

ADDRESS:	Tesco Stores, 275 Kennington Lane And 145-149 Vauxhall Street London SE11		
Application Number: 18/02598/FUL	Case Officer: Jeffrey Holt		
Ward: Oval	Date Received: 21 June 2018		
Proposal: Erection of temporary Tesco store on the existing Tesco car park site, comprising 1,435sqm GEA (including 943sqm of net sales retail floorspace), 63 car parking spaces, service yard, associated cage marshalling and trolley shelter for a duration of 30 months.			
Applicant: Berkeley Homes (Central London) Ltd	Agent: Grant Leggett Boyer Planning 2nd Floor, 24 Southwark Bridge Road London SE1 9HF		

RECOMMENDATION
<ol style="list-style-type: none"> 1. Resolve to grant conditional planning permission. 2. Agree to delegate authority to the Assistant Director of Planning, Transport and Development to: <ol style="list-style-type: none"> a. Finalise the recommended conditions as set out in this report, addendums and/or PAC minutes; and b. Negotiate, agree and finalise the planning obligations as set out in this report, addendums and/or PAC minutes pursuant to Section 106 of the Town and Country Planning Act 1990.

SITE DESIGNATIONS

Relevant site designations:
Adjacent to Conservation Area - CA8 : Kennington Conservation Area Environment Agency Flood Zone 3 HSE Consultation Zone - Oval Gasholders HSE Consultation Zone Protected Vistas - Primrose Hill Summit To The Palace Of Westminster - 4A.2 Protected Local View – Brixton Panoramic and Norwood Park towards the City Area of Open Space Deficiency: District; regional; Local, small, pocket; Transport for London Road Network Groundwater Source Protection Zone

LAND USE DETAILS

Site area (ha):	1.36
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NON-RESIDENTIAL DETAILS

	Use Class	Use Description	Floorspace (m2) (Gross Internal Area)
Existing	A1	Food store	3,309
Proposed	A1	Food store	1,394

RESIDENTIAL DETAILS

	Residential Type	No. of bedrooms per unit	Total

							Habitable Rooms
		Studio	1	2	3	4	Total
Existing	Affordable	N/A					
	Private/Market						
	Total						
Proposed On-Site	Affordable Rented	N/A					
	Social Rented						
	Intermediate						
	Private/Market						
	Total						
Proposed Off-Site	Affordable Rented	N/A					
	Social Rented						
	Intermediate						
	Private/Market						
	Total						

	Amount (£)
Payment in Lieu of Affordable Housing	N/A
	Details/Trigger
Review Mechanism	N/A

ACCESSIBILITY

	Number of C3 Units
M4(2) Units	-
M4(3) Units	-

NON-CONVENTIONAL RESIDENTIAL & VISITOR ACCOMMODATION

		Bedrooms/Units	Floorspace (sq.m)
Existing	Hotel Bedrooms		
	Serviced Apartments/Apart-hotel units		
Proposed	Hotel Bedrooms		
	Serviced Apartments/Apart-hotel units		
		Bedrooms	Floorspace (sq.m)
Existing	Student Accommodation		
Proposed	Student Accommodation		
		Bedrooms	Floorspace (sq.m)
Existing	C2		
Proposed	C2		
		Bedrooms	Floorspace (sq.m)

Existing	SG Hostel		
Proposed	SG Hostel		

PARKING DETAILS

	Car Parking Spaces (general)	Car Parking Spaces (Disabled)	% of EVCP	Bike Spaces	Motor-cycle Spaces
	Retail	Retail			
Existing	210	8	0	24	0
Proposed	58*	5	0	30	0

*Including five parent and child spaces.

EXECUTIVE SUMMARY

- i. Berkeley Homes (Central London) Ltd submitted a planning application in June 2018 for the erection of a temporary Tesco store on the existing Tesco car park. The store would be 1,435sqm GEA (including 943sqm of net sales retail floorspace) and have 63 car parking spaces, service yard and associated cage marshalling and trolley shelter for a duration of 30 months.
- ii. The site is on the south side of Kennington Lane. Surrounding development is varied with a mix of residential, business, retail and other commercial. Residential properties adjoin the site to the north and to the south is the Oval Gas Works site, which received consent for comprehensive redevelopment in August 2018. The site has no listed buildings but a number of listed buildings and Kennington Conservation area are to the north and east. The site benefits from excellent public transport accessibility.
- iii. The temporary store is required as the existing store is planned for redevelopment (see planning ref: 18/02597/EIAFUL) and Tesco intend to maintain trading throughout the development programme. The temporary store would be located at the eastern end of the car park and would be a mostly single storey building with a limited two storey element to the rear. Customer access and would continue to be from Kennington Lane and servicing would be in via Vauxhall Street and out via Montford Place.
- iv. The store would be acceptable in principle given the presence of the existing store on site and also pass the sequential test as there are no sites available alternative sites in existing town centres. The layout of the store is logical and its pre-fabricated modular design would be acceptable. Given its small size and temporary nature it would have a limited impact on the surrounding area and have no impact on heritage assets. There would also be no harm to residential amenity due to noise, overlooking or overshadowing.
- v. The temporary store would have lower transport impact than the existing store. It would also meet technical requirements in respect of sustainability, flood risk mitigation and waste and recycling.
- vi. Planning permission would be subject to conditions including a requirement to remove the store following expiration of the 30 month permission period. No community infrastructure levy would be liable due to the temporary nature of the store.
- vii. Public consultation was undertaken and no objections were received.
- viii. The proposed development has been assessed against the Development Plan and all other material considerations, including national planning policy. Officers consider that subject to appropriate conditions that the planning application should be approved.

OFFICER REPORT

Reason for referral to PAC: The application is reported to the Planning Applications Committee in accordance with (1)(ii) of the Committee's terms of reference as it relates to a major application for the provision of a building where the floor space to be created is 1,000 square metres or more.

1 THE APPLICATION SITE

1.1 The site is located on the south side of Kennington Lane and accommodates a large free standing Tesco supermarket and associated surface level parking. It also includes a two-storey office building at its western edge. The site has two vehicle accesses: customer vehicle access is from Kennington Lane and deliveries and servicing are from Vauxhall Street. The Tesco building is single storey but has a height equivalent to two-storeys. It is of modern construction.

2 THE SURROUNDING AREA

2.1 Development in the surrounding area is mixed in use, scale and character. To the north is a petrol filling station, two- to four-storey commercial buildings and two- to three-storey terrace houses and blocks of flats up to a maximum of 11 storeys high. To the east along Kennington Lane are three- and four-storey terrace houses. To the east across Montford Place is a vacant site used by Transport for London (TfL) as a worksite for the Northern Line Extension. To the south-east is a six-storey gin distillery. Immediately to the south is the Oval Gas Works site where there are two linked gas holders and one submerged gas holder adjacent to the site. These are locally listed but planning permission has been given to demolish these and comprehensively redevelop the site. To the southwest is a three-storey office building and to the west is a two-storey self-storage building.

2.2 Kennington Lane is part of the TfL road network and the site has excellent access to public transport (PTAL 6b) due to the proximity of Oval, Kennington and Vauxhall stations as well as bus routes along Kennington Lane. The site is not in a designated town centre but Kennington Lane local centre is to the west and Kennington Cross local centre is to the east. The site is bordered by the Montford Place - Beefeater/Oval Gas Works Key Industrial and Business Area on its eastern, southern and western sides.

2.3 The site is not in a conservation area and does not contain any listed buildings, however the Kennington conservation area is immediately to the east and there are listed buildings further along Kennington Lane. On the neighbouring Oval Gas Works site is a listed gasholder structure. The site sits within London View Management Framework (LVMF) View 4A.2 Primrose Hill to Palace of Westminster and two local views: Brixton Panoramic Local View (Brockwell Park to the City) and Norwood Park Local View north-north-east to the City.

2.4 The site is in Flood Risk Zone 3.

3 SITE PHOTOGRAPHS

Fig. 1 Entrance to existing Tesco store



Fig. 2 View from Montford Place



4 PROPOSAL

4.1 Summary of the Proposal

4.1.1 Permission is sought for the erection of a temporary Tesco store on the existing Tesco car park site comprising 1,435sqm GEA (including 943sqm of net sales retail floorspace), 63 car parking spaces, service yard, associated cage marshalling and trolley shelter for a duration of 30 months.

4.2 Detail of the Proposal

4.2.1 The store would be located at the eastern end of the site where the existing customer parking is located. The car park would be reconfigured to provide 63 spaces, which would include five Blue Badge spaces and five parent and child spaces. Access would continue to be from Kennington Lane.

4.2.2 The temporary store would be constructed using a pre-fabricated modular system that would be raised on a low platform to allow for services to be installed underneath. The building would be mostly single storey (max. height 4.5m) but the back-of-house area running along the southern edge of the building would be two storey (max. height 7.75m).

4.2.3 Service vehicles would enter the site from Vauxhall Street and proceed along a new access road that would exit onto Montford Place. The service yard for the store would be adjacent to this access road.

- 4.2.4 Although the store would be smaller than the existing, it would be merchandised so that it can support a weekly bulk shop in the same way as the existing store.

Fig.3 – 3D image of proposed temporary store



4.3 Planning Performance Agreement

- 4.3.1 Lambeth entered into Planning Performance Agreement (PPA) with the applicant on 19 January 2018 to provide pre-application planning advice. The proposal was presented to the Strategic Panel on 28 March 2018 and to the Technical Briefing on 29 October 2018.

5 RELEVANT PLANNING HISTORY

- 5.1 The existing Tesco store received outline consent on 7 November 1997 (ref: 95/01362/PLANAP) and subsequent details were approved 1 February 1999 (ref: 98/00140/REM).
- 5.2 An application for the permanent redevelopment of the existing Tesco store was submitted alongside this application. The proposal is for the following:

Demolition of existing building and redevelopment of the site to provide a mixed-use development comprising the erection of 3 new buildings (Plot A,B,C) ranging from 4-17 storeys to provide 571 residential units (Class C3), a replacement Tesco store of 4,655sqm (including sales area/back of house and car parking), 2,638sqm of Class B1 office, 1,159sqm of flexible commercial floorspace (Class A1-A3, B1), 64 retail and 24 disabled residential car parking spaces; with associated cycle parking and landscaping/public realm improvements along Cutlers Way and Phoenix Street (ref: 18/02597/EIAFUL).

- 5.3 The main redevelopment of the Tesco site was is environmental impact assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The environmental statement (ES) that accompanied the planning application considered the development as whole, including the provision of a temporary store.

5.4 The rest of the site's history consists of various works and minor developments related to the Tesco store.

6 CONSULTATIONS

6.1 Statutory External Consultees

Transport for London

No objection subject to conditions and informatives

- Construction Logistics Plan [condition 7 added]
- Highway works to Kennington Lane required by s278 agreement [highway works are not required for temporary store but required for the main store and would be secured under that application]
- Reminder of need to comply with Traffic Management Act 2004 [Informative added]
- Section 172 application required for any hoarding [Informative added]
- Kennington Lane is subject to charges under TfL Lane Rental Scheme [Informative added]

Historic England - Archaeology

No objection

Health and Safety Executive

No objection subject to Grampian-style condition preventing occupation until the hazardous substances consent (HSC) for the gasholder station has been revoked. [condition 21 added]

Development Control Department Thames Water

No objection

- Advice given regarding waste water [Informative added]
- Advice given regarding underground water assets [Informative added]
- Advice given regarding water pressure [Informative added]
- Advice given regard petrol/oil interceptors [Informative added]

Secured by Design (Metropolitan Police)

No objection subject to conditions:

- Details of windows and doors, CCTV and staff security arrangements [condition 6 added]

6.2 Other Consultees

No responses received.

6.3 Adjoining owners/occupiers

6.3.1 A site notice was displayed from 6 July 2018 to 6 August 2018 and the application was advertised in the local paper on 6 July 2018. A second consultation was undertaken on 1 November 2018 to clarify the site address to make it clear that the Axis office building is included. A site notice was erected on 2 November 2018 and an advertisement was placed in the local paper on the same day. The formal consultation period ended 23 November 2018 but comments received up to the day of the planning committee meeting are accepted.

6.3.2 551 letters were sent and two objections were received however the comments raised were in relation to the main Tesco redevelopment and not the temporary store.

7 POLICIES

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lambeth is the London Plan (LP) (2016, consolidated with alterations since 2011) and the Lambeth Local Plan (LLP) (September 2015).

7.2 The new Draft London Plan was published on 1 December 2017 (updated August 2018) for consultation and will eventually supersede the current 2016 consolidation London Plan once the final version is published (anticipated Autumn 2019). The Draft London Plan is a material consideration in planning decisions. Officers consider that this should be afforded very limited weight at this stage.

7.3 The Lambeth Local Plan is currently under partial review to ensure it complies with amendments to changes in the NPPF and London Plan. The Local Plan review is timetabled to follow the programme for the Draft London Plan, revisions will be consulted upon in October 2018. At this time the amendments to the Local Plan do not carry any weight.

7.4 The latest National Planning Policy Framework was published in 2018. 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.

7.5 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been set out in Appendix 3 to this report.

8 ASSESSMENT

8.1 Background

8.1.1 The requirement for a temporary Tesco store is due to the proposed redevelopment of the existing Tesco store. Tesco are committed to maintaining a trading store on this site throughout the development programme so a temporary store would be required for up to 30 months as the existing store is demolished and the replacement constructed.

8.1.2 The redevelopment of the Tesco site would deliver the following if approved:

- Replacement Tesco store
- 571 homes including 35 per cent affordable
- 2,638sqm B1a office space
- 1,159sqm flexible commercial space
- New public realm and access routes

8.1.3 The application is currently under consideration under planning ref: 18/02597/EIAFUL. The development forms part of the wide Oval and Kennington Development Area (OAKDA) masterplan. The background of the Tesco scheme and how it relates to the masterplan is set out in the officer's report for that application.

8.2 Land Use

8.2.1 The proposal is for a retail use for temporary period of 30 months. The gross external floor area would be 1,435sqm with a net sales area of 943sqm.

8.2.2 Para 11 of the NPPF sets a presumption in favour of sustainable development and this is reflected in Local Plan Policy D2 and the other policies in the Plan. The development would be a mixed used development on previously developed (brownfield) land. This would comply with paras 117 and 118a of the NPPF and LP Policy 2.9.

8.2.3 The proposed retail use would be outside of a town centre. LP Policy 4.7 states that retail development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport. Similarly, LLP Policy ED6 states that proposals for town centre uses (such as retail) that are in edge of centre or out of centre location will be assessed against the sequential test set out in the NPPF.

8.2.4 The sequential test is set out under para 86 of the NPPF and states that main town centre uses, such as retail, should be located in town centres, then in edge of centre locations. Only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

8.2.5 The applicant submitted a retail impact assessment which assessed the permanent Tesco development against the sequential test. In accordance with established case law, the test was applied against the whole development and not just the individual retail element. When undertaking the sequential test, the assessment must be based on what is proposed and not on a different hypothetical development and cannot be based on a development that would not be commercially viable or suitable for the applicant's commercial requirements. The assessment found that there are no other sites that are large enough (approximately 1.36ha) to accommodate the proposed replacement development and located in or adjacent to an existing town centre.

8.2.6 An assessment was also undertaken to determine whether the permanent replacement Tesco would have significant adverse impact on town centre vitality and viability, in accordance with para 89 of the NPPF. It found that the estimated turnover of the new development would be very similar to the existing Tesco store: £20.616m existing vs £20.034m proposed. Consequently, there would be little potential for diversion of trade away from existing centres.

8.2.7 The above analysis relates to the new permanent store. As the temporary store is smaller than both the existing and replacement store, it would have even less of an impact on existing town centres. Consequently, officers consider that the temporary store passes the sequential test and would have no harmful impact on town centre vitality and viability in accordance with LP Policy 4.7 and LLP Policy ED6.

8.3 Design and Conservation

8.3.1 The beginning of the Agenda Pack contains a summary of the legislative and national policy context for the assessment of the impact of a development proposal on the historic environment and its heritage assets.

This is in addition to Lambeth Local Plan and London Plan policies. The assessment that follows has been made within this context.

Layout and massing

- 8.3.2 The temporary store would have a rectangular footprint and would be located at the eastern end of the site where there is currently customer parking. The layout is determined by the need retain an element of customer parking that can be accessed from Kennington Lane and to allow the store to be serviced from the south using the new service road running along the southern edge of the site. The customer entrance would be at the northern end of the building to minimise the walking distance from Kennington Lane. The layout is logical and would use the available space efficiently.
- 8.3.3 The building would be mostly single storey except for a narrow two storey element running along the southern edge of the site. This element would be for back-of-house operations. The massing is simple and functional and is sufficiently low scale to avoid any harmful impact on the townscape. The building would also be too low to affect any strategic or protected local view.

Material and detailed design

- 8.3.4 The proposed store would be of a prefabricated modular construction. Full height glazing would be provided to the entrance corner of the building while the other elevations would consist of white panels with grey fascia for the front of house area and grey panel and white fascia for the back of house area. The proposed materials are a reflection of the prefabricated construction of the building and are acceptable given the development's temporary nature.
- 8.3.5 The proposed development is of acceptable in design terms subject to conditions securing details of materials and construction.

Impact on heritage assets

- 8.3.6 When assessing the impact on heritage assets, the first step is for the decision-maker to consider each of the designated heritage assets (referred to hereafter simply as "heritage assets") which would be affected by the proposed development in turn and assess whether the proposed development would result in any harm to the heritage asset.
- 8.3.7 The decision of the Court of Appeal in *Barnwell Manor* confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decision-maker.
- 8.3.8 However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development (in the course of undertaking the analysis required by s.38(6) PCPA 2004) the decision-maker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, *Barnwell Manor* establishes that a finding of harm to a heritage asset is a consideration to which the decision-maker must give considerable importance and weight in carrying out the balancing exercise.
- 8.3.9 There is therefore a "strong presumption" against granting planning permission for development which would harm a heritage asset. In the *Forge Field* case the High Court explained that the presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. But a

local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.

- 8.3.10 The case-law also establishes that even where the harm identified is less than substantial (i.e. falls within paragraph 134 of the NPPF), that harm must still be given considerable importance and weight.
- 8.3.11 Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Historic England does not suggest that the cumulative effect of the individual instances of harm identified amounts to substantial harm and officers do not consider that the total harm (i.e. the cumulative effect of the several instances of harm identified) amounts to substantial harm. Looking at the position as a whole, it is plain that there are a number of adverse impacts on heritage features which individually and cumulatively result in less than substantial harm. However, less than substantial harm does not mean insignificant harm. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect.
- 8.3.12 What follows is an officer assessment of the extent of harm which would result from the proposed development to the scoped heritage assets provided by the applicant as part of its submission. This includes Conservation Areas, and neighbouring Listed Buildings. Both an individual assessment against each heritage asset as well as a cumulative assessment is provided. This is then followed by an assessment of the heritage benefits of the proposals.

Impact on heritage assets: Conservation Areas

- 8.3.13 Kennington Conservation Area is immediately to the east of the site on the opposite side of Montford Place. The site opposite is currently TfL's worksite for the Northern Line Extension. The proposed temporary store would be visible on Montford Place but would not detract from the existing character of the TfL site. The materials of the temporary store would not be in keeping with the wider conservation area but the harm would be 'less than substantial', temporary and outweighed by the public benefits of maintaining an operational store on this site. There would be no permanent harm.

Impact on heritage assets: Listed Buildings

- 8.3.14 The nearest listed buildings are the Grade II listed Georgian terrace properties at 231-245 Kennington Lane. The proposed temporary store would only be visible in the background to this terrace when standing at the junction with Montford Place but would appear subordinate to them. The materials of the temporary store would not be in keeping but the harm would be 'less than substantial', temporary and outweighed by the benefits of maintaining an operational store on this site. There would be no permanent harm.
- 8.3.15 Gasholder 1 on the Oval gasworks site is also Grade II listed but the proposed store would be sufficiently far away to avoid any significant impact on its setting.

Non-Designated Heritage Assets – Locally Listed Buildings

- 8.3.16 Locally Listed Buildings are 'non-designated heritage assets' under the NPPF. Para. 197 of the NPPF states that the effect of an application on the significance of non-designated heritage asset should be taken into account in determining the application. In addition LLP Policy Q23 seeks to retain, preserve, protect, safeguard and where desirable, enhance non-designated heritage assets.
- 8.3.17 Gas holders 2, 4 and 5 on the Oval Gas Works site and the nearby Gin Distillery are locally listed but given the store's temporary nature there would be no residual harm to the setting of these heritage assets.
- 8.3.18 Kennington Green is a Protected London Square and for this reason it is treated as non-designated heritage asset. The temporary store would not be visible from the square and there would be no harm.
- 8.3.19 Non-designated heritage assets also include archaeological assets and the same policy approach applies. The application has been reviewed by the Greater London Archaeology Advisory Service (GLAAS) and there is no objection. The temporary would sit on stilts on the existing tarmac surface. There would be no excavation and therefore no risk to archaeological assets.

Impact upon heritage assets: Summary

- 8.3.20 Officers have had special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses as well as to the desirability of preserving or enhancing the character or appearance of the conservation area. Officers have identified that the development would result in a temporary 'less than substantial harm' and have had regard to the statutory presumption against granting planning permission for development which would harm a heritage asset. Mindful of this presumption and the considerable importance and weight that is given to any harm, officers consider that the temporary 'less than substantial harm' would be outweighed by the public benefits of the scheme.

8.4 **Amenity for Neighbouring Occupiers**

Daylight and Sunlight

- 8.4.1 The beginning of the Agenda Pack contains a broad contextual overview of the assessment framework within which BRE compliant sunlight and daylight studies are undertaken. This includes an explanation of the key terms and targets contained within the BRE guidance. The following assessment has been made in the context of this information.
- 8.4.2 The nearest residential properties are those to the north on Kennington Lane. The proposed building would be 4.5m in height and over 11m away from the rear boundary of these properties. With these dimensions the temporary store would not exceed a 25 degree upward angle measured from the bottom of the nearest window. Under the BRE guidance, such a situation would not cause a detrimental effect on daylight and no further analysis is necessary.
- 8.4.3 The temporary store would be two storeys at its southern end but there are no residential properties near enough to be affected.

Privacy

8.4.4 The proposed store would have full height glazing on the north-west corner but it would be more than 18m away from the nearest rear facing windows on properties on Kennington Lane. Furthermore the glazing would be at ground floor level and views would be blocked by the existing boundary wall and landscaping. There are windows on the two-storey element but they are not near enough to another residential property to cause overlooking.

Outlook

8.4.5 Due to the limited height of the proposed store there would be no significant impact on outlook for neighbouring properties.

Noise and Vibration

Construction

8.4.6 The storey would be constructed from pre-fabricated modular units that would sit on stilts so construction noise would not be significantly adverse. A construction environmental management plan would be secured by condition which would include mitigation measures to minimise noise disturbance using the best practicable means.

Operation

8.4.7 When operational the potential for noise disturbance would arise from servicing, plant noise and customers coming to and going from the store. The level of servicing activity would be no greater than the existing store but a servicing management plan would be secured which would ensure that it is undertaken in a way that minimises noise (such as requiring idling drivers to switch off engines). The permitted servicing hours of the existing store, which are between 07:00 and 23:00 Monday to Saturday and 08:00 and 18:00 Sundays and Bank Holidays, would also be imposed for the temporary store.

8.4.8 Plant equipment would be required to meet industry standard noise restrictions. Conditions would be imposed requiring a noise assessment and a post installation assessment to ensure the plant is in compliance. Finally, a customer management plan would be required by condition to secure measures to minimise the risk of noise disturbance to neighbouring properties from customers using the store.

8.4.9 Subject to these conditions the proposal would cause no harm to amenity due to noise.

8.4.10 The proposed development would not cause significant harm to residential amenity in compliance with LLP Policy Q2.

8.5 Designing Out Crime

8.5.1 The store would have standard security measures such as security staff and CCTV. The Metropolitan Police have no objection to the proposed development subject to approval of details of windows, doors, CCTV and staff security arrangements.

8.6 **Trees and Landscaping**

8.6.1 Elements of the existing landscaping on site would be retained. This would include the planted bed at the entrance to the site on Kennington Lane and part of the planted strip running along the site's northern boundary. The landscaping would remain in place until the store is dismantled and the permanent redevelopment of the site progresses. This is acceptable given the scale and temporary nature of the development.

8.7 **Transport**

8.7.1 Site context

8.7.2 The application site has its main frontage onto Kennington Lane (A3204), a busy thoroughfare that is part of TfL's strategic road network. The site also fronts onto Vauxhall Street and Montford Place, which are much quieter in comparison. Vauxhall Street is one way (southbound) and Montford Place two-way but is gated at its southern end preventing access through to Kennington Green and beyond. The site benefits from excellent Public Transport Accessibility (PTAL 6b). The local pedestrian environment is generally good and the site would be highly accessible to pedestrians. Cyclists have the benefit of a segregated contraflow cycle lane on Vauxhall Street as part of the Quietway network and there is an existing cycle superhighway on Kennington Park Road.

8.7.3 The site currently has 218 parking spaces for Tesco store customers of which eight are Blue Badge spaces.

8.7.4 Sustainable travel

8.7.5 The temporary store would have 22 cycle parking spaces for visitors and these would be provided as Sheffield Stands. Eight staff cycle spaces would be also be provided as Sheffield stands and in secure shelter.

8.7.6 Pedestrian access to the store would be via separate footway from Kennington Lane. There route to the store would be separated from traffic with no crossings required. Walking conditions would be acceptable in compliance with LP Policy 6.10 and LLP Policy T2.

8.7.7 Car parking & servicing

8.7.8 63 car parking spaces would be provided. Five of these would be for Blue Badge holders and five would be parent and child spaces. The amount of parking would be a significant reduction from the existing 218 spaces provided on site (71 per cent reduction). Although the development would not be car free, the impact on the network would be less than the current Tesco store.

8.7.9 Servicing would be from Vauxhall Street using a new access road that exits onto Montford Place. This access road would also carry construction traffic for the main Tesco development. The loading bay to the temporary Tesco is designed so that construction traffic can pass when a vehicle is loading and unloading at the temporary store. All servicing would take place within the site boundary and all traffic would enter and leave the site in forward gear. A detailed delivery and servicing plan would be required by condition and servicing hours would be restricted to the same hours as the existing store: 07:00 to 23:00 Monday to Saturday and 08:00 to 18:00 Sundays and Bank Holidays.

8.7.10 Waste and recycling collection would be handled by a contractor and would take place in the service yard.

8.7.11 The proposed servicing arrangements are acceptable and in compliance with LLP Policy T8.

8.7.12 Network impacts

Construction

8.7.13 A construction logistics plan (CLP) has been developed for both this development, the permanent Tesco development and the Oval Gas Works development as they are likely to be constructed together if permission is granted for all three. The CLP responds to concerns about pedestrian and cyclist safety by minimising the use of Vauxhall Street as much as possible. During the first phase of development, when demolition and remediation would take place, primary access and egress would be from Montford Place. For the rest of the development programme, most access would be via Vauxhall Street with egress onto Montford Place. The main access on Vauxhall Street would be via the existing service access to the Tesco store, which would have been demolished following the first phase. This would minimise the distance that construction vehicles would need to travel along Vauxhall Street. The existing cycle lane would remain open and traffic marshals would monitor and control the site accesses and manage pedestrian and cyclist so that there are no conflicts.

8.7.14 The CLP has been submitted to discharge a condition attached to the Oval Gas Works planning permission (ref: 18/04063/DET) and is still pending. Consequently, a condition requiring the submission of the CLP would still be necessary if permission is granted.

Operation

8.7.15 The temporary store would generate fewer vehicle trips due to its reduced size compared to the existing store and the reduction in customer parking. There would be no harm to the transport network during operation.

Mitigation

8.7.16 The following measures would be secured to mitigate the transport impacts of the proposal:

- Delivery and servicing management plan
- Limiting servicing hours
- Construction Logistics Plan

8.8 Sustainable Design and Construction

8.8.1 The proposed store would be a prefabricated modular building erected for only a temporary period. Consequently, it was agreed that requiring the building to conform to the BREEAM criteria would not be proportionate to the scale and nature of the building. However, the store would still achieve 35.2 per cent carbon emission savings compared to a 2013 Building Regulations baseline building. It would achieve this by using highly efficient materials, mechanical ventilation with heat recovery, low energy lighting and energy efficient air source heat pumps. Food stores have relatively low heat and hot water demand so the use of a combined heat power plant (CHP) would not be appropriate. Furthermore, connecting to a district heat network was not considered practical given the temporary nature of the building.

8.8.2 As the building would be a prefabricated modular construction, its components are designed to be re-used so following dismantling of the food store there would not be significant construction waste.

8.8.3 The proposed development would comply LP Policies 5.1, 5.2, 5.3, 5.5 and 5.6 as well as LLP Policies EN3 and EN4.

8.9 **Other Environmental Matters**

8.9.1 Flood Risk

8.9.2 The site is within Flood Risk Zone 3a (high) which means that there is a 1 per cent or greater annual probability of river flooding or 0.5 per cent annual probability of sea flooding. Retail uses are classified as 'less vulnerable' are permissible in Flood Risk Zone 3a according to the NPPF. Although the site is in Flood Risk Zone 3a the actual risk is lowered significantly due to the presence of the Thames Tidal Defences. Even in the unlikely event that the tidal defences are breached the site is not predicted to flood. The site is at low risk of flooding by surface water (i.e. flooding from rain and sewer discharge) however the floor level of the food store would be raised and there would be very little risk of harm.

8.9.3 The site is currently served by an existing surface water drainage network, which is to be retained for the duration of the temporary store's use. Consequently, there would be no increase in surface water runoff.

8.9.4 The proposed development would not be exposed to unacceptable flood risk nor would it increase the risk of flooding elsewhere in compliance with LP Policy 5.12 and LLP Policy EN5.

Wind

8.9.5 Due to the low height of the building there would be no significant change to local wind conditions.

Air Quality

8.9.6 Due to the reduced amount of customer parking, there would be fewer vehicle trips and therefore a reduction in transport related emissions. In addition, the energy efficiency of the building as discussed earlier would result in a reduction in NOx emissions due to reduced use of boilers.

8.9.7 Air quality impacts arising from the construction phases would be mitigated with an air quality and dust management plan to be secured by condition.

8.9.8 The development would be in compliance with LP Policy 7.14.

Water quality and wastewater infrastructure

8.9.9 The development would have no impact on water quality or wastewater infrastructure. Thames Water have recommend a number of informatives to ensure that existing infrastructure is protected. These would be added to the permission should it be granted.

8.10 Ecology and diversity

8.10.1 The site currently has little ecological value and this would not change with the proposed temporary store. As the development would be temporary it would not be appropriate to require ecological enhancements but it should be noted that the permanent redevelopment of the site would include such features.

8.10.2 Land contamination

8.10.3 The temporary store would be erected on stilts on the existing car park. There would be no significant earthworks so any risk from contamination would be low. However, a condition would be applied to ensure an appropriate response should any contamination be found.

8.11 **Employment and Training**

8.11.1 When the existing store is closed, Tesco intend for at least half of the existing staff be retained in the temporary store with the remainder offered hours locally elsewhere. As this would be a temporary situation, it is not considered appropriate to require an employment and skills plan for the temporary store. The permanent Tesco store would have an Employment and Skills Plan should it be approved.

9 **Planning Obligations and CIL**

9.1 The LLP Policy D4 and Annex 10 sets out the Council's policy in relation to seeking planning obligations and the charging approaches for various types of obligation. For contributions that are not covered by Annex 10, the Council's approach to calculating contributions is guided by the Development Viability SPD (adopted 2017) and the Employment and Skills SPD (adopted 2018).

9.2 Due to the temporary nature of the store and its lower impact than the existing store, no s106 obligations are considered necessary to make the development acceptable. The permanent development would be supported by a range of planning obligations to mitigate its permanent impacts. Highway works required to enable the development would be secured by s278 agreement but this would required by a planning condition.

CIL

9.3 As the proposed development is temporary it would not be liable for the Community Infrastructure Levy.

10 **CONCLUSION**

10.1 The temporary store is required as the existing store is planned for redevelopment (see planning ref: 18/02597/EIAFUL) and Tesco intend to maintain trading throughout the development programme.

10.2 The store would be acceptable in principle having regard to the existing store on site and the sequential test. The layout of the store is logical and its design follows that of other temporary stores present in London and would be constructed using pre-fabricated modular components. Given its small size and temporary nature it would have a limited impact on the surrounding area and no impact on heritage assets. There would be no harm to residential amenity.

10.3 The development would meet technical requirements in respect of sustainability, flood risk mitigation and waste and recycling.

- 10.4 Planning permission would be subject to conditions including a requirement to remove the store following expiration of the 30 month permission period. No community infrastructure levy would be liable due to the temporary nature of the store.
- 10.5 Public consultation was undertaken and no objections were received.
- 10.6 The proposed development has been assessed against the Development Plan and all other material considerations, including national planning policy. Officers consider that subject to appropriate conditions that the planning application should be approved.

11 EQUALITY DUTY AND HUMAN RIGHTS

- 11.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- 11.2 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.
- 11.3 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

12 RECOMMENDATION

- 12.1 Grant permission subject to conditions.

APPENDICES

Appendix 1:Draft Decision Notice

1 Berkeley Homes (Central London) Ltd

1.1 c/o Mr Grant Leggett
2nd Floor, 24 Southwark Bridge Road
London
SE1 9HF

21st November 2018

DRAFT DECISION NOTICE

1.1.1 Dear Berkeley Homes (Central London) Ltd

TOWN AND COUNTRY PLANNING ACT 1990.

PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and associated orders the development referred to in the schedule set out below **subject to any conditions imposed** therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the statement of Applicant's Rights and General Information attached.

Application Number: 18/02598/FUL **Date of Application:** 21.06.2018 **Date of Decision:** 21.11.2018

Proposed Development At: Tesco Stores, 275 Kennington Lane And 145-149 Vauxhall Street London SE11

For: Erection of temporary Tesco store on the existing Tesco car park site, comprising 1,435sqm GEA (including 943sqm of net sales retail floorspace), 63 car parking spaces, service yard, associated cage marshalling and trolley shelter for a duration of 30 months. RECONSULTATION DUE TO CLARIFIED SITE ADDRESS.

1.1.2 Approved Plans

TK_GRID_PL 001 REV1; TK_GRID_PL 010 REV1;TK_GRID_PL 020 REV1; TK_GRID_PL 021 REV1;TK_GRID_PL 022 REV1; TK_GRID_PL 023 REV1;TK_GRID_PL 105 REV1; 7361-PL01 REV B;7361-PL02 REV A; 7361-PL03; 7361-PL04;Cover letter; Design Concept; Design and Access statement;Planning Statement; Transport Assessment;Energy Statement; Flood Risk Assessment;Noise Impact Assessment; Retail Impact Assessment;Email from Asa Plant 11.09.2018.

1.1.3 Conditions

1 The development to which this decision relates is on a temporary basis only. The store shall be in operation for duration of 30 months only from the date of this decision notice and all associated structures shall be removed from the site within 36 months from the date on the decision notice.

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

2 The development hereby permitted shall be carried out in complete accordance with the approved plans listed in this decision notice, other than where those details are altered pursuant to the requirements of the conditions of this planning permission.

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

3 Notwithstanding the details shown on the approved drawings, prior to the commencement of above ground works, construction drawings (including sections at 1:10 scale of all external elements of the new structures) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

Reason: To ensure that the external appearance of the building is satisfactory (policies Q2, Q7 and Q8 of the London Borough of Lambeth Local Plan (2015)). This is required pre-commencement to ensure that the entire development is carried out in accordance with the approved details.

4 Prior to the commencement of the relevant part of the development hereby permitted, the following details of the materials to be used in the external elevations of that part of the development shall be provided to and approved in writing by the local planning authority. The development hereby permitted shall be thereafter built in accordance with the approved details. The following details are required:

a) a technical specification schedule of the materials including colour scheme

Reason: To ensure that the external appearance of the building is satisfactory (Policies Q2, Q7 and Q8 of the London Borough of Lambeth Local Plan 2015).

5 Notwithstanding the details shown on the approved drawings, prior to the commencement of above ground construction work, details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained and properly maintained thereafter.

Reason: To secure an acceptable boundary treatment in the interests of visual amenity (Lambeth Local Plan 2015 Policy Q15). This is required pre-commencement to ensure that construction does not take place in a way prejudices the implementation of an acceptable scheme of boundary treatment.

6 Prior to occupation of the development, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- (a) Security features of all doors and windows
- (b) CCTV
- (c) Security arrangements for staff areas and handling of money

The development shall be implemented in accordance with the approved details.

Reason: To ensure that satisfactory attention is given to security and community safety (Policy Q3 of the Lambeth Local Plan (2015)). This is required pre-commencement to ensure that construction work does not prejudice the achievement of Secured by Design certification.

7 The development hereby approved shall not commence until a Construction Logistics Plan (CLP) for each phase has been submitted to and approved in writing by the local planning authority for each phase. The CLP shall include details of parking, deliveries and storage and confirm that the developer will join the VNEB construction working group.

The development shall thereafter be carried out in accordance with the details and measures approved in the CLP for the related phase, unless the written consent of the Local Planning Authority is received for any variation.

Reason: To avoid unnecessary hazard and obstruction to the public highway (Policies EN4 (Sustainable Design and Construction), EN7 (Sustainable Waste Management) & T8 (Servicing) - Lambeth Local Plan 2015). This is required pre-commencement to ensure that the entire development is not carried out in a way which causes harm to the transport network.

8 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination will be dealt with. The remediation strategy shall thereafter implemented prior to any further development being carried out.

Reason: To safeguard future users or occupiers of this site and the wider environment from irreversible risks (Policies 5.21 of the London Plan (2015) and EN4 of the Lambeth Local Plan (2015)).

9 The operation of any building services plant, shall not commence until an assessment of the acoustic impact arising from the operation of all internally and externally located plant for each plot has been submitted to and approved in writing by the local planning authority. The assessment of the acoustic impact shall be undertaken in accordance with BS 4142: 2014 (or subsequent superseding equivalent) and current best practice, and shall include a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed building services plant is 5db less than background.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally (Policy Q2 (Amenity) - Lambeth Local Plan 2015).

10 The use hereby permitted, or the operation of any building services plant, shall not commence until a post- installation noise assessment has been carried out to confirm compliance with the noise criteria. The scheme shall be implemented in accordance with the approved details and attenuation measures, and they shall be permanently retained and maintained in working order for the duration of the use and their operation.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally (Policy Q2 (Amenity) - Lambeth Local Plan 2015).

11 Prior to the occupation of the development hereby permitted, a deliveries and servicing management plan for all uses shall be submitted to and approved in writing by the local planning authority. The submitted details must include the following:

- a) frequency of deliveries to the site;
- b) frequency of other servicing vehicles such as refuse collections;
- c) dimensions of delivery and servicing vehicles;
- d) proposed loading and delivery locations; and
- e) a strategy to manage vehicles servicing the site.

The development hereby permitted shall thereafter be operated in accordance with the approved details.

Reason: To avoid obstruction of the surrounding streets and limit the effects of the increase in travel movements within the locality as well as safeguarding public safety and the amenity of the surrounding area (policies T1, T6 and T8 of the London Borough of Lambeth Local Plan (2015)).

12 Vehicles shall only service the site between the hours of 0700 and 2300 hours Mondays to Saturdays and 0800 to 1800 hours on Sundays and Bank Holidays.

Reason: To protect residential amenity (Policies T8 and Q2 of the Lambeth Local Plan 2015).

13 The temporary store hereby permitted shall not commence until a customer management plan has been submitted and approved in writing by the local planning authority. This should include but not be limited to, hours of operation, management responsibilities during all operating hours, measures to control noise from live and amplified music (including the screening of sporting events and public-address systems) and minimising the effects of patrons coming and going from the building will be prevented from causing nuisance for people in the area. The use hereby permitted shall thereafter be operated in accordance with the approved details.

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

14 Prior to occupation of the development, full details of a car parking management strategy for the management of parking within the development, shall be submitted to and approved by the Local Planning Authority. Operation of the carpark shall thereafter be carried out solely in accordance with the approved details.

Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy T7 of the Lambeth Local Plan 2015.)

15 The food store hereby permitted shall not be open to customers other than between 0730 and 2200 Mondays to Saturdays and 0730 and 1700 Sundays and Bank Holidays.

Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or of the area generally. (Lambeth Local Plan 2015 Policies Q2).

16 The foodstore customer car park shall be closed to the public and secured other than between the hours of 0730 to 2300 Mondays to Saturdays and 0730 to 1800 Sundays and Bank Holidays.

Reason: To safeguard the amenities of adjoining premises or of the area generally. (Lambeth Local Plan 2015 Policies Q2).

17 Other than for operational purposes associated with the store, when the customer carpark is closed it shall not be used for any purpose.

Reason: To safeguard the amenities of adjoining premises or of the area generally. (Lambeth Local Plan 2015 Policies Q2).

18 Prior to commencement of construction works for each plot and notwithstanding the details shown on the approved drawings, details of cycle parking associated with the temporary store shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details. The cycle parking for each plot shall be made available for use prior to first occupation of that plot.

Reason: To provide acceptable cycle parking in order to encourage sustainable means of transport (London Plan 2016 Policy 6.9 and Lambeth Local Plan 2015 Policy T3).

19 Prior to first occupation of the development As Built SBEM calculations as an output of the National Calculation Method should be submitted to and approved in writing by the Local Planning Authority demonstrating that the development has been built in accordance with the approved Energy Statement and achieved a 35% reduction in carbon emissions over that required by Part L of the Building Regulations 2013.

Reason: To ensure the development makes the fullest contribution to the reduction in carbon emissions (London Plan 2016 Policy 5.2 and Lambeth Local Plan 2015 Policy EN4).

20 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 development hereby permitted shall be built in accordance with the approved details and shall thereafter be retained solely for its designated use. The use hereby permitted shall thereafter be operated in accordance with the approved Waste Management Strategy.

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 (Lambeth Local Plan 2015 Policy Q12).

21 Prior to the commencement of above ground construction, design and construction details of the refuse storage areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and retained permanently thereafter.

Reason: To ensure suitable provision for the users of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (Policy Q12 of the Lambeth Local Plan (2015)). This is required pre-commencement to ensure that development is not carried out in a way which prejudices the provision of acceptable refuse stores.

22 No part of the development shall be occupied until all hazardous substances consents for Kennington Gasholder Station have been revoked in accordance with the Planning (Hazardous Substances) Act 1990, as amended, and written confirmation of the necessary revocations have been issued by the London Borough of Lambeth as the Hazardous Substances Authority.

Reason: In the interests of health and safety, it is necessary to ensure that the adjoining gas infrastructure will not present a risk to safety.

1.1.4 Notes to Applicants:

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework (2012) to work with the applicant in a positive and proactive manner. The council has made available on its website the policies and guidance provided by Lambeth Local Plan (2015) and its supplementary planning

documents. We also offer a full pre-application advice service in order to ensure that the applicant has every opportunity to submit an application that's likely to be considered acceptable.

1. This decision letter does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town and Country Planning Act 1990.
2. Your attention is drawn to the requirements of the Building Regulations, and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer.
3. Your attention is drawn to the provisions of The Party Wall Act 1996 in relation to the rights of adjoining owners regarding party walls etc. These rights are a matter for civil enforcement and you may wish to consult a surveyor or architect.
4. Your attention is drawn to the need to comply with the requirements of the Control of Pollution Act 1974 concerning construction site noise and in this respect you are advised to contact the Council's Environmental Health Division.
5. You are advised of the necessity to consult the Principal Highways Engineer of the Highways team in order to obtain necessary prior approval for undertaking any works within the Public Highway including Scaffold, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections and Repairs on the Highways, Hoarding, Excavations, Temporary Full/Part Road Closures, Craneage Licenses etc. Please to go to <http://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/highways-licences-guide>.
6. Informative: For information on the NRMM Low Emission Zone requirements please visit "<http://nrmm.london/nrmm>"
7. Owners, operators and occupants should register with Flood Warnings Direct.
8. Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
9. There are public sewers crossing or close to your development. If you are planning significant work near our sewers, it's important that you minimize the risk of damage. Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services Thames Water provide in any other way. The applicant is advised to read Thames Water's guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.
10. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near Thames Water pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
11. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you are planning significant works near our mains (within 3m) Thames Water will need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read the Thames Water guide working near or diverting our pipes: <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes> .
12. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

13. The developer and their representatives are reminded that they are still subject to the requirements of the Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase.

14. Any hoarding on the TLRN would be subject to a separate Section 172 licence application under the Highways Act 1980, to the Asset Operations Team at TfL. Please note that a minimum footway clearance of 1.5m will be required to maintain the safe movement of pedestrians.

15. Please note that Kennington Lane is subject to charges under TfL's Lane Rental scheme, for more information please see: <https://tfl.gov.uk/info-for/urban-planning-and-construction/lane-rental-scheme>

1.2 Yours sincerely

A handwritten signature in black ink that reads "Rob Bristow". The signature is written in a cursive, slightly slanted style.

Rob Bristow
Assistant Director Planning, Transport & Development

1.3 Growth, Planning and Employment

Directorate Date printed: 21st November

2018

1.3.1 INFORMATION FOR APPLICANTS GRANTED PLANNING PERMISSION SUBJECT TO CONDITIONS, OR WHERE PERMISSION HAS BEEN REFUSED.

General Information

This permission is subject to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your attention is drawn to the provisions of the Building Regulations 1985 and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer, Phoenix House, 10 Wandsworth Road, SW8.

The Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

STATEMENT OF APPLICANT'S RIGHTS ARISING FROM THE REFUSAL OF PLANNING PERMISSION OR FROM THE GRANT OF PERMISSION SUBJECT TO CONDITIONS.

1.3.2 Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Room 3/13 Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively an Appeal form can be downloaded from their website at www.gov.uk/government/organisations/planning-inspectorate. The Secretary of State has power to allow longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

1.3.3 Purchase Notice

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990.

1.3.4 Compensation

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for the Environment on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 120 and related provision of the Town and Country Planning Act 1990.

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

Statutory consultees

Transport for London
Environment Agency
Historic England - Archaeology
Health and Safety Executive
Development Control Department Thames Water
Secured by Design (Metropolitan Police)
Historic England
London Borough of Wandsworth
London Borough of Southwark
L.F.C.D Authority
Natural England
Highways Agency
Communities & Local Government

Other consultees

Victorian Society
Georgian Group
Greater London Industrial Archaeology Society (GLIAS)
Save Britain's Heritage
Kennington Park Road Residents Association and Neighbourhood Watch (KPRRANW)
Oval & Kennington Residents Association (OAKRA)
Cleaver Square, Cleaver Street and Bowden Street Residents' Association
Kennington Oval Community Action Group
Friends Of Kennington Park
Kennington Oval & Vauxhall Forum
Heart Of Kennington Residents' Association
Friends Of Lambeth High Street Rec
Friends of Vauxhall Spring Gardens
Friends Of Kennington Park
The Vauxhall Society
Vauxhall Neighbourhood Housing Forum
Kennington Association Planning Forum
Regents Bridge Gardens Ltd
Ashmole Estate Tenants Association
Ashmole Tenants Assoc
Bonnington Square Residents
Fentiman Road & Richbourne Terrace Residents Association
Harleyford Court Tenants Association

Hanover Gardens Association

Hanover Gardens Residents Association

Oval Mansions

Vauxhall Gardens Estate Resident and Tenant Association

Vauxhall One Business Improvement Districts

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

National Planning Policy Framework 2018

National Planning Practice Guidance

London Plan 2016

- 2.9 Inner London
- 4.7 Retail and Town Centre Development
- 4.12 Improving Opportunities for All
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy networks
- 5.6 Decentralised Energy in development proposals
- 5.7 Renewable Energy
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 5.15 Water Use and Supplies
- 5.17 Waste Capacity
- 5.21 Contaminated Land
- 5.22 Hazardous Substances Installations
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.12 Implementing the London View Management Framework
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning Obligations
- 8.3 Community Infrastructure

Lambeth Local Plan 2015

- D2 Presumption in favour of sustainable development
- D4 Planning obligations
- ED6 Town centres
- ED14 Employment and training

T1	Sustainable travel
T2	Walking
T3	Cycling
T4	Public transport infrastructure
T6	Assessing impacts of development on transport capacity and infrastructure
T7	Parking
T8	Servicing
EN1	Open space and biodiversity
EN3	Decentralised energy
EN4	Sustainable design and construction
EN5	Flood risk
EN6	Sustainable drainage systems and water management
EN7	Sustainable waste management
Q1	Inclusive Environments
Q2	Amenity
Q3	Community Safety
Q5	Local Distinctiveness
Q6	Urban design: public realm
Q7	Urban design: new development
Q8	Design quality: construction detailing
Q9	Landscaping
Q10	Trees
Q12	Refuse/recycling storage
Q13	Cycle storage
Q15	Boundary treatments
Q16	Shop fronts
Q20	Statutory listed buildings
Q21	Registered parks and gardens
Q22	Conservation areas
Q23	Undesignated heritage assets: local heritage list
Q25	Views
PN8	Kennington/Oval

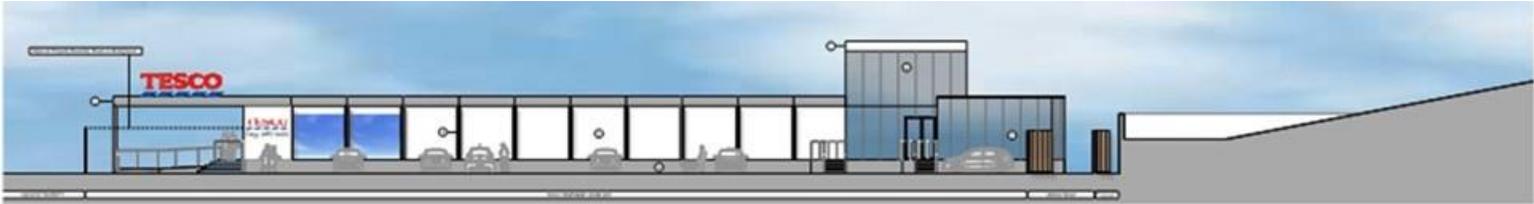
London Plan Guidance

Accessible London: Achieving an Inclusive Environment (October 2014)
 The control of dust and emissions during construction and demolition (July 2014)
 Town Centres (July 2014)
 Shaping Neighbourhoods: Character and Context (June 2014)
 Sustainable Design and Construction (April 2014)
 London View Management Framework (March 2012)
 Transport Strategy (March 2018)

Lambeth Guidance

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

Proposed elevations



ELEVATION FROM CUSTOMER CAR PARK



ENTRANCE ELEVATION



REAR ELEVATION



SIDE ELEVATION