

Policy 17 Flat Conversions

Summary of Representations & Responses (Policy):

Objection A:

Part (F) of the policy is too inflexible, and potentially contrary to PPG 1. More information should be provided on the circumstances in which de-conversions would be acceptable (Government Office for London).

Response A:

Accepted - a number of criteria are proposed.

Objection B:

Part (F) of the policy does not make clear which deconversions would require planning permission. Clarification should be provided on which schemes need planning permission (Government Office for London).

Response B:

Part (F) has now been deleted.

Objection C:

Points within (D) are covered within building regulations (Clapham Society)

Response C:

They are not at all. RPG3 specifically allows for policies controlling the quality of flat conversions and similar clauses have been accepted at other boroughs as a result.

Objection D:

The term special character is not consistent with current conservation legislation. The phrase is special interest. Seeks clarification of wording. Part (C): "... where the property is large enough..." is vague. (The Clapham Society)

Response D:

Accepted – changes made.

Objection E:

The section on deconversions (part F) is draconian and could deter investment in the housing stock. It should be relaxed to allow deconversion of heritage buildings to be judged on individual merits. Where properties have been poorly or unlawfully converted or there is an over concentration of converted properties, then deconversion should be an option. This would add to the stock of family sized houses in the Borough and allow mixed and balanced communities. (Streatham Partnership Board, Lambeth Liberal Democrat Group, Simon Hooberman, Graeme R. Glen, Stanthorpe Triangle Residents Association, Steve Wiltshire/Hazel Fraser, C Beegan, Mr W.L.Lord, Carla Lerman, Clapham and Stockwell Town Centre Board, J Clyne, The Streatham Society, Carol Walker, David Hitchins, Seamus Mac Bride, Clapham Society and Elaine Scott)

Response E:

Accepted – Part (F) of the policy has now been deleted.

Objection F:

Question the realism of car capping proposal proposed in part (E). (Simon Hooberman)

Response F:

This has proven to be fully realistic in boroughs such as Camden.

Objection G:

The policy regarding avoidance of 'excessive' roof extensions, 'over-intensive' conversion schemes, unsatisfactory basement excavations and conversions to an 'acceptable' standard is vague and misleading. Must be accompanied by standards. (Stanthorpe Triangle Residents Association, Carla Lerman, Mr W. L., Lord Steve Wiltshire, Hazel Fraser, David Hitchins, C Beegan, Mrs Nillifier York, Carol Walker, Streatham Partnership Board)

Response G:

Part accepted – but it is Lambeth's Supplementary Planning Guidance notes 'Guidelines/Policies for Residential Extensions and Alterations' and 'Internal Layout and Room Sizes', which give specific guidance on these issues.

Objection H:

Include room size standards in plan (Stanthorpe Triangle Residents Association)

Response H:

The Government Office for London has objected to plans that have attempted to do this. This is a matter best left to Supplementary Planning Guidance.

Objection I:

Don't simply say no to off-street parking (Stanthorpe Triangle Residents Association)

Response I:

It does not - off-street parking below the maximum standard is acceptable.

Objection J:

Paragraphs A – F of the policy are too onerous and inflexible. The policy should be deleted and replaced with a revised, much simplified policy to ensure that proposals are considered on their merit. (Fairclough Homes)

Response J:

Not accepted – this is a matter of considerable public concern as can be seen from the objections. RPG3 does allow UDP's to contain policies controlling the quality of flat conversions.

Objection K:

Suggest at (C) there should be at least one three-bedroom unit (not two) bedroom. (Cllr David Malley)

Response K:

Not accepted – many medium sized terraced properties, which can make good conversions, (e.g. in Abbeville Road area) would be prevented from conversion by this.

Objection L:

Should be minimum of 4 bedrooms. (Cllr David Malley)

Response L:

Not accepted – the new floor space figure would limit conversions to larger 3 and 4 bedroom properties.

Objection M:

Front gardens should not be lost. (Cllr David Malley)

Response M:

This matter is covered by Policy 36.

Objection N:

Make sure existing poor quality conversions are brought up to standards (Streatham Partnership Board)

Response N:

There is no legal means of doing this providing they meet health and safety standards.

Objection O:

Part (C) should be toughened to bring it into line with that of LB Wandsworth that states basement excavations should leave at least half of the front garden in place. (The Streatham Society)

Response O:

This matter is covered by Policy 36.

Objection P:

90% does not represent 'severe parking stress' overnight. In our experience with planning applications and appeals, this condition does not occur until at least 95% (Alsop Verill)

Response P:

Not accepted – it is widely accepted in traffic engineering that 85% is the figure at which two way flow is restricted. Copies of these appeals would be appreciated.

Objection Q:

The proposals concerning parking stress will simply limit the number of available parking spaces but will not limit the demand for parking spaces. (Seamus Mac Bride)

Response Q:

Not accepted – by limiting the number of permits it will limit the number of cars owned and hence demand.

Objection R

Support the policy and welcome the policy acceptance for deconversions only where the result would be affordable housing. (Lambeth Housing Association Liaison Group.)

Response R

Noted.

Objection S

The Mayor supports plans for car capping to prevent any further parking permits being granted, in addition to other parking management schemes being installed. (Ken Livingstone)

Response S

Noted.

Policy 18 Shared Housing and Supported Housing

Summary of Representations & Responses:

Objection A:

Only larger properties, say 150 sq.m. minimum should be suitable (Stanthorpe Triangle Residents Association)

Response A:

Accepted – change made.

Objection B:

Essential to include the provision in the previous UDP that Care Homes should be no closer than 150 metres in the same road. (Stanthorpe Triangle Residents Association, C Beegan, Mr W.L. Lord, Carol Walker, H Mc Paul, Carla Lerman, David Hitchins, Mrs Nilufer York)

Response B:

Accepted – change made.

Objection C:

Should be an additional traveller's site in the Borough (Streatham Partnership Board)

Response C:

Not accepted – there have been no objections or demands from travellers groups for another site.

Objection D:

The policy should allow flexibility of provision, suitability of premises for client group and concentration should be assessed by the NHS and local authority social services (NHS Executive London Regional Office)

Response D:

Not accepted – the policy allows flexibility of provision, it does not regulate internal layouts etc. as these are subject to separate regulation and inspection. It is not accepted that the policy should not control client group and concentration. These are matters of genuine public concern. Different client groups have different planning impacts and it would be wrong and prejudicial to low impact proposals to assess them all as the same. It is also necessary because firstly other regulatory schemes do not assess impact on the surrounding area, in terms of amenity, stress on services etc. Secondly, they do not assess cumulative impacts with similar premises from other service providers. And finally and crucially the applicants can also be the regulator of the quality of care. Whilst planning does not consider the quality of care, as stated in the plan, it does set up an institutional conflict of interest requiring independent assessment of genuine planning impacts.

Objection E:

The UDP should set out measurable standards to control development of shared housing and supported housing. (H C McPaul)

Response E:

Not accepted – internal standards etc. are set by non-planning and separate regulatory and inspection regimes.

Objection F:

We would welcome the inclusion of an additional type of shared housing, that for older and other active people who would like to share rather than end their lives living alone (Streatham Partnership Board)

Response F:

This would be welcomed – the policy is completely open as to the types of supported housing allowed.

Policy 19 Active Frontage Uses

Summary of Representations & Responses:

Objection A:

The intensification of land use and increase in residential densities envisaged elsewhere in the plan should raise retail demand and improve the viability of current retail centres. However, it may take some years for extra demand to emerge, following residential redevelopment. Delete second Para. (Waterloo Community Development Group, CC Smith)

Response A:

This would lead to strong counter objections from the Empty Homes Agency – a government funded body, which publishes good practice guidance on the conversion of vacant shops to housing. This can be a significant source of additional housing and is included in the calculation of the London Housing Capacity Study 2000. Without the policy, Lambeth might not be able to achieve its housing obligations. In addition, within Lambeth the number of shops has been declining for over a century. New homes will bring new demands, but experience elsewhere in London suggests that these demands can be very different from demands for traditional small secondary shops.

Objection B:

Replace the two uses of 'should' in the first Para. with 'are required to have'/ 'will be required to'. (Waterloo Community Development Group, Vauxhall Neighbourhood Housing Forum)

Response B:

Not accepted – it is considered that 'required' is too strong a word in this instance.

Objection C:

Insert after Thames Policy Areas "except on the riverside, or where this conflicts with other policies" (Waterloo Community Development Group)

Response C:

Not accepted – active frontage uses on the riverside such as at Gabriel's Wharf and Oxo are specifically promoted by the government's RPG3b and enliven the riverside at key points. It would be entirely wrong if there were blank frontages along the riverside.

Objection D:

"Active frontages" definition needs refinement. "Window display" and "open to the public" is not the only alternative to blank walls. So far as possible all new developments should have a "face" to the pavement/street. This is better addressed in Policy 31 C (II)(ii) (CC Smith)

Response D:

Not accepted – Policy 31C(II)(ii) deals with buildings addressing the street. Policy 19 deals with the more restrictive question as to where there should be active frontage uses, which address the street, it is therefore a locational, mixes policy for mixed-use areas, and is appropriate here.

Objection E:

This could be linked to urban design policy (Clapham Society)

Response E:

This is an urban design policy, Policy 31 also applies.

Objection F:

We object to the policy as we consider that there is potential to widen its content to incorporate the provision for A or D Class uses and therefore encourage a diversity of retail/leisure uses at ground floor level. (Level Properties, Mark Brown)

Response F:

Accepted – change made.

Objection G:

Object to the requirement for entrances to be orientated only towards the street, as this could restrict the flexibility of individual designs or the consideration of individual site characteristics (Level Properties, Mark Brown)

Response G:

Not accepted – the street will not be enlivened if buildings turn their backs to it.

Objection H:

Suggest that the policy could be strengthened to state that it would not be acceptable for the active frontage to be raised above ground level on a "plinth" to accommodate underground car parking (Streatham Society)

Response H:

Accepted – change proposed to Policy 32, as this is a broader design issue.

Objection I:

Whilst we support the principle of encouraging active frontages it is not necessary to require them to be 'open to the public' in order to achieve this objective (Delancy Estates Ltd and Clerical Medical Investment Management Ltd, Frogmore, Ladbrokes Investments Ltd c/o Zeckler and Co.)

Response I:

Not accepted – the notion of active frontage uses, as well as being designed to address and be orientated towards the street, is to allow for visiting members of the public throughout the day.

Objection J:

Exclude the South Bank Conservation Area from this policy (County Hall Owners and Residents Association)

Response J:

Not accepted – the South Bank is one area where active frontage uses are to be encouraged – witness County Hall itself. This does not imply that protected open spaces etc. are to be built on, only where built form is permitted that these should have active frontage uses.

Policy 20 Mixed-Use Development

Summary of Representations & Responses:

Objection A:

Under (C) Exceptions is woolly, and would undermine the rest of the policy. Developers demonstrating exceptional circumstances should be required to identify a site for the housing, achieve permission for this site, and provide funds for its implementation. (Michael Ball of Waterloo Community Development Group)

Response A:

Not accepted – legally if a site is not suitable for housing then there is no basis for 'compensation' with housing elsewhere.

Objection B:

E) Is woolly and ill-defined: what is a "satisfactory relationship"? There is also no reference to potential servicing conflicts, which can arise in poor design e.g. in the County Hall infill, where residents are disturbed by fumes and waste removal. (Michael Ball of Waterloo Community Development Group)

Response B:

This is a matter for common sense interpretation and assessment against other policies in the plan; it is proposed to add a reference to servicing however.

Objection C:

Increase threshold to 1,000m² (Chelsfield)

Response C:

Not accepted – the 200sq.m. threshold was considered and argued in detail at the Westminster UDP inquiry. The Inspector found that it was appropriate given the predominantly small-scale nature of developments and commercial uses. The Lambeth situation is considered to be very similar. With the onerous new housing and affordable housing targets set for the borough by the government, the Council feels justified in retaining its 200sq.m. threshold.

Objection D:

Omit reference to 50% and replace by "an appropriate proportion, taking into account the site location, its physical characteristics, the character and function of the area, and the need to promote the regeneration of the area. (Chelsfield)

Response D:

Accepted in part – it is proposed to refer to these matters in the policy however both Westminster and Camden have found it necessary to include percentage figures in the policy to ensure consistent, firm and clear application of the policy and a reasonable measure of development control certainty.

Objection E:

Remove requirement in Waterloo Office Regeneration Area as this conflicts with office policies (Shell International Petroleum Company and Lend Lease Europe, Delancy Estates Ltd and Clerical Medical Investment Management Ltd)

Response E:

Not accepted – the strategy of the plan in Waterloo is to promote office development but only as part of mixed-use schemes. For decades, debate has taken place in Waterloo about offices vs. houses. The new plan goes beyond that in seeking both. A solely offices development would neither be acceptable politically or to the local community. It would create an office monoculture; it would fail to take an opportunity for the homes London badly needs and would fail to create a vital mixed-use area.

Objection F:

This policy is extremely prescriptive and does not recognise those circumstances where there is already a high concentration and mix of residential, retail and other commercial uses that would make the imposition of a mix of uses inappropriate. (Frogmore)

Response F:

Not accepted – where there is already a rich mixed-use area this is even more reason to protect and enhance these characteristics rather than seeing these eroded by solely office or commercial schemes.

Objection G:

The Policy lacks clarity and should be reworded to clarify those instances where mixed use development is required (Shell International Petroleum Company and Lend Lease Europe)

Response G:

Not accepted – the policy is very clear about locations and required mixes.

Objection H:

The requirement to provide at least 50% of any increase in commercial floor space as residential, with separate access, is impractical and unworkable and will fail to deliver commercial development (Shell International Petroleum Company and Lend Lease Europe)

Response H:

Not accepted – this implies that the initial amount of office floor space is fixed and that residential floor space is not valuable and needs to be cross-subsidised. Neither is the case. Stricter policies have proved no deterrent to development in Westminster.

Objection I:

Do not apply to extensions (Park Plaza Hotels (Europe) Ltd)

Response I:

Not accepted – the majority of applications for new commercial floor space is for extensions and these can be very large indeed. Similar policies have been applied in Westminster to extensions and have proven acceptable to the Inspector to their UDP.

Objection J:

Policy 20 should cross-refer to Policy 22 'Key Industrial and Business Areas' and its different provisions in relation to mixed-use development in these areas. Without cross-reference to Policy 22, this appears to contradict the Council's aim of encouraging super league office occupiers to the Central London Policy Area. (Ladbroke Investments Ltd c/o Zeckler and Co.)

Response J:

Not accepted – the two policies are complementary and only five sites, four adjoining in Vauxhall Cross, have both designations. There would be a maximum % of residential of 50% (increased to 66% by MDOs 102-105 in Vauxhall Cross) and a requirement that for increased commercial floor space ½ of the increase would be additional residential. These set compatible maximum and minimum bands.

Objection K:

Allow for exceptions where not commercially viable (Park Plaza Hotels (Europe) Ltd, J Sainsbury's)

Response K:

Accepted in part – the act allows for exceptions where 'material planning considerations indicate otherwise' – it is considered appropriate however to list factors which might lead to the baseline % being adjusted slightly.

Objection L:

Take into account existing mixed uses which may already be provided on a development site (Strategic Partners UK fund)

Response L:

Accepted – change made.

Objection M:

Will the same proportion of affordable housing (Policy 16) also apply to housing development carried out under this policy? (County Hall Owners and Residents Association)

Response M:

Yes, it applies to all new housing whatever the source.

Policy 21 Location and Loss of Offices

Summary of Representations and Responses (to Policy)

Objection A:

Areas for office locations around Albert Embankment and around Vauxhall cross are not clear. Consider including these areas as suitable for office development on the proposals map in the same way that Waterloo office regeneration area is indicated. (Mayor of London)

Response A:

Lambeth's employment policies are based around advice given to the Borough in an independent report by GVA Grimley, on this specific issue they state "it is important not to develop too rigid a locational policy in relation to office development. In broad terms the realistic focus of current market interest is in the area north of the Oval. However, it is possible that in the future there may be interest for major developments further south than this. This reinforces the need to avoid too rigid a geographical boundary for large-scale office development planning policies. This would further suggest that defining areas within this boundary, such as 'close to' or within 'x metres' of Vauxhall station for example, could be counter productive. It might be feasible, however, to indicate a hierarchy of locations that are in accordance with planning policy on major office development." (page 54). Areas within Vauxhall are dynamic and market expectations away from the river may change, hence it is important for planning policy in Vauxhall not to be too locationally rigid. Major sites in the area suitable for intensive development are identified however on the proposal map as lying within a transport development area.

Objection B:

Waterloo is already over developed and lacks the infrastructure to support further major office development (Marilyn Evers)

Response B:

Waterloo has sustained far higher levels of office accommodation in the past, e.g. in County Hall days. Indeed it lost 4.4. Million sq.' in the 1980s. Hence Waterloo does have the transport and support infrastructure to support higher levels of offices, which will in turn support local shops and services. This is not to state that transport infrastructure does not need to be radically upgraded and Lambeth's representation to the Mayor's London Plan stated this concern as its primary one. RPG3 Para 2.36 also states that Waterloo is suitable for large-scale commercial developments.

Objection C:

The policy should include an upper limit to the total amount of office development in Waterloo (Waterloo Community Development Group)

Response C:

Arbitrary upper limits on office floor space are contrary to the principles of good planning. There is no rational basis for them and they prevent individual cases being assessed on their merits. The concern about the scale of office development in Waterloo and the balance between offices and houses is fully acknowledged. A better approach is to ensure a proper balance of mixed uses, to regulate the quality and scale of buildings and to ensure the scale and transport impact of buildings are kept in line with transport infrastructure. All of these can only be assessed on a case-by-case basis, particularly until the final transport capacity of the rebuilt Waterloo station is known. A floor space cap has recently had to be abandoned in Camden at Kings Cross for example as changing development site boundaries, constraints and improved transport capacity all made it meaningless. There would be a similar problem in Waterloo were a cap to be introduced with developers rushing to use up the allowance on their individual sites and schemes later in the pipeline would be prevented from being assessed on their merits.

Objection D:

Object to the failure of the Council to levy an affordable housing requirement on office development. (House Builders Federation)

Response D:

Not accepted – Policy 20 seeks a residential component in any scheme proposing more than 200 sqm of commercial floorspace. The normal affordable housing provisions will then apply to that residential component.

Objection E:

Consider that the floor space threshold should be deleted or increased; some recommend the insertion of a new paragraph at the beginning of Section A of Policy 21 be added as follows:- "In considering what constitutes large scale office development, the Council will have regard to the relationship of the site to adjoining properties, the size and nature of the development, the physical constraints of the site and surrounding buildings, and the scale and character of the surrounding area. Development over 1,000 sq.m. will normally be regarded as constituting large-scale office development irrespective of location." (Groveville, Clapham Park Developments Limited, Weald Properties, Chelsfield, Allsop Verill)

Response E:

Accepted – change made.

Objection F:

In B) allow conversion only to 'affordable housing'. (Lambeth Housing Association Group)

Response F:

Not accepted – if a site has no demand for offices, and or is unsuitable for office accommodation then there is no planning basis, unlike affordable housing priority sites, for compensatory provision in the form of affordable housing.

Objection G:

Clear limits should be placed on height of such new buildings to a level in keeping with the preponderant height in the area; (typically not more than 6-8 storeys in non-residential properties). (Lambeth Estate Residents Association)

Response G:

Not accepted – it is considered better to judge this against design policies such as Policies 32 and 37.

Objection H:

Should provide for a wider mix of compatible uses (Level Properties)

Response H:

Not accepted – this is better judged against policies such as policy 20.

Objection I:

Delete reference to Albert Embankment and Vauxhall Cross in Para (A) (i). (Manor of Kennington Residents Association)

Response I:

Not accepted – see also response to A, these sites are not within predominantly residential areas. Both Albert Embankment and Vauxhall Cross are and have been important office locations, close to central London with good transport infrastructure, set away from residential areas and so suitable for office development. Design policies, including proposed revisions, are designed to prevent the recreation of the 'wall' effect.

Objection J:

Object to a blanket presumption against large-scale office development elsewhere in the Borough. Include the words 'Elsewhere large-scale offices will not be permitted unless...' And then the addition of a series of appropriate development control criteria (London Electricity)

Response J:

Not accepted – with the proposed increased floorspace threshold for large scale office development it would be wrong to permit them in other areas which do not have the transport infrastructure, sites or urban fabric to accept or accommodate large scale offices.

Objection K:

Amend definition of acceptable locations to include the whole of the Central London Policy area (Chelsfield)

Response K:

Not accepted – There are areas within the Central London Policy area that are unsuited to large-scale office development. RPG3 Para 2.26 states that within Central London ‘office use should not predominate everywhere’ and that ‘in specific locations with a distinctive residential character, intrusive new office developments may need to be discouraged’. More specifically in a section on a number of areas including Waterloo (Para 2.36) it makes a clear distinction between areas closest to transport interchanges suited to commercial development, and areas away from these better suited for residential and community uses. This is the approach of the plan in designating specific areas in Waterloo which are best suited to large scale office development. Other areas have an arts/mixed use or wholly residential character.

Objection L:

Criteria vii should be deleted, requiring evidence of demand is not a relevant planning issue, it does not find support in national or regional guidance and is contrary to the Mayor’s plans to expand London’s office stock. (3i PLC, Chelsfield)

Response L:

Accepted in part – Information on office supply, and in particular office oversupply is a material planning consideration. The government in RPG3 Para 3.10 supported the setting up of the London Office Review Panel to monitor this. In particular Para 3.11 states that ‘Boroughs should take account of up to date information on office stock and development trends and market demands in preparing strategic policies on the role of different locations in their areas for different types of offices.’ It is accepted however that evidence of demand should not be required as a norm and only where there is evidence of over supply. It is not accepted that the market should be the sole arbiter in situations of potential oversupply. Time and again in London office boom and bust has been precipitated by speculative oversupply of offices leading to considerable problems of difficult to let stock and decline in building activity harming the economy as a whole. Please note that in the proposed re-order policy criteria (vii) is not criteria (iv).

Objection M:

In x replace ‘inevitable’ with ‘possible’ (3i PLC)

Response M:

Accepted – change made, ‘potential’ is considered better however than ‘possible’. Please note that criteria (x) is now criteria (vii) in the proposed re-ordered policy.

Objection N:

Add after improved transport ‘improved facilities for pedestrians and cyclists including secure cycle parking’ (Lambeth Cyclists)

Response N:

The full list of transport benefits is listed in table 5. It is not necessary to list them in full here.

Objection O:

Any tall buildings should be grouped together, so that the destruction of London’s skyline is halted. The Palace of Westminster in North Lambeth and Lambeth Palace should not have tall buildings around them. (Anne Crichley)

Response O:

This matter is dealt with fully under Policy 37.

Objection P:

Remove the marketing test for surplus offices (Peabody Unite)

Response P:

Accepted – change proposed stating when marketing evidence will not be required.

Objection Q:

B, should refer to small units above shops and not to purpose-built office accommodation (Streatham Society)

Response Q:

Not accepted - it applies to all offices, a report of demand for offices in Streatham has shown that there is 20th century office stock in Streatham which is not suitable for modern demands.

Objection R:

Delete ix as should be no requirement for small office suites, this should be left to the market (Chelsfield, Ladbrokes)

Response R:

Not accepted – the policy only requires an element of small office suites. Lambeth has become a major area for small office suites, often occupied by quangos, charities and small businesses who cannot afford high market rents but who are important local employers who require space near to central London. There is a danger that these could be squeezed out in favour of ‘super-league’ office developments, rather than a vital mix of different sizes of office units making areas more robust to the vicissitudes of the market. Please note that criteria (ix) is now criteria (vi) in the proposed re-ordered policy.

Objection S:

Do not consider that it is appropriate for the Council to have regard to criteria (vii) through (xii) as these criteria are not legitimate planning matters. Such criteria could potentially discourage major office proposals coming forward in a designated Office Regeneration Area. (Delancy Estates Ltd and Clerical Medical Investment Management Ltd, Shell International Petroleum Company and Lend Lease Europe, Prospect, Strategic Partners UK Fund 1 Ltd)

Response S:

A number of specific points are dealt with under other bullet points but these are all considered to be legitimate land-use planning matters. Having regard to demands for large-footplate offices was accepted as legitimate at the recent City of London inquiry. Having regard to the planning benefits, as well as the planning disadvantages, of office schemes is considered to be good planning. Moreover, without these they would be unlikely to be publicly acceptable. Point (xii) has been accepted as a legitimate planning concern in Westminster, as well as giving additional flexibility to developers. Point (xi) is a legitimate concern as where there is limited spare capacity redevelopment of a number of vacant sites, rather than simply where the most is proposed, could be a legitimate planning aim. Please note that criteria (vii) to (xii) are now criteria (iv) – (ix) in the proposed re-ordered policy.

Objection T:

The extent of the Waterloo Office Regeneration Area is unacceptable, where it intrudes into the South Bank Conservation Area, should exclude Shell Centre Podium site and One Westminster Bridge Site (County Hall Owners and Residents Association)

Response T:

Accepted in part – It is proposed to amend the boundary for the Waterloo Office Regeneration Area to reflect recent land use changes that have taken place in the area. The Shell podium site will be removed from this designation. The One Westminster Bridge Site has a lawful office use and will remain within the designation. It is located directly north and south of major office sites. It is clearly suitable for office use. Many sites in conservation areas are in office use and there is no in-principle conflict.

Objection U:

Policy ought to be expanded to include recommendations on the types of uses that would be supported as an alternative to the original office use (BT Group)

Response U:

Not accepted – any use is acceptable providing it complies with the specific policies of the plan on those uses. It would be wrong to condense these policies, which would be misleading and lead to potential conflict, as well as making the policy unduly lengthy, or cross-reference contrary to best practice advice.

Objection V:

Increase the size threshold in the definition of large scale (LB Wandsworth)

Response V:

Accepted- see response to E above.

Objection W:

Allow smaller schemes in locations other than those listed in (iii)-(vi) of Policy 21 on sites previously or currently used for employment purposes appropriate in scale to the character and public transport accessibility of the area. (LB Wandsworth)

Response W:

Accepted – change made. Please note that criteria (iii) – (vi) are now criteria (x) – (xiii) in the proposed re-ordered policy.

Summary of Representations and Responses (to Paragraph 4.12.1)

Objection A:

The supporting text justifying Policy 21 bears no relationship to the restrictive terms of the policy itself. (Chelsfield Plc, CLS Holdings PLC)

Response A:

Not accepted – for reasons given under Policy 21. See also supporting text under paragraph 4.12.6.

Policy 22 Key Industrial and Business Areas

Summary of Representations & Responses:

Objection A:

Policy should acknowledge that major retailing should also be an acceptable use within KIBA's, and in particular mixed-use employment areas (Tesco's)

Response A:

Not accepted – This would be contrary to the government's sequential approach as set out in PPG6, which directs such uses to town centres. Research suggests that retail development outside town centres is not necessarily a net creator of jobs when consideration is given to the impact of town centres, in particular alternative locations within town centres.

Objection B:

Delete Bengeworth Depot as Key Industrial and Business Area and designate for residential, offices, and/or a mix of retail uses including retail warehousing'. (London Electricity)

Response B:

Not accepted – limited justification is provided for the site not being designated as a Key Industrial and business area/mixed use employment area other than the pressing need for housing in the Borough. However, it is acknowledged that this could apply to any site. Lambeth's plan has very carefully weighed and balanced the need for housing and the need for employment. It has assessed the best sites for employment through an independent consultant's report by GVA Grimley and as a result a number of marginal sites have been released for housing. This was found to be one of the best sites. The plan is also highly flexible concerning redevelopment of a number of low intensity sites (such as this) or run-down sites in need of investment. Hence a number of sites are designated as mixed-use employment areas. The Lambeth plan is able to meet ambitious housing targets whilst still protecting and enhancing the best employment sites. There is therefore no pressing need for allowing this site to go too wholly housing use.

The objector's argument is also contradictory. If there is a pressing housing case, then why should significant offices or retail be permitted reducing housing potential. The site is one of the few in the Loughborough junction area capable of providing significant new employment premises without harming residential amenity. There are only residential properties on one side. The objectors suggested rewording would remove the priority given to the King's College Hospital. Were the site to become vacant they must have first call, as it is ideally situated for hospital expansion. The site has poor public transport accessibility. This, together with its back street location, make it unsuitable for major offices, and this and its out of town location make it unsuitable for large scale retailing. The mixed-use employment area designation is considered to offer considerable flexibility in providing for both housing and employment use.

Objection C:

Where sites in KIBAs have been demonstrated as being no longer suitable for employment use then other uses should be considered. (Peabody Trust, Workplace Group PLC, Clapham Park Developments Limited, Weald Properties, Goldcrest, B&Q, Eaton Square Garages Limited, Ridale Developments Limited)

Response C:

Not accepted – the independent research conducted as part of the UDP has demonstrated that all those sites carried forward for designation are suitable. The suggested policy would create the kind of uncertainty and speculative vacancy that the new UDP is trying to avoid.

Objection D:

It is considered the Deposit Policy 22 is unclear and provides conflicting policy guidance on those sites designated as KIBAs and MDOs. On the one hand policy 22 seeks to safeguard

KIBA areas for B Class Uses and Uses related to industrial areas whilst sites designated as MDOs seek a range of uses (Workplace Group PLC)

Response D:

Not accepted – there is no contradiction. Mixed-use employment areas are still protected for employment purposes however some housing and other uses are permitted in order to further this goal. It is a wholly pragmatic and appropriate approach to provide modern employment premises on run down premises.

Objection E:

Park Hall Trading Estate's designation is considered inappropriate since it does not meet a number of the criteria, the site is embedded in a residential area with poor access and currently provides outdated employment floor space in a building which is in need of significant regeneration (Workplace Group PLC)

Response E:

Not accepted – it is not possible for all sites to meet all of the criteria, for example providing premises for SMEs and providing space for larger inward investment. Crucially this site has good access and provides space for small and medium sized enterprises. Many such sites are in residential areas in London and this need not be a hindrance, indeed it adds to the vitality of the area and to local employment. The building is in need of investment but it is not fundamentally problematic. Before Workplace took over it had a very high occupancy rate. Occupancy rates are still good despite a rent rise. Lambeth has been in discussion with the sites owners about a partial redevelopment of the lower buildings for residential to find refurbishment of the remaining employment premises, in line with the policy. This should secure their future as employment premises.

Objection F:

Why allow a higher proportion for affordable housing, too much in one area creates problems (Tim Gayner)

Response F:

Not accepted – the policy should be read alongside policy 16 seeking mixed and balanced communities which includes a suitable proportion of general market housing and this would prevent excessively large proposals solely of affordable housing.

Objection G:

KIBA sites which have not been allocated as MDO sites may still have the potential to accommodate a mix of uses (Clapham Park Developments Limited, Weald Properties)

Response G:

Not accepted – those sites, which are suitable, have been identified following a thorough survey. Introduction of mixed uses in other areas such as the remaining KIBA's which are mainly industrial estates would be contrary to PPG4 Para 18 which states "*The juxtaposition of incompatible uses can cause problems for the occupiers both of the new and of the existing development. For example, where residential development is proposed in the vicinity of existing industrial uses, the expectations of the residents may exceed the standards applied by the planning authority, and may give rise to pressure to curtail the industrial use. This may be a particularly acute problem where other legislation, such as that relating to environmental pollution or public health, might subsequently result in costly new conditions or restrictions being imposed on the industry as a consequence of the new neighbouring development*".

Objection H:

A blanket protection of sites is also inconsistent with national planning guidance not to permit mixed uses on such sites particularly where there is no overall need for such a high level of employment sites. The designation of the Freeman's' site as a Key Industrial and Business Area is also inconsistent with Policy 6 of the plan, which states that: "development of previously developed urban land (including conversions, use of empty property and changes of use) will be maximised". The policy relating to such mixed-use employment areas is again unduly restrictive. What will be appropriate on a particular site will be determined by the characteristics of the area and therefore there should be more flexibility as to what can be provided in a major development opportunity area. It would be more appropriate to allocate

this site as a specific mixed-use area without any employment presumption. (Ridale Developments Limited)

Response H:

Not accepted – There is no blanket protection. The mixed use employment area designation specifically permits mixed uses on accessible sites. A simple mixed-use designation would not be helpful in Lambeth. Firstly almost all sites in the North and centre of the borough could be so designated – hence the open policies about use and mix for most sites in Lambeth. Secondly without some safeguard on employment levels there could be tokenistic levels of employment provided given the high land values for residential. On the Freeman's site there is an advanced stage of negotiation on a scheme that on employment policy terms should comply with the policy as proposed to be modified. Will be a mixed-use scheme with a high level of employment and residential. Hence this cannot be considered an unreasonable policy. It is impractical for everyone to work in central London, there is also not the transport capacity for them to do so.

Objection I:

Our client's site situated off Timber Mill Way should be designated as a Major Development Opportunity as well as a KIBA on the Proposals Map of the UDP (The National Grid Company PLC)

Response I:

Not accepted – the GVA Grimley's Report identified this KIBA as having a low level of vacancy and suitable in terms of scale for continued employment use. At the time of the report, the consultants were unclear as to whether the KIBA was suitable in access and location terms. Whilst it is not ideally located, and, because of the size of the individual land holdings, not perhaps suitable as a source for SME enterprises, this site is well contained between the railway on one side and on the other by a large embankment and the long gardens of residential properties on the other. Although there is one pinch-point at the southern end of Gauden Road, it widens up further north along the remainder of the north-eastern side of the site.

Objection J:

The KIBAs shown on the proposal map fronting onto Somerleyton Road and Loughborough Park have development opportunities and should be listed as Mixed Use Employment Areas. The environment in some parts of the Moorlands Estate remains poor and is unlikely to be improved unless more active and attractive frontages are created opposite Moorlands Estate. (Metropolitan Housing Trust)

Response J:

Accepted – change proposed under MDO6.

Objection K:

Exclude Union Road/Clapham Road site from proposed Clapham Road and Union Road Key Industrial Business Area. This is due to the size (0.26ha), location (in a mixed use area) and character (mainly vacant and derelict, with a significant proportion of uses being residential and retail) of the Union Road/Clapham Road site. In addition, Class B2 and B8 uses are not appropriate in this location particularly as part of a mixed-use scheme. (Rialto Homes)

Response K:

Not accepted – the site is part of a wider employment area north of Union Road, which has good road access and considerable employment potential. It has run down buildings and some residential however this is precisely the reason why it is proposed for designation as a mixed-use employment area to secure improvements. The fact that it is not suitable for B2 or B8 is irrelevant as it is suitable for B1. The site currently is not wholly vacant and includes one important business. The objector would appear to be confusing the adopted and proposed replacement UDP policies.

At the Savoy Appeal the inspector expressly stated in relation to the KIBA boundary that the area to the north of Union Road had a different and stronger employment character than the area to the south of Union Road. At the recent appeal on Union Road the inspector found in favour of the council as the appellants had not demonstrated that a alternative scheme with a higher employment component was not viable. He found no case to release the site for predominantly housing given that

Lambeth new housing provision levels were achievable. Although this decision has been subsequently taken to judicial review on the grounds that the inspector did not consider the concurrently issued Savoy appeal the two cases are markedly different and the inspector at the Savoy case made this distinction. Hence Lambeth maintains its position. At Savoy the site was in B2 use, unlike Union Road, and it was felt undesirable to insist on retention of a B2 use, which the adopted plan sought. In any event the issue here is the policies of the proposed replacement plan.

Objection L:

All Key Industrial and Business Areas should be entirely safeguarded for business uses. The Lambeth UDP acknowledges that there are only a limited amount of industrial areas, whereas opportunities for housing are relatively substantial. Therefore the protection of employment areas should be strengthened and no residential development should be allowed as the introduction of housing will undermine industrial areas even those parts which are not designated for possible residential; use and investment in commercial premises will tend to be discouraged. Government guidance in PPG4 warns about the adverse affects on industrial and business activity of allowing residential development. (London Borough of Wandsworth)

Response L:

The need for strong protection of KIBAs is acknowledged. Most of them, especially where there are B2 and B8 premises will be unsuitable for residential development for the very reasons suggested. However in the new plan it was considered that there were a number of difficult and run down employment sites where mixed use development of B1 and residential offered the best hope of securing improved employment premises, on the back of housing which would also offer a housing gain. This is in line with government policy in PPG1, RPG3 and PPG3 to secure mixed uses on appropriate sites. These are discreet sites where redevelopment offers the potential to design out potential conflicts of use. Mixed use of some of these sites also offers the best use for certain buildings in conservation areas etc.

Objection M:

Include Warehouse Clubs within definition of employment uses (Costco)

Response M:

Not accepted – Whilst acknowledging the legal position all three of the decisions referred to were taken prior to the Secretary of State statement confirming that a 'class of goods' approach was to be taken to the application of the sequential approach. This means that he no longer accepts that there is a case for large warehouse type buildings for products that can be sold within town centres. Warehouse clubs are such a large user of land, that they would be a poor use of land outside town centres. Occupying sites, which could otherwise be developed for a wide number of smaller employment premises and potentially a mix of uses, as well as potentially introducing traffic into industrial areas and interfering with industrial servicing. Also the Boroughs independent retail needs assessment indicated that there was no overriding need for allocating out-of-centre sites for retailing or by implication quasi -retail use. Finally the Secretary of State in his recent review of the use classes order indicated that there was no case for relaxing the planning use status of warehouse clubs as this could 'permit inappropriate out-of-centre retailing.

Objection N:

50% requirement on mixed-use employment areas is unduly restrictive, should be left to site by site level negotiation (Ridale Developments)

Response N:

Not accepted, as a clear proportion is needed to give certainty and to prevent the employment proportion being squeezed to next to nothing. It is proposed to add some flexibility to the required proportion however in terms of floorspace as an alternative test.

Objection O:

At Wandsworth Road/Clyston Street should be covered by Policy 23 rather than KIBA designation and should not require 50%. Policy fails to take into account where existing proportion of site may be in residential use. (Metropolis)

Response O:

This area is part of a wider area extending into the London Borough of Wandsworth that is identified as a strategic employment area. It is therefore considered eminently suitable as a KIBA given the presence of scrapyards, waste uses etc. The presence of some residential on Wandsworth Road has led in part to the proposed designation as a mixed-use employment area. It is proposed on a site-specific basis to exclude the residential block on the corner of Clyston Street from the KIBA boundary so this does not count towards the % non-b1/b2/b8 calculation. It is considered important to retain the 50% figure for the reason given above. Consideration is currently being given as to whether a development brief is needed for this area which could resolve many of the residential and employment vehicular conflicts and which dictate as a result a split into two sites.

Policy 23 Protection & Location of other Employment Uses

Summary of Representations & Responses (Policy):

Objection A:

Wouldn't it be better to say simply that other Employment Uses will be protected unless an application for housing comes forward; in which case parts i) to v) of the policy as drafted would come into play (House Builders Federation, Bryant Developments)

Response A:

This is what it does say although of course it needs to refer to all non-housing uses.

Objection B:

The word "normally" to be inserted between "not" and "be" under part (B) (Laing Homes)

Response B:

Not accepted – government endorsed good practice in the Planning Officers Societies 'Better Local Plans' recommends against the use of the word 'normally' as the act allows for exceptions. This was endorsed in the first UDP inquiries for Brent and Kensington & Chelsea.

Objection C:

Add '(vii) where its redevelopment for residential use could make a contribution to the Borough's housing requirements without prejudicing employment objectives.' (Bellway Homes South East)

Response C:

Not accepted – this would be a highly vague and uncertain clause. All housing schemes could make a contribution towards housing requirements, the other clauses of the policy give firm tests as to how and when employment objectives would or would not be undermined. The proposed clause would be unclear how and when it came into effect.

Objection D:

The priority exemption of paragraph (vi) should apply to all uses subject to merit and taking into account site characteristics, viability and issues of sustainability (Fairclough Homes, Fairview Home)

Response D:

Not accepted – then it would no longer be a priority exception as there would no longer be a policy protecting employment uses. The only higher priority of the plan than promoting employment is promoting affordable housing and hence it is necessary to make a special exception. As there will never be enough land in London to satisfy all needs there is a need to plan on the basis of priorities. Lambeth has a pressing demand and need for affordable housing. The highest ever recorded in a comparable housing needs survey. Hence it is essential to give priority to affordable housing. Such a policy has been successfully included in the adopted Hammersmith and Fulham UDP.

Objection E:

Criteria B should state, "Where a scheme has substantial planning benefits which are considered to outweigh the loss of the employment floor space." For example, retail uses can often provide a higher density of employment per square metre than storage and warehouse uses. (Groveville Limited, Clapham Park Developments Limited, Weald Properties Limited)

Response E:

Not accepted – This proposal would not provide reasonable certainty to development control. There would be no indication of how to weigh and balance employment and non-employment use of a site-by-site basis. The Lambeth plan contains such a framework firmly based on evidence of employment premises and supply. The policy is not solely about maintaining maximum employment densities, as the supporting text sets out, but about providing for a mix of land use and skill, and the high employment uses of central London also require lower intensity uses at the periphery

to service them. Retail uses out-of-centre can also affect actual and potential employment's levels in town centres.

Objection F:

It should be confirmed in the explanatory text associated with Policy 23 that this policy stance does not prejudice the specific stance presented in the 'area and site policies' chapter (London Electricity)

Response F:

Not accepted – there have been objections in the other direction, for example stating that the area and site policies should not override the borough-wide policies. Further clarification is proposed to the introductory sections of the plan further clarifying the relationship between the two. The borough-wide policies apply in full, other than in those limited circumstances where an area and site policy specifically overrides it because of local circumstances. The area and site policies do not dictate final land use. That is for several reasons, firstly because in an inner urban area like Lambeth several end uses might be acceptable, this will also vary with the economic cycle. Secondly, because the part 1 policies set down a broad policy framework to assess schemes as they come forward, which may include many mixed use schemes. Some sites are not yet vacant and available and it would be wrong to prejudge, potentially years in advance, if release in full from the original land use is acceptable. Hence the plan is not prescriptive about end use but instead sets down a series of general tests. Hence the Part 2 policies set down more localised design guidance and help identify potential development sites to help forward plan infrastructure and broader regeneration projects.

Objection G:

Why solely affordable housing, 100% creates its own problems? (Tim Gaymer)

Response G:

Not accepted – the policy should be read alongside Policy 16 seeking mixed and balanced communities which includes a suitable proportion of general market housing and this would prevent excessively large proposals solely of affordable housing.

Objection H:

Suggests simplified drafting including allowing loss where sites are vacant and where a site has substantial other planning benefits, and where a site is proposed for affordable housing, key worker housing or student housing (Peabody Unite)

Response H:

Not accepted – The proposed wording does not provide a firm basis for development control, and lacks clarity. The proposed wording does not provide for a weighing and balancing of competing issues in the assessment of how and where loss of employment is permitted. It would not be clear how and when the non-employment advantages outweighed the employment advantages. There also would be no planning justification for allowing a priority exception for affordable housing etc. if the site was no longer suitable for employment use. The proposed wording fails to make this distinction.

Objection I:

The policy should only seek to resist the loss of uses within the B Class. The protection of other uses such as Class A2 uses, galleries may prejudice other objectives of the UDP (Goldcrest)

Response I:

Not accepted – a broader definition is considered necessary given the range and scope of uses in employment premises today.

Objection J:

The policy fails to recognise reasonable prospects for the re-use of land can also be determined by lack of demand for employment space, the nature of vacant employment space and extant, un-implemented planning permissions. (Goldcrest)

Response J:

Accepted – change made.

Objection K:

Should not include sui-generic utility buildings in definition, as these have a low level of employment. (BT Group Plc)

Response K:

The policy is clear – it only includes other uses with ‘significant levels of employment’ and so they are not covered by the policy on other employment premises.

Objection L:

Where it can be demonstrated that a proposal would not adversely affect the supply of alternative employment sites, in both qualitative and quantitative terms, alternative employment-generating uses such as retail should be considered favourably without the need to demonstrate that the site has become vacant (B&Q)

Response L:

This is illogical. Development of one site will never adversely effect the supply of *other* sites. This clause would always apply rendering the policy a nullity.

Objection M:

Policy should also apply to key industrial and business areas (Ridale Developments Limited)

Response M:

Not accepted –These areas are the largest and best employment areas in the borough requiring a different and stricter application of policy, to provide certainty that will help secure new investment in these areas. Sites, which are suitable have been identified following a thorough survey. Introduction of mixed uses in other areas such as the remaining KIBA’s which are mainly industrial estates would be contrary to PPG4 Para 18 which states “*The juxtaposition of incompatible uses can cause problems for the occupiers both of the new and of the existing development. For example, where residential development is proposed in the vicinity of existing industrial uses, the expectations of the residents may exceed the standards applied by the planning authority, and may give rise to pressure to curtail the industrial use. This may be a particularly acute problem where other legislation, such as that relating to environmental pollution or public health, might subsequently result in costly new conditions or restrictions being imposed on the industry as a consequence of the new neighbouring development*”.

Objection N:

Part B of Policy 23 should be amended to include a statement to the effect that the loss of uses protected by other plan policies to affordable housing and/or community facilities or local arts or cultural facilities will be considered on merit, take into account particular site characteristics, and issues of sustainability (St George South London Limited)

Response N:

Not accepted – if such matters were to be considered on their merits there would be no need for a policy. There is a pressing need given the intense pressure on employment premises in the Borough.

Objection O:

Part (B) of the policy should be expanded to enable mixed-use development on sites currently containing a mixture of residential and employment uses (Rialto Homes)

Response O:

The policy allows for this. Providing there is no loss of employment overall then there is no potential breach of the policy.

Objection P:

In Part (B) (iii) of the policy, the final sentence requiring maximising the feasible proportions of employment floor space should be removed (Rialto Homes)

Response P:

Not accepted – in line with PPG3 Lambeth has thoroughly reviewed its employment policies to ensure there is no oversupply. An independent report by GVA Grimley found that there is considerable demand for employment premises, however current stock is not always suitable. It is not therefore a case of crude supply and demand but

one of a managed release and redevelopment of the employment premises of the borough to provide more suitable employment premises. This aspect of the policy is therefore essential to ensure whether or not a scheme really is the best one achievable, in terms of employment provision. At a recent appeal an inspector held that this was the right approach. In this case both the appellant and the local planning authority agreed that the site should be redeveloped. The test therefore was whether a better scheme could come forward in terms of employment provision. As Lambeth could meet its strategic housing allocations, including with a reduced level of housing as part of the appeal site, there was therefore no overriding national policy imperative to release the site wholly for housing. There is no suggestion in PPG3, PPG4 or RPG3 that sites suitable for redevelopment with a high proportion of employment floorspace should be released wholly or almost entirely for housing.

Objection Q:

Warehouse clubs should be included in the description of appropriate uses safeguarded within Key Industrial and Business Areas (Costco)

Response Q:

Whilst acknowledging the legal position, all three of the decisions referred to by the objector were taken prior to the Secretary of State statement confirming that a 'class of goods' approach was to be taken to the application of the sequential approach. This means that the inspector no longer accepts that there is a case for large warehouse type buildings for products that can be sold within town centres. Warehouse clubs are such a large user of land that they would be a poor use of land outside town centres, occupying sites which could otherwise be developed for a wide number of smaller employment premises, and potentially a mix of uses. They would also potentially introduce traffic into industrial areas and interfere with industrial servicing. Also the Borough's independent retail needs assessment indicated that there was no overriding need for allocating out-of-centre sites for retailing or by implication quasi-retail use. Finally the Secretary of State in his recent review of the use classes order indicated that there was no case for relaxing the planning use status of warehouse clubs as this could 'permit inappropriate out-of-centre retailing.'

Objection R:

The policy should be expanded to include reference to mixed-use schemes as mentioned in PPG3 Housing (Castlebank Properties)

Response R:

Not accepted – the policy allows mixed uses providing there is no loss of employment floorspace (providing there is demand for this and the site is suitable).

Objection S:

The requirement to sell the property by the "open tender process" may infringe 'Human Rights' and be counter productive in circumstances where other marketing methods may be more appropriate (Castlebank Properties)

Response S:

Accepted in part – there is no breach of the Human Rights Act as there is no requirement to sell to a specific individual following the outcome of the open tender process. However if they fail to do so the consequence may mean the refusal of planning permission. The policy is proposed to be amended to clarify circumstances where a marketing exercise may not be appropriate.

Objection T:

Request that the Part V of Policy 23 is amended as follows: "it is a listed building or a building of significant architectural merit which contributes to the character and appearance of a Conservation Area, designed for and reverting to residential use; or" (Strategic Partners UK Limited)

Response T:

Accepted – change made.

Summary of Representations & Responses (Paragraph 4.12.18):

Objection A:

It is considered unduly prescriptive to set out a detailed breakdown of how this marketing campaign should be undertaken. It is therefore considered that the consideration of marketing requirements is better dealt with on an individual site basis through pre-application discussions, as well as the continuous vacancy issues. (Clapham Park Developments Ltd, Weald Properties Ltd, BT)

Response A:

Not accepted – Clarification of the marketing issue is one of the most frequently asked questions of officers. Without clear parameters there will be continual disputes and uncertainty as to the quality of marketing, as indeed happened prior to the new plan being published. Offering to existing occupiers is essential as this can show whether a site is genuinely vacant or not, or whether this is simply speculatively induced. For the same reason vacancy alone is considered a poor test for releasing sites.

Policy 24 Work-Live / Live-Work Development

Summary of Representations & Responses:

Objection A:

Omission: A Policy to encourage home based working and 'tele-working' would be a useful addition to the Plan and in support of it's sustainable development strategy (Orange)

Response A:

Such tele-working will not normally require planning permission so there is no need for such a policy. In those circumstances where it does, similar policies have caused great problems on enforcement of those home-based business that cause a nuisance. The general policies of the plan for assessing amenity are considered sufficient.

Objection B:

The policy regarding live-work/work-live units is flawed in planning terms. Such developments are either:

- i) Predominantly employment use with ancillary residential, in which case their lawful use is employment; or
- ii) Predominantly residential with ancillary employment, in which case their lawful use is housing; or
- iii) 50% employment and 50% residential, and are therefore defined as mixed-use. (Fairclough Homes, Fairview Homes, Rialto, St. George South London)

Response B:

Not accepted – The arrangements proposed in the policy will achieve two uses within the same planning unit. In such a case it does not follow that one use is necessarily ancillary to the other.

Objection C:

Part II) of this Policy should be deleted (Clapham Park Developments Limited)

Response C:

Not accepted – without these minimum safeguards then developments would include poor quality and very small sized employment floorspace. These would be effectively residential developments, and there is no reason why they should not be treated as such, otherwise residential development could be permitted throughout employment areas and with no affordable housing as well.

Objection D:

Part I should remove reference to "mixed-use employment areas only" (Clapham Park Developments Limited)

Response D:

Not accepted – with the employment component they would be unsuitable close to B2 uses in KIBAs.

Objection E:

Amend policy to require live-work development to consist of an approximately equal proportion of the live and work elements (Rialto)

Response E:

Accepted in part – towards 50/50 units become predominantly live-work rather than work-live. Given the minimum area for work this would permit large family accommodation unsuited to work-live. The % split is already more liberal than most boroughs.

Objection F:

Lower threshold for work area within live-work unit from 70m² to 40m² (Ms Susan Heinrich)

Response F:

Not accepted – Southwark Street is a very fine grain conservation area dictating its own solutions. However even here there is evidence that units are predominantly occupied as residential. This % split is not being taken forward in the Southwark

UDP. 70sq.m. is the figure successfully used in most of the boroughs that have policies. However, it is proposed to reduce it to 60sq.m. to add some flexibility.

Objection G:

Exclude live-work units from requirement for affordable housing (Ms Susan Heinrich)

Response G:

There is no restriction in the act preventing this. Without this many schemes will simply revert to residential, as they are marketed as being residential after 4 years.

Objection H:

Section 106 agreements should not be used to amend primary legislation, i.e. removal of lawfulness of use (St George South London)

Response H:

Not accepted – Policy does not prevent change of use, where there is no demand for employment use. Properties would not remain vacant unless the owner chose this course.

Objection I:

Better to have empty building used for residential, than seek to restore 'employment' long gone from the area. (Methley, Milverton, Radcot and Ravensdon Streets Res. Association)

Response I:

Not accepted – work-live for the arts sector etc. is thriving and is not 'long gone'

Policy 25 Access to Employment Opportunities

Summary of Representations & Responses:

Objection A:

Not a land use planning matter – should seek and not require (Government Office for London)

Response A:

It is a land-use planning matter as it serves a planning purpose i.e. to reduce the length of commuting and to reduce traffic congestion. The policy is based on that in the Greenwich adopted UDP taken following Counsel's advice to the Joseph Rowntree Trust on this matter. The need to integrate planning and training measures is acknowledged in RPG9.

Objection B:

Policy is not clear as to what constitutes a large scheme and whether it applies to applications for all types of uses (Government Office for London).

Response B:

Major development is defined in the glossary (as proposed to be amended) – it is proposed to use this form of words and to clarify that it applies to developments with significant number of employees or requiring large numbers of construction workers.

Objection C:

Amend by inserting "through partnership with local communities and community groups" after the first two words (Waterloo Community Development Group, Vauxhall Neighbourhood Housing Forum)

Response C:

Partnership is important, however the proposed rider is one that could be added to many policies. It is a means of implementation of the policy rather than a policy matter itself.

Objection D:

I object to the drive to place BME residents into low paid jobs by utilising the planning system. It is completely discriminating and contradicts the Race Relations (Amendment) 2000 Act, and Lambeth's own statements to raise levels of achievement, thus increasing access to well-paid jobs. (Marcia Simpson)

Response D:

Not accepted – the strategy is to improve training and educational attainment so that higher paid jobs become accessible.

Policy 26 Community Facilities

Summary of Representations & Responses (Policy):

Objection A:

Concern at exceptions in C, what is 'realistic', 'appropriate', 'adequate replacement' etc. Protection is secondary to unlocking development opportunities. We would like to insist that any community facility lost through development is replaced immediately, locally, accessibly, and appropriately, with the nature of the replacement facility being decided by consultation with the local community and users of the facility that is to be lost (Brixton Area Forum Board)

Response A:

Accepted – amendments proposed here and to Para 3.7.4 and the supporting text. The term 'unsuitable' however is a matter for common sense interpretation. Planning obligation monies cannot go into general budgets by law.

Objection B:

We also object to the fact that Part C allows for community facilities to be reduced in size where "the facility is too large for modern needs and the development is essential to secure community use (with equivalent community access) on the remainder of the site". It is not clear what a facility being "too large for modern needs" means and how this judgement is to be reached. The UDP needs to set out the criteria by which such a judgement will be reached and by whom. (Brixton Area Forum Board)

Response B:

Not accepted – the decision would be made by the decision maker (e.g. the planning applications committee or the Secretary of State) following public consultation in an open and transparent way. Interpretation of the policy is a matter of common sense.

Objection C:

We would like to see more proactive support for community facilities for young and elderly people. Paragraph 4.13.1 recognises the shortage of suitable community facilities in Lambeth, including those for teenagers or older people. Nevertheless, it fails to give enough recognition to the particular problems relating to the lack of facilities for young people or older people. This is a major issue in Brixton and needs more explicit recognition and higher priority, both in the Policy 26 and in supporting text (Brixton Area Forum Board)

Response C:

Not accepted as Policy 26(c) gives explicit priority to providing improved facilities for these groups. This is already covered by the policy.

Objection D:

We would like to see play facilities for children and young people protected as community facilities in the D1 Use Class (Brixton Area Forum Board)

Response D:

Not accepted as what use class something falls into is a matter for the secretary of state and not Lambeth and they do not fall under the D1 use class. It is important to clearly classify a type of use under one policy or the other. Given its status children's play facilities are protected under Policy 45 as an open space use.

Objection E:

We would like to see meeting places for older people protected as community facilities in the D1 Use Class (Brixton Area Forum Board)

Response E:

They are – this is a D1 use protected by the policy.

Objection F:

In addition, we would like to see the following buildings retained for community facilities: Lambeth Young Women's Project, Morval Road Nursery, Nature Gardens -Tulse Hill Estate, Dexter Road Adventure Playground (Brixton Area Forum Board)

Response F:

Lambeth's Womens project is an A2 advice centre protected by the policy. Morval Road day nursery has now been sold and development has commenced. The other two sites are nature conservation and open space sites protected by Policies 45 and 46 respectively.

Objection G:

There is no reference in the plan to a policy to protect indoor sports facilities, e.g. Streatham Ice Rink. (Simon Hooberman)

Response G:

Indoor sports facilities are fully protected by Policy 45.

Objection H:

Financial contributions to education provision based for affordable housing are inappropriate. Firstly, it would mean one community benefit subsidizing another and, secondly those being housed will already be part of the local population, and therefore will not generate additional school places. (Lambeth Housing Association Group)

Response H:

Not accepted – firstly it is not a 'community benefit' but an essential planning obligation to accommodate household growth. Secondly although for borough residents, new housing may result in a redistribution of residents within the Borough, such as introducing children within a catchment of a school which would create or exacerbate a shortage of school places. It is acknowledged however that the impact will be reduced. The only research is in Barnet, which suggests that the reduction is of the order of 25%. It is proposed to include a similar reduction, however in a smaller borough such as Lambeth a higher reduction is appropriate.

Objection I:

Should give more emphasis to improving sporting facilities (Friends of Hillside Park)

Response I:

Sport is covered by Policy 45. It is proposed to delete reference to sport in clause D and cover it in Policy 45.

Objection J:

There is insufficient recognition of the state of many community buildings where over very many years the building has deteriorated, or come to the end of its economic life because community groups, in their desire to provide low cost facilities have not charged sufficient rent to provide for the cost of repairs or eventual rebuilding. This proposed policy does not provide sufficient flexibility. The policy is not sufficiently flexible to prevent some large Victorian churches and other D1 use buildings turning into wasting assets. The second paragraph should be amended to read "...too large for modern needs or the cost of repairs or replacement buildings are prohibitive for the community and the development secures reasonable replacement facilities on the remainder"

A third paragraph should be included to read.

"Lambeth will work with building owners to find imaginative uses and ways of preventing large important buildings becoming wasting assets because of their age, size and condition. (Diocese of Southwark)

Response J:

Accepted in part – these are relevant material considerations and amendments are proposed to include reference to them. However this must still be within the context of protecting and replacing community facilities where at all possible and so must be framed as an exception.

Objection K:

School places should be the responsibility of the community as a whole (Diocese of Southwark)

Response K:

Not accepted – national planning policy in circular 1/97 and PPG12, as well as audit commission guidance make it clear that the costs of new infrastructure must fall on the development creating the need for it rather than unfairly fall on the existing population.

Objection L:

Threshold of 10+ is too small (Level Properties, Mark Brown, Eaton Square Garages Limited)

Response L:

Not accepted – all developments will create such a need. It is above the government's proposed tariff threshold of 250sq.m.

Objection M:

Object to childcare requirement – may not be required in all cases (Level Properties, Mark Brown, Delancy Estates Ltd and Clerical Medical Investment Management Ltd, Shell International Petroleum Company and Lend Lease Europe)

Response M:

Not accepted – the only circumstance where large developments will not generate a need for childcare facilities were if they did not employ women, or those with childcare responsibilities.

Objection N:

Inclusion of Vauxhall School as a school and community facility use (Vauxhall School Governors)

Response N:

The policy applies to all buildings still required for community use. It is impractical to list every school etc. in the policy. If there is still a demand for school places that the school can satisfy then it is protected. However if at some future point there was a falling away of demand or if the school facility could be provided elsewhere then the site could go to other uses.

Objection O:

It speaks about 'community' and only relates to white (predominantly) facilities. This is reflected in the fact, for instance, that, the so-called Black cultural and heritage 'building' is not in the UDP. (Ms Marcia Simpson)

Response O:

Not accepted – the UDP seeks to provide facilities for the whole community. It would be unlawful to provide any facilities for a specific ethnic group or groups exclusively. Improved community facilities are being provided in Brixton such as at Raleigh Hall.

Objection P:

The definition of compensation at subsection (C) should be toughened (The Streatham Society, Sally Wadsworth)

Response P:

Accepted – change made.

Objection Q:

Include a policy to provide a network of public toilets throughout the Borough. (Robert Holden)

Response Q:

Accepted – change proposed to Policy 48.

Objection R:

Remove reference to building replacement facilities on-site or off site (Lady Margaret Hall Settlement)

Response R:

Not accepted – the objector is seeking to make the policy more flexible, but this suggested amendment would have the opposite effect making the policy far more rigid, and too rigid.

Objection S:

The UDP must spell out to developers the guidelines along which Section 106 agreements will be imposed. Here again there must be no ambiguity, which might allow people to suspect planning officers of collusion with property developers (Stanthorpe Triangle Residents Association)

Response S:

Noted – there is no such collusion, and the policy is clear.

Objection T:

This company objects to this additional requirement for developers to provide facilities in addition to the excessive affordable housing demands. Further, there is no basis for assessing what the need for community facilities is, whether the development does 'increase the residential population' and how and on what any moneys secured through this policy would be spent (Bryant Developments)

Response T:

Not accepted - the supporting text sets out the methodology for assessing needs. Developments for housing will clearly increase the residential population and the introductory section of the plan set out the basis on which planning obligations will be secured and spent.

Objection U:

In (G) Include 'in large areas of residential development' (Waterloo Community Charity)

Response U:

Not accepted- whilst sympathetic it would be difficult to set down a planning justification if there were no additional visitors or workers to the development site.

Objection V:

Drafting - I am sure that "day centres" should include "for the elderly" not only childcare (Clapham South Neighbourhood Association)

Response V:

Accepted – change made.

Objection W:

In the interests of prudent planning, no Council-owned buildings currently used as primary or secondary school's be sold off for other uses until the Council has agreed corporately to a set of Primary and Secondary School Plans that are based on reliable new demand projections in line with the assumptions set out in Para 4.13.7. (Lambeth Liberal Democrat Group)

Response W:

Accepted in part – Lambeth is preparing a new schools operation plan based on the housing growth projections in the new UDP. This may well result in changes to previously proposed school re-organisation in some wards. Some wards and area show little change from previous projections however.

Objection X:

There is a need for a common master plan, between Kings College Hospital and the Maudsley and more joint working across the Borough Boundary (The Camberwell Society)

Response X:

There has and is considerable joint working as part of the UDP review of both boroughs. It is not considered there is a need for a joint master-plan between the two hospitals. These each have different specialisms and facilities, hence a joint master-plan would have limited overall benefit.

Summary of Representations & Responses (Para 4.13.2):

Objection A:

We are concerned at the limited type of facilities that you include (4.13.2). Local people are developing a vision for developing two or more multi-purpose community facilities, which would be much more than a public hall. (Leah Levane, Streatham Partnership Board)

Response A:

This is a matter-of-fact definition of the uses protected and covered by the policy. It in no way implies that any and every use in this list is acceptable when there is a shortage of a particular type of use in an area. It is proposed to clarify this in 4.13.5.

Summary of Representations & Responses (Para 4.13.6):

Objection A:

The HBF objects to this paragraph, which effectively seeks to penalize developers for implementing Government policy. (Giles Atkinson, House Builders Federation, Bryant Developments)

Response A:

Not accepted – see response to similar objection under policy 26.

Summary of Representations & Responses (Para 4.13.7):**Objection A:**

This paragraph suggests that the centre of the Borough is adequately served, which is not the case. It does not present a coherent plan to address the shortage of places. (Paul Robson)

Response A:

Lambeth now accepts the limitations of its schools planning and is now preparing a revised schools operational plan. Changes are proposed to the text to reflect this. The detail requested however is too high a level of detail for a development plan and are best set down separately in the schools organizational plan, with the development plan reflecting any land-use implications.

Objection B:

Para 4.13.7 should contain a clear statement of how many 11 year olds in Lambeth transfer to secondary schools outside the Borough; a target for additional secondary school places in Lambeth by 2017; a list of sites (with number of places) for additional capacity with proposed dates of opening; a clear statement of how land and finance will be found to reach the target number of places by 2017. (Paul Robson)

Response B:

Lambeth now accepts the limitations of its schools planning and is now preparing a revised schools operational plan. Changes are proposed to the text to reflect this. The detail requested however is too high a level of detail for a development plan and are best set down separately in the schools organizational plan, with the development plan reflecting any land-use implications.

Policy 27 Loss of Pubs Public Houses

Summary of Representations & Responses:

Objection A:

We would resist any retention of pubs that required an extended/late license in a residential area (Brixton Area Forum Board)

Response A:

This matter is covered by policy 29.

Objection B:

This policy also does not refer to the conversion of traditional local pubs to more exclusive/expensive venues. While there may be no formal change of use in planning terms, such conversion can have a profound effect on the character of a pub and on the clientele who feel comfortable drinking there. Many local pubs in Brixton have been "lost" to local people due to such conversion, although they remain licensed premises. Lambeth should give consideration to creative use of planning policies and/ or conditions to ensure that there remains a reasonable mix of pubs in the area. (Brixton Area Forum Board)

Response B:

Noted – the concern is well understood, however as the objector states this is not a matter covered by planning control and licensing cannot refuse a license to a fit and proper person providing the premises is run in an appropriate manner.

Objection C:

Your criteria for protection are not recognised listing criteria. Unless the pub is listed, the council has no power to protect. We suggest that this policy refer to a schedule of listed pubs together with another for those, worthy of statutory protection and a commitment to list them. (Clapham Society)

Response C:

Not accepted – providing a change of use takes place there is a power to protect, there is no reason why the listing criteria should be used. It would be impractical to list all such pubs with the aim to produce a succinct plan and many will not be listable. Listing is in any event the responsibility of the Secretary of State.

Objection D:

The names of the pubs also often carry historic significance and they deserve protection, perhaps by listing their signs or lettering on the facades. (Clapham Society)

Response D:

Noted – once a building is listed this also including lettering etc.

Objection E:

27e: Vague terminology. The use of the word enhance has little to do with protection here because it can be taken to mean improve or alter. The conservation of original features should involve preservation or restoration only (The Clapham Society)

Response E:

Not accepted – this is the wording of the act for listed buildings and conservation areas.

Objection F:

Affordable housing should be included as an exception to the generality of this policy. (Lambeth Housing Association Group)

Response F:

Accepted in part – it is proposed to amend Policy 16 so those pubs of no architectural interest are included as potential affordable housing priority sites. To include all pubs however could see the loss of high quality pubs, which serve an important local function.

Objection G:

Changes in social habits should be recognised, and re-use of uneconomic pubs permitted. (Methley, Milverton, Radcot and Ravensdon Streets Res. Association)

Response G:

Not accepted – the policy has been widely supported on the basis that a number of still viable premises are being lost.

Objection H:

Policy 27 should be rewritten to take away the "exceptional circumstances" presumption against the loss of public houses. (Mount Anvil Construction)

Response H:

Not accepted – the policy is not framed as a 'presumption against'. However it is proposed to amend it to clarify that only viable pubs are so protected.

Objection I:

There should be no distinction in the policy between pubs falling within or outside the Central London Policy Area. (Mount Anvil Construction)

Response I:

Not accepted – pubs are a central London supporting activity, protected by RPG3.

Objection J:

Criterion A should be amended to remove the requirement for marketing for A Class Uses, and instead to require the submission of viability and trading information. (Mount Anvil Construction)

Response J:

Not accepted – current trading information is helpful, but much more so is information on whether or not others are interested in re-purposing premises to meet a new market (see CAMRA pub viability test).

Policy 28 Hotels & Tourism

Summary of Representations & Responses (Policy):

Objection A:

Should include reference to signage and require obligations towards visitor management strategies. (Mayor of London)

Response A:

Accepted in part – however plan policies do not generally refer to implementation mechanisms other than saying that measures will be ‘secured’, this is for two reasons, firstly the government is proposing to replace planning obligations, and the specific terminology/mechanism has not yet been decided, and so it is necessary to make the wording robust over the lifetime of the plan. Secondly there are many ways in which measures can be secured. For example: conditions and securing of benefits in kind or directly as part of the application (e.g. provision of public toilets). Finally the exact wording proposed refers to obligations towards visitor management strategies but not other measures, this is confusing.

Objection B:

Unlike areas around other mainline stations in London, Waterloo is remarkably free of prostitution and this may well be the consequence of having so few small hotels. Exclude Waterloo from where small hotels permitted. (Graham Brown, Munro House Tenants and Residents Association, Matheson Lang Tenants and Residents Association, Waterloo and Kennington Housing Forum, Councillor Leslie Boodram, Jez Feeney, Waterloo Town Centre Board, Nicola Howey, Canon Richard Truss)

Response B:

Not accepted – This is a problem where there are large numbers of older and run down street properties, formally residential, in use as hotels. This is not the case in Waterloo. It would be unreasonable to prevent a small number of newly built small hotels in Waterloo that would be very unlikely to cause this problem. Particularly given the requirement in RPG3 to permit more hotels in Waterloo.

Objection C:

Developments to be only accessible by users, coming by sustainable forms of transport, that is pedestrians, cyclists and public transport user (Lambeth Cyclists)

Response C:

Not accepted – the plan strongly promotes sustainable transport, however the objection would have the effect of banning car-use and access to new hotels which is considered overly strict and unreasonable, as well as contrary to national and strategic policy which seeks to restrain car use but not to ban it.

Objection D:

Policy 28 should be more pro-active and encourage hotel development (London Tourist Board and Convention Bureau)

Response D:

Not accepted- the plan is a regulatory document and therefore it is important that it uses neutral and restrained language as to the tests that should be met. It is for others to promote activities.

Objection E:

Object to the fact that it does not allow for the provision of complementary uses, such as retail, to provide for a sustainable mix of uses. (Level Properties)

Response E:

This is covered by Policy 20 so it is not necessary to mention it here.

Objection F:

No more hotels should be encouraged on the Albert Embankment (Manor of Kennington Residents Association)

Response F:

Not accepted – Albert Embankment is well suited given its proximity to Central London and the shortage of hotels in Lambeth. The design issues can be dealt with through the design policies.

Objection G:

The following text should be inserted at the end of Policy 28: Any development should ensure the amenity of existing residential occupiers is preserved. (Peabody Trust)

Response G:

Accepted in Part. Note that Part (B) of the policy addresses concerns of residential amenity, as does Policy 7 & Policy 73.

Objection H:

Either a revision of the Waterloo Visitor Management Area to separate it from the South Bank Conservation Area or exclude the Conservation Area from this particular policy and extend the ban on this type of development to all residential areas. (County Hall Owners and Residents Association)

Response H:

Not accepted – the South Bank Conservation Area contains a number of large visitor attractions and so it is considered unreasonable to exclude them from this area providing visitors are managed and residential amenity is not harmed. A number of amendments are proposed to strengthen the policy in this regard.

Summary of Representations & Responses (Paragraph 4.14.2):

Objection A:

The map showing the blue dotted line for the Waterloo Visitor Management is difficult to see as the scale is small but it appears to incorporate the two new houses in the block. Why should it be necessary to expand these facilities into a residential block of houses? I note Wellington Mills at the back of 'us' is possibly going to be proposed for conservation; it would be ideal to conserve our beautiful Georgian houses within it too, Please? (Gayna Martine)

Response A:

It is proposed to revise the map to exclude a number of residential properties on Kennington Road. No residential properties on Lambeth Road are included as can be seen from the more detailed map (see below).

Objection B:

I object to the loss of residential designation in this re-designation. I would seek to included nos. 108 and 110 with the site of nos. 104 and 106 and complete the designation of this terrace from nos. 64 to 102 and 104-110 as a residential area. (Pauline Anderson)

Response B:

It is proposed to revise the map to exclude a number of residential properties on Kennington Road. No residential properties on Lambeth Road are included as can be seen from the more detailed map (see below).

Policy 29 The Evening & Late Night Economy, Food & Drink and Amusement Centre Uses

Summary of Representations and Responses (Policy):

Objection A:

Should only permit residential development in 'Entertainment Management Areas' where planning, policing and licensing co-operate to reduce impact of night-time uses, where noise can acceptably be attenuated. (Mayor of London)

Response A:

This co-ordinated approach is precisely that of Lambeth – it is not a new idea, and is required whether inside a 'zone' or not. The purpose of locational policies for late-night licensed units is to determine the appropriate concentration and scale of uses, in the light of what can be appropriately managed and what additional measures are necessary. The designation of such areas might imply that the careful balancing of residential amenities with the growth of the night time economy was to be abandoned solely in favour of the growth of this sector. It could hinder rather than help appropriate management of these establishments. In any event this policy deals with A3-A5 uses, development of noise sensitive uses in noisy areas is dealt with in Policy 48(E) and this matter is dealt with there. The implication is, that if it is intolerable for new residents, it would be intolerable for existing residents also.

Objection B:

Opening paragraph should state 'will be resisted unless' rather than 'will only be permitted' (Brixton Area Forum Board).

Response B:

The wording 'will only be permitted' is preferred as there will be circumstances where residential amenity is not an issue. Government policy is that development plan policies should generally be positively worded.

Objection C:

Suggests reducing the thresholds to 20% and 10% (Brixton Area Forum Board)

Response C:

Not accepted – this would prevent any change of use anywhere in the Borough. However in the light of recent consultant research the threshold has been dropped to 25% borough-wide for A3-A5 use.

Objection D:

The following paragraph should be added to the policy "(iv) In the Waterloo Visitor Management area, no new facilities will be permitted in a residential building or within 100m of a residential building." (Robin Dahlberg)

Response D:

Not accepted – this would be a crude and arbitrary figure that would not be related to the scale, impact or nature of the proposed use. It would also prevent mixed-use developments contrary to national policy.

Objection E:

I would not like to see any more "fast food" establishments like McDonalds. However, a good thing would be a few more cafes or restaurants, so long as they do not replace existing useful shops. (Sheila Freeman)

Response E:

It is not possible to ban 'fast food' restaurants etc. It is only possible to restrict a certain type of operation based on its environmental impact, not on the basis of the operator or type of operation.

Objection F:

Appropriate to impose conditions that will require the participation of businesses to help keep the area clean and presentable (Clapham and Stockwell Town Centre Board).

Response F:

It is not possible to impose conditions to force operators to carry out actions for which Lambeth has a statutory duty – e.g. to clean the streets.

Objection G:

This policy is racist, since it is evident that the only people able to access resources and facilities for 'mainstream' use are white. (Marcia Simpson)

Response G:

Not accepted – the facilities in Brixton in particular, are noted for the diversity of people using them.

Objection H:

The threshold for over-concentration of A3 uses in Abbeville Road is reduced from 40% to 30% of all units (Clapham Park New Deal for Communities, Darren Sanders).

Response H:

In the light of recent consultant research it is proposed to reduce the figure to 25% borough-wide for A3-A5 uses.

Objection I:

Forbid late night opening until, say 500 metres of any residential development, anywhere in the borough (County Hall Owners and Residents Association)

Response I:

Not accepted – this would effectively be introducing prohibition over the whole of Lambeth.

Policy 30 Arts & Culture

Summary of Representations & Responses:

Objection A:

Also add potential for other arts/cultural facilities not just public art (Mayor of London)

Response A:

Accepted – change proposed. However also needs to refer to need in areas with a shortage of such facilities (e.g. Streatham)

Objection B:

Need to be more flexible to allow enabling development on arts sites to facilitate arts improvements (Mayor of London, South Bank Centre, British Film institute)

Response B:

Accepted in part– change proposed. However is necessary to require that enabling development does secure future of arts/cultural use and a slightly stricter form of wording is proposed.

Objection C:

This policy makes no mention of sport. Central government policy links the Arts, Culture and Sport together as being equally important. The Lambeth UDP must do the same. (Friends of Hillside Gardens)

Response C:

Sport is covered by Policy 45.

Objection D:

The policy should qualify such support as being 'subject to the critical importance of preserving and improving surrounding open spaces (Lambeth Estate Residents)

Response D:

The plan must be read as a whole and open spaces are protected by Policy 45. It is not necessary to cross-reference every policy to every policy.

Objection E:

The requirement for large-scale development to provide public art or, in suitable locations, arts and culture uses, is considered unreasonable. The draft policy provides no guidance to what is considered 'large-scale' development or to what the level of public art contribution could be. (Level Properties Limited, Mark Brown)

Response E:

Not accepted – large scale development is defined in the glossary and the introduction to the plan makes clear that planning obligations will be secure in line with the law and with national policy.

Objection F:

This policy has the potential to be misused. I object because Black, particularly African Caribbean Cultures are not expressed or displayed or promoted in any productive way. This is patently racist and indicates institutionalised racism within certain bodies (Marcia Thompson)

Response F:

Not accepted – Lambeth supports and promotes activities and groups from all cultures.

Objection G:

The policy makes no mention of the lack of cultural facilities in Streatham or the need to remedy the situation (J Clyne)

Response G:

Accepted – change made.

Objection H:

Object to the omission from the plan of any protection for other leisure uses. The current UDP contains a presumption that there will be no net loss of floor space for leisure uses in Streatham (Streatham Society)

Response H:

Accepted in part – indoor sports facilities, such as the ice rink, are protected by Policy 45. It is proposed to make an amendment to the policy to include protection of cinemas. This leaves nightclubs and other indoor leisure uses. Whether night-clubs etc. stay open is considered a matter best left to the market, if they become vacant they can provide useful sites for town centre uses such as supermarkets that would otherwise have to locate 'out of town' as well as providing sites for housing.

Policy 31 Streets, Character and Layout

Summary of Representations & Responses

Objection A:

There should be specific reference to historic character (English Heritage)

Response A:

Accepted – change proposed in line with wording of rest of plan.

Objection B:

Needs greater emphasis on crime and disorder (Brixton Area Forum Board, including Crime Working Group, Lambeth Police/Borough Crime Strategy Officer)

Response B:

Accepted – new policy proposed (Policy 31a - Community Safety/Design Against Crime) The new policy will incorporate paras 14.15.8 – 14.15.10 in its reasoned justification.

Objection C:

Should not extinguish or sever existing rights of way (Brixton Area Forum Board)

Response C:

Accepted – change made.

Objection D:

Text is effectively lifted from 'By Design'. Unless Lambeth are making exceptions (we see none) it would be more concise and less irritating to refer in essence to the source document rather than repeat so much of it. (The Clapham Society)

Response D:

Not accepted – By Design is government good practice guidance, including on the content of developments plans. However, it is not of itself planning policy and does not have the statutory weight of a development plan. The policy also includes Lambeth specific and derived content.

Objection E:

Developments to be only accessible by users, coming by sustainable forms of transport, that is pedestrians, cyclists and public transport user (Lambeth Cyclists)

Response E:

Not accepted – this is considered draconian and unreasonable. Government policy is to restrict car use, not to prohibit it.

Objection F:

Insert 'cycle and' before 'car parking' in paragraph (x) (Lambeth Cyclists)

Response F:

Accepted – change made.

Objection G:

Delete 'Gated communities are not permitted' in paragraph (xiii). (Bellway Homes South East)

Response G:

Not accepted – gated communities turn their back on the public realm, prevent effective pedestrian circulation and are the antithesis of good urban design.

Objection H:

Paragraph (A). The policy should define a "larger site" and a "smaller site" for the purposes of preparing urban design statements (Fairclough Homes, Fairview Homes, St George South London Limited)

Response H:

Major development is defined in the glossary; an amendment is proposed to ensure a consistency of terminology.

Objection I:

(F) Omission - there does not appear to be any provision of services for deaf and hard of hearing people (John Spicer)

Response I:

Accepted – new policy proposed - Policy 31b : Designing for Access for All.

Objection J:

Whilst we support the principles of good urban design, we consider the criteria could stifle creativity and innovative design solutions which respond to the particular challenges thrown up by the individual characteristics of a site (Eaton Square Garages Limited, Level Properties, Mark Brown)

Response J:

Not accepted – this policy is not prescriptive about design solutions providing they meet now widely accepted urban design criteria. It does not try to prescribe any individual style.

Objection K:

Amendment: It should be made clear in this section that its aims have priority over high-rise proposals; and that the preservation of a human scale in the urban environment is a prime objective. (Manor of Kennington Residents Association)

Response K:

Not accepted – this policy is concerned with the layout of development, not scale that is covered by Policy 32.

Objection L:

Specific references can be made within this policy note to studies which deal with the issues of streets, character and layout that have been commissioned locally by the Council and its partners (Design Guides) (South Bank Employers Group)

Response L:

Not accepted – unlike conservation area design guides such documents have not been adopted by Lambeth following public consultation. The Lambeth plan takes forward those parts of the South Bank Urban Design Strategy that it agrees with e.g. the public realm improvements. Lambeth of course will have regard to any design guide adopted as SPG following public consultation, and a change is proposed to reflect this.

Objection M:

Urban design statements should be submitted for all new proposed development and conform to a local master plan developed through consultation (Waterloo Community Charity)

Response M:

It would be too onerous to require all developments, even shop fronts, to submit an urban design statement. It is not necessary to have a master plan for all areas, only in areas where significant developments require co-ordination. In Waterloo, master plans have not had a good track record; also, it is not possible to complete any definitive plan until the Waterloo Station development options are clearer.

Objection N:

(B) Road width in many instances is inappropriate for the current or projected use (Waterloo Community Charity)

Response N:

Accepted – change made.

Objection O:

(c) Needs to include connections to a series of open spaces. (Waterloo Community Charity)

Response O:

This is what the policy requires.

Objection P:

Regarding Policy 31, we want the Plan to accept and acknowledge that for many people in Waterloo, the South Bank Area is the focus of the community. Its open spaces are what

make it so special, plus a cluster of amazing places to visit (County Hall Owners and Residents Association)

Response P:

This is a borough-wide policy. The South Bank, Waterloo is specifically covered by Policy 75, and it would be inappropriate to single it out and include it here.

Objection Q:

It is unclear how this applies to West Norwood. West Norwood, like Streatham, has a Victoria shopping parade and a number of Landmark buildings. The townscape of the area should therefore be preserved and enhanced. This should apply particularly to any development in the KIBA which acts as a prominent gateway to West Norwood (Sally Wadsworth)

Response Q:

This would be excessive detail to cover in a boroughwide policy and each of these issues can be satisfactorily addressed by application of the Boroughwide policy.

Policy 32 Building Scale & Design

Summary of Representations & Responses (Policy):

Objection A:

Should include reference to table 10 on densities (Mayor of London)

Response A:

Accepted – change proposed.

Objection B:

Should use term 'Sustainable Design and Construction' (Mayor of London)

Response B:

Accepted – change proposed.

Objection C:

(c) "better public transport" needs to be clarified i.e. better than what? (J Clyne)

Response C:

Better than good as shown on map 1. Clarification of wording proposed.

Objection D:

In (c) should be protecting or enhancing. (Prospect)

Response D:

Accepted – change made.

Objection E:

Object to the prescriptive tone that permeates this section, given that Architecture is the mother of the Arts and the possibility for invention and imagination should not be constrained by detailed rules (The Clapham Society)

Response E:

This policy is not considered unduly restrictive given the sensitive nature and the complexity of issues in Lambeth. Other residents associations have welcomed it.

Objection F:

This Policy is too detailed and prescriptive, relating to a broad consideration such as building scale and design. It could have the potential of stifling innovative design (Tesco's, Level Properties Ltd, Eaton Square Garages Limited)

Response F:

Not accepted – see above. The policy specifically permits innovative designs.

Objection G:

The policy might usefully be strengthened to ensure that new buildings do not exceed any existing building contracted prior to 2000. A 'canyon' effect along the river should be strenuously avoided. (Westminster Society)

Response G:

This would be an unjustified and arbitrary historical breakpoint. The height of buildings along the river is covered by Policy 39.

Objection H:

Add (G) RSL - Developments - When determining planning applications by RSLs, the LPA will take account of the above factors having regard to the requirements placed upon RSLs by the Housing Corporation Scheme Development Standards and the principles set out in 'Rethinking Construction'. (Lambeth Housing Association Group)

Response H:

Accepted in part – this is considered better covered in supporting text as it would not be clear in a policy how it would affect the decision. It is rather an additional material consideration alongside the policy.

Objection I:

The allowable densities, mentioned in Table 10, are so high that developers carrying out conversions near the high road will demand to be given the maximum. This will have a completely destructive effect on communities and will unbalance the housing mix in these areas. (Stanthorpe Triangle Residents Association)

Response I:

The densities apply to new development and not to conversions. They are to be adopted Londonwide and much development in Streatham already exceeds these densities.

Objection J:

Any increased density here will create hell on earth for all of us. This is not Hong Kong - nor would we wish it to be. (Anne Crichley)

Response J:

These densities are to be adopted on a Londonwide basis with the intention of improving sustainability.

Objection K:

(B) Design of Facades. This Para is far too restrictive and general there should be no blanket design policy. This will increase the likelihood of poor pastiche design and discourage good contemporary design (Mc Morren and Gatehouse)

Response K:

Not accepted – it does not prevent innovative designs. Without this clause the policy would not cover elevations at all, which would be a major omission. It sets down a series of flexible tests, which a designer can respond to. It simply prevents blank and badland facades.

Objection L:

Para (A) i) Unified Townscape of significant quality: This paragraph precludes any development which is not a pastiche (Mc Morren, Gatehouse, and Groveville)

Response L:

This only applies to areas of high quality unified townscape, which only cover a small part of the borough. Amendments are proposed which make it clear that this does not prevent a creative re-interpretation of the predominant pattern. Hence, including more general criteria, in line with the new CABE/EH guidance, assessing the impact on existing context, and which allows an increased range of possibilities, without precluding contemporary designs, which might be used to provide acceptable infill development.

Objection M:

'Where possible, sites should be developed to their maximum capacity, having regard to other relevant policies (London Electricity)

Response M:

Not accepted - maximum capacity will in some cases conflict with good design and the design-led approach. It would be a hostage to fortune.

Objection N:

The following wording should be added to the end of Policies 32 and 33 as follows: "Notwithstanding the above, innovative contemporary design solutions will be encouraged, provided the character and appearance of the surrounding townscape is enhanced." (Peabody Trust, Goldcrest)

Response N:

The policies already include appropriately worded sections on encouraging appropriate contemporary design and so this would result in duplication. It would also create a false dichotomy between contextual and innovative contemporary design.

Objection O:

Add "Tall buildings will not normally be permitted, although greater intensification of land use will be permitted and encouraged e.g. offices of 4-6 storeys (Cllr David Malley)

Response O:

Tall buildings are covered by Policy 37.

Objection P:

(A) (ii) Include 'access to natural light' (Waterloo Community Charity)

Response P:

This is covered by D (viii).

Objection Q:

High densities in Waterloo (both residential and commercial) will adversely affect the existing residential community if access to high quality open space and other community/social amenities and facilities are not improved or increased (Waterloo Community Charity)

Response Q:

Noted – it is the strategy of the plan for Waterloo to improve open space and local social and community facilities.

Objection R:

While environmentally sustainable design should be encouraged, these matters are better dealt with under the Building Regulations. The policy should make clear that unnecessarily detailed information would not be required at the planning stage. Delete clause (F) (Chelsfield, CLS Holdings)

Response R:

Only levels of insulation are covered by the building regulations and this reference is proposed to be deleted, other aspects of sustainable design (e.g. passive solar gain) are covered by the planning system, as made clear in government endorsed good practice guidance on planning for solar gain.

Objection S:

Support the principles behind this policy but object to its inclusion on the basis that it is too prescriptive and inflexible for a statutory UDP policy. The policy should be incorporated and written as an appendix (cross referenced in supporting text) and offered purely as guidance for development proposals (Frogmore)

Response S:

Not accepted – this would be contrary to PPG1 which requires development plans to have policies on broad matters of design such as those included in the policy.

Objection T:

We would like to see a toughening-up of environmental design principles (Policy 32f) to actively raise standards in new buildings especially with regard to reduced energy consumption and improved insulation (Lambeth Liberal Democrat Group).

Response T:

Accepted – change made.

Objection U:

We require confirmation whether this policy is exclusively about residential development or all development, also whether MDO's override this policy (County Hall Owners and Residents Association)

Response U:

It applies to all development. MDO's do not override it although most of them do provide more specific design guidance.

Objection V:

Seek the use of minimum density standards to reflect the Government aim to maximise the re-use of central urban brown-field sites (PPG 3) (BT)

Response V:

The policy is very strong on preventing underdevelopment and the density ranges in table 11 can be used as benchmarks. However the inclusion of rigid density standards in the policy is contrary to the 'design-led' approach of the plan.

Objection W:

Clause (D) does not properly reflect PPG1 Para 11 and should refer to a flexible approach to development standards (Castle bank Properties)

Response W:

As stated the plan does not have rigid development standards, neither does Lambeth have these as supplementary planning guidance, so this is irrelevant. Instead the plan has broad performance criteria, as recommended in 'By Design'.

Objection X:

New clause should be added to the list, under (F) Environmental/ Design Principles to read: "(xvi) the need to reduce the use of finite, primary minerals and aggregates and to encourage the maximum use of recycled materials (bricks, stone, recycled and secondary aggregates etc.) in the building process." (Andrew Simpson)

Response X:

Accepted – change made.

Summary of Representations & Responses (Para 4.15.12):

Objection A

A) Clear benchmarks are needed to stop the limiting of the planning process working against residents. BRE sunlight and daylight guidelines are appreciated. Regarding policy 32, classify the South Bank under clause (A) (l). Reconsider more benchmarks instead of performance criteria when assessing protection of residential amenity, and link up policy 7, mentioned earlier. (Anne Burke & Marina Thaine, County Hall Owners & residents Association)

Response A

A) Not accepted. Parts of the South Bank are of uniform character but parts of poor quality and in need of improvement. The new strict design and amenity policies of the plan are considered to present much better controls than the old crude standards which are no longer favoured by government policy and guidance.

Policy 33 Alterations & Extensions

Summary of Representations & Responses:

Objection A:

Preamble or supporting text should indicate that many of the listed works may be permitted development (Government Office for London)

Response A:

Accepted, wording proposed to be added to Para 4.15.19

Objection B:

Might be better to distinguish works to residential and commercial properties by having two separate policies (Government Office for London Informal Comment)

Response B:

Not accepted, many buildings in Lambeth are residential buildings now in commercial use or vice versa as well as many mixed-use buildings. Separate policies would duplicate these design issues.

Objection C:

Far too detailed for policies document and, we think, would be better explained as separate guidance (Clapham Society)

Response C:

It is accepted that the policy was too detailed as originally drafted and has been considerably shortened. Lambeth has issued separate SPG on alterations and extensions and this policy is just a summary and 'anchor' of the main policy principles on which the SPG provides more detailed guidance. This is the main policy used in over half of all planning applications received and there is concern that the new plan is relevant and useful to such applications.

Objection D:

Window manufacturers should be targeted and told what is and is not acceptable. The section on roof extensions should be changed to ensure that self-contained units of accommodation are not exclusively constructed in roof spaces (Stanthorpe Triangle Residents Association)

Response D:

Lambeth is targeting window manufacturers. Policy 17 is severely restrictive of additional units solely in roof-space.

Objection E:

The following wording should be added to the end of Policies 32 and 33 as follows: "Notwithstanding the above, innovative contemporary design solutions will be encouraged, provided the character and appearance of the surrounding townscape is enhanced. "
(Peabody Trust, Goldcrest)

Response E:

The policy already include special reference to innovative design (see response to Policy 32)

Objection F:

The guidelines are acceptable but need to be more specific or developers could interpret them to suit their purpose and not that of the community. It is also imperative that guidelines are followed and enforcement action taken IN TIME where applicable. (Mrs Nilufier York)

Response F:

Noted – the policy is considered to be specific enough and more specific guidance is given in a detailed design guide.

Objection G:

Does not make clear whether it covers only residential development or all development. What qualifies as an extension or alteration? (County Hall Owners and Residents Association)

Response G:

The policy does not state that it applies solely to residential and so it applies to all development. Under the general permitted development, order extensions are structures, which add floorspace. All other building works are alterations.

Policy 34 Shopfronts & Advertisements

Summary of Representations & Responses (Policy):

Objection A:

Part E of this policy needs to make clear that the restrictions on footway advertising hoarding will include those from which Lambeth derives an income. (Brixton Area Forum Board)

Response A:

This policy applies to all footways, whether or not the Council derives an income from it.

Objection B:

We object to the unnecessary length and prescriptive detail of this policy. Again, we consider that the sub-clauses would be better produced as supplementary guidelines stemming from a succinct overriding policy. (The Clapham Society, Tesco's)

Response B:

The policy is supplemented by more detailed supplementary guidance, it is considered to be of an appropriate length.

Objection C:

"Traditional" shopfront and advertisement design is not always the most suitable in design terms. (Tesco's)

Response C:

The policy does not insist on traditional designs except where these are being protected or restored.

Objection D:

Advertisements should not threaten public safety including distracting Car drivers. (Lambeth Cyclists)

Response D:

The policy refers to the issue of public safety

Objection E:

There has been increases in use of transparent PVC advertisements within telephone kiosks that when illuminated add to the number of eyesores and apparent lack of control on our high streets. (Clapham and Stockwell Town Centre Board)

Response E:

This is now covered by C as amended. If non-illuminated they unfortunately do not need consent.

Objection F:

Footway advertisements should be explicitly barred. (Clapham and Stockwell Town Centre Board)

Response F:

It is not possible to bar footway advertisements, as the regulations require each case to be judged on its merits having regard to the legal criteria of public safety and amenity.

Objection G:

Why are existing advertisements in an area to be disregarded in assessing a new application? This is surely a material factor in deciding whether or not additional advertising is acceptable! (Manor of Kennington Residents Association)

Response G:

This is a misunderstanding. The regulations allow existing advertisements to be disregarded in assessing the general character of an area. This enables the local planning authority to consider the impact of an advertisement on an area as if it were free of all advertisements. It can also assess the cumulative visual impact of advertisements. The clause also allows regard to be had to advertisement clutter.

Objection H:

Clause (x) on flues requires more qualification since this is not only a design consideration but also a critical contributor to environmental damage of residential amenity. (County Hall Owners and Residents Association)

Response H:

This clause only assesses the impact of flues on design. Policies such as 48, 39 and 7 assess the impact on amenity.

Objection I:

Should state in (B) " Advertisement Hoarding applications will be approved where they do not detract from amenity or public safety." (Outdoor Advertising Association)

Response I:

Accepted – change made.

Objection J:

Railway embankments are no less suitable for poster hoardings than any other location. It is suggested that the reference to railway embankments on the second sentence of section (C) of Policy 34 be deleted. (Outdoor Advertising Association)

Response J:

Not accepted – Railway embankments are highly obtrusive and unsuitable locations for hoarding.

Objection K:

The statutory test for discontinuance is "a substantial injury to amenity" policy should be amended accordingly (Outdoor Advertising Association)

Response K:

Accepted – change made.

Objection L:

There is no reason why advertisements should not be permitted on private forecourts. (Outdoor Advertising Association)

Response L:

Not accepted – even through private they are visually part of the public realm and need to be treated in the same manner. They are also a hazard to the blind that cannot distinguish between private and public forecourts. There is no deemed consent as they are not on the shop premises.

Objection M:

In the final paragraph on page 83 of the draft add "or where they could threaten road safety by distracting the attention of drivers" after "prejudice regeneration initiatives" (Vivian Aylmer, The Albert Square and St Stephens Association)

Response M:

It is proposed to add a more general reference to safety in this part of the policy.

Objection N:

Inclusion of policies to permit the refusal of consent on the grounds that a CCTV Camera angle of vision would be unduly or adversely restricted (Nicholas Long)

Response N:

Accepted – change made – see reference to amenity and public safety.

Policy 35 Design in Existing Residential / Mixed Use Areas

Summary of Representations & Responses:

Objection A:

Should include specific reference to prevailing character and appearance of the area particularly within conservation areas and other areas of Townscape value/merit (English Heritage)

Response A:

Accepted - change proposed

Objection B:

The section on backland development needs strengthening to ensure that there is no unacceptable change to the general pattern of the area, that privacy is protected and overlooking eliminated and that there is enough space around the buildings to ensure daylight to BRE standards (Stanthorpe Triangle Residents Association)

Response B:

Not accepted. The amended policy reflects these concerns. However issues of daylighting etc are covered by Policy 35(D) and it would be unnecessary duplication to repeat them here

Objection C:

Should state that despite fears about the impact of higher densities, good design can secure more efficient use of land without compromising the living environment (Government Office for London)

Response C:

Accepted - change proposed

Objection D:

Too detailed prevents innovative design solutions (Level Properties, Eaton Square Garages Ltd)

Response D:

Not accepted – the level of detail is appropriate and allows for considerable design innovation – especially with the policy as proposed to be amended.

Objection E:

Concerned that will be applied flexibly in line with PPG1 at One Chestnut Toad (Castlebank Properties)

Response E:

Concerns an individual planning application rather than the underlying principles of the policy.

Policy 36 Streetscape, Landscape & Public Realm Design

Summary of Representations & Responses (Policy):

Objection A:

The current UDP policies (ENV7-10) protect trees in Lambeth to some extent, and goes to some lengths to provide a hierarchy of protection. In the new Deposit there appears to be no policy protecting: (i) trees in general, (ii) retention of trees in new developments, (iii) protection of trees in construction sites, (iv) planting of new trees, (v) trees in landscapes. (Marylyn Evers, Former Cllr Broodram, Waterloo Town Centre Board, Waterloo Community Charity, Lambeth Liberal Democrat Group, Brockwell Park Management Advisory Committee)

Response A:

Point (ii) is not accepted as the plan clearly states under (C) (iii) 'retention of existing mature trees, shrubs and hedges, particularly where these form part of the character of an area;' An amendment is proposed to this clause strengthening it using the wording of the act. (iv) covers planting of new trees and again an amendment is proposed clarifying this. (D) Covers all trees and not just those on construction sites and again an amendment is proposed to clarify this. Para 4.15.30 stresses the environmental value of trees. Management of trees in parks etc. is not a land use planning issue, which can be covered in the development plan.

Objection B:

The Policy should be less prescriptive, and allow for consideration of each design on a case-by-case basis, noting that historic street furniture is not appropriate in every case (Tesco's)

Response B:

The policy does not insist on traditional styles of street furniture although it does seek restoration of traditional styles in certain instances, the proposed amendment makes this clear.

Objection C:

The requirement for unenclosed street forecourts to utilise the same character and materials as the rest of the public realm could be unnecessary and inappropriate in many circumstances (Level Properties, Eaton Square Garages Limited)

Response C:

Accepted – this is too detailed and has been deleted.

Objection D:

The requirement for 'Developer Contributions' for public realm improvements 'in the locality' is too broad. In our view, if any contribution is to be made, then it should be reasonable and relate specifically to the development proposal (Level Properties)

Response D:

As stated in Para 2.4.8 planning obligations throughout the plan will only be secured in accordance with the law and national policy. It is not necessary therefore to state this throughout the plan.

Objection E:

Add: Use of gravel to cover front gardens will be resisted unless provision is made to retain at and stop it spreading onto the pavement. Action will be taken where gravel currently spreads on to the pavement. (J Clyne)

Response E:

This is a matter of detail best considered as part of supplementary planning guidance.

Objection F:

In (G) Priorities set by Town Centre Forums should be through a local strategic masterplan devised, consulted and agreed with the local community (Waterloo Community Charity)

Response F:

Not accepted. While priorities might be set out through a locally agreed masterplan, how those priorities are set is not an appropriate matter for this policy.

Objection G:

Hopefully only those with an integral garage will be able to obtain a pavement crossover, especially on roads that are still fortunate to have 'no parking in the road' restrictions (on amenity and health grounds) (Streatham Common Southside Neighbourhood Watch Association)

Response G:

This is considered too strict. Properties without garages can still have acceptable front garden parking (e.g. larger Victorian premises).

Objection H:

It is too prescriptive and inflexible for a statutory UDP policy. The policy should be incorporated and written as an appendix (cross referenced in supporting text) and offered purely as guidance for development proposals (Frogmore)

Response H:

The policy covers a wide range of issues, each one of which is quite short and is not considered too prescriptive.

Objection I:

Confusing to whether it does or does not apply to all buildings. (County Hall Owners and Residents Association)

Response I:

Unless stated all policies apply to all developments. Therefore, this policy applies to all developments.

Objection J:

Suggested new clause to be added to the list, under (C) Landscape Design to read: (ix) the protection of valuable existing habitats and making the most of opportunities to create or add to wildlife habitats (Andrew Simpson)

Response J:

Accepted – change made.

Summary of Representations & Responses (para 4.15.27):

Objection A

The replacement UDP does not give sufficient acknowledgement of the role of Supplementary Planning Guidance in helping to guide the detailed design, streetscapes, landscapes and public realm designs. While reference is made to SPG in 4.15.27, it does not provide sufficient support for the adoption of SPG, which facilitates the implementation of environmental enhancements particularly in areas subject to change such as Waterloo and South Bank. (Howard Simmons, South Bank Employers Group)

Response A

Accepted – change made.

Policy 37 High buildings & Views

Summary of Representations & Responses (Policy):

Objection A:

Add further detail on what constitutes 'an important view, backdrop or setting' and more detail on what may or may not be seen as 'obtrusive'. (Mayor of London)

Response A:

Noted – however, these words no longer appear in the policy

Objection B:

Change 'distract' to 'detract' (Mayor of London)

Response B:

Accepted – though policy has now been rewritten completely.

Objection C:

Clarify wording on impact of backdrop of views (Mayor of London, English Heritage)

Response C:

Accepted – wording amended.

Objection D:

Should be sustainable design 'and construction' (Mayor of London)

Response D:

Accepted – wording amended.

Objection E:

Should clarify role of environmental assessment of high buildings (Mayor of London)

Response E:

Accepted – change made.

Objection F:

Policy is too detailed, aspirational and subjective in terms of standards of design it is seeking (Tesco's)

Response F:

Not accepted – any policy on high buildings is inevitably subjective and needs to be aspirational to achieve public acceptance.

Objection G:

Too ill defined in terms of 'around Shell Centre' (Waterloo Community Development Group)

Response G:

Accepted – the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection H:

The list should include places from which to enjoy views as well as the views themselves, such as the view of the river and Jubilee Gardens from York Road. Other views worth listing include St Paul's, Victory Arch, Imperial War Museum, Tate Britain, and Royal Waterloo Hospital. There should be a presumption against loss of local views generally (Waterloo Community Development Group)

Response H:

Accepted – proposed changes take these concerns into account

Objection I:

Paragraph (A) iii should be amended so that development is restricted to the Waterloo area of east of York Road, to prevent a further high building at the Shell Centre (Robin Dahlberg)

Response I:

Noted – though the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection J:

High buildings should not be permitted along the Thames (Westminster Society)

Response J:

Not accepted, the area along the Thames in Central London, especially along its south bank has been successfully and regularly interrupted by a series of taller buildings such as the Shell Centre, the London Eye, the Oxo Tower etc, that seek to punctuate and add landmark features to the generally horizontal emphasis of the area. Buildings such as Millbank Tower also show that a Thames side setting can add space around a high building, improving its setting, and preventing it dominating fine grain foreground views. With proper setting and treatment of the ground plane, they need not act as a barrier to the riverside – especially if the plans policies on Thameside design are followed.

Objection K:

Remove reference to absolute heights and define in terms of buildings significantly higher than neighbours (English Heritage, Shell)

Response K:

Not accepted -the problem with this definition is that it prevents the design triggers of the policy (e.g. on microclimate) being applied to the second and subsequent buildings in a cluster.

Objection L:

Remove statement-suggesting buildings "above these heights are appropriate" (too permissive). More clearly set out the criteria against which tall buildings will be asked in the four areas identified, re-enforcing the importance of considering context, prevailing character, (including building heights) and local environment factors (English Heritage)

Response L:

Accepted in part – the policy has been substantially re-written and is a criteria-based policy and is framed in terms of tall buildings "not being appropriate unless..." In addition, the policy sets out the characteristics of locations where tall buildings may be appropriate rather than specifying geographical locations.

Objection M:

Add reference to additional areas where the sensitivity of high buildings in Waterloo should be considered – e.g. St James Park (English Heritage)

Response M:

Not accepted – the revised criteria-based policy is able to take such considerations into account.

Objection N:

Specific reference should be made to the Secretary of State's Direction and Regional Planning Guidance RPG3A (English Heritage).

Response N:

Not accepted – the Lambeth UDP does not mention in policies specific RPG/PPG's/Circular or directions, these have a much shorter shelf life than 15 years and in the case of RPG3 is about to be replaced, mentioning them would serve no purpose.

Objection O:

"other views, prospects and panoramas" in B (iii) should be defined or listed or reference made to where these can be found and identified (e.g. LPAC Advice on Views and Tall Buildings) (English Heritage)

Response O:

Not accepted - it is not practical to identify all such local views. Rather, the revised policy is criteria-based and applies in all locations

Objection P:

All proposals for tall buildings provide detailed 360 degree shadow profiles for both winter and summer (Lambeth Estate Residents Association)

Response P:

Not accepted – this is too detailed a requirement. The revised policy does, however, specifically require sunlight and shadowing to be addressed.

Objection Q:

Include the South Bank in the area suitable for high buildings. Although the south bank of the River Thames is characterised by a horizontal urban pattern, it features several tall buildings and towers, particularly in the area around the SBC site. The BA London Eye, The Shell Tower, the IBM building and the Oxo Tower are all examples of how vertical elements can enrich a predominantly low skyline and help to emphasise this generally horizontal nature. At the time of the Festival of Britain the SBC site had its own vertical landmarks, the Skylon and the Shot Tower (on the current QEH site) (south Bank Centre)

Response Q:

Not accepted – the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection R:

Policy is unclear about the area around 'Waterloo Station' which is suitable for high buildings, should define the area of the Waterloo Triangle' site (3is etc.) on eastern side of Waterloo Road as being suitable (3I PLC)

Response R:

Not accepted – the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection S:

Shell Centre is unsuitable for another high building (Dr M.D.O'Brien MD.FRIP)

Response S:

Not accepted – the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection T:

Policy is poorly thought out, Waterloo will become a haven for high buildings (Ray Puckey, Cllr Boodram, Jez Feeney, Nichola Howey, Waterloo Town Centre Board)

Response T:

Not accepted – the policy does not now specify geographical locations where high buildings will be appropriate, rather, it sets out the characteristics of locations where high buildings may be acceptable.

Objection U:

Should identify protected views of London Eye (Clapham and Stockwell Town Centre Board)

Response U:

Not accepted – potential views are too numerous to form a definitive view of all of the views of the London Eye. The policy nevertheless has the scope to protect specific views in assessing individual development proposals.

Objection V:

Given the high degree of controversy about high buildings, Lambeth should not define which sites are appropriate for clusters of high buildings until there has been public consultation on the appropriateness of the sites (Vauxhall, Kennington and Oval Town Centre Board)

Response V:

Accepted – the proposed revised policy does not refer to clusters of high buildings.

Objection W:

Vauxhall and Albert Embankment are not suitable for high buildings (Vauxhall, Kennington and Oval Town Centre Board, Manor of Kennington Residents Association), or just Albert Embankment (Vauxhall Neighbourhood Housing Forum)

Response W:

Not accepted – the proposed revised policy sets out criteria against which proposals will be assessed. It does not seek to identify geographical locations where high buildings will not be appropriate.

Objection X:

We need much more detail. I would like an addition under 37iii that there would be full consultation with Waterloo Town Centre Management Board before any development (Cannon Richard Truss)

Response X:

Not accepted. The proposed revised policy has been substantially simplified. It is not appropriate to identify particular consultees in the policy.

Objection Y:

Identify a number of specific views from the South of the Borough (Andrew Simpson, Streatham Society)

Response Y:

Accepted - changes proposed to be made.

Objection Z:

Details included for environmental protection are woefully inadequate there is no mention of the embodied energy expenditure or the future levels of energy management (Waterloo Community Charity)

Response Z:

Not accepted – sustainability considerations (including energy conservation and efficiency) are included in Part 4 of the proposed revised policy.

Objection AA:

The Waterloo Office Regeneration Area be included in this designation since the majority of sites falling within this designation are located very close to Waterloo strategic transport hub and therefore appropriate for large scale, high density development in accordance with draft policies 12 and 21. (Delancy Investments/Clerical Medical)

Response AA:

Not accepted – the proposed revised policy sets out criteria against which proposals will be assessed. It does not seek to identify geographical locations where high buildings will not be appropriate.

Objection BB:

Since the Policy identifies four cluster locations where high buildings are considered appropriate, we do not consider it is necessary or appropriate for the criteria (v) through to (i xx) to be applied. (Delancy Investments/Clerical Medical, Frogmore, Prospect)

Response BB:

Not Accepted - the proposed revised policy now no longer refers to clusters of high buildings. The criteria against which proposals as will be assessed have been simplified.

Objection CC:

We object to the statement that development should not intrude above the roofline of the Houses of Parliament when viewed from Parliament Square. This statement is too restrictive - the effect of a building above the roofline of the Houses of Parliament has not yet been tested - there may be an architectural design which may preserve this view, and the policy should allow for such circumstances (Delancy Investments/Clerical Medical, Prospect)

Response CC:

The proposed revised policy no longer refers to this location. The criteria-based policy allows for the appropriate consideration of the issues raised.

Objection DD:

Seek clarification on the precise geographical area referred to in order to confirm that it includes, One Westminster Bridge sites (Frogmore)

Response DD:

Not accepted. The proposed revised policy does not identify geographical locations where high buildings will be appropriate or not. Rather it sets out the criteria against which proposals will be assessed and the characteristics of locations where high buildings may be appropriate.

Objection EE:

It is inappropriate to protect views of the London Eye. Glimpses of the Wheel are afforded down many streets and through many gaps between buildings, None of these views is worthy of specific protection, rather they come about because of the immediate context within which the Eye sits (Shell)

Response EE:

Not accepted – the proposed revised criteria-based policy sets out the issues which will be taken into account in assessing development proposals. In assessing proposals it may or may not be appropriate to protect views of the London Eye but this should not be pre-judged.

Objection FF:

Remove reference in 4.15.37 that only key views of the Eye are protected (County Hall Residents and Tenants Association)

Response FF:

Not accepted – the proposed revised criteria-based policy sets out the issues which will be taken into account in assessing development proposals. In assessing proposals it may or may not be appropriate to protect views of the London Eye but this should not be pre-judged.

Objection GG:

High buildings should be considered unacceptable in the South Bank Conservation Area (County Hall Residents and Tenants Association)

Response GG:

Not accepted – the revised policy sets out criteria against which proposals will be assessed - high buildings are not incompatible per-se with the South Bank CA - high buildings have been sited successfully in the South Bank Conservation Area (e.g. Shell Centre and the London Eye).

Objection HH:

The inclusion of part A (iv) of this policy is premature in view of the early stage of development of options in the East Brixton Regeneration Arc (Brixton Town Centre Board)

Response HH:

Not accepted - the proposed revised policy now no longer identifies geographical areas where high buildings will be appropriate – rather, it sets out the characteristics of areas where high buildings may be appropriate.

Objection II:

Define the area between Waterloo and Westminster Bridge as being suitable for high buildings (Prospect)

Response II:

Not accepted - the proposed revised policy now no longer identifies geographical areas where high buildings will be appropriate – rather, it sets out the characteristics of areas where high buildings may be appropriate.

Objection JJ:

Include reference to enhancing the backdrop or setting in the penultimate sentence of subsection (iii) (Prospect)

Response JJ:

Not accepted – the proposed revised policy no longer includes this reference.

Objection KK:

Should be amended to also require that proposals for tall buildings pay especially careful attention to design to ensure that the residential amenity of existing residents is protected adequately, The policy should include reference to such detailed considerations as privacy, outlook daylight and sunlight, overshadowing, etc (Peninsula Heights Management Company)

Response KK:

Not accepted – these matters are considered in detail in policy 32.

Objection LL:

It is both unreasonable and unrealistic to afford protection to sites which may or may not realise their development possibilities. In all parts of the borough, there are development opportunities with an infinite range of possibilities (J Sainsbury's)

Response LL:

Not accepted – Lambeth has seen high buildings proposed on directly adjoining sites with windows proposed to face into each other. This clearly does not make planning sense.

Summary of Representations and Responses (paragraph 4.15.33)

Objection A:

"Significant benefits" of tall buildings in providing housing and employment have not been demonstrated (English Heritage)

Response A

Whilst it is accepted that high density development can be achieved without high buildings in the small footprint sites in Lambeth in the most highly accessible areas they can have considerable benefits in making effective use of these sites.

