

Delegated Report 09/02510/RG3

Proposed Development At: Spring Gardens Vauxhall London		
For:	Relandscaping of the garden including demolition and replacement of existing dilapidated entrance walls and surfaces with new low level walls, construction of two concrete column uplighters, and new planting including trees.	
Plan References	Design and Access Statement, P118_02_01, P118_2_02, P118_2_03, P118_2_04, P118_2_05, P118_2_06, P118_2_07, P118_2_08, P118_2_09, P118_2_10, P118_2_11, P118_2_12	
Case Officer: Mrs Ruth Smithson	Date Recommendation made: 8 December 2009	Target Date: 15 December 2009
Section 106 Agreement Involved? NO		Recommendation: Grant Permission

Officer's Report

1.0 SITE

- 1.1 Spring Gardens is a public park located within Vauxhall, the area of the park which is the subject of this application is the entrance area located between the Royal Vauxhall Tavern and number 350 Kennington Lane.
- 1.2 The park is bordered by Kennington Lane to the South, the Albert Embankment to the West, Glasshouse Walk to the North and Tyers Street to the East. The park is experiencing renewal, with the commissioning of the Vauxhall Spring Gardens Framework Plan by Lambeth's Cultural Services. Phase 1 of this plan was the creation of an outdoor sports facility and a new tree lined square, which was completed in 2007.
- 1.3 The park is an allocated park within the UDP proposals map, and is also within the Thames Policy Area. An area of the park, surrounding St Oswald's Place is a site of local nature importance. To the North of the site is the Vauxhall Gardens Conservation Area, whilst to the South of the site is the Vauxhall Conservation Area, however the site is not located within any conservation area. St Peter's Church, Vicarage and C of E School are located to the South-East of the site and are Grade II* listed. To the south of the site is located a designated Local Centre.

2.0 RELEVANT HISTORY

- 2.1 17.09.1996- Planning permission granted In outline for the upgrading of the park, together with the erection of a multi function structure to include cafes, galleries, business space, community facilities, play- space, administrative offices, storage, etc; a 100m high tower, a staging/arena area in connection with its continued use as Public Open Space, the retention of farm paddocks and the holding of various public and private events throughout the year. (96/01228/PLANAP)
- 2.2 18.05.1992- Planning permission granted for the use of existing hardsurface area for training of motor cyclists. (92/01022/PLANAP)
- 2.3 05.06.1997- Planning permission granted for the construction of a circular boarding platform to provide the base for a tethered balloon ride along with the construction of a portable ticket office. (97/00187/FUL)

- 2.4 01.10.1998- Planning permission granted for the continuation of use of circular boarding platform, at ground level, to provide a base for a tethered balloon ride for the public, ascending to approximately 400ft high, & continued use of associated portable ticket office. (98/01016/FUL)
- 2.5 08.03.2006- Planning permission granted for the removal of existing games area, re-distribution of ground material and construction of a new multi-use games area including new play surface, fencing and four floodlights, along with associated hard and soft landscaping works. (06/00183/RG3)
- 2.6 31.08.2006- Planning permission granted for the removal of existing games area, re-distribution of ground material and construction of a new multi-use games area including new play surface, fencing and four floodlights, along with associated hard and soft landscaping works. (06/01958/RG3)
- 2.7 08.07.2009- Planning permission granted for the installation of ventilation louvers to the facades of buildings fronting Citadel Place and Vauxhall Walk. (09/01221/FUL)

3.0 PROPOSAL

- 3.1 Planning permission is sought for the re-landscaping of the entrance area of the site, including the demolition and replacement of the existing entrance walls and surfaces with new low level walls and services, the construction of two concrete column uplighters and new planting.
- 3.2 The proposed new walls would measure approximately 0.6 metres high and will also form edging for new planted areas. The walls would have angled tops. It is proposed to introduce new paving materials, including the paving of the majority of the area with reclaimed granite sets.
- 3.3 It is proposed to introduce two areas of dense planting either side of the entranceway, together with the planting of new trees; 11 on the side adjoining 350 Kennington Lane, and 5 on the side adjoining Royal Vauxhall Tavern.
- 3.4 It is proposed to construct two concrete column 'up-lighters', off-set with one another within the entrance to the park. The concrete columns would each measure approximately 18 metres tall and would measure 1.2 metres wide. Whilst two indicative figures are shown on the top of the columns, the current application does not propose statues. The columns would be lit with a linear recessed strip up their length, achieved through applying a fluorescent finish within a slot the length of the columns and illuminated at the base. The columns will be planted and covered with greenery to a height of 3 metres

4.0 CONSULTATION

- 4.1 Letters were sent to 27 neighbouring residents.
- 4.2 A site notice was erected on site on the 12th November 2009.
- 4.3 The following amenity groups/statutory consultees/council departments were consulted;
 - Parks and Open Spaces- No objection subject to conditions.
 - North Lambeth Town Centre Manager- No response to date.
 - Conservation and Design- No objection subject to conditions.
 - Arboricultural Officer- Referred to Parks and Open Spaces.
 - LBL Crime Prevention Adviser- No objection.
 - Lambeth Sports- No response received to date.
 - Transport for London- No response received to date.

Association of Waterloo Groups- No response received to date.
 Vauxhall Society- No response received to date.
 Manor of Kennington Residents Association- No response received to date.
 Waterloo Action Centre- No response received to date.
 Waterloo Community Development Group- No comment.
 Kennington Association- No response received to date.
 Friends of Spring Gardens- Support
 Vision for Vauxhall- No response received to date.

4.4 One objection and one letter of support was received as a result of the consultation.

No. of Letters Sent	No. of Support	No. of Comments	No. of Objections
27	1	0	1

Objection	Response
<ul style="list-style-type: none"> The proposed line of trees to be planted near and adjacent to the fence line of the property at 350 Kennington Lane, could, dependant on what trees are planted and if no regular pruning or topping takes place, the growth of them will in the near future provide a climbing aid to assist access over the boundary fence with number 350 Kennington Lane, and will create hidden areas along the boundary fence with 350 Kennington Lane. It is suggested that no trees are planted along or adjacent to the fence, this would keep the openness of the area and reduce hidden areas. 	<ul style="list-style-type: none"> It is considered that whilst the planting of trees is part of the overall soft landscaping of the proposal, the planting of trees does not require planning permission and as the Council would be unable to sustain a reason for refusal on these grounds. However the objectors concerns are noted and it is considered appropriate to condition that dwarf trees are planted in this location. Lambeth's Crime Prevention Adviser did not have any objections to the application.

5.0 RELEVANT POLICIES

5.1 Unitary Development Plan (2007) Policies:

Policy 7: Protection of Residential Amenity
 Policy 8: Accessible Development/Integrated Transport
 Policy 9: Transport Impact
 Policy 32: Community Safety, Designing Out Crime
 Policy 39: Streetscape, Landscape and Public Realm Design
 Policy 47: Conservation Areas
 Policy 50: Open Space and Sports Facilities
 Policy 78: Spring Gardens

5.2 The current up to date statement of the Council's planning policies is contained in the Adopted Lambeth UDP adopted on 6th August 2007. This is the statutory plan for the Borough, and replaces the Adopted Plan from 1998. It will be used to determine all planning applications in the Borough.

6.0 PLANNING CONSIDERATIONS

Land Use

6.1 Policy 50 states that the Council will protect Open Space within the borough. When considering development proposals in parks, the Council will ensure an appropriate balance between active recreation and quiet enjoyment. The enhancement and improvement of parks is promoted in accordance with Lambeth's objectives for parks, in particular in terms of biodiversity, safety,

and accessibility.

- 6.2 There are no proposed changes to the land use. The park would remain as such and would remain a public facility; the alterations are to the entrance rather than the equipment within the park. As such it is considered that there are no land use issues pertaining to this application.

Design and Conservation Considerations

- 6.3 Policy 78 is in specific regard to Spring Gardens and states that the improvement and extension of Spring Gardens (through road removal) will be pursued in partnership with local groups, including better links through the railway arches. Nearby development should complement the setting of and views from Spring Gardens and contribute towards its improvement and not result in the domination or overshadowing of the open space. The following text states that Spring Gardens is an important local space which was the historic location of the famous Vauxhall Gardens which needs significant improvement.
- 6.4 Policy 8 states that development should, where possible, be located and designed to be accessible by the whole community and promote social inclusion (including those with reduced mobility), and to reduce reliance on the private car.
- 6.5 Policy 39 (a) relates to Streetscape, Landscape and Public Realm design and states that development should provide or enhance an uncluttered, consistent, simple, accessible and co-ordinated public realm, with robust and appropriate materials and landscape design, enhancing the setting, connections and spaces between building. The design and provision of all important street elements and furniture (including public art) should be co-ordinated, wherever possible, to make a positive contribution, avoiding unnecessary clutter, and ensure a safe, informative and attractive environment. Development should include landscape design that enhances the area. This will include a design which reflects the way in which the area will be used and the character of the locality and surrounding buildings with an adequately-designed landscaped frontage (including trees and shrubs) where possible.
- 6.6 Policy 47(g) states with regard to development outside a Conservation Area that development should not harm the setting of the area or harm views into or from the area.
- 6.7 Lambeth's Design and Conservation Team were consulted on this application and did not object to the scheme.

Columns and Signage

- 6.8 It appears that the historic research which has been undertaken into the history of the park has informed the details of the applications and it is acknowledged that the proposed columns are part of a much larger scheme to regenerate the park. It is considered that the regeneration and profile-raising of Spring Gardens would be a welcome development as the area has long been neglected.
- 6.9 It is considered that the columns would not adversely impact upon the setting of the nearby listed buildings or the character and appearance of the conservation area. However, it is considered that due to the size and prominence of the columns comprehensive conditions are needed should the application be recommended for approval. The materials of the columns are important and it needs to be ensured that the concrete is of the best quality and details are provided regarding its weathering to guarantee that structures are not quickly discoloured and weathered. Furthermore it is considered more details regarding the lighting of the columns is required to ensure that the lighting used is of the best quality and uses an approach that will enhance the columns and would not adversely impact upon the streetscene, or the adjoining conservation area.
- 6.10 The Parks Officer has commented on the proposed entrance signage, and states that whilst new and improved signage is welcomed there is concern as the name on the signage appears to change the name of the park and that this would obviously have implications in terms of

altering other materials and literature and replacing existing signage. Whilst there is obviously a need for the name to be clarified and approved by the Council's Parks Service, it is beyond the remit of planning to comment on what the signage states/reads. However it is considered that there is a need for further details requiring the construction of the proposed signage together with detailed drawings as limited information regarding this has been provided regarding the design and materials of the proposed signs.

- 6.11 It is noted that the Park's Projects Officer raised concerns regarding the possibility of statues on top of the columns, this is not part of the proposed application is shown illustratively. Any future alteration of the proposed columns, including the installation of statues would require a further planning application.

Hard and Soft Landscaping

- 6.12 It is considered the introduction of the proposed hard and soft landscaping would result in a consistent and co-ordinated approach to the park entrance and is acceptable in principle. Lambeth's Parks and Projects Officer commented on the application and has requested a condition requiring further details of the proposed hard and soft landscaping to include details regarding the plantings of shrubs, ground cover, grass, climbers or specimen plants as well as details regarding prior ground preparation and aftercare. This detailing is required to ensure that the proposal is properly maintained and executed, ensuring that the park retains a suitable and attractive open space.
- 6.13 The Park's Projects Officer raised concerns regarding some of the materials utilised for the hard landscaping of the entrance. The Officer is concerned that the use of Granite Setts would lead to access difficulties for wheelchairs and the less able, as unless the surfaces of areas containing the setts is will finished and flush with any mortar or grout, then this can make movement across by wheelchairs and pushchairs problematic. It is also a concern that these features can weather and deteriorate over time, leading to accident or trip problems. It is considered that the concerns regarding the use of the granite setts and access issues are valid and will need to be addressed for the application to be acceptable. It is considered that should the application be found to be acceptable a condition requiring details of how the granite setts will be laid, with consideration paid to the weathering of the surface. It is also considered pertinent that a condition is imposed assessing the proposed resurfacing in terms of disability and access to demonstrate that the park would remain accessible for all.
- 6.14 It is considered that with the imposition of conditions, the proposal is acceptable in design terms. The proposal creates a comprehensive and consistent approach to the park, designed to 'open-up- the entrance of the park and enable the park to address the street, providing clear site lines. It is considered that the proposed columns would provide a focal point to the area, without resulting in unnecessary visual clutter. It is considered that the proposal would not adversely impact upon the setting of the surrounding listed buildings, not upon the character and appearance of the adjacent conservation areas. As such it is considered that the proposal complies with policies 39 and 41 of the Unitary Development Plan (2007).

Transport Issues

- 6.15 Policy 9 states with regard to transport impact that planning applications will be assessed for their transport impact, including cumulative impacts on highway safety, on the environment and the road network, and on all transport modes.
- 6.16 Lambeth's Transport Officer has commented on the proposal and has no objections on transport grounds. However the Officer had concerns regarding the potential visual impact of the columns, particularly at night as the combination of the height and illuminations may be a distraction to drivers on Kennington Lane. It is therefore recommended that conditions are imposed to ensure that the lighting does not flash or strobe, and that light should not be directed toward, or illuminate the vehicular carriageway.

- 6.17 Amenity Impact
- 6.18 Policy 33 states that development should protect the amenity of existing and future residents by, notably, having an acceptable impact on daylight and sunlight, not creating unacceptable overlooking and not creating an undue sense of enclosure.
- 6.19 In this case, it is considered that due to the distance between the proposed development and the nearest residential occupiers (over 20 metres) and the nature of the proposed development there would be minimal impact upon neighbouring residential occupiers in the vicinity and would not unduly impact upon the amenities of neighbouring residential occupiers.
- 6.20 Policy 7 states that the right of people to the quiet enjoyment of their homes will be respected. In predominantly residential areas the establishment of new, or intensification of an existing, incompatible non-residential use, likely to have a materially adverse environmental and/or traffic impact will not be permitted.
- 6.21 In this case, it is considered that there would not be an increase in noise disturbance from the site. The use of the site is not intensifying and the columns would not create noise. As such it is considered that the proposal complies with policy 7 of the Unitary Development Plan.
- 6.22 Crime Prevention
- 6.23 Policy 32 on community safety/designing out crime states that development, including alterations, extensions and changes of use, should enhance community safety. Development will not be permitted where opportunities for crime are created or where it results in an increased risk in public disorder. Any public spaces and access ways through or adjoining a site should be overlooked, have appropriate lighting, be set away from cover and provide clear sight lines.
- 6.24 Lambeth's Crime Prevention Officer was consulted on the application and raised no objections to the proposal. As such it is considered that the proposal is acceptable and complies with policy 32.
- 7.0 Conclusion
- 7.1 There is a strong policy guide towards plans to regenerate Spring Gardens and the proposal is considered acceptable in terms of visual amenity, crime and disorder, the impact upon transport and impact upon nearby residential properties, however this is subject to conditions. As such it is considered that the proposal complies with policies 7, 8, 9, 32, 39, 47, 50 and 78 of the Unitary Development Plan (2007).
- 8.0 Recommendation
- 8.1 It is therefore recommended that the application be APPROVED.

Summary of the Reasons:

In deciding to grant planning permission, the Council has had regard to the relevant Policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Policies were relevant:

Unitary Development Plan (2006)

Policy 7: Protection of Residential Amenity

Policy 8: Accessible Development/Integrated Transport

Policy 9: Transport Impact
Policy 32: Community Safety, Designing Out Crime
Policy 39: Streetscape, Landscape and Public Realm Design
Policy 47: Conservation Areas
Policy 50: Open Space and Sports Facilities
Policy 78: Spring Gardens

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 Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping which shall include details of a full planting schedule including details regarding ground preparation and aftercare together with full details and a sample of the granite setts including details of construction and how the surface is expected to weather. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure satisfactory landscaping of the site in the interests of visual amenity (Policy 39 of the Unitary Development Plan (2007) refer).

- 3 Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, details and a sample of materials to be used in the proposed columns including information of how it weathers. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure that the proposed columns are of a high quality construction and would not weather to be detrimental to the character and appearance of the area, nor would have an undue impact upon the character and appearance of the Conservation Area. (Policy 39 of the Unitary Development Plan (2007) refer).

- 4 Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority detailed drawings and a schedule of materials regarding the proposed signage. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: Reason: In order to safeguard the visual amenities of the locality and the character and appearance of the Conservation Area (Policies 39 and 47 of the Unitary Development Plan (2007) refer).

- 5 Notwithstanding any indications illustrated on drawings already submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, details of the proposed lighting, including the lighting of the columns. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: Reason: In order to safeguard the visual amenities of the locality and the character and appearance of the Conservation Area and to ensure that the development does not adversely impact upon highway safety (Policies 9, 39 and 47 of the Unitary Development Plan (2007) refer).

- 6 The proposed lighting shall not be directed towards, or illuminate the vehicular carriageway. The proposed lighting shall not flash or strobe.

Reason: To ensure that the development does not adversely impact upon highway safety (policy 9 of the Unitary Development Plan (2007) refers).

- 7 Prior to the implementation of the development hereby permitted, a disability and access assessment

shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the implication the surface materials would have on access to the park. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: To ensure that the development does not unduly impact upon the access to the park for those with reduced mobility (policies 8 and 39 of the Unitary Development Plan (2007) refer).

- 8 Notwithstanding any indications submitted, the proposed no. 5 trees to be planted along the boundary with number 350 Kennington Lane should be of a dwarf species and should be regularly pruned. The soft landscaping scheme required by condition 2 shall reflect the requirements of this condition. The development shall thereafter be carried out solely in accordance with the approved details.

Reason: In order to prevent opportunities for crime and disorder. (Policy 32 of the Unitary Development Plan (2007) refers).

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 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.
- 3 Your attention is drawn to the need to comply with the requirements of the Control of Pollution Act 1974 concerning construction site noise and in this respect you are advised to contact the Council's Environmental Health Division.
- 4 You are advised of the necessity to consult the Council's Highways team prior to the commencement of construction on 020 7926 9000 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.
- 5 Your attention is drawn to the provisions of The Party Wall Act 1996 in relation to the rights of adjoining owners regarding party walls etc. These rights are a matter for civil enforcement and you may wish to consult a surveyor or architect.
- 6 You are advised that the following species of tree are considered appropriate for the proposed no. 5 trees to be planted along the boundary of number 350 Kennington Lane;

Acer campestre 'Nanum' (Dwarf Field Maple)

Acer pseudoplatanus (Sycamore) 'Brilliantissimum'

Aesculus hippocastanum (Horse Chestnut) *Digitata*

Buxus sempervirens *Arborescens* (Box)

Corylus avellana *Zellernus* (Red Filbert)

Crataegus monogyna 'Alboplana'

Fraxinus ornus (Flowering Ash) 'Meczek'

Ilex aquifolium (Common Holly)

Ilex aquifolium (Holly) 'J C Van Tol'

Sorbus aria (Whitebeam)

Sorbus discolor (Rowan)

Sorbus x thuringiaca (Hybrid Service Tree) 'Fastigiata'