**ADDRESS:** Railway Arches 571 To 609 Facing Brixton Station Road And Atlantic Road Between Brixton Road And Popes Road, London

**Application Number:** 16/00868/FUL  
**Case Officer:** Magdalena Kotyza  
**Ward:** Coldharbour  
**Date Received:** 12.02.2016

**Proposal:** Refurbishment and redevelopment of railway arches between Brixton Road and Pope’s Road along Brixton Station Road and Atlantic Road. Works include change of use of 9 arches and alterations to existing units to provide a mix of A1, A3 and A4 uses within 26 units and 13 kiosks; installation of new arch infills/shopfronts; creation of a new pedestrian link between Atlantic Road and Brixton Station Road through arches 577 and 604, refurbishment of the station walkthrough and associated works.

**Drawing numbers:**

<table>
<thead>
<tr>
<th>Existing</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>2960/A/0001 rev.P02 (Location Plan)</td>
<td>2960/A/2400 rev.P01 (Through Arch – Proposed elevations)</td>
</tr>
<tr>
<td>2960/A/1000 rev.P02 (Existing site Plan)</td>
<td>2960/A/4200 rev.P01 (Detail – Atlantic Road Typical Section and Elevation)</td>
</tr>
<tr>
<td>2960/A/1150 rev.P02 (Existing Use Classes)</td>
<td>2960/A/4201 rev.P01 (Detail – Atlantic Road LS Mash and Sons)</td>
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<tr>
<td>2960/A/2000 rev.P01 (Brixton Station Road – Existing Elevation)</td>
<td>2960/A/4100 rev.P01 (Detail- Brixton Station Road Typical Section and Elevation)</td>
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<td>2960/A/4400 rev.P01 (Detail – Through Arch Kiosk and Unit 26)</td>
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<td>2960/A/2002 rev.P01 (Station Thoroughfare – Existing Elevation)</td>
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<td>2960/A/1100 rev.P01 (Proposed Site Plan)</td>
<td>2960-A-6101 P01 (3D View-Brixton Station Road);</td>
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<td>2960/A/1151 rev.P03 (Proposed Use Classes)</td>
<td>2960-A-6200 P01 (3D View-Atlantic Road) ;</td>
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<td>2960/A/1104 rev.P01 (Refuse Strategy)</td>
<td>2960-A-6400 P01 (3D View-Through arch – Atlantic Road) ;</td>
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<td>2960/A/2300 rev.P01 (Station thoroughfare – Proposed elevations)</td>
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</tr>
</tbody>
</table>

**Documents:**

- Design and Access Statement by Haskoll;
- Transport Assessment ref: 30657/D04b by TPP;
- Tenant Management Strategy by Network Rail;
- Statement of Community Involvement by Instinctif Partners;
- Sustainability and Energy Efficiency Statement by Haskoll;
- Planning Statement 1.0 by Network Rail;

**RECOMMENDATION:**

Grant conditional planning permission
SITE DESIGNATIONS

Relevant site designations:
- Brixton Conservation Area
- Brixton Major Centre Primary Shopping Area
- Site 16 - Brixton Central (between the viaducts) SW9

NON-RESIDENTIAL LAND USE DETAILS

<table>
<thead>
<tr>
<th>Use type</th>
<th>Existing floorspace (Gross Internal sqm)</th>
<th>Proposed floorspace (Gross Internal sqm)</th>
<th>Difference (sqm)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail (A1)</td>
<td>1,469 (1,595 inc. flexible)</td>
<td>1,296 (1,433 inc. flexible)</td>
<td>-173</td>
</tr>
<tr>
<td>Professional Services (A2)</td>
<td>25 (flexible)</td>
<td>43 (flexible)</td>
<td>+18</td>
</tr>
<tr>
<td>Food and Drink (A3)</td>
<td>187 (646 inc. flexible)</td>
<td>552 (646 inc. flexible)</td>
<td>+365</td>
</tr>
<tr>
<td>Drinking establishment (A4)</td>
<td>176</td>
<td>176</td>
<td>0</td>
</tr>
<tr>
<td>Hot Food Takeaway (A5)</td>
<td>3</td>
<td>0</td>
<td>-3</td>
</tr>
<tr>
<td>Sui generis (money related)</td>
<td>281 (43 inc. flexible)</td>
<td>43 (flexible)</td>
<td>-238</td>
</tr>
<tr>
<td>Sui generis (mini cab)</td>
<td>126 (flexi)</td>
<td>0</td>
<td>-126</td>
</tr>
<tr>
<td>Total floorspace</td>
<td>2,346</td>
<td>2,162</td>
<td>-184</td>
</tr>
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</table>

PARKING DETAILS

<table>
<thead>
<tr>
<th></th>
<th>Car Parking Spaces</th>
<th>Cycle Parking</th>
<th>Other</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Standard</td>
<td>Disabled</td>
<td></td>
</tr>
<tr>
<td>Existing</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Proposed</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
EXECUTIVE SUMMARY

The 0.32ha application site is triangular in shape and incorporates the arches underneath the mainline railway viaducts fronting Brixton Station Road to the north and Atlantic Road to the south and encompasses the pedestrian walkthrough to Brixton Railway Station. Part of the site falls within opportunity Site 16 ‘Brixton Central (between the viaducts)’ as identified in the Lambeth Local Plan.

The proposal is for the refurbishment and redevelopment of the railway arches between Brixton Road and Pope’s Road along Brixton Station Road and Atlantic Road including change of use of 9 arches and alterations to existing units to provide a mix of A1, A3 and A4 uses within 26 units and 13 kiosks; creation of a new pedestrian link between Atlantic Road and Brixton Station Road through arches 577 and 604; installation of new arch shop fronts and refurbishment of the station walkthrough and associated works.

Officers consider that the proposed mix of land uses accords with the aspirations set out in the Local Plan for this site. The proposals would result in a net increase of 2 retail units (Use Class A1) and 5 food and drink related uses (Use Class A3/A4) which would result in retail units representing 66% of the total number of units in the Brixton Primary Shopping Area, which is above the required minimum of 60%. The proportion of food and drink related uses would increase to 22%, which is below the maximum threshold of 25% set out in Policy PN3 (a). While the location of some of the food and drink related units would result in more than 2 in 5 consecutive units being in such a use in some instances, the proposals would largely replicate the existing situation and would facilitate the return of existing tenants.

The applicant has committed to facilitate the return of the existing tenants on a stepped rent programme (years 1-3 at a maximum of 50% of market rent in 2015, years 4 and 5 at a maximum of 75% of market rent, years 6 and 7 at a maximum of 100% of market rent, and a rent review at year 8) which would be secured through the provision of a Letting Strategy condition, details of which would have to be submitted and approved prior to first occupation of the units. This ensures that the proposals would comply with Policy ED6 of the Local Plan which seeks to protect small shop premises.

In design terms, the proposed new shop front strategy relies on the use the same palette of materials and overall design approach to tie the units together but allows for variation in the arrangement of these components which reinforces the varied character that the arches already exhibit. The design of the shop fronts includes integrated security measures, lighting and ventilation and allows for the addition of features such as retractable canopies if required by the tenants. It is considered that the proposed scheme would significantly improve the appearance of the site and enhance the character and appearance of the Brixton Conservation Area.

The scheme proposes a new pedestrian link between Brixton Station Road and Atlantic Road through arches 577 and 604. This link responds well to the wider aspirations to improve connectivity through the arches and reduce the existing congestion on Brixton Station Road and the existing though routes. The proposed lighting scheme through the new and existing links as well as outside each of the units will impact positively on the surrounding public realm. The scheme will also contribute to improving the existing cycle parking provision around the application site.

Officers have assessed the proposals in relation to national, strategic and local policies contained within the NPPF, London Plan and the Lambeth Local Plan and the application is recommended for approval, subject to conditions.
OFFICER REPORT

Reason for referral to PAC: The application is reported to the Planning Applications Committee due to the significant level of objections received against the proposals in accordance with parts 3 and 4 of the Committee’s Terms of Reference.

1 SITE AND SURROUNDINGS

1.1 The application site is triangular in shape and incorporates the arches underneath the mainline railway viaducts fronting Brixton Station Road to the north and Atlantic Road to the south. The application site also encompasses the pedestrian walkthrough within arches 572-609, which provide access to Brixton Railway Station which is located above the application site. The shop fronts within the arches are of varied design and materials and there has been a range of alterations and additions such as canopies, mechanical plant and advertisements.

Figure 1. The site and its surrounding context

1.2 Currently, the arches are predominantly in retail use (Use Class A1). Six arches are used for food and drink related uses (Use Class A3) and one double frontage unit (facing both Brixton Station Road and Pope’s Road) is used as a bar (Use Class A4). There are several units which are used for Sui Generis uses including money shops, pawnbrokers and minicab offices. The site also contains a church unit which is accessed through and ancillary to a bookshop. Some units are used flexibly whereby the floorspace is shared between uses or where the units have been subdivided to create smaller units, including one hot food takeaway (Use Class A5). One unit became vacant during the application process.

1.3 The area surrounding the application site is of a mixed character. To the north of the site, on the other side of Brixton Station Road is the Brixton Recreation Centre and mixed use properties including commercial and some residential units on the upper floors. To the west of the site is Brixton Road which is predominantly retail in this part as is Atlantic Road to the south. The site is in close proximity to Brixton Market, including stalls on Brixton Station Road (immediately in front of the site), on Popes Road (to the east of the site) and the entrance to Market Row immediately to the south of the site.
The application site is located within the designated Brixton Major Town Centre and its Primary Shopping Area. The site does not contain any listed buildings but it is located within the Brixton Conservation Area (CA26). The central and eastern part of the application site falls within Site 16 ‘Brixton Central (between the viaducts)’ as allocated in Policy PN3 of the Lambeth Local Plan (2015).
2 PROPOSAL

2.1 Planning permission is sought for the refurbishment and redevelopment of the railway arches between Brixton Road and Pope's Road along Brixton Station Road and Atlantic Road including:

- change of use of 9 arches and alterations to existing units to provide a mix of A1, A3 and A4 uses within 26 units and 13 kiosks;
- Creation of a new pedestrian link between Atlantic Road and Brixton Station Road through arches 577 and 604
- Installation of new arch infills/shop fronts;
- Refurbishment of the station walkthrough and associated works.

2.2 Table 1 below shows details, including locations, of the proposed change of use of existing arches:

<table>
<thead>
<tr>
<th>Arch No</th>
<th>Proposed unit no.</th>
<th>Floorspace (sqm)</th>
<th>Existing use (Use Class)</th>
<th>Proposed use (Use Class)</th>
</tr>
</thead>
<tbody>
<tr>
<td>572</td>
<td>K8 and K9</td>
<td>30</td>
<td>Café (A3)</td>
<td>Retail (A1)</td>
</tr>
<tr>
<td>573 (rear part)</td>
<td>25</td>
<td>89</td>
<td>Bookmaker (Sui Generis)</td>
<td>Retail (A1)</td>
</tr>
<tr>
<td>575</td>
<td>10</td>
<td>85</td>
<td>Hairdressers/Minicab office (A1/Sui Generis)</td>
<td>Restaurant/Café (A3)</td>
</tr>
<tr>
<td>581</td>
<td>5 and 17</td>
<td>115.9</td>
<td>Pawnbroker (Sui Generis)</td>
<td>Retail (A1)</td>
</tr>
<tr>
<td>582</td>
<td>16</td>
<td>54</td>
<td>Hairdressers (A1)</td>
<td>Retail/food and drink (A1/A3)</td>
</tr>
<tr>
<td>584</td>
<td>14</td>
<td>39</td>
<td>Retail (A1)</td>
<td>Retail/food and drink (A1/A3)</td>
</tr>
<tr>
<td>585</td>
<td>1</td>
<td>56</td>
<td>Estate agent/mini cab office/pawnbrokers (A2/Sui Generis)</td>
<td>Retail (A1)</td>
</tr>
<tr>
<td>Between 575 and 606</td>
<td>26</td>
<td>137</td>
<td>Church (ancillary to bookshop)</td>
<td>Restaurant/Café (A3)</td>
</tr>
<tr>
<td>606</td>
<td>22</td>
<td>88.8</td>
<td>Retail (A1)</td>
<td>Restaurant/Café (A3)</td>
</tr>
</tbody>
</table>

Figure 5. Proposed internal layout and uses
2.3 The proposed new pedestrian link between Atlantic Road and Brixton Station Road in arches 577 and 604 would cover approximately 116sqm and run along the eastern side of the arches occupying approximately half of their width. The majority of the link would be approximately 4m wide (3.8m-4.2m) with two restricted points in the central part where the width would be reduced to 1.9m and 2m. Seven new retail kiosks would be created alongside the western side of the arches with fully glazed frontages facing the passage. The passage would also provide entrances to the proposed Unit 26. Security grilles would be provided at each end of the entrance to the pedestrian link and would be closed after trading hours.

![Figure 6. New pedestrian link cross-section and elevation from Atlantic Road](image)

2.4 In terms of physical improvements, the refurbishment of the existing arches includes the removal of all external modern additions and arch infills and installation of new shop fronts. Internally, all units would be stripped back, repaired and new floors and services would be installed. The new shop fronts facing Brixton Station Road would be set back from the front building line by 0.6m to provide a cover to the area immediately in front of each unit. Each new shop front is predominantly glazed with louvered panels on each side to provide ventilation and additional high level louvers for units occupied by food and drink related uses (Use Class A3). A metal fascia is also proposed to conceal an internal roller shutter. A lighting scheme includes recessed LED uplighters at ground level.
Signage would be contained within the arch recesses but full details have not been provided at this stage.

2.5 The improvements to the Atlantic Road frontage include the retention of the existing mosaic tiling to the arch tops while and the existing triangular mosaic panels between the arches would be replaced with a ceramic tile. The shop fronts would be set back 0.32m from the face of the arches and the design of individual shop fronts would vary but generally consist of areas of glazing, glazed bricks, metal channels and louvers. A horizontal metal canopy is proposed for each unit which would provide screening for internal open lattice shutters and also could accommodate a retractable canopy. The lighting strategy includes recessed LED uplighters at ground level within the arch recess and within the metal canopy and new light fittings are proposed to the underside of the station canopy which would also be renovated.

Figure 7. Image and elevation showing refurbished arch and shop fronts on Brixton Station Road
2.6 The proposals include improvements to the existing station walkthrough, mainly the refurbishment of the existing commercial units and the installation of new roller shutters for the kiosks which would remain as open frontage units. The walkway would be cleaned and redecorated while the existing two murals would be retained. The proposals do not involve any alterations to the station itself which is not included within boundaries of the application site.
2.7 Amendments

2.7.1 During the course of the assessment clarification was sought in respect of certain issues and a number of amendments have been made to the proposals. Updated plans and additional documents were submitted during the application process. These amendments included:

- The use of Arch 583 was to be changed to Use Class A1/A3 but this element of the scheme has been removed from the proposals and the use of this unit is to remain as existing (A1/A2/Sui Generis money services);
- Originally the proposals did not include a change of use of the kiosks within Arch 572 but the revised plans include a change of use from Use Class A3 (restaurants and cafes) to A1 (retail); and
- Provision of a Refuse Strategy.

2.7.2 All amendments have been reflected in the list of plans and documents for approval.
3 RELEVANT PLANNING HISTORY

3.1 Application site:

3.1.1 Planning permission ref: DC/RM/M/10742 - No 18 Brixton Station Road - Installation of new shopfront at No 18 Brixton Station Road – Granted 11/12/1964.

3.1.2 Planning permission ref: DC/AC/EDC/20401 – No 28 Brixton station Road – Installation of shopfront and use as a Dry Cleaners. Granted 08/06/1967.


3.1.4 Planning permission ref: DC/92/2264/SW/33005 – Arch between 18 Brixton Station Road and 13 Atlantic Road – change of use from retail to amusement centre with prize bingo and retailing allowed on appeal 02/04/1993.

3.1.5 Planning permission ref: 94/2384/33665 – Arch 579, 18 Brixton station Road – Change of use to a snack bar/restaurant with the installation of a new shopfront, Granted 5/12/1994.


3.2 Other sites with the Brixton Primary Shopping Area where permissions for food and drink related uses have been recently approved:

3.2.1 Planning permission ref: 16/00300/FUL - 36 Atlantic Road - Change of use from Class A1 (Retail) to use Class A3 (Restaurant) including details of extraction and the erection of a single storey ground floor rear extension. Granted 27.05.2016.

3.2.2 Planning permission ref: 15/03127/FUL - 240 - 246 And 248 - 250 Ferndale Road Demolition of the rear office extension fronting Bellefields Road; demolition of the Stables building adjacent to the Former Brixton Fire Station on Ferndale Road; construction of a four storey residential block of 11 units on land adjacent to Bellefields Road; relocation of Post Office (Class A1) from Toplin House to a purpose-built building adjacent to the Former Brixton Fire Station on Ferndale Road; use of part basement and part ground floors of Toplin House for composite cafe (A3) and bar (A4) use; use of part ground floor of Toplin House for flexible retail (A1) and / or office (B1) use; extension of Toplin House at part third, part fourth floor levels; external alterations to Toplin House and the Former Brixton Fire Station; provision of terraces at first, third and fourth floors in association with the office (B1) use of Toplin House; provision of associated plant, cycle parking and servicing areas; re-provision of electricity sub-station on Ferndale Road. Granted 19.08.2015.

3.3 Planning Performance Agreement and Members Technical Briefing

3.3.1 This application is the subject of a Planning Performance Agreement (PPA), setting out an agreement between the Agent/Applicant and the Council on how the pre-application and application
processes would be managed, thereby ensuring all relevant issues are ‘front-loaded’ prior to the planning application submission. In entering into a PPA by no way means that a subsequent application will be automatically approved, PPAs are used by Lambeth on schemes of this nature to proactively and positively engage with developers to secure developments that improve the economic, social and environmental conditions of the area; in accordance with the expectations conferred upon LPAs by the NPPF.

3.3.2 The application was subject to a Technical Briefing session and site visit with the Planning Applications Committee Members on 25 July 2016.
4 CONSULTATIONS

4.1 Statutory and Non-Statutory Consultees

4.1.1 TFL Road Network Development – No objections subject to a condition relating to a Construction Management Plan.

4.1.2 Transport/Highway – The officer requested additional information from the applicant and following its review raised no objections subject to securing improvements to local cycle parking provision and conditions relating to Delivery & Serving Management Plan, details of refuse and recycle provision.

4.1.3 Urban Design/Conservation - The officer requested clarifications from the applicant and following its review raised no objections subject to conditions relating to construction detailing, samples of materials and signage strategy.

4.1.4 Planning Policy – No objection.

4.1.5 Design Out Crime Officer – No objections subject to conditions relating to Secured by Design Standards, CCTV details, Crime Prevention Strategy and Lighting which are recommended. The Officer also asked to consider the following:
- a possible introduction of further late opening uses (i.e. food and drink) on Atlantic Road
  Officer’s response: this is not considered possible due to land use issues further discussed in section 6.1 of this report
- re-consideration of the proposed graffiti within the station walkthrough
  Officer’s response: graffiti forms part of the existing character of the walkthrough and therefore there is no objection in principle to this aspect of the proposals
- consideration of the management of dual entry arches
  Officer’s response: this will be covered in the Crime Prevention Strategy to be secured by condition

4.1.6 Metropolitan Police CTU – Suggest that blast resistant glazing is used in the proposals and that a blast assessment is undertaken by the applicant.
  Officer’s response: the applicant has been asked to consider the above recommendations and advised that compliance with the above measures would not be economically feasible. Given the nature, scale, and location of the proposals it is not considered necessary to secure compliance with the suggested measures.

4.1.7 Regulatory Services - Food Safety – No objections but consideration should be given to:
- Defra guidance when finalising plans for ventilation systems
  Officer’s response: to be secured by condition
- Further details relating to refuse and recycling facilities
  Officer’s response: to be secured by condition
- Customer toilets to be provided in food and drink related units where substantial customer seating is provided
  Officer’s response: the applicant advised that tenants will be responsible for fitting out individual units

4.1.8 Regulatory Services - Noise Pollution – No comments received.

4.1.9 Streetcare – No comments received.

4.1.10 Climate Integrated Solutions (Energy and Sustainability consultant): Concern that the submission fails to demonstrate that the proposals cannot achieve the relevant BREEAM requirements.
  Officer’s response: to be secured via condition
4.1.11 **Brixton Society** – Objection raising the following issues:

- Proposals fail to comply with Policy PN3 with regards to the proportion of retail and food and drink related uses, the percentage of food and drink related units within the site is already above 25% and the scheme would result in the proportion of retail units to be reduced to just over 50%.

  *Officer’s response:* Policy PN3 applies to the whole of the Primary Shopping Area and not just to the application site. In relation to the Primary Shopping Area the proposals continue to maintain at least 60% of units as retail and not more than 25% as food and drink uses. Refer paragraph 6.1.5 – 6.1.8.

- The current application does not comply with policy ED6 because, while the majority of existing retail units in the railway arches in Brixton Station Road and in Atlantic Road are occupied by independent traders and have a gross floor area of less than 80 sqm, none of the supporting documents submitted by the applicants and which are available on Council’s public website include any information about the rent levels that would be offered to returning tenants or to new traders wishing to rent premises in the railway arches.

  *Officer’s response:* The application has been assessed and is considered to be in accordance with Policy ED6 (e). The applicant has submitted a Tenant Management Strategy setting out a range of stepped rent levels to returning tenants over a period of 8 years. These are set out in paragraph 6.1.14 – 6.1.19 and secured via condition through a Letting Strategy (refer Condition 3).

4.1.12 **Friends Of The Earth** - Objection raising the following issues:

- Objection raised as no Equalities Impact Assessment undertaken. Network Rail are a public body subject to the Equality Act 2010. This should also be consulted on.

- Adverse impacts on the tenants and the communities they serve in terms of access to goods and services. Higher rents will ‘effectively exclude’ businesses from returning.

- Planning obligations should be sought in relation to cycle parking provision.

- Scheme is incompatible with Policy PN3 (Brixton) and the role Brixton has to protect multicultural and diverse town centre uses.

  *Officer response:* The application has been assessed against all relevant planning legislation and planning policy, which has been subject to a full Equalities Impact Assessment as part of the preparation process. The provision of an Equalities Impact Assessment for this particular application has not been sought as this is not a pre-requisite for a planning application submission. However, officers did discuss equalities with Network Rail as part of the pre-application process and the Tenant Management Strategy seeks to summarise those aspects. The provision of cycle parking has been secured via condition (refer Condition 9).

4.1.13 The following groups were consulted but did not provide any comment: Brixton town Centre Manager; Brixton Community Base; Regeneration Programme Officer; Brixton Business Forum; Brixton Business Improvement Districts; Herne Hill Society; Loughborough Junction Action Group; Minet Conservation Association; Central Brixton Housing Forum; Ward Councillors.

4.1.14 An objection from **Helen Hayes MP** was also received raising the following concerns:
• Objection raised. Currently home to 50 business and support 150 part and full time jobs. The arches are integral to the identity of Brixton town centre and serve a local need. The arches are in need of investment and improvement. However, it is regrettable that Network Rail have neglected these arches for a number of years, both in terms of management of tenants and physical care.

• Objections to increase in the number of non-retail (A3/A4/A5) uses within the area resulting in an over-concentration of such uses.

• Construction and phasing concerns over the need for vacant possession and no alternative space offered to tenants. The works will create a ‘dead-zone’ in the town centre while they are taking place. A phased proposal would be preferable.

• The proposed rent levels, even though they are stepped are still unaffordable to returning tenants. The Council needs to secure affordable rental levels for the existing returning tenants.

• The application has not considered the impact on equalities or the protection of existing businesses and the communities they serve.

• The application should be determined by the Planning Applications Committee.

Officer response: The comments in relation to the existing businesses is noted and the poor quality of the arches in terms of their appearance has been identified through the Brixton Conservation Area Statement. The retention the existing food and drink uses and provision of additional Class A3 uses has been assessed against Policy PN3 and are not considered to result in an overconcentration of uses within the Primary Shopping Area. Officers have noted the concerns regarding construction and phasing and have sought a detailed construction environmental management plan (refer Condition 4) to ensure any adverse impacts are minimised through an agreed methodology. The concerns regarding the proposed rent levels are noted. However, officers are content that the proposed reductions over an 8 year period are acceptable in line with Policy ED6. The provision of an Equalities Impact Assessment for this particular application has not been sought as this is not a pre-requisite for a planning application submission. However, officers did discuss equalities with Network Rail as part of the pre-application process and the Tenant Management Strategy seeks to summarise those aspects. The Chair of Planning Committee has agreed that this proposal should be determined by the Planning Applications Committee.

4.2 Adjoining owners/occupiers

4.2.1 Letters were sent to occupiers of neighbouring properties (33). In addition, site notices (x5) were displayed around the site from the 4th March 2016, and the application was advertised in the local paper (Weekender Press) on the 4th March 2016. In response to the initial consultation 936 letters of objection have been received.

4.2.2 A summary of the concerns raised is set out in the table below:

<table>
<thead>
<tr>
<th>Summary of objections</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land use – affordability of units</td>
<td>Please see paragraphs 6.1.15 – 6.1.19</td>
</tr>
<tr>
<td>Loss of smaller units at affordable rents - contrary to Policy ED6</td>
<td></td>
</tr>
<tr>
<td><strong>Rent below market level will not be secured in perpetuity</strong></td>
<td><strong>Officers have sought a proportionate approach to the securing of reduced rent levels for a period of 8 years for those tenants wishing to return.</strong></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td><strong>The scheme does not include affordable and flexible workspace as required by PN3 (b)</strong></td>
<td><strong>The scheme includes a mix of uses which are considered to be compatible with the town centre location of the site. The site is not currently used for business related uses (falling within B class uses) and as such policies relating to provision of business related units are not applicable in this case. With regards to small retail units, please refer to part 6.1 of this report.</strong></td>
</tr>
<tr>
<td><strong>The scheme fails to comply with the objectives outlined in paragraphs 11.21 and 11.32 of the Local Plan.</strong></td>
<td><strong>The scheme is considered to comply with the relevant policies of the Local Plan (see part 6.1 of this report) and therefore supports the key objectives of the Local Plan, including those relating to Brixton area.</strong></td>
</tr>
<tr>
<td><strong>Traders’ rent should stay the same for 2 years, rents should not increase.</strong></td>
<td><strong>There is no planning policy basis on which to secure this.</strong></td>
</tr>
<tr>
<td><strong>Legal guarantees should be given to tenants that rents and leases will not change</strong></td>
<td><strong>There is no planning policy basis on which to secure this. The implementation of the stepped rent programme for the existing tenants will be secured through a condition – please see paragraphs 6.1.15-6.1.20.</strong></td>
</tr>
</tbody>
</table>

**Land use – loss of retail units, including loss of independent retailers**

<table>
<thead>
<tr>
<th><strong>The proposals would result in less than 60% of units being in retail use.</strong></th>
<th><strong>Please refer to paragraphs 6.1.5 – 6.1.8 of the report. It is noted that the relevant thresholds outlined in Policy PN3 relate to the whole designated primary shopping area and not just the application site.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Loss of affordable goods and services supporting the existing communities and therefore also a loss of community cohesion (contrary to 3.1 of London Plan and Lambeth's Strategic Objective</strong></td>
<td><strong>Policy 3.1 of the London Plan is a strategic policy about ensuring equal life chances for all and is not specific about type of shopping provision. Similarly, policies of the Local Plan do not seek to protect the retail needs of a particular group of residents or a particular group of tenants but seek to protect local shops for the community as a whole. Please also refer to part 6.1 of this report.</strong></td>
</tr>
<tr>
<td><strong>Loss of human contact for the elderly/disabled and related increased pressure on the NHS</strong></td>
<td><strong>The existing uses do not include community facilities (as defined in section 7 of the Local Plan) and as such there is no objection in principle to the proposed mix of uses.</strong></td>
</tr>
<tr>
<td>Loss of revenue from taxes as multinationals are known for tax avoidance</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Loss of visitors to the detriment to the local economy</td>
<td>Please refer to part 6.1 of this report. The proposed scheme is not considered to be detrimental to the vitality and viability of the Brixton Town Centre or the local economy.</td>
</tr>
<tr>
<td>At least 80% of units should remain class A1 units</td>
<td>There is no planning policy requirement to secure this. The relevant thresholds are outlined in Policy PN3 with which the proposals comply.</td>
</tr>
</tbody>
</table>

**Land use – new food and drink related uses (Use Class A3/A4)**

| Proposals fail to comply with Policy PN3 with regards to the proportion of retail and food and drink related uses, the percentage of food and drink related units within the site is already above 25%, no additional units should be for food and drink related uses; the proposals include not only excessive number of food and drink units but even bigger increase in floorspace used for A3/A4 | Please refer to paragraphs 6.1.5 – 6.1.8 of this report. It is noted that the relevant thresholds outlined in Policy PN3 relate to the number of units within the whole designated primary shopping area and not just the application site. |
| The need for the proposed change of use is unclear; the existing uses serve the needs to the community, additional A3/A4 uses unlikely to be needed | This is not a material planning consideration. |
| Most of all units will end up as chain restaurants and cafes | Planning permission would be required for any alterations to the proposed mix of units, including introducing further food and drink related uses. Other than the measures for returning tenants, the final operator of a particular unit cannot be controlled through planning. |
| Planning permission was refused in Coldharbour Lane few years ago for a shop to a bar/arts centre. | Each application has to be considered on its own merits and against the relevant planning policy framework. |

**Land use – mix of units**

<p>| The new mix of uses and unit sizes will not accommodate all existing traders | This is not a material planning consideration however it is noted that the scheme includes a range of unit sizes including 13 small kiosks. |
| Insufficient number of small units | There is no policy requirement to provide a specific number or type of small units. However, the application does include 13 kiosk type units for smaller operations. Please also see paragraphs 6.1.15- 6.1.20 |</p>
<table>
<thead>
<tr>
<th><strong>Land use - Loss of existing uses</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Moroccan restaurant acts as a community hub which would be lost</td>
<td>A restaurant use falls within use Class A3 which is not considered to be a community facility (as defined in section 7 of the Local Plan) and as such there is no objection in principle to the proposed mix of uses.</td>
</tr>
<tr>
<td>Loss of church</td>
<td>Please see 6.1.9</td>
</tr>
<tr>
<td>Loss of mini cab use in Arch 585 which benefits from planning permission and provides local employment and services</td>
<td>Please see 6.1.10</td>
</tr>
<tr>
<td>The proposals are contrary to Social Infrastructure Supplementary Planning Guide</td>
<td>It is not considered that the Social Infrastructure Supplementary Planning Guide is relevant to the proposals.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Land use – other</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Loss of jobs</td>
<td>The proposed scheme would result in a small loss of floor space which is largely due to the proposed creation of a new pedestrian link which is supported by the site designation. The proposed scheme would re-provide a comparable amount of commercial floor space and as such it is not considered that it would result in a significant loss of jobs.</td>
</tr>
<tr>
<td>Negative impact on the vitality of the market on Electric avenue (contrary to ED13) - they rely on complimentary services provided by traders in the arches</td>
<td>The application secures provision for the existing tenants to return.</td>
</tr>
<tr>
<td>Overdevelopment</td>
<td>The proposal does not create any additional floorspace.</td>
</tr>
<tr>
<td>Impact on tourism – loss of cultural diversity will result in less visitors and impact on income associated with visitors</td>
<td>The proposals are considered to accord with Policy PN3 in relation to Brixton’s offer and attractiveness to visitors.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Design/Conservation</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bland, uniformed design; no character, the scheme will change the character of the area for worse;</td>
<td>The proposal is considered to provide a suitable response to the existing and differing character on each side of the viaduct and improve the setting of the Conservation Area. See paragraphs 6.2.1-6.2.6</td>
</tr>
<tr>
<td>Murals should be refurbished</td>
<td>The existing murals would be retained with the existing links cleaned up and enhanced. Securing refurbishment of the existing murals, which are not designated heritage</td>
</tr>
<tr>
<td>Loss of historical signage and shop fronts</td>
<td>The existing signage and shop fronts (with the exception of the fishmonger’s ironwork which would be retained) are not considered to be of architectural merit as set out in the Brixton Conservation Area Statement. Please also refer to paragraphs 6.2.1-6.2.6</td>
</tr>
<tr>
<td>Loss of historic features – fish tile mural, fishmonger’s presentation slab and other internal features</td>
<td>The arches are not statutorily listed buildings and the removal of internal fixtures and fittings goes beyond the scope of planning control. Please also refer to paragraphs 6.2.1-6.2.6</td>
</tr>
<tr>
<td>The color and sound of historic local traders should be protected as an important aspect of local identity</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>The application fails to secure improvements to public realm as required by ED5.</td>
<td>Please refer to section 6.3. Improvements to the public realm include a new link through the arches, improvements to the existing link, improved lighting and new cycle parking.</td>
</tr>
<tr>
<td>Changes could be detrimental to the character of the conservation area and listed buildings and the historic street pattern</td>
<td>The scheme would not alter the existing street pattern and it would not have a detrimental impact on the setting of any statutorily or locally listed buildings. Also, see paragraphs 6.2.1-6.2.6</td>
</tr>
<tr>
<td>The proposed development to the arches to create new units by reason of its size, depth, width and height would have unacceptably adverse impact on the arches as its original build, not designed for that purpose</td>
<td>The new shop fronts would be set back from the face of the arches and predominantly glazed ensuring that the original form of the arches remains the dominant feature. Please also see paragraphs 6.2.1-6.2.6</td>
</tr>
</tbody>
</table>

**Sustainability**

The application fails to comply with the Lambeth Local Plan 2015 Policy EN4 which requires a BREEAM Excellent score unless it can be proved that this is not viable

See part 6.6. A condition to secure a policy compliant BREEAM score has been included.

The scheme does not represent sustainable development

See part 6.6. A condition to secure a policy compliant BREEAM score has been included.

**Amenity**

Loss of light

Given the nature of the alterations which do not involve enlarging the existing structures, it is not considered that the proposals would
<table>
<thead>
<tr>
<th><strong>Transport/Access</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Plans should include increasing accessibility; disabled access should be provided for the station</td>
<td>The scheme includes improvements to existing accessibility levels – please refer to part 6.5. The railway station does not fall within the boundaries of the application site for this scheme and therefore securing improvements to the station entrance lies beyond the scope of this application.</td>
</tr>
<tr>
<td>Disturbance associated with construction – residential amenity, safety of station users, transport, other businesses</td>
<td>Please see paragraph 6.5.6. A Construction Environmental Management Plan will be secured via condition.</td>
</tr>
<tr>
<td>Plans should include de-priorisation of motor traffic; Atlantic Road should be one way bus/access only</td>
<td>This is beyond the scope of this planning application.</td>
</tr>
<tr>
<td>Additional pedestrian link is unnecessary</td>
<td>The proposed pedestrian link is considered appropriate and provides additional permeability to the area. See paragraphs 6.3.1-6.3.2</td>
</tr>
<tr>
<td>Impact on traffic flows, including from servicing and deliveries to the new units</td>
<td>See paragraphs 6.5.5 – 6.5.7</td>
</tr>
<tr>
<td>New pedestrian link would not be in accordance with acceptable standards and would lead to potential safety hazards</td>
<td>This is not the case and is comparable in terms of the widths with the existing link. See part 6.3.</td>
</tr>
</tbody>
</table>

**Other matters – phasing**

| Refurbishment should be phased to enable the tenants to return | A Construction Environmental Management Plan will be secured via condition to minimise disruption during construction. Network Rail are exploring alternative temporary accommodation for existing tenants. |
| The applicant has not fully justified the need to undertake the works in one phase, the time to complete the works has not been confirmed | This is not a material planning consideration. With regards to construction phase please refer to 6.5.6. |
| The station should be refurbished at the same time. | This is beyond the scope of this planning application and forms part of the wider major redevelopment proposals for Brixton Central. |
### Other matters relating to existing tenants

<table>
<thead>
<tr>
<th>Matter</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>The applicant neglected the needs of tenants who made the units work despite this, repairs could be done differently to enable the tenants to return</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Existing traders contributed to the improvements in the area and should benefit from it not be evicted</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Object to evictions, traders are part of the local history, their eviction will destroy sense of community</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Traders should be compensated fairly</td>
<td>The existing tenants have received at least the statutory level of compensation regardless of whether they are returning or not.</td>
</tr>
<tr>
<td>Existing traders should be subsidized</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Traders should be offered affordable units elsewhere</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Shop front improvements grants would achieve the required improvements without losing tenants</td>
<td>The proposals have to be assessed on their merits.</td>
</tr>
<tr>
<td>The reasons to evict tenants are not clear and should be scrutinised</td>
<td>This is not a material planning consideration.</td>
</tr>
</tbody>
</table>

### Other matters relating to the applicant

<table>
<thead>
<tr>
<th>Matter</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant cannot be trusted</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Applicant is a publicly owned company and has a social responsibility to support local community</td>
<td>This is not a material planning consideration.</td>
</tr>
<tr>
<td>Applicant is driven by profit and greed</td>
<td>This is not a material planning consideration.</td>
</tr>
</tbody>
</table>

### Consultation process

<table>
<thead>
<tr>
<th>Matter</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insufficient consultation at pre-application and application stage; there should be a local referendum</td>
<td>The consultation process for this application has been undertaken in accordance with statutory requirements including the Council’s Statement of Community Involvement.</td>
</tr>
<tr>
<td>General support to the proposals should not have been given at pre-application stage without consultations including with the Brixton Central Masterplan reference group</td>
<td>The Councils pre-application advice service is based on the relevant planning policies, guidance and any relevant material planning considerations. The pre-application process does not involve any formal external</td>
</tr>
</tbody>
</table>
consultations but officers encouraged the applicant to undertake consultations with a range of local stakeholders.

**Other matters**

| The scheme will contribute to gentrification, social cleansing, further fragmentation of Brixton, loss of identity. | This is not a material planning consideration. |
| The Council should refuse to consider this application | The Council has a statutory duty to consider all planning applications which meet the relevant validation criteria. |

**Equalities**

| The proposals will affect predominantly Black, Asian and Minority Ethnic (BAME) communities - Equality Impact Assessment has not been carried out to investigate potential impact and how it might be mitigated. | The application has been assessed against all relevant planning legislation and planning policy, which has been subject to a full Equalities Impact Assessment as part of the preparation process. The provision of an Equalities Impact Assessment for this particular application has not been sought as this is not a pre-requisite for a planning application submission. However, officers did discuss equalities with Network Rail as part of the pre-application process and the Tenant Management Strategy seeks to summarise those aspects. |

4.2.3 14 letters of support and 2 neutral representations have also been received raising the following matters:

<table>
<thead>
<tr>
<th>Summary of representation</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supportive of the design</td>
<td>Noted</td>
</tr>
<tr>
<td>Support for the new pedestrian link</td>
<td>Noted</td>
</tr>
<tr>
<td>Proposals comply with PN3</td>
<td>Noted</td>
</tr>
<tr>
<td>Stepped rents achieve compliance with Policy ED6</td>
<td>Noted</td>
</tr>
<tr>
<td>Area needs improvements which this will secure</td>
<td>Noted</td>
</tr>
<tr>
<td>The existing uses include money lending /cash for gold etc which have extortionate rates and their removal should be supported</td>
<td>Noted</td>
</tr>
<tr>
<td>Scheme will diversify exiting provision which is positive</td>
<td>Noted</td>
</tr>
<tr>
<td>Asking to pay market rent is not excessive but help should be given to businesses that cannot afford this</td>
<td>Noted</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>The station walkthrough doesn’t feel safe in the evening and the proposals would improve this</td>
<td>Noted</td>
</tr>
<tr>
<td>Can a condition be imposed to require that NR contributes towards street cleaning</td>
<td>Such a condition would not meet the relevant planning tests.</td>
</tr>
</tbody>
</table>
5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

5.2 The National Planning Policy Framework was published in 2012. This document sets out the Government’s planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.

5.3 The development plan in Lambeth is the London Plan (2015) as amended and the Lambeth Local Plan (September 2015). Material considerations include national, regional and local planning policy statements, planning policy guidance and Supplementary Planning Guidance/Documents.

5.4 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. Set out below are those policies most relevant to the application, however, consideration is made against the development plan as a whole.

5.5 The London Plan (2015) (as amended in Further Alterations to the London Plan 2015 and in Minor Alterations to the London March 2016)
   - Policy 1.1 Delivering the strategic vision and objectives for London
   - Policy 2.9 Inner London
   - Policy 2.14 Areas for regeneration
   - Policy 2.15 Town Centres
   - Policy 3.1 Ensuring equal life chances for all
   - Policy 4.1 Developing London’s economy
   - Policy 4.7 Retail and town centre development
   - Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services
   - Policy 4.9 Small Shops
   - Policy 5.3 Sustainable design and construction
   - Policy 5.12 Flood risk management
   - Policy 5.15 Water use and supplies
   - Policy 5.17: Waste capacity
   - Policy 5.21 Contaminated land
   - Policy 6.3 Assessing effects of development on transport capacity
   - Policy 6.7 Better streets and surface transport
   - Policy 6.9 Cycling
   - Policy 6.10 Walking
   - Policy 6.13 Parking
   - Policy 7.1 Lifetime neighbourhoods
   - Policy 7.2 An inclusive environment
   - Policy 7.3 Designing out crime
   - Policy 7.4 Local character
   - Policy 7.5 Public realm
   - Policy 7.6 Architecture
   - Policy 7.8: Heritage assets and archaeology
   - Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
   - Policy 8.2 Planning obligations
   - Policy 8.3 Community Infrastructure Levy

5.6 Lambeth Local Plan (September 2015)
   - Policy D1: Delivery and Monitoring
   - Policy D2: Presumption in favour of sustainable development
Policy D3: Infrastructure
Policy D4: Planning Obligations
Policy ED2: Business, industrial and storage uses outside KIBAs
Policy ED5 Railway arches
Policy ED6: Town Centres
Policy ED7: Evening economy and food and drink uses
Policy ED9: A2 uses
Policy ED13 Markets
Policy S1: Safeguarding existing community facilities
Policy T1: Sustainable Travel
Policy T2: Walking
Policy T3: Cycling
Policy T4: Public transport infrastructure
Policy T6: Assessing impacts of development on transport capacity and infrastructure
Policy T8: Servicing
Policy EN4: Sustainable design and construction
Policy EN5: Flood Risk
Policy EN6: Sustainable drainage systems and water management
Policy EN7: Sustainable waste management
Policy Q1: Inclusive environments
Policy Q2: Amenity
Policy Q3: Community safety
Policy Q4: Public art
Policy Q5: Local distinctiveness
Policy Q6: Urban design: public realm
Policy Q7: Urban design: new development
Policy Q8: Design quality: construction detailing
Policy Q9: Landscaping
Policy Q11: Building alterations and extensions
Policy Q12: Refuse/recycling storage
Policy Q13: Cycle storage
Policy Q15: Boundary treatments
Policy Q16: Shop fronts
Policy Q17 Advertisements and signage
Policy Q22: Conservation Areas
Policy PN3: Brixton
Site 16: Brixton Central

5.7 Other Guidance
The following other guidance is also considered relevant to the application proposal:

*Regional*
- Planning for Equality and Diversity in London (October 2007);
- Town Centres (July 2014);
- Sustainable Design and Construction Supplementary Planning Guidance (April 2014);
- London Planning Statement (May 2014);
- The control of dust and emission during construction and demolition (July 2014); and
- Accessible London – Achieving an Inclusive Environment (October 2014).

*Lambeth*
- Building alterations and Extensions Supplementary Planning Document (2015);
- Lambeth Advertising & Signage Guidance (2016);
- Brixton Conservation Area Statement (2012);
- Brixton SPD (June 2013);
- Refuse and Recycling Storage Design Guide (July 2013);
- Waste and Recycling storage and collection requirements – Technical specification for Architects and Developers (October 2013);
- Approved CIL Charging Schedule (1st October 2014); and
- Lambeth Regulation 123 List (1st October 2014).
6 PLANNING ASSESSMENT

6.1 Land Use

6.1.1 Local Plan Policy ED5 relates to railway arches and states that the use of railway arches within major town centres for A, D, B1 and appropriate *sui generis* uses will be supported.

6.1.2 Policy ED6 seeks to support the vitality and viability of Lambeth’s town centres by ensuring an appropriate mix of retail, service, leisure and other uses within these areas, as well as maintaining the predominant retail function of primary shopping areas in major and district centres, improving existing retail facilities and safeguarding local shop units.

6.1.3 Policy ED7 supports evening economy and food and drink related uses in town centres whilst making sure that any adverse impact on local amenity is minimised.

6.1.4 Policy PN3 relates to Brixton Major Town Centre and requires that retail units (Use Class A1) within the primary shopping area do not fall below 60% of the total number of units, and food and drink related units (Use Class A3/A4/A5) should not exceed 25% of the total number of units taking account of unimplemented planning permissions for change of use. It also requires that not more than 2 in 5 consecutive ground floor units in the primary shopping area should be in food and drink use at one time. Different thresholds apply to units within Brixton’s indoor markets, although these do not form part of the application site.

*Proportion of retail (Use Class A1) and food and drink (Use Class A3/A4/A5) related units*

6.1.5 The existing units are predominantly in retail use (approximately 63% of the total floorspace), followed by a range of *Sui Generis* uses (17% of floorspace) and then food and drink related uses (15% of floorspace). However, it is noted that there are no records of planning permission for the majority of arches, with the exception of Arches 573 and 579 where planning permission was granted and subsequently implemented for food and drink related uses. Arch 385 also has an implemented planning permission for a mini cab office (*Sui Generis* use).

6.1.6 Surveys of 174 ground floor units within the Brixton Primary Shopping Area (a defined area where retail development is concentrated and set out in the Lambeth Local Plan (Policies ED6 and PN3)) indicate that there are 115 retail units (66%) and 31 food and drink related units (18%). Consideration has to be given to extant planning permissions which, if implemented could reduce the proportion of retail units to 113 (65%) and increase food and drink related uses to 33 (19%).

6.1.7 The proposed scheme involves the following alterations to the existing units:

- 5 new retail units created from existing non retail uses (Units 1, 5, 17, 25 and the small units within arch 572 (K8 and K9))\(^1\);
- 3 existing retail units change to food and drink related uses (14, 16, 22); and
- 2 new food and drink related uses created from non-retail units (10, 26).

6.1.8 The proposed unit changes above indicate a scenario assuming that the proposed flexible use units 14 and 16 would be used for food and drink related uses rather than retail. Overall, the proposals would result in a net increase of 2 retail units and 5 food and drink related uses. This would therefore result in retail units representing 66% of the Brixton Primary Shopping Area and the proportion of food and drink related uses would also increase to 22%, which is within the thresholds set out in Policy PN3(a).

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\(^1\) Refer to plan reference 2960/A/1151 Rev. P03 for unit numbers.
Other uses

6.1.9 One of the units (Unit 26) within the application site is currently used as a place of worship, which would normally be classified under Use Class D1 (as shown on the submitted plans). However, the unit is located centrally between the viaducts and can only be accessed through Arch 576 which is used as a bookshop. There are no planning records relating to a mixed retail/community use on this site. It is therefore considered that the church use is ancillary to the main bookshop. As such, Policy S1 (Safeguarding existing community premises) does not apply in this case and the change of use of this floorspace would be acceptable.

6.1.10 The proposed scheme would also result in a loss of over 360sqm of Sui Generis uses such as pawnbrokers, money shops and mini cab offices. However, there are planning records relating to only one of these units. The policies of the Local Plan do not seek to protect these other types of Sui Generis uses and therefore the change of use of these units would be acceptable.

Location of food and drink related uses

6.1.11 As noted previously, Policy PN3(a) states that no more than 2 in 5 consecutive ground floor units in the primary shopping area should be in food and drink use at one time. The existing food and drink related uses fronting Brixton Station Road (Units 2, 3, 4, 7 and 8) are proposed to be retained in terms of their use and would therefore result in more than 2 in 5 consecutive uses being in food and drink use.

6.1.12 The scheme also seeks to provide a new food and drink related unit in Arch 575 (Unit 10) further along Brixton Station Road. This would result in 3 in 5 consecutive units (Unit 7, Unit 8 and Unit 10) being in food and drink related uses. The applicant was requested to look at re-locating this use to Unit 24 (fronting Atlantic Road) which would ensure that the new food and drink units would not create more than 2 in 5 consecutive uses as food and drink. However, officers consider that locating a food and drink related use in Unit 24 would be undesirable in this instance given the location of this unit in relation to the entrance steps to the Brixton Station which could lead to additional pressures on this area and cause accessibility and safety issues.

6.1.13 Officers have sought specific Planning Policy advice on this issue and on balance consider that this scheme when assessed in relation to overall approach in Policy PN3 (a) in terms of mix of uses is acceptable in this instance. This is on the basis that the units on Brixton Station Road are already existing in these locations and that the proposals seek to facilitate the return of the existing tenants, which is supported by the Council generally. Officers are also content that the proposed mix and arrangement of the units is acceptable given that the number of food and drink uses in the Primary Shopping Area remains below 25%, and the number of retail units remains above 60% of the total number of units.

Affordability of units

6.1.14 Policy ED6(e) states that “major development proposals will be required to re-provide on affordable terms any small shop premises that would be lost and ensure that these are available at the same time as the main element of development, subject to viability. This will be secured through conditions or, where appropriate, planning obligations.”

6.1.15 The application is for the refurbishment of and alterations to the existing arches, along with the change of use of nine arches. No additional floorspace would be created and the scheme would result in a small net loss of floorspace (approx. 184sqm). While this is not a ‘major application’ in its own right, the site forms part of a larger site in central Brixton within the applicant’s ownership. As such, the scheme is integral to the longer term ‘major redevelopment proposals’ for this area in line
with the Site 16 designation in the Local Plan and the Brixton SPD, which will have a significant impact on the local area. On this basis, officers consider that part (e) of Policy ED6, would apply in this case insofar as the scheme represents part of a wider major redevelopment proposal. This approach is supported London-wide under Policy 4.9 (Small Shops) in the London Plan (2015).

6.1.16 While the proposals seek to retain the existing small units, the extent of the refurbishment proposals requires vacant possession of these units and the displacement of the existing uses. This amounts to the loss of ‘small shop premises’, which are defined in paragraph 6.27 of the Local Plan as units “occupied by an independent retail or service outlet which has nine units or less”.

6.1.17 The applicant has committed to facilitate the return of the existing tenants on a stepped rent programme and according to the applicant’s submissions, 18 of the 21 existing tenants have indicated their desire to return to a redeveloped/refurbished unit. The application is accompanied by a Tenant Management Strategy which outlines details of the proposed programme, and a commitment that returning tenants would be eligible for the following stepped rents:

- Years 1 – 3: maximum of 50% of market rent (2015 levels)
- Years 4 – 5: maximum of 75% of market rent (2015 levels)
- Years 6 – 7: no greater than 2015 market rent level
- Year 8: market rent review

6.1.18 In light of the policy requirements above, this commitment and the securing of stepped rents amounts to a material planning consideration in the assessment of this proposal. As such, officers have taken this into account and consider that the securing of these stepped rents through the planning system is necessary to satisfy the requirements of Policy ED6. The stepped rent levels would therefore be secured through the provision of a Letting Strategy condition detailed of which would have to be submitted and approved prior to first occupation of the units.

**Tenant Management Strategy**

6.1.19 As mentioned above, the application has been accompanied by the Tenant Management Strategy. The Strategy seeks to address a number of issues, including equalities and diversity relating to the existing tenants and their right of return once the works have been completed. The Strategy sets out the consultation and engagement undertaken to date with the tenants, including the provision of statutory compensation regardless of whether the tenant wishes to return or not. The Strategy goes on to set out the commitment to returning tenants in terms of rental levels going forward and the length of tenancies (10-15 years) as well as permit assignment to third parties where appropriate. Many of these issues fall outside of the normal planning process, although for the reasons set out earlier in this section they have formed a material planning consideration for the assessment of this application.

**Land Use Conclusion**

6.1.20 Officers have assessed each of the proposed land uses against those that currently exist on the site and in relation to relevant policies and other material considerations. The overall proportion of food and drink related units and retail units complies with Policy PN3. While the location of some of the food and drink related units would result in more than 2 in 5 consecutive units being in such a use, the proposals would largely replicate the existing situation and would facilitate the return of existing tenants. Overall, it is concluded that the proposed mix of uses would be an acceptable mix, according with the aspirations set out in the Local Plan designation for this site.
6.2 Conservation and Design

6.2.1 Policy Q22 requires that development proposals affecting conservation areas to respect and reinforce the established, positive characteristics of the area. Policy Q5 states that local distinctiveness should be sustained and reinforced through new development. Policy Q16 relates to shop fronts and states that designs should integrate well into the host building, use robust, carefully detailed materials, be carefully considered with large, generous shop windows and adequate entrance doors. A dedicated space for signage, integrated security measures and the display of the property numbers are also required. Policy ED5 relates specifically to railway arches and seeks to deliver improvements to the areas within the immediate environment of the arches, including public realm, accessibility, safety, servicing and lighting.

6.2.2 The Brixton Conservation Area statement notes that while the railway viaducts and station overhang add to “an industrial feel and strong sense of streetscape” along Atlantic Road, the shopfronts and signage are “generally of very poor quality”. The statement goes on to say that, “it is likely that for as long as the Brixton railway viaducts have existed they have been occupied by retail units. Historically many of these had conventional timber shopfronts installed over the front of the arched opening. None of the railway arch premises retain historic shopfronts although 11 Atlantic Road [Arch 601] has a fine wrought iron grille decorated by fish and 53 – 55 Atlantic Road retain stucco pilasters and consoles. Over the years all manner of different shopfronts have been installed in the arches and they exhibit similar problems as conventional shopfronts – poor design and materials, solid roller shutters and inappropriate signage.”

6.2.3 The applicant has engaged in detailed pre-application discussions with officers on these proposals and at that stage it was agreed that a flexible approach to design can be supported whereby the detailed design of each unit can be varied to respond to the individual needs of each tenant. It is considered that such a design approach reinforces the varied character that the arches already exhibit, albeit within an overall design framework. The final scheme relies on the use the same palette of materials and overall design approach to tie the units together but allows for variation in the arrangement of these components to avoid the elevations becoming too uniformed. The design of the shop fronts includes integrated security measures, lighting and ventilation and allows for the addition of features such as retractable canopies if required by the tenants.

6.2.4 The detailed design of shop fronts facing Brixton Station Road and Atlantic Road would differ to reflect the different character settings of the two street frontages. The units facing Brixton Station Road would be recessed by 0.6m and their open nature responds positively to the street market located in front of them. The alterations to Atlantic Road frontage include restoration of the existing mosaic tiling and introduction of new ceramic tiles to provide background for arch numbering and to add interest to the overall design. It is noted that the historic, decorative fishmonger ironwork within Arch 601 would be retained, as requested by the Conservation Officer.

6.2.5 It is noted that the proposals do not include a clearly defined signage zone and the applicant advised that this is to encourage freedom of expression among future tenants and avoid excessive uniformity. Again, this is in response to the prevailing character at present. The applicant advised that the future leases will restrict the tenants’ ability to affix any signs or associated structures to the brick structures. However, it is considered necessary to secure a more detailed signage strategy through a condition which is recommended. This will ensure that the rich and varied appearance of the Brixton Conservation Area is preserved going forward. It should also be noted that, as the site is located within a designated conservation area, advertisement consent would be required for any illuminated advertisements.

6.2.6 Overall, it is considered that the proposed scheme, subject to conditions recommended by the Conservation and Design Team, would significantly improve the appearance of the site, enhance the
character and appearance of the Brixton Conservation Area and comply with the relevant policies of the Local Plan.

6.3 Public Realm

6.3.1 Policy Q6 supports development that provides improved legibility, permeability and convenient access. Policy ED5 (d) states that applications affecting railway arches will be required to improve the immediate environment around the arches, including the public realm. Design criteria outlined in Policy PN3 - Site 16 supports development that provides opportunities to improve the station entrance, the opening up of arches to provide links to north-south routes and enhances the arches to provide active uses and routes through.

6.3.2 The scheme proposes a new pedestrian link between Brixton Station Road and Atlantic Road through arches 577 and 604. The new link would be between 3.8m and 4.2m in width at each end. However, owing to the arch structure, there is a narrowing in the middle section down to 1.9m and 2m respectively. Immediately adjacent to these pinch points the arches widen out to at least 5.2m to allow for entry from the link to units 9, 21 and 26. It is worth noting that the new link is comparable in width with the existing access link to the station (3.6m – 4m).

6.3.3 This link responds well to the wider aspirations to improve connectivity through the arches and reduce the existing congestion on Brixton Station Road and the existing though routes. The proposed lighting scheme through the new and existing links as well as outside each of the units will impact positively on the surrounding public realm. The scheme will also contribute to improving the existing cycle parking provision around the application site. Overall, it is considered that the proposals fulfil the objectives of the relevant policies of the Local Plan.

6.4 Neighbouring Amenity

6.4.1 Local Plan Policy Q2 (Amenity) also seeks to protect the amenity of existing neighbours. This is measured in terms of potential impacts in relation to outlook and privacy, daylight and sunlight, noise and air quality and impacts during construction. Policy ED7 seeks to ensure that food and drink related uses do not cause unacceptable harm in relation to noise including from service plant.

6.4.2 The application site is situated within railway arches, in the centre of Brixton town centre, adjoining Brixton Road which is part of the TLRN and the street markets. Consequently, the noise levels in the area are relatively high. The nearest residential properties are located on the other side of Brixton Station Road, approximately 16m away. The closest residential properties on Atlantic Road are located to the south-east of the application site where no food and drink related uses are proposed.

6.4.3 Unit 10 would be located in front of the recreation centre. The majority of the proposed food and drink related uses facing Brixton Station Road would be located in the same locations as the existing units, which is acceptable in principle. However, it is noted that the proposed scheme includes the possibility of linking units to create larger food and drink related units which could create disturbance and noise over and above the existing levels. This issue could be dealt with via the imposition of planning conditions on any consent granted to restrict the overall level of noise generated including controlling maximum sound levels and limiting hours of operation.

6.4.4 The submission does not clarify the proposed hours of operation but it is considered that it is reasonable to restrict the hours to 8.00-23.00 Mondays to Sunday. This is in keeping with the existing approved hours for Arch 573 and is considered to be consistent with the generally accepted opening hours in the area.
Extractor unit noise and odour impact

6.4.5 All premises where hot food is prepared require direct extract ventilation of fumes likely to cause smell nuisance. Ideally all fumes and smells from any cooking process should be extracted through internal or external ducting, which is so designed that the ducting discharges at roof level. In instances where this is not practicable, an alternative solution which ensures that the best practicable means have been used to prevent, or to counteract the effects of, any possible nuisance should be utilised.

6.4.6 The proposed food and drink related units will be fitted with extractors discharging at relatively low level, through louvered areas within the upper parts of the shop fronts. This approach will replace all existing equipment with the exception of arch 578/603. While there are no residential uses immediately above the site given its location within railway arches, the proposed extract exhausts would be located in close proximity to pedestrianised areas. Therefore a condition requiring further details of the proposed extraction systems together with the relevant maintenance plan is recommended. Overall, it is considered that the proposal would not have significant negative impacts on residential amenity and as such would comply with policy Q2 and ED7 of the Local Plan.

6.5 Transport and Servicing

6.5.1 Local Plan Policies T1 (Sustainable travel), T2 (Walking), T3 (Cycling), T4 (Public transport infrastructure), T6 (Assessing impacts of development on transport capacity and infrastructure), T7 (Parking) and T8 (Servicing) and ED5 (Railway Arches) are relevant to the assessment of this application. The application is accompanied by a Transport Assessment prepared by TPP.

Site & Accessibility

6.5.2 The site benefits from excellent public transport accessibility (PTAL score of 6b). There is no vehicular access into the site and no directly associated car or cycle parking. Access into the individual units is on foot through the front of each arch. The proposed scheme would re-provide individual access to all arches and the new pedestrian access way would also provide access to the centrally located unit which currently does not have an independent entrance. The proposed new pedestrian link and improvements to the station walkway would have a positive impact on the existing accessibility, legibility and permeability levels.

Trip Generation

6.5.3 The submitted Transport Assessment indicates that the proposed scheme is likely to result in an increase in trips (approximately 230) in the morning peak hours. The morning increase is linked to the proposed increased number of the A3 café use, however these trips would be linked to people who would be already in the area on their way to work and therefore would have limited additional impact on the local transport network. The Transport Assessment indicates that in the afternoons and evenings it is expected that the trips generation would not exceed those of the existing development due to the reduction in the commercial floor area and the mix of proposed uses, although it is recognised that the increased retail offer (in terms of individual units) is likely to attract new visitors.

Car and Cycle Parking

6.5.4 No car parking is proposed as part of the development. Due to the site’s constraints no dedicated cycle parking is proposed within the red line application site. Currently there are 88 on-street publically accessible cycle parking spaces within close proximity of the site and 30 more spaces outside Brixton Recreation Centre. However, given the possible increase in visitor numbers to the area, officers have agreed the following range of improvements to existing cycle parking within the immediate area:
- Brixton Station Road: replace 8 cycle stands with “London cycle stands” outside Brixton Sports Centre;
- Atlantic Road: 6 new Sheffield stands underneath the external staircase to Brixton Railway Station;
- Beehive Place corner with Brixton Station Road: 2 new Sheffield stands; and
- Pope’s Road: 6 new Sheffield stands by the side of Brixton Sports Centre.

These improvements will be secured via condition requiring submission of details to the Council for approval and the delivery of these works to be agreed with the Council’s Highways Team. This may be in the form of a S278 agreement or through direct provision.

**Servicing/Deliveries**

6.5.5 The submitted Transport Assessment states the existing development is estimated to generate 16 delivery and service vehicle trips in total per day with a total of 2 trips occurring in the AM peak hour (0800 – 0900) and none in the PM peak hour (1700 – 1800). The remainder being outside of peak hours. Deliveries and servicing rely on the use of loading bays on Atlantic Road and on Brixton Station Road opposite Pop Brixton. The Transport Assessment indicates that servicing and deliveries will continue as per the existing situation. A full Delivery and Servicing Management Plan would be secured by condition, however officers are confident that servicing requirements can be met without harm to the transport network or local amenities given the units are already being serviced in this way.

**Construction Management**

6.5.6 Given the nature of the proposed development, its single phase delivery, the operational railway and the surrounding development sensitivity, it is appropriate to secure a Construction Management Strategy to be approved prior to commencement of the proposed development. This will ensure that any road closures or large deliveries relating to the works are managed to minimise the impact of the development on the surrounding businesses, residential amenity and the highway network.

**Refuse and Recycling**

6.5.7 In accordance with Local Plan Policy Q12 (Refuse/recycling storage) the proposals will be required to provide adequate levels of refuse and recycling storage provision. The submitted Refuse Strategy show indicative locations of internal refuse and recycling stores for each unit, although, tenants will be responsible for their own refuse storage. Refuse would be collected daily with the occupiers of each unit leaving their refuse on-street to be collected after the day’s trading as per the existing situation. Specific refuse and recycling refuse and relevant servicing details for each unit shall be secured via condition prior to first occupation.

**6.6 Sustainability and Flood Risk**

6.6.1 In accordance with London Plan Policies 5.1-5.7 and Local Plan Policy EN4 (Sustainable design and construction) the application has been accompanied by a Sustainability and Energy Efficiency Statement by Haskoll.

6.6.2 The submitted statement indicates that the scheme aims to meet the BREEAM UK Refurbishment and Fit-out ‘Very good’ rating. The statement has been reviewed by the council’s sustainability consultants who advised that the scheme should target the Excellent' rating as the proposals relate to over 500sqm of floorspace. If it can be demonstrated that ‘Excellent’ is not feasible, then ‘Very Good’ rating with a minimum score of 63% should be achieved. The submitted pre-assessment shows a score of 62.62%. It is considered that insufficient detail has been provided to demonstrate that Excellent cannot be achieved, however further details can be secured by condition to ensure that the scheme meets the relevant standards.
6.6.3 The application site falls within Flood Zone 1 and would not trigger the requirement for a Flood Risk Assessment. In any case the proposals do not seek to create additional floorspace or basement levels.

6.7 Designing Out Crime

6.7.1 In accordance with London Plan Policy 7.3 and Local Plan Policy Q3, the scheme incorporates a range of design principles in order to promote natural surveillance and ensure the scheme meets the principles of Secured by Design.

6.7.2 The Council’s Design Out Crime Officer commented on the proposals and recommended that a number of physical measures are incorporated in the proposals and a Crime and Safety Management Plan is secured by a condition. Given that the proposals include a number of new and larger food and drink related uses, it is considered reasonable to request that a management plan is secured for food and drink related units (floorspace greater than 60sq.m) including details of any CCTV coverage; measures to mitigate potential crime risks including robbery, anti-social activity, noise pollution and risks to staff safety/welfare; and details relating to ‘quiet door policy’. It is considered that the proposals are acceptable, subject to conditions to secure compliance with the principles of Secured by Design and the provision of a Crime and Safety Management Plan.

6.8 Planning Obligations

6.8.1 No Lambeth Community Infrastructure Levy (CIL) or the London Mayoral CIL contributions would be due as the development would not create new floor space or create residential dwellings.

6.8.2 The application does not create any additional floorspace and therefore does not trigger any additional planning obligations to be secured as part of a Section 106 Agreement. Measures in relation to rent levels and cycle parking have been secured via condition.

7 CONCLUSION

7.1 In summary, officers have assessed the proposals in accordance with all relevant policies. The comments made by all interested parties have been given careful consideration, as have responses from all consulted bodies.

7.2 Officers consider that the proposed mix of land uses accords with the aspirations set out in the Local Plan for this site. The proposed mix of retail units (Use Class A1) and food and drink related uses (Use Class A3/A4) comply with the thresholds set out in Policy PN3 (a). While the location of some of the food and drink related units would result in more than 2 in 5 consecutive units being in such a use, the proposals would largely replicate the existing situation and would facilitate the return of existing tenants and would not therefore result in an overconcentration of such uses within the Primary Shopping Area. The applicant has committed to facilitate the return of the existing tenants on a stepped rent programme which would be secured through the provision of a Letting Strategy condition to ensure that the proposals would comply with Policy ED6 of the Local Plan.

7.3 The proposed change of use, refurbishment and physical alterations to the arches are acceptable in that they would be of an appropriate design and deliver improvements to public realm including the creation of a new pedestrian link and cycling facilities. The proposals would not prejudice the amenity of neighbouring properties and would be acceptable on transport and highway grounds. It is therefore considered that the development is compliant with the planning policies of the development plan and other material planning considerations being considered the scheme would be acceptable in planning terms.
8 RECOMMENDATION

8.1 Resolve to grant conditional planning permission.
9 CONDITIONS AND REASONS

General

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 development hereby permitted shall be carried out in accordance with the approved plans listed in this notice.

   Reason: For the avoidance of doubt and in the interests of proper planning.

Affordability of units

3. There shall be no occupation of any of the units within the development hereby approved until a ‘Letting Strategy’ in respect of ‘Existing Network Rail Tenants’ has been submitted to and approved in writing by the Local Planning Authority.

   In this condition:

   ‘Existing Network Rail Tenant’ means in respect of any of the units within the application site any tenant of Network Rail who was in possession as at 12 February 2016;

   ‘Letting Strategy’ means the document approved by the Local Planning Authority pursuant to this condition 3;

   ‘Stepping Provision’ means in relation to the rent payable by an Existing Network Rail Tenant, rents that will be fixed in the following manner (where ‘Year 1’ will commence in respect of any Existing Network Rail Tenant with the date of first occupation by that party of any unit within the development hereby permitted with subsequent years commencing on the anniversary of Year 1 and where ‘Market Rent’ shall mean market rent as at 2015):

   Years 1 – 3: maximum of 50% of Market Rent
   Years 4 – 5: maximum of 75% of Market Rent
   Years 6 – 7: maximum of 100% of Market Rent
   Year 8: A rent review to take place to determine the market rent as at that year

   The Letting Strategy shall include provision to the effect that the terms of occupation by an Existing Network Rail Tenant of any unit within the development hereby approved shall give effect to the Stepping Provision.

   The development hereby approved shall thereafter be carried out and managed in accordance with the Letting Strategy.

   Reason: To ensure that the levels of rent payable by existing tenants on the application site of Network Rail who take up occupation of any of the units permitted in the development are managed for a specified period of years. (Policy ED6 Town Centres in the Lambeth Local Plan, September 2015).
4. No development shall commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

a) An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;

b) Information on environmental management;

c) A description of management responsibilities;

d) A description of the demolition and construction programme;

e) Site working hours and a named person for residents/businesses to contact;

f) Detailed Site logistics arrangements;

g) Temporary works requirements;

h) Advance notification of road/railway closures;

i) Details regarding parking, deliveries, and storage;

j) Details regarding dust mitigation;

k) Details of measures to prevent the deposit of mud and debris on the public highway;

l) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area. The hours of deliveries associated with construction activity should work around peak hours; and

m) Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network;

n) Communication procedures with the LBL and local community regarding key construction issues – newsletters, fliers etc.; and

o) Established environmental monitoring and control measures (where appropriate) with respect to:

   - Air Quality;
   - Noise and Vibration;
   - Water;
   - Fuel and Chemicals;
   - Waste Management;
   - Worksite Housekeeping;
   - Electricity and Lighting;
   - Traffic Management and Site Access;
   - Operations Likely to Result in Disturbance;
   - Site Layout Arrangements with respect to temporary works, plans for storage, accommodation, vehicular movement, delivery and access;
   - Materials;
   - Contaminated Land;
   - Ecology;
   - Vermin Control;
   - Public Relations – procedures ensuring that communication is maintained with the LBL and the community and also provisions for affected parties to register complaints and a means of replying to these complaints;
   - An overview of environmental incidents;
   - A description of relevant documentation and records;
- Environmental inspections and reviews; and
- Housekeeping and general site management, materials storage and handling, waste management, recycling and disposal.

Evidence of and details related to consultation with local residents on the CEMP to be submitted shall be included within the submission. The construction shall thereafter be carried out in accordance with the details and measures approved in the CEMP for the related phase, unless the written consent of the Local Planning Authority is received for any variation.

Reason: This is required prior to construction to avoid hazard and obstruction being caused to users of the public highway and to safeguard neighbouring amenity during the whole of the construction period. (Policies T6 and Q2 of the Lambeth Local Plan (2015)).

Design

5. Notwithstanding the details shown on the drawings hereby approved, no development (other than site preparation and arch clearance) shall take place until drawings at 1:10 scale (including sections) or at another scale agreed by the Local Planning Authority showing all external construction detailing of all development has been submitted to and approved by the Local Planning Authority in writing, unless otherwise agreed in writing by the Local Planning Authority. The drawings shall include details of:
   
   a) Shopfronts (including the treatment around the retained ironwork in Arch 601 and ceramic tile panels), cills, reveals and doors;
   b) wall vents;
   c) copings, parapets, soffits and upstands;
   d) rain water goods (internal strategy);
   e) lighting of public spaces and arch exteriors;
   f) screens, gates and other means of enclosure;
   g) shop fascias and signage strategy; and
   h) shop and pedestrian link security.

The development shall not be carried out otherwise than in accordance with the details and drawings thus approved.

Reason: To ensure that the external appearance of the arches/shopfronts and the new pedestrian link are satisfactory and does not detract from the character and visual amenity of the area along with setting of the conservation area. (Policies Q6, Q7, Q8, Q11, Q16, Q17 and Q22 of the Lambeth Local Plan (2015)).

6. Notwithstanding the details shown on the drawings hereby approved, no development (other than site preparation and arch clearance) shall take place until sample panels of all external materials have been submitted to or erected on site for inspection by a council officer and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the arches and the shopfronts are satisfactory and does not detract from the character and visual amenity of the area along with setting of the adjoining conservation and listed buildings. (Policies Q6, Q7, Q8, Q11, Q16 and Q22 of the Lambeth Local Plan (2015)).
7. No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of the arches.

Reason: To ensure an appropriate standard of design (Policies Q6, Q8 and PN3 of the Lambeth Local Plan (2015)).

8. Prior to the first occupation of the proposed Class A3/A4 units with a floorspace exceeding 60sq.m, a Crime and Security Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted details will include the following:

   a) A summary of known crime risks in the area;
   b) Details of any CCTV coverage;
   c) Measures to mitigate potential crime risks including robbery, anti-social activity, noise pollution and risks to staff safety/welfare; and
   d) Details demonstrating that the premises will operate a ‘quiet door policy’.

The use shall thereafter be operated in accordance with the approved details, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To ensure that the development maintains and enhances community safety. (Policy Q3 of the Lambeth Local Plan (2015)).

9. Prior to the occupation of the development hereby permitted, the de-cluttering, cleaning and restoration of all external surfaces shown on approved plans shall be fully implemented. All new external work and finishes and work of making good shall match the existing adjacent original work in respect of the, materials, colour, texture, profile, and finished appearance, except where indicated otherwise on the drawings hereby approved, or unless otherwise required by condition

Reason: To ensure that the external appearance of the arches/shopfronts and the new pedestrian link are satisfactory and does not detract from the character and visual amenity of the area along with setting of the conservation area. (Policies Q6, Q7, Q8, Q11, Q16, Q17 and Q22 of the Lambeth Local Plan (2015)).

**Hard Landscaping and Public Realm**

10. Notwithstanding the details shown on the drawings hereby approved, prior to the commencement of the development (other than site preparation and arch clearance), a Hard Landscaping Scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate the following:

   a) The treatment of all parts of the site not covered by buildings including walls and boundary features;
   b) All hard landscaping including all ground surfaces, seating, refuse disposal points, cycle parking facilities, bollards, vehicle crossovers/access points, any ramps or stairs plus wheel chair access (including how the needs of all ambulant and disabled persons have been taken into consideration in respect of the shared surface area) together with finished ground levels and site wide topographical levels;
   c) A lighting strategy for all externally facing public areas;
The approved Hard Landscaping Scheme shall be carried out in accordance with the approved details and maintained thereafter, unless the written consent of the Local Planning Authority is received for any variation.

Reason: In order to create high quality and safe hard landscaping and public realm in and around the site in the interests of visual amenity and accessibility (Policies Q3, Q6 and Q9 of the Lambeth Local Plan (2015)).

Transport and Servicing

11. Prior to the occupation of any of each unit, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures approved in the Travel Plan shall be implemented prior to the use commencing and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure that the travel arrangements to the site are appropriate and to limit the effects of the increase in travel movements (Policy 6.3 of the London Plan 2015 and Policies T1 and T6 of the Lambeth Local Plan (2015)).

12. Prior to the first occupation of the units hereby approved, 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 thereafter be implemented in full in accordance with the approved details within 3 months of the use commencing and shall thereafter be retained solely for its designated use. The submitted details must demonstrate the following:

- Brixton Station Road: replace 8 cycle stands with “London cycle stands” outside Brixton Sports Centre;
- Atlantic Road: 6 new Sheffield stands underneath the external staircase to Brixton Railway Station;
- Beehive Place corner with Brixton Station Road: 2 new Sheffield stands; and
- Pope’s Road: 6 new Sheffield stands by the side of Brixton Sports Centre.

Reason: To ensure adequate cycle parking is available and to promote sustainable modes of transport. (Policies Q13, T1, T3 and T6 of the Lambeth Local Plan (2015) and Policy 6.9 of the London Plan, 2015).

13. Prior to the occupation of the units, a Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all deliveries and servicing to/from the relevant part of the development shall only occur in accordance with the approved Delivery and Service Management Plan, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To minimise danger, obstruction, and inconvenience to users of the highway (Policies T6 and T8 of the Lambeth Local Plan (2015)).

14. Prior to the occupation of the development hereby permitted, a Waste Management Strategy shall be submitted to and approved in writing by the local planning authority. The proposed uses hereby permitted shall thereafter be operated in accordance with the approved Waste Management Strategy. The Waste Management Strategy will align with the guide for architects and developers on waste and recycling storage and collection requirements as set out in the Council’s Refuse & Recycling Storage Design Guide (2013).
Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (Policies Q2 and Q12 of the London Borough of Lambeth Local Plan (2015)).

**Noise and Air Quality**

15. The proposed Class A3/A4/A5 uses hereby permitted shall not commence until details and full specifications of fume extraction and filtration equipment, an ongoing maintenance plan, have been submitted to and approved in writing by the local planning authority. The use hereby permitted shall not commence until the approved details are fully implemented. The approved fume extraction and filtration equipment shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy Q2 of the Lambeth Local Plan (2015)).

16. Noise from the site, as measured in accordance with BS4142: 2014, shall not exceed the background noise level $L_{90B(A)}$ 15 minutes, when measured outside the window of the nearest noise sensitive or residential premises.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (policy Q2 of the London Borough of Lambeth Local Plan (2015)).

**Sustainability**

17. Within 3 months of occupation of the development a final code certificate shall be obtained confirming the development hereby permitted has achieved a minimum BREEAM Refurbishment rating of ‘Excellent’.

Reason: To ensure that the development has an acceptable level of sustainability (policy EN4 of the London Borough of Lambeth Local Plan (2015))

**Hours of Use**

18. The uses hereby permitted shall not operate beyond 2300 hours at night.

Reason: To ensure that the use operates in a satisfactory manner and does not unduly disturb adjoining occupiers or prejudice local amenity generally. (Policy 7.15 of the London Plan 2015 and Policy Q2 of the Lambeth Local Plan (2015)).
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 that this consent is without prejudice to any rights which may be enjoyed by any tenants/occupiers of the premises.

3. 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.

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. 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. 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. You are advised of the necessity to consult the Transport and Highways team within the Transport Division of the Directorate of Environmental Services, with regard to any alterations affecting the public footway.

8. You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

9. 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.

10. With regards to condition 5, you are advised that the louvers should be heavy duty at lower level.