss what measures should be incorporated into the design. Whilst many of his recommendations have been included, concern is raised regarding the ground floor recesses, particularly those indicated around the proposed entrances, café and near the bin store. It is recommended that as these areas may prove attractive to rough sleepers and anti-social behaviour, these recesses should be minimised and incorporate railings and planting to mitigate this risk. These details would be secured by condition. Subject to other mitigation measures including the need for visual access control at the entrances, slam shut closure of the cycle and refuse storage provision and detailed design of the railings to avoid sitting or climbing etc, the scheme is considered acceptable in terms of design out crime, although a condition is recommended to require the submission of all the measures taken to ensure that adequate mitigation measures are provided.

7.3 Design Issues

7.3.1 The existing building is a much altered one, two and three storey warehouse building dating from the early decades of last century. It is faced in painted render and brick and is considered to be of little architectural or townscape merit. In any event, the principle of its demolition has been established through the granting of the 2004 office development.

7.3.2 The proposed building adheres to the footprint and general height and profile of the 2004 approved scheme. The external design draws upon the positive aspects of that scheme whilst seeking to address the objections raised to the design of the previous residential scheme. The footprint would be C-shaped, fronting onto the street with an internal courtyard for cycle storage. The ground floor residential units are recessed and
allow for front boundary treatment and planting. The ground floor retail/café unit will front directly onto the pavement edge. The sixth floor level is also recessed at the front elevations, which allows for the creation of roof terraces. Each of the elevations comprises a predominantly brick façade and incorporates a visual grid elevation with silver-grey anodised aluminium window units.

7.3.3 Policy 31 of the AUDP states that developments should respond to and enhance the architectural character of the area. Where possible, development should retain and contribute to a fine ‘urban grain’, and where appropriate, follow appropriate block widths, road widths, plot sizes and gaps and spaces between buildings.

7.3.4 Policy 32 of the AUDP states that developments should respond to the context and sensitivity of the site and area. New development should be disciplined by, amongst other things, the building lines and scale of the area; heights, massing, rhythm and roofscape of adjoining buildings; and characteristic building plot widths in the area. The density and scale of a new residential development should reflect an appropriate urban design which makes efficient use of the land and meets the amenity needs of existing and potential residents.

7.3.5 Policy 35 states that proposals to intensify existing residential areas are welcomed where this can be achieved without harming local amenities, and that any prevailing character and appearance of the area should be protected. Where frontage redevelopment of existing housing is proposed, the replacement housing should be of equal or greater quality to that that it replaces.

7.3.6 Policy 42 of the Adopted UDP state that development outside Conservation Areas should not harm the setting of the Conservation Area or harm the views into or from the Conservation Area. Policy 72 of the adopted UDP states that nearby development should complement the setting of and views from Spring Gardens and contribute towards it improvement. MDO109 of the Adopted UDP states that "development should avoid excessive overshadowing of Spring Gardens".

7.3.7 The surrounding area is characterised by the Spring Gardens open space onto which the site borders. Most of the surrounding buildings are Victorian in age and residential in scale, being two to four storeys in height. The existing three-storey building on the application site fits with the area and appears neutral in its impact on the Vauxhall Conservation Area. The neighbouring building at 350 Kennington Lane has a strong cornice line at third floor level and a large mansard roof with gable end dormer structures above.

7.3.8 It is considered that the extant office permission sets the overall height and townscape parameters. This consented scheme is considered appropriate as its facade proportions reasonable suit
the local character with set backs and use of materials to break
up and sublimate the overall scale and appearance of the block.
It has a comfortable relationship with the adjoining buildings and
the conservation area beyond by respecting building and cornice
lines and presents itself to Spring Gardens with a focal feature at
the Auckland street corner.

7.3.9 The earlier residential scheme which was refused in November
2006 sought to address these principles but failed to do so as its
design and articulation of materials failed to integrate the bulk
and scale of that building into both the immediate townscape and
the character and appearance of the nearby Vauxhall
conservation area. As such, that proposed design was
considered to appear discordant and incongruous.

7.3.10 This proposed scheme therefore seeks to address the objections
raised to the previous residential scheme whilst incorporating the
design principles established by the extant approved
development.

7.3.11 The height and bulk of the building sits broadly within the
building envelope of the approved scheme and incorporates a
similar corner tower which with its fenestration and top storey
“box” provides a townscape marker breaking the mass of the
scheme in a similar way. This feature was not incorporated into
the refused scheme and its omission was considered to reinforce
its unduly heavy massing. The re-introduction of this element is
welcomed as it is considered to contribute positively to
overcoming the previous objections to the blocky, visually heavy
massing of the previous scheme. The window reveals and
spandrel panelling within the elevations are recessed and
articulated in manner which helps to emphasise the verticality of
the new design which is further enhanced with a crisp detailed
design that expresses the façade as a series of brick pilasters
and building plots giving elevational interest. Changes in material
at the upper levels also mitigate concerns regarding scale and
bulk. Equally, the use of balconies at 6th floor level creates the
illusion of a fascia level and a visual tool helps relate the building
to the scale of its neighbours in a way that the refused scheme
failed to do.

7.3.12 The elevations incorporate recesses in front of the ground floor
residential units for planting and adjoining the café (A1/A3) unit
on the Auckland Road corner of the block. In townscape terms,
the recesses provide clear definition to the ground floor units and
a soft, visually interesting feature at ground floor level. Whilst
concern is raised to these on the grounds that the recesses
could prove attractive for anti social behaviour, the Metropolitan
Police Service Crime Prevention Design Advisor considers that
any such risks could be mitigated by ensuring that these
recesses are minimised and that railings and planting are
provided. These comments are acknowledged and conditions
are proposed requiring details of the recesses, the installation of
railings to confirm their strength and height together with details
of planting. The inclusion of an active frontage looking onto
Spring Gardens is considered acceptable and subject to an informative regarding the need to site a flue within the scheme, no objection raised to this element of the proposal in townscape terms.

7.3.13 It is considered that the proposed new building successfully draws from the extant planning permission and develops it in a manner which overcomes the reason for refusal of the 2006 scheme. It is considered to be acceptable in terms of its bulk, scale design and articulation of materials and would respond in a manner in keeping with the immediate townscape, the adjacent Vauxhall conservation area and in views to and from Spring Gardens.

7.4 Amenity Issues

7.4.1 The proposed building is broadly within the same envelope as the approved office scheme and the previous residential scheme which although refused, was not considered to be unacceptable in terms of its impact on the adjoining occupiers.

7.4.2 Notwithstanding this relevant planning history, the proposal has been assessed having regard to Policy 32 of the Adopted UDP, which among other things seeks to protect the amenity of adjoining residents from un-neighbourly development. In this respect the policy seeks to ensure that new development does not materially or adversely affect adjoining buildings in terms of sunlight, daylight, privacy and overshadowing or create a sense of enclosure. Policy 35 of the AUDP states that proposals to intensify residential/mixed-use areas are welcomed where this can be achieved without harming local amenities.

7.4.3 Daylight and Sunlight:
For this proposal, the appellant has submitted a BRE Report by Schatunowski Brooks (dated May 2007). Having undertaken the appropriate daylighting tests recommended in the BRE report 1991, the consultants are able to confirm that within the context of the BRE criteria daylighting to the adjoining residential properties will not be materially affected and that the daylighting criteria are satisfied. As such, it is considered that the proposed development will not have an adverse impact upon daylight and sunlight of the neighbouring properties.

7.4.4 Privacy and Overlooking:
The closest neighbouring residential properties are 340-348 Kennington Lane and 39 Glyn Street. The properties fronting Kennington Lane have rear windows that face northwards towards Spring Gardens. These windows are located 13-20 metres away from the application site. It is considered that there would not be any opportunities for overlooking as the proposed development at 1 Glyn Street will have windows that are south-east facing. This means that habitable windows will be at a 45-degree angle to each other which will prevent a loss of privacy. With regards 39 Glyn Street, this property is located on the opposite side of Glyn Street, 12 metres away from the
application site. The windows within this property are north-west facing. However, again there will be no opportunities for overlooking as 39 Glyn Street is located further up Glyn Street than the application site, therefore the windows are not directly opposite one another. As such, it is considered that the proposed building will not result in a loss of privacy to neighbouring properties.

7.4.5 Enclosure:
Given that the proposed building will not be located directly in front of the neighbouring habitable windows and there is 12-20 metres separating the existing buildings from the proposed, it is not considered that there will be an adverse sense of enclosure. Again, it should be noted that planning permission has already been granted for a similar sized office building.

7.5 Highways and Transportation Issues

7.5.1 Policies 9 and 14 of the Adopted UDP are relevant in this respect. Policy 9 of the AUDP states that planning applications will be assessed for their transport impact, including impacts upon highway safety. Policy 14 states that the level of private parking permitted will be restricted to no greater than the standards set out in the plan. These are maximum parking standards. Policy 14 also states that parking for new development may be accommodated on-street providing this does not interfere with bus use; sufficient carriage width remains for all road users; and it would not have an unacceptable impact on road safety, emergency service access, amenity or traffic management. Further to this, development is expected to accord with the plan's minimum cycle parking standards.

7.5.2 The site lies within walking distance of Vauxhall Cross transport interchange and has an exceptional level of public transport accessibility (PTAL of 6). No car parking spaces are proposed within the development and it is proposed that the development be “car free”. The applicant has confirmed his willingness to enter into a section 106 Agreement which prevents the future occupiers of the flats from being eligible for a residents’ parking permit. It is proposed to provide 80 cycle spaces. This level of provision is in excess of the Council’s minimum standards and is considered acceptable.

7.5.3 The existing vehicular access on Glyn Street is to be permanently closed with kerbs and footways re-instated. The footways around the site will be replaced with new paving. Improvements to the interface between the highway and Spring Gardens are proposed including the replacement of the bollards and alternative boundary treatment. Again, these provisions would be secured in the Section 106 agreement.

7.5.4 The main entrance doors would be set back from the public highway, although raising concern on designing out crime grounds, have been designed in order to allow the doors to open
outwards, thereby complying with fire safety regulations without obstructing the highway.

7.5.5. The Transport Planning team has been consulted and whilst, at the time of writing, the team has not been able to comment in detail on all aspects of the application, it has been confirmed that the principle of a permit free development is acceptable as is the developer’s funding of the footway improvement around the site and the replacement of the bollards around the park. These commitments, which are echoed by Transport for London, would form part of the section 106 agreement as would a financial contribution of £6500 to allow the introduction of a car club parking bay. No objection is raised to the permanent closure of the crossover provided that it is done so with kerbs and the footway is reinstated prior to first occupation. This would be secured by condition.

7.6 Waste Management

7.6.1 Policy 50 of the RUDP IS relevant in this respect. It states that residential development proposals should include adequate provision for residual and re-cycled waste. Further guidance on waste management is provided in “Council’s Guidance for Architects and Developers- Waste and Recycling Storage and collection Requirements”.

7.6.2 The scheme provides 13 Eurobins within 2 separate stores which are easily accessible from Glyn Street and Auckland Street for residents and collection.

7.7 Sustainability and Renewable Energy Issues

7.7.1 The Government has set a national target to reduce carbon dioxide (CO2) emissions by 20% by 2010 and 60% by 2050. There is scope to achieve this target by ensuring that new buildings are designed to conserve fuel and power and sited to reduce the need to travel and, restraint measures are adopted to encourage more sustainable means of transport. The Mayor’s Energy Strategy has set a target of 10% of energy to come from renewable sources.

7.7.2 Adopted UDP Policies 32A and 32B encourage the use of energy-conservation technologies; use of renewable power sources; and design, layout and orientation of buildings to minimise energy use. Policy 32b states that development of this nature should show, by mean of a sustainability assessment, how they incorporate sustainable design and construction principles. This should include, among other things, utilising environmentally friendly specification and materials and specifying the use of sustainable sources.

7.7.3 The applicant recognises the importance of sustainable design, construction and management and has commissioned a Sustainable Energy Report. It investigates options available for provision of renewable energy technologies on site and outlines
those that are most appropriate, feasible and affordable. In brief, the Sustainability Energy Strategy seeks to achieve a “Very Good” EcoHomes Rating through incorporating a variety of sustainability principles. In order to achieve this and to meet the requirements of the Mayor’s Energy Strategy the scheme ensures a 10% efficiency improvement beyond Building Regulations requirements, 75% of lighting to be low energy to reduce residents’ energy use and employing air tight construction. The scheme would provide on-site energy generation from renewable sources to offset 10% of predicted carbon emissions, with solar hot water being the most likely option and include communal heating and hot water which is more efficient than individual systems. Such specification would be in accordance with Policies 32A and 32B.

7.8 Flood Risk Assessment

7.8.1 A Floor Risk Assessment (FRA) has been prepared and submitted in full accordance with current guidance and PPS25 and seeks in particular to establish the risk from a breach in the River Thames flood defences within proximity of the site. At the request of the Environment Agency, breach modelling has been undertaken to assess the residual risk of flooding on the site should the flood defences local to the site fail.

7.8.2 The Thames Barrier and local flood defence walls on the River Thames protect the site from tidal flooding from the River Thames to the 1 in 1000 year event. This site is protected by these defences. A breach in this defence is the only real potential source of flooding at the site as groundwater is not considered a potential major source of flooding at this site.

7.8.3 Given the standard of defence of the River Thames and the River Thames Flood Defence walls (1 in 1000 years), the consultant concludes that the site is adequately protected from the River Thames.

7.9 Archaeology

7.9.1 An Archaeological Desktop Assessment has been commissioned which has been compiled in consultation with The Greater London Sites and Monuments Record within a zone of 500m radius around the application site. Records of archaeological investigations by the Southwark and Lambeth Archaeological Excavation Committee, the Museum of London Archaeology Service have been consulted.

7.9.2 The proposal involves the construction of a 7 storey building with a basement which will be approximately 10m deep to the underside of the new slab. The basement is likely to remove any remaining archaeological remains which may be present. However, no notable evidence of the pre-historic, Roman, Saxon or mediaeval periods is to be expected on the site. It does lie within the southern edge of Vauxhall Gardens (late seventeenth and eighteenth centuries). However the site has undergone a
number of damaging modern developments which will have removed any significant deposits which may have been present.

7.9.3 Given the low potential of the site, it is concluded that no archaeological constraints should be attached to the redevelopment of the subject site.

8. Conclusion

8.1 The scheme would result in an acceptable standard of accommodation, and would provide additional residential units for which there is a shortage within the Borough. The proposed development is considered to be acceptable in both amenity and design aspects and there would be no overlooking or amenity issues in respect of the scheme. Further to this, there are no highways objections raised to the scheme.

8.2 It is considered therefore that the development is acceptable in the context of current planning policy and material considerations pertaining to the site.

9. Recommendation

9.1 It is therefore recommended that conditional planning permission be granted subject to section 106 agreement to secure the following heads of terms:

(i) the provision of 100% Affordable residential accommodation.

(ii) either the provision of 100% Council nomination rights, or a commensurate contribution for primary and secondary school education facilities within Lambeth.

(iii) a financial contribution of £200,000 towards new or improved play and recreational facilities within Spring Gardens.

(iv) a financial contribution of £6500 towards the provision of a car club parking bay.

(v) the prohibition of car parking permits, so the development will be “permit free”

9.2. That if the section 106 Agreement is not signed by the 18th July 2007, the Head of Development Control is given the authority to refuse the application on the grounds of lack of mitigation for the following reasons:

(i) The proposed development, in the absence of a legal agreement to secure the required level of affordable residential accommodation, would be contrary to Policies 16 and 50a of the Adopted Unitary Development Plan (August 2007).

(ii) The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards education facilities within Lambeth Council, would be contrary to Policy 26 and 50a of the Adopted Unitary Development Plan (August 2007).
(iii) The proposed development, in the absence of a legal agreement to secure a financial contribution towards the provision of new or improved play / recreational facilities in Spring Gardens, would be contrary to policies 36, 72 and 50a of the Adopted Unitary Development Plan (August 2007).

(iv) The proposed development, in the absence of a legal agreement to secure a financial contribution towards the provision car club parking bay, would be contrary to Policies 9, 14 and 50a of the Adopted Unitary Development Plan (August 2007).

(v) The proposed development, in the absence of a legal agreement to secure a permit free scheme would be contrary to Policies 9, 14 and 50a of the Adopted Unitary Development Plan (August 2007).

(vi) The proposed development, in the absence of a legal agreement to secure the payment of the Council section 106 monitoring fee would cause undue stress on Council resources and be contrary to the draft Supplementary Planning Document – s.106 Motoring Fees and Professional Cost.

Summary of Reasons:

Summary of Reasons: In deciding to grant planning permission, the Council has had regard to the relevant policies of the Development Plan and all other relevant material considerations. In reaching this decision the following policies were relevant:

Policy 7: Protection of Residential Amenity
Policy 9: Transport Impact
Policy 10: Walking and Cycling
Policy 14: Parking and Traffic Restraint
Policy 15: Additional Housing
Policy 16: Affordable Housing
Policy 23: Protecting and Location of Other Employment Uses
Policy 31: Streets, Character and Layout
Policy 31a: Community Safety/Designing Out Crime
Policy 32: Building Scale and Design
Policy 32a: Renewable Energy in major Development
Policy 32b: Sustainable Design and Construction
Policy 35: Design in Existing Residential/Mixed Use Areas
Policy 36: Streetscape, Landscape and Public Realm Design
Policy 37a: Views
Policy 42: Conservation Areas
Policy 43: Archaeology: Recording and Analysis of Buildings
Policy 48: Pollution, Public Health and Safety
Policy 50: Waste
Policy 50a: Planning Obligations
Policy 70: Vauxhall - Urban Design and Public Realm Improvements
Policy 72: Spring Gardens
MOD109: 1-3 Glyn Street
1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.

Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by s. 51 by the Planning and Compulsory Purchase Act 2004).

2 Samples and a schedule of materials to be used in the elevations of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality, and the character and appearance of the adjoining Conservation Area. (Policies 32, 36 and 42 of the Adopted Unitary Development Plan (August 2007 refer).

3 No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building(s).

Reason: Such works would seriously detract from the appearance of the building(s) and be injurious to visual amenities. (Policies 32, 36 and 42 of the Adopted Unitary Development Plan (August 2007 refer).

4 Full details of the ground floor recesses shall be submitted to and approved in writing by the Local Planning Authority before any building work commences and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be carried out solely in accordance with the approved details. The details should include measures to mitigate against crime and antisocial behaviour and should incorporate specifications of railings and planting.

Reason: To safeguard and enhance the visual amenities of the locality, the character and appearance of the adjoining Conservation Area and the safety and security of both future occupiers and the public generally. (Policies 7, 31, 31a, 32, 36 and 42 of the Adopted Unitary Development Plan (August 2007 refer).

5 The building shall be designed to ensure that environmental, road and rail traffic noise shall not exceed the following: Internal noise Living Room 35dB(A) Leq 16 hour, 07.00 to 23.00 hours; Bedroom 30dB(A) Leq 8 hour, 23.00 to 07.00 hours.

Reason: To safeguard the amenities of future occupiers of the residential units hereby approved. Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

6 Noise arising from the extractor fan or associated equipment and condensors, shall not increase the existing background noise level when measured from the nearest noise sensitive premises or residential property.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or the area generally. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).
7 All party walls and the ceiling/floor between the ground floor A1/A3 premises and the ground and first floor residential units shall be soundproofed and insulated to the satisfaction of the local planning authority before the A1/A3 use commences, and thereafter be retained for the duration of the use, so as to prevent fumes, smell and noise permeating into adjoining accommodation.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or the area generally. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

8 Full details of the means of fume extraction from cooking processes associated with the A1/A3 use shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works on site. The means of fume extraction thereby approved shall be installed prior to the use commencing and thereafter be retained, and satisfactorily maintained, for the duration of the use.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or the area generally. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

9 The A1/A3 premises shall not be open for the supply or consumption of food or drink outside of the hours 8.00am to 8.00pm on any day.

Reason: To safeguard the amenities of neighbouring residential properties. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

10 There shall be no amplified sound, speech or music which is audible outside the A1/A3 premises.

Reason: To safeguard the amenities of adjoining premises and the area generally. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

11 No deliveries shall be taken at or despatched from the A1/A3 premises outside the hours of 7.00am to 9.00pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of neighbouring residential properties. (Policy 7 of the Adopted Replacement Unitary Development Plan (August 2007) refers).

12 The existing vehicular access from Glyn Street shall be permanently closed with the kerb and footway to be reinstated prior to the occupation of the building.

Reason: In order that the Local Planning Authority can be satisfied as to the details of the proposal.)

13 Prior to the occupation of the dwellings hereby permitted, full details of boundary treatment including all gates and means of enclosure shall be erected in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure satisfactory layout of the site in the interests of safety, and visual amenity, and to safeguard the character and appearance of this part of the Conservation Area. (Policies 9, 33, 36 and 42 of the Adopted Unitary Development Plan (August 2007 refer).

14 Details of a waste management plan, incorporating provision for refuse storage and recycling facilities on the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The refuse storage and recycling facilities shall be provided in accordance with the approved details prior to the initial occupation of the building and shall thereafter be retained as such for the duration of the permitted use.

Reason: To ensure that adequate provision is made for the storage of refuse and the provision of recycling facilities on the site, in the interests of the amenities of the area (Policies 9, 15, 32 and 50 of the Adopted Unitary Development Plan (August 2007 refer).

15 Prior to the commencement of the development, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be provided in accordance with the approved details before the building hereby permitted is occupied and shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport (Policies 9, 10 and 14 of the Adopted Unitary Development Plan (August 2007 refer).

16 No development shall take place until a Method of Construction Statement has been submitted to and approved in writing by the Local Planning Authority and construction works, including parking, deliveries and storage, shall take place solely in accordance with the approved details.

Reason: To avoid hazard and obstruction being caused to users of the public highway and in the interest of public safety (Policies 9 and 31 of the Adopted Unitary Development Plan (August 2007) refer).

17 Prior to commencement of development details of equipment for renewable power generation including the location and size and the manufactures details / brochures so as to provide at least 10% of the predicted energy requirement of the development shall be submitted in and approved in writing by the Local Planning Authority. The equipment shall be installed prior to the first occupation of any part of the building and shall be maintained in operating condition and retained for the duration of the use hereby approved.

Reason: In the interests of sustainable development and to ensure a satisfactory appearance on completion of the development (Policy 32a of the Adopted Unitary Development Plan (2007) refers.)

18 Construction of the development shall be carried out in accordance with recommendations made and with the measures listed within the submitted energy statement.

Reason: In the interests of sustainable development. (Policy 32b of the Adopted
Unitary Development Plan (2007) refers.)

19 No works or development shall take place until full details of how the proposal will incorporate sustainable design and construction principles that enable the development to gain a 'very good' or 'excellent' Ecobuild Rating have been submitted in writing and approved by the Local Planning Authority. The proposal will thereafter be constructed in accordance with these standards.

Reason: In order to adequately address sustainable design and construction considerations in accordance with Policy 32b of the Adopted Unitary Development Plan (2007) refers).

20 No part of the building hereby permitted shall be occupied or used until the provision for cycle parking shown on the application drawings has been implemented in full and the cycle parking shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport. (Policies 9, 10 and 14 of the Adopted Unitary Development Plan (August 2006) refer.)

Notes to Applicants:

1 This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.

2 Your attention is drawn to the provisions of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.

3 Your attention is drawn to the need to comply with the requirements of the Control of Pollution Act 1974 concerning construction site noise and in this respect you are advised to contact the Council's Environmental Health Division.

4 You are advised of the necessity to consult the Council's Streetcare team within the Public Protection Division with regard to the provision of refuse storage and collection facilities.

5 As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following:-name a new street, name a new or existing building, apply new street numbers to a new or existing building. This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Building Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats in units. (The Street Naming and Numbering Officer is Tom Kerrigan e-mail tkerrigan@lambeth.gov.uk. Tel 020-7926 2283, Fax 020 7926 9131)

6 It is current Council policy for the Council's contractor to construct new vehicular accesses and to reinstate the footway across redundant accesses. The developer is to contact the Council's Highways team on 020 7926 9000,
prior to the commencement of construction, to arrange for any such work to be done. If the developer wishes to undertake this work the Council will require a deposit and the developer will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.

7 You are advised of the necessity to consult the Principal Highways Engineer of the Highways team on 020 7926 2620 or 079 0411 9517 in order to obtain necessary prior approval for undertaking any works within the Public Highway including Scaffold, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections and Repairs on the Highways, Hoarding, Excavations, Temporary Full/Part Road Closures, Craneage Licences etc.