

# LAMBETH PLANNING APPLICATIONS COMMITTEE



Case Number :	08/04609/FUL
Application Address :	Land Bounded By Barrhill Rd, Blairderry Road London



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<b>Location</b>	Land Bounded By Barrhill Road, Blairderry Road And Ardwell Road London
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**Ward**            Streatham Hill

**Proposal**

Redevelopment of the site involving demolition of the existing buildings and the construction of a building of 3 - 5 storeys in height (plus basement) to provide 71 residential units and 890m<sup>2</sup> of office floorspace (Class B1 use), underground parking for 18 spaces with access onto Blairderry Road, associated landscaping and servicing.

**Application Type**    Full Planning Permission

**Application No**        08/04609/FUL/DC\_JWO/24206

**Applicant**            Potterne Ltd & Genesis Housing Group

**Agent**                Ms Jane Barnett  
Lansdowne House  
57 Berekeley Square  
London  
W1J 6ER

**Date Valid**        21 January 2009

**Considerations**

Within 100m of Trunk Road within 100m of Trunk Road

Approved Plans

150; 151; 152 B; 153 B; 154 B; 155 B; 156 B; 157 B; 158 B; 159 B; 160 B; 161 D; 162 D; 163 C; 164 C; 165 A; 166 B; 167 B; 168 C; 169 A; 170; 171; 172; 173; 174 A;

<b>Recommendation</b>	GRANT CONDITIONAL PERMISSION
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## **Officer Report**

**08/04609/FUL**

### **1. Summary Of Main Issues**

- 1.1 The principle of redevelopment of the site for a mixed use scheme
- 1.2 The provision of affordable housing
- 1.3 The impact of the scale and massing of buildings on the surrounding townscape
- 1.4 The visual impact of buildings on the character of the adjacent conservation area and listed building
- 1.5 The amenity impact of the development on surrounding occupiers
- 1.6 Transport, parking and access issues.

### **2 Site Description**

- 2.1 The site fronts and sits to the east of Blairderry Road, with sections fronting the returns on Barrhill Road to the north and Ardwell Road to the south. The site comprises 0.27 ha in area.
- 2.2 The northern section of the site is occupied by 1 Barrhill Road, a single storey warehouse (B8 Use class) unit which fronts the highway. The south of the site is occupied by a single storey building of office (B1 Use class) use which fronts the highway. The central section of the site contains a hardsurfaced area used as parking, with access onto Ardwell Road close to its junction with Blairderry Road. Both buildings on the site are set back from Blairderry Road by approximately 3-7m behind a concrete wall which fronts the road. The concrete wall is separated by a further low slung single storey building which fronts Blairderry Road.

#### Surrounding area

- 2.3 Immediately to the east of the site sits 1-15 Barrhill Rd, a four storey block of 12 residential units fronting Barrhill Road, and to the south of this building a MOT testing premises (Use Class Sui Generis) that fronts Ardwell Road. Beyond these buildings lies a service road for the shops and flats that front Streatham Hill.
- 2.4 Streatham Hill, the A23 (Streatham High Road as it becomes known to the south) runs from north to south, and lies to the east of the site. The road comprises mainly commercial and purpose built residential blocks of a variety of sizes and heights. The A23 is the main arterial road connecting London to the South Coast. To the east sits the Leigham Court Estate Conservation Area that consists of terraces leading off the High Road, forming a grid pattern of three storey residential properties.
- 2.5 The site lies immediately to the east of the Streatham High Road and Streatham Hill linear Conservation Area.

- 2.6 Immediately to the north of the site across Barrhill Road sits Riva Bingo, a Grade II listed building within the Streatham High Road and Streatham Hill Conservation area. The building is a substantial structure of five to six storeys in height that occupies the full depth of the plot and backs onto Blairderry Road.
- 2.7 To the west of the site is predominately 2-storey detached and semi-detached suburban development. Blairderry Road forms the western boundary of the site, behind which runs Killieser Avenue which sits in the Telford Park Conservation Area.
- 2.8 To the south of the site across Ardwell Road lies the Megabowl, four storeys where it fronts Streatham Hill with return elevations similar in scale and a flytower at the rear (approximately 25m in height) set back from Ardwell Road and Blairderry Road.
- 2.9 The site has a PTAL rating of 6a. Streatham Hill overland railway station lies approximately 200m to the south, while the Streatham High Road has a range of bus services to central London and other regional centres.
- 2.10 The site lies within the Streatham Major Town Centre area.

### **3 Planning History**

- 3.1 There are various records of planning permission having been granted for erection of warehouses and use for industrial purposes dating back to the 1950's.
- 3.2 Most recently, the relevant planning application is for "redevelopment of the site involving demolition of the existing buildings and the construction of a building of 3 - 5 storeys in height (plus basement) to provide 71 residential units and 831m<sup>2</sup> of office floorspace (Class B1 use), underground parking for 18 spaces with access onto Blairderry Road, associated landscaping and servicing" which was refused under delegated authority in September 2008 (ref 08/02787/FUL). The reasons for refusal were as follows:

*1 The proposed development, by virtue of its height, bulk, scale and massing, would appear over dominant and overbearing from the existing neighbouring residential properties, in particular properties to the west on Blairderry Road, which would result in an un-neighbourly and unacceptable sense of enclosure to the detriment of the residential amenities of these occupiers. As such the proposal is contrary to Policy 33 of the Unitary Development Plan (2007).*

*2 The proposal would result in an unacceptable loss of daylight to habitable rooms in properties on Blairderry Road and 1-15 Barhill Road, to the detriment of the residential amenity for these occupiers. As such the proposal is contrary to the provisions of Policy 33 of the Unitary Development Plan (2007).*

*3 The proposed development, by virtue of poor standard of design, would fail to relate satisfactorily to the adjacent townscape and contribute positively to its surrounding area, and would appear as an incongruous and inappropriate addition to the streetscene thereby causing detriment to the visual amenity of the*

*locality, contrary to the provisions of Policy 33 of the Unitary Development Plan (2007).*

*4 Insufficient setbacks of the upper floors and balconies of the development would lead to an unacceptable loss of amenity to residents on Blairderry Road by way of overlooking, to the detriment of the residential amenities of these properties. As such, the proposal is contrary to Policy 33 of the Unitary Development Plan (2007).*

*5 Insufficient information has been submitted to enable the Authority to assess the impact of the scheme on parking stress on nearby residential streets. It is considered that the scheme would be likely to have an unacceptable impact on parking stress and as such, the proposal is contrary to Policies 9 and 14 of the Unitary Development Plan (2007).*

*6 Insufficient information has been submitted to enable the Authority to assess the impact of the servicing demands of the scheme on the local highway network. It is likely that the demands for servicing would have an adverse impact on the safety and operation of the highway and as such, the proposal is contrary to Policies 9 and 14 of the Unitary Development Plan (2007).*

3.3 In terms of surrounding land, the adjacent site to the northeast, 1-15 Barrhill Road, has recently been developed for housing, and provides 12 residential units in a building with a maximum height of four storeys (00/01363/FUL).

3.4 The site containing the Megabowl, Caesars Nightclub and other buildings was the subject of a Major Planning and Listed building consent application in 2008. The Application, which proposed a mixed use development providing 258 residential units, 12,769m<sup>2</sup> retail floorspace and 1049m<sup>2</sup> of community space in a building ranging from 2-10 storeys in height was withdrawn in April 2008 (Ref: 074/04950/FUL; 07/04951/CON). However, a re-submitted scheme is currently with the Council.

#### **4 Scheme Details**

4.1 The scheme proposes the redevelopment of the site, involving the demolition of all the buildings on the site and the construction of a building ranging from three to five storeys in height to provide 71 residential units, 890m<sup>2</sup> of office space and basement car parking with access onto Blairderry Road.

4.2 The 71 new residential units proposed would comprise 25 x 1 bed, 36 x 2 bed, 8 x 3 bed and 2 x 4 bed units. The affordable housing provision which would be 40% of habitable rooms would be accommodated to the north of the development fronting Blairderry Road and Barrhill Road.

4.3 It is proposed to provide 18 car-parking spaces (including 2 disabled spaces), and cycle parking spaces in the basement area below the accommodation. Ramped access is proposed from the parking area onto Blairderry Road.

4.4 890m<sup>2</sup> of office space is proposed on the ground floor Ardwell Road elevation and basement level beneath in three separate two-level units.

- 4.5 The building would be L shaped, following the contour created by Ardwell, Blairderry and Barrhill Roads, and part three, part four, part five storeys in height. The tallest five storey elements would front Ardwell Road, the corner of Ardwell Road and Blairderry Road and the corner of Barrhill and Blairderry Road. The main front elevation would be set back from Blairderry Road by 3m, with the fourth and fifth storey elements each stepped back by 3.5m respectively. The building would front Ardwell Road, and be set back from the highway on Barrhill Road by 0.5 – 1m.
- 4.6 Main pedestrian entrances to the upper floor units are proposed from Ardwell and Blairderry Road, with four ground floor units having their own access directly onto Blairderry Road.
- 4.7 The footprint of the building includes a courtyard area to the east that is proposed to be landscaped as a communal amenity space with a children's play area. Other amenity spaces for occupiers would be provided both through the use of private gardens and private balconies.
- 4.8 Two separate refuse storage areas are proposed on the ground floor of the building, one fronting Blairderry Road and the other Adjacent to Ardwell Road.

## 5 Consultation Responses

- 5.1 6 site notices were posted around the site and the application was advertised in the South London Press on 30 January 2009, and
- 5.2 Letters were sent to 487 adjoining properties in the following streets:

Ardwell Road  
Barrhill Road  
Blairderry Road  
Killieser Avenue  
Sternhold Avenue  
Streatham Hill  
Telford Avenue

- 5.3 The following statutory consultees were notified of the application, and their comments are as follows:

### ***Transport for London:***

The site of the proposed development is located less than 30m from the Transport for London Road Network (TLRN), the A23 Streatham Hill.

18 underground car parking spaces are proposed. As the development is located in area which has an "excellent" Public Transport Accessibility Level (PTAL) of 6, TfL recommends this development is 'Car Free'.

In addition, TfL requests that the developer should enter into a S106 'Car Free' agreement with the local authority to prevent future occupants of the site from obtaining local parking permits/ contracts.

The proposed number of 2 car spaces for disabled users should be maintained.

80 cycle spaces are proposed for the development, which is in accordance with the proposed guidelines as set out by TfL's cycling parking standards.

A Construction Management Plan (CMP) must be submitted and approved by TfL. The CMP should provide details to minimise the highway and traffic impacts to the TLRN (Streatham Hill) that result from the construction of the proposal. It is also requested that movements of construction vehicles should be carefully planned and coordinated to avoid the AM and PM peaks.

All vehicles associated with the construction of the proposed site must only park/stop at locations and within the periods permitted by existing on-street restrictions.

The footway and carriageway on the A23 Streatham Hill must not be blocked during the redevelopment of the site. Temporary obstruction during the works must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic on Streatham Hill.

No skip/construction materials shall be kept on the footway or carriageway on the TLRN at any time.

Servicing and refuse collection vehicles must not stop on the TLRN.

***English Heritage***

'Advice'

We urge you to address the above issues

***English Heritage Archaeology:***

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

***Environment Agency:***

The proposed development will be acceptable only if a planning condition is imposed requiring the submission and subsequent agreement of further details, as set out below.

**Condition**

Ground source heat pump systems using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason**

Where open loop vertical systems are to be employed, they may pose a potential

risk to groundwater, particularly if groundwater is to be redirected into the underlying geology. We expect developers to undertake appropriate prior investigations including an environmental risk assessment and method statements for construction and operation.

**Fire Brigade:** No response

**Ambulance Services:** No response

**Southern Gas Networks:** No response

**Thames Water**

Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

**Water Comments**

On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.

Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Metropolitan Police:** No response

**20th Century Society:** No response

**Georgian Society:** No response

**Victorian Society:** No response

5.4 The following departments within the Council were consulted and their comments are as follows:

**Planning Policy:**

Exceptionally, a loss of employment space can be considered where a scheme has substantial other planning benefits and where development of part of a site is compensated by increasing the amount of employment on the remainder and/or providing modern small business units. We advised previously that for the net loss of employment floorspace to be accepted, substantial additional planning benefits would need to be demonstrated and the maximum feasible proportion of employment floorspace should be provided, to meet the requirements of Policy 23(b)(iii). In terms of planning benefits, whilst the officer's report for the previous application concluded that the proposal was not 'exceptional', it stated that it would contribute towards the borough's housing target (including affordable housing) and provide modern, small business units. The application under consideration would also provide the benefits listed above, although there is a reduction in affordable housing to 40% of habitable rooms.

**Conservation and Design:**

In principle, we support the proposed modern development approach however, the proposal should have some contextual relationship with the surrounding area, which could be achieved by scale, proportions, form or through materials, by selecting a material palette that include materials that can be found in the immediate area. At present the design will do little to enhance the surrounding conservations areas.

If you are minded to grant PP please condition external materials, sample panels, handrails, windows and doors, boundaries, hard and soft landscaping, refuse etc as well as construction detailing at 1:20 and 1:5 where necessary for elements such as roofs, roof-top planters, canopy porches, copings etc ...

**Transport Planner:** Has reservations about the extent of overspill parking associated with the scheme, and the subsequent impact on parking stress. The scheme would only be acceptable if a range of mitigation measures were imposed to limit car ownership, including a Travel Plan, conditions and s106 contributions to improve local transport infrastructure.

**Streetcare:** - No response

**Housing:** - No response

**Regulatory Services:** No response

**Streatham Town Centre Manager** – No response

**Sustainability Officer:**

Recommendations:

Solar thermal- acceptable

Ground source heat pump - ground conditions study needed before approval

**Crime Prevention Officer:** - No response

**Regeneration:** - No response

**Parks and Open Spaces:**

“No consent nor development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a statement which adequately appraises options for ecological enhancements to the building, identifying any opportunities or features which could be included in the proposed development. The statement would identify, if any, opportunities or limitations to create features which increase the ecological quality of the actual building, particularly ‘green/brown’ roofs and walls, and any costs associated with such enhancements.”

5.5 The following amenity groups were consulted and their comments are as follows:

**Streatham Society:** Objects to the application on the following grounds: the scheme would be unduly prominent and overbearing within the existing streetscape and conservation area; it would create an unacceptable increase in sense of enclosure and would have an overbearing impact; loss of privacy to properties on Blairderry Road; increase in traffic; loss of light. Consider that the scheme should be scaled down and entrances should be moved to Ardwell and Barrhill Road.

**Streatham Conservation Association:** No comments received.

**Telford Court Residents Tenants Association:** No response

5.6 The Streatham Hill Ward Councillor (Cllr Lumsden) has advised that he objects to the proposal. The following concerns are raised:

- ~ scheme is considered to be over-development, and that it would encroach on the existing flats around the site by reason of its height and scale;
- ~ the design does not contribute positively to the neighbourhood;
- ~ there is a lack of amenity and child play space on the site;
- ~ the site has the potential to increase the number of jobs in the area, so the loss of employment floor space is considered to be unacceptable;
- ~ the scheme would impact upon parking and traffic in the area.

5.7 As a result of the notification process, the total responses the have been received are:

No. Letters Sent	No. of Objections	No. in Support	No. of Comments
487	27	3	2

5.8 The comments received from the consultation with local residents are summarised in the following section, with an officer response to those comments contained within the right hand column:

Issue	Response
Development will impact upon the residents of Killieser Avenue	Development would be approximately 70m from the nearest residential properties on Killieser Avenue. Its size and bulk is not considered to represent any material

	impact in terms of loss of light, overshadowing or over dominance for these properties.
Proposed development is out of scale with its surroundings, and would dominate the skyline.	The proposed part three, part four, part five storey building would be of a smaller scale than the substantial structures to the north and south, and the building responds sensitively to the residential development to the west and would not dominate the skyline.
The design is poor and lacks architectural merit. The building would be out of character with the surrounding area and the existing residential properties.	Articulation of the proposed building on Blairderry Road has been broken up with a vertical emphasis in reference to the repetitive development of semi detached houses opposite. Conditions are attached to ensure the quality of materials and finishes would be of a high standard.
The detailed design is bland and should have more decorative detailing, in order to be sympathetic to adjacent conservation areas. The proposal would adversely affect the setting and character of the Telford Park CA and Streatham Hill CA.	Articulation of the proposed building on Blairderry Road has been broken up with a vertical emphasis in reference to the repetitive development of semi detached houses opposite. The proposed development would cause no harm to the setting or character of any of the surrounding conservation areas as the height, scale and bulk of the proposal is considered acceptable. Conditions are attached to ensure the quality of materials and finishes would be of a high standard.
Development would tower over the properties on Blairderry Road. It would be over dominant and overbearing, resulting in a sense of enclosure.	The massing of the proposed building drops down to three storeys in height with the upper floors set back by 3.5m respectively in order to avoid appearing overbearing with regards to the residential development opposite. The height of the building would fit well within the area
Development would result in loss of light for properties on Blairderry Road and Streatham Hill.	Development would retain acceptable levels of sunlight and daylight for surrounding residential properties. The applicant's sunlight/daylight study has been independently verified by the Councils independent consultant and

	its contents are considered acceptable.
Development would harm the setting of the Telford Park Conservation Area	The scale and form of the proposal would make little material impact on any views from public highways in either the Telford Park or Leigham Court Conservation areas.
Loss of privacy into adjoining properties on Streatham Hill and Blairderry Road	The scheme has been carefully designed so as to avoid any instances of unnecessary or unacceptable overlooking for the surrounding residential properties.
Loss of trees on site would have an adverse effect on the local environment.	There are no trees within the red line boundary of the site.
This is an industrial site and should be kept this way	Employment provision of 890m <sup>2</sup> employment floorspace is proposed. Application complies with the provision of UD Policy 23.
There should be less commercial floorspace and the proposed provision of B1 space is questionable in terms of need – the scheme should be 100% residential	Employment provision of 890m <sup>2</sup> employment floorspace is proposed. Application complies with the provision of UD Policy 23 which seeks to safeguard employment. A mixed use scheme on this site is considered acceptable.
There is no shortage of housing in Lambeth, we do not need any more flats	Policy 15 of the UDP states that unless the plan expressly promotes, allows or protects other uses, housing should be the predominant use on sites coming forward for development, providing that realistic opportunities for new or improved community facilities on part of the site or elsewhere are not foregone. Contrary to the objection received, there is a high demand for housing provision across the Borough.
Increase in pollution and increase in noise and fumes	Future building works are a normal process of redevelopment proposals. This mixed use housing and office development is not considered to result in any issues with regards to noise, fumes or pollution that would cause detriment to the residential amenity of any nearby properties.
If the entire space is concreted over there will be nowhere for rain water to soak into or runaway	The application site is currently either built upon or hardsurfaced. A condition attached to any permission is considered appropriate with

	regards to rain water for this site.
The landscaping, boundary treatment and space between the building and road are inadequate and of poor quality.	The landscaping, boundary treatment and space between the building and road are of high quality. A condition is attached requiring submission of a landscape and public realm plan to ensure the landscaping is carried out and maintained at an accordingly high standard.
Streetscape and public realm improvements should be sought.	S106 contributions are proposed towards streetscape and public realm improvements.
Insufficient play space is proposed for the number of units.	Dedicated children's play space is provided on site. Amenity space provision is over the minimum SPD standard for a residential development of this quantum.
18 car parking spaces are insufficient for 71 flats.	The amount of proposed off-street parking is in accordance with UDP parking standards. The station and busses are nearby.
Parking problems would increase in the area	The scheme could only be acceptable if a range of measures to mitigate against and reduce the impact of increased on street parking were introduced. A travel plan is proposed to encourage future residents to use public transport should be enforced through s106 obligation. It is also considered that a contribution towards upgrading the public transport infrastructure in the locality would be appropriate, particularly considering the sites close proximity to Streatham Hill Railway Station, which future residents of the development would likely frequently utilise.
Application should be considered alongside the adjacent development at the Megabowl Site.	Should planning permission be granted for this site, it would be taken into consideration when the adjacent application at the Megabowl site would be reported to committee. However, each site should be assessed on its own merits.
The parking survey is inadequate and should cover a wider area.	Officers acknowledge deficiencies within the submitted parking survey, and are of the opinion that a range of

	measures, including a travel plan and s106 contribution towards public transport infrastructure should be provided to reduce and mitigate against the impact of on street parking. This is considered acceptable to the Councils transport officer.
The proposal would overburden Streatham Hill trains and buses, as well as health services and schools.	Contribution towards upgrading the public transport infrastructure and education are to be provided through the s106 agreement. It is not expected that local services would be overloaded.
Traffic and congestion will increase in local area. The proposal would impact upon road safety.	Although there is narrow operational carriageway width on Blairderry Road, the volume of traffic generated by the residential component of the scheme is not of a scale that would result in the highway being blocked for other than very short periods, and there would be no resultant harm to highway users.
Resident parking restrictions (CPZ) are required to cover Telford Avenue, Blairderry Road and surrounding streets.	A contribution towards a future consultation regarding the introduction of a CPZ in the surrounding area is to be secured via s106 obligation.
Entrances to the site should be sited in Barrhill and Ardwell Roads which have direct access to the high road exits.	The Transport Planner advises that the principle of a vehicular entrance onto Blairderry Road is acceptable in terms of highways impact and safety.
Vehicular entrance onto Blairderry Road is inappropriate as this would cause blockages.	
Property values will decrease	Not a planning consideration

5.9 It is noted that many of the objections as well as the 3 letters of support, are keen to see re-development of this site, and the contribution that this would make towards regeneration of Streatham Hill.

## 6 Planning Considerations

### 6.1 Relevant Policies

#### National Policies

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

*“promote urban and rural regeneration to improve the wellbeing of communities, improve facilities, promote high quality and safe development and create new opportunities for the people living in those communities...” (para 27(ii)); and*

*“provide improved access for all to jobs, health, education, shops, leisure and community facilities, open space, sport and recreation, by ensuring that new development is located where everyone can access services or facilities on foot, bicycle or public transport rather than having to rely on access by car...”*

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

6.1.3 **PPS3 (Housing)** provides the Government's statement on housing in line with their planning reform agenda, setting out what is required at regional and local level to deliver housing within sustainable communities. PPS3 states that the Government's key objective for planning for housing is to ensure that “everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live”. To achieve this objective, the Government is seeking to:

- achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community;
- widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need;
- improve affordability across the housing market, including by increasing the supply of housing; and,
- create sustainable, inclusive, mixed communities in all areas, both urban and rural.

6.1.4 **PPS6 (Planning for Town Centres)** sets out the Government's key objectives for town centres. PPS6 states that the key objective is to promote their vitality and viability by:

- Planning for the growth and development of existing centres; and
- Promoting and enhancing existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all.

6.1.5 The main town centre uses to which this policy statement applies are:

- Retail (including warehouse clubs and factory outlet centres);
- Leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres and bingo halls)
- Offices, both commercial and those of public bodies; and
- Arts, culture and tourisms (theatres, museums, galleries and concert halls, hotels and conference facilities).

6.1.6 In addition, housing would be expected to be an important element in most mixed-use, multi storey developments.

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

6.1.8 **PPG15 (Planning and the historic environment)** states that the objective of the planning process should be to reconcile the need for economic growth with the need to protect the natural and historic environment. PPG15 advises that the desirability of preserving or enhancing the area should also be a material consideration in the planning authority's handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area.

### **London Plan**

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

6.1.10 The London Plan was consolidated in February 2008 and now includes alterations that have been made since it was adopted in February 2004. The London Plan is the Mayor's development strategy for Greater London and provides strategic planning guidance for development and use of land and buildings within the London region.

6.1.11 It seeks to accommodate significant growth in ways that respect and improve London's diverse heritage while delivering a sustainable world city and, proposes to achieve this through sensitive intensification of development in locations well served by public transport. All Borough plan policies are required to be in general conformity with London Plan policies.

6.1.12 Relevant policies in the London Plan include: -

Policy 2A.1 Sustainability criteria

Policy 2A.5 Town Centres  
Policy 3A.4 Housing Choice  
Policy 3A.5 Large residential developments  
Policy 3A Definition of affordable housing  
Policy 3A.7 Affordable housing targets  
Policy 3A.8 Negotiating affordable housing in individual private residential and mixed use schemes.  
Policy 3A.14 Addressing the needs of London's diverse population  
Policy 3A.15 Protection and enhancement of social infrastructure and community facilities.  
Policy 3C.22 Parking Strategy  
Policy 4A.7 Energy efficiency and renewable energy  
Policy 4B.1 Design principles for a compact city  
Policy 4B.3 Maximising the Potential of Sites  
Policy 4B.7 Respect local context and communities  
Policy 4B.10 London's built heritage  
Policy 4B.11 Heritage conservation

- 6.1.13 The current up to date statement of the Council's planning policies is contained in the Unitary Development Plan, which was adopted on the 6th August 2007. This is the statutory plan for the Borough, and will be used to determine all planning applications.

### **Unitary Development Plan**

- 6.1.14 The following policies of the adopted Lambeth Unitary Development Plan (2007) are considered relevant to this application:

Policy 1 The Vision for Lambeth  
Policy 4 Town Centres and Community Regeneration  
Policy 6 Development of Brownfield sites  
Policy 7 Protection of Residential Amenity  
Policy 9 Transport Impact  
Policy 10 Walking and Cycling  
Policy 14 Parking and Traffic restraint  
Policy 15 Additional Housing  
Policy 16 Affordable Housing  
Policy 19 Active Frontage Uses  
Policy 20 Mixed-Use Development  
Policy 21 Location and Loss of Offices  
Policy 23 Protection and Location of other Employment Uses  
Policy 26 Community Facilities  
Policy 30 Arts and Culture  
Policy 31 Streets, character and layout  
Policy 32 Community Safety/Designing Out Crime  
Policy 33 Building Scale and Design  
Policy 34 Renewable Energy in Major Development  
Policy 35 Sustainable Design and Construction

Policy 38 Design in existing Residential/Mixed Use areas  
Policy 39 Streetscape, Landscape and Public Realm Design  
Policy 45 Listed Buildings  
Policy 47 Conservation Areas  
Policy 52 Protection and Enhancement of the Natural Environment  
Policy 57 Planning Obligations  
Policy 73 Regeneration of Streatham Town Centre

- 6.1.15 The Supplementary Planning Documents considered in this application are:  
SPD: Guidance and Standards for Housing Developments and Conversions;  
SPD: Section 106 Planning Obligations;  
SPD: Sustainable Design and Construction

## **6.2 Land Use**

- 6.2.1 Policy 15 of the UDP states that unless the plan expressly promotes, allows or protects other uses, housing should be the predominant use on sites coming forward for development, providing that realistic opportunities for new or improved community facilities on part of the site or elsewhere are not foregone.
- 6.2.2 Policy 20 of the UDP refers to mixed use development and states that a mix of compatible land uses should be retained and enhanced in the development of all sites in town centres, and all major sites elsewhere. Particular attention is also paid to design, disposition and servicing of mixed-use developments, which should achieve a satisfactory relationship between individual units and uses in terms of their layout, stacking and protection of the amenity of adjoining and proposed residents.
- 6.2.3 Policy 23 seeks to protect employment sites and prevent the loss of land in employment use where it could still be used for this purpose.

### **Commercial Uses**

- 6.2.4 The site currently contains 952m<sup>2</sup> of office (B1 use class) floor space and 583m<sup>2</sup> of storage (Use class B8) floor space, giving a total employment floor space of 1535m<sup>2</sup>. The application proposes 890m<sup>2</sup> of office (Use class B1) floor space to be located at ground floor and at basement level. The proposal would result in the loss of 645m<sup>2</sup> of employment floor space and as such, Policy 23, which protects such sites, applies.
- 6.2.5 Policy 23, as noted above, seeks to prevent the loss of land in employment use where it could still be used for this purpose. The policy explicitly states that where land is or has been in employment use, loss of floor space to non-employment use will not be permitted unless particular criteria are met. These criteria include whether or not the site is no longer suitable for employment use, or is vacant and is demonstrated to be surplus. There is also reference to development on the edge of town centres, where development is for a town centre use, providing there is compensation for the loss of employment.

- 6.2.6 In this instance the site is occupied and is suitable for employment use. As such the first two criteria under Policy 23 do not apply. Whilst the proposal is within the town centre, it is not proposing a specific town centre use and is not proposing compensation for the loss of employment, other than the replacement business units and the provision of affordable housing.
- 6.2.7 The applicant is instead relying on Policy 23(b)(iii) which states that, exceptionally, a loss of employment floor space can be considered where a scheme has substantial other planning benefits and where development of part of a site is compensated by increasing the amount of employment on the remainder and/or providing modern small business units.
- 6.2.8 The applicant states that the proposal would provide substantial planning benefits by providing a mixed-use scheme with 890m<sup>2</sup> of commercial floor space together with residential accommodation. They consider that a residentially led mixed use development to include commercial office units would provide a catalyst for regeneration within Streatham and the wider area, on a large site which is in need of development. The applicant notes that the retention of the site for continued employment use would potentially result in unsuitable industrial activities next to existing residential properties.
- 6.2.9 To support their application, a report prepared by Tuckermans has been submitted and identifies low demand for business and industrial premises in Streatham. It notes that there is an over supply of office floor space available in the vicinity and also floor space available in preferable locations near the site such as Brixton and Clapham. Nevertheless, the report identifies that the size and type of the proposed floor space may attract interest from small companies and start up businesses.
- 6.2.10 Officers are of the opinion that whilst the site's location and means of access may not be fully suited to general industrial and warehousing uses, that it is appropriate for a continued commercial function, keeping in mind its town centre location. However, it is acknowledged that in order to deliver such commercial space, that mixed use schemes to include some residential accommodation is often more appropriate. This is both in terms of viability and ensuring a vital mix of uses in such town centre locations. Furthermore, the site does have residential accommodation on three sides and is adjacent to a listed building and general industry would not be appropriate. The site is also in a poor state of repair and the buildings appear to be reaching the end of their useful life.
- 6.2.11 With this in mind, when considering the previous application, Officers concluded that whilst there was a reduction in employment floor space proposed, it was acknowledged that a mixed use scheme of such proportions would contribute towards meeting the borough's housing targets (including 40% affordable housing), whilst providing modern business units. With regards to employment generation, the existing 1535m<sup>2</sup> provides jobs for 5 people at present, noting that a third is used for warehousing. This is in contrast to the proposed development which could employ in the region of 50 people in modern, purpose built business units. On this basis, the previous application was deemed acceptable in land use terms and loss of employment floor space did not form a reason for refusal.

6.2.12 Taking all of the above points into account, the current proposal is considered to be acceptable, delivering a mixed use scheme with an appropriate balance of commercial and residential uses. Officers consider that the scheme is in accordance with Policy 23.

## Housing

6.2.13 Policy 15 of the UDP seeks to ensure that a range of new housing development is provided to meet the needs and demands of the Borough. Housing provision is seen as being an appropriate use on all sites, which can provide a suitable residential environment for existing and future residents. The UDP clearly states that housing provision should be the predominant use on sites coming forward for development. In particular with regard to empty buildings a more flexible approach towards development standards will be applied, subject to the maintenance of a high quality residential environment. The policy goes on to point out that there will need to be a housing mix with any new major development.

6.2.14 With specific regard to affordable housing, policy 16 states that the maximum reasonable proportion of affordable housing will be sought and secured from housing developments of appropriate size, having regard to the need to promote a mix and diversity of residential development in the Borough. This should include both small units and larger dwellings with the larger family dwellings having access to either a garden or an appropriate amenity space. Policy 16 also states that a range of unit sizes of affordable housing should be provided, having regard to local circumstances, site characteristics and the aims of the Borough's housing strategy.

6.2.15 The scheme proposes 71 units split between 1, 2, 3 and 4 bed provision. Of this, 40% of habitable rooms would be provided on site as affordable housing (with grant). Of the affordable housing, 69% would be provided as social rental and 31% for intermediate housing. A breakdown of the housing type, dwelling mix and tenure is shown in the following table:

Unit type	Affordable Rented Units	Shared Ownership Units	Private Units	Total Units	Total Habitable rooms	%
1 bed	3	8	14	25	50	35.2
2 bed	5	3	28	36	108	50.7
3 bed	6	0	2	8	32	11.2
4 bed	2	0	0	2	10	2.8
<b>Total Units</b>	<b>16</b>	<b>11</b>	<b>44</b>	<b>71</b>		
<b>Total Habitable Rooms</b>	<b>55</b>	<b>25</b>	<b>120</b>		<b>200</b>	
<b>%</b>	<b>27.5</b>	<b>12.5</b>	<b>60</b>			

## **Affordable Housing**

- 6.2.16 The applicant states that to provide 50% affordable housing would not be economically viable. They have used their own financial model to appraise the scheme, which illustrates the various levels of costs and anticipated sales values for the development.
- 6.2.17 The applicants appraisal has concluded that the maximum level of affordable housing that can be provided and still provide the developer with an adequate level of profitability is 40% (with grant funding). This would provide 27 units in total (16 social rented and 11 shared ownership). There is therefore a shortfall of 10% below the 50% requirement as set out in Policy 16. The split between social rented and shared ownership is in line with the expectation of 70:30, being only 1% out. On the basis that the scheme proposes less than the expected contribution set out in Policy 16, officers have engaged an independent report from Atisreal Limited to review and advise on the applicants development appraisal. It should also be noted that a financial contribution of £200,000 is factored into the toolkit to allow for planning obligations in addition to the affordable housing which would be provided.
- 6.2.18 Atisreal analysed the assumptions adopted by the applicant and ran a mirror appraisal using the Greater London Authority's 2007/2008 Development Control Toolkit Model (DCTM). The DCTM allows the user to define costs or provides cost information for specific London Boroughs. It is used on a site specific basis in an attempt to identify the level of affordable housing that a particular development proposal might be able to sustain, whilst providing an adequate level of profitability to the developer and a sufficient value to landowners that will encourage them to release sites for development.
- 6.2.19 Using the applicants existing values as a benchmark, Atisreal were able to analyse whether the scheme could provide more affordable housing than is proposed. The scheme as submitted includes for a developers return of 17%. It should be noted that the standard minimum industry profit margin return that a developer would be expected to make when undertaking a development of this type is 15%.
- 6.2.20 To summarise Atisreal's findings, they note that the prospects for residential development at Blairderry Road are reasonable, despite the current economic climate, due to its close proximity to public transport and local amenities. They consider that the sales values provided by the applicant are also fair and reasonable in the current market. The rental and investment levels for the commercial element are also considered to be reflective of the market in this area. They note that basement works (to free up ground floor commercial space) together with demolition and the specification of the residential units, does result in costs between the middle and upper ranges of the benchmarked comparable data. Whilst it is felt that the applicant's indicative Existing Use Value is higher than the current market would suggest, even when factoring in a lower EUV, the development would result in a negative residual value. Without grant funding being available, the scheme could provide approximately 13% affordable housing with a 60:40 split.

- 6.2.21 Atisreal's findings confirm that the applicant's model is robust and provides accurate results. The findings of their appraisal suggest that the scheme could not provide more than 40% affordable housing assuming grant funding were available. This would provide an acceptable level of profit to the developer. Atisreal conclude that it is financially viable for the scheme to provide a maximum of 40% affordable housing (by habitable rooms) with grant funding.
- 6.2.22 Officers have noted the independent financial assessment of the proposal from Atisreal, and accept that although the applicants offer is below the 50% with grant provision sought by UDP Policy 16, the applicant has satisfactorily demonstrated that it would not be economically viable to meet these requirements. In light of this officers suggest that this element of the proposal is acceptable and accords with the provisions of UDP Policy 16. However, it is noted that Atisreal comment that if sales prices and construction costs change over the coming years, as predicted by the market, then the scheme as submitted would become viable and that more than 40% affordable housing could be provided.

#### Dwelling Mix

- 6.2.23 Policy 15 states that the Council will promote a range of new housing development to meet the different needs and demands for housing in the borough, including that for affordable housing. The policy does not prescribe what the mix of units should be. However, it advises that a predominance of one type of housing should be avoided in order to encourage mixed, balanced and sustainable communities. With respect to the social rented accommodation in particular, the current draft Mayor's Housing Strategy and Housing Corporation bid guidance for the 2008-2011 Grant programme include a general target of 42% of new social rented provision as 3 bedroom or larger.
- 6.2.24 The proposed scheme is made up of a mix of unit sizes: 35% are 1 bed, 50% are 2 bed, 11% are 3 bed, and 2.8% are 4 bed. Of the social rented accommodation, over 50% would be larger 3 and bed units. The remainder of the affordable housing is split between 1 and 2 bedroom flats for social rent and shared ownership.
- 6.2.25 Whilst the development is skewed more towards one and two bedroom units, it is considered that given the specific site constraints in terms of its size and layout, the mixed use nature of the scheme with ground floor commercial activity, that the balance and range of unit sizes proposed is appropriate. Whilst the number of 2 bed units has increased, and the number of 3 bed units has decreased, the proportions are similar to the previous scheme, to which no objections were raised in relation to the mix of units.

#### Standard of Accommodation

- 6.2.26 The residential units of the scheme have been designed to comply with the Council's Supplementary Planning Document for Housing Development, which sets out guidance and standards for new build developments such as this.
- 6.2.27 There is a consistent pattern of unit type and location proposed throughout the development. The units are generally stacked according to their room type and the

plans suggest compliance with the minimum overall floor areas and room widths set out within the guidance. The internal layout also complies with minimum room size standards.

6.2.28 The scheme has been designed to prevent overlooking and privacy between adjacent dwellings within the development itself. All units would have adequate access to daylight and sunlight due to the window arrangements, distances between the blocks and orientation.

6.2.29 It is also understood that all Homes and Communities Agency funded affordable housing need to comply with their 'Development Scheme Standards – Code Level 3'. Genesis Housing Group (housing association) are a partner in the scheme and have been involved in the design evolution of the scheme, such that the affordable element satisfies their requirements in order to obtain grant funding. Furthermore, it is noted that a condition would be imposed to ensure that the affordable housing meets at least Code Level of the BRE Code for Sustainable Home.

#### Lifetime/Wheelchair Housing

6.2.30 Policy 33, as well as the SPD: Guidance and Standards for Housing Development and House Conversions make reference to the London Plan and states that all new housing should be built to 'Lifetime Homes' standard and that 10% of new housing be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

6.2.31 The scheme proposes that all of the units would be Lifetime Home compliant and in addition, 10% would be spatially designed to be wheelchair accessible. All units have lift access and routes to and from them would be wide, flat and void of unnecessary obstruction. Two of the basement parking spaces are nominated as disabled spaces. It is suggested that conditions could be attached to any permission in order to provide to secure the appropriate number of units as wheelchair units and ensure Lifetime Homes compliance.

### **6.3 Design and Conservation Considerations**

6.3.1 Policy 33 refers to building scale and design. Its states that all development should be of a high quality design and contribute positively to its surrounding area. The primary consideration in determining the appropriate density and scale of new residential development will be achieving an appropriate urban design which makes efficient use of land and meets the amenity needs of existing and potential residents. Buildings should be of a scale, massing and height that are appropriate to their site characteristics, setting and location in the townscape. Together with associated Policies 31, 38, and 39 and 47, in considering new development regard will be given to such factors as layout (building lines and relationship to neighbours), bulk, height and scale, character of the area and landscaping and boundary treatment; so that new buildings respect the scale, height, bulk, character and amenities of nearby buildings. Policy 47 refers to conservation areas whereby their preservation and enhancement is expected.

- 6.3.2 The previous application was refused on the grounds that it would fail to relate satisfactorily to the adjacent townscape and contribute positively to its surrounding area, and would appear as an incongruous and inappropriate addition to the streetscene, amongst other reasons. The applicant has been involved in pre-application discussions prior to the submission of this application, following on from the previous refusal, in an effort to address concerns raised by officers in relation to design. The applicant has therefore worked with officers to provide an acceptable design solution.

#### Impact of the scale and massing of buildings on the surrounding townscape

- 6.3.3 The proposed building would vary from three to five storeys in height. The applicant states that the proposal unites the urban environment, respects the surrounding conservation areas and brings forward a development which is financially viable creating new employment opportunities and new housing for the community.
- 6.3.4 The building would be L shaped, following the contour created by Ardwell, Blairderry and Barrhill Roads, consisting of several blocks ranging from three to five storeys in height and a courtyard within. The tallest five storey elements would front Ardwell Road and Barrhill Road, stepping down in height towards Blairderry Road. The main front elevation would be three storeys in height and set back from Blairderry Road by 3m, with four and five storey elements set back by a further 3.5m each respectively.
- 6.3.5 The site straddles a town centre and as such the surrounding townscape has a variety of massing, scales and uses, with large, deep plan buildings fronting the High Road with considerable visual prominence such as the Megabowl and Riva Bingo building, and lower and much more modest residential buildings on Blairderry Road with Killeiser Avenue behind. Any scheme should respond sensitively to these variations of scale in the surrounding townscape.
- 6.3.6 The proposed five storey massing would front Ardwell and Barrhill Roads. On Barrhill Road the five storey element would be of a similar height than the five storey residential building it would abut (1-15 Barrhill Road), whilst the listed Bingo Hall across the road would be similar in its massing in comparison. On Ardwell Road the five storey element would be considerably taller than the single storey commercial unit it would abut to the east, but of a similar scale than the Megabowl structure across the road. Situating the five storey elements on Ardwell and Barrhill Roads is considered acceptable when taking into account the large structures facing the development to the north and south and the town centre location. Whilst the five storey elements would be higher than the buildings on the High Road to the east, it should be taken into account that this is the case with the existing structure, 1-15 Barrhill Road, which sits comfortably within its surrounding context.
- 6.3.7 The upper most floor of the previous refused scheme (08/02787/FUL) facing Blairderry Road was set back from the proposed frontage by a total of 3m. This was considered to be an insufficient set back, with the result that the proposal would have been at odds with the much lower two storey residential development on Blairderry Road, and was considered to enclose the townscape to an unacceptable degree.

- 6.3.8 The applicant states that the scale of the proposal seeks to minimise any impact on properties to the west of Blairderry Road by restricting the primary façade to three storeys, whilst the upper levels are set back within terraces to respect both visual and sun/daylight impact.
- 6.3.9 With regards to the previous refused scheme, the proposal has been reduced significantly in scale and bulk with regards to Blairderry Road. The four storey element would not run along the entire length of Blairderry Road, terminating between the opposite of No's 38 - 42 Blairderry Road. The five storey element would be in three separate sections, leaving gaps in between the opposite No's 38 - 42 and 48 - 50 Blairderry Road. By breaking up the massing on the upper floors and leaving gaps, the visual impact of these elements is reduced by avoiding a continuous five storey element being presented to the townscape where fronting Blairderry Road.
- 6.3.10 On Blairderry Road the entire building would be set back by 3m from the footway, with the fourth and fifth floor elements set back by a further 3.5m respectively. This would result in a total setback of the upper most floor from the main frontage on Blairderry Road by 7m, a considerable reduction over the previous refused scheme.
- 6.3.11 The significant set backs of the upper floors behind the three storey elements would ensure that these elements would not appear over prominent or overbearing when viewed from the streetscene. The scaling back of this massing of these floors would reduce the overall bulk of the structure. Whilst the upper floors would not be completely obscured behind the three storey element, the set backs are sufficient to ensure that the building would in no way enclose the townscape.
- 6.3.12 It should be taken into account that this is a town centre location, and the height of the proposed structure would be lower than the massing of the Megabowl and Riva Bingo buildings. The massing of the proposal, with the taller elements situated to the east of the site, and stepping down in scale to three storeys towards Blairderry Road with the upper two storeys considerably set back is considered to be appropriate and sensitive when taking into account the variety scale in the surrounding townscape
- 6.3.13 The majority of the built form would be constructed from brick, with bands of metal cladding and rendered finish on the Blairderry Road elevation. The five storey Ardwell road elevation would be stone clad, with the lower three storey elements towards Blairderry Road finished in brickwork. The Barrhill Road elevation would be clad in brick. Where the building is setback at the upper levels a light grey cladding system is proposed to be used to minimise visual impact. Dark grey windows are proposed, some with off-set coloured panels.
- 6.3.14 Although a three storey continuous element is presented to Blairderry Road, the brickwork is broken up by vertical bands of metal cladding and rendered finish which sit proud of the frontage and rise above the parapet. This treatment of the fenestration serves to break up the articulation and avoid this façade as appearing bland or monolithic for the observer. The strong vertical emphasis also serves to acknowledge the repetitive architecture of the semi detached properties across and along the length of Blairderry Road. The simpler treating of the facades on Ardwell and Barrhill Roads is considered appropriate when taking into account the large and relatively plain facades of the Megabowl and Riva Bingo buildings that they would face.

6.3.15 This site is within the core area of the Streatham Hill town centre which comprises a variety of building types and scales. Although larger than the residential properties across Blairderry Road, the scheme has been designed so that the highest massing is towards the rear of the site and away from this lower massing. The detailed design of the scheme responds to the surrounding built form and would avoid the building from appearing bland or monolithic. Conditions are attached requiring full details of all materials and finishes used to be submitted and approved by the Local Planning Authority. Taking the above into account officers consider that the proposed building is acceptable in terms of the general townscape as long as residential amenity of surrounding residents is not unacceptably compromised.

#### Impact of the scale and massing of buildings on the surrounding Conservation Areas

6.3.16 In accordance with the provisions of UDP Policy 47 and the content of PPG15, any development outside Conservation Areas should not harm the setting of the area or harm views into or from that area.

6.3.17 The Streatham High Road and Streatham Hill Conservation area abuts the site to the east, north and south. No part of the site is within the Conservation Area. The Conservation Area comprises a length of commercial and purpose built residential apartment blocks dating from the late Victorian, Edwardian and inter-war eras and includes the Free Tate Library, the Police Station, St. Leonard's Church, the Odeon and ABC Cinemas and other public buildings, which form an important centre for shopping, recreation and commerce. The Council has a formally adopted Conservation Area Appraisal that is a material consideration.

6.3.18 The Conservation Area appraisal states that the buildings fronting the high road to the east of the site are a symmetrical formal block of apartments with shops below dating from circa 1930. Both the Megabowl and the Streatham Hill Theatre (Grade II Listed) are described as 'impressive Theatres' in the appraisal and contribute towards the character and appearance of the conservation area.

6.3.19 To the east of the Streatham High Road sits the Leigham Court Estate Conservation Area, whilst the Telford Park Conservation Area sits behind Blairderry Road to the west.

6.3.20 The proposed structure would be seen from the Streatham Hill Conservation Area when standing on the High Road and looking down Ardwell and Barrhill Roads. However, the massing and height of the proposed structure on these elevations would be similar, than the buildings it would stand opposite, whilst the façade treatments have been kept simple with the use of brick to avoid there being any clash with regards to the relatively plain facades opposite. The addition to the townscape of the proposal would in no way harm the setting of the Streatham Hill Conservation Area or harm views into or out of this Conservation Area.

6.3.21 The scale and form of the proposal would make no material impact on any views from public highways in either the Telford Park or Leigham Court Conservation areas, and is not considered to harm any of these views into or out of the Conservation Area.

6.3.22 Subject to the conditions attached to ensure the quality of materials and building methods used, it is considered that the application would preserve the character and appearance of the Streatham High Road and Streatham Hill Conservation Area, Leigham Court Conservation area and Telford Park Conservation Area without harming the setting of the areas or harming views into or from these areas, and accords with the provisions of UDP Policy 47 and PPG 15.

#### Impact of the proposal upon the adjacent listed building

6.3.23 UDP Policy 45 states that any development which adversely affects the setting of a listed building, or significant views of a listed building will be refused.

6.3.24 The Streatham Hill Theatre, Grade II listed, is described in the Statutory list as an unusually lavish example of a theatre built in the short-lived revival of building in 1929-30, and that as a suburban example of this date the building may be unique. Whilst the Streatham Hill elevation is elaborate with a loggia which is a full height wing with a decorative wreath set within a classical pediment, the flank and rear elevations are more utilitarian, faced in pale brick with metal framed windows.

6.3.25 The layout of the proposed site results in only the rear south west of the theatre sitting directly opposite the proposed building on Barrhill Road. The proposed building would be subordinate in height to the listed structure, and would not block important views onto the cinema whose flank elevations are not of special interest. The proposed elevation would be in brickwork, with the upper storey clad in dark material. The treatment of the façade is simple and unfussy, and is considered appropriate as it would in no way draw attention away from the setting of the listed building opposite.

6.3.26 Taking the above into account, it is considered that no element of the proposal would affect the setting of the nearby listed building, or significant views of the listed building. This application therefore complies with the provisions of UDP policy 45 and PPG 15.

### **6.4 Refuse**

6.4.1 Policy 56 of the UDP seeks to ensure that adequate provision for refuse and recycling storage is made within new developments. The Council's guidance for 'Waste and Recycling Storage and Collection Requirements' also provides a more comprehensive guide to waste storage provision.

6.4.2 Three separate refuse storage areas are proposed on the ground floor of the building, three fronting Blairderry Road and one accessed from Ardwell Road. The refuse stores would be secure and situated in convenient locations for refuse collection. It is considered that adequate space has been provided in accessible locations throughout the site to enable any future occupants to store waste and recyclable materials sufficiently.

### **6.5 Residential Amenity**

### Daylight, sunlight and overshadowing

- 6.5.1 UDP Policy 33 requires consideration of the impacts of new developments on the amenities of existing and adjoining residential occupiers. In assessing daylight and sunlight impacts of the proposed development upon existing residential neighbours, Policy 33 states that regard will be had to the Building Research Establishment (BRE) guidelines 'Site Layout Planning for Daylight Sunlight'.
- 6.5.2 The BRE guidance has developed a series of quantitative tests for daylight, which if all are failed, the development would be considered unacceptable in terms of loss of daylight to neighbouring properties. One of the tests used in this case is the Vertical Sky Component (VSC), which measures the amount of available daylight from the sky received at a particular window. It states that "if the Vertical Sky Component, with the new development in place, is less than 27%, and less than 0.8 times its former value, then occupants of the existing building will notice a reduction in the amount of skylight". If the remaining vertical sky component (VSC) is greater than 27% then enough skylight should still be reaching the windows of the existing building. The maximum VSC value obtainable at a flat window in a vertical wall is 40%.
- 6.5.3 If a development fails the VSC test, a 'Average Daylight Factor' (ADF) test should be undertaken. The BRE guidelines suggest that a minimum daylight factor (df) of 2% for kitchens, 1.5% for living rooms and 1.0% for bedrooms should be achieved in order for satisfactory levels of interior daylight to be maintained in existing neighbouring properties.
- 6.5.4 The BRE advises that if both VSC and ADF tests are not met, then a 'no sky line' or 'Daylight Distribution Test' (DDA) should be carried out. If the area of a room not receiving direct skylight is reduced by 0.8 times its former value (a 20% reduction) then BRE advises that there would be noticeable loss of daylight distribution.

### Existing surrounding residential properties

- 6.5.5 The surrounding existing residential properties that would potentially be materially affected by sunlight/daylight by the proposal are the properties across Blairderry Road, 1-15 Barrhill Road, and 112-140 Streatham Hill.
- 6.5.6 A sunlight/daylight study was submitted with the application. The applicants' sunlight and daylight report concludes that all surrounding residential properties would be fully compliant with the BRE guidance and that all habitable rooms meet the BRE Guidelines and retain good levels of sunlight and daylight.
- 6.5.7 An independent specialist consultancy has been instructed to verify the information provided and assess whether the impact on the levels on sunlight and daylight received into the surrounding properties would be acceptable.
- 6.5.8 The Councils independent consultant has confirmed that all data in the applicant's sunlight/daylight study is correct and is satisfied that all rooms to surrounding residential properties would retain acceptable levels of daylight. The Councils independent consultant is satisfied that all rooms orientated towards the south would

remain affected by less than 20% in terms of reduction in sunlight or retain in excess of 25 annual probable sunlight hours, and is satisfied that these rooms would retain sufficient sunlight. The Council's independent consultant concludes that the proposal allows high levels of daylight and sunlight to be retained to the adjoining properties.

#### Overlooking and sense of enclosure

- 6.5.9 UDP Policy 33 requires that development should protect residential amenity of existing and future residents by ensuring acceptable standards of privacy and not creating an undue sense of enclosure. Adopted SPD 'Guidance and Standards for Housing Development and Housing Conversions' explains and provides further guidance with regards to overlooking and sense of enclosure.
- 6.5.10 1-15 Barrhill Road sits at an oblique angle to the development. The first floor of this development has west facing flank windows with bedrooms behind, set back by 5m behind a roof terrace which would face the development. The proposal has been designed so that all windows directly facing this property would serve either circulation areas, kitchens or bathrooms, with the closest window being 12m away. It is considered that the proposal has been sensitively designed to avoid any instances of unnecessary or unacceptable overlooking into 1-15 Barrhill Road. Conditions are nevertheless attached to ensure any windows facing this property are obscurely glazed and high opening.
- 6.5.11 The previous refused application (ref: 08/02787/FUL) was considered to be unacceptably overbearing with regards to the adjacent property 1-15 Barrhill Road. It was considered that the massing, rising up to five storeys in height and directly facing this property and in such close proximity would have been unacceptable, creating a canyon effect and causing an undue sense of enclosure. The proposed scheme has been revised, with the upper floors facing 1-15 Barrhill Road cut away. By removing these higher elements, facing 1-15 Barrhill Road, an acceptable level of outlook would be retained for this property ensuring that it would not suffer from any sense of enclosure.
- 6.5.12 The primary ground, first and second storey elevation of the development would sit at 21m from the nearest facing windows in the residential properties across Blairderry Road. The third and fourth floors would be set back by a further 3.5m each respectively. On ground, first and second floors a mixture of bedrooms and living rooms would face the properties on Blairderry Road. The above arrangement and distance from the properties opposite on Blairderry Road would not present any unacceptable overlooking for these residential properties.
- 6.5.13 The upper floors in the previous refused application (ref: 08/02787/FUL) were set back by 1.5m each respectively, and presented continuous terraces and balconies facing the properties across Blairderry Road. This arrangement was considered to have resulted in unacceptable issues of overlooking for these residential properties on Blairderry Road. The insufficient set back was considered to exacerbate the situation and cause an increased vertical angle of view into these residential properties.
- 6.5.14 As described above, the upper floors for the current proposal would set back to a greater degree than the previous refused scheme. Third floor windows would be set

3.5m back behind terraces, which themselves terminate a minimum of 1.5m before the parapet. On the fourth floor no terraces or balconies fronting Blairderry Road are proposed, and only two windows from flats are proposed, one from a kitchen and one from bedroom. It is considered that this element of the scheme has been sensitively designed with respect to the residential amenity of the properties across Blairderry Road, to ensure that no unacceptable issues of overlooking would arise. Appropriate conditions are suggested to ensure proposed terraces are designed so as to prevent any issues of overlooking.

- 6.5.15 The previous refused application (ref: 08/02787/FUL) was considered to result in an unacceptable sense of enclosure on Blairderry Road, by nature of the insufficient set backs of the upper floors of the proposal. It was considered that the proposed height of the building and insufficient set back of the upper floors, combined with its close proximity to the existing windows of across Blairderry Road would cause it to overly dominate the field of view from these windows, resulting in an unacceptable loss of outlook and an undue sense of enclosure within the streetscene. As described above, within the current proposal, the upper two floors have been cut away in elements and set further back. It is considered that this would ensure that acceptable outlook would be retained for the residential properties across Blairderry Road, and that there would be no undue sense of enclosure within the streetscene. It should also be noted that it is a normal part of planning to erect buildings on either side of a London street.
- 6.5.16 The development is designed so that the closest windows that would face the rears of the upper floors of 112-140 Streatham Hill would have a minimum separation from one another of at least 25m. This is considered adequate to avoid any instances of unnecessary or unacceptable overlooking for these properties. The distance of 25m is considered acceptable in relation to the scale of the proposal to ensure that no sense of enclosure occurs for any of these properties.
- 6.5.17 With the use of appropriate conditions, it is considered that the proposed buildings within the development would not cause unacceptable overlooking or loss of privacy for any of the surrounding residential properties, nor cause any undue sense of enclosure.

#### Amenity Space

- 6.5.18 The scheme proposes amenity space throughout the site comprising of private gardens, a private communal space to the rear including a children's play area, private balconies and roof terraces. The combined total of amenity space that would be provided is 1250m<sup>2</sup>. This is considerably over the minimum of 760m<sup>2</sup> the Supplementary Planning Document 'Guidance and Standards for Housing Development and House Conversions' would dictate a residential development of this quantum should provide, and is considered to be a generous provision. A contribution of £43,143 is being sought through s106 obligations to go towards local parks and open spaces in the borough. Conditions requiring full details and implementation of the landscaping of the private gardens, communal open space and children's play space would be appropriate to ensure that they are of as high quality as suggested in the application documentation.

## 6.6 Sustainability

### UDP Policy 34, Energy

- 6.6.1 Policy 4A.3 of the London Plan seeks to achieve sustainable design and construction in accordance with the ultimate aim of reducing carbon dioxide emissions as set out in Policy 4A.1 of the London Plan. Alterations to this document include policies on reducing carbon dioxide (CO<sup>2</sup>) emissions by 20% through the use of on-site renewable energy generation for new development. Policy 34 of the UDP requires all major development to incorporate equipment for renewable power generation so as to offset at least 10% of their predicted CO<sup>2</sup> emissions.
- 6.6.2 Policy 4A.4 of the London Plan and Lambeth's adopted "Sustainable Design and Construction" SPD advocate that major applications should include an energy strategy indicating CO<sup>2</sup> savings below a base rate calculation following the, "be lean, be clean, be green" hierarchy:
- Be Lean: The reduction of energy demand and CO<sup>2</sup> emissions from using less energy, in particular by adopting sustainable and passive design and construction measures;
  - Be Clean: Proposals for the reduction of energy demand and CO<sup>2</sup> emissions through supplying energy efficiently, including the feasibility of Combined heat and Power (CHP) / Combined Cooling, Heating and Power Systems (CCHP);
  - Be Green: Details of renewable energy technologies to be incorporated in the development, demonstrating that CO<sup>2</sup> emissions from expected energy use will be reduced by a minimum of 10% (The London Plan target is 20%) through on site renewable energy generation.
- 6.6.3 The applicant has sought to comply with the UDP requirement of offsetting at least 10% of their predicted CO<sup>2</sup> emissions through the use of on-site renewable energy technologies. An Energy Statement has been submitted with the application that appraises a range of energy technologies as potential on site energy generation sources, and an assessment using the above criteria. The energy statement proposes passive design and energy efficiency measures, and either solar thermal or ground source heat pumps as on site renewable technologies. The breakdown of the carbon savings is as follows:

<b>Summary of Carbon Savings</b>	<b>Offices</b>	<b>Residences</b>
Carbon savings by energy efficient design.	6.6% 1,881kgCO <sub>2</sub>	4.2% 6,331kgCO <sub>2</sub>
Carbon savings through the provision of on site renewable energy sources (considering that no CHP is implemented), Policy 34.	10% each 17,194kgCO <sub>2</sub>	

- 6.6.4 The report indicates that a total CO<sup>2</sup> savings over the baseline calculation of an excess of 25% can be achieved, with at least 10% of those coming from on site renewable energy technologies.

- 6.6.5 It should be noted that CHP is not proposed. The applicant states that this would not be an appropriate technology for this development because there is insufficient electrical demand to meet the output of the CHP unit and, therefore, it is likely to result in an increased fuel cost and service charge to the tenants
- 6.6.6 The minimum 10% CO<sup>2</sup> saving from on site renewable meets the UDP and SPD target, and officers are principally in favour of the intent of the energy scheme. However, the applicant does not state which of the two on site renewable energy technologies above would be implemented, stating that further detailed work is needed to establish which system offers the best solution.
- 6.6.7 A s106 obligation would therefore be attached requiring an energy and sustainability report to be submitted prior to construction to demonstrate the precise energy strategy that will be implemented on site, and which will produce at least the above requirements in terms of CO<sup>2</sup> emissions through on site renewable energy technologies.
- 6.6.8 Taking the above into account, it is considered that the development is in principle acceptable with regards to the provisions of UDP Policy 34.

#### UDP Policy 35, Sustainable Design and Construction

- 6.6.9 Policy 4A.3 of the London Plan sets out measures that should be incorporated into developments to ensure that they meet the highest standards of sustainable design and construction. UDP Policy 35 states that development proposals should demonstrate how they incorporate sustainable design and construction principles.
- 6.6.10 Lambeth's adopted "Sustainable Design and Construction" SPD sets out the minimum standards to be met for various types of development. The minimum standard for residential development is Code for Sustainable Homes Level 3. For the proposed employment floorspace "BREEAM Office" would be the relevant minimum standard.
- 6.6.11 The applicant has submitted a Sustainability Assessment with the application that sets out to address how sustainable design and construction principles are integrated into the proposal. The assessment commits to constructing the residential to Code for Sustainable Homes level 3. However no information is provided regarding constructing the employment space to "BREEAM Office" standards. It is considered therefore that code for sustainable homes, and BREEAM Office pre and post construction certificates should be submitted to the Council to ensure that these standards are met, and that the provisions of UDP Policy 35 are adhered to.

### **6.7 Secure by design**

- 6.7.1 Policy 32 of the UDP seeks to ensure that proposed developments enhance community safety and do not create opportunities for crime or result in an increase in the risk of public disorder.
- 6.7.2 The Crime Prevention Officer has been consulted but has yet to provide comments. As such, a condition is suggested requiring details of how the scheme would comply with Secure by Design principles.

## 6.8 Highways and Transportation Issues

- 6.8.1 Policy 9 of the UDP seeks to ensure that development proposals do not have an adverse impact upon traffic safety and do not lead to an increase in parking stress and traffic congestion within the borough. Policy 10 states that new developments should have full cycle access and facilities. Policy 14 sets out maximum car parking levels and minimum cycle parking levels.
- 6.8.2 The site forms part of a block situated immediately to the west of the A23, which is Streatham Hill at this location. It is the main north/south lineal route through the Borough, is a key strategic route through South London and is part of the Transport for London Road Network (TLRN or 'Red Route'). The site is bound by Ardwell Rd to the south, Barrhill Road to the north and Blairderry Road to the West. All three roads are local access roads.
- 6.8.3 The site is situated within an area of excellent public transport accessibility (PTAL score of 6a), and is situated within 1 minute walking distance of Streatham Hill railway station which has services to London Bridge, London Victoria and West Croydon. Streatham Hill is a major strategic bus route and is served by a total of 13 bus routes.

### Vehicular Access

- 6.8.4 There is currently one main vehicular crossover into the site from Ardwell Road, serving a large parking area for the warehouse use. This crossover is proposed to be stopped up as part of the scheme. A new two-way crossover is proposed to provide access to the basement car park via a ramp fronting Blairderry Road, which would also provide servicing access for the residential use.

### Pedestrian Access

- 6.8.5 There are currently a number of separate pedestrian accesses onto Blairderry Road and Ardwell Road. Three main communal pedestrian accesses are proposed onto Blairderry Road along with 7 'garden' accesses to individual units from Blairderry Road.
- 6.8.6 There is ample capacity on the existing surrounding footways to cater for the expected increase in pedestrian traffic associated with the scheme. It is noted however that the surrounding footways are of poor quality and would need to be either replaced or upgraded to a higher specification to ensure that the safety and amenity of the pedestrian environment is improved.

### Trip Generation

- 6.8.7 The applicant has provided an assessment of trip generation using the TRAVL database and broken this down into existing trips and future trips. The assessment estimates that peak time public transport demand would be low, and the traffic demand does not take into account vehicles parked on the surrounding highway network associated with overspill parking.

### Car Parking and Parking Stress

- 6.8.8 The Council adopted parking standards are included in Policy 14 of the UDP. These standards have been drawn up in light of Government guidance, primarily PPG13. The aim of these standards is to reduce the level of off street parking provision in Lambeth and lower traffic congestion and the reliance upon private vehicles as a means of travel. The standards are expressed as a maximum allowance.
- 6.8.9 The proposal includes 18 spaces (including 2 of which would meet disabled standards) in an basement area. Based on the dwelling type and tenure, the maximum number of onsite parking spaces allowed by UDP Policy 14 parking standards would be 24 spaces. Therefore the amount of proposed off-street parking is in accordance with UDP parking standards to lessen and reduce the supply of parking in areas of high public transport accessibility.
- 6.8.10 The basement layout is considered unacceptable however, as four parking spaces would not have adequate turning space. This layout would need to be revised and resubmitted. A condition is recommended requiring this to be submitted to and approved by the Local Planning Authority.
- 6.8.11 The Council has received representations from members of the public concerned that the scheme could give rise to considerable demand for on street parking in the locality. The site is not situated within a Controlled Parking Zone (CPZ). There are no parking restrictions on the surrounding local access roads.
- 6.8.12 Both overnight and daytime parking surveys were carried out by the applicant and were carried out in accordance with the Council's adopted methodology. The conclusions of the applicant's surveys suggest that there would be ample on-street parking spaces for the residential component of the scheme. The Council's transport team note however that the survey appears to underestimate parking stress compared to parking surveys carried out for neighbouring schemes.
- 6.8.13 A calculation based on the difference between the on-site residential parking provision (18) and the underlying ward household vehicle ownership (48.1% in Streatham Wells) shows that there is likely to be overspill parking onto the surrounding highway network of up to 24 vehicles. This is of an order that could result in some of the streets to the west of Streatham Hill suffering from parking stress over and above the 90% 'high stress' threshold.
- 6.8.14 In addition, daytime parking surveys carried out by Council Officers on Thursday 4<sup>th</sup> September and Thursday 11<sup>th</sup> September 2008 showed parking stress above the 90% stress on streets to the west of Streatham Hill surrounding the site, with only 2 parking spaces available in total in one instance.
- 6.8.15 In view of the excellent public transport accessibility of the site and its close proximity to shops, services and community facilities, car ownership among prospective residents is likely to be less than the local average. However, despite this and the on site parking, officers consider the scheme could further exacerbate the on-street parking stress within the locality.

- 6.8.16 Despite the applicant's assertions, officers consider that despite the on-site parking and high PTAL of the site, the scheme could further exacerbate the considerable on street parking stress within the locality.
- 6.8.17 With regards to the above, it is considered that the scheme could only be acceptable if a range of measures to mitigate against and reduce the impact of increased on street parking were introduced. The formulation of an effective travel plan to encourage future residents to use public transport should be enforced through s106 obligation. However, in light of the increased use of public transport, it is also considered that a contribution towards upgrading the public transport infrastructure in the locality would be appropriate, particularly considering the sites close proximity to Streatham Hill Railway Station, which future residents of the development would likely frequently utilise. A financial contribution of £50,000 is therefore sought through s106 agreement is therefore sought towards upgrading public transport infrastructure in the locality. A contribution towards the introduction of a CPZ in the locality is also to be secured via s106 obligation.

#### Servicing

- 6.8.18 The scheme proposes servicing of the residential units via a lift shaft to the basement car-park, although there is no dedicated servicing bay shown in the basement. It is accepted that the B1 use would generate limited servicing demand. However, it is considered that an on street loading bay should be provided adjacent to the commercial units on Ardwell Road, given the daytime parking stress on this road and the lack of an off-street servicing bay.

#### Cycle Storage

- 6.8.19 The scheme proposes 73 cycle storage spaces in a communal basement cycle store. Whilst it is not considered ideal to have all cycle parking in a combined communal area, it is in keeping with the UDP standard of one cycle storage space per unit and is therefore acceptable. Ground floor storage has been provided for the commercial element of the proposal.
- 6.8.20 As stated above, preparation and implementation of a comprehensive travel plan for the scheme is required, and any travel plan should be prepared in accordance with TfL's latest travel plan guidance or subsequent amendment. This is to be provided via s106 obligation.

## **7 Planning Obligations**

- 7.1 Policy 57 states that the Council will, where appropriate, enter inter legal agreements with developers, and seek the attainment of planning obligations, having regard to current Government guidance. Policy 26 (D) Deficiencies in Community Facilities states that, in major developments where the development exacerbates an existing shortage of community facilities (such as by increasing the residential population) then new facilities, or contributions towards improving facilities, will be required. Such community facilities could include healthcare provision, library facilities and education (school places). Financial contributions would need be secured via the s106 agreement to ensure the provision of the necessary mitigating.

7.2 Officers have engaged in negotiations with the applicant over the offer that was initially made as it was considered that this was insufficient to mitigate the impacts of the scheme. The original offer was £250,000 but following negotiations, the applicant has confirmed that they are prepared to make the following financial contributions:

Provision of 40% affordable housing by habitable rooms

A contribution of £43,143 towards improvements to parks and open space;

A contribution of £133,905 towards education places in the borough;

A contribution of £32,727 towards sports and leisure in the borough;

A contribution of £8,775 towards library provision in the borough;

A contribution of £16,935 to local training and construction;

A contribution of £50,000 towards improving public transport in and around Streatham Hill.

A contribution of £30,000 towards upgrading public footways within the vicinity.

A contribution of £8,000 towards Traffic Management Orders

A contribution to a car club space of £7000;

A contribution to travel plan monitoring £1000;

Contribution towards a CPZ consultation on the outcome of a parking survey that determines that parking stress has increased as a result of the scheme.

A contribution of £10,000 to public art

Sustainability plan to include: a renewable energy plan to meet at least 10% energy demand from renewable.

Sustainable design and construction scheme demonstrating a commitment to achieve level 3 under the Code for Sustainable Homes for the residential units, and the equivalent 'BREEAM Office' standard for the employment use.

A monitoring fee of £8,537

Total financial contribution of £350,022

## 8 Conclusion

8.1 The application proposes the redevelopment of a key site in a town centre location, for a mixed use development providing affordable housing and employment floorspace. The proposal would provide 71 residential units, 40% of which would be affordable housing by habitable rooms. 890m of employment floorspace would be provided, providing up to 50 jobs where only 5 presently exist. The design, height, scale and bulk is of a quality that would preserve the setting of, Conservation Areas and adjacent listed building and also ensure that any impact on local amenity in relation to loss of sunlight/daylight or loss of privacy is kept to a minimum. Subject to appropriate conditions and s106 obligations the development would have little materially detrimental impacts upon parking or highway safety.

8.2 It is considered that the proposal complies with national and London wide policy and meets the aims and objectives of the Unitary Development Plan Policies.

8.3 It is also considered that the terms of the s106 agreement will ensure that the effects of the development would be mitigated against where necessary.

## 9 Recommendation

### Recommendation 1

9.1 Subject to recommendation 2, it is recommended planning permission be granted subject to a S106 legal agreement to deliver the obligations listed above and the conditions listed below.

### Recommendation 2

9.2 That if the Section 106 Agreement is not signed by the 21 April 2009, the Head of Development Control is given the authority to refuse the application on the grounds of lack of mitigation for the following reasons.

### Reasons for recommendation 2

1. The proposed development, in the absence of a legal agreement to secure the provision of 40% of the residential habitable rooms to be affordable housing, would not provide affordable housing on the site to meet the housing needs of the Borough, contrary to Policies 16 and 57 of the Unitary Development Plan (2007).
2. The proposed development, in the absence of a legal agreement to secure a contribution to the provision of school places in the area (education contribution) would result in the under provision of school places in the area contrary to Policies 26 and 57 of Unitary Development Plan (2007) and Draft Supplementary Planning Document- s.106 Monitoring Fees and Professional Costs.
3. The proposed development, in the absence of a legal agreement to secure all on site parking spaces for the residential flats, together with a 'car free' agreement whereby future residents of the development would not be eligible for on-street parking permits would cause undue stress on on-street parking provision in the area contrary to Policies 14 and 57 of the  
Unitary Development Plan (2006).
4. The proposed development, in the absence of a legal agreement to secure a travel plan, would cause undue stress on parking provision on the site and would not assist in the Council's aims to discourage car ownership in the Borough contrary to Policies 8, 14 and 57 of the Adopted Unitary Development Plan (2007).
5. The proposed development, in the absence of a legal agreement to secure a delivery management plan, would cause traffic congestion and traffic safety issues contrary to Policies 14 and 57 of the Adopted Unitary Development Plan (2007)
6. The proposed development, in the absence of a legal agreement to secure a construction management plan, would cause traffic congestion and traffic safety issues contrary to Policies 14 and 57 of the Adopted Unitary Development Plan (2007)
7. The proposed development, in the absence of a legal agreement to secure a Sustainability plan to include: a renewable energy plan, a commitment to achieve "very good" rating pursuant to the BRE Environmental Assessment Method or minimum code level 3 for residential element, use of sustainable materials in construction, a minimum of % reduction in energy emissions above building regulations, use of ICE's demolition protocol,

sustainable drainage systems, water use/efficiency plans, and a construction site waste management plan would be contrary to Policies 34, 35 and 57 of the Adopted Unitary Development Plan (2007)

8. The proposed development, in the absence of a legal agreement to secure local labour, trainee subsidy, access to training and jobs for local people and general employment and training in the borough, would not assist in the Council's aims to secure employment in the Borough contrary to Policies 21, 23 and 57 of the Adopted Unitary Development Plan (2007).

9. The proposed development, in the absence of a legal agreement to secure the provision of financial contributions towards improving public transport in and around Streatham Hill, and upgrading pedestrian footways in the locality, would place undue stress on the infrastructure surrounding the site, contrary to Policies 9, 14, 50 and 57 of the Adopted Unitary Development Plan (2007).

10. The proposed development, in the absence of a legal agreement to secure the provision of financial contributions towards improving open space facilities, would place undue stress on local parks, contrary to Policies 50 and 57 of the Adopted Unitary Development Plan (2007).

11. The proposed development, in the absence of a legal agreement to secure the provision of financial contributions towards library and sports and leisure facilities, would place undue stress on community facilities, contrary to Policies 26 and 57 of the Adopted Unitary Development Plan (2007)

### **Conditions:**

1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice.

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

2 Before any development commences (including demolition), full details of the proposed construction methodology, in the form of a Method of Construction Statement, shall be submitted to and approved in writing by the Local Planning Authority. The Method of Construction Statement shall include details regarding: the notification of neighbours with regard to specific works; advance notification of road closures; details regarding parking, deliveries, and storage; details regarding dust mitigation, details of measures to prevent the deposit of mud and debris on the public highway, and other measures to mitigate the impact of construction on the amenity of the area. The details of the approved Method of Construction Statement must be implemented and complied with for the duration of the demolition and construction process.

Reason: To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers and of the area generally, and avoid hazard and obstruction to the public highway. (Policies 9, 31, and 48 of the Adopted Unitary Development Plan (2007) refer.).

3 Prior to the commencement of development, a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site

investigation shall be agreed with the Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provision for monitoring, shall then be submitted to and approved in writing by the Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved.

Reason: To prevent pollution of the water environment. (Policy 54 of the adopted Unitary Development Plan (2007) refer).

4 Prior to the commencement of any building work, detailed elevational drawings, together with samples and a schedule of all materials to be used in the elevations, balconies, roofing and windows/joinery of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To safeguard and enhance the visual amenities of the locality. (Policies 33, 40, and 58 of the adopted Unitary Development Plan (2007) refer.)

5 Prior to the commencement of building works, a Landscape Strategy for all public realm areas within the curtilage of the site hereby approved shall be submitted to and approved by the Local Planning Authority. This Strategy is to include, amongst other things, details of proposed plant and tree maintenance, plant species, ground levels boundary treatments and full specifications of children's play areas. The development shall be in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed landscaping areas are of a high quality and for consistent treatment of the public realm. (Policy 33 and 39 of the adopted Unitary Development Plan (2007) refer.)

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policy 39 of the adopted Unitary Development Plan (2007) refer.)

7 Prior to commencement of building works, a crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Police. The strategy shall demonstrate how the development meets 'Secured by Design' standards and shall include full detailed specifications of the following: Means of enclosure, gates to the basement car park, CCTV provision, external lighting provision, electronic access control, specifications of all external doors and all residential doors, windows and glazing.

Reason: To ensure that satisfactory attention is given to security and community safety (Policy 32 of the adopted Unitary Development Plan (2007) refers).

8 There shall be no amplified sound, speech or music system fixed, used, or audible outside any of the ground floor commercial premises.

Reason: To safeguard the amenities of future residential occupiers and the surrounding area. (Policies 1, 7, 29 and 54 of the adopted Lambeth Unitary Development Plan (2007) refer.)

9 Prior to the commencement of building works, full details of the soundproofing of premises and insulation of premises (including ventilation) for all party walls and the ceiling/floor between the ground floor commercial floorspace (Class B1), and the residential use floors, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter be retained for the duration of the use, to prevent fumes, smell and noise permeating into adjoining accommodation.  
Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally. (Policy 54 of the adopted Unitary Development Plan (2007) refers.)

10 The hours of operation of the ground floor commercial floorspace (Class B1) hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the relevant premises and shall not operate other than in accordance with the agreed hours unless agreed in writing by the Local Planning Authority.  
Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 1, 7 and 54 of the adopted Unitary Development Plan (2007) refer).

11 No deliveries shall be taken to, or dispatched from, the site other than between the hours of 08.00 and 23.00 Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 1, 7, 29 and 54 of the adopted Unitary Development Plan (2007) refer).

12 All residential flats hereby permitted shall comply with the relevant Joseph Rowntree Lifetime Homes standard.  
Reason: To secure appropriate access for disabled people, in accordance with Policy 8 of the adopted Lambeth Unitary Development Plan.

13 At least 10% of the residential flats hereby permitted shall be designed so as to be wheelchair accessible easily. Such units shall be permanently retained thereafter for the duration of the development.  
Reason: To secure appropriate access for disabled people, in accordance with Policy 33 of the adopted Lambeth Unitary Development Plan (2007) refer.

14 No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of buildings.  
Reason: Policy 33 of the adopted Unitary Development Plan (2007) refers).

15 Prior to the commencement of building works, details of the provision to be made for at least 71 covered and secure residential cycle parking plus additional staff and visitor parking for the commercial units, shall be submitted to and approved in writing by the Local Planning Authority and shall include details of location and means of access to secure cycle storage. The cycle parking shall be provided in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.  
Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport. (Policies 9, 10, 14 of the adopted Unitary Development Plan (2007) refer.)

16 Within two months of completion of the development hereby permitted, all redundant accesses located within the area of development and not incorporated in the development shall be permanently

closed with kerbs, footway and verge reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To limit the number of access points along the site boundary for the safety and convenience of highway users in accordance with Policy 9 of the adopted Lambeth Unitary Development Plan.

17 Prior to occupation of the development, full details of a servicing management strategy for the management of deliveries and servicing of the development, shall be submitted to and approved by the Local Planning Authority. Servicing shall thereafter be carried out solely in accordance with the approved details.

Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy 9 14 of the adopted Unitary Development Plan (2007) refers.)

18 Prior to the occupation of the residential units hereby permitted, the commercial floorspace shall be completed and available for occupation in accordance with the plans hereby approved.

Reason: To ensure the satisfactory provision of employment floorspace on the site (Policy 23 and 58 of the adopted Unitary Development Plan (2007) refers).

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

Reason: To ensure that adequate provision is made for the storage of refuse and the provision of recycling facilities on the site, in the interests of the amenities of the area. (Policies 9, 33, 56 of the adopted Unitary Development Plan (2007) refer.)

20 Prior to the commencement of building works, impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local Planning Authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with additional demand generated by the development (Policy 53 of the adopted Unitary Development Plan (2007) refer).

21 Prior to the commencement of buildings works, full details of the surface water drainage system, including details of discharge rates to sewer from both foul and surface water systems, as well as any proposed sustainable source control measures shall be submitted to and approved in writing to the local planning authority, in consultation with Thames Water. The development shall thereafter be carried out in accordance with the approved details.

Reason: To reduce the risk of flooding and improve water quality (Policy 54 of the adopted Unitary Development Plan (2007) refers).

22 The development hereby permitted shall be carried out in full accordance with measures indicated in any Sustainability Strategy approved by virtue of the Section 106 legal agreement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the environmental impacts of the development are acceptable (Policy 34 of the adopted Unitary Development Plan (2007) refers)

23 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: To allow adequate archaeological investigation before any archaeological remains may be affected by the development. (Policy 48 of the Adopted Unitary Development Plan (2007) refers).

24 Ground source heat pump systems using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the protection of the natural environment, with regards to the provisions of UDP Policy 48.

25 Notwithstanding the approved plans, prior to commencement of building works, full details of measures to prevent and mitigate issues of overlooking into surrounding residential properties are to be submitted and approved in writing by the Local Planning Authority. These measures are to include design features such as brei soleils, privacy screens and frosted glass amongst other options. The approved measures are to be carried out and retained thereafter.

Reason: In the interests of residential amenity and to prevent instances of actual or perceived overlooking, in accordance with the provisions of UDP Policy 33.

26 Prior to commencement of construction, full details of a revised basement parking layout are to be submitted to and approved by the Local Planning Authority. To ensure that proposed parking spaces would have adequate turning space, in accordance with the provisions of UDP Policy 9 and 14.

27 Details of the proposed access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. No other part of the development shall be occupied until the new means of access has been sited, laid out and constructed in accordance with the approved details.

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access. (Policies 9 and 31 of the Revised Deposit Unitary Development Plan (2007) refer.)

28 Prior to the commencement of the development hereby permitted full details of the car park ramp, including the gradient, covering, and access barriers / gates shall be submitted to and approved in writing by the local planning authority and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. The development shall thereafter be implemented in accordance with the approved details and be retained as such for the duration of the permitted use.

Reason: To ensure that the development does not prejudice highway safety or cause inconvenience to other highway users and to ensure that the Council can be satisfied with the visual appearance of the development. (Policies T17 and CD15 of the Adopted Lambeth Unitary

Development Plan (1998), and Policies 9, 14 and 32 of the Replacement Unitary Development Plan (2006).

29 No part of the development shall be occupied until the visibility splays shown on the approved drawings have been provided on both sides of the access and the area contained within the splays shall be kept free of any obstruction exceeding 1 metre in height above the nearside channel level of the carriageway.

Reason: To provide adequate intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access (Policies 9 and 31 of the Unitary Development Plan (2007) refer.)

30 No development (including demolition) shall commence until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning during the construction period in accordance with details to be submitted and agreed in writing by the Local Planning Authority.

Reason: To minimise danger and inconvenience to highway users (Policies 9, 31 of the adopted Lambeth Unitary Development Plan (2007) refer.)

## **Informatives**

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

2 You are advised that this consent is without prejudice to any rights which may be enjoyed by any tenants/occupiers of the premises.

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

4 You are advised to consult the Council's Environmental Health Division concerning compliance with any requirements under the Housing, Food, Safety and Public Health and Environmental Protection Acts and any by-laws or regulations made thereunder.

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

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

7 Your attention is drawn to Sections 4, 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and the Code of Practice for Access for the Disabled to Buildings (B.S. 5810:1979) regarding the provision of means of access, parking facilities and sanitary conveniences for the needs of persons visiting, using or employed at the building or premises who are disabled.

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

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

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

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

12 As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following- name a new street- name a new or existing building- apply new street numbers to a new or existing building This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats or units. Contact details are listed below. Rachel Harrison Street Naming and Numbering Officer e-mail: rharrison1@lambeth.gov.uk tel: 020 - 7926 2283 fax: 020 7926 9131.

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

14 You are advised that under the terms of the Water Resources Act 1991, the prior written consent of the National Rivers Authority is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Mr D DeCoster on 0181 310 5500 for details.

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

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

17 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 and Transport for London via email (centrallicensing@tfl.gov.uk), in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent

Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

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

19 Any excavation or new groundworks at street or basement level associated with this development may expose or damage archaeological remains. Such works include the removal of the existing slab and/or foundations, construction of new foundations or floor slabs, lift pits, underpinning or service trenches.

20 The Local Planning Authority wishes to ensure that archaeological remains on this site are preserved in situ. The detailed proposals should include appropriate drawings, technical notes and method statements, showing how the objectives of in situ preservation are to be achieved. Particular attention should be paid to the design of foundations and new groundworks including piling, underpinning, new slab levels and slab construction, lift pits and new service trenches. You are advised to contact English Heritage's Archaeological Officers to discuss the submission of details required to discharge the archaeological condition(s).

## Conditions

1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. Reason: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Before any development commences (including demolition), full details of the proposed construction methodology, in the form of a Method of Construction Statement, shall be submitted to and approved in writing by the Local Planning Authority. The Method of Construction Statement shall include details regarding: the notification of neighbours with regard to specific works; advance notification of road closures; details regarding parking, deliveries, and storage; details regarding dust mitigation, details of measures to prevent the deposit of mud and debris on the public highway, and other measures to mitigate the impact of construction on the amenity of the area. The details of the approved Method of Construction Statement must be implemented and complied with for the duration of the demolition and construction process. Reason: To ensure minimal nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers and of the area generally, and avoid hazard and obstruction to the public highway. (Policies 9, 31, and 48 of the Adopted Unitary Development Plan (2007) refer.).

3 Prior to the commencement of development, a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Planning Authority prior to commencement of the work. Details of appropriate measures to prevent pollution of groundwater and surface water, including provision for monitoring, shall then be submitted to and approved in writing by the Planning Authority before development commences. The development shall then proceed in strict accordance with the measures approved. Reason: To prevent pollution of the water environment. (Policy 54 of the adopted Unitary Development Plan (2007) refer.).

4 Prior to the commencement of any building work, detailed elevational drawings, together with samples and a schedule of all materials to be used in the elevations, balconies, roofing and windows/joinery of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details. Reason: To safeguard and enhance the visual amenities of the locality. (Policies 33, 40, and 58 of the adopted Unitary Development Plan (2007) refer.)

5 Prior to the commencement of building works, a Landscape and Public Realm Strategy for all external public realm areas within the curtilage of the site hereby approved shall be submitted to and approved by the Local Planning Authority. This Strategy is to include, amongst other things, details of proposed plant and tree maintenance, paving materials, pedestrian priority materials and shared surface treatments, plant species, ground levels and

boundary treatments. The development shall be in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that the proposed landscaping areas are of a high quality and for consistent treatment of the public realm. (Policy 33 and 39 of the adopted Unitary Development Plan (2007) refer.)

6 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the development hereby permitted or the substantial completion of the development, whichever is the sooner. Any trees, hedgerows or shrubs forming part of the approved landscaping scheme which within a period of five years from the occupation or substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained in connection with the development. (Policy 39 of the adopted Unitary Development Plan (2007) refer.)

7 Prior to commencement of building works, a crime prevention strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Police. The strategy shall demonstrate how the development meets 'Secured by Design' standards and shall include full detailed specifications of the following: Means of enclosure, gates to the basement car park, CCTV provision, external lighting provision, electronic access control, specifications of all external doors and all residential doors, windows and glazing. Reason: To ensure that satisfactory attention is given to security and community safety (Policy 32 of the adopted Unitary Development Plan (2007) refers).

8 There shall be no amplified sound, speech or music system fixed, used, or audible outside any of the ground floor commercial premises. Reason: To safeguard the amenities of future residential occupiers and the surrounding area. (Policies 1, 7, 29 and 54 of the adopted Lambeth Unitary Development Plan (2007) refer.)

9 Prior to the commencement of building works, full details of the soundproofing of premises and insulation of premises (including ventilation) for all party walls and the ceiling/floor between the ground floor commercial floorspace (Class B1), and the residential use floors, shall be submitted to and approved in writing by the Local Planning Authority, and thereafter be retained for the duration of the use, to prevent fumes, smell and noise permeating into adjoining accommodation. Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of future residential occupiers or of the area generally. (Policy 54 of the adopted Unitary Development Plan (2007) refers.)

10 The hours of operation of the ground floor commercial floorspace (Class B1) hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the relevant premises and shall not operate other than in accordance with the agreed hours unless agreed in writing by the Local Planning Authority. Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 1, 7 and 54 of the adopted Unitary Development Plan (2007) refer.)

11 No deliveries shall be taken to, or dispatched from, the site other than between the hours of 08.00 and 23.00 Mondays to Saturdays, and at no time on Sundays, Bank Holidays or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the amenities of future residential occupiers and the surrounding area (Policies 1, 7, 29 and 54 of the adopted Unitary Development Plan (2007) refer).

12 All residential flats hereby permitted shall comply with the relevant Joseph Rowntree Lifetime Homes standard. Reason: To secure appropriate access for disabled people, in accordance with Policy 8 of the adopted Lambeth Unitary Development Plan.

13 Full details to indicate how at least 10% of the residential flats hereby permitted have been designed so as to be wheelchair accessible easily adaptable to meet the Wheelchair Housing standard set out in the London Plan shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of building works. Such units shall be permanently retained thereafter for the duration of the development. Reason: To secure appropriate access for disabled people, in accordance with Policy 33 of the adopted Lambeth Unitary Development Plan (2007) refer.

14 No plumbing or pipes, other than rainwater pipes, shall be fixed to the external faces of buildings. Reason: Policy 33 of the adopted Unitary Development Plan (2007) refers).

15 Prior to the commencement of building works, details of the provision to be made for at least 71 covered and secure residential cycle parking plus additional staff and visitor parking for the commercial units, shall be submitted to and approved in writing by the Local Planning Authority and shall include details of location and means of access to secure cycle storage. The cycle parking shall be provided in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use. Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport. (Policies 9, 10, 14 of the adopted Unitary Development Plan (2007) refer.)

16 Within two months of completion of the development hereby permitted, all redundant accesses located within the area of development and not incorporated in the development shall be permanently closed with kerbs, footway and verge reinstated in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Reason: To limit the number of access points along the site boundary for the safety and convenience of highway users in accordance with Policy 9 of the adopted Lambeth Unitary Development Plan.

17 Prior to occupation of the development, full details of a servicing management strategy for the management of deliveries and servicing of the development, shall be submitted to and approved by the Local Planning Authority. Servicing shall thereafter be carried out solely in accordance with the approved details. Reason: In order that the Local Planning Authority and Transport for London may be satisfied as to the effects of the scheme on the adjacent road network so as to avoid hazard or obstruction to the public highway (Policy 9 14 of the adopted Unitary Development Plan (2007) refers.)

18 Prior to the occupation of the residential units hereby permitted, the commercial floorspace shall be completed and available for occupation in accordance with the plans hereby approved. Reason: To ensure the satisfactory provision of employment floorspace on the site (Policy 23 and 58 of the adopted Unitary Development Plan (2007) refers).

19 Details of a waste management plan, incorporating provision for refuse storage and recycling facilities on the site shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted. The refuse storage and recycling facilities shall be provided in accordance with the approved details prior to commencement of the use and shall thereafter be retained as such for the duration of the permitted use. Reason: To ensure that adequate provision is made for the storage of refuse and the provision of recycling facilities on the site, in the interests of the amenities of the area. (Policies 9, 33, 56 of the adopted Unitary Development Plan (2007) refer.)

20 Prior to the commencement of building works, impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local Planning Authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with additional demand generated by the development (Policy 53 of the adopted Unitary Development Plan (2007) refer).

21 Prior to the commencement of buildings works, full details of the surface water drainage system, including details of discharge rates to sewer from both foul and surface water systems, as well as any proposed sustainable source control measures shall be submitted to and approved in writing to the local planning authority, in consultation with Thames Water. The development shall thereafter be carried out in accordance with the approved details. Reason: To reduce the risk of flooding and improve water quality (Policy 54 of the adopted Unitary Development Plan (2007) refers).

22 The development hereby permitted shall be carried out in full accordance with measures indicated in any Sustainability Strategy approved by virtue of the Section 106 legal agreement, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that the environmental impacts of the development are acceptable (Policy 34 of the adopted Unitary Development Plan (2007) refers)

### **Notes to Applicants:**

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

2 You are advised that this consent is without prejudice to any rights which may be enjoyed by any tenants/occupiers of the premises.

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

4 You are advised to consult the Council's Environmental Health Division concerning compliance with any requirements under the Housing, Food, Safety and Public Health and Environmental Protection Acts and any by-laws or regulations made thereunder.

5 Your attention is drawn to Sections 4, 7 and 8A of the Chronically Sick and Disabled Persons Act 1970 and the Code of Practice for Access for the Disabled to Buildings (B.S. 5810:1979) regarding the provision of means of access, parking facilities and sanitary conveniences for the needs of persons visiting, using or employed at the building or premises who are disabled.

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

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

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

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

10 As soon as building work starts on the development, you must contact the Street Naming and Numbering Officer if you need to do the following- name a new street- name a new or existing building- apply new street numbers to a new or existing building This will ensure that any changes are agreed with Lambeth Council before use, in accordance with the London Buildings Acts (Amendment) Act 1939 and the Local Government Act 1985. Although it is not essential, we also advise you to contact the Street Naming and Numbering Officer before applying new names or numbers to internal flats or units. Contact details are listed below. Rachel Harrison Street Naming and Numbering Officer e-mail: rharrison1@lambeth.gov.uk tel: 020 - 7926 2283 fax: 020 7926 9131.

11 You are advised that under the terms of the Water Resources Act 1991, the prior written consent of the National Rivers Authority is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld.

12 You are advised that under the terms of the Water Industries Act 1991, the prior written consent of the London Borough of Lambeth, Sewerage Contractor for Thames Water Utilities Ltd is required for any development works draining into, or connecting to, the public sewers

13 You are advised to contact Thames Water Utilities regarding mains/supply pipe

connections for the development at Network Services Waterloo District, Thames Water Utilities Ltd, Waterworks Road, Brixton Hill, London SW2 1SB. Contact Mr D Kirk on 0645 200800 for details.

14 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 and Transport for London via email ([centrallicensing@tfl.gov.uk](mailto:centrallicensing@tfl.gov.uk)), in order to obtain necessary approvals and licences prior to undertaking any works within the Public Highway including Scaffolding, Temporary/Permanent Crossovers, Oversailing/Undersailing of the Highway, Drainage/Sewer Connections, Hoarding, Excavations (including adjacent to the highway such as basements, etc), Temporary Full/Part Road Closures, Craneage Licences etc.

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

16 Any excavation or new groundworks at street or basement level associated with this development may expose or damage archaeological remains. Such works include the removal of the existing slab and/or foundations, construction of new foundations or floor slabs, lift pits, underpinning or service trenches.

17 Piling or other penetrative methods of foundation design can cause unacceptable risks to groundwater. A risk assessment should be carried out as per our guidance 'Piling into Contaminated Sites'. This and other guidance on piling into potentially contaminated sites is available on our website ([www.environment-agency.gov.uk](http://www.environment-agency.gov.uk) ). Click on the publication and search for piling