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<td>Application Address:</td>
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Observation of proposed development in the adjoining Borough of Southwark in respect of the erection of a building comprising of a double height ground floor and 9 storeys providing residential units (109 flats), hotels and retail uses, and four levels basement providing parking, service areas, lifts, cycle and refuse storage; and the erection of a tower comprising of a double height ground floor plus 68 storeys providing a hotel and residential units (218 flats) with associated public open space and landscaping at 1 Blackfriars Road and Land Bounded by Blackfriars Road, Stamford Street, Rennie Street & Upper Ground SE1).

**Application Type**  Observations from adjoining Borough

**Application No**  05/02920/OBS/DC_PBR/973/36/S

**Applicant**  Southwark Council - FAO: Maresa Kingston

**Date Valid**  22 September 2005

**Considerations**

**Approved Plans**

*As per drawing schedule received 22/09/05*

**Recommendation**  RAISE OBJECTION
Officer Report

05/02920/OBS

An application has been submitted to the London Borough of Southwark, (LBS), and as a neighbouring authority, the Council has been consulted on the proposal in order that any comments it makes may be taken into account by LBS when it makes its decision.

1. Summary Of Main Issues

1.1. The impact that the development would have on the adjoining conservation areas and views from Lambeth,

1.2. The impact on transport infrastructure within Lambeth.

2. Site Description

2.1. The site is located on the south west of Blackfriars Bridge, set back from the River Thames by one block. In relation to the borough boundary of Lambeth the site lies around 300 metres from the most north western boundary. The borough boundary at this point straddles two conservation areas, Waterloo and South Bank and three further conservation areas, Roupel Street, Lower Marsh and Mitre Road and Ufford Street are also in close proximity to the border.

2.2. The site is bounded by Blackfriars Road, Stamford Street, Rennie Street and Upper Ground and is currently vacant.

3. Planning History

3.1. Planning permission was granted in January 2002 for a 19 storey office block with retail at ground floor level.

4. Scheme Details

4.1. The application comprises the erection of a building consisting of a double height ground floor and 9 storeys providing residential units (109 flats), hotels and retail uses, and four levels of basement providing parking, service areas, lifts, cycle and refuse storage; and the erection of a tower comprising of a double height ground floor plus 68 storeys providing a hotel and residential units (218 flats) with associated public open space and landscaping.

5. Consultation Responses

5.1. Letters of notification were sent to the following groups:

- Waterloo Action Group
- Waterloo Community Development Group
- South Bank Board
- South Bank Employers Group
- Association of Waterloo Groups

5.2. Letters of notification were sent to the ward Councillors for Bishops ward. Any comments from ward Members will be reported to the meeting.
6. Planning Considerations

6.1. Relevant Policies

6.1.1. Planning Policy Statement 1 (PPS1) sets out the Government’s policy to provide for sustainable development through the planning system. PPS1 provides that planning authorities should:

- "promote urban and rural regeneration to improve the wellbeing of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities..." (para 27(iii));
- "Focus development that attracts large numbers of people, especially retail, leisure, and office development, in existing centres to promote their vitality and viability, and more sustainable patterns of development..." (para 27(vi)); and,
- "Promote the more efficient use of land through higher density, mixed use development and the use of sustainably located previously developed land and buildings..." (para 27(viii))

6.1.2. PPS1 further states, “Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.... Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.” (para. 33 and 34)

6.1.3. PPG13 (Transport) deals specifically with transport, particularly the way in which transport integrates with planning. PPG13 seeks to: promote sustainable transport choices; promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking, and cycling; and, reduce the need to travel, especially by car. The Guidance encourages the location of traffic generating uses close to public transport, to encourage sustainable transport modes. Furthermore, PPG13 provides for a reduction in the quantum of car parking in new development, to reduce reliance on the private car and promote sustainable transport. PPG13 also encourages the production of travel plans to raise awareness regarding the impacts of travel decisions.

6.1.4. PPG15 (Planning and the historic environment) states that the objective of the planning process should be to reconcile the need for economic growth with the need to protect the natural and historic environment. In exercising conservation area controls, the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

6.1.5. The development plan for the area is the Southwark Unitary Development Plan 1995 and the London Plan 2004. Relevant policies in the London Plan with regard to the main issues that concern Lambeth include: -

- Policy 3C.1, Integrating transport and development
- Policy 3C.2, Matching development and transport capacity
- Policy 3C.9, Increasing the capacity, quality, and integration of public transport to meet London’s needs
- Policy 3C.18, Local area transport treatments
Policy 3C.19, Improving conditions for buses
Policy 3C.20, Improving conditions for walking
Policy 3C.21, Improving conditions for cycling
Policy 3C.22, Parking strategy
Policy 4B.1, Design principles for a compact city
Policy 4B.2, Promoting world-class architecture and design
Policy 4B.8, Tall buildings – location
Policy 4B.9, Large scale buildings – design and impact
Policy 4B.10, London’s built heritage
Policy 4B.11, Heritage conservation.

6.2 Impact on Conservation Areas and Views in Lambeth

6.2.1 It is considered that a well designed tall building on this site would mark the bridge crossing and punctuate the Thames at this point, however a building of the scale proposed does not seem to take account of the surrounding pattern of development, historic areas or scale of plot/grain. This does not seem to be a sustainable approach and will have an adverse visual impact on views to/from, and appreciation of, Lambeth Conservation Areas.

6.2.2 If permission were to be granted this would set an unwelcome precedent without a clear sub-regional spatial strategy for the location of development at high densities/megaforms.

6.2.3 The building’s form and mass will not enhance the Lambeth skyline when viewed from all angles and when viewed from the river. Unfortunately the building’s design appears arbitrary and looks to have been designed around rights to light rather than as part of the townscape. Skyline views from Lambeth open spaces for example Brockwell Park and West Norwood Cemetery could also be affected.

6.2.4 In summary this location is an opportunity for a well designed building which addresses the street and its context, and has no adverse impact when viewed from all angles. However in terms of its impact on Lambeth, it is considered that in its current form this proposal would have an adverse impact on adjoining conservation areas and could affect skyline views from open spaces.

6.3 Transport Impact on Lambeth

6.3.1 Given the nature of the proposed development, (ie. a mix of residential and hotel/conference facilities) each element of the proposed development will have different impacts for Lambeth in terms of pedestrian and vehicular movements, public transport capacity, parking and servicing and taxi provision.

6.3.2 The residential element is likely to result in people travelling over the river into central London or locally to work. Therefore, there is likely to be little desire to travel to Waterloo or Waterloo East stations, even though it is proposed to provide 327 flats in total, unless people work in that area. However, there may be an impact on bus and London Underground capacity and Transport for London, (TfL) should investigate this aspect of the proposal.

6.3.3 There is likely to be an increase in people walking along the Queens Walk to the Golden Jubilee Bridges and Westminster Bridge. However, this is maintained by the South Bank Employers Group (other than the section in front of County Hall which is owned by Shirayama). Stamford Street is maintained by
TfL and they must comment as to whether any improvements are required on this road. There may also be an increase in pedestrian movements along Upper Ground/Belvedere Road.

6.3.4 It is proposed to provide 110 parking spaces for the residential element of the proposal and the developer justifies this by reference to the type of housing to be provided. This is not considered to be a valid reason for providing levels of parking above the relevant parking standards. However it is accepted that the residential peak hour traffic generation is likely to be minimal as stated by the developer.

6.3.5 The main impact within Lambeth is likely to result from the proposed hotel and retail uses. It is envisaged by the developer there would be around 130 deliveries per day (which includes the residential element). Therefore, LBS must be satisfied that adequate space is provided within the site to accommodate all this traffic (including residential deliveries) in order to prevent queuing, especially on Upper Ground. This is already a busy road providing service access to other buildings on the South Bank, as well as being a bus route and a popular pedestrian and cycle route. Although this amount of traffic is unlikely to lead to problems with capacity of this road it is vital that adequate pedestrian and cycle facilities are provided to ensure that the increase in service and delivery vehicles do not have adverse consequences for highway safety. The developer should be asked to contribute towards additional pedestrian crossings at key locations on Upper Ground in the vicinity of the site. It is suggested that a condition is applied requiring the developer to produce a service management strategy to ensure that servicing for all elements of the development can be undertaken in a satisfactory manner and that servicing and delivery trip vehicles are discouraged from using Upper Ground/Belvedere Road.

6.3.6 The hotel will produce a high number of pedestrian movements. A survey of the Marriot Hotel at County Hall was undertaken and a trip rate produced that estimated over 4700 daily trips to and from the hotel by all modes. Given that there is no parking provided these will be walk, cycle, public transport, or taxi trips and therefore will impact on local pedestrian infrastructure. A significant number of these are likely to be towards the London Eye and the West End. Therefore, a S106 contribution towards improvements to walking routes in this direction should be made. This could include Queens Walk and Upper Ground/Belvedere Road in particular, but also Stamford Street.

6.3.7 In relation to the proposed conference use, the developer uses trip generation figures from a study of a site in France. However no details of this site have been submitted and it is considered to be more appropriate to use trip generation figures from a site that is closer to the application site, such as the Riverbank Park Plaza Hotel on Albert Embankment or other central London site (as was used to estimate modal split for the Riverbank Park Plaza conference use itself). This would provide the overall peak hour trip rates which could then be adjusted to take account of differences in public transport accessibility as has been utilised for other uses on the site. There are concerns that the trip rate may have been under-estimated by the applicant, with only around a third of total number of delegates estimated to arrive or depart in the peak hours. If a conference starts at 9.30 it is likely that most delegates would arrive for coffee up to an hour prior to the start of the conference and depart straight after it has finished.
6.3.8 In relation to the modal split, there are no details of how these have been calculated by the applicant so it is not possible to comment other than to say that the method used is acceptable in principle.

6.3.9 It is estimated that in total there will be around 310 additional trips to and from Waterloo and Waterloo East stations during the am peak hour and 430 during the pm peak hour (although this could be increased if conference trip generation is amended as requested above). It is known that Waterloo station is approaching capacity and therefore even though the overall percentage increase is likely to be low each incremental increase will add to the capacity problems. Therefore it is considered that a S106 contribution towards improving capacity at Waterloo station is appropriate and that TfL, as the responsible authority, should seek this.

6.3.10 The Transport Assessment provides an analysis of pedestrian routes which identifies (in Lambeth) Stamford Street and Queens Walk as busy pedestrian routes. However, it does not include Hatfields, which is a well-used route to both Waterloo East and Waterloo stations. The applicant predicts there would be over 12,000 daily person trips (arrivals and departures) to and from the site, the majority of which will include an element of pedestrian movements. Therefore, it is considered that a contribution towards improving pedestrian links to Waterloo and Waterloo East stations, as well as Queens Walk, Stamford Street, and Upper Ground/Belvedere Road (as identified above) should be sought. In particular, Roupell Street and Hatfields are popular pedestrian routes and it is considered that contributions towards improving footways and street lighting are appropriate. This matter should be taken up with LBS and the developer.

6.3.11 The applicant states that no stopping is allowed on red routes and that therefore all taxi movements will take place on Upper Ground. It is estimated that over 100 taxis will arrive and depart the site during the am peak hour and around 130 during the pm peak hour. The applicant must provide details to show that these can be accommodated within the dedicated area in front of the hotel to ensure that no obstruction of Upper Ground occurs.

6.3.12 The applicant estimates there will be an increase of around 100% in the amount of traffic using Upper Ground (towards the South Bank Centre, Waterloo, and the West End) in the peak hours. This route provides an alternative to Stamford Street and York Road, avoiding the IMAX roundabout. Although there is unlikely to be an impact on the capacity of the road, there may be an impact on pedestrian safety given the large number of pedestrians particularly around the London Eye. The redevelopment of the Shell Centre will also lead to an increase in traffic on Belvedere Road and this must also be considered by the applicant.

6.3.13 The applicant has taken into account various permitted developments but omits the Shell Centre, 1 Westminster Bridge Road (County Hall Island site and Addington Street site) and Elizabeth House. These must be included in the assessment as they will affect the cumulative impact on Waterloo station and the amount of traffic using Upper Ground.

6.3.14 The proposed construction Traffic Management Plan should take into account the potential impact on Lambeth and, in particular, must preclude Upper Ground/Belvedere Road as a route for construction traffic. Lambeth should be
consulted on this document as it could have a significant impact on highway safety around the South Bank Centre and the London Eye in particular.

6.3.15 In summary the proposed development as submitted is likely to result in adverse impacts for Lambeth in terms of pedestrian and vehicular movements, public transport capacity, parking and servicing and taxi provision. In some cases there is insufficient or inaccurate information which makes a definitive response difficult. It is possible that some of the concerns can be overcome through planning obligations but no information has been provided to suggest that this would be the case. On this basis there are strong objections to the application from a transport point of view.

7 Conclusion

7.1 It is considered that the proposed development would impact adversely on the character of the adjoining conservation areas within Lambeth and that skyline views from open spaces could be affected.

7.2 It is further considered that without sufficient and accurate information and an undertaking from the applicant to provide contributions to mitigate the impact of the development the proposal would result in harmful transport impacts within Lambeth.

8 Recommendation

8.1 It is recommended that objections be raised on the application on the following grounds:

1. The proposal would impact adversely on the character of the adjoining conservation areas within the London Borough of Lambeth.
2. The proposal could impact adversely on skyline views from open spaces within the London Borough of Lambeth including Brockwell Park and West Norwood Cemetery.

8.2 It is further recommended that S106 contributions are sought to mitigate the impact of the development on the London Borough of Lambeth’s transport infrastructure with regard to the following:

1. Additional pedestrian crossings on Upper Ground.
2. Improvements to walking routes in Queens Walk, Upper Ground, Belvedere Road and Stanford Street.

8.3 It is also requested that should London Borough of Southwark be minded to grant planning permission, a condition be imposed requiring the developer to submit a service management strategy to ensure that servicing for all elements of the development can be undertaken in a satisfactory manner and that servicing and delivery trip vehicles are discouraged from using Upper Ground/Belvedere Road. Should this condition be imposed it is requested that London Borough of Lambeth are consulted on the details submitted.

Notes to Applicants:
LAMBETH PLANNING APPLICATIONS COMMITTEE

Case Number: 06/00908/FUL

Application Address: 20-26 Bedford Road
London

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L.B. Lambeth LA 100019338 2005
| **Location** | 20-26 Bedford Road London |
| **Ward** | Larkhall |
| **Proposal** | Change of use of No. 26 from Retail (Use A1) to Restaurant (Use A3) and erection of a first floor stairwell extension, along with ground floor extension to the rear of 20-24 Bedford Road and installation of replacement windows at first floor level, together with installation of a new shop front, and associated alterations. |
| **Application Type** | Full Planning Permission |
| **Application No** | 06/00908/FUL/DC_CFR/27644 |
| **Applicant** | Mr Phil Jenkins |
| **Agent** | Mr Jonathan Woodcock  
83 Tilehurst Road  
London  
SW18 3EX |
| **Date Valid** | 18 April 2006 |

**Considerations**

East London Rail Extension East London Rail Extension

**Approved Plans**


| **Recommendation** | GRANT PERMISSION |
1. **Summary Of Main Issues**

1.1. Whether the loss of the A1 use at no. 26 will significantly affect the vitality of the shopping parade.

1.2. The visual impact of the proposed extensions and alterations.

1.3. Whether the intensification of and alterations to the A3 use would affect the living conditions of the surrounding residents, particularly in terms of noise, smells, fumes.

1.4. Whether the proposed extensions would result in any loss of daylight/sunlight or sense of enclosure to adjoining properties.

1.5. The traffic impact of the proposal.

1.6. Whether the provision for waste storage, recycling and collection is acceptable.

2. **Site Description**

2.1. The subject site comprises a two storey restaurant at No’s 20-24 Bedford Road and a single storey shop at no. 26 Bedford Road. The restaurant has been out of operation for approximately 10 months, while the shop unit has been vacant for three and a half years.

2.2. The site is located on western side of Bedford Road, two units north from the junction of Bedford Road and Lendal Terrace and 30m south of Clapham North Station. Adjoining to the south of the site are two vacant units that were amalgamated and last used as a Fish and Chip takeaway shop. Directly to the north of the site is an access road leading to a hand car wash business. The rear of the property adjoins the back gardens of residential dwellings a no’s. 7-9 Lendal Terrace.

2.3. A single storey, unauthorised timber framed extension is located at the rear of No.24 and appears to have been used as a storage area for the restaurant. The front elevation of the restaurant comprises three sections of high-level windows at first floor and traditional style timber framed shopfronts at ground floor, secured by solid steel shutters.

2.4. Only no.20 Bedford Road is located in the “fringe location” of the Clapham District Centre in the Adopted Unitary Development Plan and the remaining units sit outside the defined centre. No part of the site is located in a designated shopping centre of the Revised Deposit Unitary Development.

2.5. This part of Bedford Road is designated as a Transport for London “side road”.


3. Planning History

26 Bedford Road

3.1. Planning Permission 04/01754/FUL was refused on 05.11.2004 for change of use from Use Class A1 [retail] to Use Class A3 [takeaway] with installation of an extraction flue erected up the wall of no. 20-24 Bedford Road to first floor level. This application was refused for the following reason:

The proposed development, by reason of the nature of the use, may lead to an increase in the incidence of illegal short-term parking taking place on Bedford Road, a local distributor road, thereby interfering with the free flow of traffic to the detriment of highway safety. As such, the scheme is contrary to Policy T17 of the Adopted Unitary Development Plan (1998) and Policy 9 of the Revised Draft Deposit Unitary Development Plan (2002 - 2017).

20-24 Bedford Road

3.2. Planning Application 00/00537/FUL for the change of use to A3 and first floor extension was withdrawn on 04.04.2000.

3.3. Planning Permission 00/01987/FUL was granted on 28.03.2001 for change of use to restaurant (A3) with associated ground floor extension and the erection of an additional storey.

20-26 Bedford Road

3.4. Planning Application 05/03113/FUL for change of use of No. 26 from Retail (Use A1) to Restaurant (Use A3), erection of a first floor extension to No. 26 and creation of a stairwell and roof terrace at second floor level of 20 to 26 was withdrawn on 13.01.2006. The scheme was considered unacceptable due to the full first floor extension causing loss of daylight/sunlight to neighbouring properties and creating an overbearing form of development when viewed from the rear gardens of the adjoining properties. The scheme also included a roof terrace that was also considered to adversely impact on the living conditions of nearby properties.

4. Scheme Details

4.1. This application seeks planning permission for the change of use to no.26 Bedford Road to Restaurant (A3) and amalgamation of this unit with the existing Restaurant at nos.20-24 Bedford Road. It is proposed to create a new access to the restaurant from no.26 and open up the internal walls to link the floorspace.

4.2. A wedge shaped extension is proposed at first floor level above no.26 to provide the required head height for a new stairwell accessing the upper level of the existing restaurant. The extension would set back 1.7m from the side parapet, 2.4m from the front parapet and in line with the rear parapet. The extension would be 1.6m x 2.6m and would slope from the flat roof up to the side wall of no.24 to a maximum height of 1.8m.

4.3. The existing access from the public footpath into nos.20-26 would be replaced with new glazed timber framed shopfront windows. In addition, the existing first floor aluminium windows are proposed to be enlarged and fitted with new timber folding windows and external railings. It is also proposed to brick up and render the only existing side window on the northern elevation.
4.4. A single storey rear extension is proposed in place of the existing informally enclosed yard area to form a disabled toilet. This extension would be 2.4m in height and would be finished in render and include coping to match the existing building.

4.5. With the incorporation of the additional shop unit, the proposed stairwell extension and the disabled toilet extension, the remaining floor space of the building is proposed as kitchen/bar and dining areas. The food preparation area would be located at first floor level and a low profile kitchen extract hood would be located above at roof level, behind the roof parapet.

5. Consultation Responses

5.1. Notifications were sent to the following addresses:
15 and 21-33 Bedford Road (odds)
16 and 20-30 Bedford Road (evens)
6-10 Lendal Terrace
Flats 1-8, 74 Fenwick Place

5.2. Consultations were carried out with the following consultees/groups/ societies:
Transport for London (Street Management)
Transport for London (London Underground)
Clapham Society

5.3. A site notice was also posted on site.

5.4. No objections were received from neighbouring residents/occupiers.

5.5. Transport for London (Street Management) stated that they did not have any observations to make on the proposal.

5.6. Transport for London (London Underground) advised that the property is situated above deep level shelters that were built in the 1940’s as an air-raid shelter at Clapham North Station, with a view to it ultimately forming part of an express post war line along the northern line alignment from Golders Green to Clapham and other areas. Transport for London has raised no objection to the proposed extension although requested that if planning permission is granted, the applicant be required to contact London Underground Engineers to discuss loading and proposed foundation arrangements of the rear extension.

6. Planning Considerations

6.1. Relevant Policies

Policy S11: Changes of use outside defined centres
Policy S12: Change of use in fringe locations
Policy S14: Food and Drink (Use Class A3)
Policy CD15: Design of new development
Policy CD17: Shopfronts
Policy CD18: Extensions
Policy ENV19: Noise control
Policy ENV24: Waste Management and disposal
Policy ENV25: Recycling and re-use
Policy T17: Transport implications of development proposals
Policy 4: Town Centres and Community Regeneration
Policy 7: Protection of Residential Amenity
Policy 14: Parking and Traffic Restraint
Policy 29: The Evening and Late Night Economy, Food Drink and Amusement Centre Uses
Policy 33: Alterations and Extensions
Policy 34: Shopfronts and Advertisements
Policy 48 Pollution, Public Health and Safety
Policy 50: Waste

6.1.3. The policies of the emerging Replacement UDP normally carry relatively less weight than the policies of the adopted UDP. Generally speaking the weight to be attached to such emerging policies depends upon the stage of plan preparation or review, increasing as successive stages are reached.

6.1.4. In the case of the Lambeth Replacement UDP, the Council has now received the Inspector’s Report (17th February 2006) and is in the course of considering this Report and the further procedures leading to adoption of the Replacement UDP. This is a significant stage in the progress of the Replacement UDP and as such considerable weight may be attached to policies in the Replacement UDP which the UDP Inspector has supported.

6.2. **Land Use**

6.2.1. The main land use considerations are the loss of the shop use at no.26 and the intensification of the existing A3 use.

6.2.2. Policy S12 of the AUDP regarding change of use in fringe locations of Major and District Centres is not applicable to this application as the existing shop unit at no.26 Bedford Road is not located within the designated “fringe area” of nearby Clapham District Centre (only unit no.20 falls within the fringe area).

6.2.3. Policy S11 of the AUDP states that changes of use from retail shops outside defined centres will normally be permitted provided the range of shopping facilities in the local area and the retail function/viability of a shopping parade would not be significantly affected, the proposed use is appropriate for the shopping parade (including A3 uses) and the amenity of neighbours is safeguarded.

6.2.4. Policy 4 of the RDUDP states that isolated shop units should remain as active frontage uses (A or D Use Classes).

6.2.5. Policy S14 of the AUDP and policy 29 of the RDUDP state that food and drink uses will only be permitted where the proposal would not cause unacceptable noise or other harm to residential amenity with consideration of proposed opening hours, noise generation, refuse storage, traffic impact and the cumulative impact of existing and proposed A3 uses.

6.2.6. The shop unit is currently vacant and has been for over three years, similar to the adjoining shop unit to the south. These three units are in a derelict state.
and no.26, having 14sq.m of floorspace, does not provide viable space to allow a variety of shop uses to function properly as a single unit. Due to the close proximity of Clapham High Road it is considered that the loss of an A1 unit in this location would not significantly affect the range of retail shopping facilities in the area.

6.2.7. The proposal involves a change of use to a restaurant (A3 use class). It is considered that the amalgamation of this unit to the existing restaurant use would improve the vitality and function of this shopping parade by bringing the vacant unit back into an active frontage use.

6.2.8. Unit 26 would effectively form the entrance and stair lobby to the existing A3 use, with only 4.7 sq.m being used as restaurant floor space. It is therefore considered that there are unlikely to be any adverse amenity or traffic impact cause by the proposed amalgamation of units, however, such impacts are assessed in more detail further in this report.

6.2.9. Based on the above, it is considered that the proposed change of use of unit 26 to A3 complies with policies S11 and S14 of the AUDP and policies 4 and 29 of the RDUDP.

6.3. Design and Conservation Considerations

6.3.1. Policy CD15 seeks a high quality of design in all new development, carefully related to its surroundings and contributing positively to the area.

6.3.2. Policy CD18 of the AUDP and Policy 33 of the RDUDP require extensions to be subordinate to and in keeping with the original building. Policy 33 of the RDUDP also states that alterations to roofs will only be acceptable if they create good roofscapes and successfully integrate with their surroundings.

6.3.3. Policy CD17 of the AUDP and Policy 34 of the RDUDP require replacement shopfronts to relate well to the character of the building, the area and neighbouring buildings.

6.3.4. The design of the proposed extension above unit 26 is a combined result of the need to viably utilise the space of this extra unit and the need to protect the amenity of the adjoining property. As the extension would be set back from the front and side parapets and would comprise a sloping roof, it is unlikely to be highly visible from the street.

6.3.5. Similarly, the proposed rear extension would not be visible from the street, however would be visible from adjoining properties. It is considered that this extension would improve the appearance of the rear by replacing the existing timber framed and corrugated iron extension with a more formal extension designed to match the original building in design and materials.

6.3.6. The proposed alterations to the front elevation are also considered to improve the general appearance of the existing building. The removal of the imposing roller shutters, installation of new timber framed shopfronts and enlargement of the upper level windows with installation of timber-framed sliding doors would result in a more attractive and active street elevation, in keeping with the building and surrounding area.
6.3.7. Based on the above, the proposed extensions and alterations are considered to relate well to the surrounding area and improve the appearance of the building in general in accordance with policies CD15, CD17 and CD18 of the AUDP and policies 33 and 34 of the RDUDP.

6.4. **Amenity Impact**

6.4.1. Policy S11 of the AUDP states change of use from A1 (retail) will usually be permitted provided that the amenity of neighbouring occupiers is safeguarded. Policy S14 of the AUDP and Policy 29 of the Revised Deposit UDP regard proposals for food and drink uses. For such proposals consideration is given to the individual and cumulative impact on the amenity of nearby residents taking into account issues such as the opening hours, scale of the premise, noise generation and public disorder.

6.4.2. Policy 7 of the RDUDP respects the right of people to the quiet enjoyment of their home. In mixed-use areas, the scale, design, layout, hours-of-use, intensity, concentration, and location of non-residential uses, will be controlled to protect residential amenity. Policy ENV19 of the AUDP states that developments likely to generate noise inappropriate to the local environment will be refused. Reduction of noise at source is preferred to the use of sound insulation, as a means of reducing noise pollution.

6.4.3. Policy 48 of the RDUDP states that developments should be located and operated so as to limit pollution to acceptable levels to protect the amenity and character of the area. Noise and / or vibration generating development will not be permitted if it would create, or worsen, noise levels above acceptable levels set out in national policy guidance and in particular where they would harm existing or proposed noise-sensitive development.

6.4.4. The proposed change of use of unit 26 to A3 would result in an intensification of an existing A3 use (four A3 use units in a row). However, given the very small size of the unit under consideration, it is considered that the additional unit in A3 use would have minimal impact on living conditions of the surrounding residents by itself or cumulatively. As mentioned above, the majority of unit 26 would be used as an entrance lobby to the restaurant.

6.4.5. Extract flues are normally required to be located above eaves level and 1m above the closest openable window to ensure minimal impact from fumes and odours. The proposed extract flue would be located internally and extract from the flat roof of the two-storey building. A kitchen extract cowl is proposed approximately 300mm above the flat roof and set behind the existing parapet and 1m above the first floor windows of the restaurant. The extract cowl would also be located approximately 15m away from the nearest residential window. It is considered that the proposed kitchen extract is located at an acceptable height, and distance from nearby residential properties to ensure that there is unlikely to be significant fumes, odours or noise from the extract fan reaching these dwellings.

6.4.6. Council’s Food and Safety Officer raised no objections in principle to the proposal. Council’s Noise Pollution Officer also raised no objections to the proposal, however requested that a condition be attached to ensure that noise arising from mechanical ventilation and flue does not increase the existing background noise level when measured from the nearest noise sensitive premises, or residential property.
6.4.7. Council’s Noise Pollution Officer advised that as the premises does not have an entertainment license, the opening of the proposed folding windows at first floor level would not be of concern. In addition, these windows directly front the street where a number of other premises have outdoor dining areas.

6.4.8. Opening hours of the existing restaurant use are restricted to between 8.30am to 11.00pm every day. The application forms originally proposed hours of operation until 11:30 on Mondays-Saturdays, however the applicant has agreed to retain the current permitted operating hours to ensure minimal impact on the amenity of the surrounding residents.

6.4.9. The existing use is also subject to conditions restricting use of external areas for entertainment purposes and to ensure that no audible music is heard from outside the premises. If planning permission is granted, these conditions should also be attached on any future decision notice.

6.4.10. Based on the small increase in restaurant floor space, the retention of the existing opening hours and the appropriate location of the extract flue, it is considered that the scheme would have minimal impact on amenity of surrounding residents in accordance with policies S11, S14 and ENV19 of the AUDP and policies 7, 29 and 48 of the RDUDP.

6.4.11. Policy CD18 of the AUDP and Policy 33 of the RDUDP state that extensions should not unacceptably harm the amenities of adjoining residents in terms of overlooking and loss of daylight/sunlight or sense of enclosure.

6.4.12. The single storey rear extension would replace an existing informal extension. This extension would be only 2.4m high and located approximately 9m from the nearest residential dwelling.

6.4.13. The rear gardens of the Lendal Terrace properties that adjoin the subject site are already enclosed by the development to a certain extent. Due to the small scale and proposed angle of the first floor extension, there is considered to be no significant loss of existing daylight or sunlight to the adjoining gardens. In addition, the extension is designed to retain the view of sky that is currently available from the rear gardens.

6.4.14. Based on the above, there is unlikely to be any significant loss of daylight or sunlight or a sense of enclosure resulting from the proposed extensions in accordance with policy CD18 of the AUDP and policy 33 of the RDUDP

6.5. Highways and Transportation Issues

6.5.1. Policy T17 of the AUDP and Policy 9 of the RDUDP require all development to be assessed for contribution to traffic generation, impact on road congestion and public transport availability.

6.5.2. The site is in an excellent location with respect to public transport accessibility with Clapham North Tube Station and a number of major bus routes within close proximity. There are single lines outside the frontage of the site and on the opposite side of Bedford Road. There are also ‘Pay & Display’ bays within a short walk of the site on Lendal Terrace.
6.5.3. Council's Transport Planner considers that people who use a car to visit the restaurant would be less likely to contravene the parking controls on Bedford Road than visitors to an A1 unit, as they would generally be visiting for a longer period of time. However, due to the parking controls on Bedford Road, any takeaway element operating from the site would be likely to compromise the condition of highway safety and have an adverse impact on the free flow of traffic on the adjoining highway.

6.5.4. As detailed in the Planning History section of this report, Planning Permission 04/01754/FUL was recently refused for the change of use of the shop unit at no.26 Bedford Road due to likely increase in short term parking and interference with the free flow of traffic.

6.5.5. Take-away hot food establishments of all kinds are included in Use Class A5, which was introduced in April 2005. Between 1987 and 2005 the use was included within Use Class A3, which meant that permission was not required for a change from a café, restaurant or pub. As a take-away use falls under a different use class from restaurant and there are no permitted rights to change from A3 to A5 Use Class, further planning permission would be necessary if the applicant intended to operate a take-away component from the premises. However, as some element of take-away use may be considered ancillary to the restaurant, it is considered that a condition should be included to restrict any form of take-away use from operating at the premises in order to ensure highway safety.

6.5.6. Subject to a condition ensuring no take-away use of the premises, it is considered that the scheme would have minimal traffic impact on the area and therefore complies with policies T17 of the AUDP and Policy 9 of the RDUDP.

6.6. Waste Management


6.6.2. The above guidance states that restaurant should provide storage capacity of 1.5 cubic metres per 20 dining spaces of which one third must be retained for storage of separated waste for recycling. The guidance also states that each application will be assessed to ensure that the number of bins provided will meet the need of the business, generally based on frequency of collections. Consideration will be given to more frequent collections where more space cannot be afforded to storage. For food premises it is recommended that in order to avoid potential odours, a minimum of two collections per week should be allowed for.

6.6.3. The proposed internal layout of the restaurant includes waste storage cupboards located at the rear of the building, which would provide sufficient capacity for a full days waste storage. It is intended to move waste to an external storage bin everyday and to agree a contract with Lambeth Streetcare to collect the waste two or three times a week. It is also intended to recycle as much waste from the premises as possible, with arrangements being subject to further discussions with Council’s Streetcare department.
6.6.4. As details of the location and size of the external bin storage facility and frequency of collection is yet to be agreed with Council’s Streetcare department, it is considered that a condition should be attached requiring submission of a Waste Management Plan to ensure that the proposal complies with policies ENV24 and ENV25 of the AUDP and Policy 50 of the RDUDP.

7. Conclusion

7.1. It is considered that the loss of the vacant A1 unit in this location would not significantly affect the range of retail shopping facilities in the area and the amalgamation of this unit to the existing restaurant use would improve the vitality and function of this shopping parade by bringing the vacant unit back into an active frontage use in accordance with policies S11 and S14 of the AUDP and policies 4 and 29 of the RDUDP.

7.2. The proposed extensions and alterations are considered to relate well to the surrounding area and improve the appearance of the building in accordance with policies CD15, CD17 and CD18 of the AUDP and policies 33 and 34 of the RDUDP.

7.3. Based on the small increase in restaurant floor space, the retention of the existing opening hours and the appropriate location of the extract flue, it is considered that the scheme would have minimal impact on amenity of surrounding residents in accordance with policies S11, S14 and ENV19 of the AUDP and policies 7, 29 and 48 of the RDUDP.

7.4. Due to the small scale of the extensions and their proposed locations, there is unlikely to be any significant loss of daylight or sunlight or creation of an undue sense of enclosure in accordance with policy CD18 of the AUDP and policy 33 of the RDUDP.

7.5. Provided there is no takeaway use carried out on site, it is considered that the proposal would have minimal traffic impact on the area and therefore complies with policies T17 of the AUDP and Policy 9 of the RDUDP.

7.6. As details of the location and size of the external bin storage facility and frequency of collection is yet to be agreed with Council’s Streetcare department, it is considered that a condition should be attached requiring submission of a Waste Management Plan to ensure that the proposal complies with policies ENV24 and ENV25 of the AUDP and Policy 50 of the RDUDP.

8. Recommendation

8.1. Grant Planning Permission subject to conditions and informatives.
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan (1998) Policy S11: Changes of use outside defined centres Policy S12: Change of use in fringe locations Policy S14: Food and Drink (Use Class A3) Policy CD15: Design of new development Policy CD17: Shopfronts Policy CD18: Extensions Policy ENV19: Noise control Policy ENV24: Waste Management and disposal Policy ENV25: Recycling and re-use Policy T17: Transport implications of development proposals Revised Deposit Unitary Development Plan (2004) Policy 4: Town Centres and Community Regeneration Policy 7: Protection of Residential Amenity Policy 29: The Evening and Late Night Economy, Food Drink and Amusement Centre Uses Policy 33: Alterations and Extensions Policy 34: Shopfronts and Advertisements Policy 48: Pollution, Public Health and Safety

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 Section 51 of the Planning and Compulsory Purchase Act 2004.)

2. The premises shall not be open for the serving of customers before 8:30am or after 11pm on any day and all customers shall vacate the premises within 30 minutes of service ceasing. Reason: To protect the amenities of adjoining occupiers. (Policies G12, S14 and ENV19 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7 29 and 48 of the Deposit Replacement Unitary Development Plan (2004) refer.)

3. Noise from the extractor and flue shall not exceed the existing background noise level when measured outside the window of the nearest noise sensitive or residential premises. Reason: To protect the amenities of adjoining properties and the surrounding area. (Policies G12, S14 and ENV19 of the Adopted Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Revised Deposit Unitary Development Plan (2004) refer).

4. There shall be no amplified sound, speech or music which is audible outside the premises. Reason: To protect the amenities of adjoining occupiers and the surrounding area. (Policies G12, S14 and ENV19 of the Adopted Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Revised Deposit Unitary Development Plan (2004).)

5. The render to be used for the external surfaces of the development hereby permitted shall match that of the existing building. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regards to the methods used and to material, colour, texture and profile, unless the prior written approval of the Local Planning Authority is obtained to any variation, or except where otherwise stated on the approved drawings. Reason: To safeguard the visual amenities of the area. (Policies CD15, CD18 and G17 of the Adopted Unitary Development Plan (1998) and policy 33 of the Revised Deposit Unitary Development Plan (2004).)

6. The external cladding materials and window framing are to be installed in accordance with the plans hereby approved unless the prior written approval of the Local Planning Authority is obtained to any variation. Reason: To safeguard the visual amenities of the area. (Policies CD15, CD18 and G17 of the Adopted Unitary Development Plan (1998) and policy 33 of the
7 Details of a waste management plan, incorporating provision for waste storage, recycling and disposal shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The waste storage and recycling facilities shall be provided in accordance with the approved details prior to commencement of the use 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 S14, ENV24, ENV25 and CD15 of the Adopted Lambeth Unitary Development Plan (1998) and policies 9, 29 and 50 of the Revised Deposit Unitary Development Plan (2004) refer.)

8 No take-away element shall operate from the premises. Reason: To ensure no adverse impact on the free flow of traffic on the adjoining highway and ensure highway safety. (Policies T17 and CD15 of the Adopted Unitary Development Plan (1998), and Policies 9 and 14 of the Revised Deposit Unitary Development Plan (2004).)
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 that the property sits above deep level shelters that were built in the 1940's and as such, you must contact London Underground Ltd Engineer, Roland Box, on 020 7027 9549 to discuss the loading and proposed foundation arrangement of the rear extension and any other matter that might be of concern to London Underground Ltd.

5. Thames Water recommends that a bacterial or enzyme dosing unit be fitted on all waste discharge points from kitchen sinks and floor drains prior to discharging to the public sewerage system to avoid blockages at a later date. You are advised that if this recommendation is ignored this property and others may suffer from sewerage flooding.

6. Your attention is drawn to the necessity to register your food business with the Council's Environmental Health Division, under the Food Premises (Registration) Regulations 1991 before the use commences. Failure to do so may result in prosecution.
Case Number : 06/00313/FUL

Application Address : 232 Coldharbour Lane
London
Location | 232 Coldharbour Lane London SW9 8SD
---|---
Ward | Coldharbour
Proposal
Change of use of the ground and basement floors from a Shop (Class A1) to a Cafe (Class A3), including the erection of 3 storey rear extension, together with the use of the upper floors as a two bedroom self contained flat, and external works including the formation of a roof terrace and a lower level courtyard at rear. (amended description).

Application Type | Full Planning Permission
Application No | 06/00313/FUL/DC_NLI/20681
Applicant | Mladen Filipovic
Agent | Nicholas Kirk
John Duane Architects
16 Sutton Place
Hackney
London
E9 6EH

Date Valid | 9 February 2006

Considerations

East London Rail Extension East London Rail Extension

Approved Plans

442.6A 001, photographs x 2, 442-EX001, 002, 003, 004, 005-009, planning statement

Recommendation | GRANT PERMISSION
Officer Report

06/00313/FUL

1. Summary Of Main Issues

1.1. Loss of retail (A1) floorspace.

1.2. Creation of additional A3 floorspace.

1.3 Acceptability of conversion and standard of accommodation.

1.4 Design and Conservation - the impact of the proposal on the character and appearance of the surrounding area.

1.5 Impact upon neighbouring residential amenity from uses and extensions.

1.6 Transport implications of the development.

2. Site Description

2.1. The site comprises a three storey mid-terrace Victorian building with a London butterfly roof and no extensions at the rear. The ground floor is redundant but was previously used as a furniture shop (Class A1), the basement for storage and the upper floors for residential accommodation (Class C3). The property is situated at the junction with Coldharbour Lane, Hinton Road and Loughborough Road. The rear of the property backs onto the railway viaduct at Loughborough Junction. There is no car parking attached to the property.

2.2. The property is not a listed building and is not located in a conservation area, however it is situated within close proximity to the boundary of the Loughborough Park Conservation Area. In addition the site is designated within a local centre and is part of a major development opportunity area (MDO43). The area is identified as a Transport Development Area where higher density mixed use development would be prioritised.

2.3. The application site is located within the Loughborough Junction Local Centre in the Replacement UDP and the locality is generally mixed used with a number of Class A1 and A3 uses at ground floor with residential accommodation above. Under the Adopted UDP it is located outside of a defined centre.

3. Planning History

Application Site

3.1. 07.10.2005 - Planning permission refused for the conversion of upper floors and the erection of a mansard roof to create 2 self contained flats together with the change of use of the ground and basement floor into café/food outlet with a two storey ground floor rear extension along with associated alterations. This was refused for the following reasons:

- The proposed mansard roof extension would be unduly prominent.
- The part two storey/part three storey extension would be an overdominant form of development.
- The replacement shopfront by virtue of its inappropriate materials and fenestration would be an intrusive form of development.
- Inadequate information has been provided in relation to the extraction system to enable the Council to make an assessment of the likely impacts on neighbouring properties.

**Neighbouring Site – 236 Coldharbour Lane**

3.2. Planning permission granted on the 08/08/2003 for the use of property as a community safety centre together with re-roofing and partial reconstruction of ground floor rear extension and new first floor extension and roof terrace at rear (ref: 03/01255/FUL)

4. **Scheme Details**

4.1. The application proposes the erection of a three storey (from basement) rear extension, the change of use of the basement and the shop from Class A1 (retail) to A3 (café) and the change of use of the upper two floors from four non self contained studio units (which in planning terms is a Property in Multiple Paying Occupation) into one self contained two bedroom flat.

4.2. The rear extension would comprise part two-storeys at basement and ground floor levels and part three-storeys at first floor level. The extension would have a depth of 7.16m at basement and ground floors, which would be reduced at first floor level to 3.0m adjacent to the boundary with 234 Coldharbour Lane and 1.5m adjacent to the boundary with 230 Coldharbour Lane. The extension at all levels would extend across the full width of the rear elevation. Ground excavations are proposed to facilitate the extensions to the property.

4.3. Proposed materials include a mixture of brick and cedar board cladding. Doors and windows are proposed to be painted timber.

4.4. The café will be set out over two levels with the kitchen at the front of the property in the basement and the public eating areas at the rear of the basement and over the ground floor.

4.5. The first and second floors will contain a two bedroom self contained maisonette with the lounge on the first floor front and the kitchen at the rear. The second floor will contain two bedrooms and a bathroom.

4.6. The application also proposes a new extraction system with venting flue, which would be acoustic insulated, lagged, and on dampers in accordance with Part B, E, F and J of the Building Regulations. It would be fixed with anti vibration brackets, dampers and terminates with a cowl. It would discharge 1m above roof height. The system is pre-filtered to ensure expulsion of only odour free air. It is stated that the system complies with DEFRA recommendations as outlined in the Guidance of Odour and Noise from Commercial Kitchen Exhaust Systems. It would be located towards the rear of the building close to the boundary with 234 Coldharbour Lane.

4.7. The shop front remains otherwise unchanged with a replacement door to the café and new double-glazing to the windows. The framework around the shopfront may be replaced where necessary.

5. **Consultation Responses**

5.1. 36 letters of consultation were sent to the following neighbouring properties.
5.2. The following were also consulted:
- Transport for London
- Network Rail
- Brixton Society
- Brixton Residents and Traders Association

5.3 Comments were received from Network Rail as follows:

5.4 Network Rail wishes to maintain its original objection to this resubmission as the proposed excavations for the rear extension could have a significant and detrimental impact on the structural stability of the railway viaduct, which immediately abuts the proposed development.

5.5 A site notice was erected at the site.

5.6 A total of 3 objections were received from neighbouring properties, with concerns relating to the following:
- The proposed extension by virtue of its bulk would be overdominant and detrimental to the character and appearance of the building.
- The proposed development would generate excessive levels of noise for the tenants of the neighbouring property at 234 Coldharbour Lane.
- No off street parking is provided
- Damage would occur to the party wall
- The development would detract from the character of the area
- The development of a roof terrace would destroy any existing privacy

6. Planning Considerations

6.1. Relevant Policies

6.1.1. Adopted Unitary Development Plan 1998 (AUDP)

H1: Housing Provision
H8: Residential Above Shops
H10: Residential Development Standards
H11: Dwelling Mix
H17: Flat Conversions
H18: Housing in Multiple Occupation
S4: Development Displacing Local Shops
S11: Change of Use Outside of Defined Centres
S14: Food and Drink
T12: Parking Standards
T17: Transport Implications for Development Proposals
T36: Cycle Parking
CD15: Design of New Development
CD17: Shopfronts
CD18: Extensions

6.1.2. Revised Deposit Unitary Development Plan 2004 (RDUDP)
Policy 4: Town Centres and Community Regeneration
Policy 7: Protection of Residential Amenity
Policy 9: Transport Impact
Policy 14: Parking and Traffic Restraint
Policy 15: Additional Housing
Policy 17: Flat Conservations
Policy 18: Shared housing and supported housing
Policy 19: Active Frontage Uses
Policy 33: Alterations and Extensions
Policy 34: Shopfronts and Advertisements
Policy 35: Design in Existing Residential/Mixed Use Areas
Policy 48: Protection and Enhancement of the Natural Environment

6.1.3. Other: SPG4: Internal Layout and Room Sizes

6.1.4. The policies of the emerging Replacement UDP normally carry relatively less weight than the policies of the adopted UDP. Generally speaking the weight to be attached to such emerging policies depends upon the stage of plan preparation or review, increasing as successive stages are reached.

6.1.5. In the case of the Lambeth Replacement UDP, the Council has now received the Inspector's Report (17th February 2006) and is in the course of considering this Report and the further procedures leading to adoption of the Replacement UDP. This is a significant stage in the progress of the Replacement UDP and as such considerable weight may be attached to policies in the Replacement UDP, which the UDP Inspector has supported.

6.2. Land Use

6.2.1. Under the AUDP, the site is located outside of a defined centre. Policy S11 of the AUDP states that changes of use from retail shops (Use Class A1) outside defined centres will normally be permitted provided that the range of retail shopping facilities (Use Class A1) available in the local area would not be significantly affected; that their retail function and viability would not be significantly affected; the proposed use is one of the non-retail uses set out in Policy S9; for specific uses, that they are acceptable against the more detailed considerations set out in Policies S14-S18; that the amenity of neighbouring occupiers is safeguarded; and that, if the property is in a shopping parade, a window display or frontage appropriate to the shopping area is provided. Policy S14 refers to Food and Drink uses and in considering proposals, regard will be given to the impact on the local environment, amenity of nearby residents and workers, and road safety, parking and traffic congestion.

6.2.2. The RDUDP extends the designation of the neighbourhood centre (renamed as a local centre) as set out in the AUDP westwards beyond Loughborough Junction station to include the application site. Policy 4 requires the retention of a proportion of active frontage uses – two out of a consecutive series of 5 properties - within a local centre. Food and drink uses would be suitable active frontages. RDUDP Policy 19 refers to active frontage uses and states that where it would promote urban vitality and/or regeneration, development should have uses with an active frontage open to the public. Within local centres, policy 29 of the RDUDP enables the Council to control the number of food and drink premises and prevent over-concentration of such uses. Over-concentration is considered to apply where 25% or more of original units would be in A3 use.
6.2.3. With regard to these policies, the Centre is made up of the following:

**USE CLASS SURVEY OF COLDHARBOUR LANE** (Undertaken on 28 March 2006; comprising nos. 180 – 218, 226 - 242, 250 – 252, 201 – 207b, 227 & 231 - 239 Coldharbour Lane, 6 – 12, 16 – 22 Hinton Road & 6 – 14 Station Avenue)

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<tr>
<th>Address</th>
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<td>Food and drink</td>
<td>A3</td>
</tr>
<tr>
<td>203 Coldharbour Lane</td>
<td>Food and drink</td>
<td>A3</td>
</tr>
<tr>
<td>205 Coldharbour Lane</td>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>207 Coldharbour Lane</td>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>207b Coldharbour Lane</td>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>227 Coldharbour Lane</td>
<td>Food and drink</td>
<td>A3</td>
</tr>
<tr>
<td>231 Coldharbour Lane</td>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>233 – 235 Coldharbour Lane</td>
<td>Retail</td>
<td>A1</td>
</tr>
<tr>
<td>237 Coldharbour Lane</td>
<td>Food and drink</td>
<td>A3</td>
</tr>
<tr>
<td>239 Coldharbour Lane</td>
<td>Industrial</td>
<td>B1</td>
</tr>
<tr>
<td>6 Hinton Road</td>
<td>Residential</td>
<td>C3</td>
</tr>
<tr>
<td>8 Hinton Road</td>
<td>Residential</td>
<td>C3</td>
</tr>
<tr>
<td>10 Hinton Road</td>
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</tr>
<tr>
<td>12 Hinton Road</td>
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<td>A1</td>
</tr>
<tr>
<td>16 Hinton Road</td>
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</tr>
<tr>
<td>18 Hinton Road</td>
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<td>A1</td>
</tr>
<tr>
<td>20 Hinton Road</td>
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<td>C3</td>
</tr>
<tr>
<td>22 Hinton Road</td>
<td>Residential</td>
<td>C3</td>
</tr>
<tr>
<td>6 – 9 Station Avenue</td>
<td>Sui Generis</td>
<td></td>
</tr>
</tbody>
</table>
Total number of properties – 51

- Existing number of A1 units – 23 (45%)
- Existing number of non A1 units (including A3/A4/A5 – 28 (55%)
- Existing number of units in A3/A4/A5 use – 11 (20%)

- Proposed number of A1 units – 22 (43%)
- Proposed number of non A1 units – 29 (57%)
- Proposed number of units in A3/A4/A5 use – 12 (23%)

6.2.4. As noted above, as a result of the proposal, 43% of properties in the local area would be retained within A1 use. Furthermore, the application site comprises a retail unit which has gone out of business and now appears to be vacant. There are a number of A1 retail units in the local area, in particular the two adjoining sites, such that it is not considered the range of retail facilities, or function and viability of the parade, would be unduly affected. The property retains a commercial use and an active frontage to the shopping parade in Coldharbour Lane, and the proposed use is appropriate for a shopping parade. An assessment in terms of amenity impact upon neighbours is dealt with under 6.4 below, but to summarise, it is considered that subject to conditions, the proposal would not unduly affect residential amenities. In terms of Policy S14 of the AUDP, as assessed below, it is considered that the café is satisfactorily located in terms of the environment, amenity and traffic. Overall the proposal would be acceptable in that it does not compromise the commercial function of this part of Coldharbour Lane and would not affect its vitality or viability, or local amenities, in compliance with AUDP Policies S11 and S14.

6.2.5. In terms of the RDUDP, the proposed café is deemed to be a suitable active frontage use for a local centre, in accordance with Policy 4 and 19. In terms of concentration of food and drink uses, as set out under Policy 29, the change of use would result in no more than 23% of the properties being in such use, below the threshold of 25% set out under Policy 29. Therefore the application would accord with the AUDP and RUDP with respect to the change of use. It is noted that the previous scheme was not refused on the grounds of the change of use, and there have been no changes in circumstances since this decision.

6.2.6. In terms of the upper floors, Adopted UDP Policy H17 and Revised Deposit Draft UDP Policy 17 provide guidance in relation to flat conversions. Policies H17(h) of the AUDP states that the Council adopts a flexible approach to the conversion of residential accommodation above shops. Policy 17 of the RDUDP does not specifically refer to floorspace above shops.

6.2.7. The principle of the change of use of this site with commercial and residential above is consistent with the existing arrangements. Previously, the upper floors of the property appear to have been arranged as substandard non self-contained bedsit accommodation, or a Property in Multiple Paying Occupation (PMPO) or Housing in Multiple Occupation (HMO). In accordance with AUDP Policy H18, the Council would normally resist the loss of such accommodation if it were
authorised, unless it can be demonstrated that self-containment would benefit the existing tenants. In this case the Council’s Environmental Health Team have no record of this property being an authorised PMPO or HMO and evidence supplied by the Council Tax department indicates that no Council Tax has been payable to the Council for the residential accommodation above the property. Therefore it is considered that the property does not incorporate an authorised PMPO or HMO, and given that the accommodation is substandard, the loss of the non-self contained accommodation to form a contained flat would not be contrary to policy H18 of the AUDP.

6.2.8. The residential accommodation can be accessed independently from the ground floor commercial use, in accordance with policy H17, and meets the spatial standards set out under SPG4. The scheme would also contribute to the supply of good quality small dwellings within the Borough without the loss of a family sized house and garden.

6.3. **Design and Conservation Considerations**

6.3.1. CD15 and CD18 of the AUDP and Policies 32, 33 and 35 of the Deposit UDP relate to the design of new development and extensions. Of particular note is the requirement for new development to be of a high standard in design and layout, and take into account height, bulk, scale, materials and colour, character and amenities of an area.

6.3.2. The previous application, which was refused in October 2005 partly on design grounds, was a considerably more comprehensive scheme. The previously refused planning application consisted of a part three storey and part two storey rear extension with a mansard roof and roof terraces and although the new application also incorporates a part three storey, part two storey rear extension, the refused application was more bulky and unduly prominent. The refused scheme consisted of a full width two-storey extension at ground and first floor levels extending across the whole of the rear yard area, and a half width extension at second floor level adjacent to the boundary with 234 Coldharbour Lane to provide a staircase tower, in addition to a mansard roof extension above eaves level which would raise the height of the roof, altering the shape and appearance of the characterful butterfly roof and generating an uncharacteristic roof design within the streetscene. In addition, the fenestration pattern proposed for the rear elevation was unsympathetic and resulted in a heavy rear elevation design.

6.3.3. In the current scheme, the extension would cover the full width of the site at basement and ground floor levels (the rear yard would be excavated to create a basement), but would not extend in depth to cover the whole of the rear yard. The depth of the third storey of the extension at first floor level would be reduced further to extend 3.0m from the rear elevation adjacent to the boundary with 234 Coldharbour Lane and 1.5m from the rear elevation adjacent to the boundary with 230 Coldharbour Lane. The extension as currently proposed has been significantly scaled down from the bulk of the previously refused scheme.

6.3.4. As a consequence of the revisions, the scheme maintains the characteristic butterfly roof and terminates a storey below eaves level. It is considered that, due to the confined location of the property backing on to a railway with neighbouring ground floor commercial properties, the proposed extensions would have no significant adverse impact on the visual appearance of the streetscene, local amenities, or the public realm and would not interrupt any views into or through
the site. Overall, it is considered that the bulk, size and massing of the extension is in keeping with the scale and size of the existing building, is appropriately subordinate, and that the character of the property would be retained. Whilst the extension is deep, given the confined nature of the site, backing on to a high viaduct, and with such varied building lines along this terrace, this aspect is considered to be acceptable. Pre-application drawings to support this application were assessed by the Conservation and Design officer and no objections were raised to the form and proportions of the extension.

6.3.5. Most importantly the roofscape of the building remains unchanged at both the front and rear of the building and it is considered that the extensions would not generate any impact on the streetscene within Coldharbour Lane.

6.3.6. The extract flue for the café use will project beyond the top of the property by a height of 1.0m after travelling from the basement and ground floor levels within the inside of the building and therefore only the part above eaves level will be visible externally from the building. The flue is proposed to be erected at the rear of the building close to the boundary with 234 Coldharbour Lane and would therefore be hidden from view from the streetscene. Its containment within the building for virtually its full height would significantly reduce its prominence on the property and the setting of the building to the rear. The part that protrudes above the roof level is narrow and relatively inconspicuous.

6.3.7. The application proposes minor alterations to the shopfront. This only consists of a replacement door, replacement glazing and repaired framework. These works only serve to enhance the appearance of the property which would therefore accord with policies CD15 and CD17 of the AUDP and policies 33 and 34 of the RDUDP.

6.3.8. It is noted that Network Rail have objected to the scheme on the grounds that the works to erect an extension to the rear including excavation of the basement area and the ensuing construction will destabilise the railway viaduct. However, this is not a material planning consideration and cannot have an implication on the determination of this planning application. An informative will be attached to the permission, if granted, to advise the applicant to contact Network Rail prior to the commencement of any development due to the concerns raised about the stability of the railway viaduct.

6.4. Amenity Impact

6.4.1. In terms of the change of use of the lower floors, Adopted Policies S10, S14 and ENV19 and RDUDP policies 29 and 48 seek to safeguard amenity of nearby residents and workers. Replacement Policy 7 seeks to protect residential amenity and states that in mixed-use areas, the scale, hours of use, intensity, concentration and location of non-residential uses will be controlled in relation to residential uses to protect residential amenity.

6.4.2. In terms of surrounding residential amenity, the impact from discharge of fumes and smells from the proposed café must be considered. The proposed flue vents out above 1m above ridge level of the building and travels vertically inside the building rather than being affixed to the rear elevation as in the case of the flue at 234 Coldharbour Lane (Barney's Café). The Councils Regulatory Services (Noise and Pollution) Team raise no objections to the proposed flue, but request conditions to ensure that the noise from the extractor flue does not unduly affect nearby residential properties. Furthermore, the proposed development
would be subject to an assessment under the Building Regulations which aim to protect the property in terms of vibration and noise emitted from the extraction system as it extends upwards through the building. Combined with the ducting discharging above eaves level, it is considered that the impact on the amenity of surrounding properties by way of smells and fumes will be negligible.

6.4.3. To protect the occupiers of upper levels and neighbouring properties from undue noise disturbance, a condition requiring a soundproofing scheme (between the commercial and residential components of the scheme) to be approved and installed, has been recommended by Regulatory Services. This scheme will need to provide details of measures to be taken to contain internally generated noise, including acoustic treatment of windows and ventilation equipment. This would also address any potential issues with respect to noise impact upon residential occupiers from railway activity, which Regulatory Services have highlighted.

6.4.4. The applicant has requested that hours of opening be 0800 - 2000 Monday to Friday, 1000 to 1800 on Saturdays and 1200 to 1700 which is consistent with a café use. These hours are considered to be acceptable, and would ensure no undue impact upon amenities of nearby residents.

6.4.5. With respect to the extensions and alterations at the rear, Policy CD18 of the AUDP and Policy 33 of the RDUDP seek to ensure that amenities of residential neighbours are not unduly affected by reason of overbearing impact, overshadowing or loss of privacy or outlook.

6.4.6. As noted, a full width extension is proposed over basement and ground floor level. Given the commercial uses at ground floor level either side, the full width extension would not have any overbearing or overshadowing impact and is considered to be acceptable with respect to maintaining residential amenity.

6.4.7. The first floor extension, whilst smaller in size (depth) than the basement and ground floor extension would also extend across the full width of the rear elevation of the property, and would project 3.0m from the rear elevation adjacent to the boundary with 234 Coldharbour Lane and 1.5m from the rear elevation adjacent to the boundary with 230 Coldharbour Lane. As proposed the first floor extension would fail the "45 degree" BRE daylight/sunlight test relative to the first floor window at No. 234. (The extension would pass this test in relation to No 230). However, from viewing plans for No 234, the first floor windows in this property serve a stairwell and a bathroom and as such, no habitable windows would be unduly affected. On this basis, it is considered that the extensions would not have any adverse impact upon residential amenities by reason of loss of outlook or daylight/sunlight and is considered to be in compliance with relevant policies in this respect.

6.4.8. In terms of potential impact upon privacy, it is noted that a roof terrace is proposed at first floor level at the rear. In light of its position, and the fact that the ground floor of adjoining properties are in commercial use, with yard areas, it is considered that there would not be any adverse impact from its use. Furthermore it is noted that the first floor windows to No 234 are to non-habitable rooms and the first floor windows to No 230, whilst currently boarded up, are at a higher level than the proposed terrace which would prevent direct overlooking into these windows. Whilst it is noted that objections have been received in this respect, it is considered that a roof terrace in this position would not result in any adverse impact over and above that of a rear garden - there are no ground floor residential
properties, and any perceived overlooking that may possibly be experienced from upper levels of adjoining properties would be no different from if the subject property made use of the rear yard for residential purposes.

6.4.9. Adopted Policy ENV24 and RDUDP Policy 50 require new development to have adequate provision for safe storage and collection of refuse and recycling. The Council’s Streetcare Division have previously stated that they have no objections to the proposal. No refuse storage for the café has been shown on the submitted plans, nevertheless, the application form states that the operators of the café will enter into an arrangement for a daily refuse collection. A condition will added to any approval requiring the submission of details of refuse and recycling arrangements for the café prior to commencement of the proposed change of use to ensure that this takes place. It is also noted that there would be space with the rear yard to accommodate a refuse store. Refuse storage for the flat is to be provided internally in a recess just inside the private front door for the flat. The area is 1.2m in width by 0.6m in depth and this is considered acceptable for a single dwelling.

6.5. **Highways and Transportation Issues**

6.5.1. Adopted UDP Policy T12 and Deposit Draft UDP Policy 14 set out the Council’s parking standards for residential developments and Adopted UDP Policy T17 and Deposit Draft UDP Policy 9 seek to ensure that proposed developments do not have a detrimental impact upon traffic congestion and safety within the area.

6.5.2. The application does not propose any car parking within the curtilage of the development site and any demand generated by the use of the buildings would have to be accommodated on the street. The residential car parking standards set out in the emerging RDUDP in table 6 sets a maximum of 0.75 spaces for the residential unit within the development, however accessibility factors in relation to the site would help to generate a lesser demand. Furthermore, it is noted that there are no additional habitable rooms or units being created. The site is located in an area where the Public Transport Accessibility Level (PTAL) is level 3 which equates to moderate. The site is in close proximity to Loughborough Junction over ground station. In addition, there are several bus routes which pass along Coldharbour Lane. The property is also located outside of a Controlled Parking Zone.

6.5.3. It is considered that the change of use of the A1 retail unit to an A3 takeaway would not to equate to a significant increase in the expected parking demand for the property. Part 2 of the application form suggests that up to 3 vehicles would visit the property during normal working hours and then 2 more outside of working hours and at weekends. It is considered that again these vehicles can be accommodated within the highway network. Furthermore it is anticipated that this café would be a local facility and would not generate a high private vehicle trip rate with most customers arriving on foot.

6.5.4. It is noted that the application does not indicate any dedicated cycle parking facility within the curtilage of the site, however, as there is only one residential unit within the property with its own private access, a bicycle can be store within the access area inside the front door to the property.

6.5.5. During the assessment of the previous planning application, the Transport Planner considered that as the likely occupants of the flat would not be car
owners (due to there being no nearby on street parking), there would be no impact on the efficiency of the highway.

6.5.6. In conclusion, it is considered that the scheme complies with Policy T17 of the AUDP and Policy 9 of the RDUDP., and the Council's Transport Planner raises no objections.

7. Conclusion

7.1. The proposed loss of an A1 retail unit will not adversely affect the retail character and vitality of the parade nor will it result in an undue concentration of food and drink uses in the local centre.
7.2. The proposed external alterations are considered to be acceptable and would not have an adverse effect on visual amenity in the locality.
7.3. Nor the proposed change of use to a café or the rear extensions and alterations would have a significant detrimental effect upon the amenity of neighbouring residents and occupiers. Nor will the proposal have any significant impacts on traffic and parking in the area.
7.4. As such, the proposal is considered to be acceptable (subject to conditions) and in accordance with relevant policies of the Adopted Unitary Development Plan (1998) and the Replacement Unitary Development Plan (2004).

8. Recommendation

8.1. Grant planning permission subject to conditions.
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan 1998 (AUDP) H1: Housing Provision, H8: Residential Above Shops, H10: Residential Development Standards, H11: Dwelling Mix, H17: Flat Conversions, S4: Development Displacing Local Shops, S11: Change of Use Outside of Defined Centres, S14: Food and Drink, T12: Parking Standards, T17: Transport Implications for Development Proposals, T36: Cycle Parking, CD15: Design of New Development, CD17: Shopfronts, CD18: Extensions Revised Deposit Unitary Development Plan 2004 (RDUDP): Policy 4: Town Centres and Community Regeneration, Policy 7: Protection of Residential Amenity, Policy 9: Transport Impact, Policy 14: Parking and Traffic Restraint, Policy 15: Additional Housing, Policy 17: Flat Conservations, Policy 19: Active Frontage Uses, Policy 33: Alterations and Extensions, Policy 34: Shopfronts and Advertisements, Policy 35: Design in Existing Residential/Mixed Use Areas, Policy 48: Protection and Enhancement of the Natural Environment

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 Section 51 of the Planning and Compulsory Purchase Act 2004.)

2. Samples and a schedule of materials to be used in the elevations of the extension 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. (Policies CD15, CD18 and G17 of the adopted Lambeth Unitary Development Plan (1998), Policies 32, 33 and 36 of the Revised Deposit Unitary Development Plan (2002-2017) refer.)

3. Samples and a schedule of materials to be used in the shopfront 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. (Policies CD15, CD17, S11, and G17 of the adopted Lambeth Unitary Development Plan (1998) and Policies 32, 34 and 36 of the Revised Deposit Unitary Development Plan (2004) refer.)

4. Evidence demonstrating that the building will be so designed to ensure that environmental noise from railway and road traffic shall not exceed the following standards: Living Room 35dB(A) Leq 16 hours 07.00-23.00hrs, Bedroom 30dB(A) Leq 8 hours and no individual noise event to exceed 45dB(A) max (measured with F time weighting) 23.00hrs - 07.00hrs shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development. The development shall thereafter be implemented in accordance with the approved details. Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers. (Policies G12 and S14 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29, 34 and 48 of the Revised Deposit Unitary Development Plan (2004 - 2017) refer.)
5 Notwithstanding the drawings hereby approved, full details (including large scale drawings) of the design, appearance and operation of the proposed kitchen extract system shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the use hereby permitted commencing on site, and retained for the duration of the use. Reason: To protect the amenities of neighbouring properties and the area in general (Policies S14 and ENV19 of the Adopted Lambeth Unitary Development Plan (1998) and Policies 7, 48 and 50 of the Revised Deposit Unitary Development Plan (2004).

6 Noise arising from the use of the extractor fans, associated equipment and any other plant equipment shall not increase the existing background noise level when measured 1 metre external to 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. (Policies G12 and S14 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29, 34 and 48 of the Revised Deposit Unitary Development Plan (2004 - 2017) refer.)

7 A scheme of soundproofing and insulation for all party walls and the ceiling/floor between the ground and first floor shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use and thereafter be retained for the duration of the use, so as to prevent fumes, smell and noise permeating into adjoining accommodation. The scheme shall include all details of measures to be taken to contain internally generated noise, including acoustic treatment of windows and ventilation equipment. Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area generally (Policies S14 and ENV19 of the Adopted Lambeth Unitary Development Plan (1998) and Policies 7, 29 and 48 of the Revised Deposit Unitary Development Plan (2004).

8 The use hereby approved shall not operate otherwise than between the hours of 0800 and 2000 daily. Reason: To protect the amenities of adjoining occupiers. (Policies G12 and S14 of the adopted Lambeth Unitary Development Plan (1998) and Policies 1, 7 and 29 of the Revised Deposit Unitary Development Plan (2004).

9 Adequate arrangements shall be made for the storage and disposal of refuse, recycling, and waste from the cooking process (including the disposal of fat/oil). Prior to the commencement of the use hereby permitted, details of such arrangements, in addition to facilities for commercial waste, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the use hereby permitted commencing on site. Reason: To ensure that adequate provision is made for the storage of refuse on the site, in the interests of the amenities of the area (Policies ENV24, CD15 and S14 of the Adopted Lambeth Unitary Development Plan (1998) and Policies 9, 29, and 50 and of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

10 No domestic refuse shall be left outside the front of the premises except on refuse collection days. Reason: To ensure that refuse is not left on the street in the interests of the amenities of the area (Policies ENV24 and S14 of the Adopted Lambeth Unitary Development Plan (1998) and Policies 9, 29, and 50 and of the Revised Deposit Unitary Development Plan (2004).

11 There shall be no amplified sound, speech or music which is audible outside the premises. Reason: To protect the amenities of adjoining occupiers and the surrounding area. (Policies G12, ENV19 and S14 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Deposit Replacement Unitary Development Plan (2002 - 2017) refer.)
Notes to Applicants:

1. 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.

2. You are advised to consult the Council's Environmental Health Division with regard to the extraction of fumes from the premises.

3. Your attention is drawn to the necessity to register your food business with the Council's Environmental Health Division, under the Food Premises (Registration) Regulations 1991 before the use commences. Failure to do so may result in prosecution.

4. 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.

5. 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.

6. In connection with the soundproofing condition, you should consult the Council's Building Control Section before carrying out any works.

7. 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.

8. You are advised of the necessity to consult the Council's Highways team on 020 7926 9000 in order to obtain necessary prior approval for undertaking any works within the Public Highway including Scaffolding, 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.

9. You are advised of the contents of a letter from Network Rail who raise objections with respect to structural stability of the railway viaduct, and that you should liaise with them prior to construction commencing.
LAMBETH PLANNING APPLICATIONS COMMITTEE

Case Number: 05/01681/FUL

Application Address: 62B Norwood High Street
London

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L.B. Lambeth LA 100019338 2005
Location | 62B Norwood High Street London SE27 9NW

Ward | Knights Hill

Proposal

Change of use from Class A1 shop to Class A3 Restaurant / Cafe. (with no associated take-away) and installation of external extract flue on rear elevation

Application Type | Full Planning Permission
Application No | 05/01681/FUL/DC_AB/17992
Applicant | Mrs Celia Tummings
Date Valid | 15 August 2005

Considerations

Local Plan Area Norwood Industrial Area

Approved Plans

Two unnumbered drawings and site location plan

Recommendation | GRANT PERMISSION
Officer Report

05/01681/FUL

1. Summary Of Main Issues

(i) The acceptability of the principle of change of use from Class A1 Shop use
(ii) Impact of the proposal either alone, or cumulatively with similar uses in the local area on the amenities of neighbouring properties
(iii) Impact on road safety, car parking, traffic congestion, traffic movement and highway safety.
(iv) Impact of external extract flue on appearance of the building and the street scene

2. Site Description

2.1. The application site comprises the ground floor of a 3 storey, end of terrace property, with a small rear yard. The ground floor, previously a shop selling pine furniture Class A1, is presently vacant with internal building work being undertaken. The ground floor has a shop front onto both Norwood High Street and Ernest Avenue. The upper two floors are in self-contained residential use.

2.2. The property is located on the junction of Norwood High Street, Ernest Avenue and Waring Street (cul-de-sac) within the Norwood Industrial Area. The application property forms part of a parade of 'shops' along Norwood High Street. Adjoining the property to the south is a supplier of beauty goods with a hairdressers beyond, to the west and rear are commercial premises.

2.3. There are seven Hot food uses (Classes A3/A4/A5) within 100 metres of the application site.

2.4. This part of Norwood High Street is a two way Local Distributor Road. Beyond Ernest Avenue, to the north, Norwood High Street is one way, southbound, to vehicular traffic. Ernest Avenue is one way to vehicular traffic, westbound only. These one-way roads are both Borough Principal Roads forming part of a radial road system to and from Central London and as such carry relatively high levels of traffic, including bus services. A bus garage takes access from the western end of Ernest Avenue.

3. Planning History

3.1. The property is a long established shop

4. Scheme Details

4.1. Originally application was made for Change of use from shop (Class A1) to Hot Food Takeaway (Class A5). However this was based on a misunderstanding by the applicant around the time when Class A5 was being introduced. Subsequently the applicant confirmed that the proposal was for a Restaurant use. The application was revised.

4.2. Application is therefore now made for Change of use from Shop (Class A1) to Restaurant (Class A3) with installation of external extract duct on the rear elevation.
The Applicant anticipates that the proposed restaurant would employ 2 full time and two part time people, which is expected to generate 1 employee vehicle.

4.3. The proposed use would be open from 10am to 10pm Monday to Saturday.

4.4. The extract duct would rise from ground floor ceiling level to 1metre above eaves level at first floor level. (The second floor being within the roofspace, with windows being in the gable end they do not face towards the eaves)

5. Consultation Responses

5.1. Neighbouring owners, occupiers namely shops and flats at 87 to 101 (odd) and 56 to 66 (even) Norwood High Street, units 1 to 7 Earnest Avenue, have been consulted on both the original Takeaway and subsequent Restaurant Proposal.

5.2. Regulatory Services and Transport were consulted two Notices have been displayed in the local area.

5.3. Four letters of objection were received from neighbouring owners, occupiers in response to consultation on the original proposed takeaway These objections are summarised as follows:-

   (i) There are already 12 shops serving food within 100m
   (ii) Lack of parking space
   (iii) Existing establishments suffering from lack of business
   (iv) A fire hazard.
   (v) Smells
   (vi) Noise
   (vii) Due to close proximity to surrounding buildings this is unacceptable unless adequate ventilation is provided.

5.4 In response to consultation on the proposed Restaurant Use two letters of support were received.

5.5 Regulatory Services raise no objections.

6. Planning Considerations

6.1. Relevant Policies

6.1.1 Adopted Unitary Development Plan (1998) Policies:-

   S14 Food and drink,
   T17 Transport Implications of development proposals
   CD15 Design of new development
   ENV17 Atmospheric pollution and air quality
   ENV19 Noise control
   ENV25 Recycling and reuse
   ENV24 Waste management and disposal
   N6 Other shop parades (in Norwood industrial Area)


43
6.1.3 The policies of the emerging Replacement UDP normally carry relatively less weight than the policies of the adopted UDP. Generally speaking the weight to be attached to such emerging policies depends upon the stage of plan preparation or review, increasing as successive stages are reached. In considering material considerations other than the adopted development plan regard should be had to relevant national and regional government policy.

6.1.4 The emerging plan has completed its public inquiry stage and the of the UDP Inquiry Inspector’s report has now been received. The weight afforded to the plan will vary between policies. For example more weight can be given to those policies which deal with an issue not covered by the Adopted UDP; those which reflect Government guidance; those which have been amended following substantial public consultation to overcome objections raised; and those which have not been the subject of any substantial objection.

6.2. **Land Use**

6.2.1 The site lies within the Norwood Industrial Area and as such Policy N6 of the adopted UDP and Policy 62 of the Revised Deposit UDP are applicable.

6.2.2 Policy N6 states:-

‘In the frontages of 34-40, 46-78 and 45-47 Norwood High Street, the Council will:

(a) permit change of use to office or small business uses (under 400 sq.m. gross floor area);

(b) resist change of use to storage and distribution (Use Class B8) unless a satisfactory level of employment is provided (or the use is in connection with an industrial or business use in the area), and satisfactory loading and unloading facilities are provided.

All business and commercial uses in former shop premises will be expected to maintain a window display suitable in a shopping parade.

6.2.3 Policy 62 of the Revised Deposit UDP, which deals with the West Norwood Commercial Area’ states

‘Loss of ground floor shops to other commercial uses with active frontages is permitted’
6.2.4 The proposed change of use of the ground floor unit would result in the loss of an established retail Class A1 Use of approximately 39.7 sq m. gross floor area.

6.2.5 In respect of units of less than 400 square metres, such as the application premises the Adopted UDP (Ref policy N6) states that the shopping parade, within which the application site is located, is one of those which are not considered necessary for local shopping needs and where the Council will permit business and commercial uses (excluding storage and distribution Class B8 uses), which provide local employment and services, to locate in them. Such business and commercial uses in former shop premises will be expected to maintain a window display suitable in a shopping parade in order to such development is not detrimental to the environment.

6.2.6 The proposed Restaurant of less than 400sqm would provide a commercial use with retention of an active shop frontage on a corner site. The proposal would therefore comply with Policy N6 of the Adopted UDP and Policy 62 of the Revised Deposit UDP. The proposed loss of retail shop to restaurant use is considered acceptable in land use terms.

6.2.7 The upper level of the parades, on the western side of Norwood High Street, is residential. On the eastern side, opposite the application site the frontage is in various commercial uses, with upper level set well back from the public highway.

6.3. Design

6.3.1. External alterations would be limited to the installation of the proposed external flue from ground floor ceiling level terminating 1 metre above eaves level, on the rear elevation. This would be located in a recess of the rear building line, although clearly visible from Ernest Avenue. The land to the rear of the site is commercial in character. Regulatory Services Noise and Pollution have raised no objections. It is considered that, with a recommended condition that the flue has a painted finish to match adjacent brickwork, the proposed flue is considered acceptable in design terms.

6.4. Amenity Impact

6.4.1. The site is located on a busy road junction. The seating area of the proposed restaurant would be approximately 17sqm, which is relatively modest. In view of the size of the restaurant and the existing noise levels arising from traffic and nearby A3/A5 uses in the local area it is not considered that the cumulative impact on the local environment would be unacceptable in this instance. However it is recommended that a condition be imposed which prohibits the use of the forecourt and rear area for additional seating in order to minimise undue noise and disturbance. Similarly it is also proposed to impose a condition requiring amplified music, speech etc. to not be audible outside the premises.

6.4.2. The proposed extract duct would be placed on the rear elevation of the building, between ground floor and one metre above the top of the second floor window. This elevation of the building faces towards the commercial uses.

6.4.3. In order to safeguard the amenities of the adjoining residential accommodation it is proposed to impose conditions governing the specifications and operation of the flue so as to minimize noise, smell and fume extraction. A condition
is also recommended to ensure that there is adequate soundproofing between the restaurant and the flats above and adjoining.

6.5. **Highways and Transportation Issues**

6.5.1 The application has been carefully assessed by the Council's Transport Officer having regard to the originally proposed A5 use and now to the proposed restaurant.

6.5.2 The site is located on the junction of Norwood High Street and Ernest Avenue. Immediately outside the site is a zebra crossing which allows people to cross this busy junction. There is a central island at the junction to aid pedestrians crossing the road and the zebra crossing is split into 2 sections. There are zig-zag lines on both sides of the crossing which prevent parking in order to preserve pedestrian safety. Norwood High Street is two-way outside the site and Ernest Avenue is one-way westbound. To the north of the site Norwood High Street is one-way southbound so all northbound traffic has to turn into Ernest Avenue and then north onto Knights Hill to continue their journey. Therefore there are a lot of weaving movements at this location, particularly as northbound traffic tries to get into the northern lane of Ernest Avenue to continue their journey. This conflicts with southbound traffic on Norwood High Street trying to get into the southern lane of Ernest Avenue to travel on to Knights Hill. It is important that any new development does not affect any of these traffic movements, or the safety of pedestrians crossing the road.

6.5.3 In highway terms objections were raised to the change of use to Takeaway (Class A5), which was originally proposed. The nature of A5 take-away uses is that both pedestrian and car-borne trips can be generated and for this reason it is vital to ensure that people can park in the vicinity of the site without causing harm to highway safety. The nature of hot food take-aways is that people like to park as close as possible to the site and feel they can do so, whether or not they are allowed by the waiting restrictions, because they are only making a short visit.

6.5.4 Given the layout of the roads in the immediate vicinity and the high intensity of traffic using these roads it was considered that a takeaway in this location would fail to safeguard pedestrian and vehicular safety at this location. In the light of this the applicant submitted the revised proposal for the change of use to restaurant (Class A3) only.

6.5.5 Patrons of restaurants are more likely to be at the site for a longer time, compared to patrons of takeaways. In this instance the proposed restaurant has relatively few covers. People who drive to the restaurant (Class A3) are more likely to park legally in neighbouring roads such as Rothschild Street, Langmead Street, Windsor Grove compared with patrons of takeaway uses. These adjacent streets are considered to have sufficient capacity, including during the evenings to accommodate all new vehicles. However in view of the objections raised on highways grounds to the use of the premises as a takeaway it is proposed to impose a condition preventing ancillary takeaway sales.

6.5.6 In conclusion the Council's Transport Officer considers that were the proposal for a takeaway use highway safety would be compromised. However in this instance it is not considered that the proposed use of the property as a ground floor restaurant with no associated take-away use would not compromise highway safety.
7 Conclusion

It is considered that the proposed change of use from retail shop use to Restaurant with installation of a flue on the rear elevation would be acceptable with Conditions, which include provision that the restaurant use shall not have any associated takeaway use.

It is therefore recommended that planning permission be granted.

RECOMMENDATION

Grant permission
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan 1998 Policies:- N6 (Other shop parades in Norwood Industrial Area), S14 (Food and drink), T17 (Transport Implications of development proposals), CD15 (Design of new development), ENV17 (Atmospheric pollution and air quality), ENV19 (Noise control), ENV25 (Recycling and reuse) ENV24 (Waste management and disposal) Deposit Replacement Unitary Development Plan (2004) Policies:- 7 Protecting Residential amenity), 9 (Transport Impact), 14 (Parking and Traffic Restraint), 19 (Active Frontage Units), 29 (The Evening and Late Night Economy), 31 (Streets, Character and Layout), 33 (Alterations and Extensions) 34 (Shopfronts and Advertisements), 36 (Streetscape, Landscape and Public Realm Design), 50 (Waste), 62 (West Norwood Commercial Area).

1. The development to which this permission relates must be begun not later than the expiration of five 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.

2. All fumes from the cooking processes shall be extracted via the flue herewith approved which shall be installed before the use commences and thereafter shall be so retained, and satisfactorily maintained, for the duration of the use. Reason: To accord with the terms of the submitted application and to protect the amenities of the area. (Policies G12 and S14 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29, and 48 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

3. Noise from the extractor and flue shall not exceed background noise level when measured outside the window of the nearest noise sensitive or residential premises. Reason: To protect the amenities of adjoining properties and the surrounding area. (Policies G12, S14 and ENV19 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

4. Full details of anti-vibration measures to the extract flue herewith approved, to minimise the transmission of vibration into the building structure shall be submitted and approved in writing by the Local Planning Authority before installation of the flue and commencement of the use. Such anti-vibration measures shall be installed before the operation of the use and shall be fully retained for the duration of the use. Reason: To protect the amenities of adjoining properties and the surrounding area. (Policies G12, S14 and ENV19 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

5. All party walls and the ceiling/floor between the ground and first floor shall be soundproofed and insulated to the satisfaction of the Local Planning Authority before the 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 protect the amenities of adjoining properties and the surrounding area. (Policies G12, S14 and ENV19 of the adopted Lambeth Unitary Development Plan (1998) and policies 1, 7, 29 and 48 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

6. The premises shall not be open for the serving of customers before 10.00 on any day or
after 22.00 Mondays to Saturdays, and at no time on Sundays or Bank Holidays. and all
customers shall vacate the premises within 30 minutes of service ceasing. Reason: To protect the
amenities of adjoining occupiers. (Policies G12 and (c) of the adopted Lambeth Unitary
Development Plan (1998) and policies 1, 7 and (d) of the Revised Deposit Replacement Unitary
Development Plan (2004) refer.)

7 There shall be no amplified sound, speech or music which is audible outside the
premises. Reason: To protect the amenities of adjoining occupiers and the surrounding area.
(Policies G12, ENV19 and S14 of the adopted Lambeth Unitary Development Plan (1998) and
Policies 1, 7, 48 and 29 of the Revised Deposit Replacement Unitary Development Plan (2004)
refer.)

8 Details of a waste management plan, incorporating provision for refuse storage, disposal
of cooking oils and recycling facilities on the site, shall be submitted to and approved in writing by
the Local Planning Authority prior to commencement of the use hereby permitted. The refuse
storage and recycling facilities shall be provided in accordance with the approved details prior to
commencement of the use hereby permitted 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 G14, ENV24, ENV25, CD15 and S14 of the adopted Lambeth Unitary
Development Plan (1998) and policies 9, 32, 50 and 29 of the Revised Deposit Replacement
Unitary Development Plan (2004) refer.)

9 The forecourt and rear yard shall not be used by customers for additional table and
chairs associated with the restaurant, nor for entertainment purposes, without the written
consent of the Local Planning Authority. Reason: To protect the amenities of adjoining
occupiers and the surrounding area.  (Policies G12, ENV19 and S14 of the adopted Lambeth
Unitary Development Plan (1998) and Policies 1, 7, 48 and 29 of the Revised Deposit
Replacement Unitary Development Plan (2004) refer.)

10 The external extract duct shown on the drawings herewith approved shall not have an
external finish other than paint to match the colour of the adjacent brickwork of the building, and
such a finish shall be maintained as such for the duration of the use. Reason: To safeguard the
visual amenities of the area. (Policies CD15 and G17 of the adopted Lambeth Unitary
Development Plan (1998) and policy 32 of the Revised Deposit Replacement Unitary
Development Plan (2004) refers.)

11 The premises shall be used as a Restaurant / Cafe (Class A3) only and shall not provide
any hot food or drink for takeaway purposes. Reason: In order to minimise danger,
obstruction and inconvenience to users of the highway. (Policies T9, CD15, ST28 and S14 of
the adopted Lambeth Unitary Development Plan (1998), and Policies 9, 31 and 29 of the Revised
Deposit Replacement Unitary Development Plan (2004) refer.)

12 A sign reading ’No Sale of Food or Drink for Takeaway purposes’ shall be erected in a
prominent position able to be clearly read within the public area (s) of the restaurant herewith
approved and shall thereafter be retained in the approved position for the duration of the use,
unless the prior written approval of the Local Planning Authority is obtained to any
variation. Reason: To avoid the occurrence of takeaway activities likely to result in hazard and
obstruction being caused to users of the public highway (Policies T18, T34 and T38 of the
adopted Lambeth Unitary Development Plan (1998), and Policies 9 and 31 of the Revised
Deposit Replacement Unitary Development Plan (2004) refer.)
13 The door leading on to Ernest Avenue and marked ‘Fire Exit’ on the drawings herewith approved shall not be used other than a means of escape or access in cases of emergency. Reason: To avoid use of the access resulting in takeaway activities likely to result in hazard and obstruction being caused to users of the public highway (Policies T18, T34 and T38 of the adopted Lambeth Unitary Development Plan (1998), and Policies 9 and 31 of the Revised Deposit Replacement Unitary Development Plan (2004) 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. You are advised to consult the Council's Environmental Health Division concerning compliance with any requirements under the Housing, Food, Safety and Public Health and Environmental Protection Acts and any by-laws or regulations made thereunder.

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 that this permission does not authorise the display of advertisements at the premises and separate consent may be required from the Local Planning Authority under the Town and Country Planning (Control of Advertisements) Regulations 1992.

5. In connection with the soundproofing condition, you should consult the Council's Building Control Section before carrying out any works.

6. 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.
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<thead>
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<th>Case Number</th>
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<tbody>
<tr>
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L.B. Lambeth LA 100019338 2005
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<th>Location</th>
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<tr>
<td>Ward</td>
<td>Gipsy Hill</td>
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<tr>
<td>Proposal</td>
<td>Use of part of the site as a replacement civic amenity depot, for disposal of household waste by members of the public, with erection of ancillary single storey building, and enclosures, car parking, boundary treatment external lighting and landscaping.</td>
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<td>Application Type</td>
<td>Approval under Reg 3 Council's own dev</td>
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<td>Application No</td>
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<td>Agent</td>
<td>Proun Architects - Peter Swain</td>
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<td>90 Borough High Street</td>
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<td>Arboricultural Report,</td>
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<td>Transport Statement,</td>
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<td>Environmental Mitigation Statement.</td>
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<td>Recommendation</td>
<td>GRANT PERMISSION</td>
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Officer Report

06/00471/RG3

1. Summary Of Main Issues

1.1. The main issues for consideration in this instance are:

☐ Impact on the amenities of neighbouring residential properties
☐ Access, parking, and impact on vehicular and pedestrian traffic and safety.
☐ Impact on the street scene and on the setting of the adjoining Conservation Area

2. Site Description

2.1. The Vale Street Civic Amenity Site occupies an area of 0.6 hectares on the western side of Vale Street. It is bound to the north by a works depot, to the east by Vale Street / St Gothard Road, to the south by residential properties and to the east by West Norwood Cemetery.

2.2. The Civic Amenity Site consists of the recycling centre which is used for the disposal of recyclable waste and general waste; a depot used for the storage of road gritting vehicles and gritting materials, and a disused depot which occupies over half the site.

2.3. The application site is a Council owned ‘L’ shaped site with a frontage onto Vale Street of approximately 35metres with a depth of approximately 70 metres to the rear site boundary, which adjoins South Metropolitan (West Norwood) Cemetery, a listed historic landscape within West Norwood Conservation Area, and enclosed by a grade II listed wall, part of which forms the western boundary of the application site.

2.4. This depot site is not in full use and is generally surplus to the Council’s requirements.

2.5. The depot has two vehicle entry / exit points, onto Vale Street, one of which is shared with the adjoining civic amenity site.

2.6. Adjoining the site to the south is another part of the Council depot, to the south-east is the existing civic amenities site, which the proposed development is to replace. To the west is the rising land of Norwood Cemetery, which forms the main part of West Norwood Conservation Area. A single storey building on the site adjoins the northern boundary. Here a high wall forms the northern site boundary. Beyond this wall are the rear gardens to residential terrace fronting Tritton Road. To the east of the site, on the opposite side of Vale Street are two storey houses.

3. Planning History

3.1. An application has been submitted for residential development of the southern part of the Council depot site. This involves a scheme for 60 residential units and would provide 100% affordable housing. This application is being considered by officers (Ref 05/03963/RG4). If officers are minded that grant planning permission should be granted, a report with a recommendation to grant will be submitted to a further Planning Applications Committee.

3.2. On 18.5. 2006 planning permission was granted for use of part of the depot to the south, forming a prospective housing site, as a temporary play area. (ref 06/00442/RG3)
3.3. It is anticipated that the existing Civic Amenity Site together with other parts of the depot site to the south of the present application site would form part of a future community / recreational development. A planning application for such a development remains to be submitted.

4. Scheme Details

4.1. Application is made for planning permission for use of the site as a replacement for the existing adjoining civic amenity site which is proposed for a housing development. The new site would be used for the disposal of household waste by members of the public, where the public deposits items for disposal directly into the containers. The proposed use would be the same as the existing civic amenity site, and be for transfer only with no treatment processes involved.

4.2. The proposed layout comprises a one way access road 3 metres wide, with tarmacadam surface, looping around ten refuse containers (2 general waste, 2 green waste, 2 mixed recyclables, 2 metal goods, 1 electrical goods, and 1 furniture container). In addition, containers would be provided for oil, paint, batteries, cloth and glass.

4.3. 17 car-parking places, one for disabled, and 1 goods vehicle place would be provided in addition to three staff parking places and 5 cycle parking spaces. This represents a significant improvement in provision for car / cycle parking facilities when compared with the existing 6 car parking spaces, 0 cycle parking and 1 goods vehicle spaces.

4.4. Four lamp posts with light fittings would be located along the access road.

4.5. The single storey building along the northern site boundary would in the main, be retained and refurbished with infill of one of the bays with rendered masonry and installation of two new windows on each side of a central door. This building would be for storage of gritters, salt and bins, toilets office and mess room use, which accords with the existing depot use. The part of this building to be demolished would make room for staff parking and salt storage. All other buildings on the site would be demolished.

4.6. Access would be controlled at a gate kiosk size office. Elevation details of this aspect of the development have not been submitted. This would be set back 82 metres from the Vale Street frontage, which would have an automatic electrically operated sliding security gate.

4.7. New boundary walls along part of the eastern and southern boundary of the site, in the form of a 3 metre high brick wall would be erected.

4.8. Soft landscaping, shrubs and tree planting is proposed along the southern boundary of the main replacement civic amenity area to form screening.

4.9. Hours of operation of the proposed civic amenity site would be the same as the existing civic amenity site. These are: 07.30 to 16.30 Monday to Friday, 08.00 to 17.00 Saturday and Sunday, closed Christmas Day and Boxing Day.

5. Consultation Responses
5.1. Neighbouring occupiers at houses and flats at Nos. 2 to 16 (even) Vale Street, 2 to 62 (even) and 7 to 19 (odd) Tritton Road, 9 to 25 (odd), Elmwood Primary School Carnac Street, 1 to 16 Lilian Rolfe House, 1 to 24 Violette Szabo House, 1 to 16 Charles Staunton House, 1 and 13 to 27 Hamilton Road, 109 to 123 (odd) Clive Road, 1 to 12 Hubbard Road, 2 to 72 (even) Durban Road, 33 to 49 (odd) 42 to 58 (even) Martell Road, 1 to 9 and 48 Rosendale Road, 1 to 24 Robert Gerard House, 51 to 59 (odd) 80 to 92 (even) St. Gothard Road, units F 21, 22, 24 Park Hall Road have been consulted.

5.2. The following Departments, and Groups have been consulted: Regulatory Services (Noise and Pollution), Crime Prevention Unit, Environment Agency, Becondale Road Residents Association, Dulwich Residents association, Dulwich Society, Friends of Norwood Cemetery and Rommany Road Residents Group. Notices have been displayed near the site and in the local press.

5.3. No objections have been received. Three letters of support have been received from local residents. These letters indicate that the proposed development provides an opportunity to solve the traffic difficulties resulting from use of the existing Civic Amenity site with vehicles off loading and obstructing particularly along Vale Street and its junction with Carnac Street.

5.4. The Becondale Road Residents Association have confirmed that they have no objections

6. Planning Considerations

6.1. Relevant Policies


EMP6 Protection of land and buildings generating employment,
EMP7 Loss of business and industry,
EMP12 Amenity and design
CD2 Proposals for development
CD15 Design of new development,
T9 Vehicular access,
T12 Parking standards
T17 Transport implications of development proposals
ENV17 Atmospheric pollution
ENV19 Noise control
ENV20 Noxious and hazardous substances
ENV24 Waste management and disposal.
ENV25 Recycling and re-use


7 Protection of residential amenity, policy
9 Transport Impact
23 Protection and location of other employment uses.
31 Streets character and layout,
31a Community Safety / Designing Out Crime
32 Building scale and design
35 Design in residential / mixed use areas.
36 Streetscape, Landscape and Public Realm Design
6.1.3 The policies of the emerging Replacement UDP normally carry relatively less weight than the policies of the adopted UDP. Generally speaking the weight to be attached to such emerging policies depends upon the stage of plan preparation or review, increasing as successive stages are reached.

6.1.4 In the case of the Lambeth Replacement UDP, the Council has now received the Inspector’s Report (17th February 2006) and is in the course of considering this Report and the further procedures leading to adoption of the Replacement UDP. This is a significant stage in the progress of the Replacement UDP and as such considerable weight may be attached to policies in the Replacement UDP which the UDP Inspector has supported.

6.2. Land Use

6.2.1 The use of the site as a Civic Amenity Site and retention of part of the depot use is entirely compliant with the aims of Council Policy. Vale Street Depot, of which the application site forms a part, is an important site designated in the Revised Deposit UDP as a Major Development Opportunity (MDO 60). This MDO provides for the proposed civic amenity/recycling facility. The site is also identified as an Affordable Housing Priority site with appropriate community and recreational uses. The provision of affordable housing on the southern part of the site is the subject of a separate planning application (see paragraph 3.1). Submission of a further application for community and recreational uses is expected for the mid section of the site, but at the time of writing had not been received.

6.2.2 The proposed civic amenity/recycling facility would be in keeping with both the present overall character of the Vale Street Depot site, and with the purpose of MDO 60. It is also considered that the proposal is likely to improve residential amenity in the area by additional on-site parking resulting in removal of on street waiting. This is explored in greater detail in the transport section of this report. The proposal is therefore considered acceptable in principle.

6.3. Design and Conservation Considerations

6.3.1. Council policy states that development should acceptably relate to its context and respond to the sensitivity of the site and, development outside conservation areas should not harm the setting of the conservation area or views into or from the area (Ref policies CD2, and CD15, of AUDP and Policies 32, 42, and 35 of RDUDP)

6.3.2. Aside from the car-parking layout and access, this application is for a variety of waste and recycling containers. The new equipment of the proposed civic amenity site will replace the existing ad hoc arrangement with a more ordered one. The new waste containers will be brightly painted and industrial in character, in contrast to the present drab and decayed atmosphere of the site. In this context, it is not considered that the proposed development would have a detrimental impact on the setting of the grade II listed wall to the West Norwood Cemetery or the conservation area. The development by its nature would be low rise and the site would be screened by the existing high retaining wall and dense landscaping along the boundary with the Conservation Area, at the rear, and by an existing high wall along the rear of...
residential properties to the north. Further landscaping is proposed, details of which are reserved by Condition.

6.3.3. There are three Sycamore trees on the site, two, approximately 10 metres high, in the northeast corner, at the front of the site, and one, approximately 14 metres high at the rear of the site along the western boundary. It is proposed that these trees be removed.

6.3.4. The applicants have submitted an Arboricultural Report which assesses these three trees as follows:-

‘Trees T1 and T2 both self sown Sycamores, are located within the north east corner of the site. T1 has grown from the footings of the front boundary wall and is of moderate leaning form. The tree has limited status to the local landscape, limited future potential and has been graded C accordingly. T2 is also of self sown origins from the footing of the adjacent building. This tree is of extremely poor form and limited dimensions and being of no landscape value has been graded R.

Tree 3 is a Sycamore located at the western boundary and also probably self sown origin being in an inappropriate position and in a confined space between two building. The tree is larger than T1 and T2 and of moderate stem form. The tree is also not significantly prominent particularly when viewed in relation to larger parkland trees beyond. The trees removal would not be significantly detrimental to the local landscape’

6.3.5. The Council’s Tree officer has considered the proposals and following a site visit raises no objections to the loss of the three existing trees. Details of landscaping, including tree planting remain to be submitted for approval.

6.4. **Amenity Impact**

6.4.1. Council policy states that development should acceptably relate to neighbouring properties and should not have a detrimental impact upon residential amenities (Ref policies CD15, ENV17, ENV19, ENV20 and Standards 1 to 9 of AUDP and Policies 7, 32, 35 and 48 of RDUDP)

6.4.2. The proposed civic amenity waste storage area would be located at the rear of the depot site, generally further away from Vale Street and residential properties than the existing civic amenity site waste storage area. The proposals also include a reconfiguration of the current access arrangements, which serve the depot and the civic amenity site. The three accesses, which serve the two facilities, will be rationalised with only one new access serving the two uses.

6.4.3. The proposed increase in on-site car parking for users of the civic amenity site would significantly reduce traffic problems associated with the current on-street waiting and unloading of vehicles. All these characteristics of the proposal are likely to result in an improvement of the amenities of local residents.

6.4.4. In support of the application the applicants have submitted an Environmental Mitigation Statement. In summary this provides:-
Air Quality  Mitigation during operation:

- Internal road surfaces and entrance/exit to be cleaned periodically
- Roads to be clear of blockages, drivers to turn off engines whilst loading/unloading.
- Site operatives should be aware of and reminded of avoiding air quality issues.

Noise  Mitigation during operation:

- Roads should be kept clear of blockages, drivers to turn off engines whilst loading/unloading.
- Use of alternative reversing alarms to be investigated

Odour  Mitigation during operation:

- Day to day control and regular inspections
- Attention to end of day cleanliness
- Rapid removal of household wastes which may already be two/three weeks old on arrival

Light  Mitigation during operation:

- Light levels at the site should not exceed recommended levels as set out by CIBSE and other advisory bodies
- Specific mounting of luminaries (both direction and type)
- Light trespass into windows beyond the site boundary should not exceed 10Lux average.

6.4.5. The Council’s Noise and Pollution Officer has examined the proposals and the applicants Environmental Mitigation Statement and has, amongst other things considered the proximity of residential uses and has no objections to the proposed development provided that the developer complies with the recommended noise mitigation measures in the Statement.

6.4.6. In the light of the above the proposals are considered acceptable and are unlikely to have an adverse impact on amenities of occupiers of properties in the local area.

6.5. Highways and Transportation Issues

6.5.1. Vale Street is a Local access road. The site is not within a Controlled Parking Zone, and has a poor level of public transport accessibility.

6.5.2. The scheme provides a new parking, loading and unloading layout on the site which is expected to result in a reduction of on-street parking. The scheme would not lead to an intensification of the uses on site, rather a reorganization, which would make better use of space, allowing for vehicles to queue on site, rather than have to wait on-street as currently happens in peak times. The scheme includes 4 staff car parking spaces and therefore should not lead to any on-street parking by staff or visitors alike.
6.5.3. The existing northernmost crossover on-site will need to be widened to provide adequate access for refuse collection lorries. These changes would allow most vehicles to enter and exit the site at the same time, in a forward gear. The proposed crossover is also wide enough to ensure sufficient pedestrian and vehicular visibility splays either side of the driveway. Nevertheless, given the width of the proposed crossover, a raised table, suitable for large refuse lorries, will be required, to calm traffic at the entrance and provide a raised walkway for pedestrians across the entrance of the site.

6.5.4. Furthermore, the addition of some single yellow line waiting restriction lines (7 days, 8am-6pm, or thereabouts), for a distance of approx 20m either side of the crossover should be required as part of the highway works in order to protect visibility splays at the entrance and ensure easy ingress and egress by large vehicles to/from the site. Pedestrian and vehicular visibility splays are considered to be good. A segregated pedestrian entrance and footway alongside the driveway provides much improved pedestrian access to the site. The widening of the crossover and changes to traffic orders, to enable provision of yellow lines would be secure by condition

6.5.5. Parking is proposed for 5 cycles, however detailed designs have not been submitted and are reserved by Condition

6.5.6. In transport terms this scheme provides an improvement to the design and layout of the site, with no additional traffic likely to be generated. The location of the single access point to the civic amenity facility further away from the junction of Vale Street and Carnac Street, would improve highway safety and the parking situation in the surrounding streets.

6.5.7. The Council’s Streetcare Officer has confirmed that the proposals raise no concerns from a Streetcare perspective.

6.6. Regeneration Issues

6.6.1 The proposed relocation will enable the area occupied by the existing civic amenity site and other areas of surplus depot land adjoining to the south to be redeveloped for residential and/or community uses. These are the subject of separate proposals, which at the time of writing of this report remain to be determined.

7. Conclusion

7.1. The proposed development would be in keeping with established character of the Vale Street Depot site, and would not have a detrimental impact on the character or appearance of the conservation area.

7.2. The proposed development is likely to result in an improvement of the amenities of local residents, with the civic amenity use placed further away from residential properties. In addition increased on-site parking would remove the current noise and disturbance associated with vehicles waiting and being unloaded on street.

7.3. The development would comply with area policy MDO 60 of the Revised Deposit UDP and facilitate future development of the remainder of the site for residential and community uses.

8. Recommendation
Grant planning permission subject to Conditions
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan (1998) Policies:- EMP6 (Protection of land and buildings generating employment), CD15 (Design of new development), T9 (Vehicular access), T12 (Parking standards), T17 (Transport implications of development proposals), ENV24 (Waste management and disposal). CD2 (Proposals for development, in relation to Conservation Areas). Deposit Replacement Unitary Development Plan (2004) Policies:- 7 (Protection of residential amenity, policy), 9 (Transport Impact), 14 (Parking), 31 (Streets character and layout), 32 (Building scale and design), 35 (Design in residential / mixed use areas). 42 (Conservation Areas, 50 (Waste).

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 Section 51 of the Planning and Compulsory Purchase Act 2004)

2. Full details of hard and soft landscaping and surface treatment, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall thereafter be carried out solely in accordance with the approved details before the initial operation of the use herewith permitted and retained for the duration of the use. Reason: To ensure satisfactory layout of the site in the interests of safety, and visual amenity, and to safeguard the setting of the character and appearance of this part of the conservation area (Policies G15, G17, ENV9, CD2, CD15 and, of the adopted Lambeth Unitary Development Plan (1998) and Policies 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: To ensure that a satisfactory standard of amenities is provided and maintained in connection with the development hereby approved and to safeguard the setting of the character and appearance of this part of the conservation area (Policies CD15, ENV7, ENV9, G10, and Standard ST31, of the adopted Lambeth Unitary Development Plan (1998) and Policy 36 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

4. Prior to the operation of the use hereby permitted, boundary walls, gates and other 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 amenity, and to safeguard the character and appearance of this part of the Conservation Area. (Policies G15, G17, G39, CD2, and CD15, of the adopted Lambeth Unitary Development Plan (1998) and Policies 7, 9, 33, 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

5. Details of the proposed access shall be submitted to and approved in writing by the Local
Planning Authority prior to the commencement of development. No part of the development shall be used until the new means of access has been sited, laid out and constructed in accordance with the approved details. Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access. (Policies T9, CD15, ST28 of the adopted Lambeth Unitary Development Plan (1998), and Policies 9, 31 and 36 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

6 Prior to the completion of the development hereby permitted, external lighting shall be erected in accordance with details of a lighting scheme to be submitted to and approved in writing by the Local Planning Authority. Reason: To ensure satisfactory lighting of the site in the interests of safety, and amenity, and to safeguard the character and appearance of this part of the Conservation Area. (Policies G15, G17, CD2, and CD15, of the adopted Lambeth Unitary Development Plan (1998) and Policies 7, 9, 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

7 Full details, including elevations of all proposed buildings, associated structures and alterations to existing building(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details before the initial operation of the use herewith permitted. Reason: To ensure satisfactory layout of the site in the interests of safety and visual amenity and to safeguard the setting of the character and appearance of this part of the conservation area (Policies G15, G17, ENV9, CD2, CD15 and, of the adopted Lambeth Unitary Development Plan (1998) and Policies 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) refer.)

8 Prior to the commencement of the use of the civic amenity facility hereby approved, full 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 use hereby permitted commences 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 G39, G40, T36 and ST15 of the adopted Lambeth Unitary Development Plan (1998), and Policies 9, 10 and 14 of the Deposit Replacement Unitary Development Plan (2004) refer.)

9 No gates shall be installed which open outwards over the highway/footway. Reason: To avoid hazard and obstruction being caused to users of the public highway. (Policies CD15, T18, and ST29 of the adopted Lambeth Unitary Development Plan (1998), and Policy 9 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

10 The scheme for provision of vehicular parking and dropping off shown on the submitted plans shall be laid out in accordance with the approved details prior to the use hereby permitted. Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway (Policies CD15, T18, ST29 and H10 of the adopted Lambeth Unitary Development Plan (1998), and Policies 14 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

11 The use hereby permitted shall not operate otherwise than between the hours of 07.30 to 16.30 Mondays to Fridays (inclusive) and 08.00 to 17.00 Saturdays and Sundays, and shall not operate at all on Christmas day, and Boxing Day. Reason: To safeguard the amenities of neighbouring residential properties (Policies G17, G39, ENV19 of the adopted Lambeth Unitary Development Plan (1998) and Policies 7 and 9, of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

12 The use of the site hereby permitted shall not commence prior to the completion of Highway works to widen the entrance and create an acceptable entrance crossover and the installation of single yellow line waiting restrictions (7 days, 8am-6pm, or thereabouts) on the
public highway for 20 metres either side of the crossover. Reason: To ensure that adequate site access is achieved prior to use, in order to ensure road and pedestrian safety and to minimise danger, obstruction and inconvenience to users of the highway and of the access. (Policies T9, CD15, and ST28 of the adopted Lambeth Unitary Development Plan (1998), and Policies 9, 31 and of the Deposit Replacement Unitary Development Plan (2004) refer.)

13 The civic amenity use hereby permitted shall be limited to the receipt of household waste. No trade vehicles shall be allowed in the waste and recycling site. Reason: In the interests of amenity, and to safeguard the character and appearance of this part of the Conservation Area. (Policies G15, G17, CD2, and CD15, of the adopted Lambeth Unitary Development Plan (1998) and Policies 7, 9, 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) refer).

14 The use of the site hereby permitted shall not be operated without full compliance with the mitigation measures described in the 'Civic Amenity Site, Vale Street, London - Environmental Mitigation Statement (Proun Architects January 2006) ' submitted in support of the planning application. Reason: In the interests of safety, and amenity, and to safeguard the character and appearance of this part of the Conservation Area. (Policies G15, G17, CD2, and CD15, of the adopted Lambeth Unitary Development Plan (1998) and Policies 7, 9, 36 and 42 of the Revised Deposit Replacement Unitary Development Plan (2004) 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 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)

5 In connection with Conditions 4 and 5 concerning boundary treatment and means of access, visibility and safety, you are advised to consult the Council's Transport Officer, Transport Planning and Strategy, 3rd Floor Blue Star House, 234-244 Stockwell Road, tel 020 7926 0331

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 that this permission does not authorise the display of advertisements at the premises and separate consent may be required from the Local Planning Authority under the Town and Country Planning (Control of Advertisements) Regulations 1992.
<table>
<thead>
<tr>
<th>Case Number</th>
<th>04/02704/FUL</th>
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<tr>
<td>Application Address</td>
<td>Waterloo Development, York Road London</td>
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Variation of condition 7 of outline planning permission 91/1064/16181, granted 15/05/1996, to extend the time period within which details pursuant to condition 1 (reserved matters) of this permission can be submitted (The application has been revised to ensure that development would not commence later than 31 August 2007)

**Application Type** Full Planning Permission

**Application No** 04/02704/FUL/DC_CHD/16181

**Applicant** P & O Developments Ltd

**Agent** Halpern Planning
The Royale Studios
41 Wenlock Road
London N1 7SG

**Date Valid** 8 September 2004

**Considerations**
- Cross River Transit
- Local Plan Area Waterloo UDP Area
- Adopted UDP Noise Abatement Zone Waterloo noise abatement zone
- Tunnel Safeguarding line Tunnel Safeguarding Line

**Approved Plans**
- Letter from Halpern Planning dated 14 February 2006

**Recommendation** GRANT PERMISSION
1. Summary Of Main Issues

1.1. Whether it is acceptable to allow the submission of further reserved matters in respect of outline planning permission 91/1064/16181, granted 15 May 1996.

1.2. Members should note that this is not an ordinary application for planning permission and their scope for decision-making is constrained by the legal considerations set out in Section 6 of the report. The application is to vary a condition but if the application is granted the effect is to grant a new planning permission.

2. Site Description

2.1. This application seeks to vary condition 7 of outline planning permission 91/1064/16181, granted 15 May 1996. The application site to which that permission relates comprises the whole of Waterloo Station and buildings on its periphery but in terms of the permitted development is split into two major elements.

2.2. The larger of the two is the site of Elizabeth House, Nos. 13-69 York Road to the west of the station. Elizabeth House is a 1960s office development comprising a tower of 18 storeys at its northern end adjacent to the Grade II Listed Victory Arch, with a 10 storey element to the south. To the east the site is separated from the Eurostar terminal by a parallel service road. Elizabeth House is presently linked to the Shell Centre by a bridge across York Road. The boundary of the Southbank Conservation Area runs down York Road but excludes the site.

2.3. The second of the two sites is on the north eastern side of the station fronting Waterloo Road. It includes part of the station facade spanning over the raised taxi roadway and the Jubiliee line extension ticket hall. To the north is the foot-bridge to Waterloo East, the railway viaduct and the Waterloo roundabout with the Grade II Listed St Johns Church. To the south is 150 Waterloo Road, the Grade II Listed former fire station. The Lower Marsh Conservation Area lies to the south.

3. Planning History

3.1. In December 1989 a planning application was submitted for commercial office development at Waterloo Station and surrounding areas but was subsequently withdrawn.

3.2. In September 1991 an outline planning application was submitted for the redevelopment of Elizabeth House and the redevelopment of part of Waterloo Station, Waterloo Road to provide 4 new buildings (Ref. 91/1064). This is the planning permission to which this Section 73 application relates.

3.3. The York Road / Elizabeth House site would accommodate three of the blocks. All three buildings would have 12 storeys plus plant above ground and two levels of basement. In total they would comprise 82,418 sq m of offices and 1958 sq m of retail. The buildings would have pedestrian streets / piazzas running between them around which the retail elements would be concentrated.
3.4. Building four would be located at the eastern corner of Waterloo Station fronting Waterloo Road. The approved building has seven storeys plus plant above station concourse level set back by some 3m from Waterloo Road and would contain 19,417 sq m of offices and 225 sq m of retail. The building would include a redesigned entrance to the mainline concourse at Waterloo Road level. Since the approval of the scheme in 1996, the Jubilee line ticket hall has been constructed adjacent to Waterloo Road thereby making it unlikely that building four could ever be built without radical redesign requiring further planning approval and the consent of Network Rail / London Underground.

3.5. The elevational treatment of the new buildings is characterised by extensive windows and glazed areas with a vertical emphasis, ground floor colonnades onto York Road and high level cornicing. The Waterloo Road building has a mansard roof and dormers. It should be noted that the general design of the buildings as well as much of the elevational detail has been approved under the original planning permission. The buildings would be constructed in cream coloured limestone with anodised aluminium windows containing clear glass.

3.6. The approved scheme includes elevated pedestrian walkways and underpasses. These are arranged as follows:

- An elevated walkway cantilevered out from the railway viaduct between the west side of York Road and the north side of Waterloo Road. A free-standing branch of this walkway would cross Mepham Street to connect with Waterloo Station.

- An elevated walkway linking the rear of the most northern of the three proposed buildings along York Road to Waterloo Station. It would be linked to the walkway described below.

- An elevated walkway running along the rear of the three proposed York Road buildings, linking the walkway described above with the southern end of the application site.

3.7. The proposed subways would link the north-west corner of Waterloo Station and the northern end of Building One with the subway network around the Imax Cinema.

3.8. On 15 May 1996 Outline Planning Permission for the development described above was granted, subject to a Section 106 Agreement. The agreement seeks to secure pedestrian circulation and access improvements to the local area and allows for these to be secured in one of three possible ways.

3.9. In April 1999 an application for approval of the reserved matters was submitted to the Council. This was initially held in abeyance at the request of the applicant but was eventually approved by The Council’s Planning Applications committee on 7 June 2005, subject to a deed of modification to the Section 106 Agreement to enable an updated pedestrian circulation scheme to be designed and implemented to be consistent with current planning policy and planning aspirations for the Waterloo area. This would include details of how the elevated walkways and subways connect with existing pedestrian routes. A decision notice granting approval for the reserved matters was issued on 31 August 2005 with a deed of modification to the S106 Agreement of the same date.

3.10. A further deed of modification to the S106 Agreement was completed on 20 December 2005. This does not alter the effect of the Agreement in planning terms but reflects a
change in land ownership brought about by a land transfer between Eurostar (UK) Limited and London Underground Limited.

4. Scheme Details

4.1. The application has been submitted under Section 73 of the Town and Country Planning Act 1990 to vary condition 7 of outline planning permission 91/1064/16181 granted on 15 May 1996. In order to understand condition 7, it is first necessary to refer to condition 1 of the consent which reads:

‘Full details of the following shall be submitted and approved in writing by the Local Planning Authority before any work on the site is commenced – (a) landscaping treatment of the site including paving between and around the buildings. (b) Elevational treatment of the new buildings to a scale not less than 1:50 showing cornices, string courses and other architectural dressings, the dormer windows to the new Waterloo Road building and the treatment of the French Mansard roof. (c) Full details of the siting, design and samples of facing materials of all the subway and footbridge links. (d) The facing materials to be used on the new buildings, including samples, together with details of fenestration and window framing. (e) On and off site drainage works.’

4.2. Condition 7 states:

‘Application for the approval of the matters reserved by Condition (1) must be made not later than three years beginning with the date of this permission and the development to which this permission relates must be begun not later than whichever is the later of the following dates: (a) The expiration of five years from the date of the grant of outline planning permission. (b) The expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.’

4.3. The Section 73 Application seeks a variation of Condition 7, to extend the time period within which details pursuant to Condition 1 can be submitted. Following advice from officers that any extension of the life of the 1996 planning permission would be considered unacceptable, the applicant has amended the application so that the proposed wording to condition 7 would read as follows:

‘Application for the approval of matters reserved by Condition (1) must be made not later than six months from the grant of this permission and the development to which this permission relates must be begun not later than 31 August 2007.’

4.4. This would enable the applicant to submit further details in relation to the reserved matters as an alternative to those which were granted approval on 31 August 2005. The reserved matters are:

(a) Landscaping treatment of the site including paving between and around the buildings;
(b) Elevational treatment of the new buildings to a scale not less than 1:50 showing cornices, string courses and other architectural dressings, the dormer windows to the new Waterloo Road building and the treatment of the French Mansard roof;
(c) Full details of the siting, design and samples of facing materials of all the subway and footbridge links;
(d) The facing materials to be used on the new buildings, including samples, together with details of fenestration and window framing;
(e) On and off site drainage works.
5. Consultation Responses

5.1. A consultation exercise was carried out when the application was originally registered in September 2004. Letters were sent to The Shell Centre, South Bank Employers Group, Transport for London, Network Rail, GLA and Galliard Homes. The application was also advertised on site and in the local press. Only one response was received. This was from The Waterloo Community Development Group (WCDG) who objected to the application on the following grounds:

- It is 13 years since the original outline application was submitted and 8 years since it was granted.
- Both the original approved outline proposal and the subsequently submitted details are for a scheme which is now out of date, and would amount to an inappropriate development of a major opportunity site in central London.
- The inactivity over many years by the site owners regarding this proposal demonstrates that it is unlikely to be implemented. The site, like many in Waterloo, is blighted by speculative activities and the failure of owners to implement much-needed redevelopment having achieved planning permission. The continuing uncertainty created by the plethora of unimplemented planning permissions undermines the endeavours of all agencies to regenerate the area.

5.2. Following the amendment of the application, the Council carried out a re-consultation exercise in February 2006. Letters were sent to the Waterloo Community Development Group, The Shell Centre, South Bank Employers Group, Transport for London, Network Rail and the GLA. The application was again advertised on site and in the local press. Only one response was received. This was from Network Rail who state that they support the application.

6. Planning Considerations

6.1. Considerations

6.1.1. The application was held in abeyance at the request of the applicant in February 2005. In September 2005 the applicant requested that the application be determined. However, officers considered it would be inappropriate to effectively extend the life of the 1996 Outline Planning Permission and advised the applicant that the Section 73 application would be recommended for refusal. In response to this concern, the applicant has amended the wording of the Section 73 application to ensure that it would not enable development to be begun later than 31 August 2007 which is the date by which the development would have to be commenced in the existing circumstances.

6.1.2. The effect of an application under Section 73 is to create a new planning permission.

6.1.3. On an application made under Section 73, the local planning authority should consider only the question of the conditions subject to which planning permission should be granted, and

(a) if they decide that the planning permission should be granted subject to conditions differing from those subject to which the previous permission
was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and

(b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

6.1.4. In determining these questions, the LPA must have regard to the fact that the effect of an application under Section 73 is to create a new planning permission and that Section 92(2) therefore applies. In summary, this requires the imposition of a condition imposing certain time limits. The authority has a discretion as to whether to substitute different time periods (under Section 92(4)) but in doing so must have regard to the development plan and any other material considerations: Section 92(6).

6.1.5. The Planning Encyclopaedia indicates, broadly speaking, that the purpose of Section 92 and its associated sections is to prevent an unnecessary accumulation of unimplemented permissions, to encourage early implementation and the bringing of land with permission on to the market and to enable the LPA to review the position if a fresh application is made after the permission has lapsed. Given that national, regional and local planning policy have moved on considerably since 1996, it is considered necessary that the Local Planning Authority is given the opportunity to review the development proposals in relation to current policies. However, the 1996 planning consent remains implementable until 31 August 2007. Therefore officers consider that it would be unreasonable not to allow the submission of alternative reserved matters by the applicant, provided that the overall life of the outline planning consent is not extended. The Council will of course be able to refuse details which it considers unacceptable, providing it has good reasons for doing so and is not acting unreasonably.

6.2. Other

6.2.1. If members are minded to approve the Section 73 application a further deed of modification to the S106 would be required to reference the new planning permission.

7. Conclusion

7.1. In view of the above, it is not considered appropriate to extend the life of the 1996 Outline Permission beyond the current long stop date of 31 August 2007 by which implementation must commence. Nevertheless, it is considered that the facility for the applicant to submit substitute details would not result in any material harm since it would enable the applicant to submit updated details that would better accord with current planning policies than those submitted in April 1999 (and not approved until August 2005). The Council would retain its right to reject the substitute details if it did not consider them to be appropriate.

8. Recommendation

8.1. Grant approval of the Section 73 Application, subject to the conditions listed below and a deed of modification to the Section 106 Agreement.
1. Full details of the following shall be submitted and approved in writing by the Local Planning Authority before any work on the site is commenced: (a) landscaping treatment of the site including paving between and around the buildings. (b) Elevational treatment of the new buildings to a scale not less than 1:50 showing cornices, string courses and other architectural dressings, the dormer windows to the new Waterloo Road building and the treatment of the French Mansard roof. (c) Full details of the siting, design and samples of facing materials of all the subway and footbridge links. (d) The facing materials to be used on the new buildings, including samples, together with details of fenestration and window framing. (e) On and off site drainage works. (Reason: In order that the Local Planning Authority may be satisfied as to the details of the proposals)

2. No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the premises. (Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises)

3. The car parking accommodation shown upon the approved drawings shall be provided and retained permanently for the accommodation of vehicles of occupiers and users of the premises only and shall not be used for any other purposes. (Reason: To ensure the permanent retention of the car parking accommodation for parking purposes, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of adjacent premises)

4. The landscaping treatment of the site, including paving between the buildings, comprised in the scheme of landscaping to be approved, shall be carried out no later than the first planting season following the occupation of the buildings or the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation. (Reason: To ensure that the landscaped areas are laid out in accordance with the approved plans)

5. The erection of the new buildings along York Road shall not commence before an archaeological investigation has been undertaken by the Museum of London or an alternative investigating body who shall have first been approved in writing by the Local Planning Authority. The investigation shall be carried out in accordance with a written scheme to be approved in advance either by the Museum of London or the Local Planning Authority. (Reason: To allow proper archaeological investigation of the site which may contain remains of historical importance)

6. No works which result in the discharge of foul or surface water shall be commenced until the off site drainage works referred to in Condition 1 (e) have been completed. (Reason: To ensure that adequate drainage works are in place)

7. Application for the approval of the matters reserved by Condition (1) must be made not later than six months from the grant of this permission and the development to which this permission relates must be begun not later than 31 August 2007. (Reason: To comply with Section 92 of the Town and Country Planning Act 1990)

Notes to Applicants:
Location | County Hall Island Block Westminster Bridge Road London
--- | ---
Ward | Bishops
Proposal | 
Demolition of the existing Island Block building and redevelopment of the site to provide a 15 storey (plus 4 basement levels) 953 bedroom hotel (Class C1) and ancillary uses including 2,291 sq m restaurant and cafe, 520 sq m gymnasium and swimming pool, 3,756 sq m conference/meeting facilities, 32 sq m retail, access, coach and taxi drop off, service area and associated hard and soft landscaping and associated works. (Town Planning and Conservation Area Consent applications submitted).

Application Type | Full Planning Permission
Application No | 06/00684/FUL/DC_CHD/12459
Applicant | Marlbray Ltd
Agent | Sarah West
| 24 Old Burlington Street
| London
| W1S 3AW
Date Valid | 24 April 2006
Considerations | 
Conservation Area CA38 : South Bank Conservation Area
Listed Building Listed Building Grade II*
Local Plan Area Waterloo UDP Area
Adopted UDP Archaeological area UDP Archaeological Area : A2 : North Lambeth
Adopted UDP Noise Abatement Zone Waterloo noise abatement zone

Approved Plans | 

Recommendation | GRANT PERMISSION
1. Summary Of Main Issues

1.1 The principle of a hotel use on the site.

1.2 The design of the development.

1.3 Impact on the character and appearance of the South Bank Conservation Area.

1.4 Impact on the setting of the Grade II* County Hall Riverside building, the Grade II General Lying-In Hospital and the World Heritage Site of the Palace of Westminster.

1.5 Amenity impacts of the proposed development.

1.6 Access, servicing, public transport improvements and pedestrian movement.

1.7 Regeneration benefits for Waterloo and the South Bank.

2 Site Description

2.1 The planning application site includes the Island Block, Westminster Bridge Road, which together with the Addington Street Annex, the main Riverside building and North and South Blocks constitute the former GLC’s County Hall complex.

The Island Block site

2.2 The existing Island Block consists of a six-storey former office building situated on a 0.46 hectare site. The building was constructed between 1970 and 1974. In recent years it was linked by a high-level bridge link into the County Hall South Block. The bridge link structure was removed when the South block was converted into residential flats in the mid-1990’s.

2.3 The building is in the process of being demolished.

2.4 The Island Block site is situated at the centre of Westminster Bridge Road peninsula and is without vehicular access, parking or servicing. Although there was a publicly accessible pedestrian subway running beneath the Island Block linking up all the main roads at the end of Westminster Bridge, it was threatening and underused, which lead to its closure.

Surrounding Area

2.5 Opposite the Island site on Addington Street is the Georgian Grade II listed General Lying-In Hospital and the Addington Street Annex site. The General Lying-In Hospital is an early nineteenth century, two-storey building with attic and basement floors situated in a prominent location on the corner of York Road and Addington Street.
2.6 The North and South Blocks of County Hall front onto York Road and were built between 1936 and the 1960’s and were used by the GLC as government offices until its abolition in 1986. The North and South Block were converted into residential flats by Galliard Homes during the mid-1990’s and by and large are now fully occupied.

2.7 Immediately east of the application site are the brick viaducts of Waterloo Station on top of which the Channel Tunnel railway station is situated. There are pedestrian and vehicular routes into Waterloo through the existing viaduct arches.

2.8 Other notable landmarks in the vicinity include Jubilee Gardens and the Shell Centre to the north, and St Thomas’ Hospital to the south. To the east beyond the North and South Blocks lies the Riverside building of County Hall which was completed in 1933 and is a Grade II* listed building.

2.9 To the west across Westminster Bridge lies the World Heritage site of the Palace of Westminster.

2.10 Elsewhere to the north of the site there are a variety of eight and ten storey commercial buildings fronting onto Leake Street.

2.11 The Island site is within the South Bank Conservation Area and the area is identified as an archaeological priority area. The site is also within the Thames Policy Area and the Waterloo Visitor Management Area as identified in the proposed replacement Unitary Development Plan.

3 Planning History

3.1 The County Hall group of buildings has a long and complex planning history following the Government’s decision to abolish the GLC in 1986 including a variety of consent for the demolition and re-building of the County Hall Buildings.

Island Block and Addington Street Annex

3.2 Since 1994 there has been a history of various permissions for the Island site for office use. In particular, in September 2000, Lambeth Council resolved to refuse permission for the following applications:

- Planning application for – Erection of eight and fourteen storey linked office buildings comprising 60,094sq.m. of B1 office floorspace and 1,592sq.m. of A1 retail and/or restaurant floorspace together with 20 car parking spaces and ancillary access/servicing arrangements, closure of the section of York Road between County Hall South Block and Westminster Bridge Roundabout to form a landscaped pedestrian area and associated highway works.

- Conservation Area consent for – Demolition of six storey Island Block building.

- Listed Building consent for – Alterations to listed building by virtue of demolition of single storey structures on the eastern elevation of the General Lying-In Hospital and alterations to the boundary wall.

3.3 The Council’s decision notice dated 20 October 2000 refused planning permission on the grounds that:

“1. The proposal, by virtue of the height of the Addington Street block, would have an adverse impact upon the setting of the Grade II listed County Hall building as viewed
from the surrounding area, including Westminster Bridge, contrary to Policy W30 of the adopted Lambeth Unitary Development Plan.

2. The proposed bridge link across Addington Street would have an adverse impact on the setting of the Grade II listed former General Lying-In Hospital building contrary to Policy CD13 of the adopted Lambeth Unitary Development Plan.”

3.4 The Council’s decision notice dated 27 October 2000 refused conservation area consent on the grounds that:

“1. The demolition of the Island Block building should not proceed before a related scheme has been approved for the redevelopment of the site.”

3.5 The Council’s decision notice dated 27 October 2000 refused listed building consent on the grounds that:

“1. The proposed alterations to the listed General Lying-In Hospital building, by virtue of demolition of the two listed structures on the rear elevation of that building, should not proceed before a related scheme has been approved for the redevelopment of the site.”

3.6 Frogmore appealed against the Council’s decision to refuse permission for the proposed fourteen-storey scheme. An Inspector held a public inquiry in April 2001. By letter dated 28 September 2001, the Secretary of State dismissed the appeal against the planning and conservation area applications, but allowed the appeal in respect of the application for listed building consent.

3.7 The Inspector’s report identified that the principle of office development was acceptable and the use of contemporary architecture would not be out of keeping in the context of the surrounding area. The Inspector considered that although the proposal accorded with many strategic and local policies, including national policies concerning the re-use of derelict or underused urban land, it would unacceptably detract from both the setting of County Hall and from important views of it. Further, the scheme would severely detract from the setting of the General Lying-In Hospital. The Secretary of State accepted the Inspector’s conclusions and dismissed the appeal on the grounds that the proposal would not preserve the setting of either the Grade II* listed County Hall or the Grade II listed General Lying-In Hospital, and that the proposal failed to either preserve or enhance the character or the appearance of the South Bank Conservation Area.

3.8 An application for the erection of an eight and twelve storey linked office building comprising 49,597sq.m. of B1 office floorspace and 1,507sq.m. of retail and/or restaurant floorspace together with 20 parking spaces and ancillary access/servicing arrangements, including the closure of York Road between County Hall South Block and Westminster Bridge Roundabout to form a landscaped pedestrian area. The application also involved the formation of a new road layout involving two-way highways between Westminster Bridge Road and York Road with traffic signal controls, was heard by the Council’s Planning Applications Committee on January 2001. The Committee concurred with the Officers’ recommendation and were minded to grant planning permission, conservation area consent and listed building consent subject to conditions, a Section 106 Agreement and referral to the Mayor of London.

3.9 On 19 February 2001, the Mayor of London directed the Council to refuse planning permission for the above-mentioned application. The Mayor’s main reason for refusal was that the design of the building, particularly the bridge link, was unsatisfactory, and would have an adverse impact on the General Lying-In Hospital. The Mayor also concluded that
the proposed reconfigured road system was unsatisfactory, preferring instead a two-way system that kept York Road open and closed Addington Street. The application was refused by Lambeth Council on 6 March 2001 following the Mayor’s direction.

3.10 In March 2002, Frogmore Developments Ltd submitted applications for planning permission and conservation area consent for the Island Block and Addington Street sites comprising a 38,000m² and 21,000m² office building on each site respectively. The height and massing of the two buildings complied with the envelope established during the previous appeal and planning permission was granted subject to a Section 106 legal Agreement. The permission was issued following the signing of the legal agreement in November 2002.

3.11 Two further applications for hotel developments have been approved on the Addington Street site and the November 2002 Section 106 Agreement was separated so that the contributions originally agreed have been split between the two developments.

Island Block

3.12 On 8 June 2004 the Planning Applications Committee resolved to grant planning permission, subject to a Section 106 Agreement, for the demolition of the existing Island Block building and erection of a hotel development comprising 743 hotel rooms, 2,553 sq m restaurant and cafe, 2,398 sq m of conference facilities, 600 sq m leisure facilities, access, coach and taxi drop-off, service area, together with associated hard and soft landscaping and public realm improvements, ref: 04/00455. The scheme was 13 storeys, which although it represented a greater number of storeys than the previously approved office building, remained within the approved building envelope due to reduced storey heights. Planning permission was granted on 12 March 2005.

3.13 On 9 August 2005 the Planning Applications Committee resolved to grant planning permission, subject to a Section 106 Agreement, for the demolition of the existing Island Block building and redevelopment of the site to provide a 15 storey 913 bedroom hotel, 1,877 sq m restaurant and cafe, 1,231 sq m conference facilities, 556 sq m gym, 29 sq m retail, access, coach and taxi drop-off, service area and associated hard and soft landscaping and public realm improvements, ref: 04/03717. Planning permission was granted on 18 November 2006.

3.14 The 743 bedroom hotel approval comprised a total of 13 floors. The most recently approved 913 bedroom hotel comprised a total of 15 floors. The two additional floors of hotel accommodation being provided within the central element of the building, as opposed to the recessed base or roof elements. The overall height of the building increased by 3.25m at the highest point of the roof (on the east side, near the Eurostar Terminal). The height of the lower parapet increased by 2.85m and the height of the upper parapet increased by 2.8m. The increase in height was made possible by dropping the ground and basement floor levels by 0.5m and the including a steel frame rather than the concrete frame envisaged in the 743 bedroom hotel development.

4 Scheme Details

4.1 The current proposal involves the demolition of the existing Island Block building and redevelopment of the site to provide a 15 storey (plus 4 basement levels) 953 bedroom hotel (Class C1) and ancillary uses including 2,291 sq m restaurant and cafe, 520 sq m gymnasium and swimming pool, 3,756 sq m conference/meeting facilities, 32 sq m retail,
access, coach and taxi drop off, service area and associated hard and soft landscaping and associated works. The proposed development comprises the following elements:

- Hotel comprising 388 standard rooms and 565 apart-hotel type rooms;
- 2291 sq m of restaurant and cafe and lounge floorspace at ground floor level;
- 520 sq m gymnasium and swimming pool at basement level for use by hotel guests; and
- 3756 sq m of conference/meeting facilities at basement level.
- 32 sq m of internal shopping facilities at ground floor level to serve hotel guests.

4.2 The other differences from the previously approved hotel scheme include:

External Changes

- Increase in the overall maximum height of the building by 1.5m, (on lower elements of the roof the increase in height varies to a maximum of 2.4m)
- Ground floor service bay and taxi drop off updated
- Increased height at upper and lower parapet locations creating additional rooms and an increase in the bulk of the central section of the building by 3.2m
- Increase in footprint of the building by where main entrance is pulled out by 0.8m

Changes to internal layout

- Changes to lifts and escalators
- Taxi drop offs updated
- Additional basement level
- Increased footprint of basement level
- Changes to the atrium and reconfiguration of rooms and to the way in which rooms are lit and accessed

4.3 The increased height of the building is required to accommodate the operator’s request for additional height in the ground and first floors.

4.4 Due to the standard and variety of hotel accommodation and associated uses proposed it is anticipated that the Island block hotel would receive a four or five-star rating.

4.5 An Environmental Statement has been submitted which covers the following areas:

- Land use and planning policy context
- Ground conditions and hydrogeology
- Traffic and site access
- Townscape and visual effects
- Telecommunications
- Noise and vibration
- Air quality and climate
- Flora and fauna
- Cultural heritage
- Social and economic effects
- Interaction of effects / cumulative effects

4.6 An application for conservation area consent to demolish the Island block building (ref: 06/00685/CON) is reported elsewhere in this agenda.

5 Consultation Responses
5.1 Consultation on the application was carried out from 8 May 2006 to 7 June 2006. As part of the consultation for this planning application, the proposal was advertised in the local press on 12 May 2006 and ten site notices were erected around the site and in the immediate vicinity on 17 May 2006.

5.2 Letters of consultation were sent to the occupiers of the following neighbouring properties:

- Waterloo Station
- The London Eye, Queen's Walk
- County Hall (all residential and commercial units in all blocks)
- 1-3 Belvedere Road (all flats)
- Shell Centre, 2-8 York Road
- 10 York Road
- Elizabeth House, 13-65 (odd) York Road
- 21-81 York Road
- The General Lying In Hospital, York Road
- Florence Nightingale Public House, 199 Westminster Bridge Road
- York House, Westminster Bridge Road
- 118-172 (even) Westminster Bridge Road
- 246-253 (even) Westminster Bridge Road
- 79-141 (odd) Westminster Bridge Road
- Palmerston House, Westminster Bridge Road (all flats)
- Churchill House, Westminster Bridge Road (all flats)
- Chamberlain House, Westminster Bridge Road (all flats)
- Walpole House, Westminster Bridge Road (all flats)
- Becket House, Lambeth Palace Road
- St Thomas Hospital, Lambeth Palace Road
- Florence Nightingale Museum, Lambeth Palace Road
- Gassiot House Hostel, Lambeth Palace Road
- The Nightingale School, Lambeth Palace Road
- 127-142 (consec) & 1-13 (consec) Lower Marsh
- East and West Blocks, Forum Magnum Square (all flats)
- Arch 225 Lower Marsh
- 1-5 Chicheley Street
- Nat West Bank 1-5 Chicheley Street
- Slug and Lettuce Public House Chicheley Street
- 8-10, 11 & 35 Leake Street
- 1 & 3 & 216-220 Carlisle Lane
- Arches 205, 206, 207 Carlisle Lane
- 2-4 (even) Hercules Road
- Arches 228-232 Waterloo Station Approach
- Arches 216-218, 219-220 & 222 Upper Marsh
- 1-3 Addington Street
- 197-199 Kennington Road
- Eurostar
- Whitbread
- Ernst & Young, Becket House

5.3 12 letters were received as a result of the neighbour consultation exercise. These comprise 3 letters of support, including 2 with reservations, 4 letters of comment and 5 letters of objection.

5.4 The letters of objection raise the following concerns:
the 15 storey development is too high, overdominant, out of keeping with its location and will cut out sunlight to adjoining flats (3 letters raised this concern)
- a lower building would be more appropriate
- development is increasing in height with each application (2)
- view across Westminster Bridge would be spoilt
- there should be more retail space available
- building works would cause traffic chaos for years
- too close to St Thomas Hospital for noise/dust
- amenities offered would be of little benefit to local residents in SE1
- another hotel is already under construction on the roundabout
- poor cycle and pedestrian facilities
- speed of traffic on Westminster Bridge Road
- objection to the increased height

5.5 The letters in support of the proposal highlight the following benefits:
- economic and visual improvements
- demolition of the existing Island Block

5.6 The letters of comment raise the following issues:
- will the developer be offering compensation?
- the development is likely to produce a lot of dirt and dust, will windows be cleaned?
- why ask for comments when work has already commenced?

5.7 In addition, the Council has received a letter written on behalf of Guy’s & St Thomas’ Hospital NHS Trust. The letter states that whilst the Trust objected to previous proposals the Trust’s main concerns were addressed by the developer agreeing to make certain financial contributions to the Trust via a Section 106 agreement. In light of the similarities between this proposal and the previous scheme and the willingness of the developer to maintain the same contributions to the Trust, the Trust has no objections to the proposed development provided that any legal agreement relating to the current application secures the same obligations relating to application 04/00455; namely payment to the Trust of the following contributions.

- Index-linked contribution of £84,500 payable to the Trust at least eight weeks before demolition works begin on the site;
- Index-linked contribution of £30,000 payable to the Trust no later than the first anniversary of the first payment; and
- Index-linked contribution of £30,000 payable to the Trust no later than the second anniversary of the first payment.
- Index-linked contribution of £2,500 for every month that the works on the site continue beyond the third anniversary of the first payment.

5.8 The following statutory bodies, groups and interested parties were consulted:
- County Hall Residents Association
- South Bank Board
- Waterloo Action Centre
- Association of Waterloo Groups
- London Cycling Campaign
- Waterloo Community Development Group
- South Bank Employers Group
- Jubilee Walkway Trust
- Ancient Monuments Society
- Westminster Square Residents Association

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Lambeth Public Transport Group
Westminster Society
Open Spaces Society
River Thames Society
North Southwark Community Development Group
London Society
London Rivers Association
The Environment Agency
Council for British Archaeology
English Nature
London Fire and Emergency Planning Authority (LFEPA)
Ambulance Service
Lambeth Police
Port of London Authority
Network Rail – Southern Region
London Underground
Sustrans
The Georgian Group
Victorian Society
The Twentieth Century Society
London Transport Buses
Government Office for London (GOL)
Greater London Authority (GLA)
Transport for London (TfL)
English Heritage
Commission for Architecture and the Built Environment (CABE)
London Borough of Southwark
City of Westminster
Cross River Partnership
The Countryside Agency
London First
Friends of St Thomas’ Hospital
P & O
Ward Councillors
Kate Hoey MP

5.9 Lambeth Borough Police – A meeting is to be arranged between the architects and security consultants and any comments received will be reported to Members on the evening.

5.10 Westminster City Council – no comment.

5.11 Cross River Partnership (CRP) – have responded not stating whether they support or object to the scheme, but have provided a number of suggested issues for inclusion in any Section 106 Agreement that they suggest could be delivered through CRP’s programmed activity. The response includes the following suggested Section 106 contributions: public transport infrastructure and accessibility (including the Cross River Tram), tourism development and visitor management, employment and training opportunities, construction training and viaduct refurbishment and restoration.

5.12 English Heritage (Historic Buildings) – A response is still awaited at time of writing this report. Members will be advised at committee of any subsequent response. On the previous application English Heritage have recommended that, before determining the application, the Council should give particular attention to ensuring that there are
adequate conditions to control the type and colour of facing materials, soft landscaping and street furniture to be implemented as part of the development.

5.13 English Heritage (Archaeology) – A response is still awaited at time of writing this report. Members will be advised at committee of any subsequent response.

5.14 CABE – No comment.

5.15 Environment Agency – No objection subject to the imposition of conditions to prevent pollution of the water environment and to secure an emergency evacuation plan from the applicant in order to minimise the risks associated with flooding. As the site is low lying there is a residual risk of flooding associated with a failure of the Thames Tidal Defences, although this risk is considered to be small. The suggested conditions are included within the conditions at the end of this report.

5.16 The Twentieth Century Society – A response is still awaited at time of writing this report. Members will be advised at committee of any subsequent response.

5.17 LFEPA – The authority has responded stating that it is satisfied with the proposals.

5.18 TfL – No response has been received from TfL although it is understood that there are concerns regarding servicing and supplementary information has been requested from the applicant.

5.19 Ancient Monuments Society – A response is still awaited at time of writing this report. Members will be advised at committee of any subsequent response.

5.20 The Westminster Society – no objection.

5.21 London Underground – no comment.

5.22 Network Rail – A response is still awaited at time of writing this report. Members will be advised at committee of any subsequent response.

5.23 Port of London Authority- no comment.

5.24 The Countryside Agency- no formal representation is made but the part closure of York Street and creation of public realm is commended.

5.25 English Nature- concurs with the main conclusions of the Environmental Statement in that development at this site is unlikely to have any significant adverse impact on a known conservation resource.

5.26 GLA – No comments have been received at the time of writing although the Mayor has advised on the previous application that he considers that the principle of a hotel development on this site accords with national, strategic and local policies. The applicant has submitted an energy strategy report and this in the process of being assessed by the GLA. If no further comments are received, it is recommended that a condition attached to the previous grant of planning permission be imposed again, which should secure the renewable energy measures proposed.

5.27 SUSTRANS- National Cycle Network Route 4 runs adjacent to the site along Belvedere Road and attracts an increasing number of leisure and commuter cyclists. The inclusion of 94 cycle stands is an important step but we would question whether that is sufficient given the large number of local people who will travel to the site for work or to
visit the new leisure facilities. Zero car parking is to be applauded; encouraging non-car trips has benefits at many levels.

6 Planning Considerations

6.1 Relevant Policies

6.1.1 Planning Policy Statement (PPS) 1 (Delivering Sustainable Development) states that: - “Regional planning authorities and local authorities should promote resource and energy efficient buildings; community heating schemes, the use of combined heat and power, small scale renewable and low carbon energy schemes in developments; the sustainable use of water resources; and the use of sustainable drainage systems in the management of run-off.” (para. 22)

6.1.2 PPS1 indicates that planning authorities should seek to:

- “Promote urban and rural regeneration to improve the well being of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities.” (para. 27)

- “Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set for development on previously developed land.” (para. 27)

6.1.3 PPS1 states that “Good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.” (para. 33). It is further stated that “Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.” (para. 34).

6.1.4 PPG4 (Industrial and commercial development and small firms) emphasises that the planning system should adopt a positive approach to commercial development in order to encourage continued economic development, which at the same time is compatible with environmental objectives. It also encourages new commercial development in locations, which minimise the number and length of vehicular movements with particular emphasis on locations well served by energy efficient transport.

6.1.5 PPG13 (Transport) deals specifically with transport and particularly the way in which it integrates with the proper planning of the environment. The policy guidance states that development involving leisure and tourism, which generates large amounts of travel, should accord with the advice in the guidance. PPG13 states that “reducing the amount of parking in new development is essential, as part of a package of planning and transport measures, to promote sustainable travel choices.” In addition, PPG13 encourages the production of travel plans to raise awareness of the impacts of travel decisions.

6.1.6 PPG15 (Planning and the historic environment) states that the objective of the planning process should be to reconcile the need for economic growth with the
need to protect the natural and historic environment. PPG15 identifies that conservation area designation introduces control over the demolition of buildings. In exercising conservation area controls, the local planning authority are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question.

6.1.7 PPG16 (Archaeology and planning) sets out the Government’s policy on archaeological remains and how they should be preserved or recorded. It is expected that local authorities should take into account archaeological considerations and deal with them from the beginning of the development control process.

6.1.8 The London Plan identifies Waterloo as an “opportunity area” in Central London. Such sites identified in the Plan generally include major brownfield sites with capacity for new development and places with potential for significant increases in density. The Plan anticipates the London South Central zone should experience general intensification of development, together with significant environmental and accessibility improvements over time. The Plan places a strong emphasis on sustainability issues. The following Policies are of particular relevance:

- Policy 4A.7 Energy efficiency and renewable energy
- Policy 4A.8 Energy assessment
- Policy 4A.9 Providing for renewable energy

6.1.9 The relevant policies from the Adopted Unitary Development Plan (UDP) are as follows:

- EMP4, Development of employment opportunities
- EMP9, Employment-generating uses on vacant or under-used land or buildings
- EMP12, Amenity and design
- EMP13, Planning obligations for employment-generating development
- T9, Provision for vehicular access
- T12, Parking standards
- T17, Transport implications of development proposals
- T18, Access, loading and parking
- T36, Cycle parking
- T38, Pedestrian environment
- CD2, Proposals for development
- CD3, Demolition
- CD13, Setting of listed building
- CD14, Safeguarding archaeology remains
- CD15, Design of new development
- CD16, High buildings
- ENV16, Environmental aspects of building design
- ENV17, Atmospheric pollution and air quality
- ENV19, Noise control
- ENV23, Energy efficient buildings
- W4, County Hall
- W6, Hotel location
- W23, The Bull Ring and County Hall Roundabout
- W27, North-south pedestrian routes
- W29, Local views
- W30, High buildings
6.1.10 The relevant policies in the Revised Deposit Unitary Development Plan (UDP) are as follows: -

- Policy 2, London South Central
- Policy 3, The Central London Policy Area
- Policy 6, Development of brown field sites
- Policy 8, Accessible development/integrated transport
- Policy 9, Transport impact
- Policy 10, Walking and cycling
- Policy 14, Parking and traffic restraint
- Policy 20, Mixed-use development
- Policy 25, Access to employment opportunities
- Policy 28, Hotels and Tourism
- 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 36, Streetscape, landscape and public realm design
- Policy 37, High buildings and views
- Policy 37a, Views
- Policy 39, The Thames Policy Area – urban design
- Policy 41, Listed buildings
- Policy 42, Conservation areas
- Policy 43, Archaeology
- Policy 48, Pollution, public health and safety
- Policy 50a, Planning Obligations
- Policy 73, Regeneration of Waterloo
- Policy 74, Transport in Waterloo
- Policy 75, Urban design and the character of Waterloo
- MDO 118, One Westminster Bridge

6.2 Land Use

6.2.1 The proposed development seeks to establish a hotel use on the Island site with complementary uses, including restaurants/cafes, conference facilities and a gymnasium for residents of the hotel. The fact that planning permissions have been granted for the erection of a similar hotel development is an important material consideration in the assessment of the current proposal.

6.2.2 The site also currently has planning permission for an office development and the proposed new building would replace an established office use, however works have recently commenced on the demolition of the current office building. The site is not specifically identified within the adopted UDP for office use; however, such use was considered appropriate on this site. Within the Revised Deposit UDP, the site is within the Thames Policy Area and the Waterloo Visitor Management Area. The site is without specific designation in either the Adopted or Revised Deposit UDPs, but it requires employment use in terms of the Adopted UDP and falls within the Waterloo Visitor Management Area in the Revised Deposit UDP. Officers consider that the proposed hotel use would generally be an appropriate use. Specific assessment of the proposed use against the hotel policies in the UDP is provided in paragraph 6.2.6 of this report.

6.2.3 In terms of employment, the scheme would result in fewer jobs than would be created by an office use on the site. The proposed hotel scheme would provide
approximately 1,000 jobs compared to the estimated 2,400 jobs on both the Island and Addington Street sites under the November 2002 permission. However, the proposal would result in the re-use of previously utilised land and will maximise the use of a brownfield site within the London South-Central area, in accordance with policies EMP4 and EMP9 of the Adopted UDP and Policies 2, 3 and 6 in the Revised Deposit UDP and PPS1. In this regard, it is considered that the proposed development is in accordance with the Council’s employment policies and that the development would provide an appropriate use in Waterloo, in accordance with policy EMP10, W4 and W6 of the adopted UDP.

6.2.4 The Revised Deposit UDP encourages mixed use development in the Central London Policy Area and Thames Policy Area, and Policy 20 seeks the inclusion of residential development where commercial floorspace is increased. The proposed scheme provides a mix of uses and activity on the ground floor, in general accordance with the active frontage and mixed use requirements of Policies 19 and 20. With regard to the residential requirements of Policy 20, it is considered that a hotel use does not constitute “commercial” development for the purpose of this policy and, therefore, the inclusion of residential uses in this scheme is not required by planning policy.

6.2.5 PPG4 encourages new commercial development in locations that minimise the number of vehicular movements with a particular emphasis on locations well served by public transport. Further, the London Plan identifies Waterloo as an opportunity area, which can strengthen London’s world city role and assist with regeneration of the South Bank. Given the proximity of this site to Waterloo Station, it is considered that the proposed hotel development is ideally located in terms of PPG4 requirements and Policy 8 of the Revised Deposit UDP, regarding accessible development. Further, the nature of the scheme would contribute to London’s world city role, in accordance with the London Plan.

6.2.6 In terms of the proposed hotel use, Policy AT6 identifies that the criteria for assessing hotel development will be applied to proposals for hotel use anywhere in the Borough, but that there are certain areas where it will favourably consider hotel development (where the criteria are more likely to be met). The areas identified by Policy AT6 within the Adopted UDP includes Waterloo, although not specifically this site. The criterion relates to sites and proposals as follows: -

- Site is:
  - suitably located in a pre-dominantly non-residential area, close to the main road network and well served by public transport; and;
  - capable of containing hotel traffic, including service vehicles, and would not exacerbate on-street parking conditions; and
- Proposal:
  - does not involve loss of residential land or accommodation;
  - is not in conflict with other Plan policies or proposals;
  - is not likely to impair pedestrian safety not the safe and efficient movement of traffic in the area;
  - is complementary to the area’s character and functioning;
  - is not likely to result in a concentration of uses in the locality, where this would have a detrimental effect upon the local environment; and
  - is accessible to and usable by disabled people.

6.2.7 The site is well located in relation to public transport and section 6.5 of this report discusses the proposal in regard to traffic and servicing. The proposal does not involve a loss of residential land and is not considered to conflict with other Plan
policies (as assessed by this report). Although there are a number of hotels within the Waterloo area, it is not considered that the proposed hotel would have any significant effect on the local environment. Further consideration of the potential impacts are addressed later in this report. However, in overall terms it is considered that the proposal complies with the criteria set out in policy AT6 of the adopted UDP.

6.2.8 In overall terms, given the location of the site, within the Waterloo Visitor Management Area and the Central London Policy Area, close to major public transport facilities including connections to Europe, and a number of tourist attractions, it is considered that the proposed hotel use is appropriate for the site with respect to Policy 28 of the Revised Deposit UDP.

6.3 Design and Conservation Considerations

6.3.1 This development site occupies a sensitive position at the eastern end of Westminster Bridge approach. It is clearly visible from the Houses of Parliament and the Palace of Westminster World Heritage Site. It stands immediately to the rear of the North and South block annexes to the former County Hall building, which itself is a grade II* listed building. Immediately abutting the site is the former General Lying-In Hospital, which is grade II listed. To the east is the Eurostar terminal.

6.3.2 The Island block site currently contains a six-storey tiered building and is located within the South Bank Conservation Area. No objections are raised to the demolition of the existing Island block. The existing building is considered to be an example of the very worst of late 1960’s design and currently exerts a negative impact on the character and appearance of the conservation area.

6.3.3 The application seeks permission for a 15-storey hotel building. The approved 913 bed hotel also comprises a total of 15 floors with an additional 2 basement levels. The overall height of the proposed building has increased by 1.5m at the highest point of the roof (on the east side, near the Eurostar Terminal). There has also been an increase in the bulk of the central section of the building by 3.2m.

6.3.4 The design of the proposed building has evolved from the office scheme which was granted planning permission in November 2002 and is similar to both the approved office scheme and the approved hotel schemes. In this regard, the building comprises three distinctly vertical components – the base, the main body and the roof element. The base comprises a three-storey glass and stone façade incorporating a series of horizontal bands that project beyond the face of the adjacent glass or stone. The design of the base of the building includes the use of horizontal limestone/reconstituted stone bands, which creates a relationship with the County Hall façade and is considered appropriate in terms of the traffic environment whilst allowing transparency for views out of the lower levels. The main body of the building oversails the pavement and street and defines the bulk of the building. The continuous glass façade ensures that overall form of the building is discernible from all viewpoints. Vertical and horizontal louvers of varying heights (due to solar protection required) provides a pattern and texture overlapping the continuous glass façade, which is considered to provide an interesting change in the view of the building as it is circumnavigated. The continuity of the mullions and louvers is interrupted by the atrium façade facing Westminster Bridge. The top of the building, including the roof, is set back and will mainly be perceived from a distance. The roof form provides a continuously curved metal surface, with large openings allowing daylight into the centre of the
building during the day and illuminated windows at night. The roof design completes the three-dimensional form of the building when viewed from high level vantage points, for example, the London Eye.

6.3.5 The overall design of the building is underpinned by the orientation of the central atrium, which defines the entrance and strengthens the axial relationship between Westminster Bridge and the House of Parliament. Within the hotel, the entrance atrium and two smaller atria either side are integral to the design due to the depth of floorplan. The atria allow the hotel bedrooms to face into and receive light from large roof lights at the top of the atria. The hotel reception, shop and restaurant / cafe entrances occupy a prominent position at the ground floor of the central atrium providing an active public space in the ground floor of the building.

6.3.6 During consideration of the approved office scheme for this site, the Council’s Conservation officer assessed the design of the proposed Island site building as having strong architectural expression and that it would result in a high quality building appropriate for a world class strategic location. Given the design of the building is so similar, officers maintain this view. The Conservation Officer has commented that it is unfortunate that the parapet elements of the central section are greater than before as it increases the scale/bulk of the elevation further, however the overall design parameters were established by the previous permission and in general it retains the key relationship with its neighbours and elevational treatments of the approved scheme. Officers consider that the vista from Westminster Bridge would be greatly improved by the removal of the existing building on the Island site and the development of the new Island site building. The elegantly curving elevations and tiered massing would not seek to compete with the classical proportions of the pre-war County Hall blocks and would complement the curvaceous form of the Eurostar terminal.

6.3.7 The area of focus for pedestrians is outside the entrance to the building and would be clear of vehicular traffic. The areas for pedestrians would be clearly differentiated from those areas which may contain vehicular traffic. The provision of cafes and restaurants at the ground floor provides an opportunity for greater activity at the entrance to the building and for better use of the public realm. Although conditions will be required regarding the details of the landscaping, it is considered that the plans indicate that quality materials are proposed. In this regard, it is considered that the proposed scheme is in accordance with the relevant section of policy 36 in the Revised Deposit UDP.

6.3.8 It is considered that in light of the increased accommodation sought and the prominence of the site, a contribution towards public art project would be appropriate. A request has been made to the applicant and any response will be reported to Members at the meeting.

6.3.9 Officers consider that the proposed Island site building would preserve the setting of the nearby listed buildings and views to and from the World Heritage Site and would enhance the character and appearance of the conservation area. In this regard, it is considered that the proposed building on the Island site is in accordance with policies CD2, CD13, CD15 and W4 of the Adopted Unitary Development Plan, Policies 37a, 41 and 42 of the Revised Deposit Unitary Development Plan and PPG15.

Archaeology
6.3.10 An archaeological assessment was submitted in support of the previously approved office scheme, which sought permission for a building of a similar scale and design. The assessment submitted indicated that there is potential for archaeological remains to be present, in particular remains dating back to the prehistoric, medieval and post-medieval periods. However, the desk-based analysis documentation indicates that previous development on the sites may have truncated post-medieval and medieval deposits.

6.3.11 At time of writing this report, the officers are still awaiting written clarification from English Heritage, Archaeology regarding their view on the proposal. However EH Archaeology previously suggested a condition be attached to the approved office scheme that requires the applicant to implement a programme of archaeological work in accordance with a scheme for investigation prior to any development taking place. In the absence of further advice from English Heritage, it is considered that this condition should also be attached to the approval for the currently proposed hotel development, if planning permission is granted. The suggested condition is attached with other conditions at the end of this report. It is considered that compliance with such a condition would ensure that the proposed development was in accordance with policy CD14 of the Adopted UDP, Policy 43 of the Revised Deposit UDP and PPG16.

6.4 Amenity Impact

Visual Amenity

6.4.1 The surrounding area has a mixed townscape character. Adjacent buildings of character and value include the County Hall Riverside building (Grade II*). Other buildings include the Shell Building (a 1960’s stone-clad tower block) and a number of other post-war high-rise buildings including St Thomas’s Hospital, York House, Becket House and Stangate House (one of the residential tower blocks on Royal Street). The Shell Building is 28-storeys in height and St Thomas’s Hospital and Stangate House are approximately 14-storeys. York and Becket House have 13 and 12-storeys respectively.

6.4.2 Because of the number of surrounding high buildings it is not possible to obtain a full view of the whole of the development from any of the surrounding areas, with the exception of near views from immediately adjacent to the roundabout.

6.4.3 A number of key views have been produced and submitted in support of the application. In particular, it is demonstrated that partial views of the proposed new Island site building would be gained from Westminster Bridge, Westminster Bridge Road, Forum Magnum Square and Lambeth Palace Road. In each case, it is considered that the proposed new view would be a significant improvement over the existing view of the unoccupied six-storey building currently situated on the Island site.

6.4.4 In this regard, it is considered that the proposed new Island site building would also create an appropriate termination to three important vistas – southwards down York Road from the Shell Centre, northwards from Archbishops Park up Lambeth Palace Road and from Westminster Bridge. The latter view would be further enlivened by the grand tall height atrium, which is aligned with the end of this key vista.
6.4.5 Whilst views of the new building will be possible from key locations in the vicinity, it is considered that the proposal would result in a landmark building on the Island site using appropriate materials which will have a positive impact on the visual amenity of the area. In this regard, it is considered that the design and details of the proposed development are of a high quality in accordance with Planning Policy Statement 1 and Policies EMP12, CD2, CD15 and W29 of the Adopted UDP and Policies 31, 32, 37a, 39 and 75 of the Revised Deposit UDP.

6.4.6 In addition to the positive visual impact resulting from the high quality of the proposed building, the applicant has offered a financial contribution of £103,700 towards environmental improvements including a scheme to reduce street clutter and improve signage in the immediate vicinity.

High Buildings

6.4.7 Policy CD16 and W30 of Adopted UDP sets out that permission for buildings which significantly exceed the height of their surroundings would not normally be granted. As set out in paragraph 6.4.1 of this report, there are a number of buildings in the immediate vicinity of similar or greater height than the proposed buildings. In this regard, officers do not consider the proposal to be a high building in terms of policy CD16 and W30 of the Adopted UDP. In any event, it is considered that the height of the proposed buildings is acceptable at this location having regard to the assessment criteria.

6.4.8 Policy 37 of the Revised Deposit UDP defines buildings over 30 metres in height as high buildings and provides a similar assessment criteria to that in the Adopted UDP to consider such buildings against. The Revised Deposit UDP identifies areas with very good public transport accessibility where their visual and other impact is acceptable as appropriate areas for high buildings.

6.4.9 Generally the factors to be considered when assessing high buildings have been addressed in the visual amenity section of this report. In this regard, it is considered that the proposed scheme would deliver a world class and iconic standard development that is carefully related to its surroundings, and would enhance the character and appearance of the Conservation Area.

6.4.10 For the reasons set out above, it is considered that the proposed scheme meets the assessment criteria set out in policy CD16 and W30 of the Adopted UDP and Policy 37 of the Revised Deposit UDP.

Daylight/Sunlight

6.4.11 A daylight and sunlight assessment was submitted and considered during assessment of the office scheme granted permission in November 2002. The same analysis was used to assess the impacts of the previously approved hotel schemes. Drivers Jonas have been appointed by the applicant to undertake a daylighting and sunlining study of the effects of the currently proposed 953 bed hotel on the surrounding properties and have used their previous report as basis for the study. Drivers Jonas have concentrated the revised daylighting and sunlining report on County Hall – South Block, taking six assessment points. One set of windows on County Hall – North Block and one point to 127-136 Lower Marsh have also been tested. The Vertical Sky Component (VSC) method has
been used. The BRE guidelines indicated that, if the Vertical Sky Component, with the new development in place, is both less than 27% and less than 0.8 times its former value, then the occupants of the existing building will notice the reduction in the amount of skylight. The study indicates that this would be the case for 3 points at ground floor level, three points at first floor level and one point at second floor level within the County Hall South Block. All other points tested pass the VSC test with respect to the BRE guidelines.

6.4.12 Drivers Jonas advise these only represent minor reductions in Vertical Sky Component in comparison to the approved scheme which also resulted in some VSC reductions below the BRE guideline standards. Moreover, in assessing applications the local authority should consider the acceptability of proposed new development in relation to its context which, in this case, is a densely developed urban location within central London. In areas such as this it could not reasonably be expected that all new development will strictly comply with BRE daylighting standards. The BRE standards are a material consideration to which regard should be given, but they should be applied flexibly in central London locations such as this, especially where a scheme brings substantial regenerative planning benefits, as in this instance. The Drivers Jonas report advises that the Vertical Sky Component levels achieved are good for an inner city environment. In view of these considerations the daylighting impact of the proposed development on County Hall South Block is considered acceptable.

6.4.13 The daylight analysis of the windows in County Hall North Block and 127 – 136 Lower Marsh demonstrate full compliance with the BRE guidelines following completion of the proposed building.

6.4.14 It should be noted that the Drivers Jonas report does not assess the impact of the proposed development on the fifth floor of County Hall. The impact at third and fourth floor is acceptable in relation to the BRE guidelines and daylight impact is usually reduced on the higher floors of neighbouring properties. The daylight analysis submitted with the approved office scheme indicated that at fifth floor level the proposed daylight values would be lower compared to other floors. However, this was explained by the constraints of the design of the historic façade to County Hall rather than the design of the proposal.

6.4.15 The sunlighting results show that the proposed development passes all the sunlighting tests as set out in the BRE Guidelines.

6.4.16 In conclusion, admission of daylight and sunlight into surrounding residential properties would generally be unaffected. Although seven windows within the South Block of County Hall would not meet the BRE standards in respect of daylight admission, the failures are minor and are considered acceptable within a central London context, especially when considered against the regenerative benefits of the proposed development.

**Microclimate**

6.4.17 The effects of street wind levels on the new public area in front of the Island site building and at the pedestrian access points have been considered in the Environmental Impact Assessment.
6.4.18 The proposed Island site building is of similar height to other buildings to the south and west and is thus largely sheltered from the most common and strongest winds that come from the quadrant of directions centred on west-south-west. It is however exposed to east winds coming over the station. The south-east winds are light and infrequent. The north-east winds, which are relatively light but cold and frequent in the spring, will affect mainly the on-site area, probably most noticeable at the south-east corner, location of the vehicle access ramp, where wind effects are less important.

6.4.19 It is anticipated that wind conditions around this site will be similar to adjacent sites and less windy than areas open to the river. Areas to the front of the building are likely to be less windy than the criteria for “sitting” and this would be extended to a wider area by the proposed planting.

6.4.20 It is concluded that the conditions around the building will meet the distress criterion for “general public access” and conditions will be entirely suitable for the intended purpose.

**Noise/Vibration**

6.4.21 There are noise and vibration sensitive properties in the immediate vicinity of the site. Noise generated at the site as a result of construction will be regulated under the Control of Pollution Act.

6.4.22 Given the site’s location at a very busy junction with a high traffic volume the development needs to be made suitably habitable by providing sound insulation which is designed, and installed to protect the future occupants from any unreasonable environmental noise. Appropriate conditions are therefore recommended.

6.4.23 The NHS Trust have submitted that they would like any legal agreement to include a requirement for the developer to consult and liaise with the Trust during the demolition and construction phases of the development so as to minimise the potential impacts of the development. As with all construction, temporary impacts resulting from construction noise and vibration is inevitable, but can be largely avoided and/or mitigated through best practice in construction procedures and management. In terms of the planning process it is best practice to control development by way of condition where possible as opposed to legal agreement, and therefore, officers are suggesting a condition relating to demolition and construction methodology. It is considered appropriate to seek submission of a methodology statement, which should include details of notifying neighbours of works during the construction process, the content of which would be subject to consultation with the NHS Trust. Apart from the requirement of a planning condition, issues such as noise and vibration are the responsibility of the Council’s Environmental Health Division (under the Pollution Act 1974) and neighbours should direct concerns during the construction process to officers in that section of the Council.

6.4.24 Following the construction of the proposed development the resultant noise would be limited to operational noise. The impact of plant noise can be satisfactorily controlled through appropriate acoustic design, which can be secured by way of a condition. The additional noise created as a result of traffic to the site is considered to be minimal.
6.4.25 In overall terms, it is considered that the proposed development would not generate unacceptable operational noise levels subject to appropriate conditions being imposed, in accordance with Policy ENV19 of the Adopted UDP and Policy 48(E) of the Revised Deposit UDP.

6.5 Highways and Transportation Issues

6.5.1 At the time of writing, comments from TfL had not been received and it is understood that they have been in discussion with the applicant with regard to the need for further information. Initial comments from the Council’s transport engineers suggest that there could be serious problems with regard to the additional servicing and deliveries that would arise as a result of the increase in the floorspace of conference facilities. Discussions between officers and TfL are continuing with regard to this matter and an update will be provided on the evening.

Site Layout, Pedestrian Movement and Cycle Provision

6.5.2 The proposed building would be accessed from the peninsular area in front of the South Block of County Hall, which is considered a good access point for pedestrians.

6.5.3 For reasons of pedestrian safety, it is considered that the erection of physical barriers is secured in the Section 106 Agreement to prevent pedestrians from crossing the busy carriageway.

6.5.4 The applicant has offered financial contributions, to be secured in the Section 106 Agreement, for environmental improvements in the vicinity. These are the same as those agreed in the Section 106 Agreement for the 913 bed hotel scheme, and are as follows:

- Upgrading Westminster Bridge Road viaduct and improvements to Lambeth Palace Road, Westminster Bridge Road and York Road (£1,399,950)
- Scheme to improve signage and reduce street clutter (£103,700)
- Upgrading of Leake Street Viaducts (if not undertaken as part of Addington Street development) (£311,100)

6.5.5 The proposed scheme includes provision for 90 cycle parking spaces for staff at lower basement level. These are accessed by the lifts inside the building. The cycle parking provision accords with Policy T36 of the Adopted UDP and Policy 14 of the Revised Deposit UDP.

6.5.6 The applicant previously amended the application to show a downgraded continuation of York Road over the peninsularised area to the west of the building over which the 381 bus service and emergency vehicles could run. This is the same layout which has previously been approved in principle for the office and hotel planning permissions which exist on the site. The details of the scheme including surface materials on the downgraded section of York Road would need to be agreed with the Council in consultation with TfL prior to implementation and conditions to this effect are included at the end of this report.
Taxi/Coach Provision

6.5.7 As with the previously approved hotel schemes, the current proposal includes provision for coaches within the servicing and loading area to the rear of the building and a taxi drop off at the front of the building.

Car Parking

6.5.8 Standard 23 of the Adopted UDP requires operational parking normally 1 space per 40 bedrooms. However, Policy 14 of the Revised Deposit UDP gives a maximum car parking standard of 1 space per 40 bedrooms for hotel uses within the Central London Policy Area. No car parking is proposed within the development proposal.

6.5.9 The parking standards provided by the Revised Deposit UDP are maximum standards. Given the location and accessibility of the site, the proposed restraint on car parking is welcomed and is in accordance with policy 14 of the Revised Deposit UDP and PPG13. For these reasons, it is also considered that an exception to the standard for operational parking as set out in the Adopted UDP is acceptable.

Public Transport Capacity

6.5.10 TfL have expressed concern during previous applications in regard to the capacity of Waterloo Station to cater for the additional demand generated by the scheme at peak times. The proposed development would rely heavily on public transport, in particular the good links to Waterloo Station. The applicants had previously offered £798,490 financial contribution towards public transport facilities in the area to mitigate this impact. The applicant acknowledges that the proposed changes to the approved 913 bed hotel scheme may have a greater impact on public transport usage and has therefore agreed to increase the financial contribution on a pro rata basis, using cost per hotel room as a basis for calculation, resulting in an increased total contribution of £833,490. TfL have previously indicated that the earlier amount is a satisfactory contribution given the nature of the development and that the money would be used towards the study and works to ease congestion at Waterloo Station. It is noted that no additional contribution has been offered to mitigate the impact that the increase in the floorspace of the conference facilities may have. Any further comments from TfL on this matter will be reported to committee.

6.5.11 It is noted that Cross River Partnership (CRP) have provided a number of suggested issues for inclusion in the Section 106 Agreement that they suggest could be delivered through CRP’s programmed activity. CRP suggest contributions towards the following: public transport infrastructure and accessibility (including the Cross River Tram), tourism development and visitor management, employment and training opportunities, construction training and viaduct refurbishment and restoration.

6.5.12 Officers have negotiated significant Section 106 transport contributions from the applicant in relation to the previously approved hotel scheme. The same contributions have been agreed in principle with the applicant in respect of the current application. They include contributions towards improving public transport facilities and upgrading viaducts, and employment and training schemes in the Borough.
6.6 Regeneration and Town Centre Issues

6.6.1 In terms of regeneration, it is considered that the proposed scheme would result in the development of a landmark building of high quality architecture that would result in approximately 1,000 new jobs.

6.6.2 The site is situated in a location that is highly accessible from Europe, the South-East, and London by train, the underground and buses. In this regard, it is considered that the removal of the existing Island site building and its replacement with the proposed high quality development, which is highly accessible by public transport, would significantly contribute to the regeneration of Waterloo and the South Bank. The resulting enhancement of the area would create the necessary conditions to enable the area to compete more successfully for new investment.

6.6.3 Given the location of the site in the Central London margins, it is considered that the proposed employment opportunities would contribute to both local economies and the economy of London as a whole.

6.6.4 In addition to the regenerative benefits and environmental improvements arising from the proposal scheme for development, the applicant has offered work and/or financial contribution to work in the immediate vicinity as specified in paragraph 6.7.23 below.

6.6.5 In overall terms, it is considered that the proposed development meets the strategic objectives of the London Plan and PPS 1.

6.7 Other

Crime / Security

6.7.1 The applicant’s architects are meeting with the police and any measures requested by the police could be addressed will be reported to committee at the meeting.

Air Quality

6.7.2 The site is located within a Council designated ‘air quality management area’. The borough Air Quality Strategy identifies that there are exceedances of NO₂ and PM₁₀ in the area. The main source of these pollutants is motor vehicles.

6.7.3 Given that the traffic flow in the area would not be significantly altered by the proposed development, it is unlikely that significant changes in air quality would result from the operation of the proposed development. In this regard, the proposed development is in accordance with Policy ENV17 of the Adopted UDP and Policy 48(B) of the proposed replacement UDP.

6.7.4 In terms of the effects resulting from dust, the environmental statement submitted with the application states that during construction dust control measures shall be agreed between the project managers and contractors prior to works commencing.

6.7.5 The NHS Trust have previously raised concerns regarding the control of dust, in particular, the potential for the disease aspergillosis to effect patients, which is spread as an air borne particulate. In order to meet the same concerns in relation
to the previously approved hotel scheme, the applicant agreed to pay a contribution to the Trust to cover the costs of the remediation measures necessary to protect the hospital against the adverse impact of dust from works on the application site. The contribution is secured by a Section 106 Agreement whereby the applicant agreed to pay a total index-linked contribution of £144,500, comprising of the following payments:

- Index-linked contribution of £84,500 payable to the Trust at least eight weeks before demolition works begin on the site; Confirmation that this sum has now been paid has been received in writing from the Trust’s solicitor
- Index-linked contribution of £30,000 payable to the Trust no later than the first anniversary of the first payment; and
- Index-linked contribution of £30,000 payable to the Trust no later than the second anniversary of the first payment.

In addition to this total contribution of £144,500, the applicant also agreed to pay the Trust a monthly index-linked contribution of £2,500 for every month that the works on the site continue beyond the third anniversary of the first payment. The Trust requests that the same contributions are secured from the applicant via an appropriate Section 106 Agreement and the applicant has indicated a willingness to enter into such an agreement. Officers consider that such an agreement would satisfactorily mitigate the risks associated with the aspergillosis spore during demolition and construction.

Ground Conditions and Hydrogeology

6.7.6 Redevelopment of the sites may cause minor adverse effects on local ground conditions and groundwater. However, the effects are likely to be short-term and reversible.

6.7.7 Once the new development on the site is complete, further effects on the ground conditions and hydrogeology would be minimal, with the exception of minor settlement that might occur beneath the building.

6.7.8 The Environment Agency have suggested a number of conditions relating to groundwater, contamination and drainage be attached to any planning permission granted. Officers have included these conditions along with others at the end of this report.

6.7.9 London Underground Limited has not raised any concern in terms of the position of underground tunnels in respect of the proposed development.

Ecological Effects

6.7.10 The principal ecological feature within the surrounding area is the River Thames. The construction work has the greatest potential for wildlife disturbance but due to the proposed development being some distance from the Thames and it being physically buffered by County Hall there are no predicted direct or indirect effects on ecology or nature conservation. Similarly, levels of construction traffic within the context of London’s traffic will have no impact on nature conservation.

Sustainability
6.7.11 The Island site is situated such that the proposed building would be exposed to the sun’s seasonal path and subsequent solar gain. The circular character of the façade complicates the solar control due to every part of the building having a different orientation. The applicant has proposed the use of a hybrid of vertical and horizontal louvers and opaque glazed panels allowing solar shading to be differentiated depending on the level of exposure as a solution.

6.7.12 The design of the building includes a 400mm deep horizontal sun shelf on the south facing areas of the third to ninth floor in addition to the vertical louvers fixed to the entire façade. In addition horizontal louvers of 150mm (100mm apart) area applied to the full circumference of the 12th to 14th floors. Such louvers not only shade the facades but also reflect indirect light.

6.7.13 Low E triple glazed glass is used reducing heat build up. Additionally every 3rd bay in the curtain walling of the middle section of the building will be opaque glass due to the bedroom walls. This is intended to prevent heat loss as well as excessive heat build up.

6.7.14 Gas turbines are to be used for the creation of electricity. Heat recovery, which is a by-product of this process will be used for heating requirements.

6.7.15 Passive cooling, such as allowing for the rising of warm air through the atria rooflights will help regulate temperature during the hotter months.

6.7.16 The proposed system optimises controlled heat loss and protects against solar heat gain, whilst maximising the amount of daylight penetration into the building. In terms of sustainability and environmental aspects of the buildings design, it is considered that the proposed development is in accordance with Policies ENV16 and ENV23 of the Adopted UDP and the environmental design principles set out in Policy 32b of the Revised Deposit UDP.

6.7.17 Policy 4A.7 of the London Plan indicates that new development should contribute towards the objectives of the Mayor’s Energy Strategy of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources. To this end inclusion of the following is required in new developments wherever possible: energy efficient and renewable energy technology and design, including passive solar design, natural ventilation, borehole cooling, combined heat and power, community heating, photovoltaics, solar water heating, wind, fuel cells, biomass fuelled electricity and heat generating plant in new developments wherever feasible.

6.7.18 Policy 4A.8 of the London Plan states that Mayor will expect all strategic referrals of commercial and residential schemes to demonstrate that the proposed heating and cooling systems have been selected in accordance with the following order of preference: passive design; solar water heating; combined heat and power, for heating and cooling, preferably fuelled by renewables; community heating for heating and cooling; heat pumps; gas condensing boilers and gas central heating. The proposed development includes passive design, combined heat and power and gas central heating and is considered acceptable with respect to Policy 4A.8.

6.7.19 Policy 4A.9 states that the Mayor will require major developments to show how the development would generate a proportion of the site’s electricity or heat needs from renewables, wherever possible. This is carried forward in Policy 32a of the Revised Deposit UDP. Given the sensitive location of the site within the setting of the Grade II Listed County Hall and visible from the Palace of Westminster World
Heritage Site, it is considered that there are significant constraints on the potential to generate renewable energy on the site, for example from wind power. Notwithstanding this, the Mayor of London considered on the previous application that the applicant had not undertaken satisfactory energy assessment in respect of the renewable energy potential of the scheme. He advised that, if a satisfactory energy assessment had not been submitted by the applicant prior to committee date, a condition should be attached to any planning consent requiring a scheme to deal with the inclusion of renewable energy technologies and energy efficiency measures to be submitted to and approved by the Local Planning Authority. This condition was duly imposed.

6.7.20 The applicant has subsequently been in discussions with the GLA and an energy strategy feasibility study has been undertaken to demonstrate the approach to the use of energy and renewables. The GLA’s comments will be reported to committee on the evening.

6.7.21 **Greater London Authority** – This application is referable to the Mayor of London under category 1B and 1C of the Town and Country Planning (Mayor of London) Order 2000.

6.7.22 **Section 106 Agreement** – In addition to the increased public transport contribution the applicant recognises the greater impact that the proposal would have on employment schemes in the borough when compared with the previous approval. A pro rata increase from the previously agreed figure of £253,700 to £264,820 is therefore proposed. Notwithstanding the request for contributions to public art and subject to confirmation from TfL that no additional funds are required to mitigate the impact of the additional floorspace for the conference facilities, officers do not consider that there would be any other significant additional impacts arising from the increased number of bedrooms and are therefore satisfied that the other previously agreed contributions are sufficient to mitigate the impacts of the scheme.

6.7.23 The planning obligations, which are therefore considered to mitigate the impacts of the scheme in accordance with Revised Deposit Policy 50a, have been offered by the applicant.

**Financial contribution or direct works**

- Employment training scheme (financial contribution - £264,820);  
- Environmental improvements including a scheme to reduce street clutter and improve signage in the immediate vicinity of the site (financial contribution - £103,700);  
- Improvements to public transport (including pedestrian and cyclist) facilities related to the site (financial contribution - £833,490);  
- Contribution to Guy’s & St Thomas’ NHS Trust for any remedial works resulting from demolition (£144,500) less £84,500 already paid;  
- Upgrading Westminster Bridge Road viaducts together with paving and street furniture works and improvements to Lambeth Palace Road, Westminster Bridge Road and York Road junctions and environmental improvements to Leake Street (financial contribution or cost of works - £1,399,950); and
Public Space – provision of a landscaping scheme at the front of the building (costs of works up to £1,607,000). The landscaping scheme illustrated on drawing PL004D (details of which would require approval by condition) would be implemented as a minimum to the value of £1,607,000. If less than this sum were spent to implement the landscaping scheme, the difference would be paid to Lambeth Council to be cascaded into other related projects.

Additional requirements

- Travel survey following the occupation of the buildings to confirm the model split and trip generation of the occupiers. Data should be made available on the GLA TRAVL database.
- Erection of physical barriers outside the Island block site to prevent pedestrians from crossing the busy carriageway.

6.7.24 In the event that satisfactory details are agreed with the Local Planning Authority for sums less than those indicated above then the balance of such monies shall be put to alternative improvements or employment schemes within the area.

6.7.25 When the application for office development on the Island site and the Addington site were considered together, the Section 106 Agreement included a contribution for environmental improvements to Leake Street (a sum of £300,000). This payment was included in both Section 106 Agreements when the Island site and Addington Street Agreement was separated between the two sites in April 2003. However, it was linked in such a way that any payment pursuant to one agreement should be deducted from the other. In this regard, the Leake Street payment would be made on which scheme was occupied first. The Leake Street payment of £300,000 is included in the Section 106 Agreement (dated October 2003) for the approved hotel development on the Addington Street site. It is also included in the Section 106 Agreement for the approved hotel developments on the Island Site. However, the Agreement is worded so that the Leake Street payment would be made by whichever of the two schemes is implemented first. Officers consider that this is an acceptable approach and will ensure payment of Leake Street contribution from one of the developments on the Island site or the Addington Street site. The same approach is proposed in respect of the Section 106 Agreement for the currently proposed Island Site hotel scheme.

7 Conclusion

7.1 The proposed scheme seeks permission for a hotel use on the Westminster Bridge Road Island site, which would comprise a mix of standard and apart-hotel rooms providing a total of 953 bedrooms. The scheme includes provision for ancillary uses, including cafe and restaurant and conference facilities. The hotel use is considered acceptable on this site, which has an extant planning permission for an employment (office) use and 743 bedroom hotel and 913 bedroom hotel schemes. The ancillary uses on the ground floor are considered beneficial to the vitality and aesthetics of the environment. It is considered that the uses proposed accord with Council policy for this site.

7.2 In terms of the details of the building, it is considered that the proposed new building is of high quality architectural design, which preserves the character and appearance of the South Bank Conservation Area. Further, the Island site building provides an appropriate
termination to Westminster Bridge and the atrium, which is aligned with a key vista from Westminster Bridge, is a particularly positive feature of the building.

7.3 Although some objection has been raised regarding the height of the building and the impact on adjoining residential properties, officers are satisfied that the proposed building would not unduly compromise the amenities of neighbouring residential properties in this central London location. The increase in height from the approved office and hotel schemes is considered acceptable in conservation and design terms as the proposed building retains the key relationship with its neighbours and elevational treatments of the approved scheme. Officers consider that the appearance of the site would be greatly improved by the removal of the existing building.

7.4 The environmental statement submitted in support of the application addresses the potential environmental impacts resulting from the proposed development. Officers consider that the submitted statement contains sufficient information to assess the potential impacts of the proposal subject to further comments from TfL and therefore reach a decision on the application. It is considered that appropriate mitigation measures secured by way of conditions and the Section 106 Agreement would ensure that any impacts arising from the proposal are adequately addressed.

7.5 Given the location of the site in relation to Waterloo Station it is anticipated that most trips to the site would be via public transport. The proposed development provides no car parking, appropriate cycle facilities and offers a financial contribution towards improvements to public transport. In this regard, the site is considered particularly sustainable. However TfL have not been able to assess the impact of the development fully due to inadequate information received regarding the servicing of the development and it is not therefore possible to say whether the proposal would be in fully in accordance with Council policy in respect of transport issues.

7.6 The proposal would result in approximately 1,000 additional employees in the area and would provide a high quality building in a highly accessible location. The resulting enhancement to the area and employment opportunities would significantly contribute to the regeneration of Waterloo and the South Bank.

7.7 In overall terms, it is considered that the proposed scheme for development is in accordance with local, strategic and national policy.

8 Recommendation

8.1 Subject to the matter of addressing TfL’s concerns with regard to the servicing of the development, completion of a Section 106 Agreement, which secures the above-mentioned contributions, conditions, and referral to the Mayor of London, it is recommended that planning permission be granted.
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan: EMP4, EMP9, EMP12, EMP13, T9, T12, T17, T18, T36, T38, CD2, CD3, CD13, CD14, CD15, CD16, ENV16, ENV17, ENV19, ENV23, W4, W6, W23, W27, W29, W30 Revised Deposit Unitary Development Plan: 2, 3, 6, 8, 9, 10, 14, 20, 25, 28, 31, 31a, 32, 32a, 32b, 36, 37, 37a, 39, 41, 42, 43, 48, 50a, 73, 74, 75, MDO118

1 The development to which this permission relates must be begun not later than the expiration of five years from the date hereof. (Reason: To comply with Section 91 of the Town and Country Planning Act 1990.)

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 in accordance with Policies CD15 and G17 of the Adopted Unitary Development Plan and Policies 32 and 36 of the Revised Deposit Unitary Development Plan)

3 Notwithstanding any indications on the illustrated drawings already submitted, no development shall take place until full details, including materials and planting to be used on the hard and soft landscaped areas hereby approved has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). Such landscaped areas shall be permanently retained for the enjoyment of occupiers of the scheme. (Reason: To ensure that the proposed landscaping areas are laid out in a satisfactory manner in accordance with Policies CD15, ENV9, and G10 of the Adopted Unitary Development Plan and Policy 36 of the Revised Deposit Unitary Development Plan)

4 Noise from the extractor and flue shall not exceed the background noise level when measured outside the window of the nearest noise sensitive or residential premises. (Reason: To protect the amenities of adjoining properties and the surrounding area in accordance with Policies G12 and ENV19 of the Adopted Lambeth Unitary Development Plan and Policies 1, 7, 29 and 48 of the Revised Deposit Unitary Development Plan)

5 No part of the development shall be occupied until an area has been laid out within the site for (a) vehicles to turn in accordance with the approved drawing/details to be submitted to and approved in writing by the local planning authority prior to the commencement of development, and that area shall not thereafter be used for any other purpose or obstructed in any way. (Reason: To enable vehicles to draw off and turn clear of the highway thereby avoiding the need to reverse onto the public highway in accordance with Policies T18, CD15 and ST29 of the Adopted Lambeth Unitary Development Plan and Policy 14 of the Revised Deposit Unitary Development Plan)

6 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out other than within the curtilage of the premises/site. (Reason: To avoid obstruction of the surrounding streets and to safeguard the amenities of adjoining properties in accordance with Policies T18 and CD15 of the Adopted Unitary Development Plan)
7 Prior to the commencement of the development hereby approved, an emergency / evacuation plan covering all measures associated with flood emergency / evacuation including escape routes and signage within and outside the buildings, shall be submitted to and approved in writing by the Local Planning Authority. The approved works and the flood emergency /evacuation plan will then be implemented in full from the date the building is occupied. (Reason: To minimise the risk to users of the development from flooding.)

8 Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences. (Reason: To prevent the increased risk of flooding and to prevent pollution of the water environment in accordance with Policies G12 and ENV18 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

9 Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this investigation shall be agreed with the Planning Authority prior to the commencement of work. Details of appropriate measures to prevent pollution of ground water and surface water, including provision for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved. (Reason: In order to prevent pollution of the water environment in accordance with Policies G12 and ENV18 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

10 A validation report detailing any work carried out in compliance with the agreed remedial approach for the site shall be submitted to and approved in writing by the Local Planning Authority before any development commences. (Reason: To prevent pollution of the water environment in accordance with Policies G12 and ENV18 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

11 Any soakaway must be constructed in natural ground, such that its base is at least 1m above the highest seasonal water table and in any case no deeper than 2m. (Reason: To prevent pollution of groundwater in accordance with Policy ENV18 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

12 No soakaways shall be constructed in contaminated ground. (Reason: To prevent pollution of ground water in accordance with Policies ENV17 and ENV18 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

13 No work on site shall take place until a detailed design for the foundation design and all new groundworks has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall only take place in accordance with the detailed scheme approved pursuant to this condition. (Reason: To ensure that any archaeological remains are not damaged in accordance with Policy CD14 of the Adopted Unitary Development Plan and Policy 43 of the Revised Deposit Unitary Development Plan)

14 Full details of the lighting of all public areas shall be submitted to and approved in writing by the Local Planning Authority before the use of the site commences. The approved lighting shall be installed before the commencement of the use and maintained thereafter. (Reason: In order that the Local Planning Authority may be satisfied that the details of the proposal are carried out in accordance with Policies CD2 and CD15 of the Adopted Unitary Development Plan and Policy 32 of the Revised Deposit Unitary Development Plan)
15 Full details of the lighting of the building shall be submitted to and approved in writing by the Local Planning Authority before the use of the site commences. The approved lighting shall be installed before the commencement of the use and maintained thereafter. (Reason: In order that the Local Planning Authority may be satisfied that the details of the proposal are carried out in accordance with Policies CD2 and CD15 of the Adopted Unitary Development Plan and Policy 32 of the Revised Deposit Unitary Development Plan)

16 The space allocated within the building for the parking of 90 bicycles shall be used for the parking of bicycles by occupiers and users of the premises only and shall be permanently retained as such and not be used for any other purpose. (Reason: To ensure that the bicycle spaces are available to occupiers and users of the development in accordance with Policy T36 of the Adopted Lambeth Unitary Development Plan and Policies 10 and 14 of the Revised Deposit Unitary Development Plan)

17 Full details of a litter, refuse and waste management plan shall be submitted and approved in writing by the Local Planning Authority prior to commencement of the use hereby approved. The litter, refuse and waste management plan, which shall include details of the disposal of customer litter (including litter bins) and waste from the cooking process (including the disposal and/or recycling of fat/oil) and details of refuse storage facilities and collection arrangements shall be implemented prior to the commencement of the use and shall be retained for the duration of the use. (Reason: To ensure that adequate provision is made for the storage/disposal of refuse/waste on the site, in the interests of the amenities of the area in accordance with Policies ENV24 and CD15 of the Adopted Unitary Development Plan and Policies 9, 32 and 50 of the Revised Deposit Unitary Development Plan)

18 Full details of the visitor cycle parking outside the building shall be submitted to and approved in writing by the Local Planning Authority before works on site commence. Such facilities shall be provided and maintained for the duration of the use. (Reason: To ensure that the bicycle spaces are available to occupiers and users of the development in accordance with Policy T36 of the Adopted Lambeth Unitary Development Plan and Policy 10 of the Revised Deposit Unitary Development Plan)

19 Full details of a servicing management strategy shall be submitted to and approved by the Local Planning Authority before the use of the site commences. This strategy must be implemented and complied with for the duration of the use. (Reason: In order that the Local Planning Authority may be satisfied that the details of the proposals are carried out in accordance with Policies T18, CD2 and CD15 of the Adopted Lambeth Unitary Development Plan and Policy 9 of the Revised Deposit Unitary Development Plan)

20 Prior to the commencement of any works on the site full details of the construction methodology in the form of a Methodology Statement shall be submitted to and approved by the Local Planning Authority. The Methodology Statement shall include details of notification of neighbours with regard to specific works and advance notification of road closures and shall include means of considering the presence of aspergillus in building material and mitigation measures to prevent impact on St Thomas’s Hospital. The details of the approved Methodology Statement must be implemented and complied with for the duration of the construction process. (Reason: To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area generally in accordance with Policies ENV17 and ENV22 of the Adopted Unitary Development Plan and Policy 48 of the Revised Deposit Unitary Development Plan)

21 Full details of a coach management strategy shall be submitted to and approved by the Local Planning Authority before the use of the site commences. This strategy must be implemented and complied with for the duration of the use. (Reason: In order that the Local Planning Authority may be satisfied that the details of the proposal are carried out in accordance with Policies CD2 and CD15 of the Adopted Unitary Development Plan and Policy 32 of the Revised Deposit Unitary Development Plan)
Planning Authority may be satisfied that the details of the proposal are carried out in accordance with Policies T18, CD2 and CD15 of the Adopted Unitary Development Plan and Policy 9 of the Revised Deposit Unitary Development Plan.

22 Within 3 months of the first and each subsequent occupation of the premises, the subject of the application, a Travel Plan, in accordance with the aims and objectives of PPG13 and Policy 8 of the Revised Deposit Lambeth UDP, shall be submitted by the occupier to, and approved in writing by, the Local Planning Authority. This shall be implemented by the occupier in accordance with the details to be submitted and thereafter retained and/or developed by the occupier to the satisfaction of the Local Planning Authority. Where a building is in multiple occupancy, the managing agent shall be responsible for implementing, co-ordinating, developing, and financing a Travel Plan for the whole building. (Reason: In order that the Local Planning Authority may be satisfied that sustainable methods of travel are being maintained in accordance with Policy T17 of the Adopted Unitary Development Plan and Policy 8 of the Revised Deposit Unitary Development Plan)

23 Notwithstanding the approved plans, full details of the proposed taxi pick up and drop off and the downgraded section of York Road shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) prior to the commencement of work on site. The taxi facility and downgraded section of York Road shall be implemented in accordance with the approved details and retained for the duration of the use. (Reason: In order that the Local Planning Authority may be satisfied that the details of the proposal are carried out in accordance with Policies T9 and T17 of the Adopted Lambeth Unitary Development Plan and Policies 8 and 9 of the Revised Deposit Unitary Development Plan)

24 The approved apart-hotel rooms within shall operate as a hotel (Use Class C1) only. Any change of use, for example, to residential use (Use Class C3) would require further planning permission. (Reason: To ensure that any change of use from a hotel can be considered against the relevant Council policies. (Policies EMP4 and EMP6 of the Adopted Unitary Development Plan and Policy 23 of the Revised Deposit Unitary Development Plan))

25 In operating this development, the hotel operator shall not require a minimum length of stay and shall not let more than 75% of the apart-hotel rooms for more than a 3 month continuous period to the same occupiers. (Reason: To ensure that the building remains operating as a hotel use as anticipated by Use Class C1. Residential use (C3) would require consideration against the Council's Policies (Policies H1, H6, H7, H10, H11, H19 of the Adopted Unitary Development Plan and Policies 15 and 16 of the Revised Deposit Unitary Development Plan)

26 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority. (Reason: To allow adequate archaeological investigation before any archaeological remains are disturbed by the approved development in accordance with Policy CD14 of the Adopted Unitary Development Plan and Policy 43 of the Revised Deposit Unitary Development Plan)

27 The development shall not be occupied until details of the proposed CHP unit, including those demonstrating the carbon dioxide savings from the unit and any additional energy efficiency measures incorporated therein, have been submitted to, and approved in writing by, the local planning authority; the CHP unit shall then be provided in accordance with these details and thereafter retained so long as the development remains in existence. (Reason: In order to ensure that the proposed development contributes towards the objectives of the Mayor's Energy Strategy in accordance with Policies 4A.7 and 4A.9 of the London Plan)
28 An access statement shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development of the building hereby approved. The building shall be constructed and operated in accordance with the details of the approved access statement. (Reason: To secure access for disabled persons to the development)

29 The development shall not commence until a feasibility study on the inclusion of renewable energy technologies in the building has been submitted to, and approved in writing by, the local planning authority; any scheme developed in accordance with the approved feasibility study shall be submitted to, and approved in writing by, the local planning authority and the development shall be carried out in accordance with the approved scheme. (Reason: In order to ensure that the proposed development contributes towards the objectives of the Mayor’s Energy Strategy in accordance with Policies 4A.7 and 4A.9 of the London Plan)

30 Full details of a scheme for internal and external CCTV coverage of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The CCTV scheme shall be implemented in accordance with the approved details prior to first occupation of the building and shall be retained thereafter for the duration of the permitted use of the building. (Reason: In the interests of public safety and security)

31 The building shall be so designed to ensure that environmental and road traffic noise shall not exceed the following standards: Living Rooms 35dB(A) Leq 16 hour 0700hrs to 2300hrs Bedrooms 30dB(A) Leq 8 hour + no individual noise event to exceed 45dB (A) max [measured with F time weighting]. -2300hrs to 0700hrs (Reason: In order to prevent the future occupants from unreasonable environmental noise)

32 A detailed scheme for proposed sound insulation for the building facades indicating proposed noise mitigation to meet the requirements of the condition above shall be submitted to and approved by the local planning authority prior to commencement of the development. (Reason: In order to prevent the future occupants from unreasonable environmental noise)

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 Your attention is drawn to Sections 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and the Code of Practice for Access for the Disabled to Buildings (B.S. 5810:1979) regarding the provision of means of access, parking facilities and sanitary conveniences for the needs of persons visiting, using or employed at the building or premises who are disabled.

5 Your attention is drawn to Sections 7 and 8A of the Chronically Sick and Disabled
Persons Act 1970 and the Code of Practice for Access for the Disabled to Buildings (B.S. 5810:1979) regarding the provision of means of access, parking facilities and sanitary conveniences for the needs of persons visiting, using or employed at the building or premises who are disabled.

6 You are advised that this permission does not authorise the display of advertisements at the premises and separate consent may be required from the Local Planning Authority under the Town and Country Planning (Control of Advertisements) Regulations 1992.

7 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 Buildings 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 or units. Contact details are listed below. Tom Kerrigan Street Naming and Numbering Officer- email: tkerrigan@lambeth.gov.uk - tel: 020 - 7926 2283 - fax: 020 7926 9131

8 You are advised to consult the National Rivers Authority at Wah Kwong House, 10 Albert Embankment, London SE1 7SP (tel: 0171 735 9993) regarding the method and extent of the site investigation and details of appropriate measures to prevent pollution of ground water and surface water.

9 You are advised that under the terms of the Water Industries Act 1991, the prior written consent of the London Borough of Lambeth, Sewerage Contractor for Thames Water Utilities Ltd is required for any development works draining into, or connecting to, the public sewers. Contact Mr S K Bellehewe on 0171 926 7108.

10 You are advised to contact Thames Water Utilities regarding mains/supply pipe connections for the development at Network Services Waterloo District, Thames Water Utilities Ltd, Waterworks Road, Brixton Hill, London SW2 1SB. Contact Mr D Kirk on 0645 200800 for details.

11 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

12 The applicant should take into account any comments made by Network Rail in respect of this proposal.

13 The applicant's are advised to consult Martin Rackauskas of Lambeth Borough Police on 020 79261243 with respect to further detailed design development of the scheme in the interests of crime prevention and public safety.

14 The applicant should take into account any comments made by the Environment Agency in respect of this proposal.

15 Under the terms of the Water Resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.
16 You are advised that, during construction, when seeking to close roads, Transport for London should be consulted to facilitate the movement of buses and location of bus stops.

17 You are advised that all temporary roadworks associated with the permitted development are at the developer’s expense.

18 The scheme should seek to achieve the London Plan Policies relating to the use of renewable technologies and energy efficiency measures, and thus GLA officers shall be consulted to provide advice as to whether the submitted information is sufficient.

19 The CHP unit and supporting information submitted pursuant to condition 27 should seek to achieve the London Plan policies relating to energy efficiency and, to that end, GLA officers should be consulted to provide advice as to whether the information proposed to be submitted is sufficient.

20 The submitted scheme pursuant to condition 29 should include an assessment of how the inclusion of renewable energy technologies would contribute towards the reduction in carbon emissions from the development and should seek to comply with London Plan policy 4A.7 in that regard. To that end, GLA officers should be consulted to provide advice as to whether the information proposed to be submitted is sufficient.
Location | County Hall Island Block Westminster Bridge Road London
---|---
Ward | Bishops
Proposal | Demolition of the existing Island Block building.

Application Type | Conservation Area Consent (demolition)
Application No | 06/00685/CON/DC_CDU/12459
Applicant | Marlbray Ltd
Agent | Sarah West
| 24 Old Burlington Street
| London
| W1S 3AW
Date Valid | 24 April 2006

Considerations

Conservation Area CA38 : South Bank Conservation Area
Listed Building Listed Building Grade II*
Local Plan Area Waterloo UDP Area
Adopted UDP Archaeological area UDP Archaeological Area : A2 : North Lambeth
Adopted UDP Noise Abatement Zone Waterloo noise abatement zone

Approved Plans

PL000, PL003

| Recommendation | GRANT CONSERVATION AREA CONSENT |
Officer Report

06/00685/CON

1. Summary Of Main Issues

1.1 Impact of the demolition on the South Bank Conservation Area.

1.2 Consideration of the demolition in respect of the criteria in PPG15, Unitary Development Plan policies and in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. Site Description

2.1 The site description details are reported elsewhere in the agenda in report reference: 06/00684/FUL.

3. Planning History

3.1 The planning history for the site is reported elsewhere in the agenda in report reference: 06/00684/FUL. The following points are of specific relevance to the application for Conservation Area consent:

3.2 In September 2001 The Secretary of State expressed agreement with his planning inspector’s view that the existing Island Block building possesses little architectural merit, that it relates poorly to the County Hall complex and that it stands in a derelict condition. Although the application was refused consent, the primary reason for not allowing demolition of the existing island block building was that the proposed replacement scheme was unacceptable. It was concluded that demolition should not be permitted until such time as an approval has been given to an acceptable scheme for the redevelopment of the Island Block site.

3.3 Conservation Area consent for the demolition of the existing Island block building and an associated planning application for an office development was granted in November 2002.

3.4 Members resolved to grant Conservation Area consent in association with the redevelopment of the site for a 743 bedroom hotel in June 2004 and for a 913 bedroom hotel in August 2005.

3.5 Although demolition works commenced in June 2006, the need for a further Conservation Area consent is as a result of a condition which tied the 2002 consent to the planning permission granted at the same time. As that scheme is not being implemented a new consent is required.

4. Scheme Details

4.1 The application for Conservation Area consent seeks approval for the demolition of the existing six storey building on the Island site to facilitate redevelopment of the site to provide a 15 storey 943 bedroom hotel with ancillary uses.

5. Consultation Responses
5.1 Those groups and organisations who were consulted regarding the planning application (reference: 06/00684/FUL) were also consulted in respect of the application for Conservation Area consent. Details of the consultation are reported in the planning report which can be found elsewhere on this agenda.

6 Planning Considerations

6.1 Relevant Policies

6.1.1 Planning Policy Guidance 15 (Planning and the historic environment) states that the objective of the planning process should be to reconcile the need for economic growth with the need to protect the natural and historic environment.

6.1.2 PPG15 identifies that conservation area designation introduces control over the demolition of buildings. In exercising conservation area controls, the local planning authority is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question; and, as with listed building controls, this should be the prime consideration in determining a consent application. In the case of conservation area consent controls, however, account should clearly be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular the wider effects of the demolition on the building’s surroundings and on the conservation area as a whole.

6.1.3 Paragraph 4.27 of PPG15 states that “the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings.” The guidance goes on to say, where a building makes little or no such contribution, the local planning authority will need to have full information about what is proposed for the site after demolition. “Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.”

6.1.4 The relevant policy in the Adopted Unitary Development Plan is CD3 (Demolition) which states that “consent will not normally be given for the demolition or partial demolition of buildings or structures which in its opinion make a positive contribution to the character and appearance of a conservation area. … Proposal for the demolition or partial demolition of buildings or structures in conservation areas will be considered against the following criteria:

(i) the contribution the existing buildings make to the character and appearance of the area, in relation to the intrinsic quality of the proposed replacement development and its anticipated ability to preserve or enhance the character or appearance of the area;
(ii) the condition of the existing building and its capacity for adaptation, with evidence provided;
(iii) a satisfactory redevelopment proposal has been approved of a suitably high standard of detailed design in character with the conservation area. Any consent for demolition will normally be subject to a condition that the building shall not be demolished until a contract for new work has been made.”
6.1.5 The relevant policy in the Revised Deposit Unitary Development Plan is Policy 42 (Conservation Areas) C (Demolition) which states that “The Council will resist granting consent for the demolition of a building, or alteration involving demolition of part of a building, in a conservation area where the building, or part of the building, makes a positive contribution to the character or appearance of the conservation area.”

6.1.6 It is further stated: “Where demolition in a conservation area is acceptable, for example because the building does not contribute to the area, and its redevelopment would be beneficial in townscape terms, then a full planning application will be required to accompany the application for conservation area consent. Such replacement buildings should follow policy 32 and the opportunity should be seen as a stimulus to imaginative, high-quality design. Consent for demolition will be subject to a condition and/or section 106 agreement that the building shall not be demolished until a contract for new work has been made and planning permission for those works has been granted.”

6.2 Design and Conservation Considerations

6.2.1 The proposed development by Marlbray Limited to redevelop the Island Block site on Westminster Bridge Road requires the total demolition of the existing structure.

6.2.2 The existing building was built in 1970 – 1974 as additional accommodation for the Greater London Council (GLC). It was formerly linked by a high level enclosed walkway into the elegant County Hall South Block. This walkway structure was removed when the South Block was converted into apartments by Galliard Homes in the mid-1990’s.

6.2.3 In consideration of an application for demolition previously, the Council’s Conservation officer considered that the existing building is a notable example of the worst excesses of late 1960’s brutalist design and has a significant adverse impact this part of the South Bank Conservation Area. In this regard, demolition of the existing Island block building and its replacement is welcomed.

6.2.4 Given its negative contribution on the character of the conservation area, there is no requirement to assess the demolition against the PPG15 criteria (section 3.19). However, it is established practice to impose conditions on the granting of consent to ensure that demolition shall not take place until planning permission for the replacement development has been granted and also a contract for the construction of the replacement building has been made.

6.3 Amenity Impact

6.3.1 In terms of amenity impact, it is considered that the demolition of the existing building on the Island block and its replacement with the scheme proposed in the accompanying planning report would significantly enhance the amenity of the South Bank Conservation Area.

7 Conclusion

7.1 The demolition of the existing Island block at the Westminster Bridge approach is welcomed. It is considered that the demolition of the existing building, which has a negative impact on the conservation area, and its replacement with the proposed new
building would significantly enhance the character and appearance of the conservation area.

8 Recommendation

8.1 It is recommended that Conservation Area consent be granted for the demolition of the existing six storey building on the Island block to facilitate redevelopment of the site, subject to conditions.
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. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant: Adopted Unitary Development Plan 1998 Policy CD3 Revised Replacement Unitary Development Plan Policy 42

1 The building(s) shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made and planning permission has been granted for the redevelopment for which the contract provides. (Reason: To ensure that premature demolition does not take place before development works start in order that the visual amenities of the area are safeguarded.)

Notes to Applicants:

1 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

2 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.