

## **Matter 8 – Quality of the built environment**

### **8.1 Quality of urban design, public realm, construction detailing, alterations and extension and living conditions:**

*(i) Are policies Q1-Q24 justified, effective and consistent with national policy?*

An overview of the consistency of policies Q1 to Q24 with national policy is set out below. This principally deals with sections 12 and 16 of the NPPF.

In order to achieve well-designed places, NPPF paragraph 125 requires plans to “at the most appropriate level, set out a clear design vision and expectations, so that applicant shall have as much certainty as possible about what is likely to be acceptable”. Paragraph 126 refers to the use of visual tools such as design guides and codes. The suite of ‘Q’ policies in the Plan, supplemented by emerging guidance the Draft Design Code SPD ([SD20a](#), [SD20b](#), [SD20c](#), [SD20d](#) and [SD20e](#)), are designed to do address these requirements. For example, Policy Q11, along with part 4 of the Draft SDP ([SD20d](#)), provide clarity for householders proposing property alterations and extensions. This policy also addresses NPPF paragraph 118(e).

NPPF paragraph 125 also seeks design policies grounded in an understanding and evaluation of each area’s defining characteristics; and paragraph 127 (c) states planning policies should be “are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”. Lambeth’s Plan includes Policy Q5 on local distinctiveness; and Policy Q7 sets expectations for urban design in new development to address this and NPPF paragraph 127 (d).

NPPF paragraph 127(f) requires policies to “create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”. This is addressed through policies Q1 (Inclusive Environments), Q2 (Amenity), Q3 (Safety, Crime Prevention, and Counter Terrorism) and Q6 (Urban Design: Public Realm).

Section 16 of the NPPF deals with conserving and enhancing the historic environment. Paragraph 185 states that plans should “set out a positive strategy for the conservation and enjoyment of the historic environment”, taking account of a range of factors affecting heritage assets. This requirement and these considerations are addressed through Policies Q18 to Q23 in the Plan, starting with historic environment strategy and progressing through the Westminster World Heritage Site, statutory listed buildings, registered parks and gardens, conservation areas and non-designated heritage assets (the local heritage list). Paragraphs 187 and 188 require maintenance of a publicly accessible historic environment record, which Lambeth does through the information on the planning pages of its website.

Policies Q1 to Q24 are justified by a comprehensive evidence base listed on page 469 of the Plan and also available in the examination library. For example, the Lambeth Local Distinctiveness Study 2012 ([EB74](#)) has informed and supports Policy Q5. Section 5 of Topic Paper 2 ([TP02](#)) relates to Policies Q11 and Q14. Policy Q19 on the Westminster World Heritage Site has drawn upon the Statement of Universal Value and important setting study work in relating to immediate setting and approaches (see documents [EB76](#), [EB77](#), [EB78](#), [EB79](#), [EB80](#) and [EB81](#)). This work has itself informed the preparation of up-to-date character appraisals for the Albert Embankment Conservation Area and the Lambeth Palace Conservation Area which themselves are evidence (along with other character appraisal documents), of the significance of Lambeth's conservation areas ([EB75](#), which provide the justification required by NPPF paragraph 186).

There has been extensive collaboration with Historic England throughout the preparation of the Plan on a range of heritage matters, as set out on pages 11 to 15 of the Duty to Cooperate Compliance Statement ([PD07](#)), which has led to a range of refinements to policy wording prior to submission. Historic England has concluded that the Plan represents heritage well throughout (Regulation 20 representation [R022](#)).

The effectiveness of the policies is demonstrated in part by the fact that they are in large part already in place in the Lambeth Local Plan 2015 and have been operating effectively since their adoption. The relatively limited changes to policy wording in the submission version plan have been made to take account of experience through implementation, alongside updated national planning policy and guidance and changes in the London Plan where relevant. No significant concerns have been raised about the effectiveness of the policies in Regulation 20 representations. However, a small number of amendments to wording are proposed for clarification and in response to representations received. These are listed in the Schedule of Potential Changes ([SD17a](#)), reference numbers PC080 to PC088.

*(ii) Do these policies take sufficient account of the need to safeguard the living conditions of both existing neighbouring occupiers and future occupiers of new development?*

Yes. Whilst not explicitly identifying existing occupiers and future occupiers in the policy wording itself, Policy Q2 comprehensively covers all of the important amenity issues and the supporting text (para 10.2) does identify 'existing/future occupants'.

The Council has made a conscious effort not to duplicate/replicate the same policy objectives in other policies (to keep the policies as concise as practicable). That said, some of the other Q policies are built around amenity issues in their broadest sense, which contribute directly to the issues of living conditions / quality of life. For example:

Policy Q3 (i) identifies designing out crime and anti-social behaviour as a key objective. These are important considerations for Lambeth residents and go to the heart of many quality of life/living conditions issues in the borough. The

supporting text for Policy Q3 (para. 10.7) discourages the use of render where it might attract graffiti.

Policy Q9, Soft landscaping (iv) seeks to maximise the opportunities for green infrastructure. This is important both on well-being and environmental grounds. Similarly, Policy Q10, Trees (b) acknowledges the important amenity value of trees.

Policy Q12, refuse and recycling focuses particularly on the need for storage areas to be well designed and practical as when this is not achieved there are be significance adverse effects on the living conditions of residents.

The Council's Draft Design Code SPD, 2020 ([SD20a](#), [SD20b](#), [SD20c](#), [SD20d](#) and [SD20e](#)), which it is intended to be adopted alongside the Revised Local Plan, has detailed content on these issues to assist designers: paragraphs 2.7 – 2.35 have a particular focus on design for quality of life.

## **8.2 Views:**

*(i) Does policy Q25 (views) provide strategic alignment with Southwark's aims for sustainable development and to ensure that development within Southwark is not hindered?*

The majority of local views affecting Southwark are long established in Lambeth planning policy. They were brought forward from the Lambeth Unitary Development Plan (2007) into the Lambeth Local Plan, 2015. None of the views affecting Southwark in the Draft Revised Lambeth Local Plan was newly introduced and Southwark is aware of this.

The Local views from Lambeth into Southwark are:

- Dasset Road (LV 15)
- Knight's Hill (LV16)
- Gypsy Hill (LV17)
- Brixton Panoramic (LV 19)
- Norwood Park (LV 22)

Southwark has its own local views designations in the New Southwark Plan currently undergoing examination (Policy NSP P20) and thus itself recognises the important role of local views. Lambeth and Southwark have reached agreement on local views in the Statement of Common Ground ([SCG08](#) section 4.17) and the email exchange post-dating Southwark's Regulation 20 representation and included in the Duty to Cooperate Compliance Statement confirms this ([PD07](#) page 43 and Appendix 1).

Lambeth has prepared a Draft Local Views SPD 2020 ([SD29a](#), [SD29b](#), [SD29c](#) and [SD29d](#)) to assist with the implementation of Policy Q25. The Report agreeing the Draft SPD for public consultation was published by the Council on 21 September 2020 and the decision formally made on 29 September 2020. An

early draft of the SPD was shared with neighbouring boroughs in August 2020 ahead of formal public consultation and a meeting held on 3 September 2020 with Southwark officers. At that meeting Southwark officers expressed their intention to respond formally to the formal consultation on the draft Local Views SPD and both parties committed to working collaboratively on the SPD to ensure the guidance provides as much clarity as possible.

*(ii) Does policy Q25 adversely impact on the development management process in Croydon? How far, if at all, can a policy like Q25 be applied outside the Borough of Lambeth?*

The local view affecting Croydon is long established in Lambeth planning policy. It was brought forward from the Lambeth Unitary Development Plan (2007) into the Lambeth Local Plan 2015. The Local view from Lambeth into Croydon is:

- The Rookery (LV21)

The view in question is a wide, distant panorama from an elevated viewpoint. Croydon town centre is on the periphery of the view on its left side and partially screened by foreground trees. Lambeth's Draft Local Views SPD 2020 ([SD29a](#), [SD29b](#), [SD29c](#) and [SD29d](#)) identifies the tall buildings of Croydon as landmarks in the view. An early draft of the Local Views SPD was shared with Croydon in August 2020 and Croydon Council made no comments at that time. Croydon Council will be formally consulted as part of the formal SPD preparation process in autumn 2020.

In the past an understanding of the cross-border implications of views was sometimes challenging. However, in recent years, with improved technology (in particular the creation of the VUcity 3D model of Greater London) the understanding has been made much simpler. Like most London boroughs and many designers, Lambeth uses the VUcity model, which has capacity to switch on and off all the protected views across the city. This allows designers, at an early stage, to better understand the implications of all views on their sites.

Lambeth considers that the guidance in the emerging Draft Local Views SPD, 2020 combined with the pan-London VUcity modelling, will make the management of views much easier going forward.

Lambeth's policy Q25 cannot be applied outside Lambeth but the Council would expect to be consulted by the neighbouring authority on any applications for tall buildings that fall within the view. It would then be for the neighbouring borough as local planning authority to consider any comments from Lambeth on the application in its decision-making. Lambeth considers this a reasonable approach for matters of cross-border significance, which would not adversely affect the development management process in neighbouring authorities. Lambeth wishes to support and not inhibit sustainable development in neighbouring areas.

### 8.3 Tall buildings:

*(i) There is no 'up front' definition of tall buildings in policy Q26 (tall buildings), although there is the table in the explanatory text (paragraph 10.147) and the range of heights which are set out in Annex 11. In view of the relative complexity of developments in parts of Lambeth and some very important townscape considerations, such as the Westminster World Heritage Site, is this approach both justified and realistic?*

Policy Q26 has been written to achieve general conformity with London Plan policy D9 as well as consistency with section 12 of the NPPF.

The definition of what constitutes a tall building in different parts of the borough currently sits in paragraph 10.147 of the supporting text to Policy Q26.

However, that table could be moved into the body of Policy Q26 if that is considered preferable. There is clear cross-referencing to Annex 11 within Policy Q26.

Whilst it is acknowledged that there are complexities in relation to townscape and heritage (in the middle but for the most part in the north of the borough), it has also to be recognised that these parts of Lambeth are already characterised by tall building development. Tall buildings are an established part of Lambeth's built form, especially in Brixton, Vauxhall, and Waterloo.

Furthermore, the policy requirements in Q26 are explicit that tall building development should in all cases (a) not harm heritage assets, having particular regard to the international obligation to preserve the outstanding universal value of the Westminster World Heritage Site; and (i) not harm views, (ii) achieve design excellence, (iii) make a positive contribution to townscape, (iv) follow the established principles of group composition where relevant, (v) meet London Plan policy requirements in Policy D9C, and (vi) demonstrate that the site can accommodate the uses and quantum of development proposed with regard to amenity, access, accessibility and servicing.

Given the above requirements and the very detailed evidence-based work undertaken to inform the heights shown in the Annex 11 (see Topic Paper 8 [TP08](#) which in turn lists the various supporting studies for the policy), Lambeth considers that the policy approach is both justified and realistic.

*(ii) Does the range of definitions for tall buildings provide some consistency for development management purposes, and if not, what would be appropriate for Lambeth? [Some London Boroughs specify a number of storeys or heights as a yardstick]*

The tall building height definitions identified in the table in paragraph 10.147 have been reached by taking into account the prevailing character in those parts of the borough in accordance with paragraph 3.9.3 of the London Plan.

It is worth noting that if Lambeth did not provide its own definition, then the London Plan's standard 30m threshold definition would apply in South Lambeth which would be 5m greater than the threshold height identified in the table in

paragraph 10.147 of the Plan. The stricter Lambeth approach is considered justified given the prevailing suburban character of South Lambeth and the implications tall building development has for that part of the borough.

Elsewhere, the Annex 11 tall buildings locations have each been subject to their own site-specific analysis which have allowed heights to be identified based on a detailed understanding of their context and heritage constraints. See Topic Paper 8 ([TP08](#)).

The Council considers that describing height in metres is clearer than doing so in storeys because storey heights vary depending on the building use: for example, a residential storey is typically 2.5m floor to ceiling whereas an office would be 3m. As a result buildings of the same number of storeys can ultimately have very different heights. Lambeth's use of metres is consistent with that of the London Plan.

*(iii) There is no inclusion of any criteria in the policy to relate tall buildings to public transport accessibility, which is a crucial relationship; in this regard, should the policy relate to PTAL levels, and if so, how?*

Policy Q26 (a) (v) requires compliance with London Plan Policy D9C which includes:

'2)d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building.'

Whilst Policy D9 Tall Buildings of the London Plan does not specifically identify high accessibility as a requirement it does make reference in para 3.9.1 to the suitability of tall building development "to make optimal use of the capacity of sites which are well-connected by public transport".

Lambeth, as an inner London borough, is generally well-connected by public transport and the Annex 11 tall buildings locations are in highly accessible locations – VNEB Opportunity Area, Waterloo Opportunity Area and central Brixton. However, for clarity wording could be added to section (a)(vi) of Policy Q26 to ensure this consideration is not overlooked, as follows (proposed insertion in red):

"(vi) it can be shown that the site can accommodate the uses and the quantum of development proposed in terms of meeting acceptable standards of amenity, access, **transport** accessibility and servicing"



*(iv) How valid are the concerns that tall buildings cause alienation, e.g. in relation to daylight, overshadowing, mutual privacy, microclimate, wind deflection and turbulence, and impact at street level, or is this a matter that can be overcome by sensitive design? Daylight, overshadowing, mutual privacy, microclimate, wind deflection and turbulence, and impact at street level are all important matters.*

Lambeth has extensive experience of these issues having overseen the development of the nearly complete Vauxhall tall buildings cluster. These are very important matters that require careful consideration. The buildings in Vauxhall are evidence that high quality design can adequately address these issues.

Draft London Plan Policy DC9 contains very clear expectations in relation to microclimate, wind turbulence, noise, daylight and sunlight etc. To ensure they are not overlooked these requirements are highlighted in Lambeth's Policy Q26(a)(v) with direct reference back to London Plan Policy DC9. Residential amenity issues are covered by Lambeth's Policy Q2.

Drawing on that extensive experience, the Council's Draft Design Code SPD ([SD20b](#) and [SD20c](#)) also contains detailed guidance on these matters:

<b>Issue</b>	<b>Location in Design Code SPD</b>
Daylight / Overshadowing	2.18 -2.25
Privacy	2.10 - 2.12
Tall buildings	Part 3
Microclimate, Wind deflection and turbulence	3.31 – 3.35

Additionally, Lambeth has an established Design Review Panel which draws on the expertise of a pool of approximately 30 experienced architects and other design specialists. The panel gives independent advice to designers of major schemes (including tall buildings), with a view to adding value to the design outcomes and supplementing the advice of the Council's experienced in-house urban design officers. This is consistent with the approach set out in NPPF paragraph 129.

*(v) Is the presumption against tall buildings in certain areas in Lambeth consistent with national policy?*

Policy Q26 needs to be in general conformity with London Plan Policy D9 as well as consistent with national policy. The London Plan requires borough local plans to identify areas appropriate for tall buildings. The NPPF does not directly address the issue of tall buildings. Section 11 promotes the effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraphs 122 and 123 elaborate on this, with a particular emphasis on ensuring developments make optimal use of the potential of each site. Section 12 of the Framework goes on to address how to achieve well-designed places. Paragraph 124 states that being clear about design expectations, and how these

will be tested, is essential for achieving high quality buildings and places, which is a key aspect of sustainable development.

Policy Q26(b) in the Plan makes clear that there is no *presumption in favour* of tall buildings outside the locations in Annex 11 because this is necessary to achieve general conformity with the London Plan policy. However, as explained more fully in section 8 of Topic Paper 8 ([TP08](#)) the policy does not completely preclude tall buildings coming forward in other parts of the borough, subject to the robust tests set out in the rest of the policy clause.

This approach is consistent with national policy because it strikes an appropriate balance between optimising development capacity to make effective use of land on the one hand, and achieving high quality buildings and places on the other, through the application of clear design expectations and policy tests.

The tests in Q26 are constraint-driven. For example, seeking, amongst other things, to (a) avoid heritage harm, (a) (i) protect views and (a) (iii) make a positive contribution to townscape. This means that individual schemes must be carefully crafted to be policy compliant.

*(vi) Some of the representations express concern that the existing tall building policy has not been enforced; if this is true, what is the evidence that this Plan will be more successful than its predecessor?*

Past concerns about tall building outcomes have generally been expressed in relation to Vauxhall and arise in part from ambiguities in the wording on building heights in the VNEB Opportunity Area Planning Framework 2012 (VNEB OAPF) ([EB87](#)). Some consider the 150m height identified in the OAPF for central Vauxhall to be the maximum height. However, the wording in the OAPF refers to it in a number of ways: 'in the region of', as 'a guideline' and as a 'threshold'. This is addressed in detail in part 2 of the Vauxhall Tall Buildings Assessment, 2018 ([EB84](#)).

That study also contains a site-by-site assessment of each approved scheme and its compliance with what Lambeth considers to be the c150m guidance. The conclusion on the central Vauxhall cluster set out in 2.12 of [EB84](#) states that "91% of the approved tall buildings are up to the 150m guidance height. The three Lambeth schemes that exceed the 150m height guidance (Vauxhall Square towers (x2) and Aykon) do so by 15-16%."

It should be noted that both of those schemes were approved under the policies in the Lambeth Unitary Development Plan 2007.

The VNEB OAPF wording in relation to Albert Embankment has also proved contentious. The OAPF refers to c80m as a 'maximum threshold' but elsewhere it states 'no more than 80 – 90m'. This is considered in Part 3 of the Vauxhall Tall Buildings Assessment ([EB84](#)), which concludes that of thirteen tall building schemes approved on Albert Embankment only one exceeded 90m. It should be noted again that that scheme (Dumont, Albert Embankment) was approved in 2014 under the Lambeth UDP 2007.



Setting aside the concerns outlined above, it should be noted that Policy Q26 represents a substantially revised approach when compared to the existing policy Q26 in the Local Plan 2015. The policy has been fully re-written to address the requirements of the new London Plan and to take account of comments from both the GLA and Historic England during the plan-preparation period. Heritage considerations have been given much greater prominence in part (a), which is necessary given the heritage sensitivity of Vauxhall and Waterloo particularly in relation to the Westminster World Heritage Site. Whilst there is no evidence that the Lambeth Local Plan 2015 has not been successful in this respect, the Council considers that the approach in the new version of policy Q26 is clearer and the policy tests more comprehensive than in the current adopted plan.

*(vii) Is it appropriate for the policy to specify that a public benefits case can be a material justification in relation to proposals to breach the height limits in the table in paragraph 10.147?*

Policy Q26 does not include reference to a public benefits test. This test exists within paragraphs 195 and 196 of the NPPF, which relate to consideration of development proposals and allow heritage harm to be balanced against substantial public benefits. There is no requirement in these NPPF paragraphs to include this public benefits test in development plan policy.

Paragraph 16 (f) of the NPPF states plans should avoid unnecessary duplication of policies that apply to a particular area, including policies in the Framework. It is therefore not necessary or appropriate to repeat the provisions in NPPF paragraphs 195 to 196 within the Plan. The balance of heritage harm and public benefits will be applied as appropriate in the decision-making process in relation to individual development proposals.

#### **8.4 Basement development:**

*Should policy Q27 (basement development) refer to solid geology as one of the criteria in section (a)*

To gain a detailed understanding on basement issues in Lambeth, ARUP was commissioned to undertake a Lambeth Residential Basement Study in 2016 ([EB89](#)). ARUP had already undertaken extensive work on this matter for LB Camden and thus was experienced in this subject area.

ARUP was specifically asked to identify any locations where physical constraints in Lambeth would make basement development unacceptable. ARUP's conclusion in paragraph 194 of the Study was that "There are unlikely to be any cases where a basement excavation would be technically impossible;..".

The ARUP study identified no specific solid geology issues and for that reason this has not been included in policy. The Council considers this matter is adequately covered under Policy 27 (a) (iii) slope stability (land stability).

The ARUP study has also helped inform the basements section (Part 5) of the Draft Design Code SPD ([SD20e](#)), which is intended (once adopted) to provide additional guidance on the implementation of Policy Q27.

*..., and what is the justification in section (c) to limit basement schemes (except for major new-build schemes) to one storey of basement accommodation?*

Policy Q27 (c) only limits basements to one storey in residential schemes. It does not apply to non-residential development.

There were a number of reasons for this. Firstly, to ensure an adequate standard of residential amenity for residential occupiers. Deep basements are not considered suitable for occupation because daylight/sunlight, outlook and natural ventilation are severely constrained beyond one basement level.

Secondly, to minimise risks associated with the works. ARUP, Section 4.2, para 125, advised "From a purely 'depth of basement' perspective, the risk to adjacent structures generally increases as the depth of the basement increases. If groundwater is also considered, then the risk is higher for a basement formation below the groundwater level."

The local plan policies for the boroughs of Camden, Islington, Kensington and Chelsea and the City of Westminster also limit basements to one storey for similar reasons.

To provide clarity on the matter of residential standards, the wording of Q27 (c)(i) could potentially be revised to read (proposed insert in red):

"Not result in any more than one storey of **habitable** basement accommodation below ground level."

*Given the widespread concerns over loss of amenity/ impact on living conditions, should the policy address this issue more explicitly?*

Much of the public concern about basements relates to disturbance caused at the construction stage rather than their physical presence once complete. Construction noise or disturbance are not material planning considerations so instead part 5 of Draft Design Code SPD ([SD20e](#)) has been drafted to explain how these matters should be approached by both applicants and neighbours. For example, see para 5.117 (non-planning considerations) and para 5.143 (managing construction impacts to neighbours).

The Draft Design Code SPD also contains a range of guidance relevant to living conditions of future occupiers and neighbours:

<b>Issue</b>	<b>Location in Draft Design Code SPD</b>
Privacy	2.10 - 2.12
Outlook / Sense of Enclosure	2.14 -2.17
Daylight / Overshadowing	2.18 -2.25
Noise and Vibration	2.26 – 2.29
Dual Aspect Dwellings	2.34 2.36
Private amenity space	2.56
Flats	3.26
House to flat conversions	4.28
Basements	Part 5

With regard to the policy, the supporting text in paragraph 10.162 cross-references the other relevant Local Plan policies and the Design Code SPD. If considered useful the Council could add a cross-reference in this paragraph to additional related policies H5 and H6 to ensure housing standards are always considered, as follows (proposed insert in red):

"10.162 See also Local Plan policies **H5, H6**, Q2, Q14, Q20, Q21, Q23, EN5 and Annex 5; and the Design Code SPD."