

Matter 8 – Quality of the built environment

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?

The supporting text in the London Plan (Intend to Publish) Policy D9 Tall buildings states that

*“Tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline. Boroughs should define what is a ‘tall building’ for **specific localities**. In large areas of extensive change, such as Opportunity Areas, the threshold for what constitutes a tall building should relate to the evolving (not just the existing) context. This policy applies to tall buildings as defined by the borough. Where there is no local definition, the policy applies to buildings over 25m in height in the Thames Policy Area, and over 30m in height elsewhere in London.” (3.9.3, my emphasis)*

DDRLP Policy Q26 fails to define what a tall building is for *specific localities*, but simply divides the borough up crudely into two parts along the South Circular. It then defines anything beneath 45m north of this line as not a tall building!

Firstly this exceeds the default position in the London Plan of 30m by 50%, and by an even greater amount in the Thames Policy Area. A building of 44m in an area of residential streets north of the South Circular (the majority of the land in that area) should be considered tall, but would not by these standards, and would therefore not trigger the appropriate level of consideration of the visual, functional, environmental and cumulative impacts, as set out in the London Plan ITP. Attached is an example of a 44m building in a residential area.¹

Secondly it is entirely unspecific in terms of locality! A definition of tall buildings as 45m in the Opportunity Areas and various town centres wouldn’t be exactly specific, but would at least make more sense (and the Tall Building Studies for some of the town centres and OAs attempt to be specific about sites appropriate for tall buildings).

As the policy stands it is entirely at odds with the thrust of the London Plan ITP, which seeks to restrict tall buildings to sites identified as suitable by boroughs through the plan-making process. The policy as it stands, with the definition of a tall building as above 45m north of the South Circular, would encourage buildings up to 45m to go anywhere in that half of the borough, in completely inappropriate places (subject of course to the usual checks on impact – but which would not need to be so vigorous precisely because such proposals would not be defined as tall buildings).

¹Appendix 1

Furthermore, part (b) of the policy also effectively undermines the purpose of the London Plan to restrict tall buildings to sites identified in the plan-making process, by providing an exceptions clause which is wholly unnecessary and likely to encourage developers coming forward with inappropriate proposals on sites not identified. Part (a) already makes clear that tall buildings need to be assessed in terms of their visual, functional and environmental impacts. Part (b) simply supplements that requirement with the requirement of a “clear and convincing justification”: but, as the call-in case of 8 Albert Embankment demonstrates, currently even a site identified as inappropriate for tall buildings in the Local Plan and designated a Departure Application by the local planning authority, was still considered to have provided a ‘clear and convincing justification’ by dint of the fact that it was providing a large quantity of development (as tall buildings do!) and its impacts were not considered unacceptable.

It is not appropriate to encourage the public benefits case as a material justification in relation to proposals to breach the height limits in the table in paragraph 10.147. The impact of a tall building permission can provide unhelpful cover or precedent for other tall buildings not providing a public benefit. Thus, for example, the Doon St tower was recommended for refusal by the Inspector (2008) because of, amongst other things, its impact on views from inside the courtyard of Somerset House; however it was approved by the sec of State specifically because of its public benefits (a public swimming pool). Although the tower has not been built, the fact of the permission and its expected breach of the restriction viz Somerset House was used as justification by Southwark for the extension by 11 storeys of the Seifort IPC tower (now Southbank Tower) with no public benefits, and is now visible from inside the courtyard of Somerset House.