

GREATER **LONDON** AUTHORITY

(By email)

Our reference: MGLA240222-5297

Date: 21 April 2022

Dear [REDACTED]

Thank you for your request for information which the Greater London Authority (GLA) received on 22 February 2022. Your request has been considered under the Environmental Information Regulations (EIR) 2004.

You requested:

Please can you provide the representation to the two rounds of consultation as a matter of urgency. Please could you provide the HE representations first if this involves a lot of work with the rest of the responses.

Please find below and attached the information we hold within the scope of your request.

1. An excel spreadsheet of comments received via our online portal.
2. Consultation responses received directly by email.

Please note that the names of individuals and any biographical information provided are exempt from disclosure under Regulation 13 (Personal information) for the purpose of the EIR. Information that identifies specific individuals constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject

If you have any further questions relating to this matter, please contact me, quoting the reference MGLA240222-5297.

Yours sincerely

Information Governance Officer

GREATER**LONDON**AUTHORITY

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED] >
Sent: 04 February 2022 23:54
To: Popes Road; Mayor of London; [REDACTED] John Finlayson
Subject: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265) - 2nd REVISION - Environment (objecting)
Attachments: Pope Road - Written Representation - 3.pdf

Dear Mr. Mayor, [REDACTED] and Mr. Finlayson

I hope you are well.

Please find attached to this email my written representation on environment which is in objection to the Hondo Enterprises REVISED planning application on Pope's Road in Brixton.. It would be much appreciated if you could provide acknowledgement of your receipt of this email.

I look forward to hearing from you soon.

Kind regards

[REDACTED]

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20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265) – 2nd Revised Plan

Written Representation Submitted by:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

This representation is an environmental assessment written in response to the newest amendments to the Hondo Tower development, an office tower designed by Adjaye Associates in collaboration with AKT II.

Since the previous phase of consultation, the following amendments have been made to the scheme:

- Increased operational energy savings from 31.5% to 39%
- Submission of a Whole Life Cycle Carbon Assessment
- Submission of a Whole Life Cycle Spreadsheet

This report analyses these three specific additions/amendments.

I) Operational energy

As it pertains to operational energy, **Policy SI 2C** of the London Plan states:

“A minimum on-site reduction of at least 35 per cent beyond Building Regulations 152 is required for major development. Residential development should achieve 10 percent, and non-residential development should achieve 15 percent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

1) through a cash in lieu contribution to the borough’s carbon offset fund

2) off-site provided that an alternative proposal is identified and delivery is certain.”

Before the December 2021 amendments to the scheme, Hondo Tower only achieved 31.5% on-site reduction, according to its 2020 Energy Statement prepared by Hurley Palmer Flatt. The new changes have increased the on-site energy reduction to 39%, effectively complying with policy SI 2C of the London Plan.

The major difference between the two energy statements, which allows for this 8-point increase in energy reduction, is the addition of Solar Panels on the lower part of the flat roof in the 2021 Energy Statement. In the most recent documents package submitted by the developer to the GLA is a plan drawing of the building, displaying the layout of the solar panels.

However, the 2020 Hurley Palmer Flatt Energy Statement states that:

“Roof space is limited on this development. Most of the space facing south and west where there is no overshadowing will be reserved for plantroom. Therefore, solar PV panels have been deemed not viable for this development.”

This quote effectively suggests that, in order for solar panels to be added to the development, the plant room would have to be removed from the roof. However, it is unclear whether this has indeed happened. The 2021 Energy Statement includes a plan of the basement, which contains a plant room – however, July 2020 plan drawings of the Basement, submitted by Adjaye Associates, also show a plant room in the basement, containing an identical room layout. Therefore, the plant room plan contained in the 2021 Energy Statement cannot be a plant room moved from the roof of the building to the basement – but rather is a drawing of an existing basement plant room. It is also unclear whether changing from two plant rooms (one of the roof, and one in the basement) to a single plant room (in the basement) is feasible, as the developer has not provided any justification for the feasibility of this option.

Since it is unclear if where the roof plant room has been moved to, it is difficult to accept that Solar Panels can still be implemented within the building. Until further justification is given, the operational energy savings remain at 31.5%, below the 35% target.

As mentioned in my previous representation, this failure to comply with the 35% on-site reduction requirement can be explained by specific design flaws in the building:

- The amount of glazing in the building dramatically increases heating and cooling demand, as windows constitute the largest source of heat loss in a building
- Columns, unlike walls, are uninsulated - the presence of over 65 columns in the building provides sources of cold bridging, in other words means for heat to escape
- Other structures, such as solar panels, cannot be added to the development because Hondo Enterprises has decided on a different purpose for the roof.
- Taller buildings are disproportionately more energy-intensive. A [2017 UCL study](#) funded by the Engineering and Physical Sciences Research Council (EPSRC). Wind Speed dramatically increases with height, especially for buildings which, like the Hondo Tower, are much taller than neighbouring buildings. This requires significantly more energy used for cooling. Similarly, tall buildings are exposed to higher direct hours of sun, requiring more energy for cooling.

Furthermore, **Policy EN4** of the Lambeth Plan, states:

“D. Proposals should demonstrate in a supporting statement that sustainable design standards are integral to the design, construction and operation of the development. [...]Planning applications for non-residential developments should be accompanied by a pre-assessment, demonstrating how the BREEAM standards, or any future replacement standards, will be met.”

Apart from solar panels, the scheme only incorporates 1 “Be Green” Renewable Energy Technology, namely air source heat pumps. Within the Hurley Palmer Flatt Energy Statement, the following technologies are screened out:

Name of Technology Screened Out	Reason for Screening out (Amongst others)
Bio-fuel combined heat and power (CHP) local in the building	No constant hot water baseload demand
Fuel Cells	Insufficient space allowed for a fuel cell and associated auxiliary equipment within plan room
Biofuel Community heating scheme local in the building	Insufficient space for fuel storage Insufficient space for biofuel boiler

Wind turbines	Insufficient wind speeds Excessive Noise Disturbances
Photovoltaics (PV) – FEASIBILITY STILL UNDER REVIEW	Insufficient roof space, as most of the south facing roof space will be reserved for the plant room
Ground source heat pumps	Insufficient space allowed for a Ground Source Heat Pump and associated auxiliary equipment within Plant Room

Table 1. ‘Be Green’ Technologies Screened out in Hondo Tower Scheme

Moreover, air source heat pumps - although very sustainable - are powered by electricity. Unfortunately, the developer has not provided a low carbon source of electricity, which makes heating a carbon intensive process. What’s more, the high quantity of glazing, coupled with the building’s height and lack of insulation unnecessarily increase heating demand, which will unnecessarily increase the carbon footprint of the building - so long as low carbon electricity generation is not an option within the scheme.

The lack of ‘Be Green’ policies included in the scheme highlights a lack of consideration for sustainability within the building’s initial design. The Hurley Palmer Flatt Energy Statement was conducted subsequent to the scheme design, and therefore suggests that sustainability was not an integral part of design.

II) Whole Life Cycle Carbon Assessment

In December 2021, Hondo Enterprises finally submitted a Whole Life Cycle Assessment of the scheme. These assessments are required under **Policy SI 2 F** of the London Plan:

“Development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.”

Moreover, Policy **SI 2 E** adds:

“Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.”

III) Environmental significance Whole Life Cycle Assessments

Clause 9.2.1 of the London Plan adds that approximately **78% of London’s greenhouse gas emissions come from London’s homes and workplaces**. The carbon emissions of buildings are broken down into two distinct components. **Operational carbon** refers to the carbon emitted in running a building - heating, lighting, ventilation, cooling. **Embodied carbon**, on the other hand, focuses on the carbon emitted during construction itself. As the GLA’s guidance on WLC assessment states, embodied emissions refer to:

“those associated with raw material extraction, manufacture and transport of building materials, construction and the emissions associated with maintenance, repair and replacement as well as dismantling, demolition and eventual material disposal.”

Embodied carbon covers 30-50% of the total carbon footprint of a building - with operational carbon covering the rest. Moreover, embodied emissions are the first emissions of a building: once the building is in operation, the overwhelming majority of a building’s embodied carbon has already been emitted. The operational carbon benefits that a building can bring through solar panels,

mechanical ventilation, and heat pumps are effectively trying to offset the embodied carbon already emitted.

Embodied carbon therefore constitutes the most immediate component of a building's carbon footprint, and should therefore be comprehensively analysed by the GLA to comply with its December 2018 Climate Emergency Declaration.

IV) Scrutiny at Planning stage

In the November 2020 Planning Application Committee hearing, Cllr. Rebecca Thackray scrutinised the developer over their lack of transparency regarding the building's carbon emissions. At the hearing, Oliver Sheppard, a Director at DP9, one of the developer's planning consultants, stated that a pre-application whole life cycle assessment had been conducted. This is inaccurate: the developer's sustainability statement, written by Hurley Palmer Flatt, states, pages 41 and 42:

"A Life Cycle Assessment will be produced for the Proposed Development at RIBA stage 1 to reduce the burden on the environment from construction products by recognising and encouraging measures to optimise construction product consumption efficiency and the selection of products with a low environmental impact (including embodied carbon), over the life cycle of the building."

However, RIBA stage 1 is a 'Preparation and Briefing' stage whereas RIBA Stage 3 includes the submission of a Planning Application. The planning application submitted by the developer did not contain a WLC Assessment. **The assessment was only submitted in December 2021, after multiple rounds of consultation, and after my own initial representation. This is a clear indication of a failure on the developer's part to make sustainability an integral part of the design, which contravenes policy EN4 of the Lambeth Plan.**

V) Analysing the developer's WLC Assessment

Inevitably, the inputs into the developer's WLCA – prepared by Hurley Palmer Flatt - aren't included within the assessment itself, meaning that it is difficult to discuss and challenge gross values for stage A, stage B, or stage C emissions. A more detailed breakdown of the number of piles, the percentage of steel reinforcement, the size of beams, columns, and slabs – all would be required for the community to better understand the true carbon footprint of the structure.

Nevertheless, some statements made in the developer's WLCA are misleading and/or incorrect.

Firstly, the WLCA claims, page 13, that the total Whole Life Carbon, covering the product stage, construction process stage, usage stage, and end-of-life stage of the building's life, is "1089 kg/CO₂e/m²". This, according to HPF's own spreadsheet, is incorrect - 1089 kg/CO₂e/m² corresponds the carbon emissions in stages B6 and B7 (operational energy).

According to the spreadsheet:

	Module A1-A5	Module B1-B5	Module B6-B7	Module C1-C4	Module D
TOTAL kg CO₂e	14,256,189 kg CO ₂ e	4,439,714 kg CO ₂ e	29,832,031 kg CO ₂ e	153,232 kg CO ₂ e	- 2,218,467 kg CO ₂ e
TOTAL kg CO₂e/m² GIA	520.489	162.093	1089.158	5.594	-80.996

Table 2. Developer's Total Carbon Emissions Calculations

The total whole life carbon of the development, corresponding to the sum of carbon emissions from stages A1 to D, therefore corresponds to $520+162+1089+5.6-81=1696$ kg/CO₂e/m², which is considerably higher than the 1089 kg/CO₂e/m² mentioned in the WLCA. It is unclear why the developer understated the whole life carbon footprint of the development in this manner.

Moreover, the WLCA states, page 14 that the total embodied carbon (Whole life carbon minus operational energy, minus end of life stage), is equal to 658 kg/CO₂e/m². This also contradicts the developers' spreadsheet, from which, according to Table 2, the total embodied carbon emissions should be equal to $520 + 162 + 5.6 = 687$ kg/CO₂e/m². Therefore, as is the case for the total whole life carbon calculation, the total embodied carbon calculation understates the true carbon footprint of the building.

In addition, the WLCA compares the carbon footprint of the substructure and the superstructure to a carbon benchmark called the "One Click Carbon Heroes" benchmark. However, this carbon benchmark can only be used for total carbon, not substructure and superstructure individually. Choosing to apply the benchmark to one section of a building artificially inflates the sustainability of a building. As a result, the carbon rating for both substructure and superstructure is B (pages 16 and 17), but the carbon rating for the whole building is E. The gap can be attributed to using a building wide benchmark for a section of the building, as opposed to the whole building. To present a more honest result, the developer should not have divided their building this way when establishing their carbon benchmark.

Whilst the model is difficult to check, it seems difficult to comprehend that how the development could score an E on the One Click Carbon Heroes base, and yet meet the GLA Aspirational Benchmark for carbon efficiency. **This requires a detailed review by the Mayor, to establish the reason behind this enormous disparity.**

What's more, the developer adds that an aluminium curtain wall will be included in the development. However, the WLCA admits that aluminium has a high embodied carbon footprint – considerably higher than the embodied carbon footprint of steel. It also recognises that recycled aluminium will be difficult to procure, meaning that the curtain wall will have to be composed of new aluminium. In other words, the inclusion of an aluminium curtain wall will be hugely carbon intensive. It is unclear, however, as to whether or not this was included within the carbon assessment of the scheme. Moreover, the developer is unclear as to where the aluminium will be sourced from. Should it be sourced from a foreign country, the developer would have to incorporate transport emissions of aluminium within the whole life cycle calculations.

**

Overall, inconsistencies remain regarding the sustainability of the building, with mistakes made in the report on the total carbon footprint calculation, and the total embodied carbon calculation. The developer's use of the "One Click Carbon Heroes" benchmarks misleads the reader as to the sustainability of the development. These inconsistencies, alongside the late submission of the WLCA, show a blatant lack of consideration for sustainability issues within the scheme. Moreover, the disappearance of the roof plant room is yet to be explained. Therefore, as it stands, the development is in breach of the following policies:

- **Policy SI 2C of the London Plan** – Due to the failure to meet the 31.5% energy savings threshold

- ***Policy EN 4 of the Lambeth Plan*** – Due to the clear failure to thoroughly consider sustainability within the scheme

As a result, I urge the mayor to reject this application.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 01 February 2022 08:41
To: Popes Road; [REDACTED] Mayor of London
Cc: John Finlayson
Subject: 20-24 POPE'S ROAD (GLA Stage 3 ref: 2021/0265) - Written Representation on Transport
Attachments: India Burgess written representation - transport.pdf

Dear Mr Mayor and [REDACTED]

I hope you are both well.

Please find attached to this email my written representation on transport which is in objection to the Hondo Enterprises planning application on Pope's Road in Brixton. I have updated it in line with the most recently announced amendments to the development.

It would be much appreciated if you can provide acknowledgement of your receipt of this email.

I'll look forward to hearing from you soon. Thank you in advance.

Kind regards,
[REDACTED]
[REDACTED]
[REDACTED]

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20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:

[REDACTED]

Transport Written Representation – Planning Application 2020/5276/S1

I have received the most recently revised application, and am resubmitting my written representation in opposition to the development proposed by Hondo. The revisions again do not change the negative impacts the development would have on local transport, local marginalised communities, the environment, local heritage, the local economy, and daylight for surrounding residents.

Below is the written representation which I submitted on 12th December 2021. The representation below was posted to the address provided by the GLA on the website, so I am not sure whether the paper copy was received.

Best wishes,

[REDACTED]

Written Representation – 12th December 2021

The recently revised application does not change any of the substantial negative impacts this development would have on local transport, local marginalised communities, the environment, Brixton's heritage, the local economy, and surrounding residents' daylight.

The amendments consist solely of employment funding and increasing the term of the affordable workspace. This fails to address any of the key concerns outlined below in relation to transport. In sum, these are:

- The development removes any future option to construct an Overground station in Brixton
- Hondo's assessment of the impact of the development on local public transport fails to adequately account for the additional trips in peak hours which will be generated because of the tower

Critically, by blocking an opportunity for the construction of an Overground connection in Brixton, the application breaches the London Plan and critically limits Lambeth's ability to implement a key policy commitment contained in its Local Plan.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.



N.B. In this written representation, I enclose my already submitted written representation (Friday 10th December 2021) for your information. Thank you for reading this submission.

Removing Option for an Overground Station in Brixton

Currently the Overground line that provides an east-west orbital public rail service for London passes through Brixton without stopping. These tracks are immediately adjacent to the application site. The only interchanges with radial routes in and out of London on the Overground line in south London are at:

- Clapham High Street -links to Clapham North on the Northern Line of the London Underground via a walk across a main road
- Denmark Hill- link to Thameslink

The next nearest link to the London Underground is at Canada Water.

Lambeth Council made a commitment to introduce an overground connection on the East-West Orbital Line between Highbury and Islington and Clapham Junction in the Council's 2015 Local Plan. Para 2.197 of the newly adopted Lambeth Plan 2021 states that:

*As already highlighted under section B above, it will not be possible to achieve the significant levels of housing and economic growth set out in the Local Plan without the supporting **transport infrastructure** required for people to travel to and from work, shops and leisure destinations. **Existing public transport in Lambeth is already very well used and over capacity in some cases, and current improvements will not achieve the level of capacity increase that is needed.** Public transport accessibility also varies, with some parts of the borough – particularly in the south – quite poorly served. **Overall, radial transport (into the centre of London) is better in Lambeth than orbital transport (east-west).** Investment in station capacity, **track layouts** and signalling improvements as part of the 'metroisation' of rail services is required to support the transport infrastructure capacity needed in the borough. Improved sustainable transport links will also help to reduce borough wide carbon emissions.*

Lambeth's current Public Transport policy is set out in T4 of Section 8 of the Lambeth Plan 2021 and this includes a continued commitment to 'improved interchanges and east-west orbital links'. Additionally, in Section 11 of the Lambeth Plan 2021 (Places and Neighbourhoods) ,the policy states at para 11.55 in relation to Brixton station that

'improved access to east to west rail services, such as the Overground, is also desirable and the council is keen to explore longer term options to deliver this'.

Section 8 of Lambeth Plan 2021 states at par 8.1 that:

*The **Lambeth Transport Strategy 2019** and **Transport Strategy Implementation Plan** sets out the council's strategic vision for transport in the borough. Development is expected to support delivery its objectives.*

And para 8.23 states that:

*The key transport infrastructure projects to be delivered during the plan period are listed in the **Infrastructure Delivery Plan**.*

The Adopted Local Plan para 2.32 states that, according Lambeth's Transport Strategy 2019, passenger growth over the past 10 years on the overground has been 'strong'.

The Lambeth Infrastructure Delivery Plan 2020 states at para 4.3 that:

"The following projects are expected to be delivered between 2024/25 and 2034/35: ...

- *Orbital rail connections – a set of infrastructure improvements, **including the provision of new platforms to provide an interchange with London Overground and other orbital services in the Brixton/Loughborough Junction area**, as well as platform lengthening to accommodate longer trains at Wandsworth Road and Clapham High Street"*

Annex 1 of the Delivery Plan references the Lambeth Local Implementation Plan III March 2019, which states at Outcome 5 ("Public Transport will meet the needs of a growing London"):

*"The overarching aim of the MTS [Mayors Transport Strategy] is to reduce the amount of traffic on our roads so when looking at how to increase the number of journeys by public transport we need to consider how it can be made a more attractive option for car drivers... While fewer than 10% of journeys to work are made by car in the central and northern parts of the borough, nearly 20% of commutes in the south of the borough are by car. The breakdown of where commuter inflows and outflows are heading shows that **it is largely orbital travel to the west, east and south where the opportunities lie**. An improved public transport offer to these destinations has the potential to attract car drivers... Improvements to suburban rail services in London, such as the **London Overground orbital route** have shown how good quality public transport offer attracts customers. Clapham High Street station on the **Overground orbital line has seen a dramatic growth in passenger numbers of nearly 1,000% over 10 years**. TfL's business case for devolving control of other suburban rail lines to be under the Mayor's control highlights how **people in Streatham choose to take bus services to access the high frequency Victoria Line at Brixton, rather than use closer rail stations with an infrequent service**. **Delivery of a south London metro service on these suburban lines would be a big opportunity to increase mode share of public transport**... We will work with industry stakeholders and through the planning process to secure improvements to capacity, access and **interchange** at Waterloo, Vauxhall and **Brixton stations and investigate options for an additional Overground station in the borough.**"*

The same plan notes that Lambeth must 'apply London Plan policy T3 to support and safeguard improvements to public transport'.

The development would contravene Policy T1 in the London Plan titled 'Strategic Approach to Transport'. This policy requires that:

“All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London’s transport networks and supporting infrastructure are mitigated.”

It is therefore abundantly clear that the Lambeth Plan 2021 recognises the popularity and success of the east-west Overground service in reducing commuter car use and is committed to pursuing opportunities for introducing an interchange station on the Overground in the Brixton area.

The feasibility of introducing an overground station at Brixton was addressed in a study conducted for the Council by Steer Davies Gleave in 2014. The 2014 feasibility study found that the number of passengers using Lambeth’s four overground stations grew over the previous five years, higher than previously estimated. Additionally, by creating direct travel options in south London to destinations at that time, and still at present, only possible via ‘circuitous routes via public transport’ would align with sustainability goals as well as ‘generate a base level of demand in the order of two million passengers’.

The study demonstrated that a station could be constructed at Brixton interchange with the Victoria Line London Underground, together with interchange connections to the Chatham and Catford Loop lines.

One of the 2 options considered in the study was to swap over the existing Catford Loop Line tracks with the Overground tracks and create a platform between them to serve both lines. This platform would be situated on the site of the Hondo application. Another option considered was to construct a high-level viaduct and station over the existing Catford Loop line. This again would involve a platform being situated on the site of the Hondo application.

Clearly both of these options would necessitate making use of the application site to be able to achieve a new stop on the Overground line at Brixton and therefore the proposed Hondo development would remove a key opportunity to improve Brixton and London’s public transportation. This would be in contravention with the Mayors London Plan policies T1 and T3 and would severely limit Lambeth’s ability to implement its policy commitments as spelled out in its Local Plan.

Removing the opportunity to construct an overground station which would bring considerable benefits to the area does not appear to align with a policy of safeguarding as committed to over a 6-year period.

Further, the London Plan – according to the Good Growth Fund page on the GLA website – *“sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years”*. Looking to the long-term development of public transport infrastructure in South London, preventing a prime opportunity to integrate environmental and social goals by improving connectivity in an area not met by an underground route or Network Rail, is in distinct discord with this purported strategy. This also links to the circular economy strategy, moving towards a more extensive, high quality public transportation network with low emissions and significant reach.

The Hondo development would limit future public transport opportunities and provides insufficient mitigation for removing the possibility of an Overground connection in Brixton. As well as the above policy breaches, this is in contravention to the Planning Performance Agreement signed in 2019. Paragraph 6.2 states that the development must promote:

“Sustainable modes of transport whilst minimising any impact on the amenity of residents. The scheme **should serve as an example that can be built upon in the development of proposals for further expansion in line with the council’s programme**”.

The development cannot serve as a suitable example for future developments if it obstructs a future key transportation connection in the local area. Further, paragraph 8.3 iii states that the proposed scheme must be

“Serviced in an acceptable manner and delivers appropriate infrastructure to **optimise accessibility by a choice of transport modes**. To ensure that the construction of any future development **minimises the impact on surrounding Network Rail assets and the operational railway**.”

The development reduces accessibility by a choice of transport modes due to its obstruction of the establishment of a new Overground connection in Brixton. As a consequence of this, its situation between two rail viaducts indeed impacts surrounding Network Rail assets and railways.

In 2014, at a Mayor’s Question Time, it was outlined that the cost of constructing the station and relevant infrastructure would cost upwards of £80 million. Compared to the budget allocated to an entirely new national rail station being constructed in Reading at Green Park – circa £17 million (comprised of £9.15 million from the Local Growth Fund, Section 106 developer contributions of £5.6m, and £2.3 million from the Department for Transport’s New Station’s Fund) – including an entire station building and road connections, it appears these could be an overestimation.

Further, the potential benefits an overground connection could bring to Brixton have been analysed by several sources. In 2018, Clapham Transport Users Group argued in favour of the station in order to reduce dangerous overcrowding at Clapham North and Clapham Common tube stations on the Northern Line. In addition, growing passenger numbers to and from Brixton itself have increased the need for improved transportation capacity in the area. Opening an overground station on the Atlantic Road site, as stated in the 2014 feasibility study, would create commercial opportunities through its placement at the heart of Lambeth’s redevelopment plan. Despite high risks of disruption, close links to other transportation routes and high potential for commercial and residential development make the case for keeping the position between the viaducts a viable option fiscally logical. The developer’s figures underestimate the hindering impact on public transport that the development will have, in terms of capacity and long-term viability through passenger numbers for TfL. The Station Audit Assessment in the same study found Brixton’s railway station to be dismally underperforming. Although conducted in 2014, minimal changes have been implemented to alleviate conditions reported in the scathing assessment by Steer

Davies Gleave, finding Brixton station to lack signage, aesthetics, amenities, and sufficient access, in addition to being visibly poorly maintained with poor levels of service information.

It is therefore astonishing that neither the transport reports prepared for Hondo or the Lambeth officers report make any reference to the obstructed opportunity to open an Overground station, nor any consideration of the additional commercial benefits this may have brought to Brixton. The Brixton Society raised this issue in their objection to the application, but this was not addressed in the Officer's Report.

Hondo Considerations on Transport

Considerations made by Hondo to the impact of several hundred additional commuters entering and leaving Brixton are limited. Commissioned in March 2020, transport planning consultants Caneparo Associates prepared a transportation report for Hondo's development. The report's conclusion states that:

'The proposed development will result in an increase in trips made by public transport and active modes, which can be supported by existing capacity subject to further discussion with the highway authorities regarding mitigation measures to be secured by planning condition and/or S106 legal agreement.'

This projected increase in trips made by public transport is based on 2011 census data, which is 10 years out of date and crucially therefore does not take into account recent and current strategies within the borough and by the Mayor for London as a whole to reduce car use and increase use of public transport.

The figures projected by Caneparo totals 699 additional trips in the peak morning period and 635 after work hours end. The report goes on to state that, regarding the underground, train and buses it was considered that, despite 83.75% of employees not being residents (as stated in the Officer's Report) the impact would be either "negligible" or have no "material impact". This assessment appears to sit in contradiction to the conclusion of Lambeth Council's 2014 report that Brixton's Victoria Line station is 'overcrowded' and in need of relief. In addition, Hondo's report, produced by Volterra, on the job creation forecasts that an additional 1800 jobs would be created by the development. However, the trip generation figures only account for an additional 863 trips in the morning and 784 in the evening, including walking. These figures only include the extra transport demand from office space, stating that leisure and restaurant staff are not included in these figures due to them being 'secondary' trips. This logic is flawed, as these workers would be commuting as a direct result of the development. In addition, the GLA Stage 1 report at paragraph 60 states that trip generation for market and community must be factored into transport impact assessments, which Hondo did not as cited again in the GLA Stage 2 report paragraph 2.

The developers have been required, by TfL to provide a section 106 payment of £450,000 towards mitigating the impact on buses. This is due to be paid in two instalments – one six months' before completion and the second one year after the first. The two instalments of £225,000 are to pay for three additional bus journeys in the peak hour over two years. In this regard, three additional bus journeys for peak hours does not accord with a "negligible"

impact. In addition, the GLA Stage 1 report states bus contributions of £1.125 million was required from Hondo to cover three additional buses over a five-year period, but only £450,000 was agreed. The Planning Performance Agreement for the development signed in 2019 states at paragraph 7.2 that the developer must ensure “that appropriate S106 obligations are negotiated that contribute commensurately towards infrastructure in the area and that mitigate any impacts of the Scheme that there may be”. This does not appear to have been met, if only two out of five years of required bus mitigation funding has been agreed.

Hondo’s transport assessment (paragraph 7.6) states that “Sites have been selected from TRICS that are comparable in terms of location, accessibility, and parking provision” to provide insight into the development’s projected transportation impact. However, TfL’s website states that the TRICS database can be used if the sites are “similar to the proposed development in terms of location, scale, land use and car parking”. The sites chosen to compare with this development are almost all very different sizes to the site in question in terms of office space, and only one location is in Lambeth. We deem this to be in contravention to the recommended use of the TRICS database, and in disagreement with the statement in Hondo’s transport assessment.

The developer’s figures therefore underestimate and misrepresent the impact on public transport that the development will have.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.

[REDACTED]

[REDACTED]

From: Save Nour [REDACTED]
Sent: 03 February 2022 20:42
To: Popes Road
Cc: John Finlayson; [REDACTED]
Subject: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)
Attachments: Fire Safety Submission 220203.pdf

Dear GLA

Further to previous written representations that we have submitted regarding the 20-24 Popes Road Planning Application, and despite not having received a notification of the re-consultation dated 14th January 2022, we now submit the attached written representation which concerns Fire Safety.

Please acknowledge receipt of this submission by return.

With best regards

Save Nour/Fight the Tower campaign

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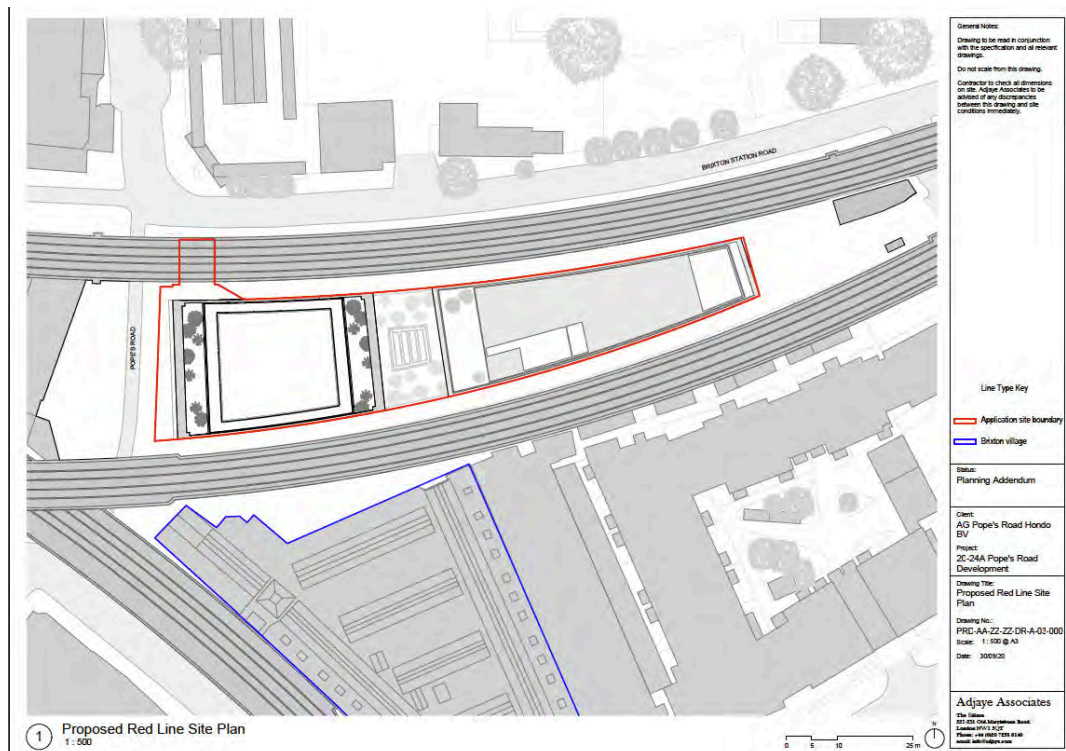
20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by: Save Nour/Fight the Tower campaign

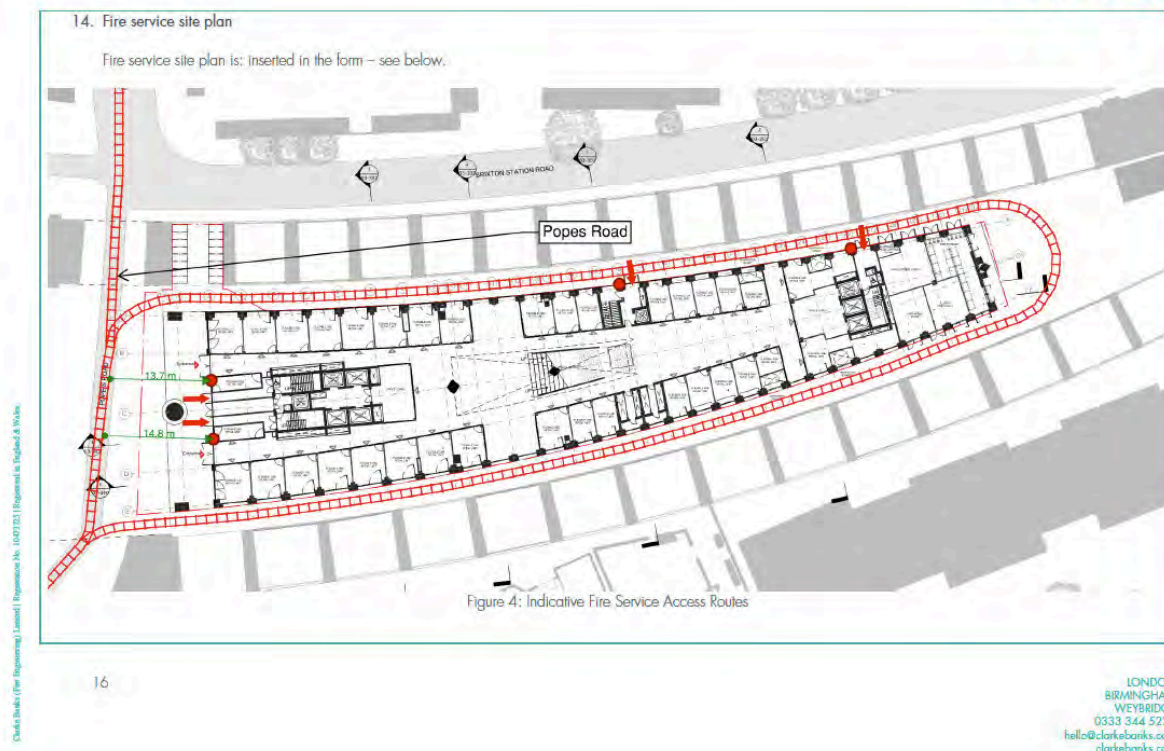
Date: 3rd February 2022

FIRE SAFETY

The applicants' site plans clearly show that the proposed building would follow the footprint of the existing buildings occupying the site as far as the north and south flanking walls are concerned- see below.



The applicants Fire Assessment dated 17th December 2021 includes a fire service site plan as shown below.



The Fire Assessment confirms that the building will be fitted with a wet fire mains. Building Regulations Approved Document Part B Volume 2 (2019 revision to 2010 edition) B5 Section 15 states:

15.5 For buildings fitted with wet fire mains, access for a pumping appliance should comply with both of the following.

- Within 18m, and within sight of, an entrance giving access to the fire main.**
- Within sight of the inlet to replenish the suction tank for the fire main in an emergency.**

Table 15.2 of Part B2 describes the typical access route requirements for pumping appliances.

Table 15.2 Typical fire and rescue service vehicle access route specification						
Appliance type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum carrying capacity (tonnes)
Pump	3.7	3.1	16.8	19.2	3.7	12.5
High reach	3.7	3.1	26.0	29.0	4.0	17.0

NOTES:

- Fire appliances are not standardised. The building control body may, in consultation with the local fire and rescue service, use other dimensions.
- The roadbase can be designed to 12.5 tonne capacity. Structures such as bridges should have the full 17-tonne capacity. The weight of high reach appliances is distributed over a number of axles, so infrequent use of a route designed to accommodate 12.5 tonnes should not cause damage.

The following extract from LFB Guidance Note 29 states that with regard to access roads for pumping appliances, a minimum of 6m working area(s) is necessary.

4 ACCESS

Access for pumping appliances

- 4.1 Access roads for pumping appliances should be provided with 6m working area(s) at appropriate locations where appliances are to be positioned and used around the building.

The applicants' fire assessment confirms at item 11 on page 14 that emergency road vehicles can access the side entrances indicated on the site plan, but that the access routes on the north and south facades would be subject to a tracking assessment and later detailed drawings in order to confirm that they meet the requirements of the LFB Guidance Note 29 with respect to access for pumping appliances.

11. Emergency road vehicle access - can emergency road vehicles access the site entrances indicated on the site plan?

- Yes. Due care will be given to ensure that the vehicle access routes (consisting of Pope's Road and the adjoining private roads at the north and south of the facade on site) achieve the requirements for a pump appliance as shown in Guidance Note 29 (London Fire Brigade). This should be confirmed by carrying out a tracking assessment and supported with detailed drawings at a later date.
- Any access / security measures in and around the site (especially any barriers or bollards preventing vehicle access) will need to be bypassable by the Fire Service.

Similarly, item 12 of the report confirms that fire appliances will be able to park within 18m from, and have a clear line of sight to the wet rising main inlet points for **all cores**.

12. Siting of fire appliances

- Fire Service vehicle access will be provided via Pope's Road as well as the new private roads the north and south of the building on site. This arrangement is shown indicatively in Figure 4 of this report;
- This will allow fire appliances to park within 18m from, and have a clear line of sight to, the wet rising main inlet points for all cores. Immediate access into the firefighting lobbies or stairs will be provided next to the wet rising main inlet points (shown as red arrows in Figure 4 of this report);
- The vehicle access route suitability for Fire Service appliances (on the aforementioned public roads) should be confirmed via tracking exercises at a later date.

However, measurements taken of the **widths** of the **private roads** between the existing buildings on the site and the adjacent railways viaducts to the north and south are as follows:

North Side: overall width: 3m, no kerb

South Side: overall width: 3.8m, distance between obstruction and 1 kerb: 3.2m, kerb width: 600mm,

These measurements were taken on 3rd February 2022 and photos of where these measurements were taken are illustrated below:



SOUTH SIDE



NORTH SIDE

It is therefore clear that on the north facade, there is generally **insufficient width of space to accommodate a pumping appliance in accordance with the access requirements set out in Table 15.2 of Building Regs Part B Volume 2.**

Using the scale rule provided on the applicants site plan drawing, it is also clear that although a pumping appliance might just about be able to park within 18m of the entrance to the east of the building, such access to the central entrance would not be possible. In addition, due to the narrow width between the building and the railway viaduct to the north, **neither entrances would be readily visible from a point at which a pumping appliance could be stationed.**

Certainly there will be **insufficient space on the north and south facades of the building to accommodate sufficient access for a pumping appliance that complies with LFB Guidance Note 29 para 4.1** and insufficient space on the north and south facades of the building to allow access for turntable ladders or hydraulic platforms should other methods of fire rescue fail.

In the wake of the Grenfell disaster it is clearly paramount that site conditions and design of tall buildings should not prevent or impede the London Fire Brigade from being able to carry out their duties effectively. At 20 storeys high, there is no doubt that this is a tall building, but it would appear that insufficient attention has been paid to the increased fire risks associated with its height and the extreme physical constraints of the application site.

We urge the Mayor to seriously consider whether, as designed, this proposed tall building, which also maximises its footprint, can in reality be fire safe.

Save Nour/Fight the Tower Campaign
3rd February 2022

[REDACTED]

From: [REDACTED]
Sent: 03 February 2022 19:57
To: Popes Road
Subject: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)
Attachments: Air Quality submission 220203.pdf

With respect to the referenced application in the subject of this email, I submit attached written representation in connection with Air Quality in response to the re-notification dated 14 January 2022.

Please acknowledge receipt of this submission.

Kind regards

[REDACTED]

[REDACTED]

[REDACTED]

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Written representation submitted by:



Date: 3rd February 2022

AIR QUALITY

1. Introduction

The tragic death of nine year old Ella Kissi-Debrah in February 2013 was attributed directly to air pollution. According to a study by Imperial College, toxic air contributed to the premature deaths of more than 4,000 Londoners in 2019. The Mayor is therefore committed to making air quality in London the best of any major world city.

Regarding this planning application, this written representation is submitted in response to the re-consultation issued by the GLA on 14th January 2022. It concerns the most recent Air Quality document produced by the applicant and the previous Air Quality Assessments (AQA) upon which it is based.

It focuses on **operational traffic emissions**. It sets out current policy as described in the London Plan 2021 and the Lambeth Local Plan 2021 and then considered the applicants AQA in relation to these policies and other relevant published guidance documents on Air Quality.

2. Policy

2.1 London Plan 2021

Policy SI 1 (Improving air quality) states that:

- *B To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed:*
 - *1) Development proposals should not:*
 - *a) lead to further deterioration of existing poor air quality*
 - *b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits*
 - *c) create unacceptable risk of high levels of exposure to poor air quality.*
 - *2) In order to meet the requirements in Part 1, as a minimum:*
 - *a) development proposals must be at least Air Quality Neutral*
 - *b) development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures*

- *c) major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1*
- *d) development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.*

2.2 Lambeth Plan 2021

9.2 Lambeth will apply London Plan policy SI1 Improving air quality to all development proposals in the borough, along with associated Mayoral guidance on Air Quality Neutral and Air Quality Positive standards and on ways to reduce construction and demolition impacts. The whole of Lambeth is designated an Air Quality Management Area (AQMA) on the basis of its high levels of nitrogen dioxide (NO₂) and particular matter (PM₁₀). To address Lambeth's poor air quality, the council has agreed an **Air Quality Action Plan to 2022**, which can be found on the council's air quality webpages. Lambeth's air quality priorities are to continue to encourage sustainable travel and sustainable construction; to reduce exposure to air quality and raise awareness; and to work in partnership with residents, community groups, Business Improvement Districts, Transport for London and other organisations to concentrate on local pollution problems in Lambeth

9.3 There are currently five Air Quality Focus Areas (AQFA) in the borough, which are locations that have high levels of both pollution and human exposure. These are the **A23 from Brixton to Streatham**; Kennington Oval/ Camberwell New Road/Kennington Park Road; Vauxhall Cross; Clapham Road; and Waterloo Road. In accordance with London Plan policy SI1, **developments in these areas should incorporate design solutions that prevent or minimise exposure to existing air pollution and make provisions to address local air pollution.** These five current AQFAs are identified in Lambeth's Air Quality Action Plan; in addition, the Mayor's London Datastore maintains an up-to-date list of AQFAs across the capital, taking account of changing circumstances. Opportunity Areas (Nine Elms Vauxhall and Waterloo) should adopt an air quality positive approach that actively reduces air pollution in accordance with London Plan policy SI1. **Lambeth's Air Quality Action Plan identifies the sources of air pollution in Lambeth and the location of sensitive receptors across the borough, including residential and nursing homes, colleges, schools and nurseries.** Lambeth also has a Low Emission Bus Zone from Brixton to Streatham.

2.3. Lambeth Air Quality Action Plan

Fig 1 of Lambeth's Air Quality Assessment Plan (AQAP) published in June 2016 shows that the application site experiences annual mean levels of NO₂ of between 43-56 ug/m³ which is well above, the 40 ug/m³ EU limit and the nearby A23 experiences annual mean levels of NO₂, that are greater than 58 ug/m³.

Fig 8 of the Lambeth AQAP shows that the GLA have designated the site as being in an **Air Quality Focus Area (AQFA)**, which means there is high air pollution and high human exposure around and within the site.

This means that London Plan policy SI 1 B 2 d) applies ie that the application should demonstrate that design measures have been used to minimise exposure.

It also means that according to the Lambeth Plan 2021 para 9.3, development proposals should **incorporate design solutions that prevent or minimise exposure to existing air pollution and make provisions to address local air pollution.**

2.4 EPUK/IAQM Guidance 2017

Under para 5.10 (Principles of Good Practice) this document states that:

Wherever possible, new developments should not create a new “street canyon”, or a building configuration that inhibits effective pollution dispersion.'

At para 6.22 g it states that:

g. Identification of sensitive locations.

*Local receptors should be identified, including residential and other properties **close to and within the proposed development**, as well as **alongside roads significantly affected by the development**, even if well away from the development site, and especially if within AQMAs. These receptors will represent locations **where people are likely to be exposed** for the appropriate averaging time (dependent on the air quality objective being assessed against).*

3. Assessment of Hondo's Air Quality Assessment

3.1 Receptors and Impacts

The applicant's AQA March 2020 states in the executive summary that:

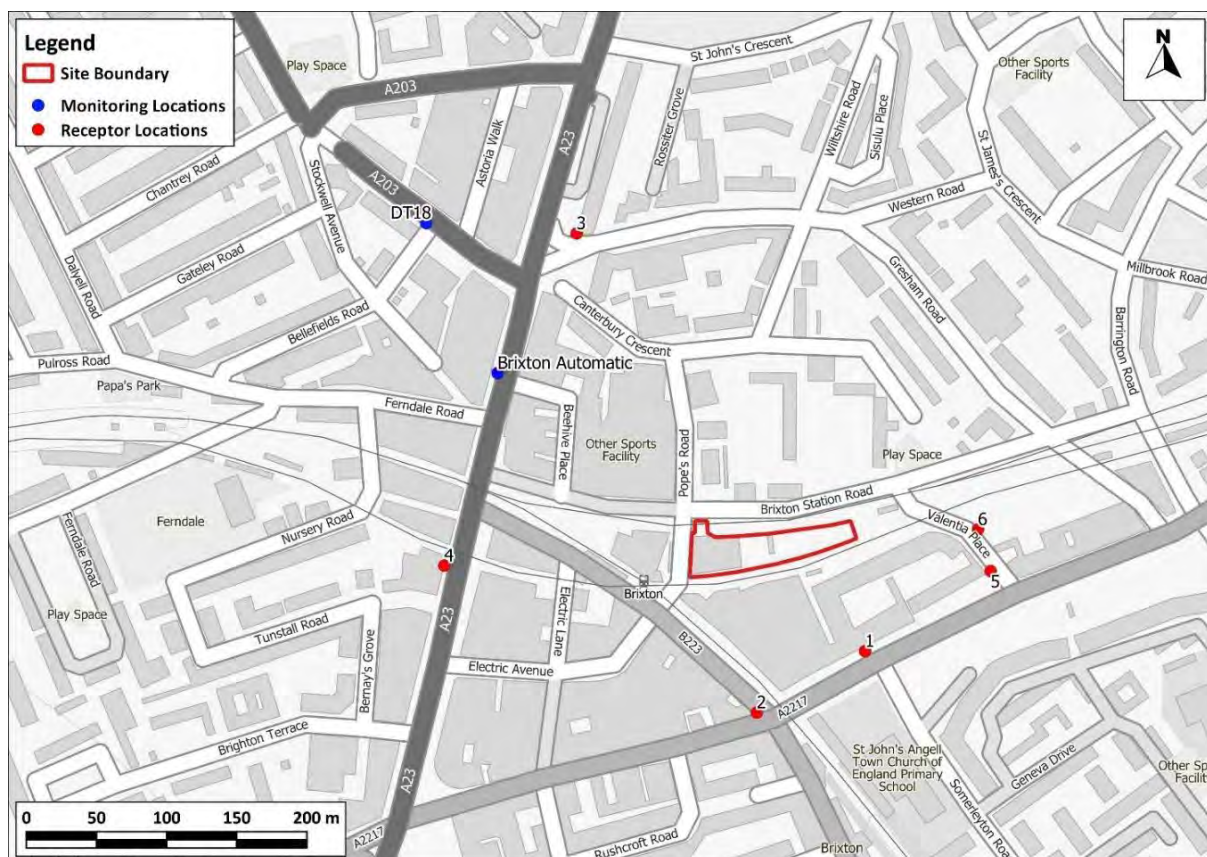
*The Proposed Development **will generate additional traffic on the local road network**, but the assessment has shown that there will be no significant effects on any existing, sensitive receptor.*

It goes on to say:

*2.33 The objectives apply at locations where members of the public are likely to be regularly present and are likely to be exposed over the averaging period of the objective. Defra explains where these objectives will apply in its Local Air Quality Management Technical Guidance (Defra, 2018b). The annual mean objectives for NO₂ and PM₁₀ are considered to apply at **the façades of residential properties**, schools, hospitals etc.; they do not apply at hotels. The 24-hour mean objective for PM₁₀ is considered to apply at the same locations as the annual mean objective, as well as in **gardens of residential properties** and at hotels. **The 1-hour mean objective for NO₂ applies wherever members of the public might regularly spend 1-hour or more, including outdoor eating locations and pavements of busy shopping streets.***

3.6 The first step in considering the road traffic impacts of the Proposed Development has been to screen the development and its traffic generation against the criteria set out in the EPUK/IAQM guidance (Moorcroft and Barrowcliffe et al, 2017), as described in Paragraph 3.7 and detailed further in Appendix A3.

3.8 Six existing residential properties have been identified as receptors for the assessment. These locations are described in Table 2 and shown in Figure 1. In addition, concentrations have been modelled at the Brixton Road automatic monitoring site and diffusion tube monitoring site DT18 located on Stockwell Road, in order to verify the model outputs (see Appendix A5 for verification method).



The receptor locations chosen in the AQA do not comply with EPUK/IAQM guidance 2017 para 6.22 g because they fail to include locations 'close to and within the development' and/or 'locations where people are likely to be exposed'.

For instance, they fail to include the following locations:

- the flats in Coldharbour Lane immediately adjacent to the site including balconies and courtyard
- the proposed new public square in front of the site where market stalls are proposed, and people will congregate
- Brixton Station Road- existing outdoor market where people congregate
- Brixton Recreation Centre (which includes a nursery)
- Electric Lane - outdoor market where people congregate

The application site is also downwind from the major source of pollution on the A23 Brixton Road (prevailing south-westerly wind) which is known to exacerbate emission concentrations. This is recognised at Para 6.08 of the Local Air Quality Management TG16 (2021)¹ which states that "As a minimum, when developing a monitoring programme, careful consideration should be given to.....the siting of monitors in relation to the emission source, so that relevant locations where exposure to pollution is likely to be highest are captured (**generally downwind from the source, based on the prevailing wind direction**)"

The AQA goes on to say:

¹ <https://laqm.defra.gov.uk/documents/LAQM-TG16-April-21-v1.pdf>

3.9 Concentrations have been predicted using the ADMS-Roads dispersion model, with vehicle emissions derived using Defra's Emission Factor Toolkit (EFT) (v9.0) (Defra, 2020). Details of the model inputs, assumptions and the verification are provided in **Appendix A5**, together with the method used to derive base and future year background concentrations. Where assumptions have been made, a realistic worst-case approach has been adopted.

Appendix A5 states that:

A5.4 AADT flows, diurnal flow profiles, speeds, and vehicle fleet composition data have been provided by Caneparo Associates, who have undertaken the transport assessment work for the Proposed Development. Traffic data for Gresham Road, Coldharbour Lane, and Stockwell Park Walk have been taken from the London Atmospheric Emissions Inventory (LAEI) (GLA, 2019). The 2016 LAEI flows have been factored forwards to the assessment year of 2024 using growth factors derived using the TEMPro System v7.2 (DfT, 2017). Traffic speeds have been estimated based on professional judgement, taking account of the road layout, speed limits and the proximity to a junction. The traffic data used in this assessment are summarised in Table A5.1. Diurnal and monthly flow profiles for the traffic have been derived from the national profiles published by DfT (2019).

Table A5.1: Summary of Traffic Data used in the Assessment (AADT Flows) ^a

Road Link	2018		2020 (Without Scheme)		2020 (With Scheme)		2024 (Without Scheme)		2024 (With Scheme)	
	AADT	%HDV	AADT	%HDV	AADT	%HDV	AADT	%HDV	AADT	%HDV
Brixton Station Road	1,387	7.0	1,428	7.0	1,444	8.0	1,517	7.0	1,557	7.0
B223 Atlantic Road	6,353	8.6	6,541	8.6	6,578	9.1	6,949	8.6	7,065	8.6
Pope's Road	610	1.6	628	1.6	644	4.0	667	1.6	707	1.9
Valentia Place	1,809	9.2	1,863	9.2	1,916	11.7	1,979	9.2	2,167	8.9
A23 Brixton Road	28,906	15.4	29,762	15.4	29,804	15.5	31,618	15.4	31,754	15.4
A203 Stockwell Road	13,185	11.1	13,575	11.1	13,591	11.2	14,422	11.1	14,467	11.1
Coldharbour Lane (East of Atlantic Road)	13,406	6.4	13,802	6.4	13,802	6.4	14,595	6.4	14,595	6.4
Coldharbour Lane (West of Atlantic Road)	13,555	7.4	13,956	7.4	13,956	7.4	14,757	7.4	14,757	7.4
Gresham Street	3,898	28.3	4,013	28.3	4,013	28.3	4,244	28.3	4,244	28.3
Stockwell Park Walk	8,270	13.2	8,515	13.2	8,515	13.2	9,004	13.2	9,004	13.2

AADT= annual average daily traffic

HDV= Heavy Duty Vehicles, including buses

Although the AQA states that Caneparo provided the traffic data for the first 6 locations, Appendix B from Caneparo's Transport Assessment only provides Automatic Traffic Count (ATC) data and manual count data for Brixton Station Road, Atlantic Road, Popes Road and Valentia Place but **NOT Brixton Road or Stockwell Road**. So it is impossible to verify that the input data provided by Caneparo is accurate. The DoT Road Traffic Estimates Methodology Note² prescribes a method for converting ATCs to AADF (and hence AADT) but these calculations are not evident in Caneparo's Transport Assessment or in the AQA.

Figures below derived from Table A5.1 shows that AADT in 2024 'with scheme' compared to 'without scheme' results in an increase of 188 vehicles per day in Valentia Place, an increase of 136 vehicles per day on Brixton Road and an increase of 116 vehicles per day on Atlantic Road. In total it shows

²

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/524848/annual-methodology-note.pdf

that the development would generate on average 565 additional vehicles every day across these road links.

	A	B	C	C-B
	<u>2018</u>	<u>2024</u>	<u>2024</u>	<u>Difference</u>
		<u>without scheme</u>	<u>with scheme</u>	
Brixton Station Road	1387	1517	1557	40
B223 Atlantic Road	6353	6949	7065	116
Popes Road	610	667	707	40
Valentia Place	1809	1979	2167	188
A23 Brixton Road	28906	31618	31754	136
A203 Stockwell Road	13185	14422	14467	45
Coldharbour Lane (East of Atlantic Road)	13406	14595	14595	0
Coldharbour Lane (West of Atlantic Road)	13555	14757	14757	0
Gresham Street	3898	4244	4244	0
Stockwell Park Walk	8270	9004	9004	0
				565

It is surprising that the change in AADT 2024 for last 4 locations which were based on LAEI data is zero.

Under the heading 'Operational Phase Impact Assessment -Impacts at Existing Receptors

-Initial Screening Assessment of Development-Generated Road Traffic Emissions' the AQA states that:

*6.1 The trip generation of the Proposed Development on local roads (as provided by Caneparo Associates) has initially been compared to the screening criteria set out in the **EPUK/IAQM guidance (Moorcroft and Barrowcliffe et al, 2017)** (see Paragraphs A3.7 to A3.10 in Appendix A3). **The Proposed Development is expected to increase AADT flows by a maximum of 178 vehicles along Valentia Place**, which is above the screening threshold of 100 LDVs (the screening threshold for inside of an AQMA), thus a detailed assessment is required.*

6.2 Predicted annual mean concentrations of nitrogen dioxide, PM10 and PM2.5 in 2024 for existing receptors are set out in Table 12 and Table 13 for both the "Without Scheme" and "With Scheme" scenarios. These tables also describe the impacts at each receptor using the impact descriptors given in Appendix A3.

Tables 12 and 13 predict the effect of the development at the 6 receptor locations in terms of NO₂, PM10 and PM2.5 in 2024 against a benchmark values but there is no substantiation of the 'with scheme' figures provided in the main text of the report or in Appendix A3, despite the changes being assessed as 'negligible'. **These figures and the conclusion cannot therefore be verified.**

3.2 Design

Para 8.1 of the AQA entitled 'Mitigation Included by Design' lists 3 measures that are purported to be design mitigation measures. However, the dust management plan and travel monitoring plans are not design measures. The first is a construction phase mitigation measure and the second is an operational phase mitigation measure.

The third measure listed is the provision of **cycle parking**. The proposed long stay cycle parking (for office workers and staff) is in the basement of the building and therefore **barely accessible** via a lift or two flights of stairs. The applicant's revised transport assessment states that the development provides a total of 322 long stay cycle parks- this barely meets the number required by London Plan policy T5. The revised transport assessment acknowledges that the scheme fails to meet London Plan T5 policy standards for the provision of short stay cycle parking.

In contrast, Appendix 3 of the AQA states that:

*A3.4 The good practice principles [of the EPUK & IAQM Planning for Air Quality Guidance] are that.....wherever possible, new developments should **not create a new “street canyon”**, as this inhibits pollution dispersion;*

New canyons will be created by the development- it will create canyons between the railway viaducts on both its sides and a public square enclosed on 3 sides by the 20 storey tower in front of which public will congregate and be exposed to south-westerly wind driven pollutants from the A23 via Electric Ave. Therefore, **contrary to EPUK/IAQM guidelines, the design of the building will actively exacerbate existing poor air quality.**

The proposed development therefore fails to make provision to address local problems of air quality - **contrary to London Plan policy SI 1, 2 b) and Lambeth Plan policy 9.3.**

3.3 Air Quality Neutral

With respect to road transport emissions, the AQA March 2020 states that:

*7.6 The Transport Emissions Benchmarks (TEBs) are based on the number of **car** trips generated by different land-use classes of the Proposed Development, together with the associated trip lengths and vehicle emission rates.*

Appendix 7 of the AQA states that the benchmark figures used are from '*the GLAs SPG on Sustainable Design and Construction (GLA, 2014a), and its accompanying Air Quality Neutral methodology report (AQC, 2014)*'

However, the GLA published a draft AQN guidance document in Nov 2021 which '*provides an update to the Air Quality Neutral benchmarks **in light of the most up-to-date evidence** and provides clarification on how to apply the benchmarks to support planning applications.*'

It defines the TEB as follows:

4.1.4 The TEB is defined as the predicted number of trips per m2 of floorspace (GIA) over a year (trips/m2 /year) for non-residential use, or the anticipated number of trips per dwelling (trips/dwelling/year) for residential use. Benchmark Trip Rates are based on data from TRAVL (Trip Rate Assessment Valid for London)³ and are defined for different land uses and different areas of London. These are set out in Table 4.1.

Table 4.1 of the document sets **much lower benchmarks** for B1 office space TEBs in Inner London than the 2014 GLA guidance, although the revised benchmarks for A1 retail use is slightly higher:

Benchmark (car trips/m2/annum)

<u>Use/Class</u>	<u>2021</u>	<u>2014</u>
Office B1	1	4
Retail A1	139	100
Restaurant A3	137	not available

The benchmark figures for office space (which makes up the vast majority of the proposed development) is **4 times lower than previously set**. Despite this, the Letter of Confirmation produced by the application and sent out as part of this re-consultation in Jan 2022 makes no mention of the revised GLA guidance, nor have the calculations be revised to reflect the lower TEB thresholds.

Therefore the applicant's calculation of TEB is not in accordance with current GLA guidance on AQN.

Using the figures from Table 4.1 of the current draft GLA AQN guidance and the GIA figures provided in the Caneparo's revised transport assessment July 2020 the TEB should have been calculated as follows:

Benchmark trip rates pa					
		GLA (sqm)	trip rate/ sqm	trips pa	
Office	B1	23,276	1	23,276	
Restaurant	A3	534	137	73,158	
Retail	A1	2408	139	334,712	assumes retail(convenience)
Community	D1/D2	197	10.5	2,069	
Totals		26,415		433,215	

With regard to calculating the annual number of trips generated by the development, The draft GLA AQN guidance states that:

*4.2.1 A trip rate is usually calculated as part of the **transport assessment** for the development. **This figure should be used in the Air Quality Neutral assessment.** Trip rates from TRICS (Trip Rate Information Computer System) can be used if they are also used in the transport assessment and multiplied to give an annual, rather than daily, number of predicted generated trips.*

At Appendix E of Caneparo's transport assessment March 2020 (using data generated from TRICS software) the multi-modal trip rate per 100sqm of office floorspace was calculated to be 22.409 for weekdays between the hours 7am-7pm . It is highly unlikely that office workers would only travel between these times.

At Appendix C of Caneparo's transport assessment addendum July 2020 (using data generated from TRICS software) the multi-modal trip rate per 100sqm of restaurant floorspace was calculated to be 147.422 for typical **Mondays** between the hours 7am-midnight. Market research shows that Mondays and Tuesdays are the quietest days in the week for restaurants, so these figures are clearly not representative.

The TRICS figures produced by Caneparo, were **not based on realistic assumptions**.

In the case studies section of the GLA AQN guidance 2014 (para A2.10), it explains that where 2-way trip data is provided in the transport assessment over a 12 hour period, this can be 'converted to AADT by applying a factor of 1.45 (as recommended for inner London sites in LAQM.TG (09))'.

2-way TRICS trip rate data over a 12 hour period was provided by the applicant. Therefore, applying this factor to the 22.409 daily rate/100 m2 for 23,276 sqm of office use yields an annual trip total of 2,760,525 for all modes of transport. Likewise applying this factor to the 147.422 daily rate/100 m2 for 534sqm of restaurant use yields an annual trip total of 416,643 for all modes of transport.

No TRICS data was provided for the 2,408 sqm of A1 retail space or the 197 sqm of D1/D2 Community space which amounts to **2,605 sqm of the development unaccounted for**.

But this calculation, or any other calculation demonstrating how the annual car trip figures were derived from the TRICS data (or by any other means) is absent from either the AQA or the transport assessment.

The AQN assessment is therefore invalid in the absence of a justification for the number of car trips per annum assumed and Air Quality Neutral has not been proven.

It is clear that the transport emissions calculation is highly sensitive to the modal split assumptions.

Transport for London's transport assessment guide to trip generation states that:

Once you've estimated the total number of new trips at your new development, split them by transport mode using similar site surveys or the most recent UK census. This helps us

*understand how London's walking, cycling, public transport and highway networks may be affected. As the latest census data is now quite old, adjustments might need to be made to reflect current travel patterns (e.g. increased cycle trips). Please explain and **justify any adjustments you make** clearly in your Transport Assessment.*

The TRICS data produced in the applicant's transport assessment did not provide a split by mode of transport.

However, in the transport assessment March 2020 it states that:

*7.13 The modal split for existing office trips has been based on the 2011 Census Method of Travel to Work (Workplace Population) data for the Lambeth 011 output area. The proposed development does not include on-site car parking provision and the surrounding area is subject to controlled parking; therefore, **the modal split data has been adjusted to better represent the zero car parking spaces provided and the inability of future employees to drive and park at or near the Site.** The adjusted modal split has been applied to the calculated trip generation and is outlined in Table 7.3 below.*

Mode	Census Mode Split	Adjusted Mode Split	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
Underground	20.0%	25.5%	201	18	219	15	184	199
Train	16.7%	20.9%	165	15	180	12	151	163
Bus	27.9%	34.9%	275	25	300	20	252	273
Taxi	0.2%	0.2%	2	0	2	0	1	2
Motorcycle	1.3%	0.4%	3	0	3	0	3	3
Car Driver	19.2%	0.4%	3	0	3	0	3	3
Car Passenger	1.0%	1.0%	8	1	9	1	7	8
Cycle	5.4%	6.7%	53	5	58	4	48	52
Walk	8.3%	10.4%	82	7	89	6	75	81
Total	100.0%	100.0%	792	72	863	58	726	784

*Minor numerical discrepancies are due to rounding.

It can be seen that car driver figures have been 'adjusted' from 19.2% to 0.4%

The applicant's adjustment to the modal split **has not been substantiated by any evidence base**. Neither is it evident how this or any other split was applied to the TRICS data (or any other trip generation data) in order to come up with the annual car trips assumed in the AQN calculations.

The DoT's Transport Statistics of Great Britain report published in 2019³ provides evidence of modal comparisons in 2018 as follows:

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/870647/tsgb-2019.pdf

Modal comparisons



How we commute

- Across Great Britain, **68% of workers typically travelled to work by car**, though this varied by region with London having a substantially lower proportion of people (27%).
- The **average time taken to travel to work in 2018 was 29 minutes**, ranging from an average of 15 minutes for walking to 59 minutes for travelling by rail.

Usual method of travel to work, Great Britain, 2018



This shows that **in 2018, 27% of workers in London typically travelled to work by car**. Despite the fact that the development does not provide car parking facilities other than disabled bays, this will not ensure that users of the building will not travel by car and it still suggests that a reduction from 19.2% to 0.4% for car driver trips is substantially underestimated.

Looking just at the office space figures, the AQA AQN figures assume that the total car trips per annum generated by the development for the offices alone would be 28,971. By applying this to the calculation of total annual trips for all modes of transport of 2,760,525, this implies that the applicant has assumed that only 1% of all trips generated by the office use element of the scheme would be by car. This is even lower than the total % of car drivers and car passengers given in Table 7.3.

Applying the GLA 2021 guidance figures of 1 car trip per sqm of office space to produce a benchmark and comparing it to the TRICS data factored according to LAQM.TG (09), the table below shows that **in order to achieve Air Quality Neutral for the office space would mean assuming that no more than 0.84% office workers will travel by car**.

OFFICE USE AQN										
	trips/sqm pa	GIA sqm	TRICS trips pa*	%cars	car trips pa	distance km	Nox g/vehicle/km	PM10 g/vehicle/km	Nox kg/pa	PM10 kg/pa
Development			2,760,525	0.84%	23,188	7.7	0.37	0.0665	66.06	11.87
Benchmark 2021	1	23,276			23,276	7.7	0.37	0.0665	66.31	11.92
* = 22.409 trip rate x 23,276/100 x 1.45x 365days										

These calculations suggest that it is **highly unlikely** that the development would be Air Quality Neutral.

The publication of the DoTs transport figures for modal splits in 2018 is a very plausible reason for revising the benchmarks in the recent GLA AQN guidelines and the latter document alludes to this. Indeed the webinar briefing held on 7th December 2021 explained that 'the existing benchmarks are outdated based on advances in technology'.

The GLA AQA guidelines 2021 state that the benchmarks are estimates of car or light van trips (para 4.1.5). The AQN calculations for the development in the applicant's AQA only accounts for cars, so the comparison of development v benchmark is in any case not like for like because there is no inclusion of light van trips in the AQA AQN calculations.

For all these reasons, the AQN calculations provided by the applicant are insufficient to demonstrate that the scheme is Air Quality Neutral, and no consideration has been given to the revised GLA benchmarks which complement policy SI 1 of the London Plan.

4. Summary

- Contrary to EPUK/IAQM guidelines, the design of the development will exacerbate the existing canyon effect in Brixton Town centre due to the height of the building, its location in

relation to the railway viaducts and the creation of a public square enclosed on 3 sides by the 20 storey tower, exposing the public to south-westerly wind driven pollutants from the A23 via Electric Ave.

- The proposed development therefore fails to comply with London Plan policy SI 1 2 b) and Lambeth Plan para 9.3 because it **does not use design solutions to prevent or minimise increased exposure to existing air pollution or make provision to address local problems of air quality.**
- The proposed development fails to comply with London Plan policy SI 1 2 d) because the application site is in an **AQFA** which by definition means there is high air pollution and high human exposure around and within the site. The development will be used by large numbers of people including children and older people, but the application fails to demonstrate that design measures have been used to minimise exposure.
- In the screening process, the 6 local receptor locations chosen by the applicant's consultants in the AQA fail to include important locations that would be exposed to emissions and this selection does not comply with IAQM guidance 2017.
- Table 12 of the AQA predicts the effect of the development on the 6 chosen receptors in terms of NO₂ in 2024 against a benchmark of 40 ug/m³ but no substantiation of the 'with scheme' figures is provided so the conclusion of 'negligible' impact cannot be verified..
- The AQA fails to demonstrate how the AADT traffic flow data is derived from the ATC data and manual count data. The traffic count data is in any case incomplete as it excludes two vital road links- Brixton Road and Stockwell Road. Even so, the AADT data still forecasts that in 2024 the development would result in 565 additional vehicles on average per day across the 10 road links considered.
- The TRICS trip generation data provided in the transport assessment was based on unrepresentative input assumptions.
- No TRICS trip generation figures were produced in the transport assessment for A1 retail or D1/D2 community uses and therefore 2,605 sqm of the development were unaccounted for in the calculations.
- Neither the AQA or the transport assessment explain how the annual car trips per annum figures assumed in the AQN for the development were derived.
- Assumptions for 'adjusted' modal splits have not been substantiated. It is however clear that the car trip per annum data on which the AQN is based, assumes a figure of the order of 1% car use which is an unrealistic assumption in light of recent data published by the DfT.

- The proposed development fails to comply with Lambeth Plan 2021 para 9.2 because the **AQN calculations provided by the applicant do not adhere to the benchmarks or methodology contained in current GLA AQN guidance.**
- Based on current GLA guidance on AQN, the **office element of the scheme cannot be regarded as Air Quality Neutral.**

[REDACTED]
[REDACTED]

3rd February 2022

[REDACTED]

From: Save Nour <[REDACTED]>
Sent: 17 February 2022 13:24
To: Popes Road; John Finlayson; [REDACTED] Mayor of London
Subject: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)
Attachments: SA16, Urban Design and Public Realm .pdf

Dear GLA

Further to previous written representations that we have submitted regarding the 20-24 Popes Road Planning Application, we now submit the attached written representation which concerns Site Allocation 16, Urban Design and Public Realm.

Please acknowledge receipt of this submission by return.

With best regards

Save Nour/Fight the Tower campaign

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SITE ALLOCATION 16, URBAN DESIGN AND PUBLIC REALM

1. Site Allocation 16

The application site is located within Site 16 and would occupy the majority of it.

1.1 Lambeth Local Plan 2021 (LLP2021)

Policy PN3 (Places and Neighbourhoods- Brixton) states that (emphasis added) :

*Brixton’s role as a **distinctive, multicultural and diverse** major town centre will be safeguarded and promoted through careful and sensitive regeneration, recognising its local distinctiveness and historic built environment, and supporting economic, social and environmental sustainable development. A key objective of the Brixton Economic Action Plan is to develop a broader and more resilient local economy. Where necessary and justified to achieve the objectives of this policy, the council will use conditions and/or planning obligations in new development proposals to limit uses consented within Class E.*

This will be achieved by:

*F. securing traffic reduction and initiatives to reduce harmful emissions and improve air quality; **the creation of new high-quality, safe, accessible and animated public spaces** with increased green infrastructure; **improvements in provision for pedestrian movement and cyclists**; **improved linkages within the town centre and connections with adjoining areas**; and communal use of public spaces and public art.*

*K. supporting development on **sites 15 and 16 in accordance with the site allocation policies for those sites** and the guidance and principles set out in the Brixton Central Supplementary Planning Document.The design of the development proposals should complement and **enhance the permeability and of public spaces and improve pedestrian and cycle movements through this part of the town centre**. Development proposals will also be expected to contribute towards wider public realm improvements in this part of the town centre to facilitate a comprehensive and unified approach.*

To date, the Brixton Central Supplementary Planning Document has not yet been published, but LLP2021 policy PN3 sets out the policies for Site 16 -Brixton Central (between the viaducts) as follows:

287 Lambeth Local Plan 2020-2035 | Section 11: Places and Neighbourhoods

Site 16 – Brixton Central (between the viaducts) SW9	
Site area	1.13 ha
Ward	Colindale
Ownership	Network Rail and private
Current use	Bounded by two railway viaducts the site comprises Brixton overground station, railway track and arches (in use as retail, office and storage), retail, part of Brixton Market and disused car park.
Transport	Public transport accessibility level 6a (exceptional)
Flood zone	Flood zone 1 - a site-specific flood risk assessment has been carried out as part of the strategic flood risk assessment.
Heritage	Brixton Station is within the Brixton conservation area. Grade II listed Brixton Village (Granville Arcade) and locally-listed Walton Lodge Laundry are to the south of the southern railway viaduct.
How the site was identified and relevant planning history	Included in the SHLAA 2009 as a potential housing site Identified in the Brixton Masterplan June 2009 and Brixton area SPD June 2013.
Preferred use	Improvements to Brixton Station to include a new station entrance and pedestrian links. Mixed-use development including retail, new workspace, food and drink, community, educational, leisure and recreation uses, possible market extension and associated uses. Development to include revitalised railway arches with options to provide links through to improve north-south routes.

Site 16: Brixton Central (between the viaducts) SW9



- Site boundary
- Listed Building
- Opportunity to Open Up Areas / Pedestrian Linkage Enhancement
- Expanding Commercial Activity
- Opportunity to Reinstate Street Entrance
- London Underground Station
- Rail Station
- Conservation Area

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Site 16 – Brixton Central (between the viaducts) SW9**Design principles and key development considerations**

Large site bounded by railway viaducts with considerable development potential subject to improving access and permeability through the site.

The council will support development on the site that:

- i. provides opportunities to improve the station entrance and station facilities generally, including lift access and cycle parking;
- ii. provides public realm improvements to Brixton Station Road to include links to both the mainline and underground stations, the opening up of arches to provide links to north-south routes east of Popes Road and potential links to Brixton Village;
- iii. enhances the arches to provide active uses and routes through;
- iv. opens up Popes Road to provide a wider public space with the potential to provide improved and/or additional market spaces;
- v. includes market facilities;
- vi. includes environmental improvements to the viaduct arches serving the Orpington Line;
- vii. integrates and complements development on the Popes Road site (Site 15);
- viii. includes the re-provision of the redundant 1950s building;
- ix. avoids creating a canyon on either side of the railway viaducts;
- x. proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.

Under the heading 'preferred uses' for Site 16, it states "*mixed-use development including retail, new workspace, food and drink, community, educational, leisure and recreation uses, possible market extension and associated uses*". It does not state 'office' or 'office-led' development, whereas a number of other site allocations in the borough stipulate 'office', 'office-led' development or 'mixed use including offices' as their preferred uses. Although supplemented with retail, food and drink and community uses, this application is essentially for an office-led development (offices making up over 88% of GIA) so **the application does not fit into the land uses envisaged for Site 16.**

The preferred uses for Site 16 also state '*Development to include revitalised railway arches with options to provide links through to improve north-south routes.*' The opportunities to open up the arches to provide north-south links from Brixton Market to Site 5 (Pop Brixton) are indicated with a broken green line on page 286 above.

Under the heading 'Design principles and key development considerations' it states that (emphasis added):

"The council will support development on the site that:

- ii. provides public realm improvements to Brixton Station Road to include links to both the mainline and underground stations, **the opening up of arches to provide links to north-south routes east of Popes Road and potential links to Brixton Village;***
- iii. **enhances the arches to provide active uses and routes through;***
- vii. **integrates** and complements development on the Popes Road site (Site 15);*
- ix. **avoids creating a canyon** on either side of the railway viaducts;*
- x. proposes **low buildings** to protect the amenity of new residential development on Coldharbour Lane adjoining the site.'*

The only arch within the red line on the site plan is shown on the applicant's Ground Floor Plan (ref PRD-AA-ZZ-00-DR-A-03-003) as shown below..



As shown on this drawing, this arch will be used for short stay cycle parking and because of its proximity to Popes Road (already a pedestrian only route) the application would not achieve any improvement to north-south pedestrian links through the site over and above that which is currently available. The drawing also shows that the only **external doors** giving access to the passageways to the north or south are to the rear of retail units themselves, and other self-contained rooms, rather than providing **public** access routes in and out of the building to the north and south.

The following extracts from Lambeth Officers report concern the impact on the railway viaduct arches (emphasis added):

8.2.13 The applicant owns **Brixton Market to the south** of the site and one of the wider aspirations of this proposal is to connect the new building to the listed market with a pedestrian link. This aspiration is supported. However, (i) **delivering this is not in the applicant's gift as the railway arch between the two is not held by them**, (ii) **the arch required is not within the red line boundary of the site**, and (iii) **no listed building consent application accompanies this proposal**. Given the above, only limited weight is given to this as a public benefit because the new connection south is prepared for but not actually delivered.

8.2.14 A **northern connection** halfway along the length of the site is also anticipated by the proposal. This too is welcome. However, (i) **delivering this is also not in the applicant's gift as the railway arches between the site and Brixton Station Road is not held by them** and (ii) **the arch required is not within the red line boundary of the application site**. Given the above, limited weight is also given to this as a public benefit because the new connection north is prepared for but not actually delivered. Notwithstanding this, the proposal does allow for possible connectivity to improve both the north and south routes in the future and the applicant is actively exploring the possibility of purchasing the required railway arches with Network Rail to facilitate these wider aspirations.

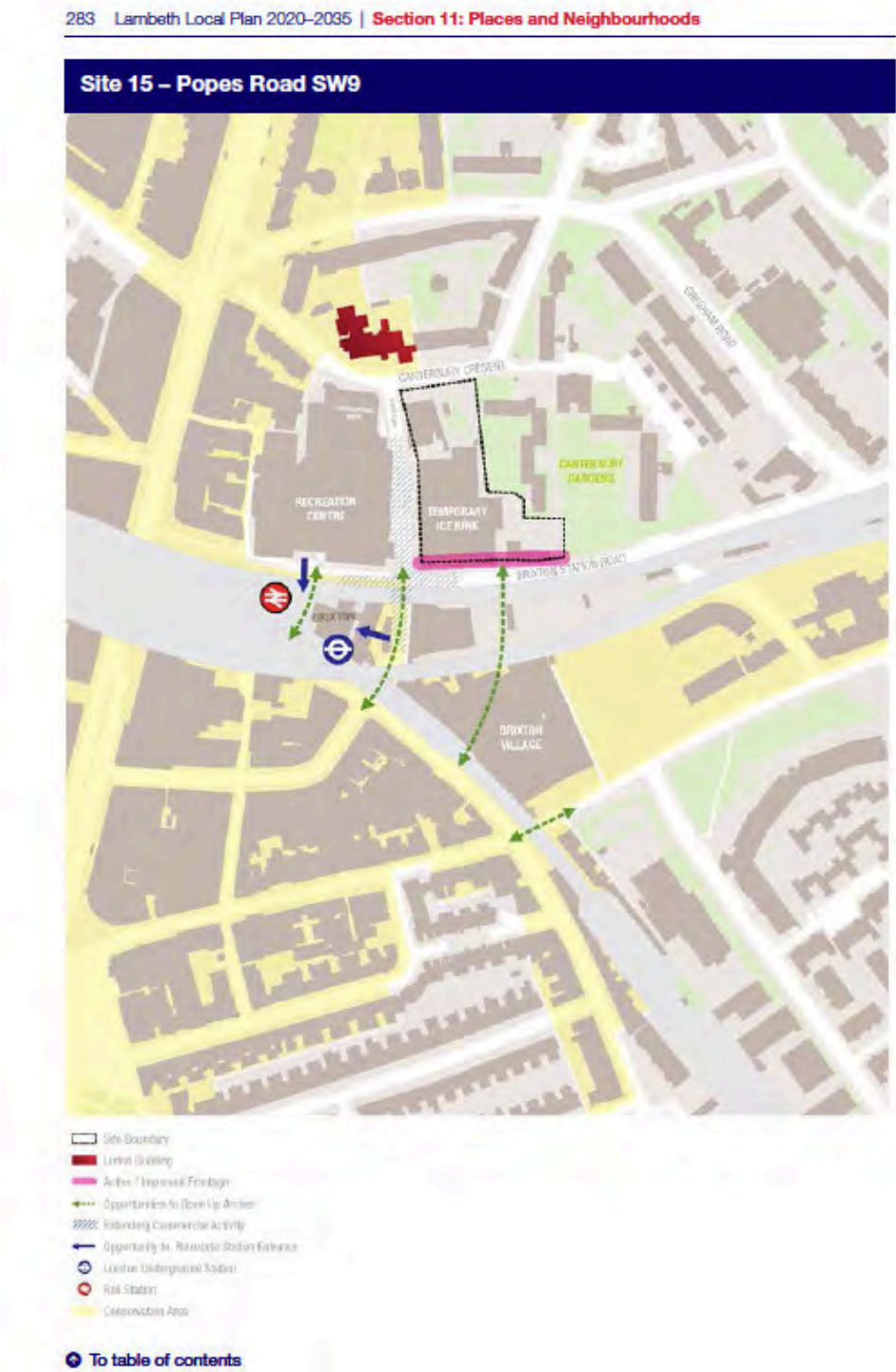
8.2.19 The rows of railway arches to the north and south of the site are currently occupied by assorted tenants and infilled with unattractive elevations. Given the occupancy and leases, **it may be many years before these railway arches come forward in an animated and attractive manner which would make a safe pedestrian environment**. This concern is shared by the Council's independent DRP, who commented as follows:

"The Panel is encouraged by the aspiration to open up the adjoining railway arches but notes that this is beyond the scheme red line. The panel considers that a fall-back position needs to be considered given it may be some time before active units and possible new links might come forward".

It is clear therefore that the application **does not attempt** to deliver the required north-south pedestrian links through the site. Even though the ability to deliver them fully in the foreseeable future is subject to arches coming

forwards, **no provision has been made in the building's design to allow for this permeability.** The application therefore fails to comply with Site 16 policy (ii).

With regard to site allocation policy (vii) the following extract from LLP2021 shows the context of Site 15.



A pedestrian link between Sites 15 and 16 already exists via Popes Road and the application does not in any other way attempt to physically integrate Sites 15 and 16 as demonstrated above. Therefore **the application fails to comply with site allocation 16 (vi) policy.**

With regard to site allocation 16 policy (iii), the following extracts from Lambeth Officers report concern the activation of the arches (emphasis added):

8.2.21 The applicant hopes to secure an additional arch to the north and one to the south to create pedestrian access from Brixton Station Road through the site and south to connect into the Grade II listed Brixton Market and to Coldharbour Lane below. Notwithstanding this, the current ambiguity around these routes – the separate ownership, the dead infill frontages within the viaduct arches, the curved alignment (limited visibility) presents an issue in relation to Policy Q3, part a (i), requiring proposals to “design out opportunistic crime, anti-social behaviour in a site specific manner, based on an understanding of the

locality and likely crime and safety issues it presents”. Although the proposed scheme hopes to facilitate future links and interaction with the arches, this is not part of the application to be considered by committee.

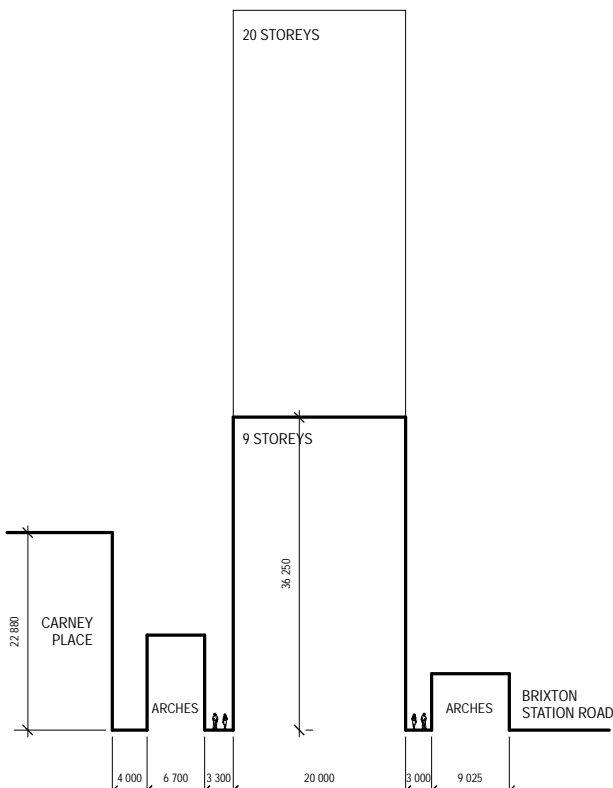
8.2.22 Similarly, **Policy Q6, part (iii) is not met either, which requires “improved legibility, permeability and convenient access via direct routes for all users (but avoiding alleyways and back lanes)”**. Furthermore, the presence of the service yard at the constrained eastern end of the site means that **public access through to Valentia Place would not be safe** or desirable due to manoeuvring service and delivery vehicles. This effectively means that the **new viaduct routes will be dead ends at their eastern end**.

8.2.23 This concern was shared by the *DRP*, who commented as follows:
“The Panel were not convinced that the Valentia Place service area can accommodate through pedestrian access in terms of a safe and attractive public realm. The panel consider that desire line to Valentia Place is not a strong one and is **unlikely to be safe** without sufficient use anchors”.

8.2.24 Given the issues above, **the new routes present potential risks to the public and their separate ownership, it is considered that these routes should be gated and opened as part of a security and Site Management Strategy until a safe, long term solution is secured and delivered. Such details would be secured by condition s106**.

By maximising the footprint of the building and extruding this footprint to 20/9 storeys the design of the building not only fails to provide pedestrian routes that penetrate the site, it fails to take the opportunity to provide a wider public space between the development and the arches. The arches are home to Brixton's much valued artistic and creative communities. But it is clear that **far from opening up and reactivating the arches, the proposed development would do the exact opposite** -it would create tall, narrow canyons between the arches and the development, which would not only be oppressive to both current arch occupiers and the general public, they would also be unsafe.

The diagram below which has been produced by scaling off the applicant's drawings illustrates in basic form how the proposed development would relate to the arches.



This photograph below shows the arches along the south border of the site, as viewed from the east.



As evidenced above, the application **fails to comply with Site Allocation 16 policy (iii) because it fails to enhance the arches to provide active uses and routes through.**

With regard to site allocation 16 policy (ix) it is clear that the application fails to comply with this policy because it creates a canyon between buildings on the southern railway viaduct as demonstrated above.

The issue of policy interpretation of canyons came up at the first Lambeth Planning Applications Committee meeting on 25 Aug 2020.

Cllr XXXX: ".....so thank you for what you were saying about that study and just moving to site 16, can you perhaps XXXX give us a bit of an idea about how/when the local plan was produced and how site 16 was drawn up-what was meant by item 9 within that site allocation about avoiding/creating a canyon on either side of the railways- was that about a ground level issue or was that talking about creating a canyon between two buildings such as this application and the existing accommodation on coldharbour lane-? Where's the canyon that it was trying to avoid and can you describe it? "

Lambeth Design and Conservation Officer XXXX " Well the policy presumption against canyon-like development along railway lines is actually one that's embedded in wider policy, so I think its policy Q7 talks about that, bear with me we can have a look- and I suspect that it was transferred across as being relevant because of the proximity to the railway line, ermm..... I'm just scanning policy Q7 now...yeah policy Q7 part 7 says development will be sought if it would not create unattractive canyon-like development along railway lines, so it's a general policy approach for across the borough whereas railway lines pass through -**we don't want the railway commuters experience of our borough to be that of a canyon of continuous development.** So it's not necessarily a site specific consideration although there than is a railway line running on either side of this site. "

Cllr XXXX " Thanks XXXX, so why do you think it was specifically mentioned then for site 16 and for not others? because this is a really narrow strip of development land. Given the market that's next to is protected, you've got the Carney Place/Milles Square devt and the laundry site that obviously have height on them and are explicitly referenced then site allocation 16 draws specific attention to the canyon effect that could be created by having a taller building on that site, so I mean its specifically mentioned in this one site allocation, so I appreciate that it's something that applies more in general, but it was specifically drawn out for this site. "

Lambeth Design and Conservation Officer XXXX “ well I suppose this site adjoins a railway line so we will have teased out the various key policy considerations from the local plan and we often repeat them here so that there will also be a reference to heritage impacts normally and so on and so forth. Umm, the market isits cultural significance... its internal significance really that’s about the market .But I suppose really to sum up, you know **the policy aspirations borough wide are to avoid continuous canyon-like development along railways lines.. relevant here as much as it is anywhere else**”

Given that policy PN3 and policy T2 both emphasise the importance of good quality public spaces for pedestrians, it is astonishing that policy with regard to canyons appears to have been interpreted by the Lambeth Design and Conservation Officer in a way that prioritises railway commuters above pedestrians. Moreover, it can be seen from the following extract from Site 15 allocation of LLP2021 that any tall buildings in this part of Brixton would be restricted to the Brixton Station Road frontage of Site 15 only.

Site 15 – Popes Road SW9

Design principles and key development considerations

This site provides a major opportunity for a wider range of town centre uses, improving the frontage along Brixton Station Road, public realm improvements and integration with development on Site 16 - Brixton Central (between the viaducts).

The council will support development that:

- xiii. provides higher-density development with adequate public space, so long as this does not create an unacceptably cramped relationship with International House;
- xiv. locates any tall buildings on the Brixton Station Road frontage;

So not only does the application create a canyon on the southern side of site 16, it fails to integrate with developments envisaged on Site 15 - **contrary again to site 16 policy (vi)**.

Regarding Site 16 policy (x) the application was, and is advertised as a departure from this policy because it is a tall building, whereas Site 16 policy (x) **specifically proposed low buildings** ' to protect the amenity of new residential development on Coldharbour Lane adjoining the site.'

A written representation submitted to the GLA by [REDACTED] on 3rd Feb 2022 evidences in detail the unacceptable harm to sunlight and daylight amenity that the proposed development would have on the residents of flats at 368-372 Coldharbour Lane (Carney Place) which is contrary not only to Site 16 policy (x) but also policy contrary to policy Q2 of LLP2021, and policy D9 C 3 a) of the London Plan.

A written representation submitted to the GLA by [REDACTED] on 11th Feb 2022 demonstrates that the proposed development would also fail to protect **views from the adjacent Loughborough Park Conservation Area** by virtue of the fact that it would entirely obscure views towards the London skyline. This is contrary to LLP2021 policy Q22.

To summarise, the application fails to comply with LLP2021 Site 16 policies (ii), (iii), (vii), (ix) and (x). It is also questionable whether it complies with all of the remaining Site 16 policies, but there is no doubt that **it fails to comply with at least five of the ten Site 16 policies**. The departure from this policy has clearly been understated.

By failing to comply with Site 16 policies, the application fails to comply with LLP2021 policy PN3.

Policy T2 (Walking) of the LLP2021 states that (emphasis added):

*C. Development proposals should deliver an **improved environment for pedestrians**, appropriate to the scale and nature of the proposal with particular regard to accessibility, **safety**, convenience and directness of movements, **including provision of new routes and desire lines**, and enhancement of existing routes with reference to the Lambeth Healthy Routes Plan*

In the same way that the application fails to comply with Site 16 policies (ii), (iii) and (vii), it also **fails to comply with policy T2 C** because although an enlarged public space would be created on Popes Road, the application would not provide the new pedestrian links envisaged for Site 16, but instead would introduce public safety issues.

1.2 The London Plan 2021 (LP2021)

The way that site allocations embed themselves into policy at a London level is explained in the London Plan 2021.

*0.0.25 The Plan provides the framework to address the key planning issues facing London, allowing boroughs to spend time and resources on **those issues that have a distinctly local dimension** and on measures that will help deliver the growth London needs. This includes: area-based frameworks, action plans and Supplementary Planning Documents, **site allocations**, brownfield registers and design codes, as well as supporting neighbourhood planning.*

Policy D1 of the LP2021 states that (emphasis added):

B In preparing Development Plans, boroughs should plan to meet borough-wide growth requirements, including their overall housing targets, by:....

*3) following the design-led approach (set out in Policy D3 Optimising site capacity through the design-led approach) to establish optimised site capacities for site allocations. Boroughs are encouraged to set out **acceptable building heights**, scale, massing and indicative layouts for **allocated sites**, and, where appropriate, the amount of floorspace that should be provided for different land uses.*

Policy D3 of the LP2021 (referred to in policy D1 above) states that (emphasis added):

*A All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including **site allocations**. Optimising site capacity means ensuring that development is of the most appropriate **form and land use** for the site.*

*3.3.1 For London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land by optimising site capacity. This means ensuring the **development's form is the most appropriate for the site and land uses meet identified needs. The optimum capacity for a site does not mean the maximum capacity; it may be that a lower density development – such as gypsy and traveller pitches – is the optimum development for the site.***

As stated previously, the proposed office-led development **does not fit the envisaged land use of Site 16**. The **form** of the proposed development cannot be regarded as being appropriate for this site because the policy that Lambeth have developed for Site 16 specifically advocates **low buildings and permeability**. The applicant has clearly attempted to maximise GIA but this is to the detriment of residential amenity, the public realm and heritage assets.

Policy D3 goes on to say (emphasis added):

D Development proposals should:

*2) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and **desire lines in the area***

*5) achieve **safe**, secure and inclusive environments*

*7) deliver appropriate **outlook, privacy and amenity***

*10) achieve indoor and **outdoor environments that are comfortable and inviting for people to use***

Once again, in the same way that the application fails to comply with Site 16 policies (ii), (iii) and (vii), it also **fails to comply with LP2021 policy D3** because the building's design makes no attempt to allow for or provide the new pedestrian links/desire lines envisaged for Site 16. Instead it would introduce narrow canyons between the proposed tall building and the railway arches which would be not only be uninviting, they would create public safety issues. The proposed development would also severely affect the privacy, views (outlook) and daylight amenity for the residents of 368-372 Coldharbour Lane- the amenity that Site 16 policy (x) was intended to protect.

Finally, LLP2021 Annex 10 and hence Policy Q26 of the Development Plan does not identify the application site as being appropriate for tall buildings. On the contrary, the LLP2021 specifically proposes **low buildings for Site 16**. Therefore, the application is **contrary to LP2021 policy D9**, which in section B states that:

*3) "Tall buildings should **only** be developed **in locations that are identified as suitable in Development Plans.**"*

2. Urban Design and Public Realm

Policy Q6 of LLP2021 is alluded to in the Lambeth officers report. This concerns Urban Design and Public Realm. It states that (emphasis added):

The council supports development that provides:

i. the most effective use of the site;

*ii. **safe, attractive, uncluttered, co-ordinated public realm that enhances the setting of and spaces between buildings;***

*iii. improved legibility, **permeability and convenient access via direct routes for all users (but avoiding alleyways and back lanes);***

*iv. a building line that maintains **or improves upon the prevailing building line** (forward encroachment of established building lines will only be supported where it is fully justified and where no unacceptable change to amenity or local character will result);*

*v. new or **enhanced public space and green infrastructure;***

The Lambeth Officers report confirms that the proposed development fails to comply with policy Q6 (iii). As the Lambeth officers report states at paras 8.2.22-8.2.24, the new viaduct routes would be unattractive, unsafe and would present potential risks to the public. The narrow, deep canyons created by the height of the proposed development would effectively worsen the existing setting and space between buildings. Therefore the application does not comply with policy Q6 (ii) either.

With regard to policies Q6 (iv) the application maintains the existing building lines to the north and south but fails to mitigate the negative impact of the height of the building on these passageways.

Therefore, with regard to policy Q6 (v), the proposed pedestrian routes along the north and south of the building are not new or enlarged and neither are they enhanced- quite the opposite in fact.

The above demonstrates that the application has failed to properly consider its spatial relationship with the railway arches and as such is contrary to LLP2021 policy Q6.

Conclusion

The application has so far, only been considered to be a departure from Local Plan policies Q26 (ii) and Site 16 policy (x) but in fact, as evidenced above, when considered against relevant Local Plan policies concerning site allocations, pedestrian transport, urban design and public realm, the proposed development fails to comply with Local Plan Site 16 policies (ii), (iii), (vii), (ix) and (x), and therefore also Local Plan policy PN3. It also fails to comply with Local Plan policies T2 C and Q6.

At a London level, the proposed application **fails to comply with London Plan policy D3** with regard to land use and form.

In addition, it also fails to comply with Policy D3 with regards to optimising the site's capacity. The proposed development is simply too large, too tall, and too close to the railway arches and fails to take the opportunity to allow pedestrian links to flow through it. It is an oppressive, impermeable building that is out of scale with its context and its design has not properly considered its relationship with that context.

The proposed development is also **fundamentally contrary to London Plan Policy D9** (Tall Buildings) which states that:

*"Tall buildings should **only** be developed in locations that are **identified as suitable in Development Plans.**"*
(London Plan, p.139)

As stated above, Annex 10, and hence Policy Q26 of the Development Plan does not identify this site as being appropriate for tall buildings.

In contrast, the Development Plan allocation for Site 16 within which the application site resides, actually proposes low buildings. Yet, the proposed development within Site 16 is for a tall building. So the proposal is contrary to the Local Development Plan on both of these counts - it both breaches Local Plan policy PN3 Site 16 (x) and also breaches Local Plan policy Q26.

For this reason, the **proposed scheme is a fundamental breach of London Plan policy D9 on Tall buildings.**

I urge the Mayor to reject this application on these grounds and the many other grounds already raised by objectors and residents of Brixton.

Save Nour/Fight the Tower campaign
16th Feb 2022

[REDACTED]

From: [REDACTED]
Sent: 12 February 2022 10:37
To: Mayor of London; [REDACTED] John Finlayson; Popes Road
Subject: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)
Attachments: Heritage Harm addendum .pdf

Dear Mr Mayor, [REDACTED] and John Finlayson

In relation to the above planning application, please find attached an addendum to my previous written representations concerning Heritage Harm which were submitted on 27th Oct and 13th Dec 2021.

I kindly request that the points raised in this document are taken into consideration as part of your deliberations.

Please acknowledge receipt of this email.

Many thanks

Kind regards
[REDACTED]

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20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:



HERITAGE HARM (ADDENDUM)

This written representation is submitted as an **addendum** to the written representation I submitted to the GLA on 27th Oct 2021. It concerns harm to the Loughborough Park Conservation Area.

Loughborough Park Conservation Area

The Lambeth Local Plan (LLP) 2021 Policy Q22 (Conservation Areas) states that (emphasis added) :

*A. Development proposals affecting conservation areas will be permitted **where they preserve or enhance the character or appearance of conservation areas** by:*

*i. **respecting and reinforcing the established, positive characteristics of the area** in terms of the building line, siting, design, **height**, forms, materials joinery, window detailing etc;*

*ii. **protecting the setting (including views in and out of the area).***

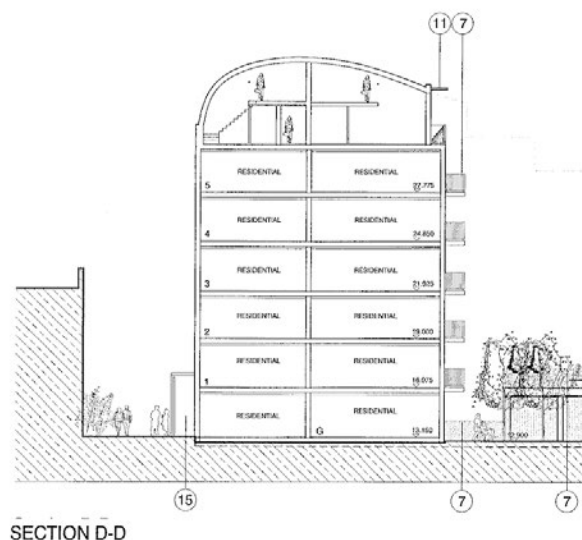
Table 3 of the Lambeth officers report asserts that the application would result in 'no harm' to the adjacent Loughborough Park Conservation Area, but on the other hand para 8.2.100 of this same report concludes 'less than substantial harm' in relation to a view from within this Conservation Area towards the proposed development at the junction of Coldharbour Lane and Moorland Road.

Notwithstanding this inconsistent assessment, both the Lambeth officers report and Lambeth's Design and Conservation written report 13 Oct 2020 fail to assess the harm caused by the proposed development to other **views to or from the Conservation Area** and in particular, views from the flats in Carney Place (368-372 Coldharbour Lane). These properties are only separated from the application site by the railway viaduct.

The image below taken from Section D-D of approved drawing P2(00)111 for the development at 368-372 Coldharbour Lane (PA ref 06/04037/FUL) shows the relationship between these flats and the railway viaduct. The photograph below also illustrates this relationship.



View from 1 Carney Place towards 3 Carney Place



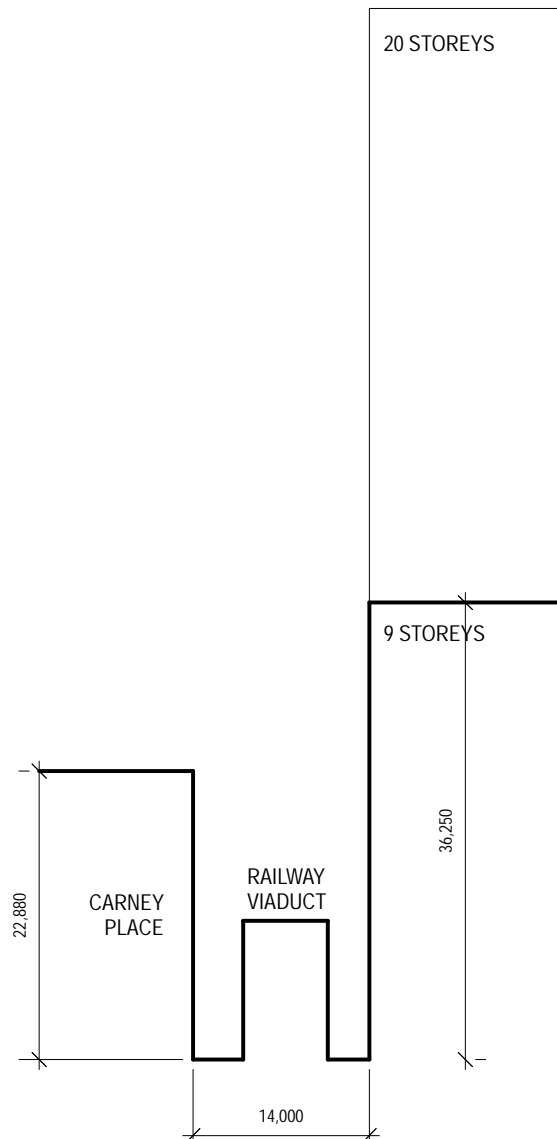
Section D-D shows that the height of the Carney Place flats is of the order of 22.9m high.

The applicant's drawings **do not illustrate the relationship between the proposed development and the flats at 368-372 Coldharbour Lane**, but scaling from the applicant's proposed east elevation (drawing ref. PRD-AA-ZZ-S-DR-A-03-202 at Appendix A) and ground floor plan (drawing ref. PRD-AA-ZZ-S-DR-A-03-003 at Appendix B) it can be deduced that:

- the railway viaduct is approximately 11m high
- the flats are 4m away from the railway viaduct and just under 14m away from the proposed development

As indicated on the applicant's east elevation drawing, the 9 storey element of the proposed development is over 36.25m high

Based on these dimensions, the relationship between the two buildings would, in basic form, look like this:

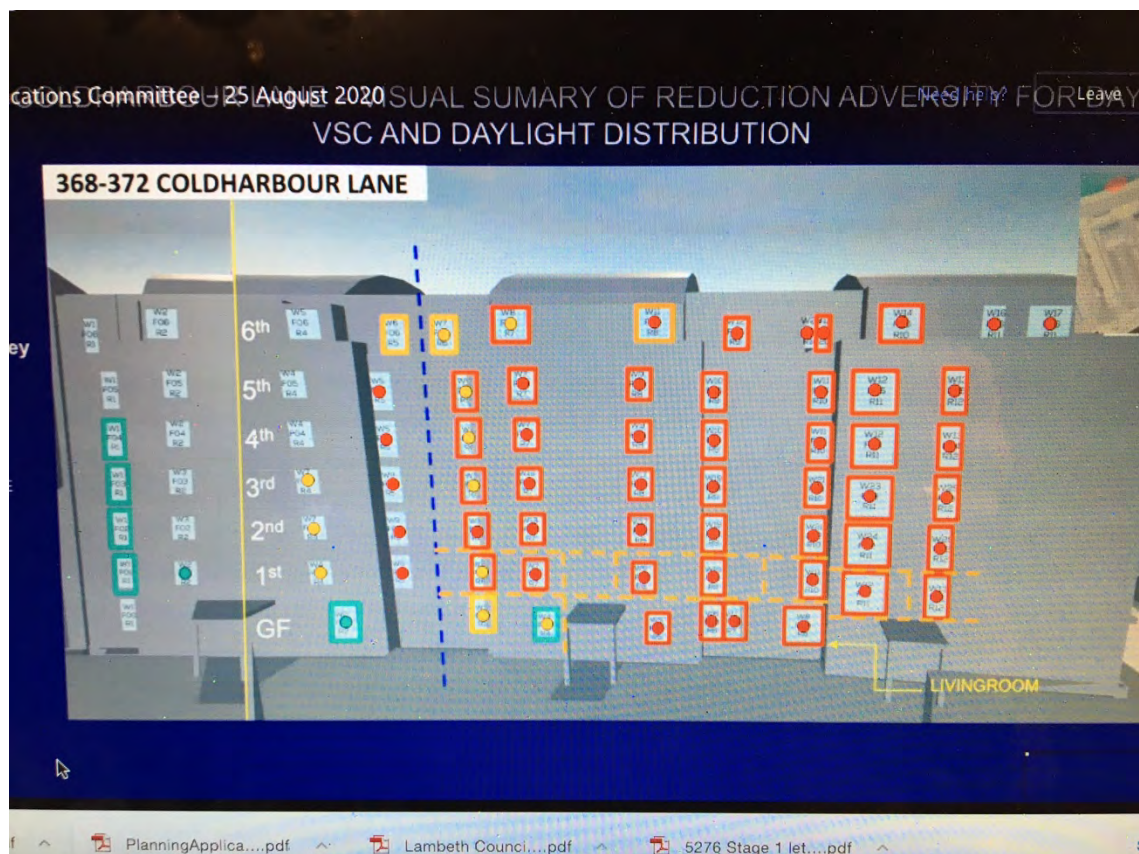


This shows that the 9 storey element of the proposed development would be substantially taller than the building(s) at 368-372 Coldharbour Lane and that the 20 storey element would completely dwarf neighbouring buildings.

The approved planning drawing P2(00)111 for the development at 368-372 Coldharbour Lane shows the north elevation of the flats. An annotated extract from this drawing is shown below and demonstrates that there are 44 windows above the height of the railway viaduct.



These window positions are consistent with the image below that Lambeth's sunlight and daylight consultants, Schroeders Begg presented at the Lambeth Planning Applications Committee meeting on 25 Aug 2020:



These windows currently have uninterrupted views through 180 degrees because the existing buildings on the application site are lower than the railway viaduct. The images below show typical views towards the London skyline from the 3rd floor upwards of these flats.



View from north facing 3rd floor window towards Br xton REC



View from north facing 6th floor window towards Br xton REC



View from Brixton train station looking across the application site towards 368-372 Coldharbour Lane shown with yellow arrow

Although not all of the windows of the flats at 368-372 Coldharbour Lane would directly face the proposed development, 33 windows above railway viaduct level would directly face the proposed development and views from those windows would be totally obscured by the 9 storey element of the proposed development. Views from the remaining 11 windows obliquely facing the proposed development would also be severely restricted.

It is therefore clear that the application fails to comply with Lambeth policy Q22 (ii) because it evidently **fails to protect views from the Loughborough Park Conservation Area**.

It also fails to comply with Lambeth policy Q22 (i) because it **fails to respect or reinforce established building heights** - the 9 storey element of the **proposed development is 60% taller than the height of the Coldharbour Lane flats**.

As such, harm to the setting of the Loughborough Park Conservation Area is demonstrated.

In addition to the harm to views, severe harm to the sunlight and daylight amenity of the occupiers of the flats at 368-372 Coldharbour Lane has previously been demonstrated in a written representation to the Mayor submitted by [REDACTED]

The application is therefore **contrary to London Plan policy HC1 C** which states that '*Development proposals should avoid harm*'. The widespread harm to other Heritage Assets has already been covered in my previous written representation.

I urge the Mayor to conclude that the proposed development would indeed cause **substantial harm** to Heritage Assets and certainly sufficient harm to outweigh the purported public benefits.

[REDACTED]

11th Feb 2022

1 Proposed South Elevation
11/18

368-372
Coldharbour Lane

Planning Appendix

Site:
400 Paper's Road Honda (N)

Project:
25-24A Paper's Road Development

Drawing Title:
Proposed Site Ground Floor Plan

Drawing No.:
PRD-AA-ZZ-00-OR-A-03-003

Scale: 1:250 @ A1

[REDACTED]

From: [REDACTED]
Sent: 03 February 2022 23:09
To: Popes Road
Cc: [REDACTED] John Finlayson; Mayor of London
Subject: 20-24 Popes Road (GLA Stage 3 ref: 2021/0265/S3) - Objection from Resident in Carney Place
Attachments: SoniaFreireTrigo_WrittenRepresentation_February2022.pdf

Dear Mr Mayor, Ms [REDACTED] and Mr John Finlayson

I am writing in relation to the 20-24 Pope's Road Second Public Consultation 14 January - 4 February 2022

Please find attached my written representation objecting to the enhanced offer that the applicant submitted last December 2021. The enhanced offer and the subsequent documents that the applicant uploaded in January 2022 have not made any changes to the massing or design of the proposed building. Therefore, my concerns about the impact of this scheme on privacy, sunlight and daylight of the properties on Carney Place (including my flat) still remain the same. For that reason, I would like to re-submit my representation and reiterate my objection to this proposal.

I will also submit a copy of my representation by post.

I would appreciate it if you could acknowledge receipt of this email. I am looking forward to your response. Thank you!

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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20-24 POPE'S ROAD (GLA Stage 3 ref: 2021/0265/S3)

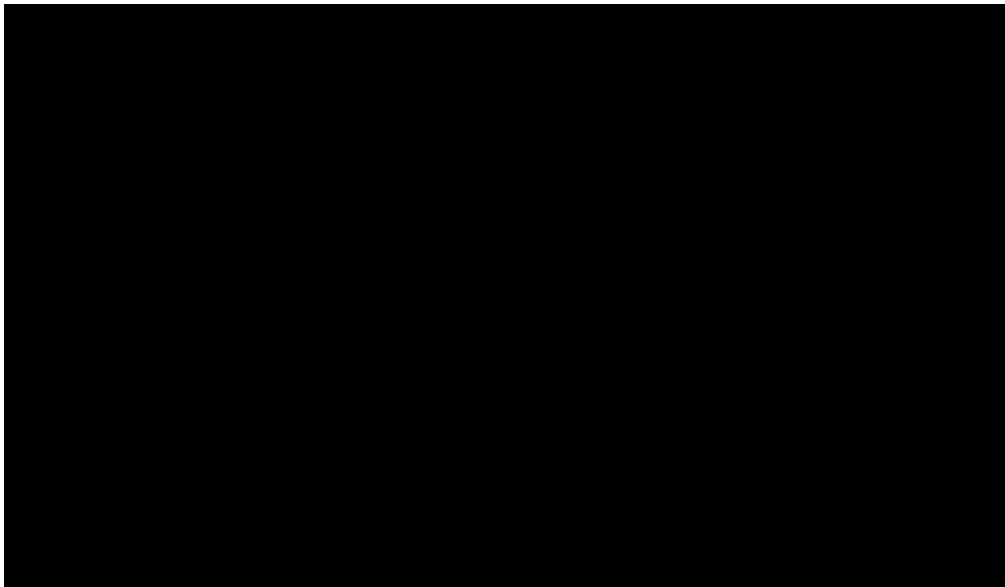
Written representation submitted by [REDACTED]

I had previously submitted my concerns about the impact that the proposed development (20-24 Pope's Rd) would have on the privacy, sunlight and daylight of the properties on Carney Place (including my flat)

I am submitting this new written representation to **applicant's enhanced offer (November 2021) and the additional documents they submitted in January 2022**, and which is the object of the current public consultation (14 January - 4 February 2022)

The new planning application has not made any changes to the volume, height and shape of the original proposal. Accordingly, **the harm to privacy, sunlight and daylight to properties of Carney Place continues to be unacceptable**. It is for this reason that I respectfully ask the Mayor of London to reject the proposed development and spare the residents of Carney Place from its unacceptable harm to our lives.

The rest of the document examines in detail the planning application and explains why the impact of the proposed development on privacy, sunlight and daylights on Carney Place properties is unacceptable.



CRITICAL ANALYSIS OF 20/01347/FUL AND ITS IMPACTS ON AMENITY, PRIVACY, SUNLIGHT AND DAYLIGHT

IMPACT ON PRIVACY OF COLDHARBOUR LANE 360-372 PROPERTIES

Policy Q2 Amenity iii) of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- *Policy Q2 Amenity iii)*
*[Development will be supported if] adequate outlooks are provided avoiding wherever possible any undue sense of enclosure or **unacceptable levels of overlooking (or perceived overlooking)***

The planning application recognizes that *“the proposed office blocks will be unduly close to the rear windows of The Viaduct and Carney Place, creating mutual privacy issues and undue enclosure, in defiance of Local Plan policies Q2 (ii) and (iii)”*. However, this aspect was not revised in the second set of amendments reported to Lambeth Planning Application Committee (PAC) in August 2020, because the officer’s report considered that the scheme is *“designed to ensure no undue overlooking”*.

I believe this omission misled the PAC when assessing the level of overlooking this proposed development will cause on the neighbouring properties. As the officer’s report acknowledges, the most severely affected *“rear windows”* are in fact the bedroom windows of Carney Place properties (also identified as Coldharbour Lane 360-372), which will directly face the proposed development at a distance of 17m. This distance is below the minimum between habitable rooms (i.e. 18m to 21m) that Housing SPG 2.3.36 consider as *“useful yardsticks for visual privacy”*. Indeed, the officer also employs 18m as the parameter to establish the properties most severely affected by the proposed scheme. Yet, the report considers that the identified severe impact is mitigated by the design of the building.

However, the drawings provided do not convincingly demonstrate that design is mitigating this severe overlooking on the neighbouring properties. The cross sections provided in the revised plans (dated October 2020), especially the Proposed Cross-Section E-E’ and F-F’, have carefully omitted the volumes of Coldharbour Lane. This makes it extremely difficult to understand the level of overlooking on these properties by the proposed development. Had these volumes been properly represented in the cross sections, the unacceptable level of overlooking on the bedrooms of Coldharbour Lane would have been evident and changes to the massing and position of the building would have been required.

IMPACT ON DAYLIGHT AND SUNLIGHT OF COLDHARBOUR LANE 360-372 PROPERTIES

Policy Q2 Amenity iv) of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- Policy Q2 Amenity iv)

*[Development will be supported if] it would not have an **unacceptable impact on levels of daylight and sunlight on the host building or adjoining property** including their gardens or outdoor spaces;*

The planning application refers to the GIA technical report to justify that “*unacceptable harm is not caused to the surrounding residential properties and the daylight and sunlight impacts are commensurate for the surrounding urban context*” in relation to Current and Future Baselines. **The next paragraphs will consider the justifications that the GIA report provides for this positive assessment.**

Paragraph 4.8 of the GIA report indicates that:

- *“The suggested parameters and target values set-out in the BRE guidelines are based upon a suburban context. The guidelines also state that “the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.”*

Firstly, BRE guidelines do not specifically state that the parameters and target values are based upon a suburban expectation of reasonable daylight, although many sunlight and daylight professionals do appear to assume this. Notably Para. 2.2.7 of BRE states that

- *“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of daylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*

Clearly, the **BRE guidelines indicate that the impact of any new development should not affect existing neighbours’ need to use electric lighting to supplement the amount of natural daylight they receive, regardless of whether these are occupants in urban or suburban settings.** Therefore, the adoption of ATVs on the assumption that the BRE parameters are for suburban environments is not only a wrong interpretation of this guidance, but it can also trigger a significant energy impact on the neighbouring properties.

Secondly, Brixton is neither a historic city centre or an area with high rise buildings. The proposed building does not match the height and proportions of existing buildings, which are significantly lower and smaller. Therefore, to assume that a higher degree

of obstruction is unavoidable is not justified because the existing urban fabric around the proposed development is not that dense.

Finally, Para 1.6 of the BRE guidelines states that

- *“In special circumstances the developer or planning authority may wish to use different target values.”*

However, **these ‘special circumstances’ have not been identified in the report.** For these reasons, the **setting** Alternative Target Values (ATVs) **is not appropriate** or adequately justified in the context of the application.

The officer’s report (Para 8.4.4) makes a similar reflection as the GIA report and states that:

- *“The BRE guidelines are not mandatory; they do however act as a guide to help understand the impact of a development upon properties and other spaces, while acknowledging that in some circumstances, such as that of an urban environment or where the existing site is only previously partially developed some impact may be unavoidable. It should be further noted that the BRE guide considers level of daylight, sunlight and overshadowing tests based on an expectation of reasonable levels of light within a suburban context and this should be kept in mind when considering a central London context as is the case for the application site.”*

However, **the officer’s report does not provide justified reasons for adopting ATVs either.** In addition, there is no mention in the BRE guidelines to consider different values in the case where sites are partially developed, which further rejects the justification for the use of ATVs.

Paragraph 4.9 of the GIA report indicates that:

- *“Given the advice set-out above; our own professional experience; and the retained daylight levels attributed to many recently consented schemes within London, we have set Alternative Target Values that we believe are commensurate for the Site and the surrounding context:*
 - *A window is considered to retain a reasonable VSC value, if it achieves 15% or more, following the implementation of the Proposed Scheme.*
 - *A room is considered to retain a reasonable NSL value, if it achieves 50% or more, following the implementation of the Proposed Scheme.”*

The BRE guidelines and methods for setting ATVs are set out at Appendix F. However, **GIA report** has not adopted this methodology. Instead they have **set ATVs that represent a substantial deviation from the BRE target values:**

- 15% VSC compared to 27% VSC, which amounts to almost half of what BRE guidance considers an acceptable level of retained VSC.
- 50% NSL compared to 80% NSL, which amounts to a 30% reduction of what BRE guidance considers an acceptable level of retained.

These substantial **deviations are claimed to be based on GIAs own professional experience and ‘recently consented schemes within London’**. However, **the report does not provide evidence of the schemes it is referring to**, which could be located in very different contexts to the one of this proposed development. Therefore, the adoption of these ATVs is not justified.

Section 5 of the GIA report lists all the residential properties assessed against BRE criteria and those that achieve the BRE criteria. Para 5.4 then goes on to say:

- *“Where changes in daylight and sunlight occur to the remaining properties, the impacts are fully discussed in the following sections. All results can be found in Appendix 04.”*

The results from the GIA analysis reveal that 120 habitable rooms/windows of surrounding residential properties would not meet the BRE guidelines for VSC daylight, 65 would not meet the BRE guidelines for NSL daylight and 2 would not meet the BRE guidelines for APSH sunlight. This totals **187 rooms/windows not meeting one or more of the BRE guidelines**. Of these, 126 are situated at 368-372 Coldharbour Lane- immediately adjacent to the site.

However, the GIA Conclusion section, at Para. 7.6 presents these results as % rather than absolute terms:

- *“Based on the Current Baseline scenario, upon successful implementation of the Proposed Scheme, 11 of the 19 (57.9%) properties assessed will meet the national numerical values identified in paragraphs 2.2.21 and of the BRE handbook for daylight and sunlight. Overall, in relation to daylight, there will be an 86.7% compliance rate for VSC and a 90.7% compliance rate for NSL. In terms of daylight overall, 578 of the 702 rooms assessed achieve BRE compliance for both NSL and VSC (82.3%). In relation to sunlight, 99.5% of windows and 99.7% of rooms assessed will achieve compliance for APSH. Each of these overall figures is considered to be high, given the urban context of the Site. We are therefore of the opinion that overall, unacceptable harm is not caused to the surrounding residential properties and the daylight and sunlight impacts are commensurate for the surrounding urban context.”*

This presentation of the statistics is misleading. Rather than expressing the figures as percentages of the **rooms/windows assessed**, it expresses the percentages as those proportions of **properties assessed**. Furthermore, percentages are not indicative of the level of compliance – i.e., a larger sample of properties considered further afield would inevitably yield more compliant results. The fact that GIA draws their conclusion from the **statistics presented in this way distorts the**

fact that there are a considerable number of rooms/windows that are non-compliant.

I have collated the information presented in the GIA report and presented it in the form of summary tables at the end of this document (Appendix I). These tables present a more accurate and clear analysis of the impact on daylight/sunlight from the proposed development on the surrounding residential properties. They show that **a total of 187 windows/rooms do not comply with one or more of BRE guidelines**. Moreover, a total of **57 windows would suffer from daylight losses in excess of 40%**, and a total of **68 windows have a retained VSC lower than 15%**. In both cases, **the impact on those windows is significantly higher than the acceptable levels indicated in the BRE Guidelines**.

Despite this significant impact, the GIA report states that

- *“overall, unacceptable harm is not caused to the surrounding residential properties”.*

However, in the recent decision by the Secretary of State on the 8 Albert Embankment case (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106), he states that:

- *“[the Secretary of the State] agrees with the Inspector in that he accepts that the proposal would have a major adverse impact on the 24 rooms on the lower floors of Whitgift House (IR731). He also agrees with the Inspector’s analysis of daylight effects at 2 Whitgift Street (IR732-735).”*

And that

- *“... **those reductions** at Whitgift House and 2 Whitgift Street would result in reductions **greater than Building Regulations Establishment (BRE) guidelines**, in some cases substantially so, and residents [at Whitgift House and 2 Whitgift Street] would experience **an unacceptable increase in gloominess**. Accordingly, like the Inspector **he attaches very significant weight to the harm to the occupiers of these two properties** (IR759).”*

So the Secretary of State concludes that

- *“For the reasons set out above the Secretary of State agrees with the Inspector overall, that **there would be harm to the living conditions of residents by reason of significant loss of daylight to windows and habitable rooms**, principally affecting Whitgift House and 2 Whitgift Street (IR837). He considers that the identified harms would involve a degree of conflict with the relevant development plan policies particularly in respect of aspects of LLP site allocation Policy PN2 (Site 10) as well as LLP policy Q2 and LP policies D3 and D6.”*

The number of windows affected by the proposed development in Brixton is significantly higher than those in Albert Embankment. Moreover, the significant reductions in daylight levels are considered to cause *“an unacceptable increase in gloominess”*. It is for these reasons that the Secretary of State, agreeing with the

Planning Inspector, considers that overall there is harm on the living conditions. It is therefore surprising that the GIA report and the officer's report consider that the severe impact on 57 windows in terms of daylight loss and 68 windows in terms VSC retained does not amount to significant harm on the properties. **Based on the Albert Embankment decision, I believe that the overall conclusion of the GIA report and the officer's report is wrong and that the harm to surrounding properties is unacceptable.**

At para 8.4.10 the officer's report states that:

- *"Appendix I of the BRE Guide sets out the following adverse definitions:*
 - Minor Adverse: Reductions in VSC or NSL of >20% to 29.9%;*
 - Moderate Adverse: Reductions in VSC or NSL of 30% to 39.9%; and*
 - Major Adverse: Reductions in VSC or NSL of equal / greater than 40%."*

This is factually incorrect. Although Appendix I of the BRE guidelines refers to three categories of minor, moderate or major adverse impact, it does not prescribe ranges of VSC or daylight distribution reduction in percentage bands.

The officer's report then includes a property by property analysis based on its own established numerical bands to conclude that isolated examples of non-compliance are considered acceptable/reasonable within an urban context. However, this conclusion is unfounded for several reasons. First, the officer's report acknowledges that, **in Coldharbour Lane alone, 42 rooms will have a 'major adverse' impact with regards to VSC reduction.** This number of rooms is significantly lower than those in the Albert Embankment case (24 rooms), which were not dismissed as 'isolated examples' but as a reason to deem the scheme as creating significant harm.

Second, the GIA report and the officer's report have **not included the plans indicating the position of the windows analysed.** Therefore, it is not possible to verify that the findings from such analyses correspond to the worst affected properties in Walton Lodge and Coldharbour Lane.

And third, the officer's report analyses the worst affected properties in Walton Lodge and Coldharbour Lane properties by considering bedrooms separately from living rooms and kitchens. However, the GIA results are not separated in this way. Therefore, **it was not possible for the PAC (or the general public) to check the figures in the officer's report against those in the GIA one.** I believe that this might have led to a series of inconsistencies that might have confused the PAC when assessing this application. Such inconsistencies are **presented below:**

Inconsistencies in the analysis of Walton Lodge

At para 8.4.26, the officer's report states that:

- *“8.4.26 The majority of reductions to daylight VSC not meeting BRE Guide target criteria relate to bedrooms and can be summarised as 6 No having ‘major adverse’ reductions, 4 No ‘moderate adverse’ and 1 No ‘minor adverse’ reductions. In most cases the retained VSC values are below the mid-teens so clearly there is some significant adversity although this should be balanced with the inherent arrangement, that these windows are already typically partially restricted to daylight by their projecting or recessed positions to that of the main or rear elevation thus some degree of inherent sensitivity. Given that these reductions are to bedrooms, in terms of overall judgement, it is reasonable to consider overall a ‘moderate’ adversity.”*

According to the GIA report there are 16 windows in Walton Lodge that do not meet BRE VSC guidelines. This overall figure is not indicated in the officer’s report. Whilst the profile of the west façade is used to justify the relatively low values of retained VSC, **what is not reported is that 4 of the 11 bedrooms not meeting BRE guidelines score as ‘major adverse’ on both VSC reduction and VSC retention.** In addition, considering the adverse effect to bedrooms as an ‘overall judgement’ conceals the severity of the impact. This is not justified because, as the **BRE guidelines** at Appendix I state:

- ***“An adverse impact on one property cannot be balanced against negligible or beneficial impacts on other properties. In these situations it is more appropriate to quote a range of impacts.”***

At para 8.4.27, the officer’s report states that:

- *“8.4.27 In addition to the bedrooms, there are some VSC minor adverse reductions 2 No living/kitchen/dining rooms and 1 No kitchen but for these rooms, an acceptable or good retained VSC value is achieved.”*

According to the diagram presented by Schroeders Begg at the PAC meeting 25/8/20 (but not publicly available from Lambeth’s Planning Application website), one of the two living rooms that do not meet BRE reduction values falls into the ‘moderate adverse’ range for VSC reduction rather than the ‘minor adverse’ range. This is the living room on the 2nd floor to the north of the property. The GIA results do not distinguish between room types, and nor does the officer’s report state what the retained values of VSC are for these rooms. Nevertheless, **since these rooms do not meet BRE for retained VSC, it is not appropriate to say that ‘acceptable or good’ retained VSCs are achieved**, particularly since these are the type of habitable rooms that the BRE guidelines regard as more important.

At para 8.4.27, the officer’s report states that:

- *“8.4.28 Similar to VSC, the majority of reductions to daylight distribution not meeting BRE Guide target criteria relate to bedrooms and can be summarised as 5 No having ‘major adverse’ reductions, 3 No ‘moderate adverse’ and 1 No ‘minor adverse’ reductions. There is clearly some significant adversity although this should be balanced with the inherent arrangement, that the windows*

serving these rooms are already typically partially restricted to daylight by their projecting or recessed positions to that of the main or rear elevation thus some degree of inherent sensitivity. Given that these reductions are to bedrooms, in terms of overall judgement, it is reasonable to consider overall as 'moderate' adversity."

According to GIA results, there are **10 rooms in the Walton Lodge property that do not meet BRE recommended values for Daylight Distribution/No Sky Line. This overall figure is not contained in the officer's report.** However, according to the diagram presented by Schroeders Begg at the PAC meeting 25/8/20, there are only 9 such rooms and none were identified as likely to suffer minor adversity. In addition, the GIA results relate to reductions in Daylight Distribution, so the calculation is relative and therefore already takes account of the existing recessed/projecting conditions of the windows in question. **Paragraph 8.4.28 is therefore also misleading and under-represents the number of rooms adversely affected.**

At para 8.4.29, the officer's report states that:

- *"8.4.29 In addition to the bedrooms, there is 'minor adverse' reduction in daylight distribution to 1 No living/kitchen/dining rooms. This impact is considered to be acceptable."*

There is **no explanation for why the daylight distribution impact is considered acceptable** in this living room when it does not meet the recommended BRE value.

Finally, the officer's report considers VSC and DD separately but does not draw the results of the two aspects of daylight together. BRE considers that if either VSC or DD values are not met, then the rooms in question would suffer adversely. According to the GIA report, there are 16 cases of divergence from BRE VSC values and 10 cases of daylight distribution divergence - a total of 26 instances where at least one of the BRE criteria are not met.

Inconsistencies in the analysis of 368-372 Coldharbour

According to GIA results, **73 windows in Coldharbour properties do not meet the BRE value for VSC.** However, this figure has not been included in the officer's report.

It is worth reminding again that the recent decision by the Secretary of State on the **8 Albert Embankment case** (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106) states that:

- *"[the Secretary of State] agrees with the Inspector in that he accepts that the **proposal would have a major adverse impact on the 24 rooms** on the lower floors of Whitgift House (IR731). He also agrees with the Inspector's analysis of daylight effects at 2 Whitgift Street (IR732-735)."*

And that

- “... **those reductions** at Whitgift House and 2 Whitgift Street would result in reductions **greater than Building Regulations Establishment (BRE) guidelines**, in some cases substantially so, and residents [at Whitgift House and 2 Whitgift Street] would experience an unacceptable increase in gloominess. Accordingly, like the Inspector he attaches very significant weight to the harm to the occupiers of these two properties (IR759).”

So the Secretary of State concludes that

- “For the reasons set out above the Secretary of State agrees with the Inspector overall, that **there would be harm to the living conditions of residents by reason of significant loss of daylight to windows and habitable rooms**, principally affecting Whitgift House and 2 Whitgift Street (IR837). He considers that the identified harms would involve a degree of conflict with the relevant development plan policies particularly in respect of aspects of LLP site allocation Policy PN2 (Site 10) as well as LLP policy Q2 and LP policies D3 and D6.”

As confirmed by Schroeders Begg at the PAC meeting on 25/8/20, the floor plans for these properties were taken from Planning Application drawings and therefore do not necessarily correspond to their current room uses. Indeed, **many of the bedrooms in these blocks have been repurposed as working spaces during the pandemic** and those uses could be expected to continue in the future as working patterns become more flexible. Therefore, **the officer's and GIA's reports should not assume that bedrooms can simply have lower levels of daylight because, as habitable rooms, they serve (and will serve) multiple functions.**

At para 8.4.32, the officer's report states that:

- “8.4.32 For the north facing elevation, the majority of reductions to daylight VSC to windows do not meet BRE Guide target criteria; with the exception of 1 No living room, these all relate to bedrooms. In terms of reductions to bedrooms, these can be summarised as 46 No. having ‘major adverse’ reductions, 11 No. ‘Moderate adverse’ and 2 No. ‘Minor adverse’ reductions; thus in total 59 No windows in the north elevation having a noticeable impact. However, in 28 No. instances (circa 50%) the retained VSC values are mid-teens or above. In addition, for the isolated 1 No living room, there is a major adverse reduction to VSC.”

This assessment is impossible to ascertain because the GIA report has not included drawings with the position of the assessed windows.

In addition, there is a discrepancy between the above figures and these statistics reported to the PAC meeting 25/8/20. According to the diagram presented by Schroeder Begg at that meeting, there were 59 rooms on the north elevation of the

building that did not meet BRE VSC reduction values. This is one room shorter than in the officer's report, which also identifies 1 living room that does not meet the BRE VSC reduction values.

As the GIA results do not analyse the rear elevation separately, it is again not possible to verify the levels of retained VSC reported by Schroders Begg. In addition, if in 28 instances the retained VSC values are 'mid teens or above', this leaves 31 (more than 50%) of instances for bedrooms where the retained VSC is less than or equal to only 15%, lower than the 27% indicated in the BRE guidance. Also the retained VSC value for the isolated living rooms is not reported.

At para 8.4.32, the officer's report states that:

- *"8.4.35 For the windows serving rooms within the west facing elevation, which includes a significant number of living room windows, in terms of daylight VSC, there are some isolated 'minor adverse' reductions whilst for daylight distribution, reductions meet the default BRE Guide target criteria."*

According to the GIA results, overall there are 73 windows in this property that do not meet BRE guidelines in terms of VSC. Therefore either 12 or 13 windows on the west elevations are non-compliant with BRE VSC values, which as the officer's reports states would affect a significant number of living room windows. To report 12/13 windows as 'isolated' instances is misleading.

At para 8.4.36, the officer's report states that:

- *"8.4.36 In summary, there is significant adversity to the windows and rooms served by those windows in the north facing elevation facing the railway / closest to site) and limited adversity to those in the west facing elevation (the latter should readily be considered acceptable). For the north facing windows / rooms, the majority relate to bedrooms which appear to be within dual aspect flats (based on floor plans) and with living rooms facing the central courtyard to the south (with the exception of 1 No. ground floor living room served by a window in the north elevation although this particular flat appears to still have a separate open-plan kitchen dining room viewing onto the central courtyard to the south). On balance, given that the majority of reductions are to bedrooms, albeit there is also one living room, in terms of overall judgement, it could be considered overall as 'high moderate / low major' adversity with due consideration that the flats are dual aspect and majority relating to bedrooms, although quite an extensive number of bedrooms."*

There is no justification for considering the daylight impact on the west facing windows as acceptable. Even though these rooms have been categorized as 'minor adverse' they still do not meet the BRE targets and relate predominantly to living

rooms. The fact that the majority of bedroom windows affected on the north elevation are within flats that are dual aspect is irrelevant because those bedrooms do not benefit from the dual aspect. Moreover, as mentioned previously, the impact of the pandemic has meant that many of the bedrooms have been used as working spaces. This trend is likely to continue for the foreseeable future due to the increase of flexible working patterns. Therefore, it is not acceptable to assume that these bedrooms do not need optimal daylight conditions as they will be used for more than simply sleeping.

Finally, Policy PN3 Brixton of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- *Policy PN3 Brixton*

Site 16: Brixton Central (between the viaducts) SW9

The council will support development on the site that (...) (x) proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.

The planning application recognises that **the proposed development is a departure from this policy**, but considers that it would not “*conflict with policy in all other regards and it would deliver a wide range of social, economic, environmental and sustainable benefits to the community.*”

The officer’s report to the PAC makes a similar statement:

- *“Notwithstanding that the proposal represents a departure from Policy Q26 and Site Allocation 16 of the Local Plan, the application scheme is considered not to conflict with policy in all other regards and as such, as a policy compliant scheme it would deliver social, economic, environmental and sustainable benefits to the community.”*

However, the report does not explain where exactly the proposed scheme deviates from Policy PN3. Therefore, **the PAC report minimizes the mighty significant deviation from policy that the proposed development represents** (i.e. a tall building where there is explicit preference for a low one). This omission helps the GIA report to justify to the PAC the impact of this tall building on the daylight of neighbouring properties, on the assumption that this is acceptable for urban environments. But, as demonstrated above, not only is such assumption not supported by the BRE guidelines, the location of the proposed development has been clearly identified in the Local Plan for low buildings – which would not have incurred any significant daylight and sunlight impacts on its surroundings.

There is also evidence of Lambeth’s long-standing preference for low buildings in this area. The planning history of Carney Place properties (also identified as Coldharbour Lane 360-372) is a case in point. The original planning applications for **368-372 Coldharbour Lane (05/01015/FUL and 05/01016/FUL) were rejected on several grounds, including the height of the proposed development – i.e. 12 storeys.** The rejection was appealed and subsequently called in by the Secretary of the State, who dismissed the appeal and upheld the Inspector’s decision. Among the reasons given by **the Secretary of the State for supporting the rejection** of the original scheme were:

- *“The tall element of the scheme does not make a positive design statement but would rather detract from the skyline of the area around it.
The development would be oppressive in terms of its sense of enclosure as a result of the tightly enclosed courtyard, privacy for some flats and the height of the buildings.”
(p.7 of Planning Statement 06/04037/FUL)*

As a result, **the applicant revised the original proposal and presented a scheme of blocks surrounding the courtyard ranging from five to seven storeys high**, with the highest blocks facing the railway line and the site of the proposed Hondo Tower. This new application (06/04037/FUL) was finally approved and developed into the existing residential blocks at 368-372 Coldharbour Lane.

This case provides further evidence that the area has never been considered adequate for tall buildings because of the damaging impacts on privacy and skyline, a view shared in common by the Planning Inspector and the Secretary of the State as well as the Lambeth Local Plan. The proposed scheme 20/01347/FUL disregards all this planning history without any convincing justification for it.

IMPACT ON DAYLIGHT AND SUNLIGHT OF OTHER NON RESIDENTIAL BUILDINGS

Although the GIA reports confines itself to analysing the impact of the proposal on daylight and sunlight to residential buildings, Para. 2.2.2 of the BRE guidelines states that:

- *“The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would include hospitals, hotels and hostels, small workshops and some offices.”*

In addition, Para. 3.2.1 of the BRE states that:

- *“In designing a new development or extension to a building, care should be taken to safeguard the access to sunlight both for existing dwellings and for any nearby non-domestic buildings , where there is a particular requirement for sunlight.”*

Brixton Recreation Centre and Granville Arcade are Grade 2 listed buildings immediately adjacent to the site and also public buildings. As a covered market enclosed by buildings on its flanking walls, Granville Arcade relies exclusively on its glazed roof to provide natural daylighting. The sports hall of Brixton Recreation Centre also relies on south facing overhead glazing to provide one of the very few sources of natural daylight. The occupants of these buildings (the general public) would clearly have a reasonable expectation of daylight, if not sunlight, when using them. However, **there is no explanation for the omission of these non - residential buildings in the GIA report, which means that the impact on them has not been properly considered by the officer and the PAC.**

SUMMARY COMMENTS

I have collated the results from the GIA analysis in a series of summary tables (see Appendix I). These summaries, which would have been very useful for the PAC, highlight the real impact of the proposed development on the neighbouring properties. They reveal that 120 windows in surrounding residential properties would not meet the BRE guidelines for VSC daylight, 65 would not meet the BRE guidelines for NSL daylight and 2 would not meet the BRE guidelines for APSH sunlight. This totals **187 instances not meeting BRE guidelines, 126 of which relate to 368-372 Coldharbour Lane and 26 of which relate to Walton Lodge.**

Notwithstanding the fact that GIA did not use the BRE guidelines for VSC and instead used their own subjective 'alternative target values' (ATVs), which Schroeders Begg seem to have adopted, **68 windows would only retain a VSC of between 0% - 15% and 57 windows would suffer from daylight losses in excess of 40%.** This means that all these properties will have to use the electric light for a longer period to compensate for their significant loss of natural light, as explained in the BRE guidelines.

Taking into account the recent decision by the Secretary of the State on the case of 8 Albert Embankment (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106), where the severe impact on the daylight conditions of 24 rooms meant the scheme was considered harmful to the surrounding properties, I believe that **the numbers indicated above are strong evidence of the harmful nature of this proposed development on its surroundings.**

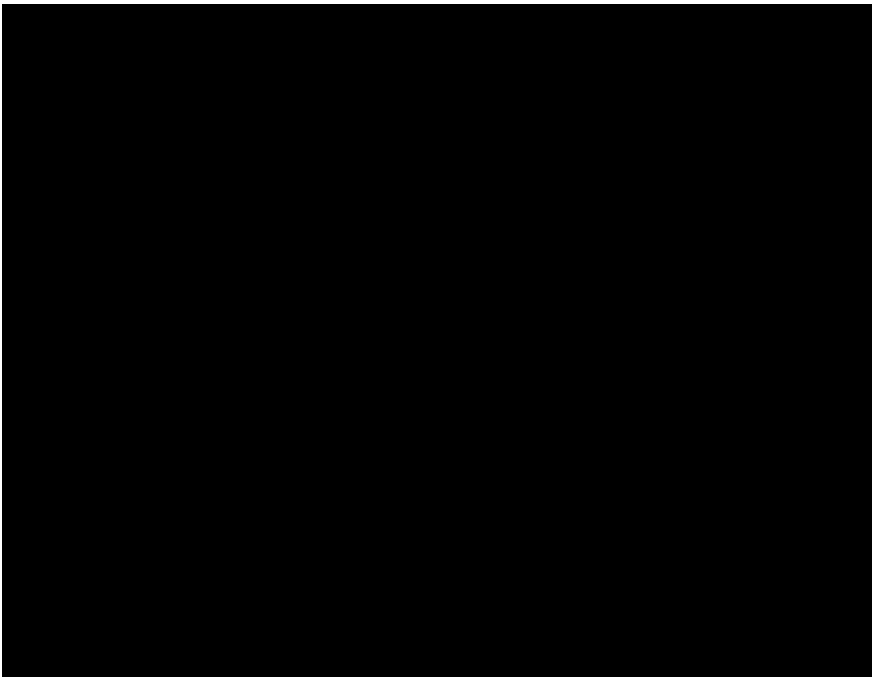
In addition, **the analysis of the GIA's report is missing some vital information.** First, it lacks a map of where each of the affected windows is situated. Second, it does not differentiate between bedrooms and living rooms. In addition, it does not clearly summarize the total number of windows not meeting BRE guidelines, or the level of adversity on them. I believe that the summary tables included in my Appendix I (below) would have helped the PAC to have a clear understanding of the harm this proposed scheme would cause on the surrounding properties. **The PAC's ability to make a fair assessment of daylight/sunlight impact was therefore compromised.**

According to the officer's report, Schroeders Begg carried out an independent review of the GIA report but this review has not been published. Instead, the Lambeth officer's report appears to refer to Schroeder Beggs findings on a property by property basis, but once again no overall statistics are presented. Although Schroeders Begg gave a presentation to the first PAC meeting, that presentation was never presented to the PAC in written form, so their ability to take in all the information and carefully assess it before making a decision was clearly compromised.

In all, this written representation argues that the proposed development will cause an excessive, unjustified and unacceptable level of sky line and daylight loss on the surrounding properties. The GIA report and the officer's report minimise the seriousness of these impacts when they assume that bedrooms can be significantly impacted, as indicated in the previous paragraph. However, my tables show that the scale and quality of the impacts on the surrounding residential properties will be significant and severe. I think that the PAC would have probably felt the same

had they seen a similar detailed breakdown. The Albert Embankment case proves that the harm inflicted by this proposed scheme must be considered harmful and significant. **Finally, I would like to highlight that behind the affected windows there are people living their lives.** These affected rooms are where many residents spend a considerable amount of their day time and therefore play a paramount role in their *“sense of wellbeing in the home”* (London Housing SPG 2016, para. 2.3.35). **A severe impact on the daylight levels or the privacy of these properties is a severe impact on their wellbeing.**

For all these reasons, I believe **the harm of the proposed development on privacy, daylight and sky line conditions is not justified and cannot be simply balanced up with the benefits from other aspects.** Therefore, I am respectfully asking the Mayor of London to reject the proposed development and spare the residents of Carney Place from its unacceptable harm to our lives. Thank you.



APPENDIX I

Rooms/windows in proposed development not meeting BRE guidelines

	VSC	NSL	APSH
Granville Court	4	0	N/A
Valentia Place	2	0	0
368-372 Coldharbour Lane	73	53	0
Chartam Court	15	1	0
Westgate Court	8	0	2
Wincheap Court	0	1	0
28 Atlantic Road	2	0	0
Walton Lodge	16	10	0
Total	120	65	2
	187		

A total of 187 windows/rooms do not comply with one or more of BRE guidelines. Of these, 126 are situated at 368-372 Coldharbour Lane, the property right opposite the proposed development.

Detailed breakdown of VSC loss in each property.

	20% - 30%	30% - 40 %	> 40%
Granville Court	4	0	0
Valentia Place	1	1	0
368-372 Coldharbour Lane	15	11	47
Chartam Court	15	0	0
Westgate Court	2	2	4
Wincheap Court	0	0	0
28 Atlantic Road	2	0	0
Walton Lodge	5	5	6
Total	44	19	57

A total of 57 windows would suffer from daylight losses in excess of 40%, way above the BRE guidelines and falling within the 'major adverse' category set in the officer's report.

Detailed breakdown of VSC retained in each property.

	0% -15%	15% -20%	20% - 27%
Granville Court	0	2	2
Valentia Place	2	0	0
368-372 Coldharbour Lane	39	24	10
Chartam Court	15	0	0
Westgate Court	1	7	0
Wincheap Court	0	0	0
28 Atlantic Road	0	0	2
Walton Lodge	11	3	2
Total	68	36	16

A total of 68 windows have a retained VSC lower than 15%, the minimum set in the GIA report as acceptable. A total of 120 windows are below the 27% VSC retained minimum standard set in the BRE guidelines. This means that 120 windows will have to use the electric light a lot more to compensate for the significant loss of natural light, as indicated in the BRE guidelines.

[REDACTED]

From: [REDACTED]
Sent: 04 February 2022 01:57
To: Mayor of London; [REDACTED] John Finlayson; Popes Road
Subject: 20-24 Popes Road GLA Stage 3 Ref 2021/0265
Attachments: 20-24 Popes Rd-AQ Submission- L PLowden 3rd Feb 22.pdf

20-24 Popes Road GLA Stage 3 Ref 2021/0265

Planning Objection-Objection

Dear Mr Mayor and GLA officers,

Please see my submission attached, in response to the re-consultation issued by the GLA on 14th January 2022. I am submitting this on behalf of the 'Fight the Tower' campaign.

regards,

[REDACTED]

[REDACTED]

[REDACTED]

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20-24 Popes Road -GLA stage 3 ref- 2021/0265

3rd February 2022

Planning Application- Objection

Written representation submitted by [REDACTED] Lambeth resident, on behalf of the 'Fight the Tower' campaign

This is in response to the re-consultation issued by the GLA on 14th January 2022.

Contact details-

[REDACTED]

[REDACTED]

[REDACTED]

Response to Hondo's Air Quality Assessment

I have major concerns about the impact this development would have on air quality in the Brixton area and about the air quality assessments provided by Hondo Enterprises plc and their associates.

My concerns include the likely negative impact on air quality during the construction phase, problems with monitoring air quality in Lambeth, and the fact that this development would prevent improvements to public transport in Brixton.

Background

In January 2022 Hondo Enterprises submitted an updated document prepared by 'Air Quality Consultants' in relation to the proposed development at 20-24 Pope's Road SW9 (planning application ref.20/01347/FUL)

This is entitled 'Letter of Confirmation: Adopted London Plan, Air Quality Assessment, Pope's Road, Brixton'

Quote-

'The document is an update to their Air Quality Assessment (dated March 2020) and subsequent Statement of Conformity (dated June 2020) to take account of the adoption of the London Plan in March 2021'

Quote from the Air Quality Assessment March 2020:

The Air Quality Assessment shows the Proposed Development does not lead to further deterioration of poor air quality. As detailed in Chapter 6: Operational Phase Impact Assessment of the Air Quality Assessment, with the Proposed Development predicted annual mean nitrogen dioxide is predicted to increase from 0% to 1%, and the impacts described as negligible. The increases in annual mean

concentrations of PM10 and PM2.5 at relevant locations, relative to the objectives, will be 0% (when rounded) and the impacts negligible. The Proposed Development does not lead to any new areas that exceed the air quality limit or delays compliance. The Proposed Development does not introduce unacceptable levels of exposure to poor air quality. Consequently, the overall operational air quality effects of the Development are judged to be 'not significant'. (page 3)

I would argue that Lambeth do not have sufficient capacity to monitor these levels and therefore the council cannot ensure that these claims are realistic.

Demolition and Construction

The March 2020 Air Quality Assessment states-(page 28) that demolition and construction will involve an average of 53 HGV journeys a day

(An HGV is defined as a heavy goods vehicle of 3.5 tonnes or more.)

'HDVs are defined as freight vehicles of more than 3.5 tonnes (trucks) or passenger transport vehicles of more than 8 seats (buses and coaches)'

Source

https://ec.europa.eu/commission/presscorner/detail/en/MEMO_14_366

The report predicts HDV AADT at 53 per day. (HDV AADT is 'annual average daily traffic')

Even considering the optimistic predictions in the report and the ways in which their air quality measurements are calculated, surely this would be an extremely high number of HGVs in such a constricted site, in a borough which in 2017 had some of the worst air quality measurements in the UK?

The March 2020 Air Quality Assessment states this will have a 'negligible impact on air quality': (page 28)

Detailed Assessment of Development-Generated Construction Traffic Emissions

- 5.2 The number of HGV vehicles that will access the Site during demolition and construction has been provided for each construction phase by Blue Sky Building. EPUK and IAQM (Moorcroft and Barrowcliffe et al, 2017) considers that a detailed assessment of air quality may be required if a development leads to a change of more than 25 AADT HDV movements on roads in an AQMA with relevant exposure. The Proposed Development will generate a maximum of 53 HDVs AADT's in any year of construction. As such, further assessment has been carried out to determine the impacts that such increases could have on air quality at receptors located along the affected roads. The dispersion model ADMS-Roads was used, and it was predicted that an increase in 53 HDV movements per day would lead to increases in annual mean NO₂ concentrations of less than 0.3 µg/m³ at any of the selected worst-case receptors (see Appendix A6), and less than 0.1 µg/m³ at any receptor predicted to be exceeding the annual mean objective. Concentration of PM₁₀ and PM_{2.5} would increase by a maximum of 0.1 µg/m³ at any receptor.
- 5.3 Such increases will have a negligible impact on air quality at sensitive receptor locations, and thus further assessment is not required.
- 5.4 The effects associated with off-site construction traffic emissions are considered to be 'not significant'.

The document goes on to state (page 38)

- 7.7 Caneparo Associates has advised that the Proposed Development is expected to generate a total of 41,632 car trips: 14,600 car trips per year from the A1/A3 retail units and a further 27,032 car trips per year from the B1 offices. The proposed D1/D2 uses are not expected to generate any transport trips and therefore have not been considered further in this air quality neutral assessments.

I would question the assumption here that the D1 & D2 uses (namely the Community Floor space and so on) will not generate any transport trips at all. How can this be stated with certainty?

Surely, although the assembly and leisure aspects of the development are small in comparison to the office and retail space, there would still be road traffic associated with these uses?

Definition of D1/D2;

D1 class refers to non-residential institutions. This includes buildings being used for medical and health services, as a nursery, to display art, providing education, as a library, public hall or for public religious worship.

D2 – Assembly and Leisure

Properties that are defined as D2 class cover those used for assembly and leisure. This includes the likes of a cinema, concert, bingo or dance hall, swimming pool, gymnasium or other indoor or outdoor sports not using motorised vehicles or firearm

Source-

<https://estateagentnetworking.co.uk/understanding-uses-d1-d2-property>

The March 2020 Air Quality Assessment predicts that the dust and dirt levels created by vehicle movements during construction will be at 'medium' levels with 62 Heavy vehicle movements a day (page 30)

Trackout

- 5.10 The number of heavy vehicles accessing the Site, which may track out dust and dirt, has been estimated to be a maximum of 62 outward heavy vehicle movements per day. Based on the example definitions set out in Table A2.1 in Appendix A2, the dust emission class for trackout is considered to be *medium*.

Again, this is a high level of vehicle movement, which will be creating dust and dirt within a very tightly constricted area which houses open food markets among other things

This area is also home to deprived communities with significant instances of poor health outcomes, in which air pollution plays a major part.

It is worth noting that according to 'Air Quality News' 'Nitrogen oxide (NOx) pollution has improved by 6% in Brixton in the last 2-years' (Air quality news September 2021)

<https://airqualitynews.com/2021/09/30/air-pollution-in-brixton-has-improved/>

However, Brixton still has unacceptably high levels of air pollution, following a sustained period where it has had some of the worst figures in the UK. This includes peak figures from 2015 as well as from 2017, when Brixton exceeded its annual level for air pollution in just 5 days.

<https://brixtonblog.com/2015/11/lawyer-seeks-people-affected-by-brixtons-deadly-air-pollution/>

<https://www.bbc.co.uk/news/uk-england-london-38529928>

20-24 Pope's Road-Comparison with the Lambeth's Windsor Road planning decision

Increased road traffic was one of the deciding factors in Lambeth's recent decision to turn down a planning application for a site in Windsor Grove, Lambeth SE27, following very strong local opposition which highlighted the risk of increased air pollution as a major concern and a threat to public health.

Lambeth's Decision Notice stated:

'The proposed development will result in an increase in traffic on Windsor Grove, a relatively narrow access road that also serves 58 residential properties. The likely level of additional vehicular movements, including HGV movements, generated by the development will result in an adverse impact on the character of Windsor Grove, and on the amenity of pedestrians and cyclists using that road and of those residents living adjacent to it. Taking account of the criteria set out in London Plan policy SI 8E and other relevant matters, the NPPF when read as a whole and as a matter of planning judgement the Council has determined that the adverse impact on character and on amenity is not outweighed by the benefits of the proposed development.'

Ref-Lambeth Planning -Application Number: 20/01066/EIAFUL Date of Application: 20.03.2020 Date of Decision:10.08.2021

Proposed Development At: Land Off Windsor Grove, Adjoining Railway At West Norwood London

Problems with Air Quality monitoring in Lambeth

Two of the biggest contributors to poor air quality in London are known to be road traffic and construction work

Lambeth currently has an ambitious 'Air Quality Vision' but this is just a vision, without the working Air Quality Strategy needed to turn it into reality.

Quote: *'The Air Quality Vision for Lambeth report has set out bold new targets to reduce Nitrogen Dioxide (NO2), and particulate matter (PM 10 and 2.5), by 2030 based on new guidance from the World Health Organisation (WHO). The new targets are stricter than those previously adopted by governments and UK local authorities.14 Dec 2021'*

<https://love.lambeth.gov.uk/air-quality-vision-report/>

There are only three 'live monitoring' sites for air quality in the whole of Lambeth

Quote: *'Lambeth has three automatic monitoring sites in Brixton (LB4), Vauxhall (LB5) and Streatham (LB6). In 2020, Lambeth continued to use diffusion tubes to monitor NO2 across the borough.'*

<https://beta.lambeth.gov.uk/better-fairer-lambeth/projects/how-we-are-improving-air-quality>

ref-<https://love.lambeth.gov.uk/air-quality-vision-report/#:~:text=The%20Air%20Quality%20Vision%20for,governments%20and%20UK%20local%20authorities>.

Problems with air quality monitoring across Lambeth throw into doubt any plans for reducing or tracking the harm being done to our health or to the environment.

The Brixton live monitoring station has been shown to be often not functioning and for some periods recently has been out of action in need of repair.

Meanwhile the Vauxhall monitoring station shows some of the highest readings in London.

The third station in Streatham is described as a 'background' monitor.

Lambeth have 115 tube diffusers, but these are not live monitors. The results give average readings over time and the reports can take between 6 and 18 months to come back.

The key point here that relates to this proposed development is that pollution levels are dangerously high in Lambeth. The central Brixton roadside monitor, when it is working, produces data for NOX and PM10s, but not PM2.5

Worryingly there appears to be no monitoring of PM 2.5 particles anywhere in Lambeth. These are the smallest airborne particles, which pass through the membranes of the lungs and into the soft tissues of the body, including the brain, with serious long term health effects.

Lambeth's Air Quality report published in August 2021 is based on 2020 data. Without adequate live monitoring, we are not in a position to assess the current situation or to accurately try and judge the impact that large developments such as this will have on future air quality.

Links between construction work and poor air quality.

PM 1.0 figures at Vauxhall are some of the worst in London. The three most likely culprits are said to be firstly, heavy traffic, secondly, the building developments at 9 Elms, and thirdly the monitor's location near to a London underground vent, although I have not seen evidence that this last source has been proven.

My concern is that, as is the case in Vauxhall, building works and increased traffic in Pope's Road during the construction phase would produce unacceptably high levels of pollution, including PM2.5, which would then go unrecorded.

Transport and Air Quality

It has already been argued by objectors at Lambeth's Planning Applications Committee that this development would prevent the expansion of rail connectivity in Brixton, as it would permanently remove the most suitable site for a new overground station for the area.

This needs to be considered as a huge potential loss to future efforts to improve air quality in Brixton. This would be in conjunction with the potential for an increase in road traffic associated with trips to and from the proposed building.

This option for enhanced rail connectivity in Brixton was set out in the 2014 Steer Davies report commissioned by Lambeth.

Without the Hondo Tower, there would remain an option for a new transport hub, with a Brixton Overground interchange at the 20-24 Pope's Road site.

This would incorporate Brixton into the East-West orbital overground line, running from Clapham Junction to Highbury & Islington, connecting it with stations in Southwark, Tower Hamlets and Hackney, among others.

Currently these overground trains pass through Brixton without stopping.

A strong case has already been made for a transport hub here, which Lambeth council appeared to support. I would suggest that instead of an unwanted twenty storey office block, a railway station here could form a part of a much more sustainable low-rise building, into which could be incorporated genuine community space, local support services and cultural amenities and so on.

This area could have a focus on pedestrian access, in the same way that Brixton Market does.

As well as offering an incentive to reduce car travel, this increased level of public transport access could bring real benefits to deprived communities in the area.

Conclusion

Hondo's Air Quality Assessment has outlined projections for a large increase in heavy traffic associated with the construction phase of this development.

We know that construction work and increased HGV traffic contribute to air pollution, and I have argued that Lambeth do not currently have the facilities to monitor these.

The proposed tower would involve a major building project on a complex site, in the centre of a very constricted built environment, which is already known to suffer from traffic congestion.

I'm not aware of any planning conditions being imposed for sustainable construction in this case, such as the use of hydrogen fuel cells, renewable energy and so on, at least not where renewable energy is required to play a major role.

Nor can I see any planning conditions calling for mitigation measures such as tree planting, green walls and so on, which in more sustainable developments can be seen to help play a role in improving air quality.

Hondo's Air Quality assessment has not reassured me that there would not be a significant increase in airborne pollution if this development went ahead.

This is being imposed on an area that has already suffered historically from extremely high levels of airborne pollution, and I would urge the London Mayor to turn this application down.

Additional sources:

Ref: Alternative power supply for construction projects

<https://www.cnbc.com/2020/09/03/construction-site-uses-hydrogen-fuel-cell-tech-to-power-operations.html>

[REDACTED]

From: [REDACTED]
Sent: 03 February 2022 13:58
To: Popes Road
Cc: planning@brixtonsociety.org.uk
Subject: 20-24 Popes Road SW9 8JB - GLA ref. 2021/0265
Attachments: GLA Popes Rd Feb 22.doc

Please find attached our latest representations on the above planning application, in Word format.

This document responds to Energy and Sustainability reports, including the Life Cycle Assessment, that the applicants submitted in December.

Regards,

[REDACTED]

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The Brixton Society

Understanding the Past, Looking to the Future

Reg'd. Charity No.1058103, Registered with the London Forum of Amenity Societies

Website: www.brixtonsociety.org.uk

The Planning Team,
Greater London Authority,
City Hall,
Kamal Chunchie Way,
London E16 1ZE

popesroad@london.gov.uk

Enquiries to:



2nd February 2022
GLA ref: 2021/0265

Proposed Development at 20-24 Pope's Road, London SW9 8JB

Dear Sir,

In response to your letter of 14 January, I note that the applicants submitted further information on Energy and Sustainability issues in December. This material has since been reviewed and our comments are set out below.

I wrote to you previously (on 14.12.21) to convey our comments on the proposed amendments to the Training and Employment offers, and the obsolescence of the proposed form of office development.

The Brixton Society re-asserts its objections to this application, and still wishes to participate in the public representation hearing before the Mayor.

1. Energy Efficiency

As with the previous offer on Training and Employment, these proposals barely move beyond what the applicants would be obliged to provide to conform to London Plan and Lambeth Local Plan policies, and the latest amendments to the Building Regulations (published in December 2021).

The proposals show a lack of innovation and ambition. There is only token "green-washing", such as adding a modest number of solar panels as an after-thought, when a more fundamental redesign is needed.

Once again, the proposals lag behind current thinking that a development of this scale should be more sustainable and energy-efficient. If the applicants genuinely wished to attract a major office user, they should realise that such a corporate occupier will be mindful of the operating costs of such a building.

Recent research by Jones Lang Lasalle (JLL) showed corporate occupiers of city centre offices were willing to pay 10% more in rent for space in office buildings rated by BREEAM as outstanding or excellent. Such buildings would also be let more quickly, reducing void periods. Major office occupiers

are also increasingly keen to demonstrate their “green” credentials, such as by selecting an energy-efficient building which is sustainable in use.

2. External Materials

The basic structure is a heavy reinforced concrete frame with brick cladding. While brick can be a sympathetic facing material for low-rise buildings, once above half-a-dozen stories all brick details fade from view, and its aesthetic merits no longer apply.

In the context of an Energy Appraisal, fired clay bricks by definition will have been made with high embodied energy. Their dead weight requires a more substantial concrete frame than if lighter cladding materials were selected, in turn adding to the embodied energy. Brick panels will also need secure fixing to the structural frame.

3. Life Cycle and Change of Use

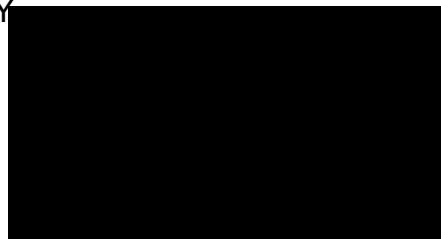
The Circular Economy assessment does not take enough account of how materials may be re-used, or the implications of future adaptations or changes of use.

For example, the reclamation of bricks for full re-use is only practical when they were laid in lime mortar at the outset. Facing bricks used in a high-rise tower would need to be laid in cement mortar to ensure consistent strength and durability in their more exposed circumstances. In the event of demolition, bricks laid in cement mortar are difficult to clean for re-use and typically can only be used in lower-value applications, such as being crushed as hardcore for foundations or paving beds.

4. Conclusion

The quantity of consultants’ reports fails to disguise the limitations of the design and its lack of attention to sustainability, efficiency and context. Taking into account the disregard for prevailing planning policies, this application should be decisively refused.

Y



Secretary.

[REDACTED]

From: [REDACTED]
Sent: 03 February 2022 10:00
To: Popes Road
Cc: Mayor of London
Subject: 2021/0265 Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Attachments: 20 24 Pope's Road 20210265S3.pdf; 20 24 Pope's Road re-notification.pdf; Pope's Road, Brixton, Greater London.pdf

Dear Mayor,
Thank you for the re-notification on the referred application for 20-24 Pope's Road. Please find attached our latest and previous responses.

Kind regards,

[REDACTED]

[REDACTED]

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

THE VICTORIAN SOCIETY
The champion for Victorian and Edwardian architecture

mayor@london.gov.uk

Cc: [REDACTED] london.gov.uk
[REDACTED] [@london.gov.uk](mailto:london.gov.uk)

Your reference: 2021/0265/S3
20/01347/FUL
Our reference: 171653

15th December 2021

Dear Mayor,

**RE: 2021/0265/S3 20/01347/FUL 20 - 24 Pope's Road Brixton London, SW9 8JB
Demolition of existing building and erection of part 5, part 9 and part 20-storey
building with flexible A1 (shops)/ A3 (restaurants and cafes) / B1 (business) / D1
(non-residential institutions) / D2 (assembly and leisure) uses at basement,
ground floor and first floor levels, with restaurant (Class A3) use at eighth floor
level and business accommodation (Class B1) at second to nineteenth floor
levels, with plant enclosures at roof level and associated cycle parking,
servicing and enabling works**

Thank you for continuing to consult the Victorian Society on this proposal. Having reviewed the latest documentation we maintain our **objection**.

Although the proposed site contains no heritage assets, the proposal would harm the setting of the Brixton Conservation Area, a designated heritage asset. Since the Victorian Society was previously consulted by the local authority there have been no meaningful changes to the proposal, therefore our objection remains. Our previous letter is attached.

The Brixton Conservation Area is characterised by its low and medium rise buildings. A Victorian town centre with Edwardian additions, later development has been sensitive to existing building heights. Therefore, the area's special character is still easily recognisable. This character is noted specifically in the Conservation Area character appraisal which advises against new tall buildings within or adjoining the conservation area:

'Should sites within or adjoining the conservation area become available, care should be taken to ensure that the new buildings are designed to respect the character or appearance of the area in accordance with UDP policies. Though there are several tall buildings adjacent to the conservation area new tall buildings are unlikely to be appropriate if they dominate or over shadow the conservation area.'

[REDACTED]

The proposed development would dominate and overshadow the Conservation Area, causing significant harm to it and its setting. It would reduce the legibility of its character and introduce a dangerous precedent for other inappropriate developments.

We understand that you share our concern over the proposed height. A key point of discussion at a meeting with Andrew Travers and the Lambeth Chief Executive was that *'the Mayor has concerns regarding the overall height of the proposal, in particular.'* We also note from other correspondence made available through the same FOI request that the developers would appear unwilling to contemplate any reduction in the proposed height, and therefore any possible scheme which could satisfy the Society's objection.

Considering the significant level of harm the proposals would cause their justification is not clear. There are conflicting reports on the demand for office space in Brixton with the report by JLL commissioned by Lambeth and published in October 2020 stating that there has been a downward trend in the demand for office space in Brixton, even before Covid-19. It is also clear that demand for increased office space is unlikely to return in the near future with most business embracing increased home working if able.

Linked with this is the environmental side-effects of the proposal. Construction causes high levels of carbon emissions, especially on the scale proposed. There is also the higher environmental impact in the use of high-rise buildings. A study at the Energy Institute, University College London, has shown that buildings over 20 storeys (such as the proposal) use more energy per square metre of floor area than office buildings under 6 storeys. Given your declaration of a climate emergency in 2018 and pledge to make London carbon net zero by 2030 construction should only be permitted where it is strongly justified and makes a positive contribution to its area and London more widely. Not for proposals which would harm designated heritage assets and are justified by a highly uncertain and possibly false demand for office space.

The NPPF paragraph 189 states that heritage assets such as the Brixton Conservation area are *'an irreplaceable resource, and should be conserved in a manner appropriate to their significance'*. Paragraph 206 goes on to say that local authorities should look for opportunities for development *'within the setting of heritage assets, to enhance or better reveal their significance.'* It is impossible to see how this proposal will enhance or better reveal the significance of the irreplaceable heritage assets nearby.

We **object** to the proposal and urge that you refuse consent for what would be a damaging and unnecessary development. We look forward to the opportunity to comment at the hearing in the near future.

Yours sincerely,



Conservation Adviser



THE VICTORIAN SOCIETY
The champion for Victorian and Edwardian architecture

mayor@london.gov.uk
popesroad@london.gov.uk

Your reference: 2021/0265
20/01347/FUL
Our reference: 171653

3rd February 2022

Dear Mayor,

**RE: 2021/0265/S3 20/01347/FUL 20 - 24 Pope's Road Brixton London, SW9 8JB
Demolition of existing building and erection of part 5, part 9 and part 20-storey
building with flexible A1 (shops)/ A3 (restaurants and cafes) / B1 (business) / D1
(non-residential institutions) / D2 (assembly and leisure) uses at basement,
ground floor and first floor levels, with restaurant (Class A3) use at eighth floor
level and business accommodation (Class B1) at second to nineteenth floor
levels, with plant enclosures at roof level and associated cycle parking,
servicing and enabling works**

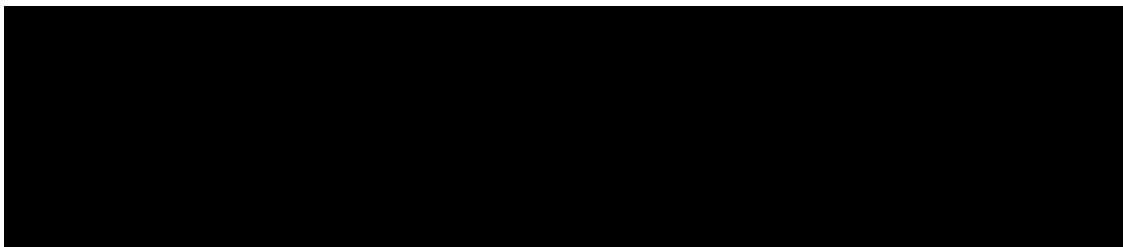
Thank you for re-notifying the Victorian Society on this referred application and for making available the new documents provided by the applicant.

However, the new documents do not address the issues raised in our previous objections to the proposal. Namely, that the height and scale of the proposed building would cause harm to the Brixton Conservation Area, and that the proposal cannot be justified due to the climate emergency and lack of demand for office space in the area. Rather than repeat those objections in detail our previous objections are attached.

We **object** to the proposal and urge that you refuse consent for what would be a damaging and unnecessary development. We look forward to the opportunity to comment at the hearing in the near future.

Yours sincerely,

Conservation Adviser



[REDACTED]
Lambeth Planning
PO Box 734
Winchester
SO23 5DG

Your reference: 20/0134/FUL
Our reference: 158553

26th May 2020

planning@lambeth.gov.uk

Dear [REDACTED],

RE: Greater London, Brixton, 20-24 Pope's Road; demolition of the existing building and erection of a part four, part nine and part twenty storey building.

We **strongly object** to this application, and our comments are outlined below.

Although the application site itself contains no designated heritage assets, it occupies a highly sensitive location in the setting of the Brixton Conservation Area.

The area of Brixton that is now designated as the conservation area has managed to avoid the intensive development which has blighted many other historic urban centres, and therefore retains its character as a predominantly Victorian town centre with later Edwardian and inter-war additions. The general sympathetic scale of development both in the last century and this, is a key factor behind the continued legibility of this character, and it is crucial that this sense of scale is maintained going forward. The Brixton Conservation Area Appraisal specifically addresses this, noting on page 43 that;

Should sites within or adjoining the conservation area become available, care should be taken to ensure that the new buildings are designed to respect the character or appearance of the area in accordance with UDP policies. Though there are several tall buildings adjacent to the conservation area new tall buildings are unlikely to be appropriate if they dominate or over shadow the conservation area.

The proposal to construct a part 4, part 9, part 20-storey building in the setting of this area is therefore alarming and demonstrates a total failure to understand and respond to the context of the area. Whilst buildings of this height may be appropriate elsewhere in London, it is clear to see that this is not a location where this applies. The proposed would plainly overshadow the surrounding buildings, not only along Electric Avenue, but also Brixton Road, the main thoroughfare and key focal point, and thus cause significant harm to the conservation area. The potential impact of this is clearly demonstrated through the 'Townscape, Heritage and Visual Impact Assessments' included within the application which shows several key buildings in the shadow of the 20-storey section of the building.

There is moreover a further danger that in granting consent to a scheme such as this, a precedent could be set for further tall buildings on the perimeter of the conservation area which would overshadow the existing, and, in time, completely erode its special character.

It is important that the historical and characterful significance of Brixton Conservation Area, as well as its setting, is protected so that it may retain its individuality as an urban centre. The proposed fails to do this, treating the area as another geographically convenient area for intensive development, and we therefore urge your authority to refuse consent.

I would be grateful if you could inform me of your decision in due course.

Yours sincerely,



Conservation Adviser

[REDACTED]

From:

[REDACTED]
03 February 2022 22:52

To:

Mayor of London; [REDACTED] John Finlayson; Popes Road

Subject:

2021/0265/S3 - 24 Pope's Road Brixton London, SW9 8JB - Written representation submission -
OBJECTION - re: office space demand

Attachments:

Harms v Benefits Objection 030222.docx

Dear Mr Mayor and GLA officers,

I hope my email finds you and your families well.

I am re-submitting my written representation in response to the new round of consultations on the enhanced offer that the applicant submitted last December 2021. My updated representation looks at the alleged benefits from the applicant's enhanced offer to challenge them. Specifically, **this representation provides up to date market evidence that challenges the demand for this type of office space in Brixton.**

Please see the attachment. **If you have any questions, please do not hesitate to contact me.**

Thank you,

Kind regards,

[REDACTED]

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3rd February 2022

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation (objection) prepared by [REDACTED]

HARMS v BENEFITS

1. PUBLIC BENEFITS

1.1 Office Space

The GLA Stage 2 report 1 March 2021 stated at para 36 that:

*London Plan policies SD6 and E1 support increases in the stock of offices of different sizes **where there is evidence of demand**, particularly within town centres where the provision of office floorspace is an important contributor to the local and London-wide economy.*

1. London Plan 2021 policy SD6 (Town Centres and high streets) states that:
 2. *A The vitality and viability of London's varied town centres should be promoted and enhanced by:.....*
 3. *5) ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy*
 - 4.
 5. *E The redevelopment, change of use and intensification of identified surplus office space to other uses including housing should be supported, taking into account the impact of office to residential permitted development rights (see Policy E1 Offices) and the need for affordable and suitable business space (Policy E2 Providing suitable business space, Policy E3 Affordable workspace).*

Policy E1 D of the London Plan 2021 states that:

The diverse office markets in outer and inner London (outside the areas identified in Part C) should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity including:

- 1) *the strategic outer London office location at Croydon town centre*
- 2) *other town centre office locations (having regard to the Town Centre Network office guidelines in Table A1.1 and Figure A1.4 in Annex 1)*

The office guideline classification for Brixton town centre in Table A1.1, which as it states is informed by the London Office Policy Review 2017 and borough evidence is:

'C' ie **Protect small office capacity** – *these centres show demand for existing office functions, generally within smaller units.*

This is the lowest of the 3 classifications. Classification A (the highest) is described as **Speculative office potential** – *these centres have the capacity, demand and viability to accommodate new speculative office development*

However, this application is indeed a large speculative office development as evidenced below.

1.2 Office Space Demand

The application would provide 25,435 sqm of office space (GIA) within a development providing a total of 28,868 sqm (GEA) ie the vast majority (88%) of the development would be office space.

Evidence of demand for this amount of office space in Brixton was not provided by the applicants. When the impact of COVID on demand for office space was questioned at the PAC2 meeting, one of the planning officers, Nabeel Khan, responded as follows: (time stamp 1:34:34):

*I would expect to assume that the pandemic looks set to have a lasting impact on office usage. I'm aware that there have been a number of reports which seem to explore this very topic in recent weeks. You refer to one yourself-the Savills report. There's been a recent Institute of Directors survey of nearly a thousand company directors last month and they found that seventy four percent of those surveyed said they'd be keeping increased home working moving forward post- COVID. There's also been a recent sort of Rix commercial survey done in Q3 where about sixty percent of global surveyors indicate a shift in office space from urban to suburban locations. But the thing with all of these reports, they tend to be national and international in their outlook, and there isn't much local insights in those so **we've actually recently commissioned a local study of the commercial office market in Lambeth which threw up some interesting findings that may be of interest to the committee.....***

Brixton has seen a reduction in stock of around 9000 square foot per annum over the last three years and it currently has low vacancy rates at 2/2.1 percent over the last ten years which suggests a lack of supply and consistently strong demand.

.....based on the analysis that we've had done by JLL, and we can make that available to committee and yourselves, Brixton's office demand is actually going to be strong in the coming months and years post covid.

These assertions are not borne out by the JLL Commercial Office Baseline Report commissioned by Lambeth and published in Oct 2020 extracts of which are quoted below:

6.3.9. *There are several large-scale schemes in the rest of the borough that could be delivered in the next development cycle. The highest profile are Derwent's scheme at Blue Star House and **AG Hondo's 274,000 sq ft at 20-24 Popes scheme**. Derwent will gain vacant possession of Blue Star House in 2025 and are expected to work up a larger scheme [than] that currently in situ.*

6.3.10. ***The question is whether there will be sufficient demand to absorb this future space. It is safe to say that based on historic trends, this is unlikely to be the case.** For the purposes of forecasting demand and supply, we have used data on supply from both JLL and CoStar. The majority of the space expected to be constructed by 2025 will be within buildings in Waterloo & Vauxhall and as such will be well located to absorb some migration from existing companies within Central London.*

6.3.11. *Our forecast is largely driven by quantitative analysis, but it is informed by qualitative findings from the trends highlighted elsewhere in this report. We have looked at macro-economic forecasts for office employment, supply forecasts and historic trends to see how they compare against historic trends.*

6.3.12. *Historically, new developments in both Waterloo and in neighbouring Southbank have let quickly and to large scale occupiers. It is a reasonable assumption to make that the proposed new developments in Waterloo and Vauxhall could attract high quality occupiers from growth sectors such as technology and professional services, particularly if delivered alongside improving provision of amenity and urban realm. The provision of higher quality buildings will*

help to attract new occupiers who, as we will see from migration analysis, are less tied to historic locations and are focused on quality areas, and therefore new employment opportunities into the centrally located areas of the borough. Over the longer term, these developments are likely to attract sufficient demand.

*6.3.13. The local markets of Clapham and **Brixton are characterised by higher levels of availability** and low net absorption rates that are indicative of **low levels of occupier demand**. In Brixton absorption has been negative in three of the last five years averaging a loss of over 9,000 sq ft per annum, while in Clapham absorption has only been negative in 2019 and has averaged 4,500 sq ft per annum. The markets are relatively small in terms of stock – particularly of medium to large premises **which has been driven by the trend for small occupier demand. Demand for smaller premises seems to be positive, particularly from the creative and cultural sector** with continuing demand from traditional occupiers but generally the market is driven by existing occupiers rather than any significant inward investment.*

As the above demonstrates, the 9,000 sq ft pa figure is **not a reduction in stock**, it is a reduction in absorption rate or 'take up' rate – i.e., the difference between sq ft occupied and sq ft vacant indicating a **low local demand** for office space- quite the opposite of what Lambeth officers led the PAC to believe. In fact, an online search of real estate agencies has revealed that there are over 126,000 sq ft of lettable office space currently available in Brixton (see Appendix I) which further demonstrates the low local demand for office space.

The market intelligence provided by the JLL report paints a far less optimistic picture of demand than the applicant or Lambeth council. It specifically indicates that **even without taking COVID effects into account insufficient demand is forecast for the amount of office space proposed in the application.**

Furthermore, it foresees that office development in Vauxhall and Waterloo is far more likely in the long term – i.e., in sustainable terms - to attract CDI industry occupiers (the target market for the application) than Brixton, and this assessment is consistent with the London Plan's office space classification for Brixton.

At para. 28 in the GLA Stage 2 report for this application, the London Plan AMR Key Performance Indicator (KPI) 8 statistics are shown up to and including 2018. The latest figures published on the GLA website also includes figures for 2019, which show that the ratio of office market planning permissions to three-year average starts in central London is 9 to 1 for 2019 (Ramidus figures) - far in excess of the 3 to 1 target the Mayor has set.

The JLL reports goes on to say (emphasis added):

8.6. The Future of Office Demand

*8.6.1. Given the uptick in flexible working **we anticipate as a result of the pandemic, office demand will be lower than pre-covid-19 levels**, as firms optimise their real estate requirements against a reduced population of office users. The scale of this fall in demand, however, will be contingent on several exogenous factors, including the strength of the economy, the outlook for particular industries, and public health.*

This assessment entirely contradicts the Lambeth planning officer's assertion that '*Brixton's office demand is actually going to be strong in the coming months and years post covid.*' A more recent survey by YouGov for The Times (January 2022) confirms JLL report predictions, as it has found that two fifths of staff will never return to their offices.

The applicant and planning officers envisage the development will attract the Creative and Digital Industry (CDI) as set out in the Brixton Economic Action Plan 2017. However, surveys carried out as part of the Lambeth Creative and Digital Industry Study 2017 found that the affordable rent was one

of the 3 most important factors influencing choice of premises for prospective CDI occupiers and yet only 12.5 % of office space in the development would be affordable workspace.

This leaves 87.5% of the office space being let at presumably high rent levels to secure profit margins commensurate with the risk of this building, which by virtue of its height and proximity to the railway lines would be expensive to build, manage and maintain. As the officers report states *'the proposed development prioritises the delivery of high-quality office floorspace'*. The evidence suggests that this high quality, high cost office space runs a high risk of not being attractive to the CDI sector.

In an attempt to improve the public benefits of the original application, the Planning Statement - Addendum 3, submitted in November 2021 as part of the applicant's revised application to the GLA, proposes *'to increase the term of the Affordable Workspace to 2090 to match the term of the Applicant's lease with Network Rail (the freeholder of the site)'* However, this change does not improve the affordable workspace offer. Firstly, modern office buildings tend to have a reduced life span of 30 to 40 years at best, due to continuous changes to work patterns in society (Covid is a case in point) as well as continuous technological advances that downgrade the quality of office space very quickly (Barkham 2002) Therefore, extending the term of affordable workspace until 2090 is meaningless since the building will be obsolete (and facing refurbishment or demolition) way before it reaches that date. Secondly, the affordability of the workspace would soon cease to be 'affordable' for the local businesses. As the Lambeth Local Plan evidence shows, rent levels for office space in Brixton have increased a 71% for the past decade and were at an average of £39.56 per sqft in 2019. More recent data has found the new office space provision around Pope's Rd is already renting at 66£/sq ft, double the average rent in 2019, which suggests an ongoing upward trend in rent prices. This means that even if with the offered 50% discount on market rate offered for the affordable workspace, the new offices would quickly become unaffordable for small businesses. Extending the term of Affordable Workspace to 2090 is meaningless from the point of view of affordability as well.

The other concern is also that with the type of future users the applicant is willing to target. The Planning Statement Addendum 3 suggests that the Pope's Rd proposed scheme could be *'commensurate with other developments in initially non-recognised office locations such as White-Collar Factory in Old Street and the Relay Building in Aldgate.'* (p.3) The lowest rent level paid in any of those two locations is at £75/sq ft, - double the 2019 average rent levels in Brixton. This means that, if the Pope's Rd scheme became a new White Collar Factory example, the 50% discount rate offered for affordable workspace in the development would not be affordable enough. More importantly, the delivery of this huge space for high paying 'creative industries' would certainly create an 'office ecosystem' in Brixton, as Addendum suggests, but one that would displace the existing small businesses in a similar way to what has already happened in the Tech City and Silicon Roundabout area.

The Lambeth Creative and Digital Industry Study 2017 also found that good public transport ranked highest among factors influencing location decisions for CDI businesses and that CDI businesses typically are able to recruit from across London and internationally. With over two thirds of working Lambeth residents being employed outside the borough and with only 14% of jobs created by the development being expected to go to Lambeth residents (see below), this sets up a scenario whereby the development would be encouraging increased commuter activity putting a further strain on London's public transport network.

Over half of all survey respondents in the CDI study identified uncertain business environment as a result of Brexit being a key challenge for their business in the future and clearly this survey was carried before COVID 19. These uncertainties would be applicable to all industry sectors, introducing further risk that such a large scale development would not be financially viable.

Demand for the quantum of office space proposed by the application is central to weighing up anticipated public benefits against harm. Because the office space would constitute 88% of the building, employment generation post completion would be intrinsically linked to the ability to let this office space and if this space is not substantially occupied in the sustainable future, it would become a massive and tall white elephant in the centre of Brixton.

In such a scenario, an article 4 direction (as set out in the conditions of the Lambeth approved application) would be extremely weak in the face of any appeal and the result would enable change of use from office to residential without planning permission being required and therefore without any requirement for the provision of affordable housing that London and Brixton desperately needs.

In all, it appears from the applicant's revised planning application that the delivery of this office space could have two possible outcomes: a) attract high-rent paying users from outside Brixton, which will push rents up even more and displace existing businesses in the area; or b) create a tower that will remain underused and eventually be converted into residential space through Permitted Development Rights (meaning no affordable housing would be included in it) None of this scenarios will bring any benefits to the local community.

1.3 Local Employment

Brixton is identified in the London Plan as a Strategic Area for Regeneration. Policy SD10 states that:

*C Development Plans, Opportunity Area Planning Frameworks and **development proposals should contribute to regeneration by tackling inequalities** and the environmental, economic and social barriers that affect the lives of people in the area, **especially in Strategic and Local Areas for Regeneration.***

However, based on the statistics provided by the applicant, it is only predicted that 467 of the 3297 jobs that would result from the development (including construction jobs) - ie only 14% of jobs would go to Lambeth residents, let alone Brixton residents whereas policy ED15 b) of the Lambeth Plan states that for major developments 25% of all jobs should go to local residents. When converted to Full Time Equivalents (FTEs), this equates to 271.5 FTEs going to Lambeth residents out of a total of 1755- ie 15%.

Employment Analysis based on Volterra Report							
	TOTAL			LAMBETH			
	<u>Jobs</u>	<u>FTEs</u>	<u>Table 7</u>	<u>Jobs</u>	<u>FTEs</u>	<u>% Jobs</u>	<u>% FTE</u>
Construction	1452	145	12%	174	17	12%	12%
<u>On Site</u>							
Restaurant	25	20	29%	7	6	29%	29%
Retail	135	105	24%	32	25	24%	24%
Leisure	10	10	19%	2	2	19%	19%
Office	1675	1475	15%	251	221	15%	15%
Sub Total On Site	1845	1610		293	254	16%	16%
Sub Total Construction	1452	145		174	17	12%	12%
Total	3297	1755		467	272	14%	15%

Post construction, the figures provided by the applicant forecast that only 16% of jobs would go the Lambeth residents, let alone Brixton residents.

These figures are woefully short of meeting the 25% stipulated in policy ED15 and yet the site is in Coldharbour ward which the Lambeth Plan acknowledges to be **one of the two most deprived in the borough** and is also surrounded by a cluster of areas that have been identified in the Lambeth Plan at Annex 13 as being the 20% most deprived areas in England.

In the draft section 106 agreement, the employment and skills plan and financial contribution in the form of an endowment is acknowledged to be necessary in order to make the development acceptable in planning terms, and yet local employment was listed as a significant public benefit by planning officers. Even if the employment and skills plan were eventually successful enough to make the development become planning compliant, it cannot be regarded as a material consideration to be weighed against harm.

The last paragraph of the executive summary of the Lambeth planning officers report recognises this. It states: *Officers consider that the scheme is acceptable and that the many **planning benefits the development would deliver over and above those required by policy** are sufficient to outweigh the identified impacts on **heritage and residential amenity**.*

Furthermore, even if 25% of jobs in the development were eventually provided for Lambeth residents, this would not guarantee jobs for Brixton's residents in line with its status as a Strategic Area for Regeneration and policy SD10 of the London Plan.

1.4 Community

Provision of a community floorspace located on the first floor is listed as a public benefit deriving from the scheme. Although this is welcome in principle, at 221 sqm this would be **less than 1% of the total floor area of the building**.

Use of the publicly accessible central space within the market to host events is also listed as a public benefit in the Lambeth planning officers report. However, the Lambeth's Design and Conservation report 13 Oct 2020 (not made public, but obtained by FOI request) states at para 5.38 and 5.39:

*'Community events cannot be separated from the general hubbub of the market given its siting within the circulation areas. Given the above **we would not recommend that the suggested community benefit be given much weight as a public benefit.***

1.5 Public Square

Other purported benefits put forward by the applicant and Lambeth Planning officers include a new public square, but **this does not form part of the application** as it falls outside the application site. It cannot therefore be regarded as a public benefit to be weighed against harm when assessing this application.

Notwithstanding this, the Design and Conservation Report considered that even taking into account the fact that the design was amended to set back the south facing tower facade by 2.5m, the resulting impact on the Popes Road pedestrian area was unacceptable in urban design terms. It says:

5.2 Following amendment the proposal's principal building line now roughly aligns with that of the existing shop front but is pulled in a little more on the south side (it was further forward before).

5.3 As explained in Section 2 and in particular para 2.5, Popes Road is already a constrained and intimate space even with the existing single storey building. It is currently only 20m façade to façade across the space between the single storey application site and the three storey office block opposite. Maintaining that same separation distance but with a 20 storey building is a cause for concern.

*5.4 A 20 storey building with roughly the same setback as the existing single storey building will have an **exceptionally oppressive effect on the user's spatial experience of this small urban space**. When in the space the proposed bulk and massing of the 20 storeys will **loom over the space in a very oppressive and uncomfortable manner**. **The character of the space will be radically changed** and as a result the setting of the space's contribution to the significance of the BCA [Brixton Conservation Area] will be harmed.*

5.7 For the reasons outlined below we consider the proposed approach does not accord with Local Plan Policy Q7 [Urban Design- new development] in relation to the intended future character of the area. The Policy states:

(ii) it has a bulk, scale/mas, siting building line and orientation which adequately preserves or enhances the prevailing local character or, in the case of regeneration and opportunity areas where the context is changing, it respects and contributes towards the intended future character of the area.

Therefore this purported public benefit should be discounted when considering the Harm v Benefit balance.

1.6 Public toilets

Lastly, the new public toilets proposed in the scheme to replace existing is listed as a public benefit. These would be in the basement of the building, and would therefore be far less accessible than the public toilets provided at street level currently. Planning officers indicated to the PAC that opening hours would be in line with the operation of the indoor market and that this would be secured in the S106. All that the S106 agreement stipulates is that the new public toilets would be '*available during full opening hours associated with the building*'. 9 cubicles are currently provided at street level. The proposed number of cubicles is 14 - **an increase of only 5 cubicles** which is insufficient to serve both new users of the retail units and community floorspace located over two whole floors of the building in addition to users on the street not be entering the building. Only a handful of disabled toilets are provided on the first floor where the community floorspace is envisaged to hold public events. The net public benefit is therefore highly questionable.

Lambeth's Design and Conservation report, Oct 2020 states at para 5.21 that:

As discussed above the applicant proposes to relocate the public conveniences from Popes Road to the basement of the proposal. The current conveniences are long established, conveniently placed at street level and highly visible on the street. The new conveniences will not be.

All of the above demonstrates that the purported benefits of the scheme were initially overstated by the applicants and planning officers and material considerations weaken them substantially further- crucially with regard to future demand for the quantum of office space proposed. This is indeed a speculative office development which contradicts the town centre office space designation contained in the Majors London Plan.

2. HARMS

As evidenced by the planning officers report and the Design and Conservation Area report, harm to the significance of at least 1 Grade II* listed building, 4 Grade II listed buildings, 23 Non-Designated Heritage Assets, 1 Registered Park and 5 Conservation Areas has been identified.

There are harms to heritage assets over and above those considered by Lambeth planning officers.

Harm to heritage assets has not been justified, contrary to NPPF para 194 and no heritage benefits have been identified to offset the harm

We would urge the Major to conclude that harm to the significance of Brixton Conservation Area is indeed **substantial** when considered in relation to the definitions given by the NPPG and NPPF and as set out in the Brixton Conservation Area Statement 2012, which include cultural significance and the importance of the markets that make Brixton so distinctive and unique.

3. HARMS v PUBLIC BENEFITS

NPPF2021 para 202 states that:

*Where a development proposal will lead to less than substantial harm to the **significance** of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

If the Mayor's assessment were to conclude less than substantial harm to the significance of heritage assets, we would in any case urge the Mayor to conclude that this heritage harm outweighs the purported public benefits of the scheme.

And furthermore, even if the public benefits of the scheme were considered by the Mayor to outweigh the harm to the significance of heritage assets, the development would also cause **other harms** which, quite apart from the consideration of heritage assets, are sufficient to conclude as a matter of planning judgement that the harms outweigh the purported benefit.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is at the heart of the planning balance.

The application breaches the policies in the Local Plan and the London Plan which are intended to guard against these harms. Such is the extent to which the application breaches these policies that it amounts to a repudiation of the principle of plan-led development.

The application breaches the following policies:

Lambeth Plan 2021

- Q5 (local distinctiveness)
- Q7 (Urban Design- new development)
- Q26 a) i) (tall buildings- local views)
- Q26 a) (ii) (tall buildings- design excellence)
- Q26 a) (iii) (tall buildings- townscape)
- Q26 a) (v) (tall buildings- microclimate, wind, sunlight and daylight)
- Q20, Q21, Q22, Q23 (heritage assets)
- Q25 C i (harm to panoramic view from Brockwell Park)
- Q2 i (visual amenity)
- Q2 ii (privacy)
- Q2 iii (outlooks)
- Q2 iv (daylight and sunlight impact)
- EN4 A (Minimising greenhouse gas emissions)
- EN4C ii (minimum BREEAM excellent)
- ED15 (Employment and Training)
- PN3 (K)- Site allocation 16 (ix) and (x)
- PN3 G (improving the quality of public transport provision and interchange)
- Lambeth Infrastructure Delivery Plan 2020 para 4.3
- T4 A iii (Public Transport -improved interchanges and east-west orbital links)
- Brixton SPD
- Draft Lambeth Design Code SPD

London Plan 2021

- D9-B3, C1a i, C1aii, C1aiii, C1b, C1c, C1d, C3a (Tall buildings)
- D9(B)(3) (tall buildings- location)
- D9 C 1) a) i) (tall buildings- local views)
- D9 C 1) a) ii) (tall buildings- mid- range views/townscape)
- D9 C 1) a) iii) (tall buildings- immediate views/privacy and amenity)
- D9 C 1) b) (tall buildings- spatial hierarchy)
- D9 C 1) c) (tall buildings- exemplary architectural quality)
- D9 C 1) d) (tall buildings- heritage assets)
- D9 C 3) a) (tall buildings- wind, sunlight and daylight)

- D3 (Optimising site capacity through a design-led approach)
- HC1(Heritage Conservation and Growth)
- SI 2 C (carbon emissions)
- SI2 E (unregulated emissions)
- SI 2 F (whole life cycle assessment)
- EN4 C (minimum BREEAM excellent)
- HC3 (Strategic and Local Views)
- T1 (Strategic Approach to Transport)
- T3 (Transport capacity, connectivity and safeguarding)

Evidence that was eventually provided to the GLA from Lambeth council reveals that community opposition to the application is intense. 2,409 out of 3,835 of the statutory representations to the council were objections ie 62%. But of the 1426 representations of support, 1,155 were representations that signed a pre-written 'model' letter. **Only 19 people wrote representations of support in their own words.** This is in contrast to the overwhelming majority that wrote to the council expressing objections in their own words. An online petition opposing the development gained over 7,000 signatures.

The speculative nature of the office-led development introduces material and substantial risk that should the scheme be approved, it would not be commercially viable, as evidenced by the JLL report. This is speculation on a large scale. If, as predicted by JLL's market intelligence forecasts, there is insufficient demand for the office space then the scheme would not provide jobs to Londoners let alone Brixton residents and yet the building would continue to cause the harm identified. Furthermore, it would open up the opportunity for the applicant to convert the building to residential accommodation through Permitted Development rights that would not require any affordable housing that the area desperately needs.

CONCLUSION

The application site has not been identified as appropriate for tall buildings and the harms that it would cause as a result of this fundamental breach of policy and numerous other policies are extensive - harms to residential amenity (daylight and sunlight, outlook and privacy), harm to public amenity, the significance of heritage assets, character, townscape, local distinctiveness and environmental harm. The development would block an opportunity to provide a vital interchange on the Overground at Brixton. The design does not achieve the required standard of excellence. The development is speculative on a substantial scale. The development does not have the support of the local community.

The purported benefits are not substantiated by the evidence and these considerations do not outweigh the wholesale departure from local and regional policy.

For these reasons, we would urge the Major to reject this application.

Appendix I

Location	Sq ft available	Weblink	Date posted
Blue Star House	16,507	https://propertylink.estatesgazette.com/property-details/6612719-blue-star-house-234-244-stockwell-road-brixton-sw9-9sp	11th November 2021
Bellefields Road, SW9 (Squires)	1,980	https://propertylink.estatesgazette.com/property-details/6681871-fully-inclusive-flexible-workspace	1st February 2022
Bon Marche SW9 8FR	2,757	https://propertylink.estatesgazette.com/property-details/6749425-bon-marche-sw9-8fr	14th January 2022
The Department Store, SW9	2,757	https://propertylink.estatesgazette.com/property-details/6748009-breathtaking-workspace-for-rent-in-the-heart-of-brixton	25th August 2021
Arch 51x Ferndale Road, SW9	842	https://propertylink.estatesgazette.com/property-details/6732545-arch-51x-ferndale-road	14th January 2022
2-3 Railway Approach, Brixton Station	1,197	http://www.grantmillswood.com/find-a-property/properties/65212-2-3-railway-approach-brixton-station-brixton	25th January 2022
Brixton House, 385 Coldharbour Lane, SW9	16,058	https://www.rightmove.co.uk/properties/113807360/#?channel=COM_LET	Brand new build
Brixton House, Somerleyton Road, SW9	9,543	https://www.rightmove.co.uk/properties/119435327/#?channel=COM_LET	Brand new build
Carlton Mansions, Coldharbour Lane, SW9	4,531	https://www.rightmove.co.uk/properties/117548312/#?channel=COM_LET	Information not available
The Viaduct Brixton, 360-366 Coldharbour Lane, SW9	700	https://www.rightmove.co.uk/properties/116523860/#?channel=COM_LET	Information not available
Eurolink	560	https://www.rightmove.co.uk/properties/81001584/#?channel=COM_LET	Information not available
415-419 Brixton Rd,	3,500	https://www.realla.co.uk/details/19148096	Has been vacant for years
30 Acre Lane	2,602	https://primeofficespace.co.uk/brixton/3070/	Not available
41-45 Acre Lane (currently being built by Lexadon)	6,598	https://www.lexadon.co.uk/news/planning-approval-for-41-45-acre-lane	Under construction
Brixton Hill Studios, 124 Brixton Hill, SW2	598	https://www.unionstreetpartners.co.uk/properties/view/1619/124-128-Brixton-Hill-London-SW2-1RS	Information not available
Higgs Yard, Heme Hill Road, SE24 0AU	36,390	https://www.unionstreetpartners.co.uk/properties/view/1682/Higgs-Yard-Heme-Hill-Road-London-SE24-0AU	Expected completion 2024
Piano House, 9 Brighton Terrace, London, SW9 8GP	2,953	https://www.unionstreetpartners.co.uk/properties/view/1358/Piano-House-9-Brighton-Terrace-London-SW7-8DJ	Information not available
236 Coldharbour Lane, Brixton, London, SW9 8SD	2,457	https://www.sw.co.uk/properties/236-coldharbour-lane-brixton-london-sw9-8sd/	Information not available
372 Coldharbour Lane, Brixton, SW9	3,500	https://www.levyrealstate.co.uk/property/372-coldharbour-lane-brixton-sw9	New
The Edge, Brixton, 86-88 Valentia Place, London SW9	10,813	https://www.levyrealstate.co.uk/property/the-edge-brixton-86-88-valentia-place-london-sw9-long-income-investment-opportunity	New
TOTAL	126,843		

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 28 January 2022 08:25
To: Popes Road; greater.london.authority@notifications.service.gov.uk
Subject: FAO The Planning Team REF: 20/01347/FUL 20 - 24 Pope's Road London SW9 8JB

Dear Sir or Madam,

Our ref: 380716

Your ref: 20/01347/FUL

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 08 December 2021 (Our ref: 376226).

The advice provided in our previous response applies equally to this **resubmission** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully,

Operations Delivery, Consultation Team

Natural England

County Hall, Spetchley Road

Worcester WR5 2NP

Tel: [0300 060 3900](tel:03000603900)

Email: consultations@naturalengland.org.uk

Web: www.gov.uk/natural-england

**Thriving Nature
for people and planet**



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[REDACTED]

From: [REDACTED] >
Sent: 27 January 2022 13:21
To: Popes Road
Subject: FW: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Attachments: 0630-01 noar.pdf

Dear Sir/Madam,

Our previous advice regarding this planning application remains in effect. Please see our original advice letter attached.

All the best,

[REDACTED]
Assistant Archaeological Advisor
Greater London Archaeological Advisory Service (GLAAS)
Historic England
4th Floor, Cannon Bridge House, 25 Dowgate Hill, London, EC4R 2YA
[REDACTED]

Please note that my normal working pattern is Wednesday to Friday. If your matter is urgent outside of these days please contact my colleague Mark Stevenson (mark.stevenson@historicengland.org.uk)



Work with us to champion heritage and improve lives. Read our Future Strategy and get involved at historicengland.org.uk/strategy.

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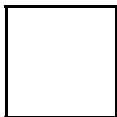
From: Greater London Authority <greater.london.authority@notifications.service.gov.uk>

Sent: 14 January 2022 10:24

To: [REDACTED] <[\[REDACTED\]@HistoricEngland.org.uk](mailto:[REDACTED]@HistoricEngland.org.uk)>

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

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Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in

November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

On 31 March 2020, planning application (Council reference 20/01347/FUL) ('the Application') was submitted to the London Borough of Lambeth by AG Hondo Popes Road BV ('the Applicant') for the following development:

"Demolition of existing building and erection of part 5, part 9 and part 20-storey building with flexible A1 (shops)/ A3 (restaurants and cafes) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure) uses at basement, ground floor and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level and associated cycle parking, servicing and enabling works"

On 1 March 2021, the Mayor of London issued a direction under Article 7 of the Town and Country Planning (Mayor of London) Order 2008 that the Mayor will act as the Local Planning Authority (City Hall, Kamal Chunchie Way, London, E16 1ZE) for the purposes of determining the Application. Subsequent to that direction, the Applicant submitted revisions to the Application to the Mayor on 24 November 2021, as follows:

- Increasing the term of the Affordable Workspace to 2090. A period of 25 years was originally provided.
- Providing a new Brixton job training fund of £1,000,000 (£40,000 per annum for a period of 25 years).
- In addition to the apprenticeships already provided, the applicant would provide an additional 50% funding for apprenticeship opportunities during the occupation phase.

In addition, the Applicant formally submitted a Whole Life Cycle Assessment (December 2021), Whole Life Cycle Spreadsheet, Circular Economy Statement (December 2021), Fire Statement, Air Quality Compliance Statement, Urban Greening Statement

(January 2022), Addendum Energy Statement (December 2021), Be Seen and Metering Strategy and Be Green Spreadsheet on 11 December 2022.

Hard copies of the revisions to the Application detailed above can be inspected by members of the public at all reasonable hours between 10am and 4pm on Mondays to Fridays and by prior appointment outside these hours if this can be facilitated between 14 January 2022 and 4 February 2022 at 169 Union Street, London, SE1 0LL. If you wish to view the hard copy documents by prior appointment, please contact us on planningsupport@london.gov.uk or by phone 07702 825 054 to arrange an appointment. Copies of these documents are also available online at:

- Lambeth Council website at:
<https://planning.lambeth.gov.uk/online-applications/search.do?action=simple&searchType=Application>
(using ref: 20/01347/FUL).
- GLA website at: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/pop-es-road-public-hearing> (using GLA ref: 2021/0265).

How to comment

Representations about the revisions to the Application and/or the other information should be submitted in writing by post, email or online by 4 February 2022:

- Online via: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/pop-es-road-public-hearing>
- Email: popesroad@london.gov.uk
- By post: The Planning Team, Greater London Authority, City Hall, Kamal Chumchie Way, London, E16 1ZE.

Consultation period

The consultation period runs until 4 February 2022. The Application will not be decided before this consultation period ends. Comments received after this date, but before a decision is made, may still be taken into account; but failure to meet this deadline could result in your comments not being considered.

We are undertaking this further round of notification to ensure that everyone has the opportunity to let the Mayor know their views on the proposal. If you have already submitted comments to the GLA electronically by email or online you do not need to submit another comment to us unless you wish to raise any additional points. If you submitted a hard copy letter by post to the GLA we would suggest you check whether your hard copy letter was received by emailing us on planningsupport@london.gov.uk with your details and we can confirm, or alternatively call 07702 825 054. If there is no answer please leave a voice message. All representations you have previously made on this application received by the London Borough of Lambeth will also be taken into account.

How will the application be decided?

The Mayor will consider the planning application at a public representation hearing. A date for this will be confirmed in due course and all respondents will be notified. Further details on this process are available on the GLA website as above.

Yours sincerely

John Finlayson
Head of Development Management

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Historic England

[REDACTED]
London Borough of Lambeth
Lambeth Town Hall,
Brixton Hill
Brixton
SW2 1RW

Your Ref: 20/01347/FUL

Our Ref: CLO31247
022/0630-01

Contact: [REDACTED]

Direct Dial: [REDACTED]
[REDACTED] [REDACTED]

27 April 2020

Dear [REDACTED]

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
NATIONAL PLANNING POLICY FRAMEWORK 2019**

20 - 24 Pope's Road London SW9 8JB

Demolition of the existing building and erection of a part four, part nine and part twenty storey building comprising flexible Class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential Institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works

Recommend No Archaeological Requirement

Thank you for your consultation dated 21 April 2020.

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

Historic England, 4th Floor Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3000
www.historicengland.org.uk

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NPPF section 16 and the Draft London Plan (2017 Policy HC1) make the conservation of archaeological interest a material planning consideration. .

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

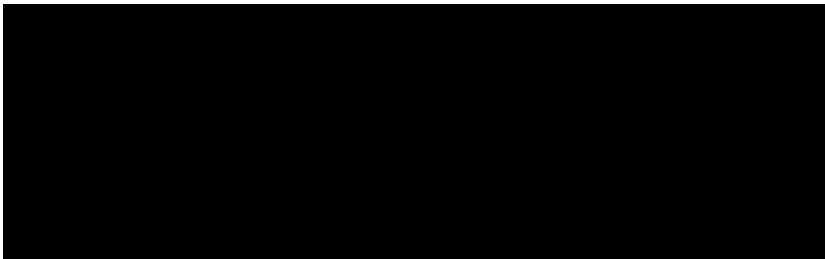
It is noted that the application documentation includes an archaeological desk-based assessment dated January 2020 by AOC Archaeology Ltd in respect of the above site.

It is concluded that there is no discernible on-going archaeological interest with the site.

No further assessment or conditions are therefore necessary.

This response relates solely to archaeological considerations. If necessary, Historic England's Development Advice Team should be consulted separately regarding statutory matters.

Yours sincerely



Archaeology Advisor

Greater London Archaeological Advisory Service
London and South East Region



Historic England, 4th Floor Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA

Telephone 020 7973 3000
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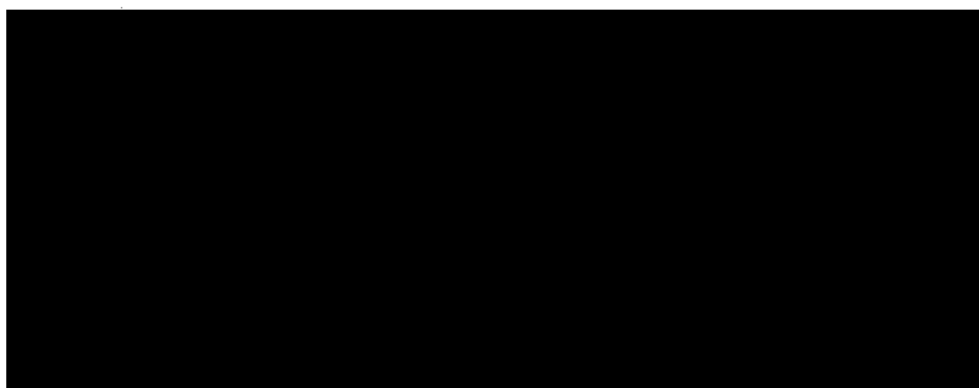
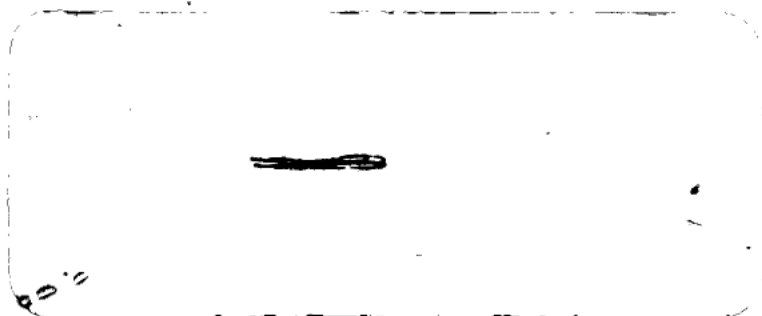


[REDACTED]

From: [REDACTED]m
Sent: 17 January 2022 15:49
To: Popes Road; [REDACTED]
Subject: GLA_10012022_00140878_00000010.pdf (6232)
Attachments: 10.1.16.61-6232.pdf

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The Brixton Society

Understanding the Past, Looking to the Future
Reg'd. Charity No.1058103, Registered with the London Forum of Amenity Societies
Website: www.brixtonsociety.org.uk

Pope's Road,
The Planning Team,
Greater London Authority,
City Hall,
Kamal Chunchie Way,
London E16 1ZE

mavor@london.gov.uk
[REDACTED]@london.gov.uk
[REDACTED]@london.gov.uk

Enquiries to:
[REDACTED]
[REDACTED]

14 December 2021

Proposed Development at 20-24 Pope's Road, London SW9 8JB

Dear Sir,

In response to your letter of 25 November, we have examined the further revisions to the original planning application made on 31 March 2019 (Lambeth reference 20/01347/FUL).

I confirm that the Brixton Society continues to object to this application, and wishes to participate in the public representation hearing before the Mayor.

1. Introduction

The Brixton Society was established in 1975 as the amenity society covering the whole Brixton area. We are registered with the London Forum of Amenity Societies, and keep in touch with the Brixton Business Improvement District and Transition Town Brixton.

We regularly comment on local plans, policy changes and individual planning applications, and try to promote good practice in local regeneration and urban design. In particular, we aim to safeguard the character and prosperity of Brixton Town Centre and its Conservation Area, and have supported its Townscape Heritage Initiative.

In our representations to Lambeth Council in May and August 2020, we objected strongly to the proposed development. This was because we considered that the 20-storey tower would cause considerable harm to the Brixton Conservation Area and that the economic benefits claimed by the applicants would not outweigh this harm. The height is unchanged, so no mitigation has been offered by the applicants.

2. Analysis of Employment Benefits

The only revisions proposed are contained in the Planning Report Addendum which sets out changes to the claimed economic benefits. In our analysis of this document, we refer to the Employment and Skills Strategy prepared by

Volterra and Partners in March 2020 ("Volterra 2020") and the Planning Addendum Statement submitted by DP9 in November 2021 ("DP9 2021").

2.1 Affordable Workspace

Volterra 2020: Offer to provide 1,770 square metres, 10% of net internal floorspace, as affordable workspace for 25 years to be managed by Impact Brixton.

The offer of 1,770 square metres was in line with (but no more generous than) Lambeth Local Plan policy ED2 which specifies that all developments with more than 1,000 sqm of office space within the Brixton Creative Enterprise Zone should provide 10% of usable floorspace as affordable workspace for 25 years.

DP9 2021: Enhanced offer is to extend the term of the affordable workshop space to 2090, which equates to a maximum term of 65 years, assuming the earliest date when the building could be completed and occupied is 2025.

We do not consider the enhanced offer to extend the affordable workshop term to 65 years to add any meaningful value to the original offer, as modern high-rise commercial buildings are generally expected to have a life span of 30 to 40 years, after which they are considered to be obsolescent and demolished.

Examples of buildings in Brixton built in the 1970s, which have either been demolished or are threatened with demolition, include Hambrook House (former Lambeth council offices demolished in 2017) Olive Morris House (former Lambeth council offices, completed in 1978, demolition approved 2015 on basis the building was no longer fit for purpose) and International House (threatened with demolition).

In addition, we note that rents for the affordable workspace would be calculated as 50% of anticipated market rent. A building as tall at this proposal is expensive to construct and maintain. Even a 50% reduction in anticipated rent levels is unlikely to be affordable for the majority of local start up businesses.

We also note that Impact Brixton will occupy an undisclosed proportion of the affordable work space. As Impact Brixton already occupy premises in Central Brixton as existing tenants of the applicants, the result will be to reduce the amount of affordable space that would otherwise be available to new and start-up businesses, and will not increase the overall amount of affordable workspace in Brixton.

2.2 Financial Contributions

Volterra 2020: Offer to pay a S106 Employment and Training Contribution to the LPA made up of a £150k initial upfront contribution then £56k a year for 25 years.

The amount offered was merely the sum required by the Lambeth Local Plan and calculated by reference to a formula set out in Annex 9 to the Plan.

DP9 2021: Enhanced offer to pay £1,000,000 into a Brixton Job Training Fund (£40,000 pa over 25 years) to be used to support local training and employment initiatives.

While this payment would be over and above the contribution required by the Local Plan, the amount offered is relatively modest, taking account of the income the applicants are likely to receive from commercial tenants.

As an example of local training and employment support costs, Annex 9 of the Lambeth Local Plan calculates that it costs on average £6,500 to provide training employment support to help one unemployed person secure an entry level job. Using this figure as a guide, a contribution of £40,000 per year would cover the cost of training and preparing just 5 local unemployed people to find jobs.

We also note that there is no indication that the applicants will provide any payment other than the initial £1 million endowment. If no further payments are made into the fund and annual payments of £40,000 are made from the fund over 25 years, then the real value of the annual payments will be considerably reduced over the life of the fund.

2.3 Local employment and apprenticeships

a) Full time jobs

Volterra 2020: Paragraphs 1.11 and 7.12 stated that the applicants will "use reasonable endeavours" to achieve the target of 16% of construction stage and 20% of end-use jobs to be occupied by Lambeth residents

The 16%/20% jobs target is not referred to by DP9, so we assume it is not being revised. It is **less** than Lambeth's current Local Plan target which is for 25% of jobs to go to Lambeth residents. In practice, the applicants are likely to have difficulties meeting even the lower target as they will be relying on end use tenants to provide job opportunities. As Volterra 2020 states, "tenants choosing initially to occupy the proposed development will most likely bring their existing workforce with them". If tenants relocating into the new office space choose to bring their existing workforce with them there is little the owner can do to persuade them to do otherwise.

b) Apprenticeships

Volterra 2020 says that the applicants will use reasonable endeavours to achieve a target of 26 apprenticeships either at construction stage or end-use stage to be provided to Lambeth residents, and 10 jobs at end-use stage for local unemployed adults.

DP9 2021: The enhanced offer increases the number of apprenticeships from 26 to 39, the additional apprenticeships to be provided by tenants in the completed building.

The original offer of 26 apprenticeships and 10 end-use jobs was in line with (and offered no more than) the Lambeth Local Plan requirement that large developments should provide one apprenticeship per 1,000 sqm office space.

The revised target is unlikely to be achieved, since the developer will not occupy the completed building themselves, and it will not be under the control of the developer to offer apprenticeships or jobs in the building after completion, since it will be down to the companies who lease space in the building to deliver end-use apprenticeships. It is entirely unclear how the developer will ensure that that tenants in the building provide apprenticeships to Lambeth residents.

This problem is recognised by DP9 in the Planning Statement Addendum where it is stated that (para 1.30) "Whilst the applicant cannot control tenant job training policy, they would seek to use reasonable endeavours to encourage tenants to adhere to the obligation". As DP9 acknowledge, the building owner can only encourage tenants to comply with Section 106 commitments to which they themselves are not parties.

2.4 Conclusion

The employment benefits offered by the applicants in 2020 - affordable workshop space, financial contribution and local apprenticeships - were no more than required by Lambeth's Local Plan.

The "enhanced economic benefits" add very little to the original offer:

- The offer to extend the term of the affordable workshop space to 2090 is of little value as this is longer than the expected life of the building;
- The additional financial contribution will not make a significant contribution to local unemployment rates;
- and it is not within the power of the applicant to offer additional apprenticeships in the building after occupation.

3. Offices in Brixton

Lambeth planners appear to have been dazzled by the sheer quantity of office floorspace, without considering whether it would meet actual local needs. We have examined both long-term trends and recent developments in office and workspace needs in London generally and in Brixton in particular. The full review is provided as Appendix A following, but in summary,

- The Coronavirus pandemic has accelerated trends to increased use of remote working and to office layouts providing for both virtual and live team meetings. Individual firms are likely to reduce their floorspace needs.
- Informal networking within an office block, or within a cluster of nearby blocks, is valued by smaller firms, particularly in Creative fields.
- For large corporate offices, London's Central Activities Zone (CAZ) or Docklands remain the preferred locations. Brixton has consistently failed to attract their interest.
- Local employment floorspace has been steadily reduced by residential development, but current demand is mainly from smaller firms in the

Creative sector. This was recognised by the Mayor in approving the Brixton Community Enterprise Zone in 2018.

The applicants have misjudged local workspace needs and proposed a large area of outdated office space. The office floors form separate compartments, with little shared space or scope for contact between different users.

In the likely event that the space fails to attract corporate office tenants, the applicants have a ready-made fall-back position of converting the empty tower into residential apartments.

This is already implied by the external design of the tower, which strongly resembles an earlier residential tower in New York by the same architect. (130 William Street, illustrated in Wallpaper magazine in March 2021.) The balcony treatment on the upper floors is strikingly similar, yet a series of external balconies would not be a normal requirement for office floors.

Although Lambeth planners claim that residential use could be prevented by a planning condition, it would be very difficult to resist at Appeal. National Planning Policy in recent years has moved strongly both to reduce planning controls and to encourage residential use of commercial buildings.

If the developers were successful in using the Permitted Development route for residential conversion, they would have no obligations to provide a proportion of affordable housing, or to meet all the Mayor's standards for housing design.

4. Brixton Town Centre Context

We have previously highlighted the adverse impacts on the Brixton Town Centre Conservation Area and surrounding residential properties.

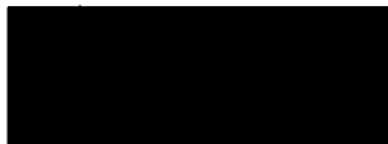
We are encouraged to find ourselves in agreement with Historic England in their comments to Lambeth dated 18.5.20.

5. Conclusions

The supposed benefits turn out to be very modest, when set against the many breaches of important planning policies and the harm to the Town Centre.

Taking into account these departures from planning policies, this application should be decisively refused.

Yours faithfully,



Secretary.



THE FUTURE OF OFFICES IN BRIXTON

1. Introduction

This paper outlines the context for any office development in Brixton Town Centre, taking account both of wider trends and of local needs. Over the past 18 months, the impact of Covid has been to accelerate change in how offices operate, though it's still a little early to see all the implications.

2. Office Interiors

Flat screens and cabling are now well catered for in modern office furniture, but manufacturers are keen to offer options beyond the standard office chair and table/desk, such as meeting booths, individual pods for speech privacy, and mobile lockers for hot-desking. Current fashions are for muted colours. Large-format video screens are increasingly used for meeting rooms. (1)

Office landscaping has received a boost in response to Covid, and suppliers report that office managers have become more willing to spend on plants and planting installations to make offices more attractive to staff returning from working at home. Marketing and HR teams are taking a greater interest in the state of corporate offices, so budgets are a little more generous. There is already demand for separate spaces for Zoom/ Teams conference calls. (2)

3. The Post-Pandemic Workplace

Almost all offices are now operating, but some with only 20% of staff actually present. Some have adopted a Tuesday/ Thursday core week for planning in-house meetings.

A ripple of changes is expected when leases next come up for review or renewal, as office users re-assess how much floorspace they really need.

At 79-81 Borough Road, the workspace operator reported that one tenant cut back from 70 desk spaces to 36, though also adding 4 cellular offices and arranging increased use of meeting rooms, to cater for their modified way of employing the same staff with an element of home-based working. (3)

Expectations are that formal desk layouts will be interrupted by casual meeting areas, private booths, café facilities and dedicated space for video calls. This approach is already part of the offer at most shared workspace sites. (4, 5, 6)

4. Office Eco-Systems

There has been a growing awareness of the benefits of encouraging contact between different departments within a firm, and even of enabling casual contact with staff of other organisations within the building or nearby. Again, this is more deliberately developed at shared workspace sites, where it is often part of the appeal for smaller firms and start-ups, which might otherwise struggle in isolation.

It is essential to have some shared facilities where workers can mix, such as an atrium (a top-lit common area) with café/ bar, shared meeting rooms, cycle

storage with changing facilities, and even an on-site gym. Smaller break-out spaces with seating in shared circulation routes can also contribute. (7)

Similar effects can apply over a wider area, if there are firms in a particular industry sector in close proximity. This concept underpins the Creative Enterprise Zones (CEZs) launched by the Mayor of London in 2017, but builds on earlier local networks such as Clerkenwell Design Week.

Where there are a number of office blocks, a broader eco-system can develop, embracing all the local businesses which cater to the daily needs of office-workers or which offer specialist services to their employers, such as printing or recruitment agencies.

In Central London, the interdependence of this wider network of businesses was recently exposed when it suffered badly from the Covid outbreak and related lockdowns, because major employers had either ceased operations or had the majority of their staff working from home.

5. The London Context

Within Greater London, the Central Activities Zone (the West End, the City and all of SE1 including the northern end of Lambeth) remains the preferred location for corporate offices, despite strong competition from the Canary Wharf cluster of office towers. The City of London is determined to remain dominant, and has already approved 7 new office towers this year.

Suburban centres like Croydon are more likely to be used for back office or subsidiary functions by firms with a head office in the CAZ. Croydon itself has lost ground since the millennium, with some of its office blocks already replaced or adapted for residential use.

Creative Enterprise Zones tend to be in Inner London and attempt to protect and reinforce existing clusters of creative and digital industries (CDI).

6. Supply and Demand in Brixton

The historic trend in the wider Brixton area has been for employment space of all kinds to be displaced by residential development. The Brixton CEZ was approved by the Mayor in December 2018, with a view to protecting and expanding local CDI enterprises. It covers most of Brixton, extending to Loughborough Junction and parts of Herne Hill. In Brixton Town Centre, Article 4 Directions are currently in place to protect existing workspace from further loss to residential use by Permitted Development. (8)

The Council's own needs have substantially reduced in recent years, releasing office space in International House and Blue Star House, and enabling the redevelopment of Hambrook House and Olive Morris House, and the remodelling of Iver House, for mainly residential use. In addition to concentrating staff in the new Civic Centre and "New" Town Hall, many back office functions are now dealt with remotely by Capita at Winchester.

Other office users are predominantly from what can loosely be called the Creative and Media sector (or CDI), extending into construction-related professions.

Brixton is a preferred location for voluntary & community sector organisations active in the borough, but typically these are only small teams or individuals.

In recent years, efforts have been made to cater for small and start-up businesses, such as Impact Brixton (now in Electric Lane) and the 3Space use of International House on a “meanwhile” basis.

Our contact with developers over several years indicates ongoing interest in providing modern workspace in and around Brixton, but of relatively modest size and favouring desk-based work over craft processes.

At the same time, planning applications continue to trickle in for upper-floor offices over Town Centre shops to be returned to residential uses, which are now more valuable for the freeholders.

7. Limited Corporate Interest

Historically, Brixton Town Centre has failed to attract interest from large office employers outside the public sector.

When International House began building in 1974, it was intended as the head office for Tarmac Construction, but they soon dropped out and the building was eventually let to British Telecom (before its privatisation). When they moved on in the mid-80s, the building was used by Lambeth Council for a variety of departments, until completion of the new Civic Centre.

As part of the Brixton City Challenge programme in 1993-98, an ambitious development was originally intended around the Underground Station, to include land to the rear beyond Electric Lane. This had to be scaled back when it was realised that the office rents then prevailing in Brixton would not justify substantial office development above and behind the Station.

For the recent revision of the Lambeth Local Plan, it was therefore logical for Lambeth planners to stress the importance of meeting the needs of the Creative and Digital Industries sector.

Their CDI study of 2017 recommended the provision of medium-sized offices, co-working spaces, maker spaces and managed office space suitable for small and medium enterprises. The Brixton Economic Action Plan (published the same year) carried this forward in the local context. No requirement was expressed for generic or corporate office space.

8. Conclusions

Lambeth planners appear to have been swayed by the sheer quantity of workspace proposed in the Hondo development, but failed to examine its type and configuration.

The generic office workspace proposed in the Hondo development does not match the local need for smaller units for the CDI sector. It lacks the common facilities that would encourage use by smaller enterprises or enable it to contribute to a wider Creative cluster. Its old-style format might secure some uncritical tenants if it was in the City of London, but it will fail to attract enough users in its Brixton context.

Alan Piper, Dip.Arch., RIBA.

References

1. *Designing Products for Future Workspace (panel session on 4 November 2021 at Workspace Design Show, at the Business Design Centre).*

2. *The post-Covid work environment (panel session on 17 November 2021 at Futurescape exhibition, at Excel).*
3. *Site visit to 79-81 Borough Road, SE1, Wednesday 17 November 2021.*
4. *The Post-Pandemic Workplace by Roz Barr (Design, Autumn 2021 p.59).*
5. *Workplace Health & Wellbeing (Architecture Today webinar, 22 September 2021).*
6. *More home working means offices must adapt to prioritise collaboration, by Stephen Cousins, reviewing Gensler workplace survey (RIBA Journal, 30 November 2020).*
7. *Anticipatory Architecture: the changing nature of office design (Architecture Today webinar, 26 May 2021).*
8. *Topic Paper 3 – Workspace (draft revised Lambeth Local Plan, January 2020).*

This in turn cited:

- *Lambeth Creative & Digital Industries Study (2017);*
- *Brixton Economic Action Plan (2017);*
- *The Mayor's Culture Infrastructure Plan (2019).*

[REDACTED]

From: [REDACTED]
Sent: 18 January 2022 15:51
To: Popes Road
Subject: Hondo Tower Development

I am writing to object to the planning application for Hondo Tower. This ugly 20 storey development will overshadow everything around it, including two conservation areas. Brixton has a very special and unique feel and look about it that needs to be preserved. Housing is extremely important, of course, but there is no need for it to be so overpowering for the local residents, businesses and people who use the area and surrounding green spaces.

There seems to have been a very last minute addition of carbon-footprint/environmental measures added to the application. Why is this? Had none of this been thought of before? It makes me even more suspicious of the whole project.

Hondo Enterprises are a US based Hedge Fund company who bought Brixton and Market villages, the sum of their experience seems to be turning a couple of multi storey carparks into offices, NOT building homes for people in a culturally important and sensitive area. This reeks of very rich people lining their pockets at the expense of the local community. It should not be allowed.

Brixton deserves better than this.

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 27 January 2022 01:37
To: Popes Road
Subject: Objection to planning proposals

Central Brixton does not need this type of development.
-the buildings far exceed the surroundings in height
- the area needs affordable housing rather than this kind of 'redevelopmet'
- central Brixton does not need 'gentrification'

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[REDACTED]

From: [REDACTED]
Sent: 18 January 2022 09:48
To: Popes Road
Subject: Objection to Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Hello there,

I am writing to state my objection to the proposed development at 20-24 Pope's Road, Brixton.

This ugly and imposing building offers no tangible benefits to the local community, displaces local vendors who have already been hounded out of Brixton by rising rents (thanks Hondo) and makes a rich white man richer at the expense of BIPOC communities who have lived here decades. This will only continue the racial and class cleansing of Brixton.

Lambeth Council/Mayor of London, please stop this horrific venture and look for funding elsewhere! We need more social care, not another get-rich-quick project that will offer no real benefit to the community who will have to see it everyday. We need more affordable housing, not more empty office space.

Constructing a new building of this magnitude will not only irrevocably change Brixton's history, it will create massive carbon emissions and environmental damage. We have a responsibility to be funding more environmentally conscious projects, not vanity projects such as this.

This is neoliberal greed in its most blatant form. Please listen to the considerable voices who oppose this construction - we vastly outweigh those in support.

I would like to add there has been a complete lack of transparency on this project (besides the box-ticking exercises required by law). I have little faith that Lambeth Council are representing the real wishes of the local community.

Regards,
[REDACTED]

[REDACTED]

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[REDACTED]

From:

[REDACTED]
03 February 2022 14:31

To:

Popes Road

Subject:

Objection to revised planning application at 20-24 Pope's Road

Hello,

I am a resident of [REDACTED] in Brixton and would like to raise an objection to the proposed planning application at Pope's Road, including its revisions.

I'd like to object on three main grounds - firstly that the proposed development will utterly blight the Brixton built environment; secondly, that the proposed development is not a necessary addition to Brixton, in terms of required amenities; and thirdly that the proposed revisions to the application to get it through are completely insufficient to addressing the previous objections.

On the first point - Brixton is a low-rise neighbourhood and conservation area, with a number of listed buildings, and a built environment of significant character. I am not normally a believer in the 'thin end of the wedge' school of thought, but when it comes to planning it is unmistakeably true; as soon as a skyscraper is approved by a planning committee, it becomes much harder to argue against many others (usually taller and of lower architectural interest) being approved too. This is exactly what has happened in Bankside, London Bridge, Vauxhall and Nine Elms, among other areas of London. All of these areas have been arguably blighted by poor quality high rise development, and even in the face of significant local opposition. People in these neighbourhoods don't want huge skyscrapers constructed in their area, and it's exactly the same in Brixton. By approving this application, which has I would surmise received among the most objections to any single application on the Lambeth planning website, local views and democracy will have been utterly overridden. You might well ask what the point is of having any local engagement in planning decisions if applications such as these are approved. In short, I do not - and I imagine the residents of Brixton, if responses to the application are to go by, do not - want Brixton to become another Nine Elms or Vauxhall. It will completely ruin the place for its residents, who will gain virtually nothing from this development, and is a huge risk if it is approved. I would add that the architectural quality of the proposed development is extremely low and well below what would be necessary to improve Brixton's built environment - you can tell this by the fact that all the visualisations of how the building will look are taken at night!

On the second point - the proposed development consists of an office block, with sites for restaurants and shops, and 'affordable workspace'. I think that this kind of development is not what Brixton needs. If we were talking about affordable housing, this would be a different proposition. However, given the shift to home working, and the fact that Brixton is not a central business district like more centrally located neighbourhoods, I would argue that this development is not needed in this area. Is it even economically viable? Pop Brixton has recently gone bust, so I would argue that lots of additional restaurants, particularly in a climate of higher inflation, constrained living standards, and reduced desire to eat out due to the pandemic, is not a viable prospect. We may end up with an empty tower block like Centre Point, with rents which are not 'affordable' for local businesses.

On the third point - three changes have been made to the application: i) increasing the term of the 'affordable' workspace to 2090; ii) providing £1m to train local people; iii) increasing funding of apprenticeships. Is this really it?! This is a completely paltry set of measures which will go no way to mitigate the problems that this development will bring to Brixton (eg construction traffic and blight, in addition to the aforementioned issues). How many local people can be trained for £1m over 25 years? £40,000 per year seems a remarkably low amount of money to offer for training. If the developer is really serious about the need for this development and about it benefitting the local area, they would stump up some actual benefits which will support the community, and which they seem to be unable to do.

I hope these objections are taken into consideration and the proposed development is not approved by the mayor. Many thanks,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 18 January 2022 19:08
To: Popes Road
Subject: Objection

I object to the hideous tower in Brixton and also reject the inducements offered to Lambeth dwellers to smooth their acceptance. A modest job fund does not compensate for the basic inappropriateness of the proposed tower.

Signed,

[REDACTED]

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 14 January 2022 13:37
To: Popes Road
Subject: Opposition

To whom it may concern;

I am writing to express my continuing opposition to the development on Popes Road in Brixton.

The changes are merely lip service to the issues the community raised.

£40,000 per year for training and apprenticeships is derisory and which will be eaten up by administration rather than having any impact on the lives of local young people.

The work spaces and Community inclusion is less than the councils required amount as I understand it so why was it even offered?

The disruption to local businesses will be dust and dirt for 3 years which is unacceptable.

The building is of no architectural merit a D also has bad eco credentials ie carbon footprint.

It's not good enough. Don't let it happen.

Yours

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 15 January 2022 11:12
To: Popes Road
Subject: Popes Road - objection.
Attachments: objection letter.pdf

Dear Mayor and Planning team

The original hardcopy of the following attachment was sent by post. We are unsure, on the back of the extended consultation, whether this was received and now resend via attachment.

Best wishes

Carney Place Residents.

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BRIXTON SQUARE

Carney Place & Milles Square Residents Association
368-372 Coldharbour Lane
London
SW9 8PL

The Mayor & The Planning Team,
Greater London Authority,
City Hall,
Kamal Churchie Way,
London, E16 1ZE.

15 January 2022

Dear Mayor

GLA Planning Application Reference: 2021/0265
Lambeth Planning Application Reference: 20/01347/FUL

Proposed Erection of part four, part nine and part twenty storey building comprising A1, A3, B1, D1 & D2 class uses and associated services & amenity.

I write on behalf of the Carney Place & Milles Square Residents Association. We represent the residents of the development at Carney Place and Milles Square, otherwise known as Brixton Square (also referenced as 368-372 Coldharbour Lane in the application documents). Our development sits adjacent to the railway line south of the application site and is comprised of 155 residential units and therefore can be considered to represent 155 objections.

We, the residents, have severe concerns over the proposed buildings and would like to strongly object to the application going forward.

Resident Specific Objections

Daylight/Sunlight

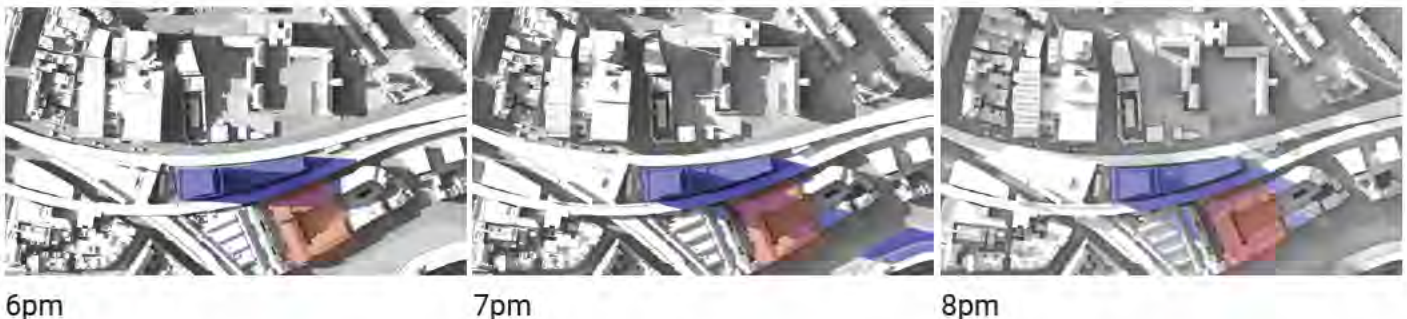
The applicant has provided daylight and sunlight studies (GIA report; March 2020) showing a significant reduction in natural light falling over the development. Their testing analysis "proves" in a roundabout and compromised way that the development will achieve 100% BRE compliance.

We would note that there are basement flats along the western perimeter which will have significantly compromised afternoon / evening light from the proposals and these have not been taken into account (Page 85 - 89 of the GIA report).

Continuing with the GIA report; we do not understand how only one Living Room / Kitchen / Dining Room on the sixth floor and one living room located on the ground floor of this property will not achieve BRE compliance for NSL when there are other Living Room / Kitchen / Dining Rooms equally spaced on the intermediate floors.

Given the height of the proposals - specifically that of the 20 storey - light falling into the courtyard of Carney Place & Milles Square will be compromised. The majority of living rooms across the development face into this courtyard and our concern is that this will create a dark and unpleasant aspect in the late afternoon and evening hours - at a time when residents are returning from work and looking forward to enjoying their amenity.

In the diagrams provided in the GIA Transient Overshadowing Assessment for the date 21st June; we would like to note that the studies and diagrams are conducted up to 8pm, whereas sunset on that day is 9pm:



Carney Place & Milles Square

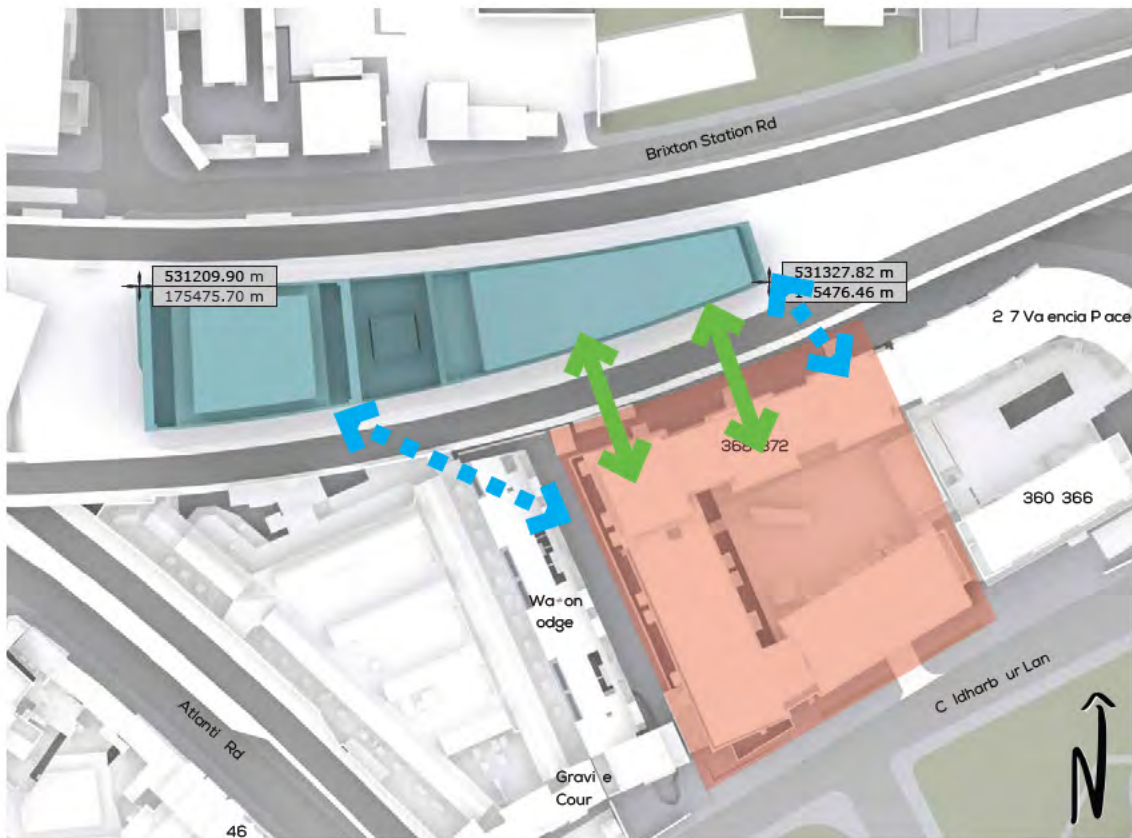
It is very difficult to ascertain from the provided documents which rooms & windows have been tested and therefore the amount of light-loss. We are naturally concerned over the significant impact of a neighbouring building of the proposed height and massing.

Overlooking & privacy

All the north facing windows in Carney Place and Milles square will be affected by the proposals with regards overlooking and privacy - the eastern (9 storey) office building directly overlooks Carney Place. This is a serious concern for the residents of 1, 2 & 3 Carney Place. As you will note from the diagrams overleaf (taken from the GIA report) the 9-storey block sits a good 14 meters above the tallest residential units adjacent.

The applicants Design & Access statement indicates a restaurant on the 8th floor of this block - another concern for those residents facing north (both with regard to overlooking, visual amenity, noise & smells etc. associated with restaurants).

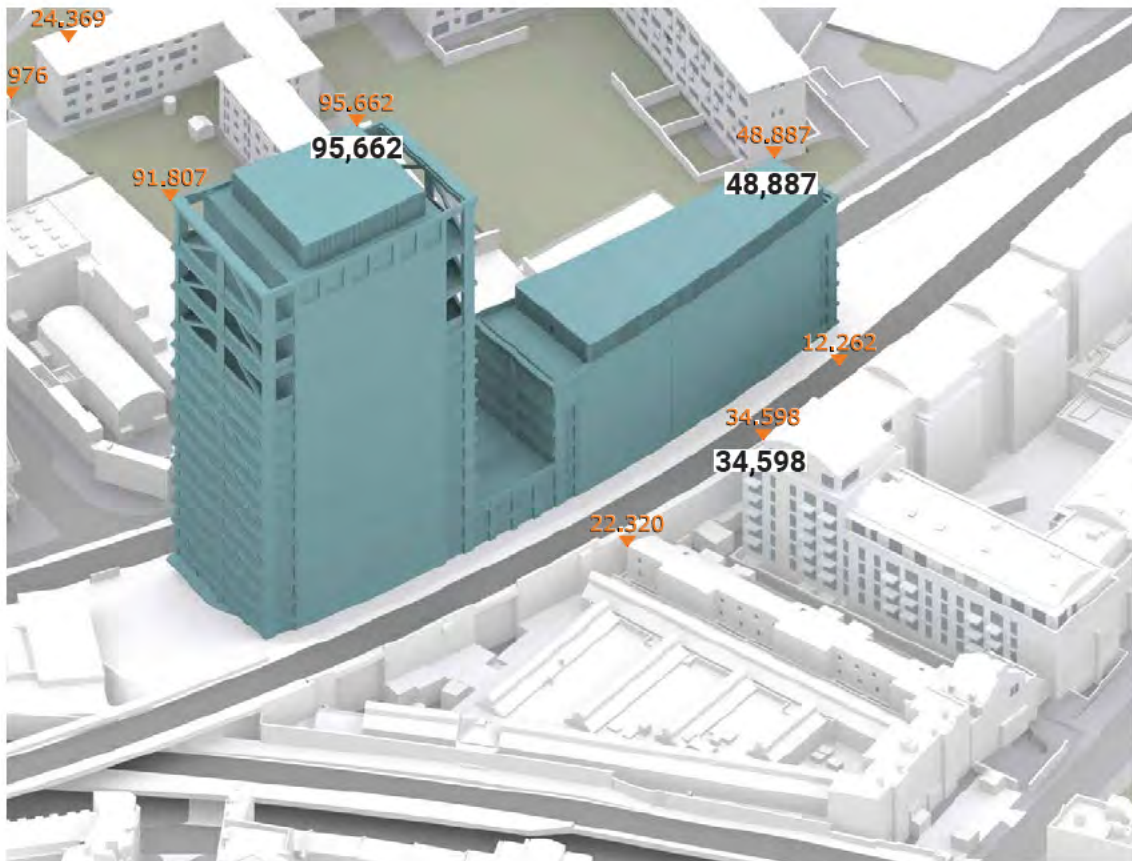
The height of both the 20 storey tower and the eastern, 9 storey office block will mean that there are overlooking issues into the courtyard of Carney Place and Milles Square. Without proper testing from the applicant we would encourage the Mayor not to allow this development to go forward. We cannot emphasise enough the degradation of our views, privacy, light and aspect should this development go forward.



Carney Place and Milles Square

Direct overlooking

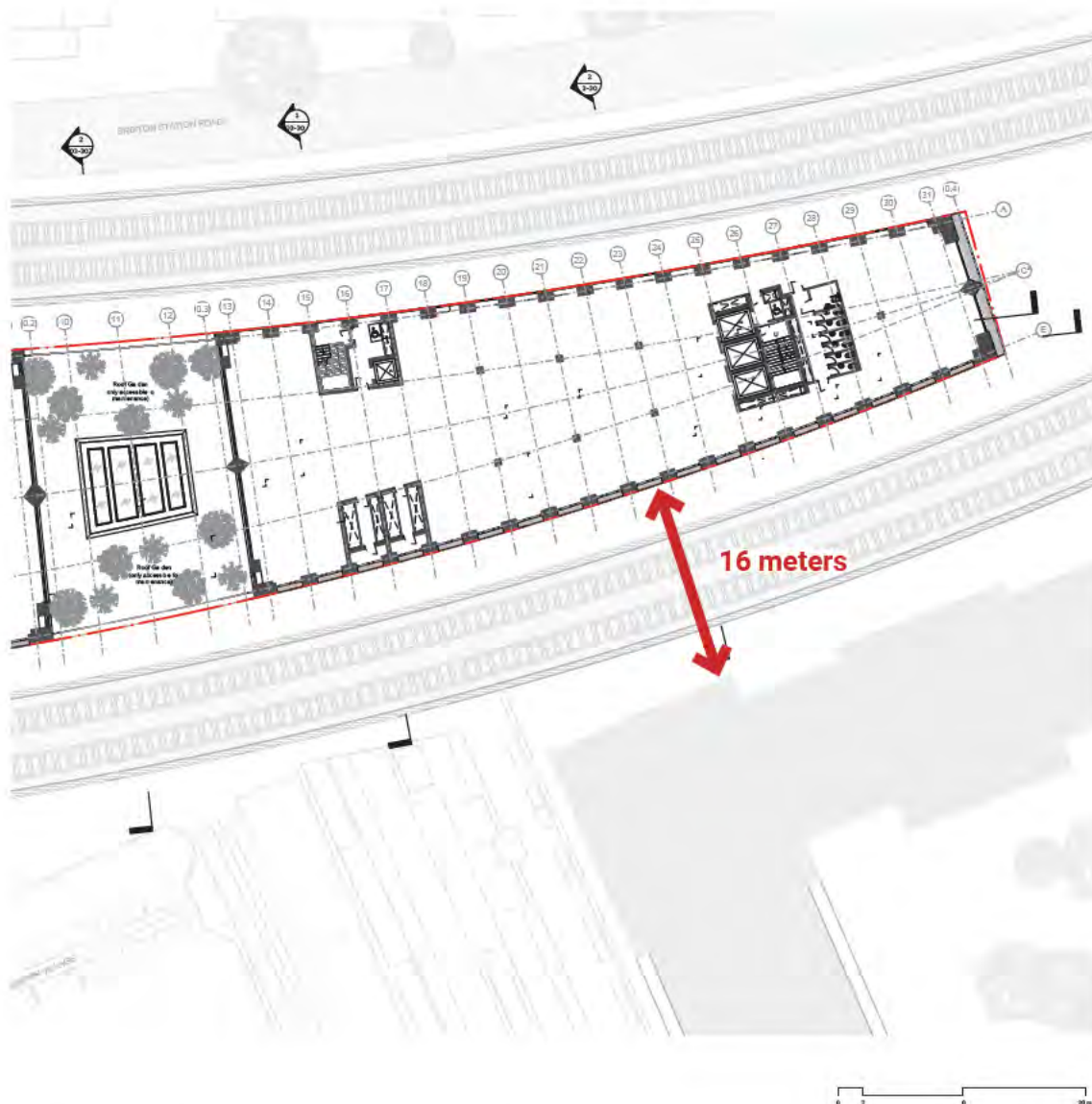
General overlooking



Building Heights

Canyon effect - wind, noise & vibration

From building edge-to-edge the proposals sit some 16m apart, with the viaduct running between them.



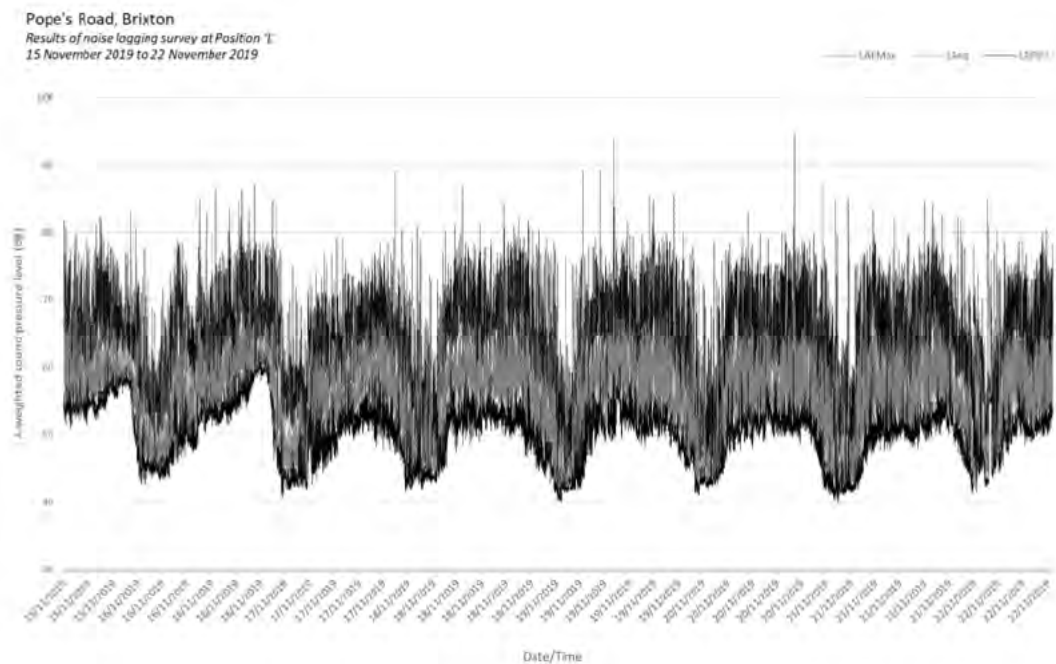
We would be seriously concerned about the amount of wind created by the proposed development. Having consulted the Wind Assessment we note not a single one of the wind study points were taken from the balconies/terraces of the Carney Place development; and were not considered within the report. Viewing the proposals there would undeniably be some form of wind-tunnel effect. We would urge that this be taken into consideration.

We have also reviewed the Noise and Vibration report and find it to be lacking in scope. Vibration testing was done in the afternoon of one day - not taking into account the early morning trains, which come through the area at a faster speed, nor taking into account the longer, heavier good trains which come through at 4am.

It is not clear from the report when the noise assessment times were taken - but we note that mention is made that they were taken at a time when some train services were out-of-service.

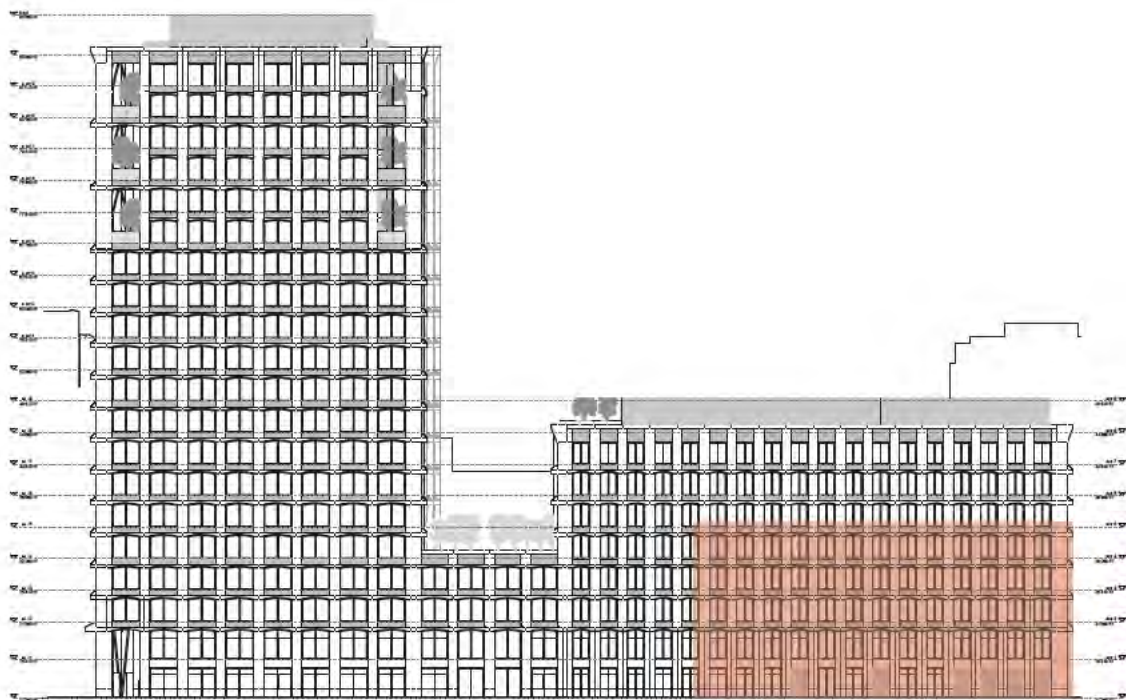
The noise and vibrations coming from the railway (especially from the early morning trains) would be exacerbated by the proposals - with the noise levels already nearly 100db (as shown in the noise report) and this would be reflected and mirrored off the proposed buildings.

A purely 'pedestrian level' report does not capture the full impact of the trains which form a major boundary of the proposals in will impact those apartments in Carney Place & Milles Square facing the viaduct.

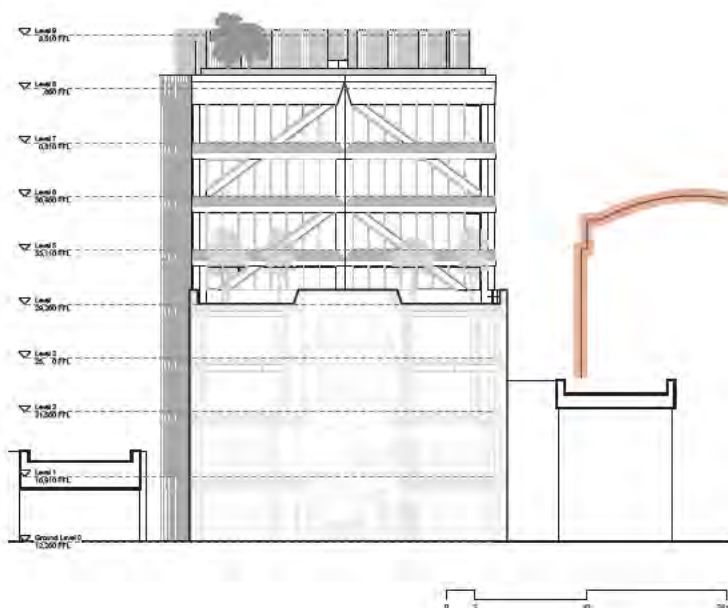


Height, scale and massing

The sheer bulk of the southern facade is considered relentless & inelegant by our residents. The break between the buildings does very little to alleviate our concerns, especially sited, as it is, alongside the blank facing wall of the Walton Laundry development (and therefore completely useless). The break between buildings will not allow any light or views, considering the massing of the façades of those sides which face that break.



We would draw your attention to the proposed drawing below provided by the applicant which demonstrates the heights of their proposals against our, significantly lower development:



Townscape and Visual Amenity

Reviewing the Townscape and Visual Impact Assessment, we note that views from the south-east of the site have been largely discounted (with the exception of one view along Atlantic road, and a long-shot from Brockwell Park). Again we would voice our concern of the bulk and massing of the proposals on our visual amenity - and would strongly object on the grounds that the taller tower would 'loom' over our courtyard.

Lambeth Local Plan 2015

It is noted that there is a site allocation in the 2015 Local Plan which lists the Pope's road application site as "Site 16 - Central Brixton":

Design principles and key development considerations	<p>Large site bounded by railway viaducts with considerable development potential subject to improving access and permeability through the site.</p> <p>The council will support development on the site that:</p> <ul style="list-style-type: none">(i) provides opportunities to improve the station entrance and station facilities generally, including lift access and cycle parking;(ii) provides public realm improvements to Brixton Station Road to include links to both the mainline and underground stations, the opening up of arches to provide links to north-south routes east of Popes Road and potential links to Brixton Village;(iii) enhances the arches to provide active uses and routes through;(iv) opens up Popes Road to provide a wider public space with the potential to provide improved and/or additional market spaces;(v) includes market facilities;(vi) includes environmental improvements to the viaduct arches serving the Orpington Line;(vii) integrates and complements development on the Popes Road site (Site 15);(viii) includes the reprovizion of the redundant 1950s building;(ix) avoids creating a canyon on either side of the railway viaducts;(x) proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.
--	---

With reference to the above, we feel that the current proposals sit outside of the aspirations of this site allocation and we would encourage the Mayor not to support the development of this site for the following reasons: - **items in bold relating specifically to the impact on our homes and sit directly in opposition to the aspirations of the site allocation.**

The current proposals:

- (ix) create a canyon on the sides of both the railway viaducts;**
- (x) buildings are too tall and do not protect the amenity of the new residential developments on Coldharbour Lane adjoining the site.**

We would further note (i-viii) only one arch seems to be proposed to be opened up with no new links provided further along/down the site to open up the area; notwithstanding the links provided by and in the Walton Lodge application (which are not addressed).

While we don't have an issue with the amount of indoor/outdoor public space & welcome the additional market spaces and public amenity proposed we think that the massing of the building (both in height, length and width) could and should be reduced above ground.

We are not sure we see a wider integration with Site 15.

Emerging (Draft) Design Code SPD

While not yet relevant the emerging Design Code SPD certainly outlines the future aspirations for the borough, whereby tall buildings:

1. Should consider the impact of the building in near, medium and distance views and take particular care to ensure that the building massing and form are successful in each context.

The height, bulk and massing of the proposals severely impact the amenity and privacy of Carney Place & Milles Square residents.

2. Guard against outcomes that loom uncomfortably over existing low-rise neighbours

A twenty storey tower could be thought to be looming uncomfortably over the abundance of low rise neighbours, including and specifically Carney Place & Milles Square residents which sit directly adjacent.

3. Ensure the design meets the design objectives of any associated tall building cluster.

No cluster, Brixton is predominantly a low-rise developed area.

4. Use materials that positively respond to Lambeth's local distinctiveness in order to integrate the building with its immediate and wider context'.

Brixton town centre is low-rise Victorian/Edwardian in character and this proposed development in the centre of historic Brixton is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity. Blocks need to be significantly reduced in scale, massing & height; and brought in line with the local built environment.

5. Seek elegant and well-proportioned architectural outcomes which unify the top, middle and base into a coherent whole.

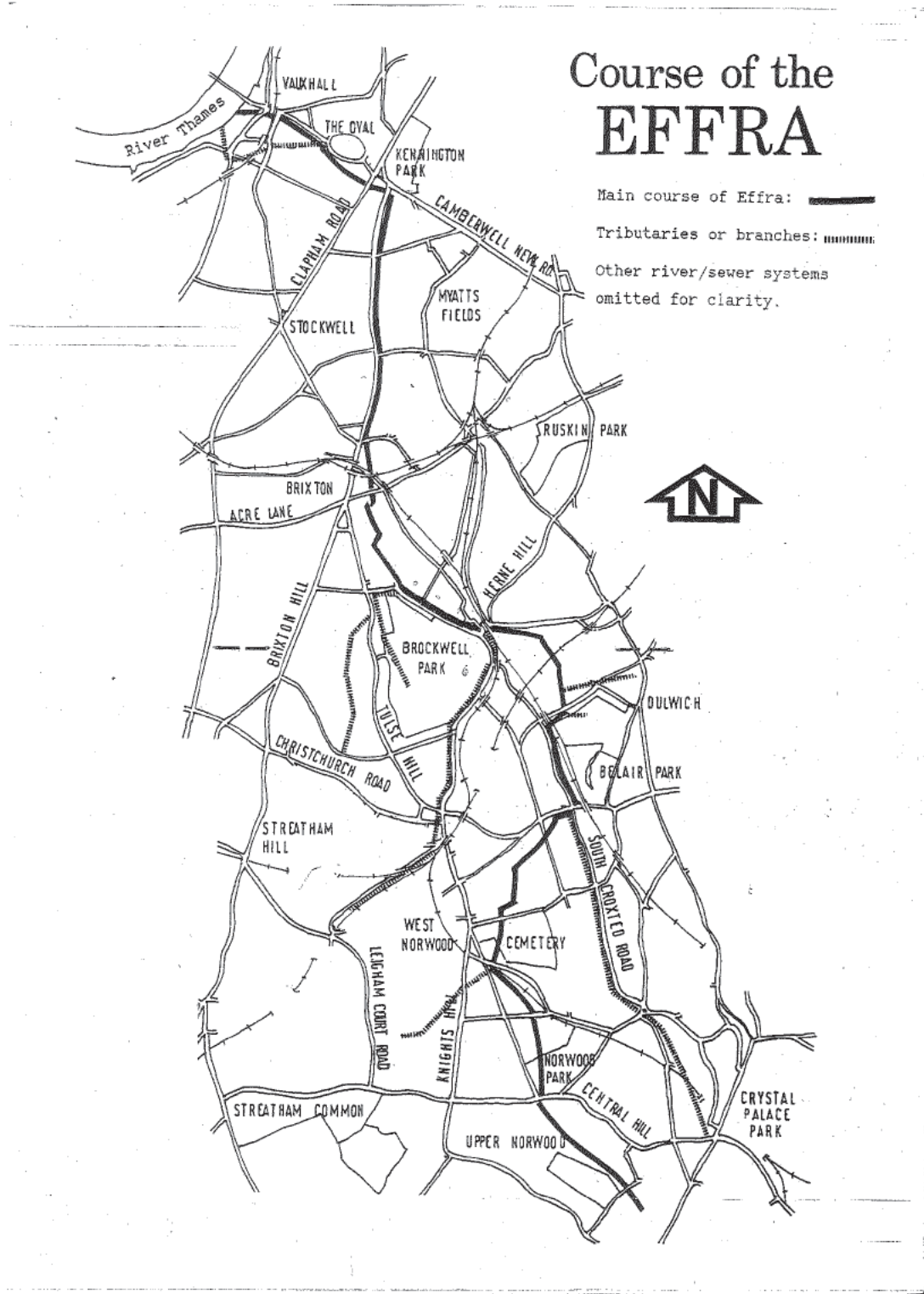
This building is not elegant, it is bulky and looms over central Brixton and neighbouring developments. The adjacent conservation area does not seem to have been considered. The appointment of a well known and design orientated architect does not mitigate the relentless massing & development drive that is clearly evident in the form of the building which is geared ultimately toward the intensification of rentable floor-space and moneymaking.

6. Mitigate against potential adverse impacts – wind, micro-climate, daylight and sunlight etc. through design excellence

It is unclear whether the surrounding buildings have been considered at all in the above.

River Effra

We are aware that the river Effra runs either beneath or adjacent to the site and are unaware of how the application intends to deal with this, especially considering the presence of a double basement and proximity to the railway.



General

It should be noted that there was constrained & insufficient time to review all the information provided for the application - the notification letter was only received on the 30th April 2020 (at which time the majority of online comments began to be submitted). We have only had 12 days to fully review and submit any letter.

We have not had the time to fully review the impact of any servicing strategy, congestion, transport etc.

A quick flip through the Employment and Skills plan; and Economic Impact report seems to sit at odds with the facts: that currently Brixton (Lambeth) has no real need for such a massive amount of office floorspace - having identified only **Impact Brixton** as a potential tenant and to manage up-to 10% total floorspace - it should also be noted that the proposal will provide 16% of the total target for office space in the borough up to 2041- it seems odd to provide this much office space in one go. There is no real identification of office need within these documents. We would be concerned that the densification of Brixton in this manner runs contradictory to it's inherent character.

Conclusion

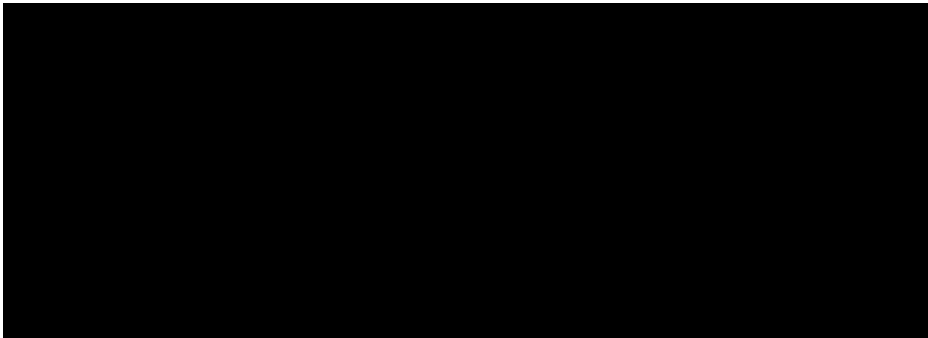
We wholeheartedly urge the Mayor to reject this application on the basis of what we have laid out in the previous pages; that the application goes against the policies set out in both the Local Plan and the draft Design Code; we are concerned about the detrimental impact on our homes - in terms of loss of privacy, visual amenity & light; and increased overshadowing, noise & potentially vibration - that the proposals are too bulky, too large and overpower the amenity and character of Brixton.

Notwithstanding our own objections we would support and agree with those objections which address the impact on Brixton as a whole. As residents of Brixton we would be incredibly concerned of the negative impact on Brixton's architectural heritage and concurrent impact on Brixton's cultural heritage.

There has been no consideration for the adjacent conservation area in this application. As much as we are concerned over the impact on our home, the height and massing will also severely impact the residential areas & gardens to the north of the railway. These proposals risk cutting off swathes of light and the views from lower, more sympathetic developments in the local area.

This objection is in respect of the proposed development and we have taken every effort to present accurate information for your consideration.

We would urge the Mayor to reject this application.



On behalf of the Carney Place and Milles Square Residents Association.

Correspondence address:



[REDACTED]

From: [REDACTED]
Sent: 16 January 2022 08:20
To: Popes Road
Subject: Popes Road Development - Further Objection

Dear Sirs,

I would like to take this opportunity to raise my further objection to the revised scheme for Pope's Road. The original concerns I and many other local residents raised have not been addressed in the revised scheme - namely that the height of the proposed tower block will significantly change the character of the town centre. There are no other buildings of that height anywhere near the proposed site.

The proposed jobs fund and affordable housing are all well and good but those can be provided in a shorter building - or indeed a number of shorter buildings on the site. I am by no means against development - indeed i would welcome the much needed regeneration of the proposed site - but we will collectively regret the damage to the character and beauty of the Edwardian town centre if we allow such a monstrous tower to be added so incongruously to the Brixton skyline.

I hope the Mayor supports the widely held views of local people (as evidenced by the objections and petitions against the original proposals) and protects the heritage of our built environment.

[REDACTED]

Sent from my iPhone

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<https://www.mailcontrol.com/sr/178hJPKsrbzGX2PQPOMvUiyxGuQ0drTSx9iOIGi9r5LMrJG5KA1JgLXkos6M8FumIWk6lcfnkEiKORphlb7DTA==> to report this email as spam.

Hello,
I am a Brixton home owner, [REDACTED] and I am writing to express my support of

the new project proposal for Popes Road. Over the past 4 years it has been great to see a variety of business open up in Brixton as the market has developed. Having always been a food/beverage/market area, I am very excited to see spaces open up for other types of business which will attract many more patrons and employees to the area (e.g. tech, arts, marketing etc.). I think with the right mix of traditional Brixton flare but with a wider variety of people visiting the area it will provide a great benefit to the area and the existing storefronts. It's a shame to see people assuming that the new building will negatively impact the existing Brixton culture as I think it will do the opposite.

I really hope the council will take into account all of the great solutions that have been included in the updated application and approve this project.

Many thanks,



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[REDACTED]

From: [REDACTED] >
Sent: 01 February 2022 16:08
To: Popes Road
Subject: Pope's Road Tower, Brixton SW9

Follow Up Flag: Follow up
Flag Status: Flagged

I want to register my objection to this development.

I have lived near Brixton for over 30 years and spent much time enjoying the fun, vibe and beauty of the area around Brixton market.

The proposed development is completely out of keeping with the surrounding area and in years to come, people will ask, who let that happen.

The area is an atmospheric, low level development. Erecting a building as proposed would be totally out of character.

[REDACTED]

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 29 January 2022 21:43
To: Popes Road
Subject: Popes Road

Hello,

I really do endorse this build and I hope it gets built. I believe it will start to gentrify the area and reduce crime and anti social behaviour. It will also bring a touch of class to the area too.

Thanks

[REDACTED]

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Click https://www.mailcontrol.com/sr/vHLIKt-PaW7GX2PQPOMvUiyxGuQ0drTS8hi-e4_3ulwS2B4UYt3aP2XwdbwY9A5phumollQQfpUhei1KLnaPDA== to report this email as spam.

[REDACTED]

From: [REDACTED]
Sent: 25 January 2022 11:47
To: Popes Road
Subject: Proposed development at 20 - 24 Pope's Road, SW9 8JB - OBJECT

I write with regards to the above development and the update to the planning application from the developer to which I object.

The increased offer of affordable workspaces, job training and apprenticeships does not mitigate any of the harms previously raised by myself and others to this application. The size and height of the building are entirely inappropriate for the Brixton Conservation area.

Kind regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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[REDACTED]

From: Save Nour [REDACTED]
Sent: 17 February 2022 13:27
To: Popes Road
Subject: Re: 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Dear GLA

In relation to this email that we sent you on 3rd Feb, we do not appear to have received an acknowledgement as requested.

We would be grateful if you could do so.

Kind regards

Save Nour/Fight the Tower campaign

On Thu, 3 Feb 2022 at 20:42, Save Nour [REDACTED] wrote:
Dear GLA

Further to previous written representations that we have submitted regarding the 20-24 Popes Road Planning Application, and despite not having received a notification of the re-consultation dated 14th January 2022, we now submit the attached written representation which concerns Fire Safety.

Please acknowledge receipt of this submission by return.

With best regards

Save Nour/Fight the Tower campaign

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Click [here](#) to report this email as spam.

[REDACTED]

From: John Finlayson
Sent: 27 January 2022 12:45
To: Save Nour; [REDACTED]
Cc: Popes Road
Subject: RE: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Dear [REDACTED]

Thank you for your email.

I'm aware there have been further email exchanges with GLA colleagues and so I intend to address the points in the order they were raised:

- First point – I have been told that your savenour email address wasn't in the 3000 or so that were sent out. I apologise for this and any inconvenience caused.
- Second and Third points – The GLA links have been addressed by [REDACTED]. We have also asked LB Lambeth to check that their website has the correct documents uploaded and it would appear that any issue has been corrected. The documents are also available on the GLA website or in hard copy at our Union Street offices for residents to view.
- Fourth point – The address is the correct one and I understand that the issues we experienced previously have now been addressed.
- Fifth point – Thank you for notifying us of the date error. We have corrected our website but I do not believe this typographical error seriously prejudices any party commenting on the application documents.
- Sixth point – Applicants for planning permission can submit documentation to us at any point during the application process. As we were consulting again, we decided to include this information, to give people the opportunity to view and comment on the latest information available at that time which was the correct approach in our view. The notification is clear that should residents wish to make additional points on the application submission they can do so.

In this instance, we do not consider it necessary to do a further re-notification and consider that interested parties have been given a full opportunity to comment on the revisions submitted. I also do not consider it necessary to extend the notification. However, any letters received after the expiry date of the notification and before a decision is made, may still be taken into account. If a particular resident or group needs a day or two longer to provide comments this will be fine and they just need to let us know that is the case

I hope the above is of some assistance.

Kind Regards

John

John Finlayson

Head of Development Management, Planning
GREATERLONDONAUTHORITY
Union Street, London, SE10LL
[REDACTED]
[REDACTED]

Register here to be notified of planning policy consultations or sign up for GLA Planning News

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From: Save Nour [REDACTED]
Sent: 17 January 2022 11:48
To: John Finlayson [REDACTED]; [REDACTED] <[REDACTED]@london.gov.uk>
Cc: Popes Road <PopesRoad@london.gov.uk>
Subject: Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Pope's Road, Brixton

Re: 20-22 Popes Road (GLA ref 2021/0265)

Dear John Finlayson and [REDACTED]

We are pleased to see that a re-notification for consultation was sent out last Friday 14th January (see below) and that this time an email address for submissions has been provided.

However, there still appear to be problems with the way that this re-notification has been issued.

Firstly, Save Nour/Fight the Tower campaign were not notified despite having raised objections previously and having submitted written representations.

Secondly, the links provided for viewing the new documents that the applicant has submitted are not operational. LB Lambeth have not uploaded these documents to their on-line planning register and four of the documents on the GLA link cannot be opened.

Thirdly, documents submitted by the application in their original application and dated April 2020 are no longer available for viewing on LB Lambeth's on-line planning register.

Fourthly, the address given for postal submissions is still the same address given in the notification of November/December 2021, which gave rise to submissions being returned to sender.

Fifthly, the notification states that ' *In addition, the Applicant formally submitted a... Be Seen and Metering Strategy and Be Green Spreadsheet on 11 December 2022.* ' This date is clearly erroneous.


Sixthly, this is not in fact a re-notification of the previous consultation in November/December 2021, because it admits documents that the applicant has produced after that notification was sent out - for instance the Fire Engineering document is dated 17th Dec 2021.


Under the circumstances, we formally request that this re-notification is re-issued correctly and with all documents fully accessible.

Failing that we formally request that the deadline for the consultation period is extended to allow a full 21 days of consideration once all documents are fully accessible.

We look forward to hearing from you at your earliest convenience.

Kind Regards


on behalf of Save Nour/Fight The Tower

On Fri, 14 Jan 2022 at 11:52,  > wrote:

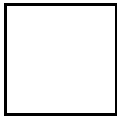
----- Forwarded message -----

From: **Greater London Authority** <greater.london.authority@notifications.service.gov.uk>

Date: Fri, Jan 14, 2022 at 10:23 AM

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

To:  >



Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

On 31 March 2020, planning application (Council reference 20/01347/FUL) ('the Application') was submitted to the London Borough of Lambeth by AG Hondo Popes Road BV ('the Applicant') for the following development:

"Demolition of existing building and erection of part 5, part 9 and part 20-storey building with flexible A1 (shops)/ A3 (restaurants and cafes) / B1 (business) / D1 (non-residential institutions) / D2

From: [REDACTED]@environment-agency.gov.uk>
Sent: 19 January 2022 12:54
To: Popes Road
Subject: RE: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Attachments: SL121614 02 (MH) 20-24 Pope's Road.pdf; SL121614 (MH) 20-24 Pope's Road.pdf

Dear team

Thank you for re-consulting us on the above application.

I have attached our formal response.

Please let me know if you have any questions.

Best wishes.

[REDACTED]
Planning Advisor, Kent and South London Team Environment Agency | 2 Marsham Street, Westminster, London, SW1P 4DF [REDACTED] [\[REDACTED\]@environment-agency.gov.uk](mailto:[REDACTED]@environment-agency.gov.uk)

Please accept my thanks for your email in advance - each UK adult sending one less 'thank you' email a day would save more than 16,400 tonnes of carbon a year.

From: Greater London Authority <greater.london.authority@notifications.service.gov.uk>

Sent: 14 January 2022 10:24

To: KSLPlanning [REDACTED]@environment-agency.gov.uk>

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB



Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

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"Demolition of existing building and erection of part 5, part 9 and part 20-storey building with flexible A1 (shops)/ A3 (restaurants and cafes) /

██████████
London Borough of Lambeth
Development Control
Phoenix House (10) Wandsworth Road
London
SW8 2LL

Our ref: SL/2021/121614/01-L01
Your ref: 20/01347/FUL
Date: 07 December 2021

Dear ██████████

**Demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (class A3) use at eighth floor level and business accommodation (class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works
reconsultation due to external design changes to the building facades as well as relocation of the community floorspace at the first floor level.**

20 - 24 Pope's Road London SW9 8JB

Thank you for consulting us on the above planning application.

We have reviewed the information and have the following comments to make:

Advice to the applicant – site specific advice

If you would like to receive site specific advice or discuss documents in further details with us, we are able to do so under our charged planning advice. Please contact us on kslplanning@environment-agency.gov.uk for further details.

Standard Planning Informative

The Government is committed to ensuring that the planning system does everything it can to support long term, sustainable economic growth, and has made it clear that significant weight should be placed on the need to support economic recovery through the planning system and related consent regimes, [while protecting the wider environment](#).

Sustainable development is about preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land, air, water or noise pollution or land

instability. Sustainable development must therefore be based on a clear understanding of the historic land-use, the wider economic, social and environmental setting and the proposed development. Lack of understanding of the risks of contamination or pollution associated with a development site can lead to delay and additional costs if permits/licences other than the planning permission are required.

There is substantive guidance on best practice for site assessments and this should be followed fully to ensure planning applications are accompanied by relevant preliminary documentation, to allow them to be promptly processed and sustainable developments fully supported.

Local planning authorities should ensure that any site is suitable for its new use, especially high risk uses, taking account of ground conditions, contamination arising from previous uses and any proposals for land remediation, pollution prevention and foundation design.

Land Contamination

The Guiding Principles for dealing with Land Contamination is available on <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

We recommend as best practice that all site desk study, site investigation, remediation strategies and verification reports submitted for planning purposes are undertaken by a suitably qualified person, preferably registered as a SILC/SQP. We recommend that for brownfield site developments – especially on sites with higher risk previous uses – desk study reports, site investigations, remedial strategies and verification reports are signed off under the *National Land Quality Mark Scheme* (NQMS).

The NQMS is a system designed by the industry-led Land Forum to ensure that land contamination management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information.

Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

- The work has been planned, undertaken and written up by competent people who have relevant experience and/or qualifications in their respective disciplines
- The underlying data has been collected in line with established good practice procedures and its collection has been subject to control via established quality management systems
- The data has been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies
- The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations
- Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations

If developments are supported by NQMS reporting we can assume that the local planning authority has the necessary information to allow decisions to be taken without the need for additional site-specific advice from us. We can recommend that you take account of the conclusions and recommendations within an NQMS report.

If you need further support understanding the report, please seek advice from your Environmental Health/Environmental Protection Department who will be able to advise on the generic aspects of land contamination management.

Where planning controls are considered necessary, we recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by paragraph 174 of the National Planning Policy Framework and the Water Framework Directive, which places such duties on all public bodies.

We also recommend that you consider the merits of advising the developer to handle any further land contamination management work that may be required under the NQMS.

Any unexpected contamination encountered during development of a site should be reported to the Environmental Health Officer (EHO) in accordance with *Building Regulations Approved Doc C*.

Foundation Design and Contamination

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with EA guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*".

Drainage Design and Contamination

Any SuDs design for clean roof drainage should be through sealed trap gullies and only sited in areas of clean naturally occurring materials in accordance with building regulations Approved Doc H (link below) and good practice design guidance (CIRIA R156).

All infiltration drainage from roads and service areas that bypasses the upper soil layers via soakaway chambers or boreholes may require a permit to discharge to ground, unless additional pollution prevention measures are installed that prevent contaminated water reaching the aquifer body.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h> for Binding Rules information for small scale non mains discharges.

Submissions to the LPA should include all relevant information on foul drainage proposals using the following form.

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

Treated discharges to ground or surface waters may require an Environmental permit.

Engineering works

Any excavation and re-profiling works on closed landfill sites are likely to require an Environmental permit. Any new engineering works on permitted landfills will require appropriate variations to the permit as well as planning permission.

Soils and Stones

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides developers/operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works can be sustainably re-used under an industry agreed Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution in accordance with an approved remediation strategy.
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA for a set number of development sites.
- some naturally occurring clean material can be transferred directly between sites for agreed re-use.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The [Environmental regulations](#) page on GOV.UK

Wastes Removed from development sites.

Contaminated materials that are (or must be) disposed of are waste. Therefore, the handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on gov.uk for more information.

Do not hesitate to contact us if you require further details.

Yours sincerely

Planning Advisor

Direct e- [@environment-agency.gov.uk](mailto:environment-agency.gov.uk)

██████████
London Borough of Lambeth
Development Control
Phoenix House (10) Wandsworth Road
London
SW8 2LL

Our ref: SL/2021/121614/02-L01
Your ref: 20/01347/FUL
Date: 19 January 2022

Dear ██████████

Amended plans: demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (class A3) use at eighth floor level and business accommodation (class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works reconsultation due to external design changes to the building facades as well as relocation of the community floorspace at the first floor level. Please refer to the September 2020 cover letter for further details. This application is a departure application: the proposed development is a departure from Policy Q26, part (II) and site allocation "site 16 - Brixton Central (between the viaducts) SW9" of the Lambeth Local Plan (2015).

20 - 24 Pope's Road London SW9 8JB

Thank you for consulting the Environment Agency on the above planning application.

We have reviewed the submitted information and respond as follows:

Environment Agency position

We note that our previous letter (dated 07 December 2021 with reference SL/2021/121614/01-L01) and the comments contained therein are still applicable to this amended planning application. Accordingly, we request that you refer to our previous letter (attached).

Decision notice request

The Environment Agency requires decision notice details for this planning application in order to report on our effectiveness in influencing the planning process. Please email ██████████ [@environment-agency.gov.uk](mailto:██████████@environment-agency.gov.uk) with any decision notice details.

We hope you find our response helpful. Please contact us if you have any questions.

Yours sincerely

[REDACTED]
Planning Advisor

Direct e-mail **[REDACTED]**@environment-agency.gov.uk

[REDACTED]

From: Save Nour [REDACTED]
Sent: 17 January 2022 11:48
To: John Finlayson; [REDACTED]
Cc: Popes Road
Subject: Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Pope's Road, Brixton

Re: 20-22 Popes Road (GLA ref 2021/0265)

Dear John Finlayson and [REDACTED]

We are pleased to see that a re-notification for consultation was sent out last Friday 14th January (see below) and that this time an email address for submissions has been provided.

However, there still appear to be problems with the way that this re-notification has been issued.

Firstly, Save Nour/Fight the Tower campaign were not notified despite having raised objections previously and having submitted written representations.

Secondly, the links provided for viewing the new documents that the applicant has submitted are not operational. LB Lambeth have not uploaded these documents to their on-line planning register and four of the documents on the GLA link cannot be opened.

Thirdly, documents submitted by the application in their original application and dated April 2020 are no longer available for viewing on LB Lambeth's on-line planning register.

Fourthly, the address given for postal submissions is still the same address given in the notification of November/December 2021, which gave rise to submissions being returned to sender.

Fifthly, the notification states that ' *In addition, the Applicant formally submitted a... Be Seen and Metering Strategy and Be Green Spreadsheet on 11 December 2022.* ' This date is clearly erroneous.

Sixthly, this is not in fact a re-notification of the previous consultation in November/December 2021, because it admits documents that the applicant has produced after that notification was sent out - for instance the Fire Engineering document is dated 17th Dec 2021.

Under the circumstances, we formally request that this re-notification is re-issued correctly and with all documents fully accessible.

Failing that we formally request that the deadline for the consultation period is extended to allow a full 21 days of consideration once all documents are fully accessible.

We look forward to hearing from you at your earliest convenience.

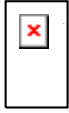
Kind Regards

[REDACTED]
on behalf of Save Nour/Fight The Tower

On Fri, 14 Jan 2022 at 11:52, [REDACTED] <[REDACTED]@gmail.com> wrote:

----- Forwarded message -----

From: **Greater London Authority** <greater.london.authority@notifications.service.gov.uk>
Date: Fri, Jan 14, 2022 at 10:23 AM
Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
To: [REDACTED]



Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

On 31 March 2020, planning application (Council reference 20/01347/FUL) ('the Application') was submitted to the London Borough of Lambeth by AG Hondo Popes Road BV ('the Applicant') for the following development:

"Demolition of existing building and erection of part 5, part 9 and part 20-storey building with flexible A1 (shops)/ A3 (restaurants and cafes) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure) uses at basement, ground floor and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level and associated cycle parking, servicing and enabling works"

On 1 March 2021, the Mayor of London issued a direction under Article 7 of the Town and Country Planning (Mayor of London) Order 2008 that the Mayor will act as the Local Planning Authority (City Hall, Kamal Chunchie Way, London, E16 1ZE) for the purposes of determining the Application. Subsequent to that direction, the Applicant submitted revisions to the Application to the Mayor on 24 November 2021, as follows:

From: Location Enquiries [REDACTED]@tfl.gov.uk>
Sent: 17 January 2022 09:47
To: Popes Road
Subject: RE: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

FAO [REDACTED]
0/01347/FUL | Demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible Class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential Institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works RECONSULTATION DUE TO EXTERNAL DESIGN CHANGES TO THE BUILDING FACADES AS WELL AS RELOCATION OF THE COMMUNITY FLOORSACE AT THE FIRST FLOOR LEVEL. PLEASE REFER TO THE SEPTEMBER 2020 COVER LETTER FOR FURTHER DETAILS. This application is a DEPARTURE APPLICATION: The proposed development is a departure from Policy Q26, part (ii) and site allocation "Site 16 - Brixton Central (between the viaducts) SW9" of the Lambeth Local Plan (2015). | 20 - 24 Pope's Road London SW9 8JB

Thank you for your consultation.

I can confirm that London Underground Infrastructure Protection has no comment to make on this planning application.

This site is adjacent to Network Rail assets. Please contact them directly to query what affect, if any, the proposals will have on their railway.

This response is made as TfL Railway Infrastructure Manager under the "Town and Country Planning (Development Management Procedure) Order 2015". It therefore relates only to railway engineering and safety matters. Other parts of TfL may have other comments in line with their own statutory responsibilities.

Kind regards

[REDACTED]
Safeguarding Engineer (LU+DLR)
Infrastructure Protection
Email: [REDACTED]@tfl.gov.uk

TfL Engineering | 5 Endeavour Square, Stratford, London E20 1JN



Find out more about Infrastructure Protection - <https://youtu.be/0hGoJMTBOEg>

From: Greater London Authority <greater.london.authority@notifications.service.gov.uk>

Sent: 14 January 2022 10:24

To: Location Enquiries <[REDACTED]@tfl.gov.uk>

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB



Dear Sir/Madam

[REDACTED]

From: [REDACTED]
To: 14 January 2022 16:39
Popes Road; John Finlayson
Subject: Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Attachments: Screen Shot 2022-01-14 at 16.38.17.png
Importance: High

Thanks [REDACTED]
The PDFs now appear to be opening but not the attached documents.
Regards
[REDACTED]
[REDACTED]
[REDACTED]

This email is intended for the named recipient(s) only and is not to be forwarded or its contents passed on to third parties without consent.

From: Popes Road <PopesRoad@london.gov.uk>
Date: Friday, 14 January 2022 at 15:34
To: [REDACTED]
[REDACTED] london.gov.uk>
Subject: RE: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Hi [REDACTED],
Thank you for pointing this out. The website has been updated and all the documents are now available to download. Please let me know if you experience any issues.
We are in contact with Lambeth to ensure that their website is updated as soon as possible.
Thanks
[REDACTED]

Planning Support Manager, Planning
GREATERLONDONAUTHORITY
Union Street, London, SE1 0LL
[REDACTED]

london.gov.uk
joe.wilkinson@london.gov.uk
[Register here](#) to be notified of planning policy consultations or [sign up](#) for GLA Planning News
Follow us on Twitter [@LDN_planning](#)

From: [REDACTED]
Sent: 14 January 2022 14:43
To: Popes Road <PopesRoad@london.gov.uk>; John Finlayson <John.Finlayson@london.gov.uk>
Subject: Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Importance: High

I received the email below this morning regarding the re-notification of public consultation.
However the new documents submitted by the applicant are not downloading from the GLA website and these have also not been uploaded to the Lambeth on-line planning register.
Please confirm the situation.

Best regards



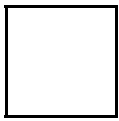

From: Greater London Authority <greater.london.authority@notifications.service.gov.uk>

Reply to: <popesroad@london.gov.uk>

Date: Friday, 14 January 2022 at 10:23

To: 

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB



Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

On 31 March 2020, planning application (Council reference 20/01347/FUL) ('the Application') was submitted to the London Borough of Lambeth by AG Hondo Popes Road BV ('the Applicant') for the following development:

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WED14106 Pope Road be_seen_spreadsheet.xlsm

Preview

Download



WED14106 Hondo Pope's Road connection of to the DH.msg

Preview

Download



Tower (Pope's Road) Stage 3 (set 3) GLA consultation_Energy Memo 2022.xlsx

Preview

Download



APPENDIX A - Pope's Road - gla_wlc_assessment_ SUBMITTED.xlsx

Preview

Download

[REDACTED]

From:

[REDACTED]
14 January 2022 14:43

To:

Popes Road; John Finlayson

Subject:

Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB

Importance:

High

I received the email below this morning regarding the re-notification of public consultation.

However the new documents submitted by the applicant are not downloading from the GLA website and these have also not been uploaded to the Lambeth on-line planning register.

Please confirm the situation.

Best regards

[REDACTED]

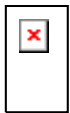
From: Greater London Authority <greater.london.authority@notifications.service.gov.uk>

Reply to: <popesroad@london.gov.uk>

Date: Friday, 14 January 2022 at 10:23

To: [REDACTED]

Subject: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB



Dear Sir/Madam

Town & Country Planning Act 1990 (as amended); Town and Country Planning (Development Management Procedure) England Order 2015 (DMPO).

Please note that this is a re-notification following the previous notification on this application which took place in November/December 2021. It came to the Mayor's attention that some hard copy letters may have been returned to the sender by Royal Mail. We are therefore undertaking this further round of consultation to ensure that everyone has the opportunity to let the Mayor know their views on the proposal.

On 31 March 2020, planning application (Council reference 20/01347/FUL) ('the Application') was submitted to the London Borough

[REDACTED]

From: Save Nour <[REDACTED]>
Sent: 02 February 2022 12:37
To: John Finlayson
Cc: [REDACTED] Popes Road
Subject: Re: Proposed development at 20 – 24 Pope's Road, Brixton, London, SW9 8JB
Attachments: Screen Shot 2022-02-02 at 12.32.15.png; Screen Shot 2022-02-02 at 12.32.34.png; Screen Shot 2022-02-02 at 12.32.55.png

Pope's Road, Brixton

Dear John Finlayson

Thank you for your response. Taking each of your points in turn:

Save Nour/Fight the Tower campaign has still not received a notification of the re-consultation. It is evident that an error has been made which calls into question whether other individuals or organisations have not received the notification either. Although the error in publishing the new documents online was corrected, it was not corrected until 21st January- see attached screenshots of the Lambeth on-line planning register. Viewing the documents in hard copy form at the GLA's offices by appointment is not a substitute for being able to view them electronically as a) the documents contain hyperlinks and b) the documents cannot possibly be thoroughly examined in this way.

Please note that on 28th January (the day after your email to us) Lambeth published 4 new documents- all entitled 'ENERGY'- see attached screenshot. None of these documents can be opened. Can you please ensure that this further error is corrected. You are offering an extension to the consultation deadline of a 'day or two'. With all due respect we would consider this to be insufficient. There was a week's delay between the notification and the documents being correctly published previously. Now further documents have been published that cannot be accessed. We would therefore request an extension to the deadline of one week- in other words until next Friday 11th February.

We look forward to hearing back from you as soon as possible.

Best regards

[REDACTED]
on behalf of Save Nour/Fight the Tower campaign

On Thu, 27 Jan 2022 at 12:45, John Finlayson [REDACTED] > wrote:

Dear [REDACTED],

Thank you for your email.

I'm aware there have been further email exchanges with GLA colleagues and so I intend to address the points in the order they were raised:

- First point – I have been told that your savenour email address wasn't in the 3000 or so that were sent out. I apologise for this and any inconvenience caused.
- Second and Third points – The GLA links have been addressed by [REDACTED]. We have also asked LB Lambeth to check that their website has the correct documents uploaded and it would appear that any issue has been corrected. The documents are also available on the GLA website or in hard copy at our Union Street offices for residents to view.
- Fourth point – The address is the correct one and I understand that the issues we experienced previously have now been addressed.
- Fifth point – Thank you for notifying us of the date error. We have corrected our website but I do not believe this typographical error seriously prejudices any party commenting on the application documents.
- Sixth point – Applicants for planning permission can submit documentation to us at any point during the application process. As we were consulting again, we decided to include this information, to give people the opportunity to view and comment on the latest information available at that time which was the

correct approach in our view. The notification is clear that should residents wish to make additional points on the application submission they can do so.

In this instance, we do not consider it necessary to do a further re-notification and consider that interested parties have been given a full opportunity to comment on the revisions submitted. I also do not consider it necessary to extend the notification. However, any letters received after the expiry date of the notification and before a decision is made, may still be taken into account. If a particular resident or group needs a day or two longer to provide comments this will be fine and they just need to let us know that is the case

I hope the above is of some assistance.

Kind Regards

John

John Finlayson

Head of Development Management, Planning

GREATERLONDONAUTHORITY

Union Street, London, SE10LL

[REDACTED]

[REDACTED]

[REDACTED]

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From: Save Nour [REDACTED]
Sent: 17 January 2022 11:48

To: [REDACTED]

[REDACTED] Pope's Road, Brixton, London, SW9 8JB

Pope's Road, Brixton

Re: 20-22 Popes Road (GLA ref 2021/0265)

Dear John Finlayson and [REDACTED]

We are pleased to see that a re-notification for consultation was sent out last Friday 14th January (see below) and that this time an email address for submissions has been provided.

However, there still appear to be problems with the way that this re-notification has been issued.

Firstly, Save Nour/Fight the Tower campaign were not notified despite having raised objections previously and having submitted written representations.

Planning – Planning Application Documents

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20/01347/FUL | Demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible Class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential Institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works RECONSULTATION DUE TO EXTERNAL DESIGN CHANGES TO THE BUILDING FACADES AS WELL AS RELOCATION OF THE COMMUNITY FLOORSACE AT THE FIRST FLOOR LEVEL. PLEASE REFER TO THE SEPTEMBER 2020 COVER LETTER FOR FURTHER DETAILS. This application is a DEPARTURE APPLICATION: The proposed development is a departure from Policy Q26, part (ii) and site allocation "Site 16 – Brixton Central (between the viaducts) SW9" of the Lambeth Local Plan (2015). | 20 - 24 Pope's Road London SW9 8JB

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<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FLOOD RISK ASSESSMENT (PART 2)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FLOOD RISK ASSESSMENT (PART 3)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	DELIVERY AND SERVICING PLAN	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	DRAINAGE STRATEGY (PART 1)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	DRAINAGE STRATEGY (PART 2)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	NOISE AND VIBRATION REPORT MARCH 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	PLANNING STATEMENT – JULY 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	PLANNING STATEMENT 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART4)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FIRE STATEMENT	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FLOOR RISK ASSESSMENT (PART 2)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	ENERGY UNIT DESCRIPTION	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	SUSTAINABILITY STATEMENT – JULY 2020	

<input type="checkbox"/>	21 Jan 2022	Supporting Docs	ENERGY UNIT DESCRIPTION	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	SUSTAINABILITY STATEMENT - JULY 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	PUBLIC REALM AND ART STRATEGY (PART 2) - JULY 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	TOWSCAPE, HERITAGE AND VISUAL IMPACT ASSESSMENT (PART 1) - SEPTEMBER 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	TOWNSCAPE, HERITAGE AND VISUAL (PART 2) - SEPTEMBER 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD ADDENDUM ENERGY STATEMENT (PART 2)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD ADDENDUM ENERGY STATEMENT (PART 3)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 3)	
<input type="checkbox"/>	21 Jan 2022	Plans	EXISTING DRAWINGS	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FLOOR RISK ASSESSMENT (PART 1)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FRA AND SUDS	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	NOISE AND VIBRATION REPORT - JUNE 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	PRD - UGF CALCULATION STATEMENT	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	SUSTAINABILITY STATEMENT - MARCH 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	SUSTAINABILITY STATEMENT - MARCH 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	BE SEEN AND METERING STRATEGY	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 1)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 2)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 8)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	FLOOD RISK ASSESSMENT (PART 4)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	PUBLIC REALM IMPACT ASSESSMENT - MARCH 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	SUSTAINABILITY STATEMENT - JULY 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	VENTILATION AND EXTRACTION STRATEGY - MARCH 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD WLCA	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	WIND RWDI STATEMENT OF COMPLIANCE - SEPTEMBER 2020	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD ADDENDUM ENERGY STATEMENT (PART 1)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 5)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 6)	
<input type="checkbox"/>	21 Jan 2022	Supporting Docs	POPES ROAD TVIA (PART 7)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	CIRCULAR ECONOMY	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	CONSTRUCTION LOGISTICS PLAN - JULY 2020	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	DAYLIGHT/SUNLIGHT SOLAR GLARE ASSESSMENT	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	BASEMENT IMPACT ASSESSMENT (PART 1)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	BASEMENT IMPACT ASSESSMENT (PART 2)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	BASEMENT IMPACT ASSESSMENT (PART 3)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	DAYLIGHT/SUNLIGHT SOLAR GLARE ASSESSMENT (PART 1)	
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<input type="checkbox"/>	20 Jan 2022	Supporting Docs	BASEMENT IMPACT ASSESSMENT (PART 3)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	DAYLIGHT/SUNLIGHT SOLAR GLARE ASSESSMENT (PART 1)	
<input type="checkbox"/>	20 Jan 2022	Supporting Docs	DAYLIGHT/SUNLIGHT SOLAR GLARE ASSESSMENT (PART 2)	
<input type="checkbox"/>	17 Jan 2022	Supporting Docs	AIR QUALITY	
<input type="checkbox"/>	17 Jan 2022	Supporting Docs	AIR QUALITY ASSESSMENT - JULY 2020 - GLA0265 - AMND	
<input type="checkbox"/>	03 Dec 2021	Planning Statement	REVISED PLANNING STATEMENT SUBMITTED TO GLA	
<input type="checkbox"/>	30 Dec 2020	Public Comments (Redacted)	HISTORIC ENGLAND LETTER OF 18/05/20	
<input type="checkbox"/>	30 Dec 2020	Public Comments (Redacted)	HISTORIC ENGLAND LETTER OF 14/10/20	
<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - DESIGN & ACCESS ADDENDUM LOW RES	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - LAND USE DRAWINGS	
<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - COVER LETTER SEPT 2020	
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<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - WIND STATEMENT OF COMPLIANCE	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - DRAWINGS ADDENDUM PART 6	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - DRAWINGS ADDENDUM PART 5	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT- DRAWINGS ADDENDUM PART 4	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - DRAWINGS ADDENDUM PART 3	
<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - HIGH RES 2OF4 - DESIGN & ACCESS STATEMENT ADDENDUM	
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<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - TOWNSCAPE HERITAGE VISUAL IMPACT ASSESSMENT ADDENDUM	
<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - PLANNING STATEMENT ADDENDUM	
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<input type="checkbox"/>	01 Oct 2020	Supporting Docs	OCT 2020 RECONSULT - HIGH RES 3OF4 - DESIGN & ACCESS STATEMENT ADDENDUM	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - DRAWINGS ADDENDUM PART 7	
<input type="checkbox"/>	01 Oct 2020	Plans - Revised	OCT 2020 RECONSULT - DRAWINGS ADDENDUM PART 1	
<input type="checkbox"/>	23 Jul 2020	Supporting Docs	SUNLIGHT & DAYLIGHT REPORT (REVISED)	
<input type="checkbox"/>	23 Jul 2020	Supporting Docs	SUNLIGHT & DAYLIGHT REPORT APPENDICES	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	CONSTRUCTION MANAGEMENT PLAN	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	AIR QUALITY ASSESSMENT	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	DAYLIGHT & SUNLIGHT	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	PLANNING STATEMENT ADDENDUM	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	CIL FORM	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	ARCHAEOLOGY	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	SUSTAINABILITY STATEMENT	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	PLANNING NOISE AND VIBRATION REPORT	
<input type="checkbox"/>	14 Jul 2020	Supporting Docs	DELIVERY AND SERVICING PLAN	

[REDACTED]

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 31 January 2022 06:37
To: Popes Road
Subject: Re-send 380716 EMAIL response from NE FAO The Planning Team

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Good Morning Sir or Madam

I am re-sending this email as we have received an “unable to deliver” message, it was also sent to greater.london.authority@notifications.service.gov.uk – which I think may be the one that was undelivered.

If there are any problems with this, please contact me so that we may rectify this. Our response appears below.

Many thanks

[REDACTED]
Operations Delivery
Consultations Team
Natural England

From: SM-NE-Consultations (NE)

Sent: 28 January 2022 08:25

To: [REDACTED]

Subject: 380716 EMAIL response from NE FAO The Planning Team

Dear Sir or Madam,

Our ref: 380716

Your ref: 20/01347/FUL

Thank you for your consultation.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 08 December 2021 (Our ref: 376226).

The advice provided in our previous response applies equally to this **resubmission** although we made no objection to the original proposal.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully,

[REDACTED]
Operations Delivery, Consultation Team

Natural England

County Hall, Spetchley Road

Worcester WR5 2NP

Tel: [0300 060 3900](tel:03000603900)

Email: consultations@naturalengland.org.uk

Web: www.gov.uk/natural-england

[REDACTED]

From: [REDACTED]
Sent: 14 January 2022 11:39
To: Popes Road
Subject: Strong Objection to Development

Dear Mayor,

I am a Brixton resident and I am writing to register my strong objection to the proposed redevelopment of Pope's Road as planned.

The key reasons are:

- 1) it primarily serves the interests of the developers not the local community. It is NOT what the local community wants.
- 2) the development itself is far too large in scale and incongruous with its surroundings. There are no high rise buildings of this nature in central Brixton, the area is a surprisingly well preserved Victorian (and later) town centre consisting of small, low rise premises, thus should be preserved and sensitively developed.
- 3) the proposed height of 20 stories and 9 stories is far too high, it will degrade the surrounding conservation areas which have not been given due consideration.
- 4) it brings a type of commercial workspace to an area that is predominantly market / retail, and hence means a complete change of use of the area. It will irreversibly change the character of Brixton, and destroy an important part of its heritage.

As a mixed, multicultural area with a rich history, the Pope's Road market area is integral to the community. It is impossible to emphasise what damage this will do.

Please do not sell the soul of our community to developers for some limited, short term 'social' gains.

Best,

[REDACTED]

Sent from my iPhone

This message has been scanned for viruses by the Greater London Authority.

Click <https://www.mailcontrol.com/sr/2vGC72zcrYrGX2PQPOMvUiQSa3-T5MHvRS4m9k2yY3yPrueF4dl-uaGe9CwWetHxMT-oGCclYKuOdoKZwoXR0w==> to report this email as spam.

[REDACTED]

From: [REDACTED]
Sent: 20 January 2022 19:31
To: Popes Road
Subject: To the Planning Team re: planned development at 20-24 Pope's Road, Brixton (Council reference 20/01347/FUL)

Dear Planning Team,

Thank you for your letter regarding the proposed development at 20 - 24 Pope's Road, Brixton, London, SW9 8JB. As someone who knows the enormous damage that rogue developers/"landlords" (e.g billionaire-owned developer Lexadon, which continues to abuse and neglect legal and contractual obligations, tenants, health and safety etc.) have caused to the quality of life of Brixton and South London residents, I would like to ask for more details (of which there were many in the letter, with two omissions):

1. What is the 'job training' program that the developers are offering to put 40,000 GBP a year towards? There appear to be no details of how it will be implemented, who it will be offered to etc. Further information would be appreciated.
2. There are many details proposing what the new development will try to market. But what is the property currently? This isn't mentioned in the letter.

Best regards,

[REDACTED]

Sent from my iPhone

This message has been scanned for viruses by the Greater London Authority.

Click
https://www.mailcontrol.com/sr/F_2f5KLHRYjGX2PQP0mvUgofk55GphrMsojji_owrrDhZuDP6sbt4lab_guxAwb015D1HDz-_eo5W2BPFL9JFA== to report this email as spam.

[REDACTED]

From: [REDACTED]
Sent: 14 January 2022 20:59
To: Popes Road

Thank you for your email. Please note the following:
There are 4 errors in your email.

1. Wrong address to say where the Mayor is. Paragraph 5 - On 1 March 2021, the Mayor of London issued a direction under Article 7 of the Town and Country Planning (Mayor of London) Order 2008 that the Mayor will act as the Local Planning Authority (City Hall, Kamal Churchie Way, London, E16 1ZE) for the purposes of determining the Application.
2. Date of Hondo's application on Environment. Paragraph 7. Addendum Energy Statement (December 2021), Be Seen and Metering Strategy and Be Green Spreadsheet on 11 December 2022.
3. Links given don't work. Downloads and previews don't work.

Lambeth Council website at: <https://planning.lambeth.gov.uk/online-applications/search.do?action=simple&searchType=Application> (using ref: 20/01347/FUL).

GLA website at: <https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/pop-es-road-public-hearing> (using GLA ref: 2021/0265).

4. The same wrong address given as to how to comment by post : By post: The Planning Team, Greater London Authority, City Hall, Kamal Churchie Way, London, E16 1ZE.
Please rectify these errors.

Yours faithfully

[REDACTED]

Sent from my iPhone

This message has been scanned for viruses by the Greater London Authority.

Click https://www.mailcontrol.com/sr/FAtJtFChyYDGX2PQPOMvUoRq5N-0kMbNw6GZ7jdnoCIJmp_Vs6MKbQ1-IW1GHuDvMT-oGCCiYKuU8yB5sLY89Q== to report this email as spam.



**Historic
Buildings**

London and Middlesex Archaeological Society

To whom it may concern

Ref: 20/01347/FUL – 20/24 Pope's Road, Brixton SW9 8JB

The London and Middlesex Archaeological Society (LAMAS) promotes London's archaeology, local history, and historic buildings. The LAMAS Historic Buildings and Conservation Committee reviews planning applications relating to important historic buildings and seeks to ensure a sustainable future for vital aspects of London's built heritage.

The Committee duly considered the above application and made the following observations:

The proposed development has one disruptive feature – the 20 storey Tower Block.

The 'Townscape, Heritage and Visual Impact Assessment' documents show various views with and without the block – in most cases it spoils the setting of the present streetscape (and this with a camera lens selected to minimise the appearance of distant buildings). It does no favours to the setting of the Brixton Market Conservation Area.

The Committee feels strongly that Brixton's heritage should not be spoilt by the intrusion of this block, and that anything over eight storeys should be refused.


LAMAS – Historic Buildings & Conservation Committee

13 December 2021

20-24 Popes Road -GLA stage 3 ref- 2021/0265

3rd February 2022

Planning Application- Objection

Written representation submitted by [REDACTED], on behalf of the 'Fight the Tower' campaign

This is in response to the re-consultation issued by the GLA on 14th January 2022.

Contact details-

[REDACTED]

[REDACTED]

[REDACTED]

Response to Hondo's Air Quality Assessment

I have major concerns about the impact this development would have on air quality in the Brixton area and about the air quality assessments provided by Hondo Enterprises plc and their associates.

My concerns include the likely negative impact on air quality during the construction phase, problems with monitoring air quality in Lambeth, and the fact that this development would prevent improvements to public transport in Brixton.

Background

In January 2022 Hondo Enterprises submitted an updated document prepared by 'Air Quality Consultants' in relation to the proposed development at 20-24 Pope's Road SW9 (planning application ref.20/01347/FUL)

This is entitled 'Letter of Confirmation: Adopted London Plan, Air Quality Assessment, Pope's Road, Brixton'

Quote-

'The document is an update to their Air Quality Assessment (dated March 2020) and subsequent Statement of Conformity (dated June 2020) to take account of the adoption of the London Plan in March 2021'

Quote from the Air Quality Assessment March 2020:

The Air Quality Assessment shows the Proposed Development does not lead to further deterioration of poor air quality. As detailed in Chapter 6: Operational Phase Impact Assessment of the Air Quality Assessment, with the Proposed Development predicted annual mean nitrogen dioxide is predicted to increase from 0% to 1%, and the impacts described as negligible. The increases in annual mean

concentrations of PM10 and PM2.5 at relevant locations, relative to the objectives, will be 0% (when rounded) and the impacts negligible. The Proposed Development does not lead to any new areas that exceed the air quality limit or delays compliance. The Proposed Development does not introduce unacceptable levels of exposure to poor air quality. Consequently, the overall operational air quality effects of the Development are judged to be 'not significant'. (page 3)

I would argue that Lambeth do not have sufficient capacity to monitor these levels and therefore the council cannot ensure that these claims are realistic.

Demolition and Construction

The March 2020 Air Quality Assessment states-(page 28) that demolition and construction will involve an average of 53 HGV journeys a day

(An HGV is defined as a heavy goods vehicle of 3.5 tonnes or more.)

'HDVs are defined as freight vehicles of more than 3.5 tonnes (trucks) or passenger transport vehicles of more than 8 seats (buses and coaches)'

Source

https://ec.europa.eu/commission/presscorner/detail/en/MEMO_14_366

The report predicts HDV AADT at 53 per day. (HDV AADT is 'annual average daily traffic')

Even considering the optimistic predictions in the report and the ways in which their air quality measurements are calculated, surely this would be an extremely high number of HGVs in such a constricted site, in a borough which in 2017 had some of the worst air quality measurements in the UK?

The March 2020 Air Quality Assessment states this will have a 'negligible impact on air quality': (page 28)

Detailed Assessment of Development-Generated Construction Traffic Emissions

- 5.2 The number of HGV vehicles that will access the Site during demolition and construction has been provided for each construction phase by Blue Sky Building. EPUK and IAQM (Moorcroft and Barrowcliffe et al, 2017) considers that a detailed assessment of air quality may be required if a development leads to a change of more than 25 AADT HDV movements on roads in an AQMA with relevant exposure. The Proposed Development will generate a maximum of 53 HDVs AADT's in any year of construction. As such, further assessment has been carried out to determine the impacts that such increases could have on air quality at receptors located along the affected roads. The dispersion model ADMS-Roads was used, and it was predicted that an increase in 53 HDV movements per day would lead to increases in annual mean NO₂ concentrations of less than 0.3 µg/m³ at any of the selected worst-case receptors (see Appendix A6), and less than 0.1 µg/m³ at any receptor predicted to be exceeding the annual mean objective. Concentration of PM₁₀ and PM_{2.5} would increase by a maximum of 0.1 µg/m³ at any receptor.
- 5.3 Such increases will have a negligible impact on air quality at sensitive receptor locations, and thus further assessment is not required.
- 5.4 The effects associated with off-site construction traffic emissions are considered to be 'not significant'.

The document goes on to state (page 38)

- 7.7 Caneparo Associates has advised that the Proposed Development is expected to generate a total of 41,632 car trips: 14,600 car trips per year from the A1/A3 retail units and a further 27,032 car trips per year from the B1 offices. The proposed D1/D2 uses are not expected to generate any transport trips and therefore have not been considered further in this air quality neutral assessments.

I would question the assumption here that the D1 & D2 uses (namely the Community Floor space and so on) will not generate any transport trips at all. How can this be stated with certainty?

Surely, although the assembly and leisure aspects of the development are small in comparison to the office and retail space, there would still be road traffic associated with these uses?

Definition of D1/D2;

D1 class refers to non-residential institutions. This includes buildings being used for medical and health services, as a nursery, to display art, providing education, as a library, public hall or for public religious worship.

D2 – Assembly and Leisure

Properties that are defined as D2 class cover those used for assembly and leisure. This includes the likes of a cinema, concert, bingo or dance hall, swimming pool, gymnasium or other indoor or outdoor sports not using motorised vehicles or firearm

Source-

<https://estateagentnetworking.co.uk/understanding-uses-d1-d2-property>

The March 2020 Air Quality Assessment predicts that the dust and dirt levels created by vehicle movements during construction will be at 'medium' levels with 62 Heavy vehicle movements a day (page 30)

Trackout

- 5.10 The number of heavy vehicles accessing the Site, which may track out dust and dirt, has been estimated be a maximum of 62 outward heavy vehicle movements per day. Based on the example definitions set out in Table A2.1 in Appendix A2, the dust emission class for trackout is considered to be *medium*.

Again, this is a high level of vehicle movement, which will be creating dust and dirt within a very tightly constricted area which houses open food markets among other things

This area is also home to deprived communities with significant instances of poor health outcomes, in which air pollution plays a major part.

It is worth noting that according to 'Air Quality News' 'Nitrogen oxide (NOx) pollution has improved by 6% in Brixton in the last 2-years' (Air quality news September 2021)

<https://airqualitynews.com/2021/09/30/air-pollution-in-brixton-has-improved/>

However, Brixton still has unacceptably high levels of air pollution, following a sustained period where it has had some of the worst figures in the UK. This includes peak figures from 2015 as well as from 2017, when Brixton exceeded its annual level for air pollution in just 5 days.

<https://brixtonblog.com/2015/11/lawyer-seeks-people-affected-by-brixtons-deadly-air-pollution/>

<https://www.bbc.co.uk/news/uk-england-london-38529928>

20-24 Pope's Road-Comparison with the Lambeth's Windsor Road planning decision

Increased road traffic was one of the deciding factors in Lambeth's recent decision to turn down a planning application for a site in Windsor Grove, Lambeth SE27, following very strong local opposition which highlighted the risk of increased air pollution as a major concern and a threat to public health.

Lambeth's Decision Notice stated:

'The proposed development will result in an increase in traffic on Windsor Grove, a relatively narrow access road that also serves 58 residential properties. The likely level of additional vehicular movements, including HGV movements, generated by the development will result in an adverse impact on the character of Windsor Grove, and on the amenity of pedestrians and cyclists using that road and of those residents living adjacent to it. Taking account of the criteria set out in London Plan policy SI 8E and other relevant matters, the NPPF when read as a whole and as a matter of planning judgement the Council has determined that the adverse impact on character and on amenity is not outweighed by the benefits of the proposed development.'

Ref-Lambeth Planning -Application Number: 20/01066/EIAFUL Date of Application: 20.03.2020 Date of Decision:10.08.2021

Proposed Development At: Land Off Windsor Grove, Adjoining Railway At West Norwood London

Problems with Air Quality monitoring in Lambeth

Two of the biggest contributors to poor air quality in London are known to be road traffic and construction work

Lambeth currently has an ambitious 'Air Quality Vision' but this is just a vision, without the working Air Quality Strategy needed to turn it into reality.

Quote: *'The Air Quality Vision for Lambeth report has set out bold new targets to reduce Nitrogen Dioxide (NO2), and particulate matter (PM 10 and 2.5), by 2030 based on new guidance from the World Health Organisation (WHO). The new targets are stricter than those previously adopted by governments and UK local authorities.14 Dec 2021'*

<https://love.lambeth.gov.uk/air-quality-vision-report/>

There are only three 'live monitoring' sites for air quality in the whole of Lambeth

Quote: *'Lambeth has three automatic monitoring sites in Brixton (LB4), Vauxhall (LB5) and Streatham (LB6). In 2020, Lambeth continued to use diffusion tubes to monitor NO2 across the borough.'*

<https://beta.lambeth.gov.uk/better-fairer-lambeth/projects/how-we-are-improving-air-quality>

ref-<https://love.lambeth.gov.uk/air-quality-vision-report/#:~:text=The%20Air%20Quality%20Vision%20for,governments%20and%20UK%20local%20authorities>.

Problems with air quality monitoring across Lambeth throw into doubt any plans for reducing or tracking the harm being done to our health or to the environment.

The Brixton live monitoring station has been shown to be often not functioning and for some periods recently has been out of action in need of repair.

Meanwhile the Vauxhall monitoring station shows some of the highest readings in London.

The third station in Streatham is described as a 'background' monitor.

Lambeth have 115 tube diffusers, but these are not live monitors. The results give average readings over time and the reports can take between 6 and 18 months to come back.

The key point here that relates to this proposed development is that pollution levels are dangerously high in Lambeth. The central Brixton roadside monitor, when it is working, produces data for NOX and PM10s, but not PM2.5

Worryingly there appears to be no monitoring of PM 2.5 particles anywhere in Lambeth. These are the smallest airborne particles, which pass through the membranes of the lungs and into the soft tissues of the body, including the brain, with serious long term health effects.

Lambeth's Air Quality report published in August 2021 is based on 2020 data. Without adequate live monitoring, we are not in a position to assess the current situation or to accurately try and judge the impact that large developments such as this will have on future air quality.

Links between construction work and poor air quality.

PM 1.0 figures at Vauxhall are some of the worst in London. The three most likely culprits are said to be firstly, heavy traffic, secondly, the building developments at 9 Elms, and thirdly the monitor's location near to a London underground vent, although I have not seen evidence that this last source has been proven.

My concern is that, as is the case in Vauxhall, building works and increased traffic in Pope's Road during the construction phase would produce unacceptably high levels of pollution, including PM2.5, which would then go unrecorded.

Transport and Air Quality

It has already been argued by objectors at Lambeth's Planning Applications Committee that this development would prevent the expansion of rail connectivity in Brixton, as it would permanently remove the most suitable site for a new overground station for the area.

This needs to be considered as a huge potential loss to future efforts to improve air quality in Brixton. This would be in conjunction with the potential for an increase in road traffic associated with trips to and from the proposed building.

This option for enhanced rail connectivity in Brixton was set out in the 2014 Steer Davies report commissioned by Lambeth.

Without the Hondo Tower, there would remain an option for a new transport hub, with a Brixton Overground interchange at the 20-24 Pope's Road site.

This would incorporate Brixton into the East-West orbital overground line, running from Clapham Junction to Highbury & Islington, connecting it with stations in Southwark, Tower Hamlets and Hackney, among others.

Currently these overground trains pass through Brixton without stopping.

A strong case has already been made for a transport hub here, which Lambeth council appeared to support. I would suggest that instead of an unwanted twenty storey office block, a railway station here could form a part of a much more sustainable low-rise building, into which could be incorporated genuine community space, local support services and cultural amenities and so on.

This area could have a focus on pedestrian access, in the same way that Brixton Market does.

As well as offering an incentive to reduce car travel, this increased level of public transport access could bring real benefits to deprived communities in the area.

Conclusion

Hondo's Air Quality Assessment has outlined projections for a large increase in heavy traffic associated with the construction phase of this development.

We know that construction work and increased HGV traffic contribute to air pollution, and I have argued that Lambeth do not currently have the facilities to monitor these.

The proposed tower would involve a major building project on a complex site, in the centre of a very constricted built environment, which is already known to suffer from traffic congestion.

I'm not aware of any planning conditions being imposed for sustainable construction in this case, such as the use of hydrogen fuel cells, renewable energy and so on, at least not where renewable energy is required to play a major role.

Nor can I see any planning conditions calling for mitigation measures such as tree planting, green walls and so on, which in more sustainable developments can be seen to help play a role in improving air quality.

Hondo's Air Quality assessment has not reassured me that there would not be a significant increase in airborne pollution if this development went ahead.

This is being imposed on an area that has already suffered historically from extremely high levels of airborne pollution, and I would urge the London Mayor to turn this application down.

Additional sources:

Ref: Alternative power supply for construction projects

<https://www.cnn.com/2020/09/03/construction-site-uses-hydrogen-fuel-cell-tech-to-power-operations.html>



An appeal from the unique creative community in the heart of Brixton.

BACKGROUND TO OUR APPEAL

Artists, creative's and makers have been in residence in the railway arches of Valentia Place since the mid 1980's it has supported some of the UK's most internationally successful artists including; Hew Locke, Godfried Donker and Jerry Dammers.

This document evidences the risks of permanent cultural and financial loss to central Brixton that will be caused by the proposed development. It contains responses and evidence that relate to:

1. Economic Impact
2. Employment and Skills
3. Community & Commercial Use
4. Design, Construction, Vehicle Access & Use of private space without permission/agreement.
5. Ecological Impact
6. Public Realm & Arts

It then touches on some of the history and the better and more practical visions that can be delivered with greater cultural and financial benefits to Lambeth and the city.

The Valentia Place arches currently house 30 creative enterprises that support a wider community of 550 freelance & SME creative practitioners. Several of the 30 are critically acclaimed artists including;

- **Bureau Of Silly Ideas** an Arts Council England National portfolio Organisation one of the UK's leading outdoor arts organisations, reaching audiences in excess of 150,000 annually with interventions presented for free in public spaces
- [REDACTED] who has worked with & been commissioned by The Royal Opera House, Shakespeares Globe & Philharmonic Orchestra
- [REDACTED] who worked with Alexander McQueen & continues to support fabric artists & costumiers with the creation of their work
- [REDACTED] who founded & is CEO of Repowering London & Energy Green
- [REDACTED] one of Studio Voltaire's co-founders, [REDACTED] runs **Valentia Studios** which supports & platforms local artists.
- [REDACTED], bespoke upholstery for commercial, domestic and craft.
- [REDACTED] who runs Studio 73, supporting a network of over 100 London printmakers & is launching the Brixton art prize
- **Aswarm**, an award winning Community Engaged Digitally innovative Public Arts Company, invited to the GLA Public Realms roundtable of expert consultants, currently working in close collaboration with the GLA, Lambeth, Met Police & the Brixton community.
- **L.E.G** a multi disciplinary collective who create immersive experiences through light, sound and structural design previous- Boomtown, House of Vans, Converse and Wateraid.**Keiko's Tiny Workshop**, domestic and contract upholstery and soft-furnishing practice. Supports & platforms young craft practitioners.

- **Dr. Jeroen Van Doreen**, an international award winning artist, who lectures at the Royal College of Arts
- **Club Silly**, an active network of over 150 performance artists & practitioners who exist outside of commercial production.

90% of our workforce are Lambeth residents.

We collectively engage over 550 creative practitioners

We bring in £5m + a year to the local economy

As micro & small entities we play an important role in the social & economical infrastructure of the local area. Across our organisations & wider networks we have a globally and locally significant audience/customer base reaching 30,000+ locally and millions on national & global scales.

OUR LOCATION

We are writing to object to the development of 20-24 Popes Road London, as the community in residence of the railway arches that run parallel to the south boundary of the proposal between Popes Road and Valentia Place we are in the closest front facing proximity to the development (less than 3m), closer than any neighboring businesses or residential premises. We will share the same vehicle access point to the development; the goods yard off of Valentia Place highway, the use of the yard is in our protected leases and a key asset to ensure our day to day business operations.

WHAT IS THE THREAT OF THE DEVELOPMENT?

The development poses a real threat to our daily operations and the cultural legacy we have developed over the past 30+ years. It places our businesses at risk with 42 months of proposed disruption on our doorsteps and longer term implications to the access & use of our places of business.

CONTRAVENTIONS & UNACKNOWLEDGED RISK FROM THE DEVELOPMENT

No consultation, mitigation or thought has gone into the impact or damage this development will cause to our assets and community.

Bureau Of Silly Ideas has a passing reference in the community & commercial use document, however none of us are mentioned in the majority of the plans, proposals or strategies that accompany this application.

There are several areas of the proposal that we have found contraventions and unacknowledged risk to the existing provisions we provide;

1. Economic Impact
2. Employment and Skills
3. Community & Commercial Use
4. Design, Construction, Vehicle Access & Use of private space without permission/agreement.
5. Ecological Impact
6. Public Realm & Arts

Before we outline these we'd like to note that as small & micro business we lack the skills & resources to conduct full impact studies on our operations, economic contribution, employment levels, community & cultural reach so data is based on a small handful of the more established cultural enterprises that operate here, the true figures will be greater as at our largest scale we support a network of over 550 artists / creative's / makers / cultural organisations. The data comes from; Bureau Of Silly Ideas Ltd, [REDACTED] & Studio 73, [REDACTED] & Valentia Studios, Thor McIntyre Burnie & Aswarm, Keiko's Tiny Workshop.

1. Economic Impact

This development threatens the livelihoods of 29 FTE, and a wider pool of regular creative freelancers in excess of 100 annually and 400 other creative, maker, artistic workers in the creation of their work for economic benefits.

Responses to the Economic Impact Assessment;

1.1. Section 1.17 states:-

‘In addition to the workspace specifically targeting local businesses in the creative industry’

There is no mention of what this percentage provision plans to be, the scale of the space available and what sectors of the creative industries will be targeted. It’s a broad and diverse industry which can stretch from solo workers on laptops through to large scale work requiring vast spacial provision. Across the arches of Valentia place we thrive with the full spectrum of the creative industries with those working in; digital media; TV, film & recorded arts; large scale fabrication & installation; sculpture; performance arts; visual arts; craft; print: circus and carnival.

1.2. Section 3. Regarding construction impacts

this subsection highlights the economic benefit of the construction work and makes no mention of the potential economic damage that will be caused to our businesses.

1.3. Section 4.2

notes the current employee reach of Sports Direct is the equivalent of 35 FTE. It highlights ‘A 2005 YouGov survey found that workers in the UK spent on average £6 a day in the local area around their place of work.’ The residency of the arches on Valentia Place has been under cultural occupancy since the mid 1980’s and has provided the equivalent employment level since the early 2000s. Using their figures we estimate that our workforce contributes in excess of £100k a year to the local economy just in coffee and lunches. In addition as local creation businesses we contribute further to the local economies through the purchasing, from local independent businesses, of products & goods that we require for production purposes including; fabric retailers, printers, caterers, stationers, arts suppliers, DIY Hardware stores, mixed goods providers & market stall providers.

1.4. Section 5.8

references Brixtons economic action plan (2017) and the requirement for office space, since the publishing of that report Brixtons office stock has increased with 3 new office space provisions in the form of International House, The Town Hall’s Tripod & the development of Brixton House & Carlton Mansions; purposefully planned to have commercial office floors on the higher levels of the new building and Carlton Mansions is dedicated offices for mixed use. There is no recent evidence to inform if Brixton requires

further office provision, especially in the wake of the pandemic which has changed office & working culture.

- 1.5. In section 7.6 LBL is cited as having ‘world-class creative and digital businesses with major growth potential. However, this sector within the borough is smaller and less strongly clustered than other central London boroughs, and this has been shown to be because of the lack of availability of appropriate and affordable office space.’ This plan jeopardises exactly the type of creative cluster that is outlined in the Mayor of London’s Culture Strategy. With a broad range of creative sectors represented, we have a unique ecology that sees us collaborate and provide economic opportunities for each other & support wider initiatives, training programmes, activation through a multi-disciplined community approach. We provide a range of mixed use spaces to 550 artists/creative’s/makers for the creation of products, services, entertainment, leisure & arts events/activities for the public. Our provision includes offices & desk space, mixed use studios (music, performance, visual art, hand crafts) and workshops that can facilitate large scale fabrication (craft, engineering & sculpture)



2. Employment & Skills

Across the organisations and practitioners based here the arches provide a vital resource, providing regular employment to the equivalent of 29 FTE and supporting a wider network of 550 practitioners with the creation and development of products for the creative & cultural industries through affordable use of creation space, access to knowledge, expertise & skills. We provide regular resources to around 150 artists/creative/makers annually which sustains viable career pathways within the creative industries.

Responses to the Employment & skills strategy.

- 2.1. According to Hondo’s own figures, only 14% of jobs within the development would go to Lambeth residents. Lambeth’s own policy requires 25% local jobs. As mentioned 90% of our collective workforce are Lambeth residents. Around 50% of the wider network and community of cultural workers we freelance employ and or support with resources are Lambeth residents and 30% are from neighbouring London Boroughs (Wandsworth, Southwark, Croydon).
- 2.2. They have proposed to support 39 apprenticeships across the 42 month development phase.
Across our businesses we support the skills & development training of around 15 young people / entry level workers from the local area annually. Over the 42 month period this equates to 53 young people / entry level workers gaining employment and developing skills to further their careers in the creative industries; 36% more than Hondo’s proposed

apprenticeships. In addition we host around 10 short term work experience placements from local education providers. **There is a net loss to training if this goes ahead.**

- 2.3. The promise to add 13 apprenticeship opportunities to the 26 already required under Lambeth policy cannot be secured. Hondo says they would use 'reasonable endeavors' to encourage tenants to provide these but ultimately it will be up to the tenants in the building to decide. Construction projects such as this often involve sub-contracting specialist multinational engineering firms and they are not obliged to provide meaningful employment to locals, even if the chosen contractor was willing to offer it.

As businesses that are led by local residents we are by our nature connected to local communities and have long track records of working with local schools & community groups to provide opportunities to their students / users. We benefit from local knowledge & word of mouth and are regularly approached by members of the community to see if we can support someone with training / experience, a request we are almost always able to accommodate. We provide meaningful employment to locals as part of our core operations.

- 2.4. The £40K per year for a Brixton job training fund would only cover the cost of training 5 local unemployed people each year or fewer than 2 apprenticeships. Based on the 15 entry level skills development roles we provide annually we invest more than £80k into training local people and providing pathways to employment. This value doesn't include the in-kind support & resource we put into the work experience placements from local schools & colleges.
- 2.5. Hondo's financial contributions towards Employment and Skills would do little if anything to create enough local jobs and the money is spread over a 25-year period. Which doesn't go far enough to tackle local inequality, in one of the most deprived wards in the borough. A ward that our businesses have been providing employment & support opportunities to for over 30 years.
- 2.6. Section 3.10 demonstrates the proportion of Lambeth employment in different sectors; it notes that in Arts, Entertainment & Leisure (R, S, T and U) 6% of Lambeth residents work in this sector which is higher than the inner London & London average (5%). Given the higher percentage of residents in this field it is vital that Lambeth retains the ability to support this workforce. Within the plans there are no dedicated financial or % target commitments outlined to this sector and it risks causing a net loss of provision through the impact to our businesses.
- 2.7. Hondo's 12.5% so-called affordable workspace in the Tower would be charged at 50% of their full market rent. As this will be a high spec, high-cost building, it would still not be affordable to small businesses in Brixton. We are able to keep rent at less than £10 per square foot thanks to our lease agreements.
- 2.8. This 12.5% equates to 2,600m² and as outlined in section 5.15 of the planning statement (September 2020) to service 500 start-ups, this scale of space only allows for desk based working provision. Our resource is equivalent to 10,500sq feet and is completely affordable across the range of uses to creative industry businesses & practitioners and supports.
- 2.9. The revised plan does not increase the amount of affordable workspace or reduce the rental costs; it only increases the length of time that it is available. Modern office blocks tend to have a life span of 30 to 40 years at best. Hondo's offer is trivial, as the building will not last until 2090. Also, Within 30 years, the maintenance costs, service charges and the affordable

rent are bound to increase. Our Victorian Railway arches have been in use by us for nearly 40 years, we have the ability to continue providing the current resource at affordable rates for as long as the arches stand and our businesses remain.

If it ain't broke don't fix it!

- 2.10.** Lambeth Council are supporting us to undertake a feasibility study of the potential future use of the arches & what a multidisciplinary cultural creation centre might look like & provide. We are in conversation with our Landlords Arch Co. & negotiating rates & financial support for the renovation. This could see us secure 5 times the resource we currently have and support in excess of 2000 creative industry workers with affordable mixed use space, bringing a potential economic benefit of an additional £5m to Lambeth within the next 3 years. Within a year's time we could be bringing money into the local economy. Hondo have already delayed these plans and present an up to 5+ year further delay whilst the tower block is built and new businesses are established.

The risks posed to our businesses are without an equivalent value assigned in the application. This demonstrates a failure of Hondo's consultation, impact assessments, local knowledge & planning.

3. Community & Commercial Use

We provide a community resource that spreads beyond the local creative industries; we regularly support local community groups and individuals to run sessions, workshops, meetings and celebrations within our spaces. Over the years this has included local kickboxing sessions for young people, art classes, yoga, drumming workshops, mother & baby groups, charity fundraisers and charity AGM's alongside a range of creative events targeted at local groups & in collaboration with the local community. Public events in our spaces achieve audiences in the region of 20-30,000 annually, predominantly local to Brixton.

Responses to Community & Commercial use;

- 3.1.** Section 5.17 of the planning statement (September 2020) reinforces the 2000 sq feet that will be available for community use outlined by the developer.
The entirety of our 10,500sq feet is in service to the community, with approximately 5500 sq feet available as free or heavily discounted event space for community purposes. Currently the development proposes a loss of 8000+sq feet of truly affordable community space for the provision of 2000 sq ft.
- 3.2.** The Bureau of Silly Ideas (BOSI) are mentioned in the community & commercial use strategy as providers of activity. There have been informal conversations with BOSI and Hondo but there is no formal agreement in place and no clear understanding of what will be required, what the benefit to BOSI & the community will be, and what financial support will be available.

Furthermore, how the Bureau Of Silly Ideas is articulated in those documents misrepresents the work they do. The document cites BOSI as hosting 'creative industry exhibitions' - Bureau Of Silly Ideas are not an exhibition organisation; they don't exist in static stationary space. They work closely in collaboration with communities consulting & developing new performance & participatory work to present theatrical public space interventions. BOSI's name has been used incorrectly & without proper agreement.

4. Design, Construction & Vehicle Access

Responses to the design & access plan, construction logistics plan and the phase 1 land contamination report;

- 4.1. Design & Access plan section 4.4.7 demonstrates future access routes to the internal market the proposed route on the southern side of the building is directly through Arch 21, which is one of our cultural assets and has a protected lease under the 1954 act. 83% of the arches occupied by the creative industry businesses this letter references are protected by this legislation.
- 4.2. Being less than 3 meters from our offices & studios the proposed development will result in having a shared vehicle access point. As this will still be our main entrance to the spaces we use, having this as a shared vehicle access point will cause considerable disruption to our daily operations, both during the construction phase and once completed. There is no mention of us in any of the plans & strategies.
- 4.3. The design & access plan implies that the southern boundary will have a public pathway running from Popes Road down the side of the development with public entry points. Though the plan doesn't state it directly, the images included in the plan imply this pathway will be pedestrianised. This passageway runs directly in front of our studios, workshops & offices; we require regular 24hr vehicle access to these spaces for loading & unloading of products & deliveries; a number of residents are large scale fabricators so require the ability to direct load/unload. Further, we host events open to the general public. We need measures in place to ensure this can continue to operate in a safe manner and the design & access plan as it is currently proposed will directly impact the safety of our staff and patrons, any public not affiliated with our spaces but using this pedestrianised walkway, as well as our ability to conduct our business without reasonable impact.
- 4.4. Construction logistics plan section 3.2 notes construction will take 42months. Consequently, we are facing 3.5 years of potential noise, dust, and access disruption to our places of business. This will cause considerable impact to our daily operations and impact our turnovers which amount to in excess of £5m per annum. This is *directly threatening* the economic viability of our businesses. Our businesses are sensitive to sound and dust pollution as the ability to record, rehearse, perform, build & fabricate, and live stream is central to our operations.

This work requires controlled environments; we face a dust risk to people, apparatus and materials and a risk of sound impacts to audio abilities, with the potential to affect daily business. Artists will not be able to make their work next to a noisy construction site, and the effect of having our spaces aesthetically appear to be on a building site will deter users & audiences from attending. This means that we will ostensibly have the support of our existing patronage of audiences and artists completely destroyed by this construction, and therefore it will directly impact our ability to generate revenue and remain operational - losing over £5m to the local economy per year for the 3.5 years duration of the construction.

Even if our businesses were able to survive these 3.5 years of financial disruption (after 2 years of already sustained financial disruption due to the pandemic), the local community would lose up to £17.5 million as a result of our halted operations.

We estimate the cost to both sound proof and dustproof our spaces to be in the region of £40k a unit and this does not allow for compensation for the disruption caused as the works are done.

- 4.5.** Construction logistics plan section 3.5 highlights that Valentia Place will be the primary vehicle & foot access point for the construction phase. This is the only entrance to our businesses. No consultation has happened with us regarding vehicle & site access and no mitigations for the potential impacts to our day to day operations have been made.
- 4.5.1.** Table 6.1 notes the timings and approximate vehicle levels over the course of the build. The nature of work of many of the artists & practitioners that operate out of Valentia Place work is that in the public realm, such as arts festivals & music festivals. This means our busy season for work is between March-October each year. In the table it outlines that between April 2022-July 2022 up to 51 vehicles a day will be entering & exiting the site. This presents major concerns in the management and navigation of vehicle use, especially considering that the businesses already existing in the railway arches to the east and south of the construction site will also be using the same entry point from the street, and have up to 20 vehicles coming and going to carry out their operations. In excess of 70 vehicles will be using the same entry, with no mitigation proposed for traffic management, parking, and vehicle safety and security.
- 4.5.2.** Additionally, as outlined in the delivery & servicing plan, upon the completion of the development section 3.1 'Access to the service yard will be provided throughout the day. It is anticipated that the office use will generate approximately 55 deliveries per day.' None of the vehicle figures for the many existing businesses have been taken into account when establishing the vehicle load on the local area and the management of the shared entry access point on Valentia Place.
- 4.6.** The main storage & build spaces for the Bureau Of Silly Ideas exist in Arch 12 & Arch 555. It is a working space for the Bureau Of Silly Ideas; they load and unload goods & valuable artworks into and between these spaces. This involves crossing and using the loading areas directly in front of these arches (protected use within Bureau Of Silly Ideas lease agreements), significantly reducing the maximum available width of the shared access point. We as a community have established our own vehicle access protocols that allow this work to be carried out. The proposed application and vehicle use would prevent Bureau Of Silly Ideas from using & accessing their main storage spaces within their legal rights, causing economic damage to the annual business operations.
- 4.7.** Section 3.8 of the delivery and servicing plan states; The service yard that is shared use with us on Valentia Place provides sufficient space for multiple vehicles (including three 7.5t box vans) to load/unload simultaneously, as well as a large refuse vehicle to enter the yard in forward gear, turn and exit in forward gear. This has been demonstrated on the swept path analysis included at Appendix C. Upon inspection of the swept path analysis we have noticed part of the proposed land is not theirs to use and forms part of our leases with Arch Co. As previously outlined our leases are protected by the 1954 act and include the parking bays to the north and south of the yard. At the northern boundary of the yard are two bays for large vans and three standard vehicle bays. Along the southern boundary there is a further section that accommodates 5 parking bays. These bays are in constant 24hr use. No negotiation with Arch Co. or us the businesses has been noted within the plan and therefore the swept path analysis is incorrect & unfeasible.

- 4.8.** The phase 1 land contamination report notes of the risk of ingestion or inhalation of windblown dust. It notes; 'Potentially significant pollution pathways within the site and surrounding area are associated with ingestion/inhalation of windblown dust from adjacent site users and dermal contact, ingestion or inhalation of potentially contaminated soil or dust for demolition and construction workers and service repair staff.' Our businesses are less than 3 meters from the southern boundary wall of the proposed development, and given our proximity we will be at the same risk level as the construction workers & service repair staff, with no protection or mitigation in place. We will have to make our premises dustproof. To protect ourselves we will have to replace all of the external windows & doors, install air conditioning & filtered ventilation systems, which comes with both an economic & carbon cost. Brixton already has some of the highest air pollution levels in the country. We estimate the cost to ensure we have dust free working environments to be in the region of £25k per arch.
- 4.9.** The development will impact our day to day operations by causing disturbances, access issues and unsafe working environments. There was a recent Local Government Ombudsman report relating to Lambeth's redevelopment of Olive Morris House on Brixton Hill which is said to clearly demonstrate Lambeth's failure to protect neighboring residents. The report 'found fault by the Council causing injustice' to residents who complained of noise, dust, trucks reversing along residential roads, vibration and non-compliance with the agreed Construction, Environmental Management Plan. We have requested through freedom of information a full copy of the 'found fault by the Council causing injustice' report, and we would hope that the Greater London Authority do the same, so as to examine Lambeth Council's ability to protect residents & oversee complex redevelopments such as this.



5. Ecological Impact

- 5.1.** Section 3.11 of the ecological impact report states 'The limited habitat on site and immediately off site was suitable to support low numbers of breeding birds. No other protected or notable species were considered likely to use the site.'

5.1.1. One of our artists in residence

and for the past 4 they have repeatedly logged sightings of Grey Wagtails who nest in railway brush on the site. The Grey Wagtail is Classified in the UK as Red under the Birds of Conservation Concern 4: the Red List for Birds (2021), and protected in the UK under the Wildlife and Countryside Act, 1981. The Grey Wagtail begins breeding in April which is in conflict with one of the busiest proposed construction periods.

6. Public Realm & Arts

The Public Realm & Arts Strategy outlines an idea to animate the public realm through arts activity and commissions. As the local long term provider of public realm arts activation we are all too aware that bold statements like these are done for the aesthetics of looking to engage. Without a clear plan of action, partners for delivery, as well as a cash commitment, public realm arts activations simply don't happen. Work of the nature they have outlined requires good infrastructure, expertise & considerable investment. Bureau of Silly Ideas has been operating these events internationally, with our base here locally in Brixton, for over 30 years and have demonstrated the commitment, expertise, ability and resources to execute these public engagements. As leaders in the field, BOSI normally charges for consultations on the running of these kind of events, but here we will happily offer you our expert advice pro-bono: Hondo does not have the resources or expertise to execute these events, or meaningfully engage with the public or activate the public realm through art. We do.

CLOSING STATEMENT

Development is not what we are against, however our immediate neighbours, landlords and wider community are unified by a shared vision that any pending development includes a planned and resourced creative centre for Brixton. The current planning application fails to address this. Moreover, the project sells itself on providing less cultural content than it puts at risk. It fails to protect our current offer or enhance it.

To our knowledge there has been no substantial cultural audit of what already exists or the ambitions.

- We should not have to accept a repeat of mistakes made in the past.

Railway arches and their occupiers have always been at the heart of central Brixton, a centre that is criss-crossed with railway tracks. Lambeth, Network Rail and the Arch Co. have stated that they do not want to repeat the mistakes they made with a previous regeneration scheme that destroyed many generations of community serving business by replacing them with still empty unaffordable units. To plan a 20 story development without including, at a level of achievable detail, what happens to the immediate environment - 3 metres away - is not only a missed opportunity but illustrates a complete lack of awareness, care or integrity by the planning authorities.

- We should not have to accept unapproved, disingenuous or aggressive works or development.

We can not trust Hondo, as they have referenced us to further their own agenda with no clear planning or written commitment in place. We believe that they have also demonstrated a lack of respect to our landlord Arch Co.

Hondo have proven that they can not be trusted and will exploit all opportunities for personal gain at the expense of the existing community.

In 2018 Hondo knocked walls down to occupy, without permission, an arch that is designated for the communal use of the existing lease holders (us). They then developed unapproved access routes to the back of their markets and encouraged vehicles that were in excess of load limits to use the thoroughfare. This was dangerous to people and caused damage to our property.

In 2019 during the development of the new “temporary structure” that holds the popular late night drinking venue Lost Brixton, our constructive and neighborly attitude was abused. Consequently when we contacted the landlord we were both surprised to discover that no permissions had been given by Arch Co. to Hondo. Arch Co. then enforced the removal of a structure Hondo had built in the illegally occupied arch and prevented future use of the alley and arch for Hondo and the market.

- We should not have to accept that our hard work building an achievable collaborative vision for our communities is ignored.

We have been party to the development of other visions. We had a great neighborly and working relationship with the site's previous owner [REDACTED].

Our understanding is that [REDACTED] sold the site because Lambeth and Network Rail refused to engage with him and his proposals to join in with the master plans being drawn up. Lambeth explained to him they would use a compulsory purchase order to acquire his site and push through their own vision. [REDACTED] then felt forced to sell his local community serving retail outlets to Sports Direct - a large multinational - who much like Hondo has no senior leadership connection to Brixton and it's diverse, diasporic community. Unlike [REDACTED], both Hondo and Sports Direct can afford to make legal challenges to Lambeth and do not fear the threat of a compulsory purchase order.

This new proposal for the site has put focus on the towers, and inadvertently created a team of qualified locals and community leaders who are coming up with viable alternatives. Alternatives that will produce revenue amounts for Lambeth that either equal or exceed those in Hondo's proposed development, as well as nurture the vibrant cultural fabric that forms one of London's most celebrated centers.

After decades of wrangling and changes to ownership of the arches we now have tenancy agreements that ensure affordable spaces for future generations. We have also developed a strong and positive relationship with our landlords, Arch Co., who have expressed a desire to work with us to develop a new vision. A vision that will bring global focus to Brixton and London as a whole and enhance our cities cultural capital.

Hondos application is not only underwhelming, it also relies on unapproved changes of use of other people's property, fails to showcase the creative pulse that runs through the viaducts of Brixton, and potentially destroys viable businesses that have been running for more than 3 decades. There are better ways to utilize these sites to bring more money into Lambeth (with faster demonstration than this development) and without destroying its greatest asset.

We, the businesses that currently occupy the proposed development site, as well as the artists that are employed by these businesses, the public that engage with our offerings, and the local businesses and supply chains with whom we conduct business **need this planning application process stopped now.**

We, as your constituents, as residents and ambassadors of the local area implore you to ensure that the mistakes of the past are not repeated. That this time, unapproved, disingenuous and aggressive development does not go ahead unchecked, and to enable time for these alternative local visions to be presented, discussed, and realised both robustly and in detail.

Please do not put another nail in our cities cultural coffin by destroying 550 artists' livelihoods.

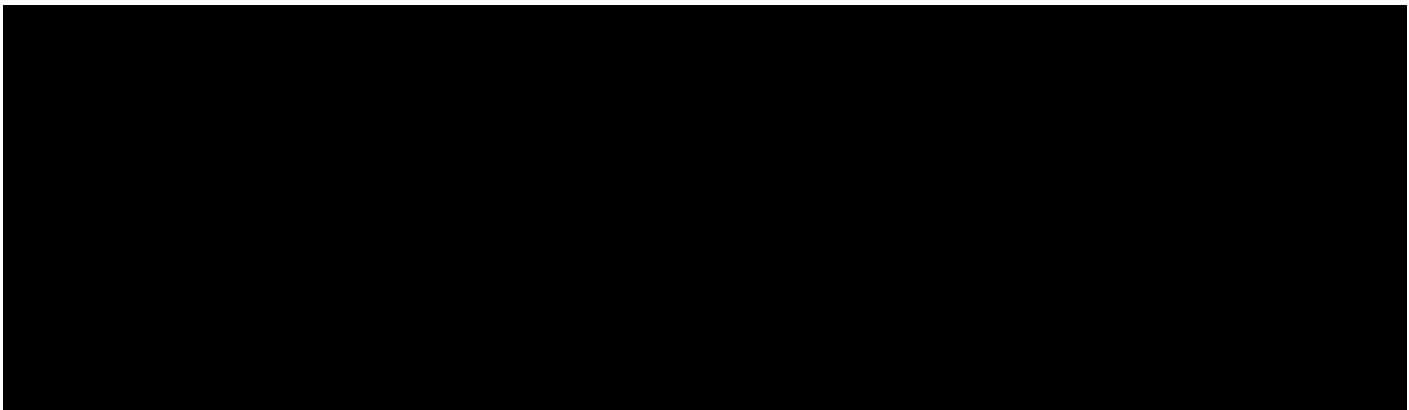


Image Credits L to R top to bottom:

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Hi Justine I trust this finds you very well,

I am reaching out to make contact and raise awareness of a potential cultural catastrophe that is easily avoidable.

Please excuse any cross communications, but we need urgent help regarding the pending Brixton tower development 2 metres from our doorstep.

I had not grasped the seriousness of the proposed schedule of works.

Development is not what we are against, however our immediate neighbours, landlords and wider community are unified by a shared vision that any pending development includes a planned and resourced creative centre for Brixton.

The current planning application fails to address this. Moreover, the project sells itself on providing less cultural content than it puts at risk. It fails to protect our current offer or enhance it.

We are frustrated that Bureau Of Silly Ideas is written into the application as a provider of cultural content, however no agreement of what or how it might be paid for has been discussed with us, despite requesting.

The timing of this application combined with the pandemic and the temporary displacement of the local arts community is detrimental to the development of the GLA funded Creative Enterprise Zone that it sits in. To our knowledge there has been no substantial cultural audit of what already exists or the ambitions.

The planning application has pulled focus to the site and now a team of qualified locals and community leaders are coming up with viable alternatives that will produce equal amounts of revenues for Lambeth and nurture the vibrant cultural fabric that forms one of London's most celebrated centres.

As such we need the planning application process stopped now, to enable time for these alternative visions to be presented and discussed.

In addition, there has been no mention of how Bureau Of Silly Ideas (an Arts Council England National Portfolio Organisation) and the community resources we provide are protected from the disturbance of a very large construction site and its impact on our, workshops, rehearsal rooms, making spaces, production offices, studios and hire spaces. Indeed if the building works commence no one would be able to operate from our premises for 2 - 3 years due to disruption.

We demand our current breadth of practice and plans for expansion into another 10, currently empty arches, are part of any plans and schedule of interfering works.

The proposed development is around Pope's Road and Brixton Station Road and has received planning permission from Lambeth council, but Sadiq has now taken over the application.

Please explain to him that there are much better options in the pipe line, Taylor Mc Williams has (verbally) told me he will happily work with us on a new more holistic and inclusive vision if this plan is rejected.

Thank you for reading this:-

feel free to call me on [REDACTED] you
need more info.

Bets Dishes



From: TWBlockdonotreply <donotreply@lambeth.gov.uk>
Sent: 17 December 2021 19:06
To: Shane Baker
Subject: Comments for Planning Application 20/01347/FUL

Comments summary

Dear Sir/Madam,

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 17/12/2021 7:05 PM from [REDACTED].

Application Summary

Address: 20 - 24 Pope's Road London SW9 8JB

Proposal: Demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible Class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential Institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (Class A3) use at eighth floor level and business accommodation (Class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works[cr][cr]RECONSULTATION DUE TO EXTERNAL DESIGN CHANGES TO THE BUILDING FACADES AS WELL AS RELOCATION OF THE COMMUNITY FLOORSPEACE AT THE FIRST FLOOR LEVEL. PLEASE REFER TO THE SEPTEMBER 2020 COVER LETTER FOR FURTHER DETAILS.[cr][cr]This application is a DEPARTURE APPLICATION: The proposed development is a departure from Policy Q26, part (ii) and site allocation "Site 16 - Brixton Central (between the viaducts) SW9" of the Lambeth Local Plan (2015).[cr]

Case Officer: [REDACTED]

[Click for further information](#)

Customer Details

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Comments Details

Commenter Type: Neighbour/Public

Stance: Customer objects to the Planning Application

Reasons for comment:

Comments: The height of this proposed building is out of scale and overbearing when set in context with the surrounding area and will result in loss of privacy and available light for nearby residents.

The design of this tower will do nothing to enhance the Brixton Conservation Area. Brixton market has a history that needs to be celebrated and protected. Rather than ruin the area and bolster corporate greed more support should be given to the independent local businesses that already thrive in this area and encouragement given to attract more of the same.

The market and its buildings are great tourist attractions, known for their uniqueness and heritage and a high rise building such as this tower has no value for the Brixton community.

With more people working from home for the foreseeable future there is no requirement for more office space in this area and neither would it be appropriate to use the building for luxury flats which would be out of reach of most Brixton families. In recent years Brixton has seen an influx of wealthier communities and an increase in rents and property prices which effectively pushes out poorer communities, especially minorities. These wealthier communities rarely mix with the community that they are displacing. A tower such as this will exacerbate this situation and increase the rich/poor divide, something that can only be bad for the community.

Hondo themselves say that only 14% of jobs in the tower would go to Lambeth residents which is far short of the 25% Lambeth say they require.

The 39 apprenticeships Hondo are offering would, when spread out over 25 years, amount to only approx. 1.5 apprenticeships per annum - not enough to make any sort of positive impact on the local community.

Please listen to the thousands of voices of those who live in and love this area. We know what is best for our community and it is definitely not this proposal.

Kind regards

Written representation submitted by [REDACTED].

I continue to object to this proposed project with its minor revisions.

Introduction

I have read the additional planning statement Nov 2021 [addendum 3] by DP9 for Hondo posted on 03 Dec 2021 on Planning Lambeth; I have also had the benefit of reading the input of Brixton Society and adopt many of their critical observations. I note that they argue that the three new provisions [extension of term of provision of affordable workspace; new Brixton job training endowment fund; additional 50% apprentices] in terms of their claimed economic benefits

‘ “turn out to be very modest, when set against the many breaches of important policies and harm to the town centre”.

I will adopt their criticism on the paucity of apprenticeships covering “the cost of training and preparing just 5 local unemployed people to find jobs”.

and on affordable workspaces¹ I want to state specifically why the provision for a training fund is inadequate within the project context.

Brixton Training Fund.

Brixton Society observed:

“2.2 Financial Contributions

Volterra 2020: Offer to pay a \$106 Employment and Training Contribution to the LPA made up of a £150k initial upfront contribution then £56k a year for 25 years. The amount offered was merely the sum required by the Lambeth Local Plan and calculated by reference to a formula set out in Annex 9 to the Plan.

DP9 2021: Enhanced offer to pay £1,000,000 into a Brixton Job Training Fund (£40,000 pa over 25 years) to be used to support local training and employment initiatives. While this payment would be over and above the contribution required by the Local Plan, the amount offered is relatively modest, taking account of the income the applicants are likely to receive from commercial tenants. “

[..]

“We also note that there is no indication that the applicants will provide any payment other than the initial £1 million endowment. If no further payments are made into the fund and annual payments of £40,000 are made from the fund over 25 years, then the real value of the annual payments will be considerably reduced over the life of the fund.”

¹ <https://www.brixtonsociety.org.uk/test-site/wp-content/uploads/2021/12/20-24-Popes-Road-SW9-8JB.pdf>

This is to be found in DP9 2021 at para 1.17

“Brixton Job Training Fund” “ The Applicant is proposing a new Brixton Job training fund of £1,000,000 (£40,000 per annum for a period of 25 years) in addition to the LBL employment and skills endowment fund.”

This provision is insufficiently stated and inadequate for its claimed purpose. Since I understand that it is open for the project proponent to increase this up to and during the section 3 hearing, I will put forward two arguments here, firstly looking at the provision, then considering the overall risk of permitting such a project

A fund of £1 million at £40k pa for a period of 25 years has a net present value which is conditioned and can be calculated by applying to the quantum the prevailing rates of inflation over that period- money over time. Using Bank of England Monetary Policy Nov 2021 data and a basic xls programme I selected some inflation rates referred to, and I derived these net present values for £1 million over 25 years:

£563,757.78 @ 5% as in 2011; £611,880.47 @ 4.2%; £673,804.31 @ 3.3%; £688,828.07 @ 3.1%; £716,332.72 @ 2.75% as in 2017; £762,908.60 @ 2.2%- forecast by BoE for “late 2023”.

“Endowment” is a very loose term. The whole sum would advisedly be paid as soon as any necessarily more exact e s106 agreement is agreed.

Of course net present value calculations can be more complex, factoring in differentiated annual rates of inflation, and also factoring in the project’s cost of capital.

This is not a major residential project and so there is no NPPF provision for analysis of the project’s viability assessment. This may have been discussed during LPAs’ pre-preparation but unfortunately the public can only inquire by FOI [EIR]

The project’s cost of capital is conditioned by the BoE very low base rate [increased from 0.1% to 0.25%] It is now widely considered that low bank base rates are a monetary policy which has skewed capital towards real property or real estate and not towards business investment, contributing to rising rates of inflation. This project is widely considered to be speculative. This strains against the intention in London Plan and Lambeth Local Plans policies, and even the plausibility of what the project claims.

The FT reported McKinsey Global Institute’s research “The Rise and Rise of the Global Balance Sheet”, which looked at real assets, financial assets and liabilities held by households, governments, banks and non-financial corporations

“It found that two-thirds of net worth is stored in residential, corporate and government real estate as well as land.”

FT argue that “low interest rates in advanced countries have pushed money into real estate instead of business investment “²

² “Property sector The oldest asset class of all still dominates modern wealth” <https://www.ft.com/content/99a3cf9b-0ab8-45b9-bbc5-7e88c08f9ea5>

Of course the planning system cannot be redistributionist, and I am not confusing the Mayor's distinct but linked roles in policy development and determining development permits; but risk can be a material consideration in determining the harms vs benefits balance.

Project Risks

This project is essentially *"business accommodation (Class B1) at second to nineteenth floor levels"*

Helen Hayes MP spoke against the Hondo project at the 3rd Nov 2020 LBL Planning Committee on the basis that there are significant inherent risks in this project. She outlined a highly plausible scenario whereby the project proponent with a projected commercial failure could seek an article four appeal decision on change of use determination- from offices to premium residential- from the relevant DLHG minister, thereby abandoning section 106 conditions. If there were doubt in this, then a change of ownership would serve that purpose.

Although Lambeth claim that a section 106 agreement condition can prevent this, they are wrong.

Brixton Society also highlight this [in 3. Offices in Brixton]

In the likely event that the space fails to attract corporate office tenants, the applicants have a ready-made fall-back position of converting the empty tower into residential apartments. This is already implied by the external design of the tower, which strongly resembles an earlier residential tower in New York by the same architect. (130 William Street, illustrated in Wallpaper magazine in March 2021.) The balcony treatment on the upper floors is strikingly similar, yet a series of external balconies would not be a normal requirement for office floors. Although Lambeth planners claim that residential use could be prevented by a planning condition, it would be very difficult to resist at Appeal. National Planning Policy in recent years has moved strongly both to reduce planning controls and to encourage residential use of commercial buildings. If the developers were successful in using the Permitted Development route for residential conversion, they would have no obligations to provide a proportion of affordable housing, or to meet all the Mayor's standards for housing design.

I consider that there is not a shortage of the type of work-space mainly office-space which is central to this oversized 'critical mass' and its attendant ecosystem. Lambeth state that there is existing estimated office stock in Brixton of 720,320 sq ft [Source: JLL*/CoStar, Q3 2020] and that "the [commercial office] markets of Brixton, Clapham, Norwood and Streatham are important areas for the local economy they predominately cater for local occupiers".

-Key findings JLL for LB Lambeth Commercial Office Baseline Report October 2020

The CEZ is based on a 2017 GLA funded creative & digital industry study which found that the CDI was undeveloped is a bad case of a bad idea leading to an underdeveloped policy.

In terms of harms it is important to question whether the basis on which the GLA changes its position between section 2 and section 3 LPA decisions is still informed by too little public participation and too little known planning information which is critical of the project such as the

independent Design Review Panel. This had been revealed by FOI and various persons and even the statutory consultee Historic England have addressed this.

I consider that harms can be framed as both the extensive potential harms to the two contingent conservation areas and the many heritage assets and the departure from Lambeth and London-wide policies. It can also mean the waste of potential alternative use of the Brixton CEZ site 16 which is 20-24 Popes Road. All the other CEZ sites are being considered in area-wide focus on potential development in participatory –in which Mayor-LA Design Review Panel is presently involved. This site's development has been rushed and inadequately dealt with.

Public Transport

Since the Mayor wrote to LBL's principal planner "Our ref: 2020/6774/S2" on 01 March outlining his decision to act as LPA, and indicated the reasons for that including:

"a) The proposed development would have a significant impact on the implementation of the London Plan; "

And this was accompanied by GLA planning report 2020/6774/S2 1 March 2020 Para 2 [4] of which stated:

- Transport: The applicant is required to address issues in respect of; trip generation calculations, impact on public transport, Active Travel, delivery and servicing and disabled persons parking provision. **The development will impact on public transport provision** as such a contribution is sought to fund additional bus services.

I will indicate that the public transport impacts are not mitigated by additional buses on a local bus service, even if LBL's consultant report [JLL] suggests that Brixton's office users are "local occupiers". The project will have two operational workforces- the workspace users which is acknowledged will come in from elsewhere, and the food & hospitality workers who will might come in from more local areas. The project's transport statement confuses these, and only provided trips analysis for the workspace occupiers. Mixed messaging.

The major impacts on public transport provision are the loss of potential for London Overground connectivity in Brixton. Going forward there is specific need s for decreasing otherwise increasing congestion at Waterloo and Victoria. Providing a Brixton station would help that, and serve better the needs of the two-thirds of Lambeth's working population who go outside the borough to work.

I have tried to engage Lambeth planners and PAC councillors on this issue within the planning process submitting evidence and speaking at the LBL Planning Applications Committee on 3rd November 2020 explaining the arguments and citing their policies and their consultants' report.

I wrote this in October 2020 ³ I argued for opening up this discussion on Overground connectivity. User groups such as Clapham Transport Users Group have argued that Lambeth closed down its Transport Forum with harm to its ability to engage with citizens. This group CTUG consider that

³ <https://www.brixtonbuzz.com/2020/10/hondo-tower-threatens-lambeths-transport-policy-commitments-for-a-brixton-overground-connection/>

extending platforms at Clapham High Street would provide connectivity with the Victoria- Orpington train services which stop at Brixton.

Safeguarding in this situation is not the same as that which applies to TFL , since 35 boroughs including Lambeth make annual financial contributions to CrossRail2⁴

I also presented some of these arguments to Lambeth's PAC in November 2020 without getting any response from planners nor councillors. I can provide a necessarily shortened version which was the text of that PAC presentation. I have submitted text including this on the GLA planning website.

[REDACTED]

17th December 2021

⁴ TFL safeguarding <https://crossrail2.co.uk/discover/safeguarding/>

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265) - Revised Plan

Written Representation Submitted by:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hondo Tower and the Climate Crisis

This report constitutes a detailed examination of the Hondo Tower's sustainability commitments, based on London and Lambeth plan policies. It includes the conclusions of a Whole Life Cycle (WLC) Carbon Assessment of the development, and analysis of the Energy and Sustainability Statements prepared by Hurley Palmer Flatt, on behalf of Hondo Enterprises, and submitted to the Lambeth Planning Applications Committee (PAC).

I) Carbon Assessment Requirement

For this development, Hondo Enterprises is yet to produce a Whole Life-Cycle Carbon Assessment, which is required under **Policy SI 2 F** of the London Plan:

"Development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions."

Moreover, Policy **SI 2 E** adds:

"Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions."

Neither of these policies were taken into account by the developer in its planning application - despite the fact that Whole Life-Cycle Carbon Assessments were included in drafts of the London Plan from August 2018.

II) Environmental significance Whole Life Cycle (WLC) Assessments

Clause 9.2.1 of the London Plan adds that approximately **78% of London's greenhouse gas emissions come from London's homes and workplaces**. The carbon emissions of buildings are broken down into two distinct components. **Operational carbon** refers to the carbon emitted in running a building - heating, lighting, ventilation, cooling. **Embodied carbon**, on the other hand, focuses on the carbon emitted during construction itself. As the GLA's guidance on WLC assessment states, embodied emissions refer to:

"those associated with raw material extraction, manufacture and transport of building materials, construction and the emissions associated with maintenance, repair and replacement as well as dismantling, demolition and eventual material disposal."

Embodied carbon covers 30-50% of the total carbon footprint of a building - with operational carbon covering the rest. Moreover, embodied emissions are the first emissions of a building: once

the building is in operation, the overwhelming majority of a building's embodied carbon has already been emitted. The operational carbon benefits that a building can bring through solar panels, mechanical ventilation, and heat pumps are effectively trying to offset the embodied carbon already emitted.

Embodied carbon therefore constitutes the most immediate component of a building's carbon footprint, and should therefore be comprehensively analysed by the GLA to comply with its December 2018 Climate Emergency Declaration.

III) Scrutiny at Planning stage

In the November 2020 Planning Application Committee hearing, Cllr. Rebecca Thackray scrutinised the developer over their lack of transparency regarding the building's carbon emissions. At the hearing, Oliver Sheppard, a Director at DP9, one of the developer's planning consultants, stated that a pre-application whole life cycle assessment had been conducted. This is inaccurate: the developer's sustainability statement, written by Hurley Palmer Flatt, states, pages 41 and 42:

"A Life Cycle Assessment will be produced for the Proposed Development at RIBA stage 1 to reduce the burden on the environment from construction products by recognising and encouraging measures to optimise construction product consumption efficiency and the selection of products with a low environmental impact (including embodied carbon), over the life cycle of the building."

However, RIBA stage 1 is a 'Preparation and Briefing' stage whereas RIBA Stage 3 includes the submission of a Planning Application. The planning application submitted by the developer does not contain a WLC Carbon Assessment. **This suggests that a WLC assessment is yet to be published, contrary to Hurley Palmer Flatt's Sustainability Statement.**

IV) Whole Life-Cycle Carbon Assessment

As a result, I chose to conduct my own Whole Life Carbon Assessment, using the guidance from the GLA and from the [Institution of Structural Engineers](#).

As the drawings were the only available source of element dimensions and materials, a set of assumptions were used to conduct this assessment:

- Materials are assumed to be manufactured nationally, not internationally, or locally
- Construction cost was assumed to be approximately £47 million
- Member dimensions were obtained from the provided drawings
- Standard values for concrete, masonry and steel densities were assumed - displayed in the calculations provided with this document
- The embodied carbon of the various materials used in the building is compared to the energy savings guaranteed by the developer through Be Lean, Be Clean, Be Green commitments - namely mechanical ventilation and heat pumps
- The assessment excludes the basement, and the concrete bracing of the building, as well as formwork - **the results will therefore be conservative**
- Masonry cladding is included on all columns of the building
- The buildings demolished to make way for the development are not included within the carbon assessment
- All other assumptions are included within the calculations provided

The key takeaways from the WLC carbon assessment are the following:

Concrete Carbon Emissions (kgCO2e)	Steel Carbon Emissions (kgCO2e)	Masonry Carbon Emissions (kgCO2e)	Other site activities (kgCO2e)	Total Embodied carbon emissions (kgCO2e)
4754135	895609	170322	325168	6208409

Table 1 - Carbon Emissions for individual materials used for the construction of the Hondo Tower

Total Embodied carbon emissions (tCO2e)	Operational Energy Savings - Be Lean, be clean, be green (tCO2e/year)	Time to offset (Years)
6208	-110.5	56.2

Table 2 - Comparison between energy efficiency savings and embodied carbon emissions

Whole Life Carbon Assessments are conducted because the carbon emitted during construction can be significantly larger than the energy savings promised after construction has been completed. The Hondo Tower is no exception, as is exemplified by Figure 1.

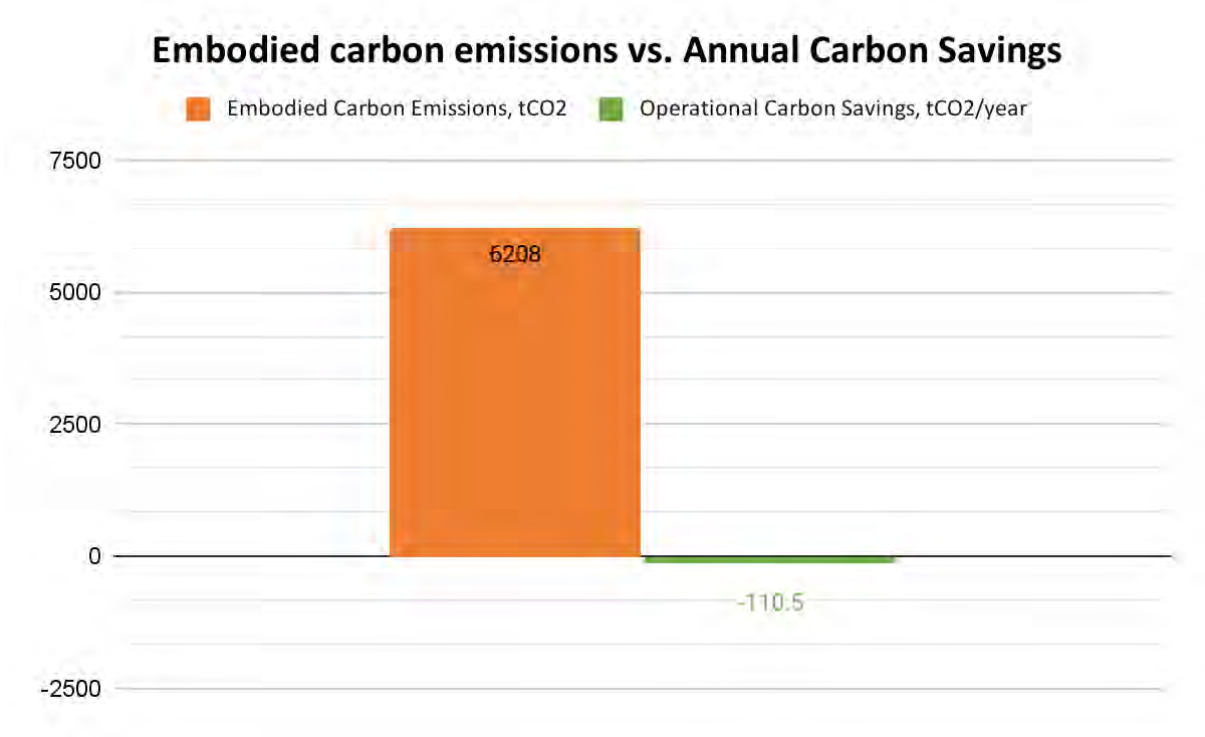


Figure 1. Hondo Tower: Energy Saved vs. Embodied Carbon Emissions

When a 60 year life span for the building is assumed, the embodied carbon footprint is effectively offset from year 56. However, when operational and embodied carbon are taken into account together, it becomes apparent that the energy savings pale in comparison to the total carbon emitted by the development (Figure 2).

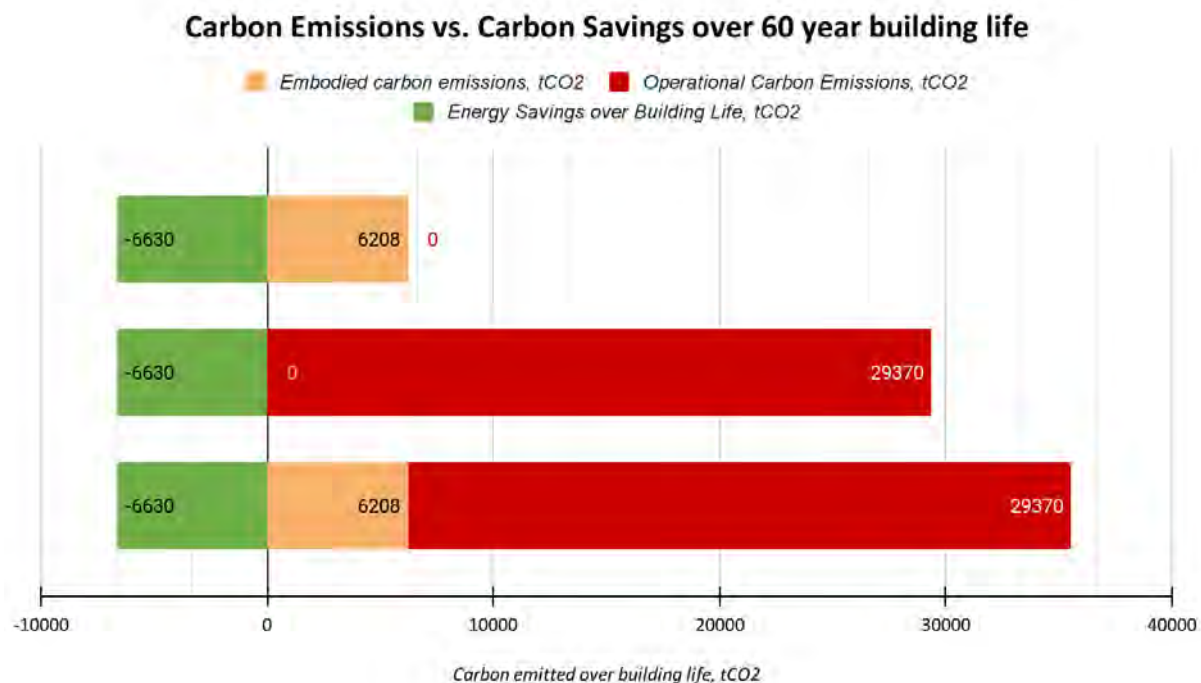


Figure 2. Carbon emissions vs. Carbon Savings over 60 year building life

Our conservative assessment shows that the annual operational energy savings of the tower account for only 1.8% of the total embodied carbon emitted when construction will be complete. Effectively, the total embodied carbon emissions are at least 56 times higher than the annual energy savings of the structure. **This holds significant importance because embodied carbon is the first carbon footprint to materialise - its footprint is set before the building is in operation, before energy savings can take effect. If councils aim to be carbon neutral by 2030, or 2040, energy savings need to materialise over much shorter lifespans. This can be achieved with better operational energy measures, or a more efficient use of materials to reduce embodied energy.**

The assessment conducted highlights the importance of including WLC assessments in planning applications, which the developer has failed to do.

V) Operational energy efficiency - HPF Energy Statement

As it pertains to operational energy, Policy SI 2C of the London Plan states:

“A minimum on-site reduction of at least 35 per cent beyond Building Regulations 152 is required for major development. Residential development should achieve 10 percent, and non-residential development should achieve 15 percent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

1) through a cash in lieu contribution to the borough's carbon offset fund

2) off-site provided that an alternative proposal is identified and delivery is certain."

The Hondo Tower only achieves 31.5% on-site reduction, according to its Energy Statement prepared by Hurley Palmer Flatt. This failure to comply with the 35% on-site reduction requirement can be explained by specific design flaws in the building:

- The amount of glazing in the building dramatically increases heating and cooling demand, as windows constitute the largest source of heat loss in a building
- Columns, unlike walls, are uninsulated - the presence of over 65 columns in the building provides sources of cold bridging, in other words means for heat to escape
- Other structures, such as solar panels, cannot be added to the development because Hondo Enterprises has decided on a different purpose for the roof.
- Taller buildings are disproportionately more energy-intensive. A [2017 UCL study](#) funded by the Engineering and Physical Sciences Research Council (EPSRC). Wind Speed dramatically increases with height, especially for buildings which, like the Hondo Tower, are much taller than neighbouring buildings. This requires significantly more energy used for cooling. Similarly, tall buildings are exposed to higher direct hours of sun, requiring more energy for cooling.

Furthermore, **Policy EN4** of the Lambeth Plan, states:

"D. Proposals should demonstrate in a supporting statement that sustainable design standards are integral to the design, construction and operation of the development. [...]Planning applications for non-residential developments should be accompanied by a pre-assessment, demonstrating how the BREEAM standards, or any future replacement standards, will be met."

The scheme only incorporates 1 "Be Green" Renewable Energy Technology, namely air source heat pumps. Within the Hurley Palmer Flatt Energy Statement, the following technologies are screened out:

Name of Technology Screened Out	Reason for Screening out (Amongst others)
Bio-fuel combined heat and power (CHP) local in the building	No constant hot water baseload demand
Fuel Cells	Insufficient space allowed for a fuel cell and associated auxiliary equipment within plan room
Biofuel Community heating scheme local in the building	Insufficient space for fuel storage Insufficient space for biofuel boiler
Wind turbines	Insufficient wind speeds Excessive Noise Disturbances
Photovoltaics (PV)	Insufficient roof space, as most of the south facing roof space will be reserved for the plant room
Ground source heat pumps	Insufficient space allowed for a Ground Source Heat Pump and associated auxiliary equipment within Plant Room

Table 3. 'Be Green' Technologies Screened out in Hondo Tower Scheme

Moreover, air source heat pumps - although very sustainable - are powered by electricity. Unfortunately, the developer has not provided a low carbon source of electricity, which makes heating a carbon intensive process. What's more, the high quantity of glazing, coupled with the building's height and lack of insulation unnecessarily increase heating demand, which will unnecessarily increase the carbon footprint of the building - so long as low carbon electricity generation is not an option within the scheme.

The lack of 'Be Green' policies included in the scheme highlights a lack of consideration for sustainability within the building's initial design. The Hurley Palmer Flatt Energy Statement was conducted subsequent to the scheme design, and therefore suggests that sustainability was not an integral part of design.

VI) BREEAM Rating - HPF Sustainability Statement

The sustainability statement of the Hondo Tower, prepared by Hurley Palmer Flatt, indicates that the building is set to achieve a **BREEAM 'Very Good' rating of 66.57** (The benchmark for Achieving 'Very Good' is 55/100), with the potential to achieve an **'Excellent' rating of 75.01 (The benchmark for Achieving 'Excellent' is 70/100)**. It should first be noted here that 'Excellent' is not the first, but the second highest BREEAM rating, after 'Outstanding.' More importantly, Policy EN4 of the Lambeth Plan states, that:

"C. In addition to the requirements for zero-carbon in major new developments in London Plan policy S12:

i. All new non-residential development and non-self-contained residential accommodation, must meet at least BREEAM 'Excellent'.

ii. All major non-residential refurbishment of existing buildings and conversions over 500m² floorspace (gross) must meet at least BREEAM Non-Domestic Refurbishment 'Excellent'."

The sustainability statement offers a breakdown of the Hondo Tower's potential BREEAM rating, showing that the building scores 4/13 on Reduction of Energy Use and Carbon emissions, and 0/3 on low carbon design.

As it pertains to Whole Life Carbon Assessments, the sustainability statement mentions that:

"A life cycle assessment (LCA) tool is used to measure the environmental impact of the superstructure at the pre-planning and Technical Design (Stage 2) stages. Including benchmarking against the BRE database and an options appraisal of 4 significantly different design options. Note: HPF appointment is only for the pre-planning stages, to gain full credits, LCA must be updated at Technical Design Stage." (Figure 2)

However, although the scheme is currently past stage 3, Lambeth council is yet to receive any evidence that a whole life carbon assessment had been conducted.

The Sustainability Statement also adds:

"A LCA options appraisal of at least six significantly different substructure or hard landscaping design options." (Figure 3)

Similarly, there is yet to be any evidence that this options appraisal has been conducted.

Mat 01	Environmental impacts from construction products - Building life cycle assessment (LCA)	7	5	5	Credits 1-6 - Superstructure HPF (based on data from Adjaye and AKT) Targeted, 4 credits , a life cycle assessment (LCA) tool is used to measure the environmental impact of the superstructure at the pre-planning and Technical Design (Stage 2) stages. Including benchmarking against the BRE database and an options appraisal of 4 significantly different design options. Note: HPF appointment is only for the pre-planning stages, to gain full credits, LCA must be updated at Technical Design Stage. Credit 7 – Substructure and Hard Landscaping Targeted, 1 credit , LCA options appraisal of at least six significantly different substructure or hard landscaping design options. 1 Exemplary Level Credit – Core Building Services Options Appraisal Targeted, 1 credit , LCA options appraisal of at least three building services design options. 1 Exemplary Level Credit – LCA and LCC alignment Not Targeted, 1 credit , LCC credits under Man 02 are not targeted. Would require alignment with LCA. 1 Exemplary Level Credit - Third Party Verification Not Targeted, 1 credit , verification of the building LCA, by a suitably qualified third-party. Evidence at Design Stage: Pre-Planning LCA results.
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Figure 3 - Sustainability commitments regarding Life Cycle Assessments (Hurley Palmer Flatt Sustainability Statement)

These two commitments account for 5 total credits in assessing a BREEAM rating. Adjusted with the relevant weighting, the absence of a life cycle assessment results in a loss of approximately 6.8 marks. (Figure 4, Table 4)

Environmental section	Weighting		
	Fully fitted out	Shell only	Shell and core only
Management	12%	12.5%	11%
Health and Wellbeing	15%	10%	10.5%
Energy	15%	14.5%	15%
Transport	9%	11.5%	10%
Water	7%	4%	7.5%
Materials	13.5%	17.5%	14.5%
Waste	8.5%	11%	9.5%
Land Use and Ecology	10%	13%	11%
Pollution	10%	6%	11%
Total	100%	100%	100%
Innovation (additional)	10%	10%	10%

Figure 4 - BREEAM Environmental Section Weightings

When the absence of a Life Cycle Assessment is accounted for, the overall BREEAM mark reduces to 68.26, which corresponds to 'VERY GOOD'. This breaches policy EN4 of the Lambeth Local Plan. (See Table 4)

Previous BREEAM Rating	Previous BREEAM Mark	Credit Allocated to Life Cycle Assessments	Weighting	Total Marks Lost	New BREEAM Mark	New BREEAM Rating
EXCELLENT	75.01	5	1.35	6.75	68.26	VERY GOOD

Table 4 - Updated Hondo Tower BREEAM Rating

CONCLUSIONS

This report was compiled in consideration of the climate emergency, which requires carbon neutrality by 2050; but also in light of BAME communities' vulnerability to the climate crisis, both in Brixton and beyond.

Following an extensive examination of the Hondo Tower's Sustainability proposals, the following policies are deemed to be breached:

- **Policy SI 2E and Policy SI 2F of the London Plan** - due through the failure to produce a detailed whole life carbon assessment of the structure. The life cycle assessment produced within this report is comprehensive, and emphasises the developer's lack of concern for sustainability issues.
- **Policy SI 2C of the London Plan** - due to the failure to meet the 35% on-site reduction in emissions. This points to a failure to consider embed sustainability within design.
- **Policy EN4 D of the Lambeth Local Plan** - due to the failure to provide any 'BE GREEN' technologies within the scheme, other than air source heat pumps.
- **Policy EN4 C of the Lambeth Local Plan** - due to the failure to achieve a BREEAM 'Excellent' rating, caused by the absence of whole life carbon assessment.

These 4 policy breaches constitute major indictments of the Hondo Tower development. The developer could have shown more bravery, and more respect for local residents by delivering a truly sustainable structure - one such example is the [Southwark Over Station Development](#), which achieved BREEAM Outstanding, and achieved 45% on-site operational energy savings. For the Hondo Tower, the developer's greenwashing does very little to hide the truly devastating environmental damage that the scheme represents. It is for this reason that I urge the Mayor to reject this application.

[REDACTED]

Concrete Slab Calculations									
Number of levels (West Side)		Slab thickness (mm)		Slab length (m)		Slab width (m)		Concrete Slab Volume (m³)	
20		175		47.4		15		2489	
Number of levels (East Side)		Slab thickness (mm)		Slab length (m)		Slab width (m)		Concrete Slab Volume (m³)	
9		175		65.4		24		2472	
Concrete Density (kg/m³)		Total Concrete Slab Volume (m3)		Concrete mass (kg)		Concrete mass (T)			
2400		4961		11905488		11905			
Type of Concrete Used		A1-A3 ECF (kgCO2e/kg)							
C40, 50% GGBS		0.089							
Concrete Manufacture		km travelled by road		A4 ECF (kgCO2e/kg)					
Nationally		300		0.032					
Type of Manufacture		Waste Rate (WR)		Waste Factor (WF)		A5w ECF (kgCO2e/kg)			
In situ		0.05		0.053		0.007367			
Cost of Construction per (m2)		Total Floor Area (m2)							
2500		18581							
Assumed Construction cost (£)		RICS Site Activity Rate (kgCO2e/100000GBP)		A5a (kgCO2e)					
46452500		700		325167.5					
C3 (default)		C4 (default)							
0.005		0.013							
Primary Embodied carbon of concrete slabs (kgCO2e)		Other site activities (kgCO2e)		Total Carbon footprint (kgCO2e)		Total Carbon footprint (TC02e)			
1528272		325167.5		1853439		1853			
Total Energy Savings (tCO2e/year)		Time required to offset (years)							
110.5		16.8							

Scale	Real
99.98	20
198.59	40

114.08	23
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Concrete Column Calculations					
Number of columns - East Side	Column breadth (m)	Column width (m)	Column Height (m)	Concrete Slab Volume (m³)	
26		1.5	1.5	83	4855.5
Number of columns - West Side	Column breadth (m)	Column width (m)	Column Height (m)	Concrete Slab Volume (m³)	
44		1.5	1.5	34	3366.0
Concrete Density (kg/m³)	Concrete Slab Volume (m³)	Concrete mass (kg)	Concrete mass (T)		
2400		8222	19731600	19732	
Type of Concrete Used	A1-A3 ECF (kgCO2e/kg)				
C40, 50% GGBS	0.089				
Concrete Manufacture	km travelled by road	A4 ECF (kgCO2e/kg)			
Nationally	300	0.032			
Type of Manufacture	Waste Rate (WR)	Waste Factor (WF)	A5w ECF (kgCO2e/kg)		
In situ	0.05	0.053	0.00737		
C3 (default)	C4 (default)				
0.005	0.013				
Total Carbon footprint (kgCO2e)	Total Carbon footprint (TCO2e)				
2532886	2533				
Total Energy Savings (tCO2e/year)	Time required to offset (years)				
110.5	22.9				

Mass of Steel per m3 of concrete (kg)	Concrete Volume (m3)	Mass of Steel (kg)	Mass of Steel (t)
90	13182	1186391	1186

Type of Steel used	A1-A3 ECF (kgCO2e/kg)	A1-A3 ECF (kgCO2e/kg)
UK: BRC EPD	0.684	811491

A4 Steel Transport Scenario	km travelled by road	A4 ECF (kgCO2e/kg)	A4 ECF (kgCO2e)
Nationally Manufactured	50	0.032	37965

Material/product	Waste Rate	Waste Factor
Steel Reinforcement	5%	0.053

C2 (kgCO2e/kg)	C3-C4 (kgCO2e/kg)
0.005	0.013

A5W (kgCO2e/kg)	A5w (kgCO2e)
0.038902	46,153

Total Embodied Carbon (kgCO2e)	Total Embodied Carbon (tCO2e)
895609	896

Total Energy Savings (tCO2e/year)	Time required to offset (years)
110.5	8.11

West Columns Exposed External Surface Area (m2)		East Columns Exposed External Surface Area (m2)	
2244		3237	
Total Masonry Exposed Surface Area (m2)		Thickness of Masonry (mm)	Volume of Masonry (m3)
5481		50	274
Masonry Density (kg/m3)		Masonry Weight (kg)	
2000		548100	
Type of Brick used		A1-A3 ECF (kgCO2e/kg)	A1-A3 ECF (kgCO2e)
Single Engineering Clay Brick		0.213	116745
A4 MasonryTransport Scenario	km travelled by road		A4 ECF (kgCO2e/kg)
Nationally Manufactured	300		0.032
Material/product		Waste Rate	Waste Factor
Brick		20%	0.25
C2 (kgCO2e/kg)		C3-C4 (kgCO2e/kg)	
0.005		0.013	
A5W (kgCO2e/kg)		A5w (kgCO2e)	
0.06575		36038	
Total Embodied Carbon (kgCO2e)		Total Embodied Carbon (tCO2e)	
170322		170	
Total Energy Savings (tCO2e/year)		Time required to offset (years)	
110.5		1.54	

Tons per Pile	Whole Building Mass (T)		Number of Piles		
20	33323		1666		
Number of Piles	Pile Breadth (mm)		Pile Width (mm)	Pile Depth (m)	C
1666	300		300	18	
Concrete Density (kg/m³)	Total Concrete Piles (m3)	Concrete mass (kg)		Concrete mass (T)	
2000	2699	5398404		5398	
Type of Concrete Used	A1-A3 ECF (kgCO2e/kg)				
C40, 50% GGBS	0.089				
Concrete Manufacture	km travelled by road	A4 ECF (kgCO2e/kg)			
Nationally	300	0.032			
Type of Manufacture	Waste Rate (WR)	Waste Factor (WF)		A5w ECF (kgCO2e/kg)	
In situ	0.05	0.053		0.007367	
C3 (default)	C4 (default)				
0.005	0.013				
Primary Embodied carbon of concrete slabs (kgCO2e)		Total Carbon footprint (↓ Total Carbon footprint (TCO2e)			
692977		692977			693
Total Energy Savings (tCO2e/year)		Time required to offset (years)			
110.5		6.3			

$$h = \frac{p}{\gamma} \left(\frac{1 - \sin \phi}{1 + \sin \phi} \right)^2$$

Rankine's Formula

Number of	Max Number of	Weight per person	Total Mass (T)
20	250	100	500

Carbon Factor	Floor Area (m2)	Total Carbon	Total Carbon
3.4	18581	63175.4	63.18

Concrete Carbon Emissions	Steel Carbon Emissions	Masonry Carbon Emissions	Other site activities (kgCO2e)	Total Embodied carbon emissions	Building life	Total Regulated Operational Carbon
4754135	895609	170322	325168	6208409	60	29370000

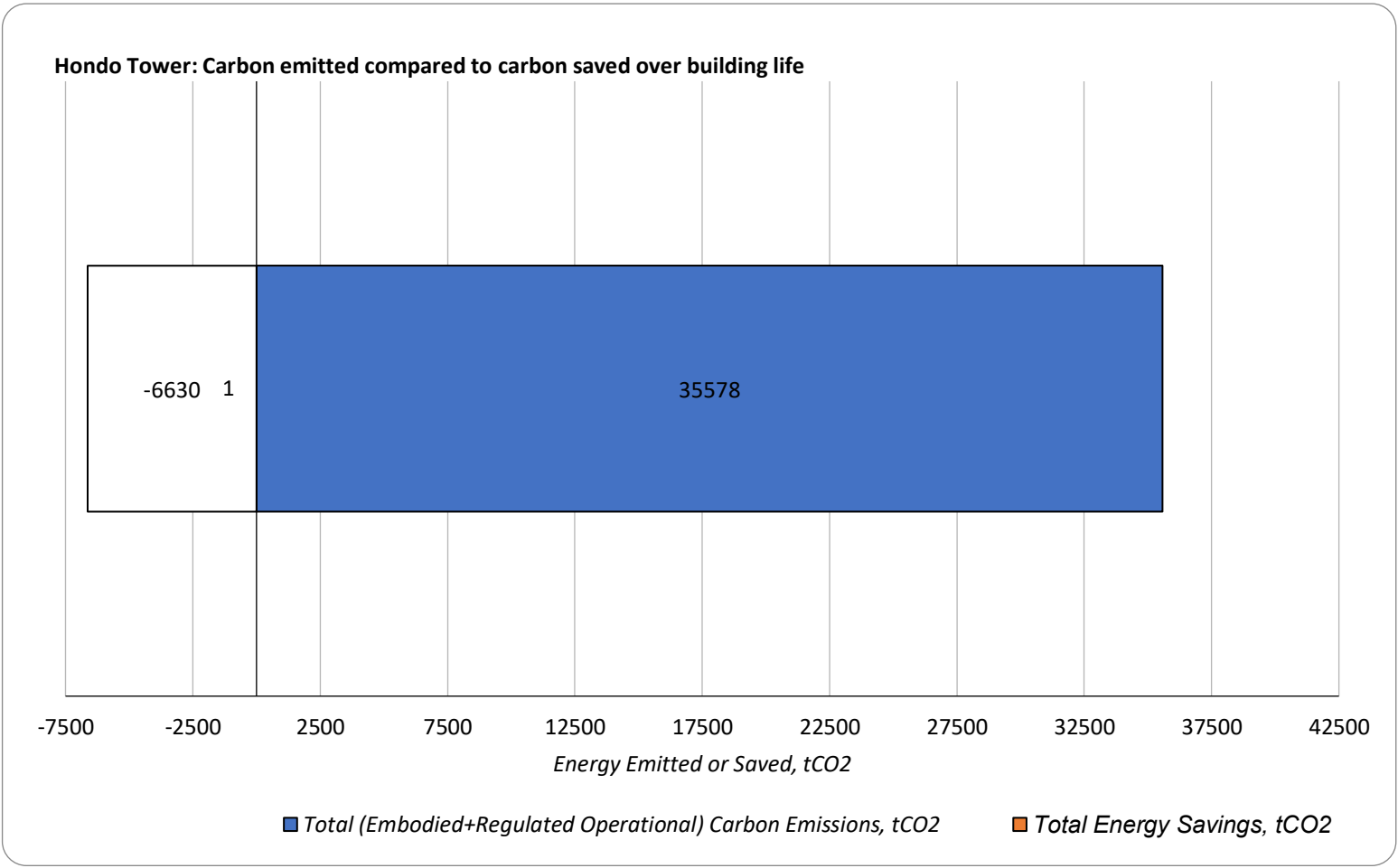
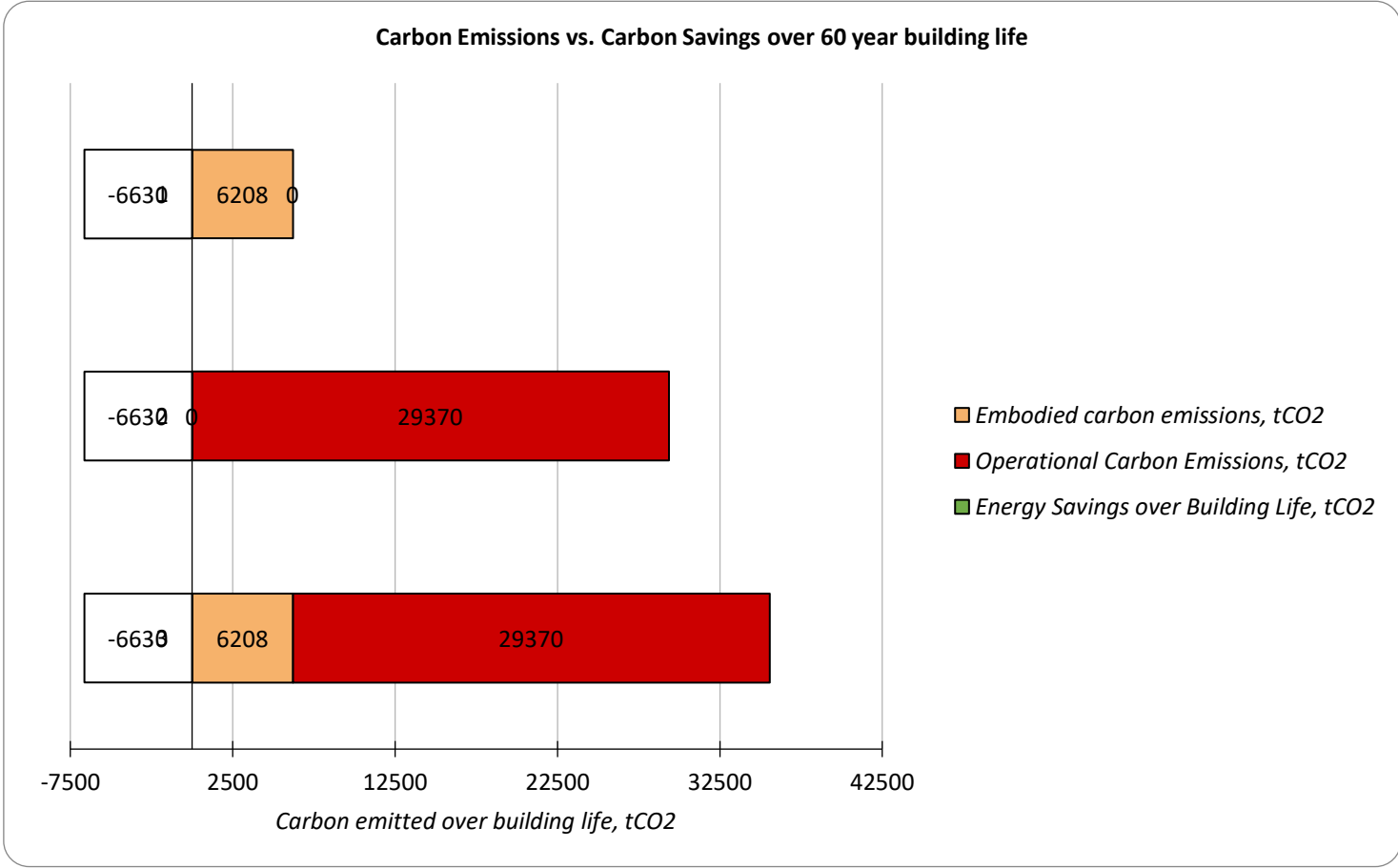
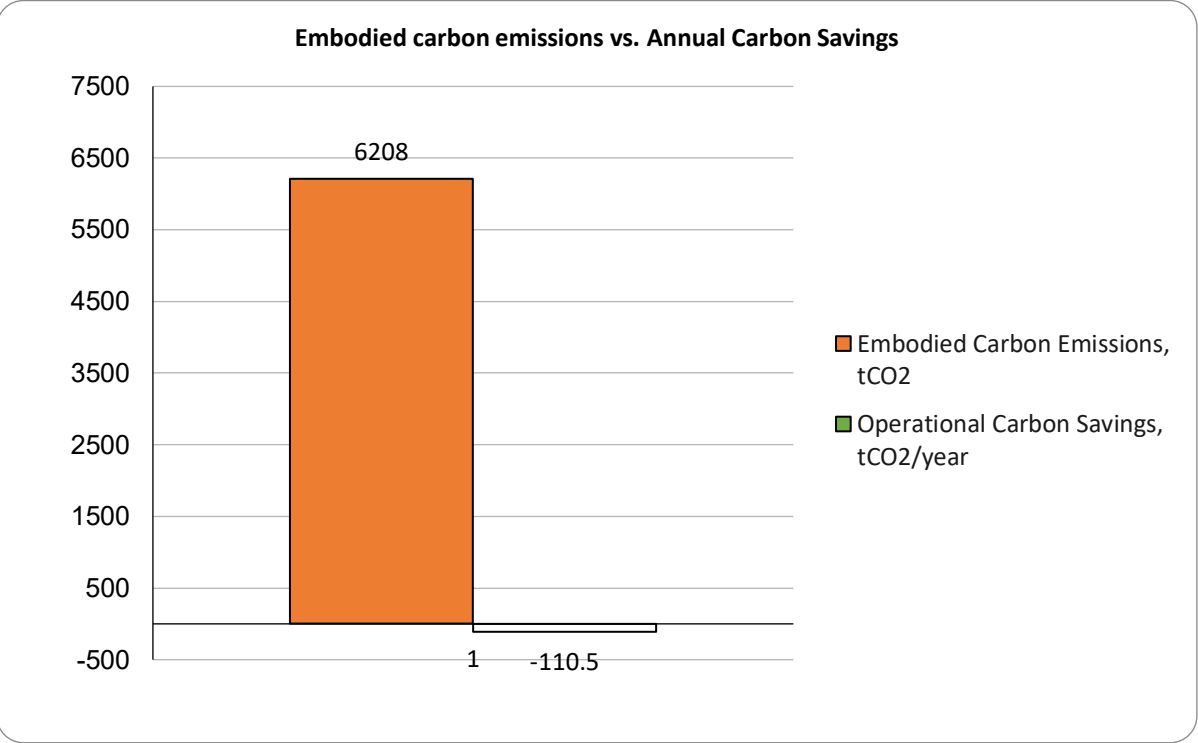
Total carbon Emissions (tCO2e)	Operational Energy	Percentage
35578	-6630	-0.1863

18580
334.1

Total Embodied carbon	Total Regulated	Total carbon Emissions (tCO2e)
6208	29370	35578

	Embodied carbon	Operational Carbon	Energy Saved - Heat Pumps
Scenario 1	6208	0	-6630
Scenario 2	0	29370	-6630
Scenario 3	6208	29370	-6630

Total Embodied carbon	Operational Energy	Time to offset (Years)
6208	-110.5	56.2



20	3.12
65.38461538	10.2
42.94871795	6.7
47.43589744	7.4
20	3.6
20.55555556	3.7
12.22222222	2.2

Previous BREEAM Rating	Previous BREEAM Mark	Credit Allocated to Life	Weighting	Total Marks Lost	New BREEAM Mark	New BREEAM Rating
EXCELLENT	75.01	5	1.35	6.75	68.26	VERY GOOD

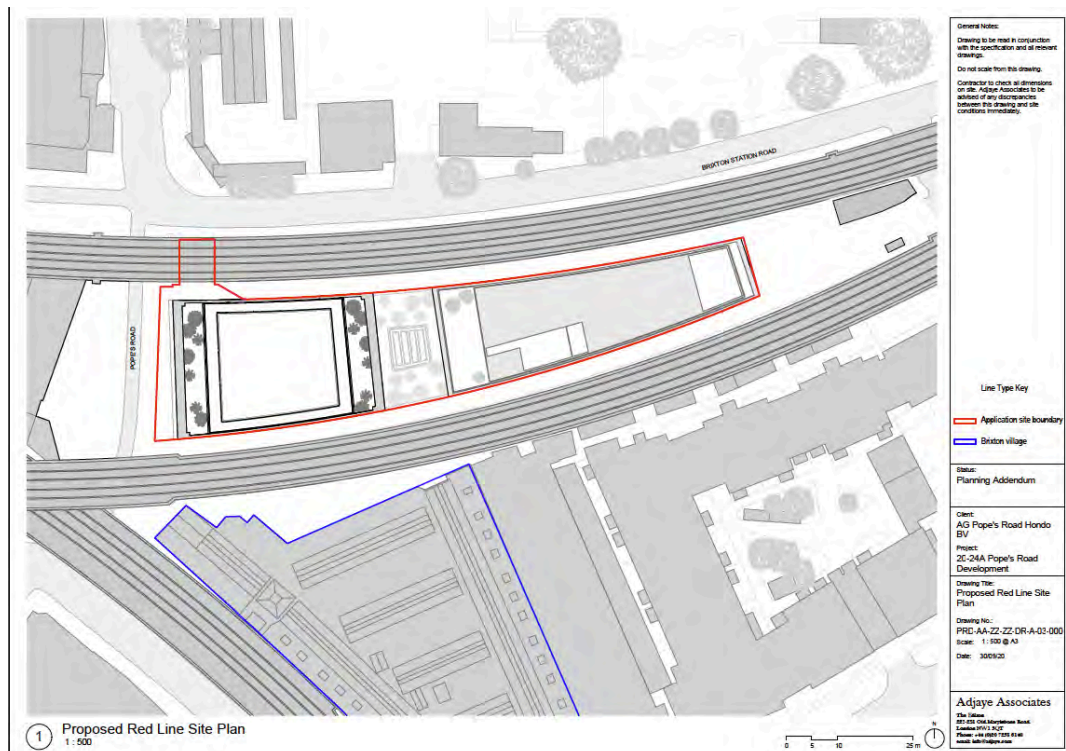
20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by: Save Nour/Fight the Tower campaign

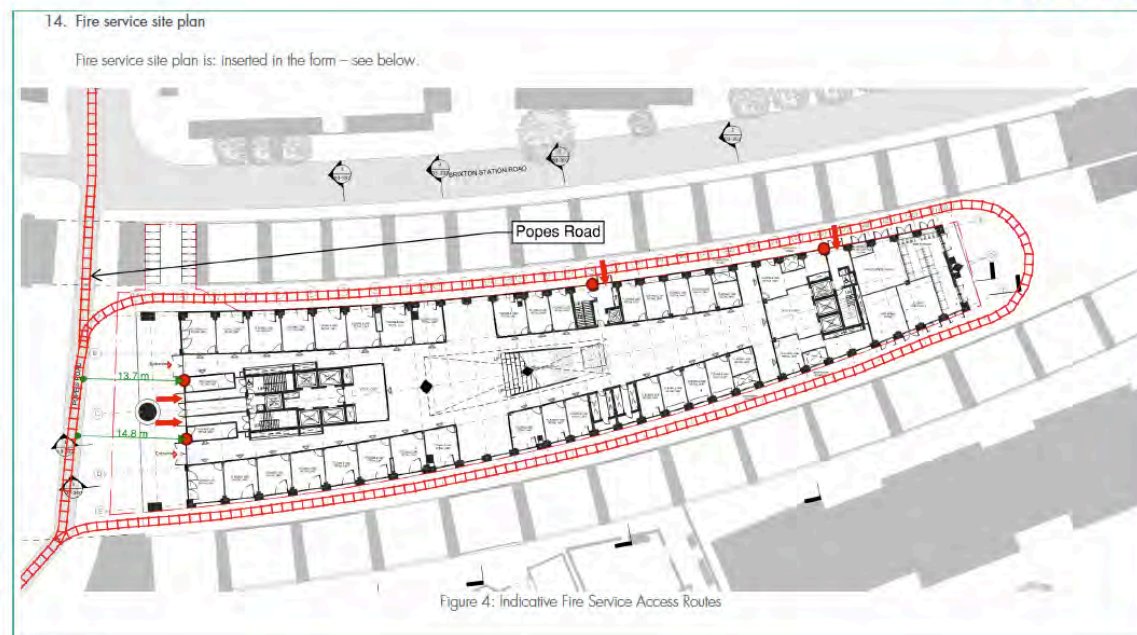
Date: 3rd February 2022

FIRE SAFETY

The applicants' site plans clearly show that the proposed building would follow the footprint of the existing buildings occupying the site as far as the north and south flanking walls are concerned- see below.



The applicants Fire Assessment dated 17th December 2021 includes a fire service site plan as shown below.



The Fire Assessment confirms that the building will be fitted with a wet fire mains. Building Regulations Approved Document Part B Volume 2 (2019 revision to 2010 edition) B5 Section 15 states:

15.5 For buildings fitted with wet fire mains, access for a pumping appliance should comply with both of the following.

- a. **Within 18m, and within sight of, an entrance giving access to the fire main.**
- b. **Within sight of the inlet to replenish the suction tank for the fire main in an emergency.**

Table 15.2 of Part B2 describes the typical access route requirements for pumping appliances.

Table 15.2 Typical fire and rescue service vehicle access route specification						
Appliance type	Minimum width of road between kerbs (m)	Minimum width of gateways (m)	Minimum turning circle between kerbs (m)	Minimum turning circle between walls (m)	Minimum clearance height (m)	Minimum carrying capacity (tonnes)
Pump	3.7	3.1	16.8	19.2	3.7	12.5
High reach	3.7	3.1	26.0	29.0	4.0	17.0

NOTES:

- Fire appliances are not standardised. The building control body may, in consultation with the local fire and rescue service, use other dimensions.
- The roadbase can be designed to 12.5 tonne capacity. Structures such as bridges should have the full 17-tonne capacity. The weight of high reach appliances is distributed over a number of axles, so infrequent use of a route designed to accommodate 12.5 tonnes should not cause damage.

The following extract from LFB Guidance Note 29 states that with regard to access roads for pumping appliances, a minimum of 6m working area(s) is necessary.

4 ACCESS

Access for pumping appliances

- 4.1 Access roads for pumping appliances should be provided with 6m working area(s) at appropriate locations where appliances are to be positioned and used around the building.

The applicants' fire assessment confirms at item 11 on page 14 that emergency road vehicles can access the side entrances indicated on the site plan, but that the access routes on the north and south facades would be subject to a tracking assessment and later detailed drawings in order to confirm that they meet the requirements of the LFB Guidance Note 29 with respect to access for pumping appliances.

11. Emergency road vehicle access - can emergency road vehicles access the site entrances indicated on the site plan?

- Yes. Due care will be given to ensure that the vehicle access routes (consisting of Pope's Road and the adjoining private roads at the north and south of the façade on site) achieve the requirements for a pump appliance as shown in Guidance Note 29 (London Fire Brigade). This should be confirmed by carrying out a tracking assessment and supported with detailed drawings at a later date.
- Any access / security measures in and around the site (especially any barriers or bollards preventing vehicle access) will need to be bypassable by the Fire Service.

Similarly, item 12 of the report confirms that fire appliances will be able to park within 18m from, and have a clear line of sight to the wet rising main inlet points for **all cores**.

12. Siting of fire appliances

- Fire Service vehicle access will be provided via Pope's Road as well as the new private roads the north and south of the building on site. This arrangement is shown indicatively in Figure 4 of this report;
- This will allow fire appliances to park within 18m from, and have a clear line of sight to, the wet rising main inlet points for all cores. Immediate access into the firefighting lobbies or stairs will be provided next to the wet rising main inlet points (shown as red arrows in Figure 4 of this report);
- The vehicle access route suitability for Fire Service appliances (on the aforementioned public roads) should be confirmed via tracking exercises at a later date.

However, measurements taken of the **widths** of the **private roads** between the existing buildings on the site and the adjacent railways viaducts to the north and south are as follows:

North Side: overall width: 3m, no kerb

South Side: overall width: 3.8m, distance between obstruction and 1 kerb: 3.2m, kerb width: 600mm,

These measurements were taken on 3rd February 2022 and photos of where these measurements were taken are illustrated below:



SOUTH SIDE



NORTH SIDE

It is therefore clear that on the north facade, there is generally **insufficient width of space to accommodate a pumping appliance in accordance with the access requirements set out in Table 15.2 of Building Regs Part B Volume 2.**

Using the scale rule provided on the applicants site plan drawing, it is also clear that although a pumping appliance might just about be able to park within 18m of the entrance to the east of the building, such access to the central entrance would not be possible. In addition, due to the narrow width between the building and the railway viaduct to the north, **neither entrances would be readily visible from a point at which a pumping appliance could be stationed.**

Certainly there will be **insufficient space on the north and south facades of the building to accommodate sufficient access for a pumping appliance that complies with LFB Guidance Note 29 para 4.1** and insufficient space on the north and south facades of the building to allow access for turntable ladders or hydraulic platforms should other methods of fire rescue fail.

In the wake of the Grenfell disaster it is clearly paramount that site conditions and design of tall buildings should not prevent or impede the London Fire Brigade from being able to carry out their duties effectively. At 20 storeys high, there is no doubt that this is a tall building, but it would appear that insufficient attention has been paid to the increased fire risks associated with its height and the extreme physical constraints of the application site.

We urge the Mayor to seriously consider whether, as designed, this proposed tall building, which also maximises its footprint, can in reality be fire safe.

Save Nour/Fight the Tower Campaign
3rd February 2022

3rd February 2022

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation (objection) prepared by [REDACTED]

HARMS v BENEFITS

1. PUBLIC BENEFITS

1.1 Office Space

The GLA Stage 2 report 1 March 2021 stated at para 36 that:

*London Plan policies SD6 and E1 support increases in the stock of offices of different sizes **where there is evidence of demand**, particularly within town centres where the provision of office floorspace is an important contributor to the local and London-wide economy.*

1. London Plan 2021 policy SD6 (Town Centres and high streets) states that:
 2. *A The vitality and viability of London's varied town centres should be promoted and enhanced by:.....*
 3. *5) ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy*
 - 4.
 5. *E The redevelopment, change of use and intensification of identified surplus office space to other uses including housing should be supported, taking into account the impact of office to residential permitted development rights (see Policy E1 Offices) and the need for affordable and suitable business space (Policy E2 Providing suitable business space, Policy E3 Affordable workspace).*

Policy E1 D of the London Plan 2021 states that:

The diverse office markets in outer and inner London (outside the areas identified in Part C) should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity including:

- 1) *the strategic outer London office location at Croydon town centre*
- 2) *other town centre office locations (having regard to the Town Centre Network office guidelines in Table A1.1 and Figure A1.4 in Annex 1)*

The office guideline classification for Brixton town centre in Table A1.1, which as it states is informed by the London Office Policy Review 2017 and borough evidence is:

'C' ie **Protect small office capacity** – *these centres show demand for existing office functions, generally within smaller units.*

This is the lowest of the 3 classifications. Classification A (the highest) is described as **Speculative office potential** – *these centres have the capacity, demand and viability to accommodate new speculative office development*

However, this application is indeed a large speculative office development as evidenced below.

1.2 Office Space Demand

The application would provide 25,435 sqm of office space (GIA) within a development providing a total of 28,868 sqm (GEA) ie the vast majority (88%) of the development would be office space.

Evidence of demand for this amount of office space in Brixton was not provided by the applicants. When the impact of COVID on demand for office space was questioned at the PAC2 meeting, one of the planning officers, Nabeel Khan, responded as follows: (time stamp 1:34:34):

*I would expect to assume that the pandemic looks set to have a lasting impact on office usage. I'm aware that there have been a number of reports which seem to explore this very topic in recent weeks. You refer to one yourself-the Savills report. There's been a recent Institute of Directors survey of nearly a thousand company directors last month and they found that seventy four percent of those surveyed said they'd be keeping increased home working moving forward post- COVID. There's also been a recent sort of Rix commercial survey done in Q3 where about sixty percent of global surveyors indicate a shift in office space from urban to suburban locations. But the thing with all of these reports, they tend to be national and international in their outlook, and there isn't much local insights in those so **we've actually recently commissioned a local study of the commercial office market in Lambeth which threw up some interesting findings that may be of interest to the committee.....***

Brixton has seen a reduction in stock of around 9000 square foot per annum over the last three years and it currently has low vacancy rates at 2/2.1 percent over the last ten years which suggests a lack of supply and consistently strong demand.

.....based on the analysis that we've had done by JLL, and we can make that available to committee and yourselves, Brixton's office demand is actually going to be strong in the coming months and years post covid.

These assertions are not borne out by the JLL Commercial Office Baseline Report commissioned by Lambeth and published in Oct 2020 extracts of which are quoted below:

6.3.9. *There are several large-scale schemes in the rest of the borough that could be delivered in the next development cycle. The highest profile are Derwent's scheme at Blue Star House and **AG Hondo's 274,000 sq ft at 20-24 Popes scheme**. Derwent will gain vacant possession of Blue Star House in 2025 and are expected to work up a larger scheme [than] that currently in situ.*

6.3.10. ***The question is whether there will be sufficient demand to absorb this future space. It is safe to say that based on historic trends, this is unlikely to be the case.** For the purposes of forecasting demand and supply, we have used data on supply from both JLL and CoStar. The majority of the space expected to be constructed by 2025 will be within buildings in Waterloo & Vauxhall and as such will be well located to absorb some migration from existing companies within Central London.*

6.3.11. *Our forecast is largely driven by quantitative analysis, but it is informed by qualitative findings from the trends highlighted elsewhere in this report. We have looked at macro-economic forecasts for office employment, supply forecasts and historic trends to see how they compare against historic trends.*

6.3.12. *Historically, new developments in both Waterloo and in neighbouring Southbank have let quickly and to large scale occupiers. It is a reasonable assumption to make that the proposed new developments in Waterloo and Vauxhall could attract high quality occupiers from growth sectors such as technology and professional services, particularly if delivered alongside improving provision of amenity and urban realm. The provision of higher quality buildings will*

help to attract new occupiers who, as we will see from migration analysis, are less tied to historic locations and are focused on quality areas, and therefore new employment opportunities into the centrally located areas of the borough. Over the longer term, these developments are likely to attract sufficient demand.

*6.3.13. The local markets of Clapham and **Brixton are characterised by higher levels of availability** and low net absorption rates that are indicative of **low levels of occupier demand**. In Brixton absorption has been negative in three of the last five years averaging a loss of over 9,000 sq ft per annum, while in Clapham absorption has only been negative in 2019 and has averaged 4,500 sq ft per annum. The markets are relatively small in terms of stock – particularly of medium to large premises **which has been driven by the trend for small occupier demand. Demand for smaller premises seems to be positive, particularly from the creative and cultural sector** with continuing demand from traditional occupiers but generally the market is driven by existing occupiers rather than any significant inward investment.*

As the above demonstrates, the 9,000 sq ft pa figure is **not a reduction in stock**, it is a reduction in absorption rate or 'take up' rate – i.e., the difference between sq ft occupied and sq ft vacant indicating a **low local demand** for office space- quite the opposite of what Lambeth officers led the PAC to believe. In fact, an online search of real estate agencies has revealed that there are over 126,000 sq ft of lettable office space currently available in Brixton (see Appendix I) which further demonstrates the low local demand for office space.

The market intelligence provided by the JLL report paints a far less optimistic picture of demand than the applicant or Lambeth council. It specifically indicates that **even without taking COVID effects into account insufficient demand is forecast for the amount of office space proposed in the application.**

Furthermore, it foresees that office development in Vauxhall and Waterloo is far more likely in the long term – i.e., in sustainable terms - to attract CDI industry occupiers (the target market for the application) than Brixton, and this assessment is consistent with the London Plan's office space classification for Brixton.

At para. 28 in the GLA Stage 2 report for this application, the London Plan AMR Key Performance Indicator (KPI) 8 statistics are shown up to and including 2018. The latest figures published on the GLA website also includes figures for 2019, which show that the ratio of office market planning permissions to three-year average starts in central London is 9 to 1 for 2019 (Ramidus figures) - far in excess of the 3 to 1 target the Mayor has set.

The JLL reports goes on to say (emphasis added):

8.6. The Future of Office Demand

*8.6.1. Given the uptick in flexible working **we anticipate as a result of the pandemic, office demand will be lower than pre-covid-19 levels**, as firms optimise their real estate requirements against a reduced population of office users. The scale of this fall in demand, however, will be contingent on several exogenous factors, including the strength of the economy, the outlook for particular industries, and public health.*

This assessment entirely contradicts the Lambeth planning officer's assertion that '*Brixton's office demand is actually going to be strong in the coming months and years post covid.*' A more recent survey by YouGov for The Times (January 2022) confirms JLL report predictions, as it has found that two fifths of staff will never return to their offices.

The applicant and planning officers envisage the development will attract the Creative and Digital Industry (CDI) as set out in the Brixton Economic Action Plan 2017. However, surveys carried out as part of the Lambeth Creative and Digital Industry Study 2017 found that the affordable rent was one

of the 3 most important factors influencing choice of premises for prospective CDI occupiers and yet only 12.5 % of office space in the development would be affordable workspace.

This leaves 87.5% of the office space being let at presumably high rent levels to secure profit margins commensurate with the risk of this building, which by virtue of its height and proximity to the railway lines would be expensive to build, manage and maintain. As the officers report states *'the proposed development prioritises the delivery of high-quality office floorspace'*. The evidence suggests that this high quality, high cost office space runs a high risk of not being attractive to the CDI sector.

In an attempt to improve the public benefits of the original application, the Planning Statement - Addendum 3, submitted in November 2021 as part of the applicant's revised application to the GLA, proposes *'to increase the term of the Affordable Workspace to 2090 to match the term of the Applicant's lease with Network Rail (the freeholder of the site)'* However, this change does not improve the affordable workspace offer. Firstly, modern office buildings tend to have a reduced life span of 30 to 40 years at best, due to continuous changes to work patterns in society (Covid is a case in point) as well as continuous technological advances that downgrade the quality of office space very quickly (Barkham 2002) Therefore, extending the term of affordable workspace until 2090 is meaningless since the building will be obsolete (and facing refurbishment or demolition) way before it reaches that date. Secondly, the affordability of the workspace would soon cease to be 'affordable' for the local businesses. As the Lambeth Local Plan evidence shows, rent levels for office space in Brixton have increased a 71% for the past decade and were at an average of £39.56 per sqft in 2019. More recent data has found the new office space provision around Pope's Rd is already renting at 66£/sq ft, double the average rent in 2019, which suggests an ongoing upward trend in rent prices. This means that even if with the offered 50% discount on market rate offered for the affordable workspace, the new offices would quickly become unaffordable for small businesses. Extending the term of Affordable Workspace to 2090 is meaningless from the point of view of affordability as well.

The other concern is also that with the type of future users the applicant is willing to target. The Planning Statement Addendum 3 suggests that the Pope's Rd proposed scheme could be *'commensurate with other developments in initially non-recognised office locations such as White-Collar Factory in Old Street and the Relay Building in Aldgate.'* (p.3) The lowest rent level paid in any of those two locations is at £75/sq ft, - double the 2019 average rent levels in Brixton. This means that, if the Pope's Rd scheme became a new White Collar Factory example, the 50% discount rate offered for affordable workspace in the development would not be affordable enough. More importantly, the delivery of this huge space for high paying 'creative industries' would certainly create an 'office ecosystem' in Brixton, as Addendum suggests, but one that would displace the existing small businesses in a similar way to what has already happened in the Tech City and Silicon Roundabout area.

The Lambeth Creative and Digital Industry Study 2017 also found that good public transport ranked highest among factors influencing location decisions for CDI businesses and that CDI businesses typically are able to recruit from across London and internationally. With over two thirds of working Lambeth residents being employed outside the borough and with only 14% of jobs created by the development being expected to go to Lambeth residents (see below), this sets up a scenario whereby the development would be encouraging increased commuter activity putting a further strain on London's public transport network.

Over half of all survey respondents in the CDI study identified uncertain business environment as a result of Brexit being a key challenge for their business in the future and clearly this survey was carried before COVID 19. These uncertainties would be applicable to all industry sectors, introducing further risk that such a large scale development would not be financially viable.

Demand for the quantum of office space proposed by the application is central to weighing up anticipated public benefits against harm. Because the office space would constitute 88% of the building, employment generation post completion would be intrinsically linked to the ability to let this office space and if this space is not substantially occupied in the sustainable future, it would become a massive and tall white elephant in the centre of Brixton.

In such a scenario, an article 4 direction (as set out in the conditions of the Lambeth approved application) would be extremely weak in the face of any appeal and the result would enable change of use from office to residential without planning permission being required and therefore without any requirement for the provision of affordable housing that London and Brixton desperately needs.

In all, it appears from the applicant's revised planning application that the delivery of this office space could have two possible outcomes: a) attract high-rent paying users from outside Brixton, which will push rents up even more and displace existing businesses in the area; or b) create a tower that will remain underused and eventually be converted into residential space through Permitted Development Rights (meaning no affordable housing would be included in it) None of this scenarios will bring any benefits to the local community.

1.3 Local Employment

Brixton is identified in the London Plan as a Strategic Area for Regeneration. Policy SD10 states that:

*C Development Plans, Opportunity Area Planning Frameworks and **development proposals should contribute to regeneration by tackling inequalities** and the environmental, economic and social barriers that affect the lives of people in the area, **especially in Strategic and Local Areas for Regeneration.***

However, based on the statistics provided by the applicant, it is only predicted that 467 of the 3297 jobs that would result from the development (including construction jobs) - ie only 14% of jobs would go to Lambeth residents, let alone Brixton residents whereas policy ED15 b) of the Lambeth Plan states that for major developments 25% of all jobs should go to local residents. When converted to Full Time Equivalents (FTEs), this equates to 271.5 FTEs going to Lambeth residents out of a total of 1755- ie 15%.

Employment Analysis based on Volterra Report							
	TOTAL			LAMBETH			
	<u>Jobs</u>	<u>FTEs</u>	<u>Table 7</u>	<u>Jobs</u>	<u>FTEs</u>	<u>% Jobs</u>	<u>% FTE</u>
Construction	1452	145	12%	174	17	12%	12%
<u>On Site</u>							
Restaurant	25	20	29%	7	6	29%	29%
Retail	135	105	24%	32	25	24%	24%
Leisure	10	10	19%	2	2	19%	19%
Office	1675	1475	15%	251	221	15%	15%
Sub Total On Site	1845	1610		293	254	16%	16%
Sub Total Construction	1452	145		174	17	12%	12%
Total	3297	1755		467	272	14%	15%

Post construction, the figures provided by the applicant forecast that only 16% of jobs would go the Lambeth residents, let alone Brixton residents.

These figures are woefully short of meeting the 25% stipulated in policy ED15 and yet the site is in Coldharbour ward which the Lambeth Plan acknowledges to be **one of the two most deprived in the borough** and is also surrounded by a cluster of areas that have been identified in the Lambeth Plan at Annex 13 as being the 20% most deprived areas in England.

In the draft section 106 agreement, the employment and skills plan and financial contribution in the form of an endowment is acknowledged to be necessary in order to make the development acceptable in planning terms, and yet local employment was listed as a significant public benefit by planning officers. Even if the employment and skills plan were eventually successful enough to make the development become planning compliant, it cannot be regarded as a material consideration to be weighed against harm.

The last paragraph of the executive summary of the Lambeth planning officers report recognises this. It states: *Officers consider that the scheme is acceptable and that the many **planning benefits the development would deliver over and above those required by policy** are sufficient to outweigh the identified impacts on **heritage and residential amenity**.*

Furthermore, even if 25% of jobs in the development were eventually provided for Lambeth residents, this would not guarantee jobs for Brixton's residents in line with its status as a Strategic Area for Regeneration and policy SD10 of the London Plan.

1.4 Community

Provision of a community floorspace located on the first floor is listed as a public benefit deriving from the scheme. Although this is welcome in principle, at 221 sqm this would be **less than 1% of the total floor area of the building**.

Use of the publicly accessible central space within the market to host events is also listed as a public benefit in the Lambeth planning officers report. However, the Lambeth's Design and Conservation report 13 Oct 2020 (not made public, but obtained by FOI request) states at para 5.38 and 5.39:

*'Community events cannot be separated from the general hubbub of the market given its siting within the circulation areas. Given the above **we would not recommend that the suggested community benefit be given much weight as a public benefit.***

1.5 Public Square

Other purported benefits put forward by the applicant and Lambeth Planning officers include a new public square, but **this does not form part of the application** as it falls outside the application site. It cannot therefore be regarded as a public benefit to be weighed against harm when assessing this application.

Notwithstanding this, the Design and Conservation Report considered that even taking into account the fact that the design was amended to set back the south facing tower facade by 2.5m, the resulting impact on the Popes Road pedestrian area was unacceptable in urban design terms. It says:

5.2 Following amendment the proposal's principal building line now roughly aligns with that of the existing shop front but is pulled in a little more on the south side (it was further forward before).

5.3 As explained in Section 2 and in particular para 2.5, Popes Road is already a constrained and intimate space even with the existing single storey building. It is currently only 20m façade to façade across the space between the single storey application site and the three storey office block opposite. Maintaining that same separation distance but with a 20 storey building is a cause for concern.

*5.4 A 20 storey building with roughly the same setback as the existing single storey building will have an **exceptionally oppressive effect on the user's spatial experience of this small urban space**. When in the space the proposed bulk and massing of the 20 storeys will **loom over the space in a very oppressive and uncomfortable manner**. **The character of the space will be radically changed** and as a result the setting of the space's contribution to the significance of the BCA [Brixton Conservation Area] will be harmed.*

5.7 For the reasons outlined below we consider the proposed approach does not accord with Local Plan Policy Q7 [Urban Design- new development] in relation to the intended future character of the area. The Policy states:

(ii) it has a bulk, scale/mas, siting building line and orientation which adequately preserves or enhances the prevailing local character or, in the case of regeneration and opportunity areas where the context is changing, it respects and contributes towards the intended future character of the area.

Therefore this purported public benefit should be discounted when considering the Harm v Benefit balance.

1.6 Public toilets

Lastly, the new public toilets proposed in the scheme to replace existing is listed as a public benefit. These would be in the basement of the building, and would therefore be far less accessible than the public toilets provided at street level currently. Planning officers indicated to the PAC that opening hours would be in line with the operation of the indoor market and that this would be secured in the S106. All that the S106 agreement stipulates is that the new public toilets would be '*available during full opening hours associated with the building*'. 9 cubicles are currently provided at street level. The proposed number of cubicles is 14 - **an increase of only 5 cubicles** which is insufficient to serve both new users of the retail units and community floorspace located over two whole floors of the building in addition to users on the street not be entering the building. Only a handful of disabled toilets are provided on the first floor where the community floorspace is envisaged to hold public events. The net public benefit is therefore highly questionable.

Lambeth's Design and Conservation report, Oct 2020 states at para 5.21 that:

As discussed above the applicant proposes to relocate the public conveniences from Popes Road to the basement of the proposal. The current conveniences are long established, conveniently placed at street level and highly visible on the street. The new conveniences will not be.

All of the above demonstrates that the purported benefits of the scheme were initially overstated by the applicants and planning officers and material considerations weaken them substantially further- crucially with regard to future demand for the quantum of office space proposed. This is indeed a speculative office development which contradicts the town centre office space designation contained in the Majors London Plan.

2. HARMS

As evidenced by the planning officers report and the Design and Conservation Area report, harm to the significance of at least 1 Grade II* listed building, 4 Grade II listed buildings, 23 Non-Designated Heritage Assets, 1 Registered Park and 5 Conservation Areas has been identified.

There are harms to heritage assets over and above those considered by Lambeth planning officers.

Harm to heritage assets has not been justified, contrary to NPPF para 194 and no heritage benefits have been identified to offset the harm

We would urge the Major to conclude that harm to the significance of Brixton Conservation Area is indeed **substantial** when considered in relation to the definitions given by the NPPG and NPPF and as set out in the Brixton Conservation Area Statement 2012, which include cultural significance and the importance of the markets that make Brixton so distinctive and unique.

3. HARMS v PUBLIC BENEFITS

NPPF2021 para 202 states that:

*Where a development proposal will lead to less than substantial harm to the **significance** of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

If the Mayor's assessment were to conclude less than substantial harm to the significance of heritage assets, we would in any case urge the Mayor to conclude that this heritage harm outweighs the purported public benefits of the scheme.

And furthermore, even if the public benefits of the scheme were considered by the Mayor to outweigh the harm to the significance of heritage assets, the development would also cause **other harms** which, quite apart from the consideration of heritage assets, are sufficient to conclude as a matter of planning judgement that the harms outweigh the purported benefit.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is at the heart of the planning balance.

The application breaches the policies in the Local Plan and the London Plan which are intended to guard against these harms. Such is the extent to which the application breaches these policies that it amounts to a repudiation of the principle of plan-led development.

The application breaches the following policies:

Lambeth Plan 2021

- Q5 (local distinctiveness)
- Q7 (Urban Design- new development)
- Q26 a) i) (tall buildings- local views)
- Q26 a) (ii) (tall buildings- design excellence)
- Q26 a) (iii) (tall buildings- townscape)
- Q26 a) (v) (tall buildings- microclimate, wind, sunlight and daylight)
- Q20, Q21, Q22, Q23 (heritage assets)
- Q25 C i (harm to panoramic view from Brockwell Park)
- Q2 i (visual amenity)
- Q2 ii (privacy)
- Q2 iii (outlooks)
- Q2 iv (daylight and sunlight impact)
- EN4 A (Minimising greenhouse gas emissions)
- EN4C ii (minimum BREEAM excellent)
- ED15 (Employment and Training)
- PN3 (K)- Site allocation 16 (ix) and (x)
- PN3 G (improving the quality of public transport provision and interchange)
- Lambeth Infrastructure Delivery Plan 2020 para 4.3
- T4 A iii (Public Transport -improved interchanges and east-west orbital links)
- Brixton SPD
- Draft Lambeth Design Code SPD

London Plan 2021

- D9-B3, C1a i, C1aii, C1aiii, C1b, C1c, C1d, C3a (Tall buildings)
- D9(B)(3) (tall buildings- location)
- D9 C 1) a) i) (tall buildings- local views)
- D9 C 1) a) ii) (tall buildings- mid- range views/townscape)
- D9 C 1) a) iii) (tall buildings- immediate views/privacy and amenity)
- D9 C 1) b) (tall buildings- spatial hierarchy)
- D9 C 1) c) (tall buildings- exemplary architectural quality)
- D9 C 1) d) (tall buildings- heritage assets)
- D9 C 3) a) (tall buildings- wind, sunlight and daylight)

- D3 (Optimising site capacity through a design-led approach)
- HC1(Heritage Conservation and Growth)
- SI 2 C (carbon emissions)
- SI2 E (unregulated emissions)
- SI 2 F (whole life cycle assessment)
- EN4 C (minimum BREEAM excellent)
- HC3 (Strategic and Local Views)
- T1 (Strategic Approach to Transport)
- T3 (Transport capacity, connectivity and safeguarding)

Evidence that was eventually provided to the GLA from Lambeth council reveals that community opposition to the application is intense. 2,409 out of 3,835 of the statutory representations to the council were objections ie 62%. But of the 1426 representations of support, 1,155 were representations that signed a pre-written 'model' letter. **Only 19 people wrote representations of support in their own words.** This is in contrast to the overwhelming majority that wrote to the council expressing objections in their own words. An online petition opposing the development gained over 7,000 signatures.

The speculative nature of the office-led development introduces material and substantial risk that should the scheme be approved, it would not be commercially viable, as evidenced by the JLL report. This is speculation on a large scale. If, as predicted by JLL's market intelligence forecasts, there is insufficient demand for the office space then the scheme would not provide jobs to Londoners let alone Brixton residents and yet the building would continue to cause the harm identified. Furthermore, it would open up the opportunity for the applicant to convert the building to residential accommodation through Permitted Development rights that would not require any affordable housing that the area desperately needs.

CONCLUSION

The application site has not been identified as appropriate for tall buildings and the harms that it would cause as a result of this fundamental breach of policy and numerous other policies are extensive - harms to residential amenity (daylight and sunlight, outlook and privacy), harm to public amenity, the significance of heritage assets, character, townscape, local distinctiveness and environmental harm. The development would block an opportunity to provide a vital interchange on the Overground at Brixton. The design does not achieve the required standard of excellence. The development is speculative on a substantial scale. The development does not have the support of the local community.

The purported benefits are not substantiated by the evidence and these considerations do not outweigh the wholesale departure from local and regional policy.

For these reasons, we would urge the Major to reject this application.

Appendix I

Location	Sq ft available	Weblink	Date posted
Blue Star House	16,507	https://propertylink.estatesgazette.com/property-details/6612719-blue-star-house-234-244-stockwell-road-brixton-sw9-9sp	11th November 2021
Bellefields Road, SW9 (Squires)	1,980	https://propertylink.estatesgazette.com/property-details/6681871-fully-inclusive-flexible-workspace	1st February 2022
Bon Marche SW9 8FR	2,757	https://propertylink.estatesgazette.com/property-details/6749425-bon-marche-sw9-8fr	14th January 2022
The Department Store, SW9	2,757	https://propertylink.estatesgazette.com/property-details/6748009-breath-taking-workspace-for-rent-in-the-heart-of-brixton	25th August 2021
Arch 51x Ferndale Road, SW9	842	https://propertylink.estatesgazette.com/property-details/6732545-arch-51x-ferndale-road	14th January 2022
2-3 Railway Approach, Brixton Station	1,197	http://www.grantmillswood.com/find-a-property/properties/65212-2-3-railway-approach-brixton-station-brixton	25th January 2022
Brixton House, 385 Coldharbour Lane, SW9	16,058	https://www.rightmove.co.uk/properties/113807360/#?channel=COM_LET	Brand new build
Brixton House, Somerleyton Road, SW9	9,543	https://www.rightmove.co.uk/properties/119435327/#?channel=COM_LET	Brand new build
Carlton Mansions, Coldharbour Lane, SW9	4,531	https://www.rightmove.co.uk/properties/117548312/#?channel=COM_LET	Information not available
The Viaduct Brixton, 360-366 Coldharbour Lane, SW9	700	https://www.rightmove.co.uk/properties/116523860/#?channel=COM_LET	Information not available
Eurolink	560	https://www.rightmove.co.uk/properties/81001584/#?channel=COM_LET	Information not available
415-419 Brixton Rd,	3,500	https://www.realla.co.uk/details/19148096	Has been vacant for years
30 Acre Lane	2,602	https://primeofficespace.co.uk/brixton/3070/	Not available
41-45 Acre Lane (currently being built by Lexadon)	6,598	https://www.lexadon.co.uk/news/planning-approval-for-41-45-acre-lane	Under construction
Brixton Hill Studios, 124 Brixton Hill, SW2	598	https://www.unionstreetpartners.co.uk/properties/view/1619/124-128-Brixton-Hill-London-SW2-1RS	Information not available
Higgs Yard, Heme Hill Road, SE24 0AU	36,390	https://www.unionstreetpartners.co.uk/properties/view/1682/Higgs-Yard-Heme-Hill-Road-London-SE24-0AU	Expected completion 2024
Piano House, 9 Brighton Terrace, London, SW9 8GP	2,953	https://www.unionstreetpartners.co.uk/properties/view/1358/Piano-House-9-Brighton-Terrace-London-SW7-8DJ	Information not available
236 Coldharbour Lane, Brixton, London, SW9 8SD	2,457	https://www.sw.co.uk/properties/236-coldharbour-lane-brixton-london-sw9-8sd/	Information not available
372 Coldharbour Lane, Brixton, SW9	3,500	https://www.levyrealstate.co.uk/property/372-coldharbour-lane-brixton-sw9	New
The Edge, Brixton, 86-88 Valentia Place, London SW9	10,813	https://www.levyrealstate.co.uk/property/the-edge-brixton-86-88-valentia-place-london-sw9-long-income-investment-opportunity	New
TOTAL	126,843		

Written representation submitted by [REDACTED]

HARMS v BENEFITS

1. PUBLIC BENEFITS

1.1 Office Space

The GLA Stage 2 report 1 March 2021 stated at para 36 that:

*London Plan policies SD6 and E1 support increases in the stock of offices of different sizes **where there is evidence of demand**, particularly within town centres where the provision of office floorspace is an important contributor to the local and London-wide economy.*

1. London Plan 2021 policy SD6 (Town Centres and high streets) states that:
 2. *A The vitality and viability of London's varied town centres should be promoted and enhanced by:.....*
 3. *5) ensuring town centres are the primary locations for commercial activity beyond the CAZ and important contributors to the local as well as London-wide economy*
 - 4.
 5. *E The redevelopment, change of use and intensification of identified surplus office space to other uses including housing should be supported, taking into account the impact of office to residential permitted development rights (see Policy E1 Offices) and the need for affordable and suitable business space (Policy E2 Providing suitable business space, Policy E3 Affordable workspace).*

Policy E1 D of the London Plan 2021 states that:

The diverse office markets in outer and inner London (outside the areas identified in Part C) should be consolidated and – where viable – extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity including:

- 1) *the strategic outer London office location at Croydon town centre*
- 2) *other town centre office locations (having regard to the Town Centre Network office guidelines in Table A1.1 and Figure A1.4 in Annex 1)*

The office guideline classification for Brixton town centre in Table A1.1, which as it states is informed by the London Office Policy Review 2017 and borough evidence is:

'C' ie **Protect small office capacity** – *these centres show demand for existing office functions, generally within smaller units.*

This is the lowest of the 3 classifications. Classification A (the highest) is described as **Speculative office potential** – *these centres have the capacity, demand and viability to accommodate new speculative office development*

However, this application is indeed a large speculative office development as evidenced below.

1.2 Office Space Demand

The application would provide 25,435 sqm of office space (GIA) within a development providing a total of 28,868 sqm (GIA) ie the vast majority (88%) of the development would be office space.

Evidence of demand for this amount of office space in Brixton was not provided by the applicants. When the impact of COVID on demand for office space was questioned at the PAC2 meeting, one of the planning officers, Nabeel Khan, responded as follows: (time stamp 1:34:34):

*I would expect to assume that the pandemic looks set to have a lasting impact on office usage. I'm aware that there have been a number of reports which seem to explore this very topic in recent weeks. You refer to one yourself-the Savills report. There's been a recent Institute of Directors survey of nearly a thousand company directors last month and they found that seventy four percent of those surveyed said they'd be keeping increased home working moving forward post- COVID. There's also been a recent sort of Rix commercial survey done in Q3 where about sixty percent of global surveyors indicate a shift in office space from urban to suburban locations. But the thing with all of these reports, they tend to be national and international in their outlook, and there isn't much local insights in those so **we've actually recently commissioned a local study of the commercial office market in Lambeth which threw up some interesting findings that may be of interest to the committee.....***

Brixton has seen a reduction in stock of around 9000 square foot per annum over the last three years and it currently has low vacancy rates at 2/2.1 percent over the last ten years which suggests a lack of supply and consistently strong demand.

.....based on the analysis that we've had done by JLL, and we can make that available to committee and yourselves, Brixton's office demand is actually going to be strong in the coming months and years post covid.

These assertions are not borne out by the JLL Commercial Office Baseline Report commissioned by Lambeth and published in Oct 2020 extracts of which are quoted below:

6.3.9. *There are several large-scale schemes in the rest of the borough that could be delivered in the next development cycle. The highest profile are Derwent's scheme at Blue Star House and **AG Hondo's 274,000 sq ft at 20-24 Popes scheme**. Derwent will gain vacant possession of Blue Star House in 2025 and are expected to work up a larger scheme [than] that currently in situ.*

6.3.10. ***The question is whether there will be sufficient demand to absorb this future space. It is safe to say that based on historic trends, this is unlikely to be the case.*** *For the purposes of forecasting demand and supply, we have used data on supply from both JLL and CoStar. The majority of the space expected to be constructed by 2025 will be within buildings in Waterloo & Vauxhall and as such will be well located to absorb some migration from existing companies within Central London.*

6.3.11. *Our forecast is largely driven by quantitative analysis, but it is informed by qualitative findings from the trends highlighted elsewhere in this report. We have looked at macro-economic forecasts for office employment, supply forecasts and historic trends to see how they compare against historic trends.*

6.3.12. *Historically, new developments in both Waterloo and in neighbouring Southbank have let quickly and to large scale occupiers. It is a reasonable assumption to make that the proposed new developments in Waterloo and Vauxhall could attract high quality occupiers from growth sectors such as technology and professional services, particularly if delivered alongside improving provision of amenity and urban realm. The provision of higher quality buildings will help to attract new occupiers who, as we will see from migration analysis, are less tied to historic locations and are focused on quality areas, and therefore new employment opportunities into the centrally located areas of the borough. Over the longer term, these developments are likely to attract sufficient demand.*

6.3.13. *The local markets of Clapham and Brixton are characterised by higher levels of availability and low net absorption rates that are indicative of low levels of occupier demand. In Brixton absorption has been negative in three of the last five years averaging a loss of over 9,000 sq ft per annum, while in Clapham absorption has only been negative in 2019 and has averaged 4,500 sq ft per annum. The markets are relatively small in terms of stock – particularly of medium to large premises which has been driven by the trend for small occupier demand. Demand for smaller premises seems to be positive, particularly from the creative and cultural sector with continuing demand from traditional occupiers but generally the market is driven by existing occupiers rather than any significant inward investment.*

As the above demonstrates, the 9,000 sq ft pa figure is **not a reduction in stock**, it is a reduction in absorption rate or 'take up' rate ie the difference between sq ft occupied and sq ft vacant indicating a **lack of demand**- quite the opposite of what Lambeth officers led the PAC to believe.

The market intelligence provided by the JLL report paints a far less optimistic picture of demand than the applicant or Lambeth council. It specifically indicates that **even without taking COVID effects into account insufficient demand is forecast for the amount of office space proposed in the application.**

Furthermore, it foresees that office development in Vauxhall and Waterloo is far more likely in the long term (ie in sustainable terms) to attract CDI industry occupiers (the target market for the application) than Brixton, and this assessment is consistent with the London Plan's office space classification for Brixton.

At para 28 in the GLA Stage 2 report for this application, the London Plan AMR Key Performance Indicator (KPI) 8 statistics are shown up to and including 2018. The latest figures published on the GLA website also includes figures for 2019, which show that the ratio of office market planning permissions to three-year average starts in central London is 9 to 1 for 2019 (Ramidus figures) - far in excess of the 3 to 1 target the Mayor has set.

The JLL reports goes on to say (emphasis added):

8.6. The Future of Office Demand

8.6.1. Given the uptick in flexible working we anticipate as a result of the pandemic, office demand will be lower than pre-covid-19 levels, as firms optimise their real estate requirements against a reduced population of office users. The scale of this fall in demand, however, will be contingent on several exogenous factors, including the strength of the economy, the outlook for particular industries, and public health.

This assessment entirely contradicts the Lambeth planning officer's assertion that '*Brixton's office demand is actually going to be strong in the coming months and years post covid.*'

The applicant and planning officers envisage the development will attract the Creative and Digital Industry (CDI) as set out in the Brixton Economic Action Plan 2017. However, surveys carried out as part of the Lambeth Creative and Digital Industry Study 2017 found that the affordable rent was one of the 3 most important factors influencing choice of premises for prospective CDI occupiers and yet only 12.5 % of office space in the development would be affordable workspace.

This leaves 87.5% of the office space being let at rents to secure profit margins commensurate with the cost of a building which by virtue of its height and proximity to the railway lines would be expensive to build, let alone run. As the officer's report states '*the proposed development prioritises the delivery of high-quality office floorspace*'. The evidence suggests that this high quality, high-cost office space runs a high risk of not being attractive to the CDI sector.

The study also found that good public transport ranked highest among factors influencing location decisions for CDI businesses and that CDI businesses typically are able to recruit from across London and internationally. With over two thirds of working Lambeth residents being employed outside the borough and with only 14% of jobs created by the development being expected to go to Lambeth residents (see below), this sets up a scenario whereby the development would be encouraging increased commuter activity putting a further strain on London's public transport network.

Over half of all survey respondents in the CDI study identified uncertain business environment as a result of Brexit being a key challenge for their business in the future and clearly this survey was carried before COVID 19. These uncertainties would be applicable to all industry sectors, introducing further risk that such a large-scale development would not be financially viable.

Demand for the quantum of office space proposed by the application is central to weighing up anticipated public benefits against harm. Because the office space would constitute 88% of the building, employment generation post completion would be intrinsically linked to the ability to let this office space and if this space is not substantially occupied in the sustainable future, it would become a massive and tall white elephant in the centre of Brixton.

In such a scenario, an article 4 direction (as set out in the conditions of the Lambeth approved application) would be extremely weak in the face of any appeal and the result would enable change of use from office to residential without planning permission being required and therefore without any requirement for the provision of affordable housing that London and Brixton desperately need.

1.3 Local Employment

Brixton is identified in the London Plan as a Strategic Area for Regeneration. Policy SD10 states that:

*C Development Plans, Opportunity Area Planning Frameworks and **development proposals should contribute to regeneration by tackling inequalities** and the environmental, economic and social barriers that affect the lives of people in the area, **especially in Strategic and Local Areas for Regeneration.***

However, based on the statistics provided by the applicant, it is only predicted that 467 of the 3297 jobs that would result from the development (including construction jobs) - ie only 14% of jobs would go to Lambeth residents, let alone Brixton residents whereas policy ED15 b) of the Lambeth Plan states that for major developments 25% of all jobs should go to local residents. When converted to Full Time Equivalents (FTEs), this equates to 271.5 FTEs going to Lambeth residents out of a total of 1755- ie 15%.

Employment Analysis based on Volterra Report							
	TOTAL			LAMBETH			
	Jobs	FTEs	Table 7	Jobs	FTEs	% Jobs	% FTE
Construction	1452	145	12%	174	17	12%	12%
On Site							
Restaurant	25	20	29%	7	6	29%	29%
Retail	135	105	24%	32	25	24%	24%
Leisure	10	10	19%	2	2	19%	19%
Office	1675	1475	15%	251	221	15%	15%
Sub Total On Site	1845	1610		293	254	16%	16%
Sub Total Construction	1452	145		174	17	12%	12%
Total	3297	1755		467	272	14%	15%

Post construction, the figures provided by the applicant forecast that only 16% of jobs would go the Lambeth residents, let alone Brixton residents.

These figures are woefully short of meeting the 25% stipulated in policy ED15 and yet the site is in Coldharbour ward which the Lambeth Plan acknowledges to be **one of the two most deprived in the borough** and is also surrounded by a cluster of areas that have been identified in the Lambeth Plan at Annex 13 as being the 20% most deprived areas in England.

In the draft section 106 agreement, the employment and skills plan and financial contribution in the form of an endowment is acknowledged to be necessary in order to make the development acceptable in planning terms, and yet local employment was listed as a significant public benefit by planning officers. Even if the employment and skills plan were eventually successful enough to make the development become planning compliant, it cannot be regarded as a material consideration to be weighed against harm.

The last paragraph of the executive summary of the Lambeth planning officers report recognises this. It states: *Officers consider that the scheme is acceptable and that the many **planning benefits the development would deliver over and above those required by policy** are sufficient to outweigh the identified impacts on **heritage and residential amenity**.*

Furthermore, even if 25% of jobs in the development were eventually provided for Lambeth residents, this would not guarantee jobs for Brixton's residents in line with its status as a Strategic Area for Regeneration and policy SD10 of the London Plan.

1.4 Community

Provision of a community floorspace located on the first floor is listed as a public benefit deriving from the scheme. Although this is welcome in principle, at 221 sqm this would be **less than 1% of the total floor area of the building**.

Use of the publicly accessible central space within the market to host events is also listed as a public benefit in the Lambeth planning officers report. However, the Lambeth's Design and Conservation report 13 Oct 2020 (not made public, but obtained by FOI request) states at para 5.38 and 5.39:

*'Community events cannot be separated from the general hubbub of the market given its siting within the circulation areas. Given the above **we would not recommend that the suggested community benefit be given much weight as a public benefit.***

1.5 Public Square

Other purported benefits put forward by the applicant and Lambeth Planning officers include a new public square, but **this does not form part of the application** as it falls outside the application site. It cannot therefore be regarded as a public benefit to be weighed against harm when assessing this application.

Notwithstanding this, the Design and Conservation Report considered that even taking into account the fact that the design was amended to set back the south facing tower facade by 2.5m, the resulting impact on the Popes Road pedestrian area was unacceptable in urban design terms. It says:

5.2 Following amendment the proposal's principal building line now roughly aligns with that of the existing shop front but is pulled in a little more on the south side (it was further forward before).

5.3 As explained in Section 2 and in particular para 2.5, Popes Road is already a constrained and intimate space even with the existing single storey building. It is currently only 20m façade to façade across the space between the single storey application site and the three-storey office block opposite. Maintaining that same separation distance but with a 20-storey building is a cause for concern.

*5.4 A 20 storey building with roughly the same setback as the existing single storey building will have an **exceptionally oppressive effect on the user's spatial experience of this small urban space**. When in the space the proposed bulk and massing of the 20 storeys will **loom over the space in a very oppressive and uncomfortable manner**. **The character of the space will be radically changed** and as a result the setting of the space's contribution to the significance of the BCA [Brixton Conservation Area] will be harmed.*

5.7 For the reasons outlined below we consider the proposed approach does not accord with Local Plan Policy Q7 [Urban Design- new development] in relation to the intended future character of the area. The Policy states:

(ii) it has a bulk, scale/mas, siting building line and orientation which adequately preserves or enhances the prevailing local character or, in the case of regeneration and opportunity areas where the context is changing, it respects and contributes towards the intended future character of the area.

Therefore, this purported public benefit should be discounted when considering the Harm v Benefit balance.

1.6 Public toilets

Lastly, the new public toilets proposed in the scheme to replace existing is listed as a public benefit. These would be in the basement of the building, and would therefore be far less accessible than the public toilets provided at street level currently. Planning officers indicated to the PAC that opening hours would be in line with the operation of the indoor market and that this would be secured in the S106. All that the S106 agreement stipulates is that the new public toilets would be '*available during full opening hours associated with the building*'. 9 cubicles are currently provided at street level. The proposed number of cubicles is 14 - **an increase of only 5 cubicles** which is insufficient to serve both new users of the retail units and community floorspace located over two whole floors of the building in addition to users on the street not be entering the building. Only a handful of disabled toilets are provided on the first floor where the community floorspace is envisaged to hold public events. The net public benefit is therefore highly questionable.

Lambeth's Design and Conservation report, Oct 2020 states at para 5.21 that:

As discussed above the applicant proposes to relocate the public conveniences from Popes Road to the basement of the proposal. The current conveniences are long established, conveniently placed at street level and highly visible on the street. The new conveniences will not be.

All of the above demonstrates that the purported benefits of the scheme were initially overstated by the applicants and planning officers and material considerations weaken them substantially further- crucially with regard to future demand for the quantum of office space proposed. This is indeed a speculative office development which contradicts the town centre office space designation contained in the Majors London Plan.

2. HARMS

As evidenced by the planning officers report and the Design and Conservation Area report, harm to the significance of at least 1 Grade II* listed building, 4 Grade II listed buildings, 23 Non-Designated Heritage Assets, 1 Registered Park and 5 Conservation Areas has been identified.

There are harms to heritage assets over and above those considered by Lambeth planning officers.

Harm to heritage assets has not been justified, contrary to NPPF para 194 and no heritage benefits have been identified to offset the harm

We would urge the Mayor to conclude that harm to the significance of Brixton Conservation Area is indeed **substantial** when considered in relation to the definitions given by the NPPG and NPPF and as set out in the Brixton Conservation Area Statement 2012, which include cultural significance and the importance of the markets that make Brixton so distinctive and unique.

3. HARMS v PUBLIC BENEFITS

NPPF2021 para 202 states that:

*Where a development proposal will lead to less than substantial harm to the **significance** of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

If the Mayor's assessment were to conclude less than substantial harm to the significance of heritage assets, we would in any case urge the Mayor to conclude that this heritage harm outweighs the purported public benefits of the scheme.

And furthermore, even if the public benefits of the scheme were considered by the Mayor to outweigh the harm to the significance of heritage assets, the development would also cause **other harms** which, quite apart from the consideration of heritage assets, are sufficient to conclude as a matter of planning judgement that the harms outweigh the purported benefit.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This requirement is at the heart of the planning balance.

The application breaches the policies in the Local Plan and the London Plan which are intended to guard against these harms. Such is the extent to which the application breaches these policies that it amounts to a repudiation of the principle of plan-led development.

The application breaches the following policies:

Lambeth Plan 2021

- Q5 (local distinctiveness)
- Q7 (Urban Design- new development)
- Q26 a) i) (tall buildings- local views)
- Q26 a) (ii) (tall buildings- design excellence)
- Q26 a) (iii) (tall buildings- townscape)
- Q26 a) (v) (tall buildings- microclimate, wind, sunlight and daylight)
- Q20, Q21, Q22, Q23 (heritage assets)
- Q25 C i (harm to panoramic view from Brockwell Park)
- Q2 i (visual amenity)
- Q2 ii (privacy)
- Q2 iii (outlooks)
- Q2 iv (daylight and sunlight impact)
- EN4 A (Minimising greenhouse gas emissions)
- EN4C ii (minimum BREEAM excellent)
- ED15 (Employment and Training)
- PN3 (K)- Site allocation 16 (ix) and (x)
- PN3 G (improving the quality of public transport provision and interchange)
- Lambeth Infrastructure Delivery Plan 2020 para 4.3
- T4 A iii (Public Transport -improved interchanges and east-west orbital links)
- Brixton SPD
- Draft Lambeth Design Code SPD

London Plan 2021

- D9-B3, C1a i, C1aii, C1aiii, C1b, C1c, C1d, C3a (Tall buildings)
- D9(B)(3) (tall buildings- location)
- D9 C 1) a) i) (tall buildings- local views)
- D9 C 1) a) ii) (tall buildings- mid- range views/townscape)
- D9 C 1) a) iii) (tall buildings- immediate views/privacy and amenity)
- D9 C 1) b) (tall buildings- spatial hierarchy)
- D9 C 1) c) (tall buildings- exemplary architectural quality)
- D9 C 1) d) (tall buildings- heritage assets)
- D9 C 3) a) (tall buildings- wind, sunlight and daylight)
- D3 (Optimising site capacity through a design-led approach)
- HC1(Heritage Conservation and Growth)
- SI 2 C (carbon emissions)
- SI2 E (unregulated emissions)
- SI 2 F (whole life cycle assessment)
- EN4 C (minimum BREEAM excellent)
- HC3 (Strategic and Local Views)
- T1 (Strategic Approach to Transport)
- T3 (Transport capacity, connectivity and safeguarding)

Evidence that was eventually provided to the GLA from Lambeth council reveals that community opposition to the application is intense. 2,409 out of 3,835 of the statutory representations to the council were objections ie 62%. But of the 1426 representations of support, 1,155 were representations that signed a pre-written 'model' letter. **Only 19 people wrote representations of support in their own words.** This is in contrast to the overwhelming majority that wrote to the council expressing objections in their own words. An online petition opposing the development gained over 7,000 signatures.

The speculative nature of the office-led development introduces material and substantial risk that should the scheme be approved, it would not be commercially viable, as evidenced by the JLL report. This is speculation on a large scale. If, as predicted by JLL's market intelligence forecasts, there is insufficient demand for the office space then the scheme would not provide jobs to Londoners let alone Brixton residents and yet the building would continue to cause the harm identified. Furthermore, it would open up the opportunity for the applicant to convert the building to residential accommodation through Permitted Development rights that would not require any affordable housing that the area desperately needs.

CONCLUSION

The application site has not been identified as appropriate for tall buildings and the harms that it would cause as a result of this fundamental breach of policy and numerous other policies are extensive - harms to residential amenity (daylight and sunlight, outlook and privacy), harm to public amenity, the significance of heritage assets, character, townscape, local distinctiveness and environmental harm. The development would block an opportunity to provide a vital interchange on the Overground at Brixton. The design does not achieve the required standard of excellence. The development is speculative on a substantial scale. The development does not have the support of the local community.

The purported benefits are not substantiated by the evidence and these considerations do not outweigh the wholesale departure from local and regional policy.

For these reasons, I would kindly urge the Mayor to reject this application.



20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:

Date: 13th Dec 2021

In response to the recent revisions to this application, I note that there has been no change to the height, scale or the design of the building. Therefore all the issues raised in my previous representation submitted on 27th October 2021 still relate to the revised application. These are set out below once more.

HERITAGE HARM

1. Statutory Listed Buildings

There are 11 Statutory Listed Buildings in Brixton Town Centre within close proximity to the application site.

St Matthews Church (Grade II*)
Lambeth Town Hall (Grade II)
Tate Library (Grade II)
Ritzy Cinema (Grade II)
Budd Monument (Grade II)

Brixton Recreation Centre (Grade II)
Granville Arcade /Brixton Village (Grade II)
Reliance Arcade (Grade II)
Market Row (Grade II)
Brixton Fire Station (Grade II)
The Sculpture on Brixton Station (Grade II)

These are all **public buildings** or monuments.

Lambeth Local Plan (LLP) 2021 policy Q20 (Statutory Listed Buildings) states that:

Development affecting listed buildings will be supported where it would:
*i. conserve and **not harm** the significance/special interest;*
*ii. not harm the significance/**setting (including views to and from)**;*
iii. not diminish its ability to remain viable in use in the long term;
*iv. is **justified** and supported by a robust Heritage Statement.*

and adds at para 10.96 'In line with NPPF **any** proposed harm to significance will require a clear and convincing justification.'

NPPF2021 para 200 states that:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) **grade II listed buildings**, or grade II registered parks or gardens, **should be exceptional**;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, **grade I and II* listed buildings**, grade I and II* registered parks and gardens, and World Heritage Sites, should be **wholly exceptional**.*

In the Lambeth officers report, the first 5 of these listed buildings are included in Table 3, where it states that **the resulting harm in each case would be contrary to [LLP2015 policy] Q20(ii)**. The

remaining 5 listed buildings were not originally identified or considered by Lambeth officers, but by the time of the 2nd PAC meeting, officer assessments concluded no harm in each case.

In particular the Brixton Recreation Centre, which is located adjacent to the application site, was assessed as follows:

9.2.14 Brixton Recreation Centre is a large post-war complex designed by George Finch of Lambeth's in-house architects department. It was completed in the 1980s and is Grade II listed. Its architectural interest lies both internally and externally. The proposal will be located diagonally opposite the SE corner of the Recreation centre on the other side of the railway viaduct. This siting means that the proposal does not intrude into the immediate setting (foreground) of the recreation ground from outside the REC either on Popes Road or on Brixton Station Road.

*9.2.15 The proposal will be visible in wider townscape views shared with the REC – such as the view down Brixton Station Road from Brixton Road but the view of the REC is an oblique one and the proposal sufficiently separate that no harm results. In views from Atlantic Road / Vining Street junction (applicant's view 23) the proposal will partially block a view of the REC's roofline. However, this is not a particularly good view of the REC and has not been identified in the Brixton Conservation Area Statement as a view of merit. Similarly, in the oblique view down Popes Road from the north (applicant's view 22) the effect is not harmful. On balance it is considered that the proposal will have a **neutral effect on the setting of the REC. No harm will result.***

This demonstrates a misinterpretation of policy Q20(ii) because views **from** the Brixton Recreation Centre were not considered and as set out in the glossary of NPPF2021, the setting of a heritage asset is defined as 'The surroundings in which a heritage asset is experienced.'

In relation to views both to and from the Brixton Recreation Centre, View 19 provided in the applicant's Townscape, Heritage and Visual Impact Assessment (THVIA) report is shown below. Given the proximity between the two buildings and the resulting overwhelming visual dominance of the tower over the Brixton Recreation Centre (seen on the left in red brick), it is astonishing that Lambeth planning officers concluded that the development would cause no harm to its significance or setting.



Not only would the excessive height of the tower cause harm with regard to views to and from Brixton Recreation Centre, harm would also be caused because this public building relies heavily on overhead natural daylight and sunlight. These harms were not considered by Lambeth planning officers or the applicants.

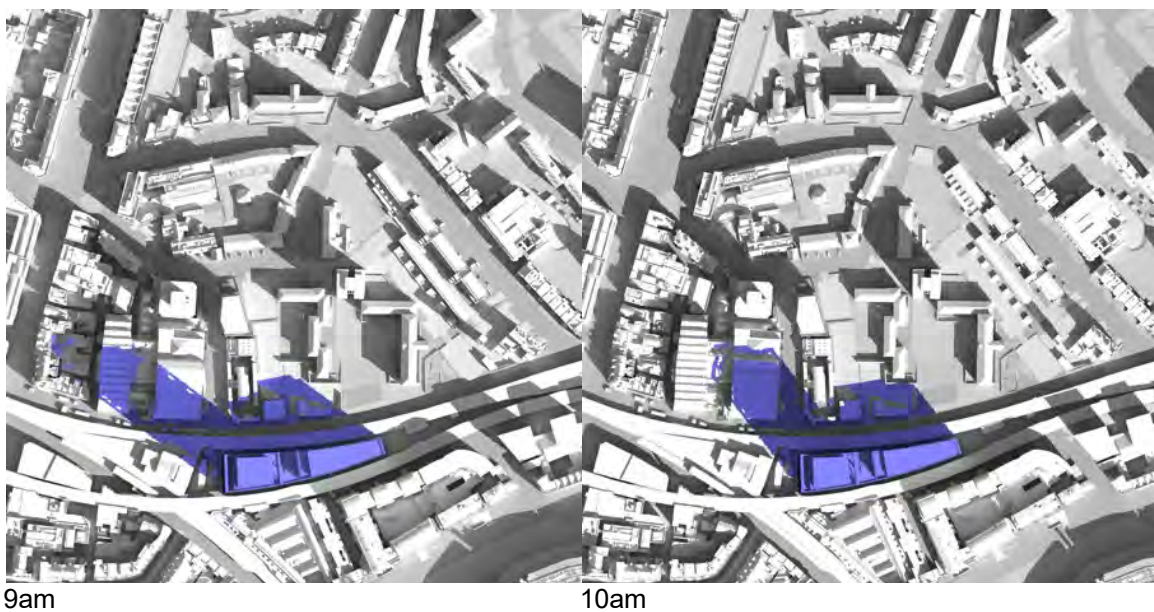
Historic England's reasons for designation of Brixton Recreation Centre include mention of these daylit spaces (emphases added):

*Interiors: the **atrium and pool hall** are dynamic, dramatic and sculptural spaces which optimise **natural light**..... one of the earliest leisure centres to combine an extensive range of activity areas with leisure facilities intricately planned around a **dynamic, top-lit circulation space***

The aerial view image below shows the extent to which the Brixton Recreation Centre relies on overhead natural daylight via glazed roof openings.



Extracts from the applicant's sunlight and daylight report below demonstrate the extent to which sunlight to the Brixton Recreation Centre would be blocked by the development. They show the impact at 9am and 10am on 21st March.



Granville Arcade/Brixton Village is also a Grade II listed public building immediately adjacent to the application site which, being bounded on its flanks, relies heavily on overhead daylight and sunlight. Historic England's reasons for designation of the Granville Arcade/Brixton Village include reference to these daylight spaces:

... the open glazed and curved steel truss roof structure of Granville Arcade (Brixton Village) impressively lights the shopping avenues inside, the plan of which are of particular interest at Granville....

The aerial view image below shows the extent to which Granville Arcade/Brixton Village relies on overhead natural daylight via its glazed roof.



Harm to this statutory listed public building was not acknowledged by Lambeth Officers or the applicants.

Even without taking into consideration the clear physical amenity harm caused to these 2 listed buildings immediately adjacent to the application site, the Lambeth officers report identifies harm to 5 other listed buildings without justification.

The application is therefore without question contrary to LLP policy Q20.

2. Registered Parks and Gardens

Brockwell Park is a Registered Park in the vicinity of the application site and contains a Grade II* listed mansion and a Grade II listed Lido.

LLP2021 policy Q21 states that:

Development proposals affecting parks and gardens on the national register will be supported where they:

- i. sustain and enhance the significance of landscape and its features of interest (including structures);*
- ii. take opportunities to restore original features or do not compromise future restoration opportunities;*
- iii. promote greater accessibility;*
- iv. preserve the setting (including views in and out);**
- v. are justified and supported by robust Heritage Statements.*

Table 3 of the Lambeth officers report states that **the resulting harm to Brockwell Park would be contrary to [LLP2015 policy] Q21(iv)**

No justification for this harm was provided by the applicant.

3. Conservation Areas

The application site is bounded by two Conservation Areas - Brixton Conservation Area (CA26) and Loughborough Park Conservation Area (CA27). Brockwell Park Conservation Area (CA39), Trinity Gardens (CA18) and Rush Common and Brixton Hill Conservation Area (CA49) are also nearby.

LLP2021 Policy Q22 (Conservation Areas) states that:

*A. Development proposals affecting conservation areas will be permitted **where they preserve or enhance the character or appearance of conservation areas** by:*

- i. respecting and reinforcing the established, positive characteristics of the area in terms of the building line, siting, design, height, forms, materials joinery, window detailing etc;*
- ii. protecting the **setting (including views in and out of the area)**.*

Table 3 of the Lambeth officers report states that **the resulting harm to Brixton, Brockwell Park and Trinity Gardens Conservation Areas would be contrary to [LLP policy] Q22(a) (ii).**

Table 3 states that the application would result in 'no harm' to the adjacent Loughborough Park Conservation Area. The THVIA report provided by the applicant only contains one view taken from within the Loughborough Park Conservation Area, which is View 3. This is taken from the Loughborough Junction end of Coldharbour Lane over half a mile away - virtually as far away from the site as is possible to be while still remaining in the Conservation Area. If this was the only view that Lambeth planning officers used to assess impact, then it might not be surprising that they came to a conclusion of no harm.

However, the finding of no harm in Table 3 is at odds with para 8.2.100 of the officers report which assesses a slightly different view from a point at the junction of Coldharbour Lane and Moorland Road. Although this view was not provided in the officers report, it is in fact Image 29 of the Design and Conservation report 13 Oct 2020. In relation to this view it states that '*The effect is negative on the setting and would result in **less than substantial harm**.*'

Table 3 of the officers report does not mention Rush Common and Brixton Hill CA, but in the text harm to this Conservation Area is identified at para 8.2.107.

Harm to 5 Conservation Areas is therefore evidenced.

Examples of the harm caused to the Brixton Conservation Area in particular is evidenced in the Lambeth officers report as follows:

*8.2.10 Pope's Road is currently a constrained and intimate space even with the existing single storey building. The proposed bulk and massing of the 20 storeys **would radically change the character** of the space and as a result the setting of the space's contribution to the significance of the BCA would be harmed.*

8.2.79 The assessment in para 5.108 – 5.116 explored the visual impacts on the setting of the CA when viewed from the southern side of the conservation area. The conclusion is a negative

effect on the setting due to the very **high visibility and dominant appearance of the proposal over the special civic character area which is a key component of the conservation area.**

8.2.82 The following views are within the part of the conservation area north of the junction with Brixton Hill / Brixton Road and Acre Lane / Coldharbour Lane. The townscape here is generally more intimate and enclosed. **Again, the character is that of a low-rise historic urban environment with no single building playing a dominant role in townscape terms. This is a key characteristic of the conservation area.** The viewer is moving closer to the application site and given the intimacy of the townscape there will be location where the proposal is screened by foreground buildings. However, given its scale, there will be other instances where it appears over the top of existing buildings and in townscape gaps. Whether or not the effect is adverse comes down to the degree of the effect.

8.2.92 However, the combination of the height and the bold structural treatment of the upper floors of the West elevation draws the eye upward. Rather than the foreground historic market and locally listed buildings being the focal point of the view the viewer's eyes are automatically drawn upwards to the rooftop of the proposal. **This architectural and townscape dominance is to the detriment of the built character of Electric Avenue's locally listed buildings and to the detriment of the bustling, historic street market.** The effect would actually worsen should the viewer move left – then the building will fill the entire view. The effect on the setting of the BCA is negative.

8.2.94 In summary, the proposal would be the predominant built form when viewed from much of the Brixton Conservation Area (BCA). It would introduce an **unwelcome visual competition to the historic civic character** area south of Acre Lane/ Coldharbour Lane and to the north it would be oppressively dominant and distracting. The effects on setting are overwhelmingly negative.

Historic England have objected to the application. A full version of their objection letter of 18 May 2020 was not published until after the decision had been taken by the Lambeth PAC to approve the application. This objection letter was also not contained in the list of documents submitted to the GLA in either of the Stage 2 referrals. Extracts from this letter were included in the officers report , but they fail to convey the magnitude of Historic England's concerns.

In that letter Historic England said in relation to Brixton Conservation Area that (emphases added):

*We consider that several of the verified views in the submitted (THVIA) demonstrate that there would be **a significant harmful visual impact on the [Brixton] Conservation Area.** Secondary to this, there would also be harm to the setting of the Church of St Matthew.*

*The selected views which best illustrate, but are not limited to, the adverse impact on the Conservation Area are 19, 23 and 26. These static, snapshots show a **monumental change to the horizon which would represent a transformative change to the way that the area would be experienced in true, kinetic views.** They show that the proposed development would have an **aggressively dominant relationship with the existing low rise townscape and its positive features.** As the scale is so much greater than the prevalent 3-4 storey historic buildings, these would no longer be the focus.*

*View 26 shows **Electric Avenue**, one of Brixton's main set pieces or elements of formal townscape; it was designed to be a prominent shopping destination. The proposals would have a very **distracting presence, in effect becoming the main focal point at the expense of Brixton's famous market street.** Presently, the sightline out of the Conservation Area is terminated by the railway bridges, another important feature as noted above. Due to their comparatively low height, the bridges serve to emphasise the height and grandeur of the historic buildings. **Both become lost against the back drop of the proposals,** further undermining the way in which the way the historic development of the area is experienced.*

Through dramatically breaking the scale established townscape, the **harm to the setting of the Conservation Area is considered to be at a moderate-high level**. Under the terms of the NPPF, this harm is 'less than substantial', and **in our view represents an unacceptable impact**. Throughout Lambeth's planning policies and supporting evidence there is a recognition that views from the south are highly sensitive and modelling has been undertaken to determine appropriate impacts and avoid harm. The site is not identified as suitable for a tall building, yet the proposals far exceed the height parameters for the adjacent, less sensitive site, on Brixton Station Road by 30metres – approximately a third.

It is difficult to see that the design quality could represent mitigation for this **significant adverse impact**, particularly given that it is the scale and massing which are its inherent flaws. The proposal would act as a landmark, but this in itself does not convey either a positive or negative impact in place-making. **We suggest that the development would markedly detract from the strong sense of place that Brixton already has. We cannot agree that the impact would be positive** and that the proposed building' will clearly belong to the particular urban character of central Brixton'- as advanced by the applicant. For example, the flank elevations have a warehouse-like quality owing to the repetitious windows with squat proportions, which combined with the brick facing material and concrete lintels give it a very functional character. Whilst this may represent a successful interpretation in some of London's historically industrial areas, it has no particular resonance with Brixton's building stock, which generally features more celebratory, polite commercial buildings and very few prominent industrial buildings. In this respect, **we do not see that it could be said to reinforce local distinctiveness or draw upon local history**. The double height upper floors of the front elevation exacerbate the impact, giving emphasis to the tallest part of the building by making it proportionally dominant.

The appearance of the development behind St Matthew's Church, as illustrated in THVIA views 10 & 11, is considered to diminish its presence as an important civic building, and distracts from its roofline. These are a key element of its significance and presently the roofline and west end portico are framed against the sky. The proposed development would interrupt this, acting as a distracting feature which diminishes one's ability to appreciate the architectural qualities of the church from the south. However, since better views of the church would remain uninterrupted, this harm is considered to be low-moderate.

The Victorian Society also objected to the application. Their letter of objection written on 26 May 2020 was not mentioned in the officers report, but a redacted version of its text was sent to the GLA when it considered the Stage 2 referral for the second time. It said (emphases added):

The area of Brixton that is now designated as the conservation area has managed to avoid the intensive development which has blighted many other historic urban centres, and therefore retains its character as a predominantly Victorian town centre with later Edwardian and inter-war additions. The general sympathetic scale of development both in the last century and this, is a key factor behind the continued legibility of this character, and it is crucial that this sense of scale is maintained going forward.

*The proposal to construct a part 4, part 9, part 20-storey building in the setting of this area is **therefore alarming and demonstrates a total failure to understand and respond to the context of the area**. Whilst buildings of this height may be appropriate elsewhere in London, it is clear to see that this is not a location where this applies. **The proposed would plainly overshadow the surrounding buildings, not only along Electric Avenue, but also Brixton Road, the main thoroughfare and key focal point, and thus cause significant harm to the conservation area**. The potential impact of this is clearly demonstrated through the 'Townscape, Heritage and Visual Impact Assessments' included within the application which shows several key buildings in the shadow of the 20-storey section of the building.*

There is moreover a further danger that in granting consent to a scheme such as this, a precedent could be set for further tall buildings on the perimeter of the conservation area which would overshadow the existing, and, in time, completely erode its special character.

*It is important that the **historical and characterful significance** of Brixton Conservation Area, as well as its setting, is protected so that it may retain its individuality as an urban centre. **The proposed fails to do this**, treating the area as another geographically convenient area for intensive development, and we therefore urge your authority to refuse consent.*

The minutes of the Design Review Panel meeting on 18 Feb 202 record their views as follows:

*2.10 The proposed height and mass is considered **unacceptably assertive and unacceptable in terms of local townscape and heritage impact**.*

It is clear from Historic England and The Victorian Society's objections and the Design Review Panel's assessment that they regard the harm that would be caused by the development to the Brixton Conservation Area based on visual assessments to be **'moderate to high', 'significant' and 'unacceptable'**.

However, as the NPPG makes clear, visual assessments are not the only criteria on which to base an assessment of heritage harm.

NPPG para 18a-006 considers what constitutes 'significance' (emphasis added):

*'**Significance**' in terms of heritage-related planning policy is defined in the Glossary of the NPPF as **the value of a heritage asset to this and future generations because of its heritage interest**. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

*The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, **architectural**, artistic or **historic**. This can be interpreted as follows:*

- *archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*
- *architectural and artistic interest: These are interests in the design and **general aesthetics of a place**. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.*
- *historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide **meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity**.*

It would appear that Lambeth only considered harm in relation to the views provided by the applicant in its THVIA report, rather than considering harm to the significance of Brixton Conservation Area in the context of the NPPG/NPPF definitions and guidance and the description of significance contained in the Conservation Area statement.

The Brixton Conservation Area Statement (2012) describes its significance as follows (emphases added):

*2.1 The great and varied mix of **cultures and communities** who live in and use Brixton is **one of its greatest defining features and has a direct relationship with the physical character of the area**. Brixton is also a vibrant town centre. Aside from its characterful built environment **the covered arcades and street markets are its unique feature**; these numerous local independent market traders are supplemented by independent stores, chain stores and other associated town centre uses.*

2.19 In the late 1940s an influx of new residents from the West Indies and subsequently others from all around the world has given Brixton the vibrant multicultural character that it is now known for throughout the world. These new residents have brought with them food, music and culture that has ensured the continuing popularity of the markets.

2.76 The street and covered markets are at Brixton's heart - they bring alive its historic townscape. The street markets include not only the stalls on Electric Avenue, Brixton Station Road and Popes Road but also the open fronted premises in the railway arches along Atlantic Road. The market stalls / buildings themselves, the bustle of people, the noise and the music and wide variety of goods appealing to all tastes and budgets are an essential element in Brixton's rich character and cultural heritage. The markets are recognised through listing for their historic / cultural significance to the Afro-Caribbean community. They are also of economic importance as they provide opportunities for employment generation and small business development locally.

2.77 The shopping arcades / covered markets make an exceptional contribution to Brixton's character and appearance. All three share common characteristics of a double- height **top-lit arcade** onto which open modest retail units. Brixton is unusual for having three 1920s and 1930s arcades erected for the 'bargain' market retailer and providing a network of inter-connected markets across the town centre; the Council is not aware of any other place in Britain which exhibits such a close network of covered markets / arcades.

2.87 Views of roofscape and streetscape from trains travelling along the elevated railway viaducts and from the platforms of Brixton Station. Of particular note is the views down **Electric Avenue** and towards Brixton Road.

2.92 The area requires careful nurturing and management to **ensure that increased investment and redevelopment does not drive out the people and uses that give Brixton its rich character** – the multicultural markets and their inexpensive goods and the evening economy that makes Brixton so interesting and vibrant.

2.93 Brixton should not be sanitised or comprehensively altered; regeneration through investment in the existing buildings, exciting new buildings which respond well to their context and new uses that **reinforce the established character and uses** will do much to retain its individuality and interest.

3.26 'Should sites within or adjoining the conservation area become available, care should be taken to ensure that the new **buildings are designed to respect the character or appearance of the area** in accordance with UDP policies. Though there are several tall buildings adjacent to the conservation area **new tall buildings are unlikely to be appropriate if they dominate or over shadow the conservation area.**

These extracts underline the importance of **people and places** to the significance of the Brixton Conservation Area- what makes it distinctive and unique, and how the markets are culturally and economically important.

The NPPG goes on to say at para 18a-018 that (emphases added):

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

The proposed development would directly threaten the BCA's distinctiveness as exemplified by the network of indoor and outdoor markets, the small businesses that operate from within them and the people that as the Conservation Area statements says 'gives Brixton its rich character'

The office space in the development targets the Creative and Digital Industries. Only 15% of these jobs are forecast to go to Lambeth residents, let alone Brixton residents despite Coldharbour ward being one of the two most deprived wards in Lambeth. This would drastically change the demography of the town centre. As many local residents have expressed in their objections, this development would change the face of Brixton irrevocably and would constitute another step towards the gentrification of Brixton.

NPPG para 013 states that (emphases added)

*'When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that **developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation***

The proposed indoor shopping area in the development on the first and second floors would directly compete for custom with the existing indoor and street market traders and therefore threaten the economic viability of the markets that contribute so much to the significance of the Conservation Area.

So not only would the development be physically out of scale and out of character with the built environment of Brixton, it would be at odds with the neighbourhood's cultural heritage which not only gives it its identity but is an integral part of the Conservation Area's designation and description of its significance.

The developer's intention is to create a new public square in front of the building. Despite this not forming part of the application itself (lying outside of the application site) it is nonetheless listed as a public benefit. If realised this square would shift the focus of Brixton's public realm and detract from and undermine the symbolic importance of Windrush square to the neighbourhood's afro-caribbean community .

As Helen Hayes -local MP, ex town planner, former partner of a major architectural practice and former member of the Housing, Communities and Local Government Select Committee, said in her objection:

*The design of the building is not distinctive, it is indistinguishable from many other tall buildings across London. As such, it does not add to or enhance the character of the historic environment in central Brixton, or **provide any expression of the uniqueness and diversity of the local community. If approved it will erode the distinctiveness of an area of London which is currently characterised by a unique mix of Victorian and Edwardian architecture, occupied by a diverse range of predominantly BAME-owned independent businesses.***

These adverse impacts to key elements of Brixton Conservation Area's special architectural and historic interest cannot be regarded as anything short of serious and therefore I urge the Mayor to conclude that under the NPPG and NPPF tests, the harm to its significance is indeed **substantial**.

4. Non-Designated Heritage Assets/ Local Heritage List

LLP2021 policy Q23 part C states that:

*The council will: i. resist the destruction of assets on the local heritage list (or **harm to their settings**) and expect applicants to retain, preserve, protect, safeguard and, where desirable, enhance them when developing proposals that affect them*

Table 3 of the Lambeth officers report lists 23 Non-Designated Heritage Assets harmed by the application. These are:

Nos. 54-56 Atlantic Rd
Nos.467-469 Brixton Rd
Nos. 518 to 522 Brixton Rd
Nos. 31- 43 Electric Ave
Nos. 28 – 38 Electric Ave
Nos. 60-64 Trinity Gardens

It states that **the resulting harm to their settings in each case would be contrary to [LLP2015 policy] Q23(b) (iii).**

Neither Table 3 nor the Lambeth officers report in general mentions Walton Lodge in relation to policy Q3, which is a locally listed building immediately adjacent to the application site, within the Brixton Conservation Area and on the boundary with the Loughborough Park Conservation Area. This building used to be the Sanitary Steam Laundry but was recently converted into flats with a restaurant on the ground floor. Sunlight and Daylight assessments carried out by the applicant evidence that 16 windows in this building would suffer from daylight loss in excess of the levels recommended in BRE guidelines on sunlight and daylight. This gives a clear indication that views to the north from this building (which would be only 13m away) would be totally obscured by the development and would harm its setting.

According to the Brixton Conservation Statement (2012) there are also several more Non-Designated Heritage Assets in the vicinity of the application site that the Lambeth officers report fails to mention and therefore presumably has not considered as many of these are closer to the application site than those listed at Table 3. These are:

Former Railway Hotel, Atlantic Road
28 Atlantic Road
Dog Star PH, 389 Atlantic Road
Former David Greig store, 54 - 58 Atlantic Road
Electric Brixton, Town Hall Parade Brixton Hill
Bust of Henry Tate, Brixton Oval
Brixton Theatre Foundation Stone, Brixton Oval
Former Coach and Horses PH, 443 Coldharbour Lane
Former Synagogue, 49 Effra Road 22/03/2010
3, 19 -29 Electric Avenue 22/03/2010
45, 47 Electric Avenue 22/03/2010
2, 14 - 16 Electric Avenue 22/03/2010
18 - 26 Electric Avenue
425 – 433 Coldharbour Lane (including Clifton Mansions) 26/03/2012
Carlton Mansions (flats 2-16), Coldharbour Lane 26/03/2012
47 Effra Road 26/03/2012

It was negligent of the Lambeth planning officers to omit to consider or report on the harm caused to these locally listed buildings.

It is notable that 41 Non-Designated Heritage Assets are on Electric Avenue and that Lambeth identified harm to all 13 that they assessed on this street.

5. Heritage Assets

All of the statutory listed and locally listed buildings, parks and Conservation Areas considered in the above sections are Heritage Assets and the officers report evidences harm to 33 of the 37 considered- contrary to LLP policies.

In addition, London Plan 2021 (LP2021) policy HC1 states that:

*C Development proposals affecting heritage assets, **and their settings**, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on*

*heritage assets and their settings should also be actively managed. **Development proposals should avoid harm** and identify enhancement opportunities by integrating heritage considerations early on in the design process*

The proposed development is therefore clearly in breach of LP2021 policy HC1.

Conclusion

As demonstrated by the Lambeth officers assessment, harm is identified to

- 1 Grade II* listed building
- 4 Grade II listed buildings
- 23 Non-Designated Heritage Assets
- 1 Registered Park
- 5 conservation Areas

No justification for the harm to these heritage assets was provided by the applicant. This is evidenced at para 5.172 of the Design and Conservation Report 13 Oct 2020 where it says:

*The applicant's planning statement addendum appears to **maintain that there is no heritage harm and therefore no justification is required**. Given that both we and Historic England identify harm we seem to have come to a head given that Para 194 of the NPPF requires a clear and convincing justification for harm. **The applicant's denial of any harm is a convenient means of side-stepping the requirement for justification** but it puts the decision maker in a difficult position if they reach a conclusion that harm results as there is no justification to help them. **It is our reading of the NPPF that it is only after accepting the justification for harm that the public benefits should be considered**. You may wish to get a view from legal on this matter.*

In addition, no heritage benefits are identified.

There is clear evidence that the proposed development breaches Lambeth Local Plan policies Q20, Q21, Q22 and Q23 and London Plan policy HC1. It also calls into question whether public benefits can be weighed against harm where no justification is provided.

There are errors and omissions in the evidence presented to Lambeth PAC, Historic England and the GLA and it would appear that Lambeth planning officers only considered harm in relation to the views provided by the applicant in its THVIA report, rather than considering harm to the significance of those heritage assets in the context of the NPPG/NPPF definitions and guidance.

At para 8.2.44 of the Lambeth officers report it states that:

Where more than one heritage asset would be harmed by the proposed development, the decisionmaker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect.

The widespread, unjustified harm to the numerous heritage assets within the Brixton Conservation Area and the fact that under NPPG guidelines the adverse impact on the Conservation Area itself would seriously affect key elements of its special architectural and historic interest, would suggest the level of harm to be **substantial**. I urge the Mayor to conclude that substantial harm would result from the development and when considered in relation to other harms identified, certainly sufficient to outweigh the purported public benefits.

[REDACTED]

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:



HERITAGE HARM (ADDENDUM)

This written representation is submitted as an **addendum** to the written representation I submitted to the GLA on 27th Oct 2021. It concerns harm to the Loughborough Park Conservation Area.

Loughborough Park Conservation Area

The Lambeth Local Plan (LLP) 2021 Policy Q22 (Conservation Areas) states that (emphasis added) :

*A. Development proposals affecting conservation areas will be permitted **where they preserve or enhance the character or appearance of conservation areas** by:*

*i. **respecting and reinforcing the established, positive characteristics of the area** in terms of the building line, siting, design, **height**, forms, materials joinery, window detailing etc;*

*ii. **protecting the setting (including views in and out of the area).***

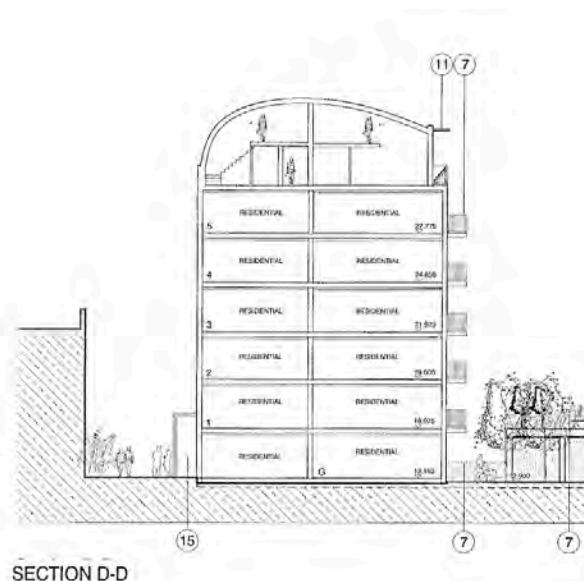
Table 3 of the Lambeth officers report asserts that the application would result in 'no harm' to the adjacent Loughborough Park Conservation Area, but on the other hand para 8.2.100 of this same report concludes 'less than substantial harm' in relation to a view from within this Conservation Area towards the proposed development at the junction of Coldharbour Lane and Moorland Road.

Notwithstanding this inconsistent assessment, both the Lambeth officers report and Lambeth's Design and Conservation written report 13 Oct 2020 fail to assess the harm caused by the proposed development to other **views to or from the Conservation Area** and in particular, views from the flats in Carney Place (368-372 Coldharbour Lane). These properties are only separated from the application site by the railway viaduct.

The image below taken from Section D-D of approved drawing P2(00)111 for the development at 368-372 Coldharbour Lane (PA ref 06/04037/FUL) shows the relationship between these flats and the railway viaduct. The photograph below also illustrates this relationship.



View from 1 Carney Place towards 3 Carney Place



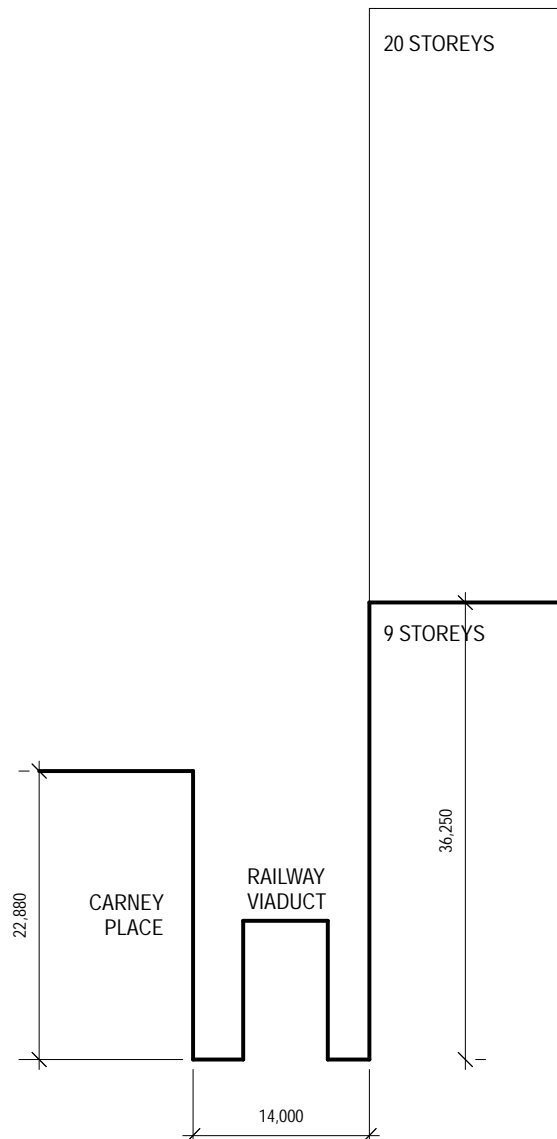
Section D-D shows that the height of the Carney Place flats is of the order of 22.9m high.

The applicant's drawings **do not illustrate the relationship between the proposed development and the flats at 368-372 Coldharbour Lane**, but scaling from the applicant's proposed east elevation (drawing ref. PRD-AA-ZZ-S-DR-A-03-202 at Appendix A) and ground floor plan (drawing ref. PRD-AA-ZZ-S-DR-A-03-003 at Appendix B) it can be deduced that:

- the railway viaduct is approximately 11m high
- the flats are 4m away from the railway viaduct and just under 14m away from the proposed development

As indicated on the applicant's east elevation drawing, the 9 storey element of the proposed development is over 36.25m high

Based on these dimensions, the relationship between the two buildings would, in basic form, look like this:

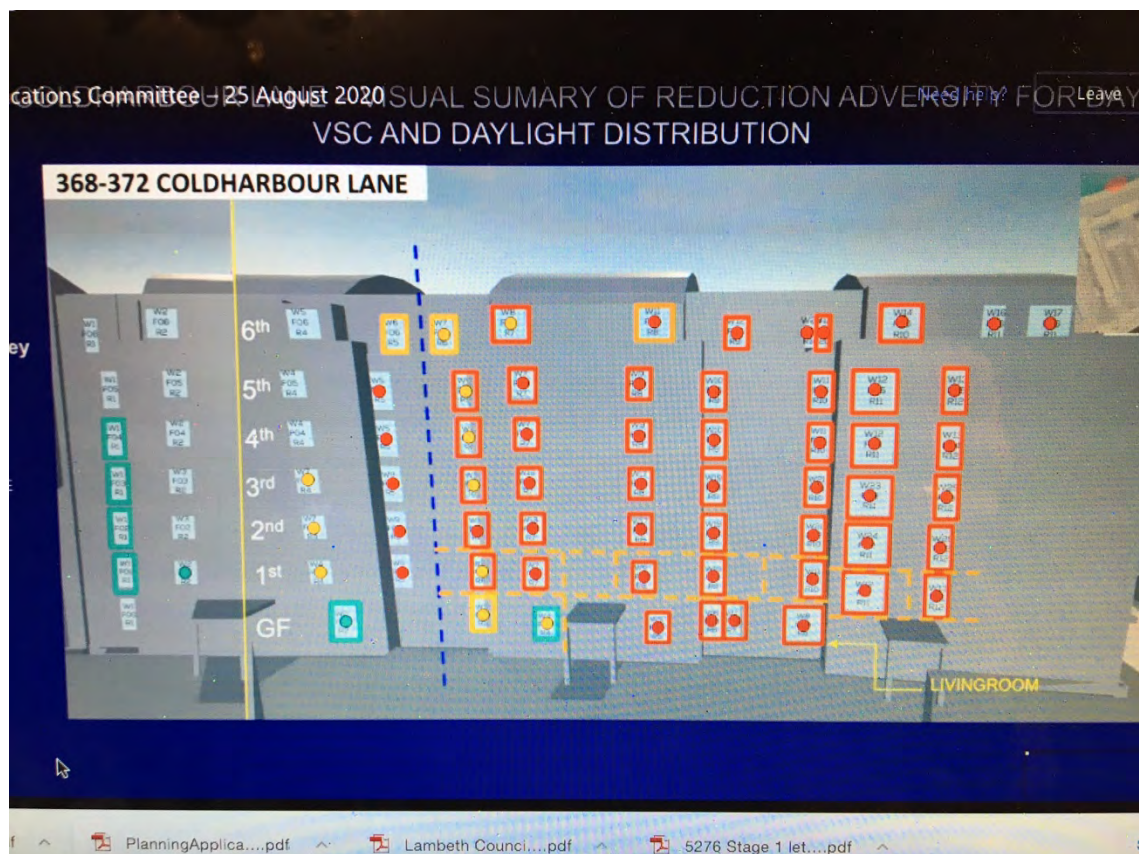


This shows that the 9 storey element of the proposed development would be substantially taller than the building(s) at 368-372 Coldharbour Lane and that the 20 storey element would completely dwarf neighbouring buildings.

The approved planning drawing P2(00)111 for the development at 368-372 Coldharbour Lane shows the north elevation of the flats. An annotated extract from this drawing is shown below and demonstrates that there are 44 windows above the height of the railway viaduct.



These window positions are consistent with the image below that Lambeth's sunlight and daylight consultants, Schroeders Begg presented at the Lambeth Planning Applications Committee meeting on 25 Aug 2020:



These windows currently have uninterrupted views through 180 degrees because the existing buildings on the application site are lower than the railway viaduct. The images below show typical views towards the London skyline from the 3rd floor upwards of these flats.



View from north facing 3rd floor window towards Brixton REC



View from north facing 6th floor window towards Brixton REC



View from Brixton train station looking across the application site towards 368-372 Coldharbour Lane shown with yellow arrow

Although not all of the windows of the flats at 368-372 Coldharbour Lane would directly face the proposed development, 33 windows above railway viaduct level would directly face the proposed development and views from those windows would be totally obscured by the 9 storey element of the proposed development. Views from the remaining 11 windows obliquely facing the proposed development would also be severely restricted.

It is therefore clear that the application fails to comply with Lambeth policy Q22 (ii) because it evidently **fails to protect views from the Loughborough Park Conservation Area**.

It also fails to comply with Lambeth policy Q22 (i) because it **fails to respect or reinforce established building heights** - the 9 storey element of the **proposed development is 60% taller than the height of the Coldharbour Lane flats**.

As such, harm to the setting of the Loughborough Park Conservation Area is demonstrated.

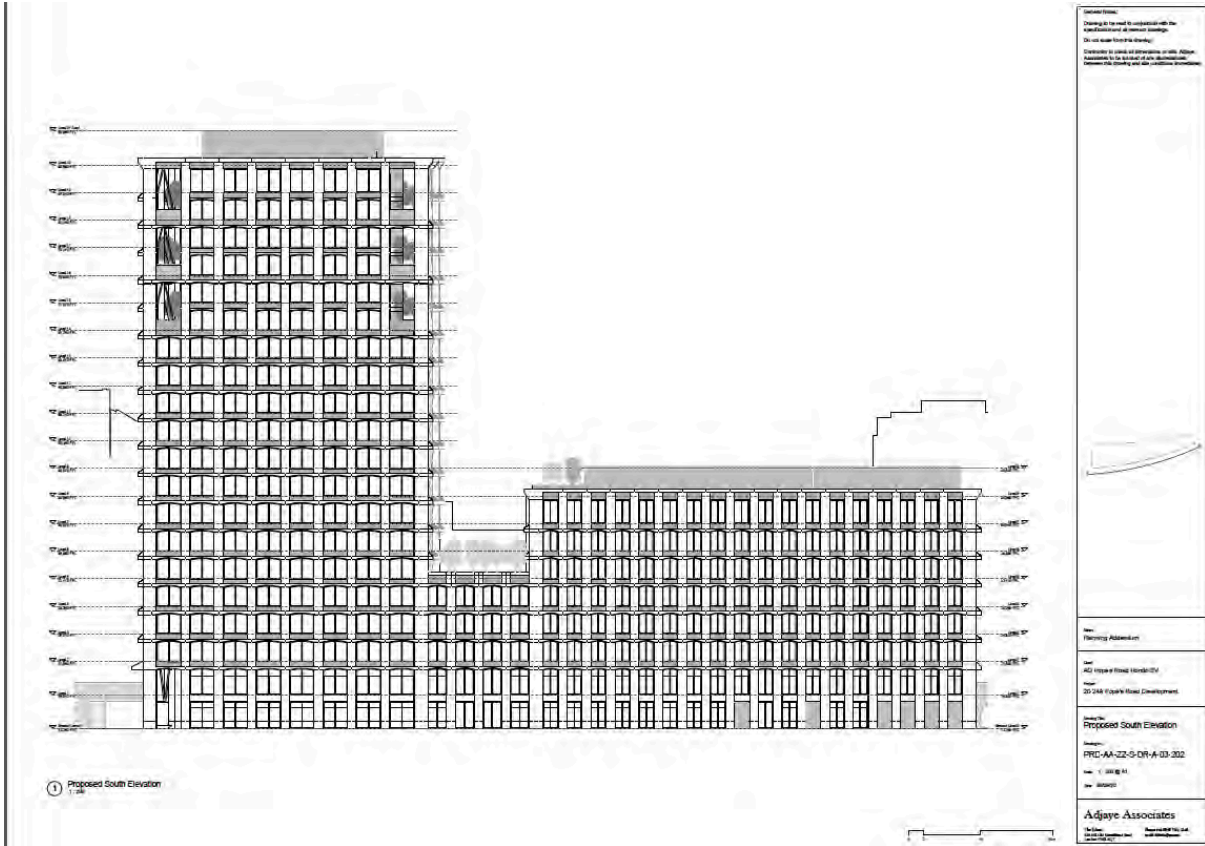
In addition to the harm to views, severe harm to the sunlight and daylight amenity of the occupiers of the flats at 368-372 Coldharbour Lane has previously been demonstrated in a written representation to the Mayor submitted by [REDACTED]

The application is therefore **contrary to London Plan policy HC1 C** which states that '*Development proposals should avoid harm*'. The widespread harm to other Heritage Assets has already been covered in my previous written representation.

I urge the Mayor to conclude that the proposed development would indeed cause **substantial harm** to Heritage Assets and certainly sufficient harm to outweigh the purported public benefits.

[REDACTED]
11th Feb 2022

APPENDIX A



APPENDIX B



20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:

HERITAGE HARM

1. Statutory Listed Buildings

There are 11 Statutory Listed Buildings in Brixton Town Centre within close proximity to the application site.

St Matthews Church (Grade II*)
Lambeth Town Hall (Grade II)
Tate Library (Grade II)
Ritzy Cinema (Grade II)
Budd Monument (Grade II)

Brixton Recreation Centre (Grade II)
Granville Arcade /Brixton Village (Grade II)
Reliance Arcade (Grade II)
Market Row (Grade II)
Brixton Fire Station (Grade II)
The Sculpture on Brixton Station (Grade II)

These are all **public buildings** or monuments.

Lambeth Local Plan (LLP) 2021 policy Q20 (Statutory Listed Buildings) states that:

Development affecting listed buildings will be supported where it would:

- i. conserve and **not harm** the significance/special interest;*
- ii. not harm the significance/**setting (including views to and from)**;*
- iii. not diminish its ability to remain viable in use in the long term;*
- iv. is **justified** and supported by a robust Heritage Statement.*

and adds at para 10.96 'In line with NPPF **any** proposed harm to significance will require a clear and convincing justification.'

NPPF2021 para 200 states that:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) **grade II listed buildings**, or grade II registered parks or gardens, **should be exceptional**;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, **grade I and II* listed buildings**, grade I and II* registered parks and gardens, and World Heritage Sites, should be **wholly exceptional**.*

In the Lambeth officers report, the first 5 of these listed buildings are included in Table 3, where it states that **the resulting harm in each case would be contrary to [LLP2015 policy] Q20(ii)**. The remaining 5 listed buildings were not originally identified or considered by Lambeth officers, but by the time of the 2nd PAC meeting, officer assessments concluded no harm in each case.

In particular the Brixton Recreation Centre, which is located adjacent to the application site, was assessed as follows:

9.2.14 Brixton Recreation Centre is a large post-war complex designed by George Finch of Lambeth's in-house architects department. It was completed in the 1980s and is Grade II listed. Its architectural interest lies both internally and externally. The proposal will be located diagonally opposite the SE corner of the Recreation centre on the other side of the railway viaduct. This siting means that the proposal does not intrude into the immediate setting (foreground) of the recreation ground from outside the REC either on Popes Road or on Brixton Station Road.

9.2.15 The proposal will be visible in wider townscape views shared with the REC – such as the view down Brixton Station Road from Brixton Road but the view of the REC is an oblique one and the proposal sufficiently separate that no harm results. In views from Atlantic Road / Vining Street junction (applicant's view 23) the proposal will partially block a view of the REC's roofline. However, this is not a particularly good view of the REC and has not been identified in the Brixton Conservation Area Statement as a view of merit. Similarly, in the oblique view down Popes Road from the north (applicant's view 22) the effect is not harmful. On balance it is considered that the proposal will have a **neutral effect on the setting of the REC. No harm will result.**

This demonstrates a misinterpretation of policy Q20(ii) because views **from** the Brixton Recreation Centre were not considered and as set out in the glossary of NPPF2021, the setting of a heritage asset is defined as 'The surroundings in which a heritage asset is experienced.'

In relation to views both to and from the Brixton Recreation Centre, View 19 provided in the applicant's Townscape, Heritage and Visual Impact Assessment (THVIA) report is shown below. Given the proximity between the two buildings and the resulting overwhelming visual dominance of the tower over the Brixton Recreation Centre (seen on the left in red brick), it is astonishing that Lambeth planning officers concluded that the development would cause no harm to its significance or setting.



Not only would the excessive height of the tower cause harm with regard to views to and from Brixton Recreation Centre, harm would also be caused because this public building relies heavily on overhead natural daylight and sunlight. These harms were not considered by Lambeth planning officers or the applicants.

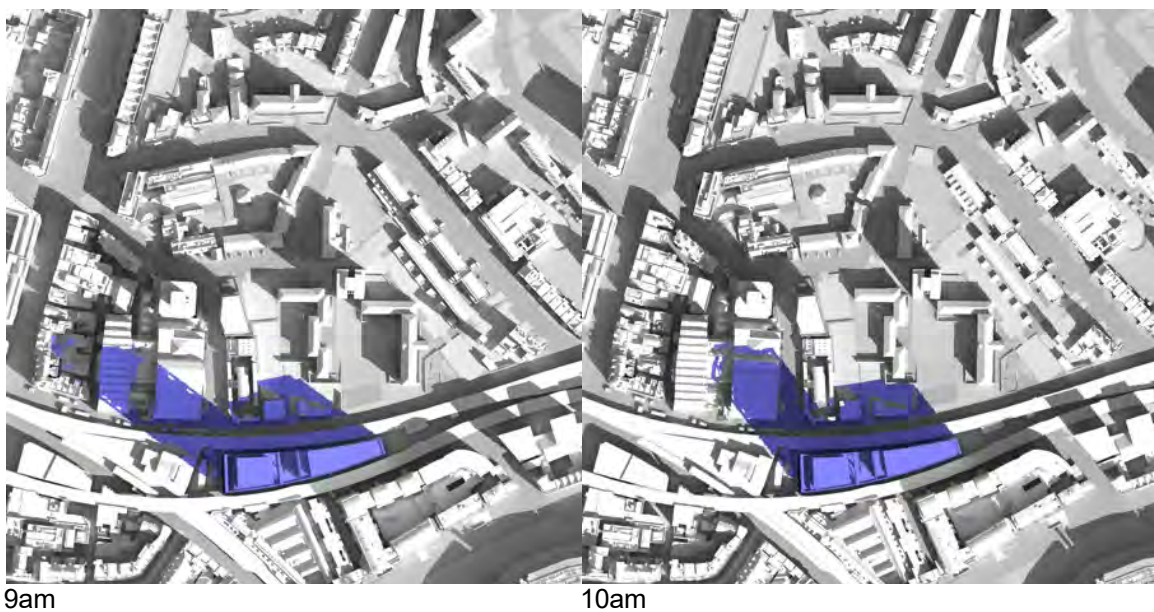
Historic England's reasons for designation of Brixton Recreation Centre include mention of these daylight spaces (emphases added):

*Interiors: the **atrium and pool hall** are dynamic, dramatic and sculptural spaces which optimise **natural light**..... one of the earliest leisure centres to combine an extensive range of activity areas with leisure facilities intricately planned around a **dynamic, top-lit circulation space***

The aerial view image below shows the extent to which the Brixton Recreation Centre relies on overhead natural daylight via glazed roof openings.



Extracts from the applicant's sunlight and daylight report below demonstrate the extent to which sunlight to the Brixton Recreation Centre would be blocked by the development. They show the impact at 9am and 10am on 21st March.



Granville Arcade/Brixton Village is also a Grade II listed public building immediately adjacent to the application site which, being bounded on its flanks, relies heavily on overhead daylight and sunlight. Historic England's reasons for designation of the Granville Arcade/Brixton Village include reference to these daylit spaces:

... the **open glazed** and curved steel truss **roof structure** of Granville Arcade (Brixton Village) **impressively lights the shopping avenues inside**, the plan of which are of particular interest at Granville....

The aerial view image below shows the extent to which Granville Arcade/Brixton Village relies on overhead natural daylight via its glazed roof.



Harm to this statutory listed public building was not acknowledged by Lambeth Officers or the applicants.

Even without taking into consideration the clear physical amenity harm caused to these 2 listed buildings immediately adjacent to the application site, the Lambeth officers report identifies harm to 5 other listed buildings without justification.

The application is therefore without question contrary to LLP policy Q20.

2. Registered Parks and Gardens

Brockwell Park is a Registered Park in the vicinity of the application site and contains a Grade II* listed mansion and a Grade II listed Lido.

LLP2021 policy Q21 states that:

Development proposals affecting parks and gardens on the national register will be supported where they:

- i. sustain and enhance the significance of landscape and its features of interest (including structures);*
- ii. take opportunities to restore original features or do not compromise future restoration opportunities;*

- iii. promote greater accessibility;
- iv. **preserve the setting (including views in and out);**
- v. are justified and supported by robust Heritage Statements.

Table 3 of the Lambeth officers report states that **the resulting harm to Brockwell Park would be contrary to [LLP2015 policy] Q21(iv)**

No justification for this harm was provided by the applicant.

3. Conservation Areas

The application site is bounded by two Conservation Areas --Brixton Conservation Area (CA26) and Loughborough Park Conservation Area (CA27). Brockwell Park Conservation Area (CA39), Trinity Gardens (CA18) and Rush Common and Brixton Hill Conservation Area (CA49) are also nearby.

LLP2021 Policy Q22 (Conservation Areas) states that:

*A. Development proposals affecting conservation areas will be permitted **where they preserve or enhance the character or appearance of conservation areas** by:*

- i. respecting and reinforcing the established, positive characteristics of the area in terms of the building line, siting, design, height, forms, materials joinery, window detailing etc;*
- ii. protecting the **setting (including views in and out of the area)**.*

Table 3 of the Lambeth officers report states that **the resulting harm to Brixton, Brockwell Park and Trinity Gardens Conservation Areas would be contrary to [LLP policy] Q22(a) (ii).**

Table 3 states that the application would result in 'no harm' to the adjacent Loughborough Park Conservation Area. The THVIA report provided by the applicant only contains one view taken from within the Loughborough Park Conservation Area, which is View 3. This is taken from the Loughborough Junction end of Coldharbour Lane over half a mile away --virtually as far away from the site as is possible to be while still remaining in the Conservation Area. If this was the only view that Lambeth planning officers used to assess impact, then it might not be surprising that they came to a conclusion of no harm.

However, the finding of no harm in Table 3 is at odds with para 8.2.100 of the officers report which assesses a slightly different view from a point at the junction of Coldharbour Lane and Moorland Road. Although this view was not provided in the officers report, it is in fact Image 29 of the Design and Conservation report 13 Oct 2020. In relation to this view it states that *'The effect is negative on the setting and would result in **less than substantial harm**.'*

Table 3 of the officers report does not mention Rush Common and Brixton Hill CA, but in the text harm to this Conservation Area is identified at para 8.2.107.

Harm to 5 Conservation Areas is therefore evidenced.

Examples of the harm caused to the Brixton Conservation Area in particular is evidenced in the Lambeth officers report as follows:

*8.2.10 Pope's Road is currently a constrained and intimate space even with the existing single storey building. The proposed bulk and massing of the 20 storeys **would radically change the character** of the space and as a result the setting of the space's contribution to the significance of the BCA would be harmed.*

*8.2.79 The assessment in para 5.108 – 5.116 explored the visual impacts on the setting of the CA when viewed from the southern side of the conservation area. The conclusion is a negative effect on the setting due to the very **high visibility and dominant appearance of the proposal over the special civic character area which is a key component of the conservation area**.*

8.2.82 The following views are within the part of the conservation area north of the junction with Brixton Hill / Brixton Road and Acre Lane / Coldharbour Lane. The townscape here is generally more intimate and enclosed. **Again, the character is that of a low-rise historic urban environment with no single building playing a dominant role in townscape terms. This is a key characteristic of the conservation area.** The viewer is moving closer to the application site and given the intimacy of the townscape there will be location where the proposal is screened by foreground buildings. However, given its scale, there will be other instances where it appears over the top of existing buildings and in townscape gaps. Whether or not the effect is adverse comes down to the degree of the effect.

8.2.92 However, the combination of the height and the bold structural treatment of the upper floors of the West elevation draws the eye upward. Rather than the foreground historic market and locally listed buildings being the focal point of the view the viewer's eyes are automatically drawn upwards to the rooftop of the proposal. **This architectural and townscape dominance is to the detriment of the built character of Electric Avenue's locally listed buildings and to the detriment of the bustling, historic street market.** The effect would actually worsen should the viewer move left – then the building will fill the entire view. The effect on the setting of the BCA is negative.

8.2.94 In summary, the proposal would be the predominant built form when viewed from much of the Brixton Conservation Area (BCA). It would introduce an **unwelcome visual competition to the historic civic character** area south of Acre Lane/ Coldharbour Lane and to the north it would be oppressively dominant and distracting. The effects on setting are overwhelmingly negative.

Historic England have objected to the application. A full version of their objection letter of 18 May 2020 was not published until after the decision had been taken by the Lambeth PAC to approve the application. This objection letter was also not contained in the list of documents submitted to the GLA in either of the Stage 2 referrals. Extracts from this letter were included in the officers report , but they fail to convey the magnitude of Historic England's concerns.

In that letter Historic England said in relation to Brixton Conservation Area that (emphases added):

*We consider that several of the verified views in the submitted (THVIA) demonstrate that there would be a **significant harmful visual impact on the [Brixton] Conservation Area.** Secondary to this, there would also be harm to the setting of the Church of St Matthew.*

*The selected views which best illustrate, but are not limited to, the adverse impact on the Conservation Area are 19, 23 and 26. These static, snapshots show a **monumental change to the horizon which would represent a transformative change to the way that the area would be experienced in true, kinetic views.** They show that the proposed development would have an **aggressively dominant relationship with the existing low rise townscape and its positive features.** As the scale is so much greater than the prevalent 3-4 storey historic buildings, these would no longer be the focus.*

*View 26 shows **Electric Avenue**, one of Brixton's main set pieces or elements of formal townscape; it was designed to be a prominent shopping destination. The proposals would have a very **distracting presence, in effect becoming the main focal point at the expense of Brixton's famous market street.** Presently, the sightline out of the Conservation Area is terminated by the railway bridges, another important feature as noted above. Due to their comparatively low height, the bridges serve to emphasise the height and grandeur of the historic buildings. **Both become lost against the back drop of the proposals,** further undermining the way in which the way the historic development of the area is experienced.*

*Through dramatically breaking the scale established townscape, the **harm to the setting of the Conservation Area is considered to be at a moderate-high level.** Under the terms of the NPPF, this harm is 'less than substantial', and **in our view represents an unacceptable impact.** Throughout Lambeth's planning policies and supporting evidence there is a recognition that views from the south are highly sensitive and modelling has been undertaken*

to determine appropriate impacts and avoid harm. The site is not identified as suitable for a tall building, yet the proposals far exceed the height parameters for the adjacent, less sensitive site, on Brixton Station Road by 30metres – approximately a third.

It is difficult to see that the design quality could represent mitigation for this **significant adverse impact**, particularly given that it is the scale and massing which are its inherent flaws. The proposal would act as a landmark, but this in itself does not convey either a positive or negative impact in place-making. **We suggest that the development would markedly detract from the strong sense of place that Brixton already has. We cannot agree that the impact would be positive** and that the proposed building 'will clearly belong to the particular urban character of central Brixton'--as advanced by the applicant. For example, the flank elevations have a warehouse-like quality owing to the repetitious windows with squat proportions, which combined with the brick facing material and concrete lintels give it a very functional character. Whilst this may represent a successful interpretation in some of London's historically industrial areas, it has no particular resonance with Brixton's building stock, which generally features more celebratory, polite commercial buildings and very few prominent industrial buildings. In this respect, **we do not see that it could be said to reinforce local distinctiveness or draw upon local history.** The double height upper floors of the front elevation exacerbate the impact, giving emphasis to the tallest part of the building by making it proportionally dominant.

The appearance of the development behind St Matthew's Church, as illustrated in THVIA views 10 & 11, is considered to diminish its presence as an important civic building, and distracts from its roofline. These are a key element of its significance and presently the roofline and west end portico are framed against the sky. The proposed development would interrupt this, acting as a distracting feature which diminishes one's ability to appreciate the architectural qualities of the church from the south. However, since better views of the church would remain uninterrupted, this harm is considered to be low-moderate.

The Victorian Society also objected to the application. Their letter of objection written on 26 May 2020 was not mentioned in the officers report, but a redacted version of its text was sent to the GLA when it considered the Stage 2 referral for the second time. It said (emphases added):

The area of Brixton that is now designated as the conservation area has managed to avoid the intensive development which has blighted many other historic urban centres, and therefore retains its character as a predominantly Victorian town centre with later Edwardian and inter-war additions. The general sympathetic scale of development both in the last century and this, is a key factor behind the continued legibility of this character, and it is crucial that this sense of scale is maintained going forward.

The proposal to construct a part 4, part 9, part 20-storey building in the setting of this area is therefore alarming and demonstrates a total failure to understand and respond to the context of the area. Whilst buildings of this height may be appropriate elsewhere in London, it is clear to see that this is not a location where this applies. The proposed would plainly overshadow the surrounding buildings, not only along Electric Avenue, but also Brixton Road, the main thoroughfare and key focal point, and thus cause significant harm to the conservation area. The potential impact of this is clearly demonstrated through the 'Townscape, Heritage and Visual Impact Assessments' included within the application which shows several key buildings in the shadow of the 20-storey section of the building.

There is moreover a further danger that in granting consent to a scheme such as this, a precedent could be set for further tall buildings on the perimeter of the conservation area which would overshadow the existing, and, in time, completely erode its special character.

It is important that the historical and characterful significance of Brixton Conservation Area, as well as its setting, is protected so that it may retain its individuality as an urban centre. The proposed fails to do this, treating the area as another geographically convenient area for intensive development, and we therefore urge your authority to refuse consent.

The minutes of the Design Review Panel meeting on 18 Feb 2022 record their views as follows:

*2.10 The proposed height and mass is considered **unacceptably assertive** and **unacceptable in terms of local townscape and heritage impact**.*

It is clear from Historic England and The Victorian Society's objections and the Design Review Panel's assessment that they regard the harm that would be caused by the development to the Brixton Conservation Area based on visual assessments to be '**moderate to high**', '**significant**' and '**unacceptable**'.

However, as the NPPG makes clear, visual assessments are not the only criteria on which to base an assessment of heritage harm.

NPPG para 18a-006 considers what constitutes 'significance' (emphasis added):

*'**Significance**' in terms of heritage-related planning policy is defined in the Glossary of the NPPF as **the value of a heritage asset to this and future generations because of its heritage interest**. Significance derives not only from a heritage asset's physical presence, but also from its setting.*

*The National Planning Policy Framework definition further states that in the planning context heritage interest may be archaeological, **architectural**, artistic or **historic**. This can be interpreted as follows:*

- *archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*
- *architectural and artistic interest: These are interests in the design and **general aesthetics of a place**. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.*
- *historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide **meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity**.*

It would appear that Lambeth only considered harm in relation to the views provided by the applicant in its THVIA report, rather than considering harm to the significance of Brixton Conservation Area in the context of the NPPG/NPPF definitions and guidance and the description of significance contained in the Conservation Area statement.

The Brixton Conservation Area Statement (2012) describes its significance as follows (emphases added):

*2.1 The great and varied mix of **cultures and communities** who live in and use Brixton **is one of its greatest defining features and has a direct relationship with the physical character of the area**. Brixton is also a vibrant town centre. Aside from its characterful built environment **the covered arcades and street markets are its unique feature**; these numerous local independent market traders are supplemented by independent stores, chain stores and other associated town centre uses.*

2.19 In the late 1940s an influx of new residents from the West Indies and subsequently others from all around the world has given Brixton the vibrant multicultural character that it is now known for throughout the world. These new residents have brought with them food, music and culture that has ensured the continuing popularity of the markets.

2.76 The street and covered markets are at Brixton's heart --they bring alive its historic townscape. The street markets include not only the stalls on Electric Avenue, Brixton Station Road and Popes Road but also the open fronted premises in the railway arches along Atlantic Road. The market stalls / buildings themselves, the bustle of people, the noise and the music and wide variety of goods appealing to all tastes and budgets are an essential element in Brixton's rich character and cultural heritage. The markets are recognised through listing for their historic / cultural significance to the Afro-Caribbean community. They are also of economic importance as they provide opportunities for employment generation and small business development locally.

2.77 The shopping arcades / covered markets make an exceptional contribution to Brixton's character and appearance. All three share common characteristics of a double-height **top-lit arcade** onto which open modest retail units. Brixton is unusual for having three 1920s and 1930s arcades erected for the 'bargain' market retailer and providing a network of inter-connected markets across the town centre; the Council is not aware of any other place in Britain which exhibits such a close network of covered markets / arcades.

2.87 Views of roofscape and streetscape from trains travelling along the elevated railway viaducts and from the platforms of Brixton Station. Of particular note is the views down Electric Avenue and towards Brixton Road.

2.92 The area requires careful nurturing and management to **ensure that increased investment and redevelopment does not drive out the people and uses that give Brixton its rich character** – the multicultural markets and their inexpensive goods and the evening economy that makes Brixton so interesting and vibrant.

2.93 Brixton should not be sanitised or comprehensively altered; regeneration through investment in the existing buildings, exciting new buildings which respond well to their context and new uses that **reinforce the established character and uses** will do much to retain its individuality and interest.

3.26 'Should sites within or adjoining the conservation area become available, care should be taken to ensure that the new **buildings are designed to respect the character or appearance of the area** in accordance with UDP policies. Though there are several tall buildings adjacent to the conservation area **new tall buildings are unlikely to be appropriate if they dominate or over shadow the conservation area.**

These extracts underline the importance of **people and places** to the significance of the Brixton Conservation Area--what makes it distinctive and unique, and how the markets are culturally and economically important.

The NPPG goes on to say at para 18a-018 that (emphases added):

Whether a proposal causes substantial harm will be a judgment for the decision-maker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

The proposed development would directly threaten the BCA's distinctiveness as exemplified by the network of indoor and outdoor markets, the small businesses that operate from within them and the people that as the Conservation Area statements says 'gives Brixton its rich character'

The office space in the development targets the Creative and Digital Industries. Only 15% of these jobs are forecast to go to Lambeth residents, let alone Brixton residents despite Coldharbour ward being one of the two most deprived wards in Lambeth. This would drastically change the demography

of the town centre. As many local residents have expressed in their objections, this development would change the face of Brixton irrevocably and would constitute another step towards the gentrification of Brixton.

NPPG para 013 states that (emphases added)

*'When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that **developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation***

The proposed indoor shopping area in the development on the first and second floors would directly compete for custom with the existing indoor and street market traders and therefore threaten the economic viability of the markets that contribute so much to the significance of the Conservation Area.

So not only would the development be physically out of scale and out of character with the built environment of Brixton, it would be at odds with the neighbourhood's cultural heritage which not only gives it its identity but is an integral part of the Conservation Area's designation and description of its significance.

The developer's intention is to create a new public square in front of the building. Despite this not forming part of the application itself (lying outside of the appicate site) it is nonetheless listed as a public benefit. If realised this square would shift the focus of Brixton's public realm and detract from and undermine the symbolic importance of Windrush square to the neighbourhood's afro-caribbean community .

As Helen Hayes -local MP, ex town planner, former partner of a major architectural practice and former member of the Housing, Communities and Local Government Select Committee, said in her objection:

*The design of the building is not distinctive, it is indistinguishable from many other tall buildings across London. As such, it does not add to or enhance the character of the historic environment in central Brixton, or **provide any expression of the uniqueness and diversity of the local community. If approved it will erode the distinctiveness of an area of London which is currently characterised by a unique mix of Victorian and Edwardian architecture, occupied by a diverse range of predominantly BAME-owned independent businesses.***

These adverse impacts to key elements of Brixton Conservation Area's special architectural and historic interest cannot be regarded as anything short of serious and therefore I urge the Mayor to conclude that under the NPPG and NPPF tests, the harm to its significance is indeed **substantial**.

4. Non-Designated Heritage Assets/ Local Heritage List

LLP2021 policy Q23 part C states that:

*The council will: i. resist the destruction of assets on the local heritage list **(or harm to their settings)** and expect applicants to retain, preserve, protect, safeguard and, where desirable, enhance them when developing proposals that affect them*

Table 3 of the Lambeth officers report lists 23 Non-Designated Heritage Assets harmed by the application. These are:

Nos. 54-56 Atlantic Rd
Nos. 467-469 Brixton Rd
Nos. 518 to 522 Brixton Rd
Nos. 31-43 Electric Ave
Nos. 28 – 38 Electric Ave
Nos. 60-64 Trinity Gardens

It states that **the resulting harm to their settings in each case would be contrary to [LLP2015 policy] Q23(b) (iii).**

Neither Table 3 nor the Lambeth officers report in general mentions Walton Lodge in relation to policy Q3, which is a locally listed building immediately adjacent to the application site, within the Brixton Conservation Area and on the boundary with the Loughborough Park Conservation Area. This building used to be the Sanitary Steam Laundry but was recently converted into flats with a restaurant on the ground floor. Sunlight and Daylight assessments carried out by the applicant evidence that 16 windows in this building would suffer from daylight loss in excess of the levels recommended in BRE guidelines on sunlight and daylight. This gives a clear indication that views to the north from this building (which would be only 13m away) would be totally obscured by the development and would harm its setting.

According to the Brixton Conservation Statement (2012) there are also several more Non-Designated Heritage Assets in the vicinity of the application site that the Lambeth officers report fails to mention and therefore presumably has not considered as many of these are closer to the application site than those listed at Table 3. These are:

Former Railway Hotel, Atlantic Road
28 Atlantic Road
Dog Star PH, 389 Atlantic Road
Former David Greig store, 54 --58 Atlantic Road
Electric Brixton, Town Hall Parade Brixton Hill
Bust of Henry Tate, Brixton Oval
Brixton Theatre Foundation Stone, Brixton Oval
Former Coach and Horses PH, 443 Coldharbour Lane
Former Synagogue, 49 Effra Road 22/03/2010
3, 19 -29 Electric Avenue 22/03/2010
45, 47 Electric Avenue 22/03/2010
2, 14 --16 Electric Avenue 22/03/2010
18 --26 Electric Avenue
425 – 433 Coldharbour Lane (including Clifton Mansions) 26/03/2012
Carlton Mansions (flats 2-16), Coldharbour Lane 26/03/2012
47 Effra Road 26/03/2012

It was negligent of the Lambeth planning officers to omit to consider or report on the harm caused to these locally listed buildings.

It is notable that 41 Non-Designated Heritage Assets are on Electric Avenue and that Lambeth identified harm to all 13 that they assessed on this street.

5. Heritage Assets

All of the statutory listed and locally listed buildings, parks and Conservation Areas considered in the above sections are Heritage Assets and the officers report evidences harm to 33 of the 37 considered--contrary to LLP policies.

In addition, London Plan 2021 (LP2021) policy HC1 states that:

*C Development proposals affecting heritage assets, **and their settings**, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. **Development proposals should avoid harm** and identify enhancement opportunities by integrating heritage considerations early on in the design process*

The proposed development is therefore clearly in breach of LP2021 policy HC1.

Conclusion

As demonstrated by the Lambeth officers assessment, harm is identified to

- 1 Grade II* listed building
- 4 Grade II listed buildings
- 23 Non-Designated Heritage Assets
- 1 Registered Park
- 5 conservation Areas

No justification for the harm to these heritage assets was provided by the applicant. This is evidenced at para 5.172 of the Design and Conservation Report 13 Oct 2020 where it says:

*The applicant's planning statement addendum appears to **maintain that there is no heritage harm and therefore no justification is required.** Given that both we and Historic England identify harm we seem to have come to a head given that Para 194 of the NPPF requires a clear and convincing justification for harm. **The applicant's denial of any harm is a convenient means of side-stepping the requirement for justification** but it puts the decision maker in a difficult position if they reach a conclusion that harm results as there is no justification to help them. **It is our reading of the NPPF that it is only after accepting the justification for harm that the public benefits should be considered.** You may wish to get a view from legal on this matter.*

In addition, no heritage benefits are identified.

There is clear evidence that the proposed development breaches Lambeth Local Plan policies Q20, Q21, Q22 and Q23 and London Plan policy HC1. It also calls into question whether public benefits can be weighed against harm where no justification is provided.

There are errors and omissions in the evidence presented to Lambeth PAC, Historic England and the GLA and it would appear that Lambeth planning officers only considered harm in relation to the views provided by the applicant in its THVIA report, rather than considering harm to the significance of those heritage assets in the context of the NPPG/NPPF definitions and guidance.

At para 8.2.44 of the Lambeth officers report it states that:

Where more than one heritage asset would be harmed by the proposed development, the decisionmaker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect.

The widespread, unjustified harm to the numerous heritage assets within the Brixton Conservation Area and the fact that under NPPG guidelines the adverse impact on the Conservation Area itself would seriously affect key elements of its special architectural and historic interest, would suggest the level of harm to be **substantial**. I urge the Mayor to conclude that substantial harm would result from the development and when considered in relation to other harms identified, certainly sufficient to outweigh the purported public benefits.

[REDACTED]

27th Oct 2021

GLA ref: Stage 1 - 2020/527
Stage 2 - 2020/6774
Stage 3 (called-in) - 2021/0265

Lambeth Planning Ref 20/01347/FUL 20-24 Pope's Road, Brixton

There were two Lambeth Planning Application Committees that considered this proposal:

PAC 1 - 25th August 2020 (decision deferred)

PAC2 - 3rd November 2020 (application approved)

Hondo Tower - Local Consultation and Public Opposition

Joint statement on behalf of 'Fight the Tower' submitted by:

[REDACTED]
[REDACTED]

Submission to the Greater London Authority

Introduction

Hondo Enterprise's plan for 20-24 Pope's Road Brixton, involving the construction of a twenty-storey office block, would have a profound impact on the area's communities already reeling from the impact of the coronavirus crisis, austerity and Brexit.

Recognising the threat that this development poses to long-standing residents, the local community has expressed a huge level of opposition.

One of the reasons the Mayor of London rescinded his original Stage 2 decision on this planning application is that Lambeth Council didn't make all the written submissions available to the GLA. These submissions highlight the depth and scope of this opposition.

Throughout this written representation we shall demonstrate the depth and breadth of the opposition to this planning application within Brixton's communities and the failure of the consultation process to take this opposition into account.

We shall demonstrate that:

- The vast majority of responses to the statutory consultation opposed the planning application. These objections raised concerns about the harm to the cultural and historical heritage of Brixton that the development would cause
- The community consultation commissioned by Hondo Enterprises was flawed and inadequate. It also failed to accurately represent the scale and impacts of the development, and used misleading language.

- Of the limited numbers of people who participated in Hondo's community consultation, a majority were opposed to the Hondo Tower.
- There are serious questions to be raised regarding the legitimacy of many of the comments and letters written in support of the Tower.
- The applicant's chosen partners for the community floorspace consultation- i.e. Brixton Project, also ultimately came out and made a public statement criticising the scheme.
- A concerted grassroots community campaign has gathered overwhelming evidence of local opposition to the tower. A petition addressed to Lambeth council now stands at 8,468 signatures, while a second petition, addressed to the London Mayor, now stands at 4,956.
- As Fight the Tower campaigners, we have also collected nearly 2000 hand-written objections written by members of the local community in the form of postcards.

Furthermore, we will argue that the inability of the proposal to meet Brixton's needs directly contradict the London Recovery Programme's cross-cutting principles including "recognising and addressing structural inequalities" and "collaborating and involving London's diverse communities."

We would not argue that any part of London should be kept completely immune from change and development, but that those changes should be to the benefit of those communities who need help the most, and with their consent and participation.

We will focus **on 8 main areas**:

1. The Brixton Conservation Area, Black British History and Brixton's cultural heritage
2. The statutory consultation and concerns from councillors and MPs about possible 'astroturfing' by the developer
3. The pre-application community consultation carried out by Hondo Enterprises
4. Hondo's relationship with Brixton
5. The Brixton Project
6. The community campaign - petitions and public opposition.
7. Afterthoughts from the developers and photoshopped images of 'community'
8. Brixton's future and the Mayor's Recovery Programme

Section 1. The Brixton Conservation Area, Black History and Brixton's Cultural Heritage.

The Brixton Conservation Area (BCA) was designated in 1980. The reasons for its designation included its importance as one of the few unspoiled examples of a Victorian town centre in London and its special significance in terms of Black British culture.

The BCA character appraisal 2012 recognises that Brixton is distinct from other areas of London, and the UK in general, in terms of its unique and distinctive cultural and historical importance. It states that (emphasis added):

*The great and varied mix of **cultures and communities** who live in and use Brixton is one of its **greatest defining features** and has a direct relationship with the physical character of the area*

*The street and covered markets are at Brixton's heart - they bring alive its historic townscape. The street markets include not only the stalls on Electric Avenue, Brixton Station Road and Popes Road but also the open fronted premises in the railway arches along Atlantic Road. **The market stalls / buildings themselves, the bustle of people, the noise and the music and wide variety of goods appealing to all tastes and budgets are an essential element in Brixton's rich character and cultural heritage. The markets are recognised through listing for their historic / cultural significance to the Afro-Caribbean community. They are also of economic importance as they provide opportunities for employment generation and small business development locally.***

Brixton's role in Black British history, the part played by the *Windrush Generation*, and the influence of Caribbean, African and Black British heritage can be seen in the area's vibrant cultural life, independent businesses and street markets.

Often described as 'the capital of Black Britain', Brixton's significance to the Black British struggle for acceptance in the UK has received worldwide recognition.

Recently, on 25th October, Dawn Butler MP made the following comment, after attending a Black History Month event at City Hall: "*Black History is London's History.*"

Nelson Mandela's visit in July 1996, as well as Mohammed Ali's visits in 1974 and 1999 are landmark occasions, while numerous Black British icons including Olive Morris, Darcus Howe, Linton Kwesi Johnson and others have been proud to call Brixton home.

This is what Historic England refers to as 'cultural heritage'. Protecting this cultural heritage is a huge concern of those locally who have objected to this proposed development, and who point out the threat it poses to the independent businesses and diverse communities who make Brixton unique. Black and minority-owned businesses have already been under threat for a number of years due to increased property prices which have forced many to close and have compelled some of the descendants of the Windrush Generation to relocate out of Brixton.

These concerns are voiced in comments by objectors on Lambeth's planning portal, for example:

I object to this twenty-storey tower block being built in Brixton, this building will not represent the local community, it will be a gateway for more Shoreditch High Street-esque tower blocks and will mark an end to Brixton as we know it. As someone who has grown up in Brixton, watching the encroaching development of high-end businesses alongside the painful evictions of family-run businesses is beyond disheartening. (Appendix 20 -page 3/449)

Many of the objections also focus on the need for small scale affordable work spaces and social housing, as opposed to what could become unused and unaffordable office space. Creating space for people living outside of Brixton to work, without accommodating the needs of Brixton's traditional communities would further weaken the community and make it further unviable for many who consider it to be their cultural home.

In conclusion, local opposition from the community has focused on the threat posed by the development to Brixton's cultural heritage - concerns that this development will accelerate the process of social and ethnic cleansing and uncontrolled 'gentrification,' along with increased prices for rent and basic necessities.

Section 2. The Statutory Consultation

2.1 The majority of representations made on this application on Lambeth's planning portal are objections (87.6% by November 2020). Meanwhile written representations in favour of the application prior to both PAC 1 and PAC 2 have raised questions in terms of their authenticity. These concerns were brought up at PAC 1 by a Lambeth ward councillor, Ben Kind, as well as Helen Hayes, the MP for Dulwich and West Norwood at PAC2 (see below).

2.2 At the time of PAC 1, responses from the statutory consultation, carried out by Lambeth, were reported as follows:

6.5.3. 999 local residents were consulted, 711 individual representations received during the consultation period, 4 were in support and 707 were in objection.

The 2nd Addendum distributed prior to the meeting stated that:

In total, 954 individual representations have been received to date of which 142 are in support and 807 are objecting to the proposal (ref 1).

So, between the preparation of the officer's report for PAC1 and the 2nd addendum to that meeting, the number of supporters had increased by 35-fold.

At PAC1, Councillor Kind made these observations:

Cllr Kind: "Again as I gave full notice about this question I just wanted to get an idea about the responses for consultation comments because officers have reported quite a significant increase in the number of supportive comments for this in a very short amount of time, the amount of objections having gone up as well but not as much- I'm just wondering if the officers have any sort of breakdown of perhaps who those supportive comments have come from, because obviously you know the

*supportive and objecting comments have an impact but it would be sort of a shame if there was some sort of attempt to ...I don't know... **astroturf** or create some sort of an appearance that there was more support after it had been highlighted in the officers report that they'd only a handful of supportive comments."*

Michael Cassidy (Lambeth's Principal Planning Officer): *".... So, of the 142 support letters.... the majority of them are local addresses, there's a few that aren't but they're generally tied into people that work within the Brixton area and 31 of the 142 supports are from local traders within the markets"*

Cllr Kind *"Sorry Michael, is that 31 from traders within the market as in the markets that are run by the applicant or the markets more generally? "*

Michael Cassidy *"Err- the markets more generally"*

There was clearly some suspicion from this PAC committee member that the huge increase in support for the application within a very limited time period might have been artificially created.

2.3 By the time of PAC2, Lambeth's 2nd Addendum, prepared for the PAC on 3rd November 2020, stated that the council had received:

2393 objections / submissions

1384 comments / submissions in support of the application (ref 2).

This total is made up of all comments received as letters, postcards and emails, added to the existing total of electronic comments recorded on the council's planning portal.

So, between the two PAC meetings, **there had been more than a 9-fold increase in the number of supporters of the application** - an increase from 142 to 1,384.

Brixton Buzz, a local on-line newspaper, reported on 5th Oct 2020 that representatives of Hondo were offering members of the public in Brixton pre-written 'model' letters in support of the application, to sign.

At PAC2 Helen Hayes (MP for Dulwich and West Norwood) spoke against the application and she also raised the issue of model letters:

"...Finally, there is no widespread evidence of community support and I've been contacted by constituents distressed that they were persuaded to sign a model letter of support for the application in the street without details of the scheme, such as the height and appearance being explained to them...."

In her written objection submitted to PAC 2, Helen Hayes MP raised the same concern:

"I have also been contacted by constituents who have been stopped in the street by paid staff seeking support for this proposal, with a model letter to the Council. A number of these constituents were very distressed by this as the full details of the

scheme, including the height of the proposal were not fully explained..... I am concerned by these reports, and I urge the Council to consider model letters of support that it has received in the context of these reports.”

We have now seen these model letters. They were submitted to the GLA by Lambeth council between December 2020 and January 2021 in their entirety.

(re-pdf scans of model letters- please note, these are large files and have proved temporarily difficult to share as a file or link-please get in touch regarding file sharing options. For 3 examples of model letters, please see footnotes p35-37)

2.4 Model letters

There are three model letters in question. In the first one, respondents are asked whether they are a resident, market trader or business owner. Judging from where the redactions are placed, the vast majority of respondents apparently ticked ‘local resident.’

This first letter refers to a ‘bustling new market’ with ‘more options and more attractive spaces to enjoy food and drink’ ‘a fantastic new market space’.

The other two model letters are longer and have the same wording as each other. One is specifically addressed to Michael Cassidy at Lambeth Planning.

Crucially, we regard these model letters to be misleading and inaccurate in their content and therefore a clear attempt to garner support under false pretences.

Firstly, the model letters do not describe the height and scale of the building.

Secondly, these model letters refer to ‘2000 new workers spending money each working day.’ and ‘increasing the number of good quality jobs in Brixton’. This is at best misleading, as it could lead people to assume that these new jobs would be mostly for local residents.

In contrast, based on the figures provided by the Hondo commissioned Economic Impact Assessment published by Volterra in March 2020, this predicts no more than 16% of jobs created by the development would in fact go to Lambeth residents, let alone Brixton residents (ref 3).

Meanwhile, the population figures used by Volterra are based on the 2011 census and are therefore out of date.

2.5 Misleading Transport Projections

According to table 7.3 of the applicant's Transport Assessment produced by Caneparo Associates in March 2020, 81% of commuting journeys would be by made public transport (train, bus or underground). Therefore approximately 1,050 additional workers are predicted to be travelling into Brixton from outside Lambeth by public transport.

However, the trip generation figures predict that overall, 863 additional morning peak time journeys would be generated by the development and 784 additional peak time journeys in

the evening would be generated. These projections don't add up. There is a large discrepancy between the predicted number of jobs created by the development and the number of trips generated by the development across all forms of transport.

This could be explained by the fact that the trip generation figures exclude leisure and restaurant staff, as well as the customers of these businesses who would theoretically be attracted to this development.

The above evidences the fact that not only were the trip generation figures understated but the model letter was also misleading.

If demand for office space was as high as the applicants claimed, and at pre-pandemic levels, then presumably demand for public transport would increase.

Loss of overground connectivity

The reference to 'taking the pressure off public transport' also ignores the issue highlighted by Richard Harkinson in PAC 2, that the siting of the tower would kill Brixton's hopes of a second overground railway station. This is because Pope's Road is the only possible location for this interchange, as outlined in the Steer Davies Gleave report commissioned by Lambeth, published in 2014 (ref 5).

For these reasons alone, we would argue that the applicant's figures underestimate and misrepresent the impact on public transport that the Hondo Tower would have.

In conclusion, members of the public were being encouraged to express unconditional support for the development, while being given inaccurate information about its potential impact and without being given an opportunity to consider any of the possible negative consequences it could have.

2.6 Hondo's 'Heat Map'

The 2nd addendum for PAC 2, produced by Lambeth's Michael Cassidy, reported the following:

7.3.6 'In relation to the 1,384 representations of support, the applicant submitted on 2nd and 3rd November 2020, a "heat map" analysis of the geographical location of the support letters received.... the applicant has stated that over 50% of the support responses have come from SW9 (namely the Pope's Road postcode)

...'However, it should be noted that Officers have not been able to verify the conclusions of the analysis provided.'

It seems clear from the numbers given that the applicant would have used the model letters they had collected, as well as comments on the planning portal, as the basis for this 'Heat Map'. Since names and addresses are not displayed on the portal, the applicant would have needed access to this information from Lambeth's planning department. Is it possible that the applicant was given privileged access to this information to support the application?

2.7 Email objections

Of the 82 email comments on the scheme received by Lambeth Planning, all 82 were objections. Below is an example from 29/10/20 (ref 6).

- **My name is:**
[REDACTED]
- **I am a local resident based at:**
Lambeth
- **I object to the proposal on the basis of:**
This tower is being imposed on the Brixton community against it's will - it is a blatant example of gentrification by an outside force with no regard for the area itself. Anyone can see that a new, non-descript 19-storey office block is completely at odds with the existing architecture, and it is clear, from the objections vastly outnumbering the supporting submissions, that this is not something anyone wants. Brixton has suffered enough from gentrification - it does no

2. 8 Comments on the Planning Portal - overwhelmingly opposed

According to the 2nd Addendum for PAC2, there were 2192 comments on the portal:

Objecting	1907	Supporting	271	Other	9
87.6% of respondents were opposed.				Total	2197

(Based on the figures given, the correct total of comments would in fact be 2187.)

Meanwhile, of these 271 public comments on the planning portal in favour of the scheme, only 19 have any written comments /text attached. The remaining 252 are completely blank. (ref 7)

Could it be noteworthy that this number of people had supported a planning application, without giving any reason whatsoever for doing so? By registering support but not making any argument in favour of the tower, these blank comments would do little to strengthen the case for it.

2.9 Examples of Objections on Lambeth's Planning Portal

In terms of the objections logged on the Lambeth planning portal, comments cover a broad range of issues, including loss of daylight, the height and dominance of the building, the alternative need for affordable housing, the negative environmental impact the building would have, problems with the design and the appearance of the building.

Many objectors also highlight concerns about gentrification and social and ethnic cleansing. Here is one example:

(Objects) Comment submitted date: Mon 01 Mar 2021 (ref 7)

‘Brixton is a beautiful, vibrant community. This development proposes to rip the heart out of our community and replace it with identikit, exclusionary private spaces, funded by hedge funds. This is everything that is wrong with Britain. Do the right thing, listen to the voices of the people, not the tiny minority who want to cash in.’

Conclusion - Brixton residents and businesses have raised multiple concerns about the likely negative impacts of this development. Yet these were not originally communicated with the GLA and were not taken into consideration in the planning officers’ reports (PAC 1& 2) which appeared to brush over them. Instead, the officers’ reports preferred to focus overwhelmingly on the projected benefits the Hondo Tower would deliver.

Meanwhile the questions raised by Helen Hayes MP and councillor Ben Kind about the sudden increase in comments in support of the application, and their authenticity/verification, remain unanswered.

Section 3. Pre-Application Community Consultation carried out by Hondo Enterprises

3.1. A Statement of Community Involvement (SCI) on behalf of Hondo was published in March 2020 by the consultant company Lowick and submitted with the planning application. In the SCI report, Lowick describe themselves as a ‘political communications consultancy’. Their website describes them as ‘a communications consultancy advising on reputation and political risk.’

In the SCI, the developer lists 36 groups - ‘stakeholders’ and individuals it says it contacted as part of the consultation process (ref 8).

The list includes 4 Lambeth councillors, the GLA assembly member for Lambeth and Southwark, the MP for Dulwich and West Norwood, and 30 local groups and individuals.

The report does not state how many email invites were sent out to the organisations, politicians and local groups listed, but other forms of publicity seemed to concentrate on attracting Brixton Village and Market Row traders and users - the indoor markets that Hondo themselves own.

‘Stakeholders’ were said to have been offered ‘one to one’ meetings regarding the scheme.

However there does not appear to have been a good response to this approach.

Many of the groups listed did not participate in the consultation or give a view at any point, while other local groups were either not mentioned in the report, or say they were never contacted.

Lambeth's planning portal however features detailed objections made by some of these same groups listed by Lowick, including:

- a. Brixton Market Traders Federation
- b. St Matthew's Estate Tenants and Residents Association

Two other key groups also put in objections, but were not on Lowick's list. This is in spite of being users and residents of two of the buildings closest to the site. They are:

- c. Brixton Rec Users Group (BRUG)
- d. Carney Place & Milles Square Residents Association (Brixton Square)

a. Concerns raised by the Brixton Market Traders Federation

The objections raised by the Brixton Market Traders Federation were quoted in the officer's report for PAC 2, but were not quoted in full (see footnotes):

At present the area from the Popes Road junction with Brixton Station Road through to the Popes Road junction with Atlantic Road is dominated by big structures. One end has two railway bridges, the other end one railway bridge. The supporting walls are high and create a feeling of domination and oppressive claustrophobia.... (continues)

These comments draw together many key concerns i.e. height and mass of the building and the loss of daylight that the market would experience (page 440/449 Appendice 20)

b. Objection from St. Matthew's Estate Tenants and Residents Association (SMETRA) 30/10 /20

Dear Mr Cassidy,

we fundamentally oppose this development.....

... If this proposal goes ahead, construction work alone will have a massive impact on the local economy and create a huge amount of disruption to Local Traders who are under a huge amount of strain already ... this owner cares little for the cultural identity of this shopping area and more about business.....It is now a regular experience for many Residents to feel like a complete stranger in this part of Brixton.....a very clear demonstration of what has become known as gentrification.... a form of Social Cleansing, a horrible term...' (page 26/449 Appendix 20)

c. BRUG (Brixton Recreation Centre Users Group)

A key community facility not consulted were users of the grade 2 listed building Brixton Recreation Centre. On 18/09/21 David Duncan, chair of the Brixton Rec Users' Group (BRUG) told the 'Fight The Tower' campaign that BRUG have never been consulted by anyone from Hondo about the impact the tower would have on the Rec in terms of daylight

and the influx of more than 2000 people who may want to use the facilities. That may displace people who already use it, i.e. the community. It's a form of displacement.

BRUG emailed Michael Cassidy, Lambeth Planning on 21/10/2020 :

'This influx of affluent occupants may benefit the more up market shops and restaurants but will directly compete and displace less affluent and disadvantaged users of the REC. It is this community that BRUG was principally formed to defend.' (p 195/449 Appendix 20)

d. Carney Place & Milles Square Residents Association aka Brixton Square 368-372 Coldharbour Lane

On 05/05/2020 this group submitted a detailed objection on numerous grounds, including: daylight and sunlight, height, scale and massing, and privacy:

... 'We cannot emphasise enough the degradation of our views, privacy, light and aspect should this development go forward.... As residents of Brixton, we would be incredibly concerned of the negative impact on Brixton's architectural heritage and concurrent impact on Brixton's cultural heritage.'

Summary - it is a major failing that groups such as these were not fully consulted on the effects the tower would have on their members. All of them opposed the development.

3.2 Low Attendance at Consultation Events

According to the SCI report:

Designs were presented through two rounds of public consultation in May 2019 and subsequently in January/February 2020 with changes to the scheme, following feedback provided by the local community and the London Borough of Lambeth (LBL). The applicant also hosted a workshop for local groups in August 2019 (para 1.4)

It appears that these sessions were not well attended.

For example, on 22nd August 2019 Lowick/Hondo held a 'Flexible Central Space' workshop, to which it had invited representatives from 22 local groups. Only 6 groups attended, including 'Impact Brixton' and 'My Spiral' (the latter were also running the workshop itself).

The SCI report reveals that only 73 visitors attended the first public exhibition in May 2019 held over 3 days and 118 responses to the associated survey questionnaires were received. Only 44 visitors attended the second public exhibition held on 31/01 and 01/02/20, and 98 responses to the associated survey questionnaires were received.

For those groups *not* involved, it might have felt that the consultation had taken place 'behind closed doors', according to these numbers. This may well have been exacerbated by the lockdown after March 2020.

In any case, these are extraordinarily low levels of attendance, especially when compared with comments received via the statutory consultation and the community campaign. Clearly the publicity for these events was unsuccessful and inadequate. The fact that many more responses to the survey/questionnaire were received - than actual numbers of visitors attending the public exhibitions - also needs further explanation.

Below; photographs from Lowick's SCI report:

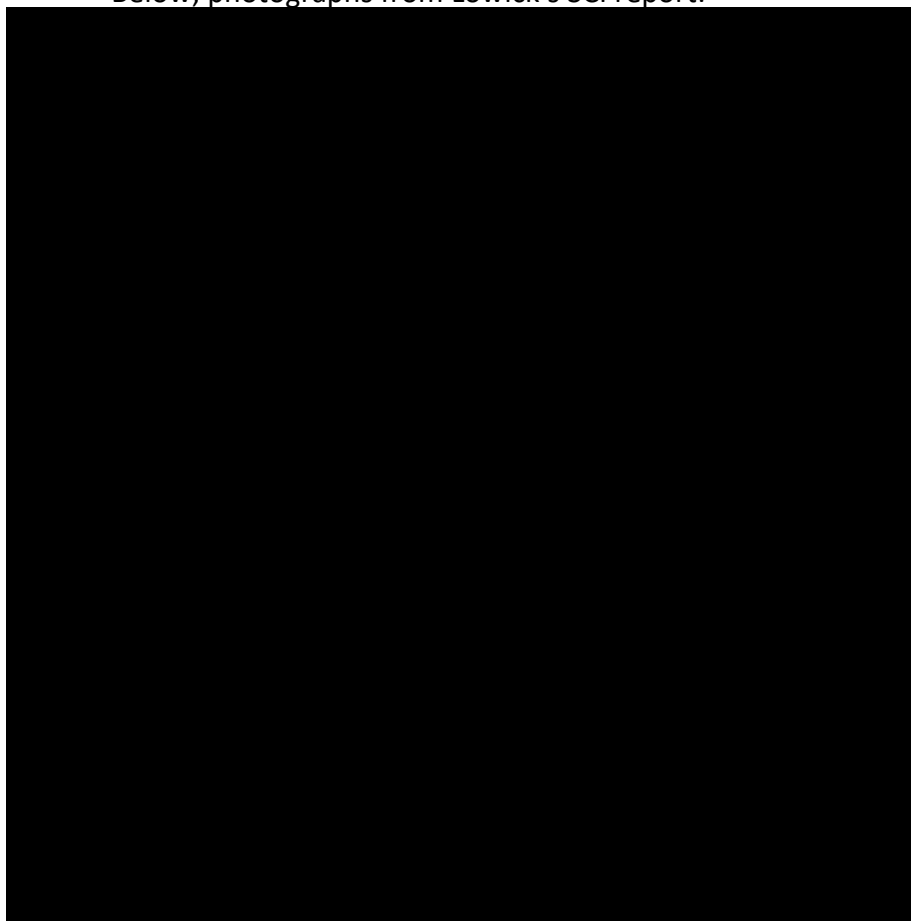


Figure 7: 1 February 2020 public exhibition in Brixton Village

3.3 Different Experiences of Consultation

A further serious concern around the involvement of local groups in Hondo's consultation, is that of those who did attend sessions, some feel that their views were either not taken into account, or misrepresented. Attendance at one of these events should not be used to imply approval for the scheme.

For example, I spoke to [REDACTED] from the 'Bureau of Silly Ideas', founded in 2002, which is a not-for-profit public arts and performance organisation, based in Valentia Place SW9. [REDACTED] attended one of Hondo's engagement sessions in 2020.

However, on 18/09/21, he told me: *'My major concern... apart...(from)... lack of consultation is that there's a massive risk of losing cultural space for our community. We haven't got any sense of security set in stone as to how we would survive with the plans as*

they are at the moment... the construction... could have the potential to put us out of business and we'd lose the resource that's been around for 20 years '.

NB- Artists and creative agencies in Valencia Place collectively put in a 3-page objection to the scheme (Appendix 20, page 7/449)

3.5 Selective Information in Hondo publicity literature (leaflets)

Of the two leaflets Hondo produced in relation to the consultation events (see SCI report) neither illustrates or mentions the size of the 20-storey building - the Tower. Where it is shown, only the lowest storeys are visible along with an artist's impression of the inside space. Instead, the leaflets use the following positive language:

'an opportunity to extend the market ...'.....a wider publicly accessible space for the benefit of traders and visitors,.....(an opportunity) 'to better link up the transport network'.



Above-Illustration from 'Statement of Community Involvement page 11



Above-Illustration from 'Statement of Community Involvement page 13

Note how the artist's impression here focuses on the street level aspects of the development with little reference to the height and scale of the building overall.

3.6 Lowick's Survey/Questionnaire as part of Hondo's consultation

Many of the questions in the survey/questionnaire were plainly biased and/or heavily 'loaded' i.e. leading the respondent towards a preferred response and hence not in accordance with guidelines prescribed by the Market Research Society.

Here are some examples:

1. ***Do you support the introduction of much-needed office space in Brixton, which will create c. 2,000 new jobs, contain 20,000 sq. ft of affordable workspace and will result in increased footfall and £3.5m spend in the local area per year?*** (SCI 2 -4.7.7)

Yet in spite of this, in reply to this question, **54 %** of respondents said they were opposed, while **15 %** were neutral.

2. ***Do you support the extension of the famous Brixton Markets, to further compliment the highly acclaimed Brixton Village and Market Row?*** (SCI 2-4.7.3)

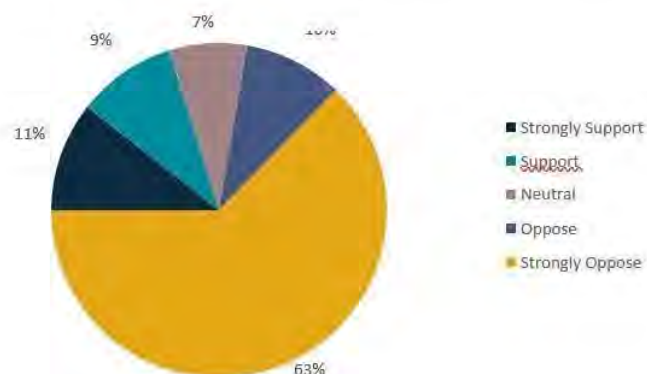
Again, despite this framing, **64%** of respondents said they were either neutral (**23%**) opposed (**10%**) or strongly opposed (**32%**)

3. ***Do you support the need for a taller landmark building to address the distinct lack of office space, including affordable workspace in Brixton, which is significantly lower than the rest of London?***

In this case, despite the heavily loaded question, and the use of the word 'landmark,' a whopping 73% of respondents were either strongly opposed (**63%**) or opposed (**10%**). Meanwhile, three quarters of respondents in fact replied that it was important to protect the 'unique character and heritage' of the area.

**30 | Statement of Community Involvement – Pope's Road
SW9 7PR**

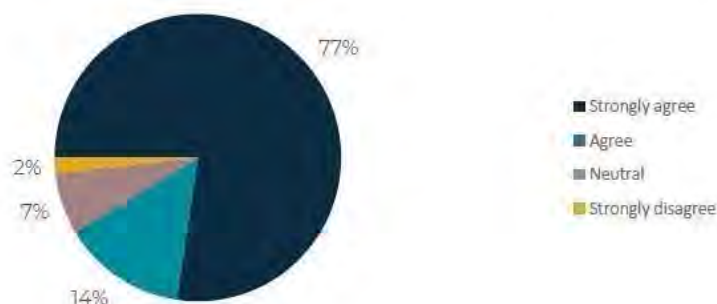
- 4.7.9. ***Do you support the need for a taller landmark building to address the distinct lack of office space, including affordable workspace in Brixton, which is significantly lower than the rest of London?***



	Responses	%
Strongly Support	10	10.64%
Support	9	9.57%
Neutral	7	7.45%
Disagree	9	9.57%
Strongly Oppose	59	62.77%
Total responses	94	

SCI part 1 page 30

4.3.3. Do you agree that it is important to protect the unique character and history of Brixton?



	Responses	%
Strongly agree	89	77.39%
Agree	16	13.91%
Neutral	8	6.96%
Disagree	0	0.00%
Strongly disagree	2	1.74%
Total responses	115	

4.3.4. It is clear from the data presented above that more than three quarters of respondents believe that any new development should respect and protect the diverse history and culture of Brixton. This is something that Hondo Enterprises are committed to doing and have demonstrated this by hosting events such as Windrush Day in June and Black History Month in Brixton Village and Market Row.

Although the report here references 'Windrush Day' and 'Black History Month,' this might not be seen as sufficient to counter the negative impact that a building on this scale could have overall on Brixton's local economy and 'intangible heritage'.

Hondo's own results clearly showed that a majority of people who attended or responded on line were not in favour of the plans, including the size of the building, the need for commercial office space and so on, and yet in Lowick's executive summary, at para 1.6 it states, inaccurately, that (emphasis added):

'Based on the feedback received, the public response to the proposals are mixed, with residents broadly supportive of the need for office space in central Brixton, and the extension of the markets. A significant number of respondents supported the inclusion of a flexible central space that could be used as a food hall, for exhibition events or for activities organised by local groups.'

So not only were the survey questions loaded, the reporting of the results was inaccurate.

Thankfully, respondents were able to give their own views via a comment section of the questionnaire, which gave rise to significant levels of negative feedback. This is acknowledged in the SCI report (paras 1.7 and 1.9):

‘However, the majority of people surveyed were opposed to the scale of the building and a number of respondents expressed negative views on the design of the building. There was also a substantial amount of comments regarding the perceived gentrification of Brixton... Following feedback ...the height of the building has been reduced to reflect concerns by a total of 11 metres’ (para 1.9)

This seems to be a modest concession, considering the size of the building proposed and the community’s reaction to it.

In summary, the community consultation carried out by Hondo was poorly publicised and attracted very few participants. Many of the survey questions were plainly loaded, but despite this, responses clearly demonstrate strong public opposition to the scheme for a wide variety of reasons. This is consistent with the results of the statutory consultation.

The SCI produced by Lowick, not only promotes the scheme in the narrative, it is misleadingly inaccurate in its summing up of the results of the consultation.

Section 4. Hondo’s relationship with Brixton

In their introduction to the SCI report Lowick state that *‘Hondo is part of a property development company who have a longstanding presence in the borough as the current owners of Brixton Village and Market Row’* (Executive Summary 1.2)

This is a generous use of the word ‘longstanding’, since Hondo only recently purchased those indoor markets in 2018 and ignores the fact that Hondo’s troubled relationship with Brixton.

4.1 Hondo’s relationship with ‘Nour Cash and Carry’ and Brixton market traders

This popular small supermarket in Market Row has been offering a diverse range of food products from the Caribbean, Africa, Asia and elsewhere and meeting the needs of the local community for over 20 years.

In January 2020 Hondo served ‘Nour Cash & Carry’ with a section 25 notice, requiring them to leave their premises on 22nd July 2020. The ‘Save Nour’ campaign sprang up in response, and a petition in support of the shop gathered nearly 5,000 signatories. This successfully forced Hondo to reverse their decision in June 2020.

Although this climbdown by Hondo was seen by many as a victory in the fight to preserve local communities, market traders in Brixton Village and Market Row have told us that they remain fearful that upcoming rent increases will force them to close. However, they do not appear willing to speak out about this publicly for obvious reasons.




Above-Nour Cash and Carry Supermarket celebrate being saved from eviction in June 2020

4.2 The 414 Club

A further erosion of trust between Hondo and the community occurred after the '414' music venue on Coldharbour Lane was purchased by Hondo in 2019. This venue had been running successfully since 1981, set up with support from Lambeth Council as a community venture, following the Brixton riots and was a staple of Brixton's diverse and eclectic nightlife for over 30 years.

It was recognised as an "asset of community value" in 2018 by Lambeth council, following a threat of eviction by its previous landlords, Market Row Ltd which was successfully defeated in a court case in December 2017.

Following Hondo's purchase, the club were refused a new lease and forced to close. This loss has been widely attributed to Hondo's lack of empathy for the community they were dealing with. These events should be taken into consideration when looking at Hondo's plans for Pope's Road and their consultation efforts in relation to it.



3/11/20

Section 5. The Role of the Brixton Project

5.1 'The Brixton Project' is a community business/social enterprise known for initiatives such as the 'Brixton Pound, launched in response to the financial crash of 2008.

According to Hondo's Community and Commercial Use Strategy, submitted with the planning application, the Brixton Project was commissioned by Hondo to produce a strategy for the use of the proposed community floorspace (ref 9).

In the 2nd addendum to PAC2, only published a few hours before the meeting, is a report produced by Brixton Project which stated that:

*Our conclusions are now being offered **independently from the applicant's strategy....***

Three things are clear from the consultation thus far:

1. *The application has catalysed division in the community which pits the proposed public benefit against the corrosion of values, culture and heritage. Beyond the physical aspects, **the size of the building is widely felt to symbolise the disempowerment of community values.***
2. *The community is tired of a carrot and stick approach to planning and development that leaves local people without real access to decision-makers....*
3. *There is a significant appetite for the community to take an active and positive role in the shaping of Brixton's built environment...*

*.....The **height and mass of the building remain the focus for objectors who feel the corrosion of culture and heritage at the heart of our built environment is a wholly unacceptable consequence of this plan....***

5.2 The Brixton Project's recognition of local opposition

While the Brixton Project acknowledged views for and against the tower, it recognised that strong local opposition was focused on issues of the community's alienation from the consultation process, and the threat of displacement. It would appear that the Brixton Project have now distanced themselves from their former relationship with Hondo and regard Hondo's own community consultation as inadequate.

While the Brixton Project's partnership with Lambeth continues, the strength of feeling around the Hondo development locally was enough for them to eventually speak out against it.

Section 6. Community Campaigns - Petitions and Public Opposition

6.1 'Fight the Tower' and SNSB 'Save Nour, Save Brixton' campaigns

Local opposition to the Hondo Tower grew through discussions on-line, within local organisations, and through word of mouth. A key player in this was the 'Save Nour Save Brixton' campaign, who launched 'Fight the Tower' after PAC 1.

Petition 1. An on-line change.org petition addressed to Lambeth Council, opposing the plans, launched on 09/2020 reached 7,300 signatures by the time of the second Lambeth PAC on 3rd Nov 2020. This petition currently has 8,468 signatures.

Lambeth questioned the verification of this petition both in the 2nd Addendum for PAC2 and in the meeting itself.

Below is a quote from the PAC on 3rd Nov 2020.

Rob O’Sullivan (Lambeth Head of Development Planning): ...

‘Officers have requested an electronic full copy of the petition, which includes names, addresses, and signatures of all that have signed it, together with individual comments, so that the contents of the petition can be verified. The full copy has not been provided, and therefore officers are unable to confirm the accuracy or content of the petition.

Fight the Tower have checked with the local resident who started the petition, and they are unequivocal that no such contact was made. To date the council has not provided any evidence that they did in fact contact them. Many Brixton residents were angered that this huge petition had not been taken into consideration during the second PAC and that their voices had not been heard.

Petition 2 - Addressed to Mayor Sadiq Khan

Following PAC2, a change.org petition entitled ‘Fight the Tower’ (FTT) was launched’ requesting that London Mayor Sadiq Khan intervene to stop the Tower going ahead. This has now reached 4,956 signatures as of 29th October 2021

6.2 Postcards

Since November 2020 SNSB/Fight the Tower campaigns have been running a weekly stall located either on Pope’s Road or Windrush Square in Brixton, informing residents about the plans and asking for their views.

This kind of outreach work/information sharing, reflects the lack of information made available to residents who remain unaware of the scheme and acknowledges that many people are digitally excluded. It could be argued the community campaign has succeeded in informing residents about the situation far more effectively than the developer did.

People who stop at the stall are invited to sign a postcard giving their views. Originally addressed to Lambeth council, since 03/21 they have been addressed to Sadiq Khan, London Mayor. To date SNSB has collected a total of nearly 2000 postcards with objections.

Section 7. ‘Afterthoughts’ from the developers and photoshopped images of ‘community’

7.1. We would argue that Hondo Enterprises failed to work in the ways set out in their Planning Performance Agreement signed with Lambeth which states that:

‘new development must contribute to the well-being of existing and future communities’ and that ‘development proposals are carefully considered in a constructive, collaborative and open manner.’

7.2 Afterthoughts from the developers in response to local opposition prior to PAC2

In response to questions raised by councillors and Helen Hayes MP, among others, as well as public opposition in general, Hondo Enterprises appeared to make minor changes to the

building's design prior to PAC2. This included attempts to improve the public perception of the scheme and the imagery connected with it.

The alterations to the plans could be seen as 'cosmetic' and did little to address the larger issues, such as the building's size and its function as commercial office space.

As well as some external changes to the building's appearance, changes to the design included:

1. A marginal increase in affordable workspace - an uplift from 10 percent to 12.5 percent
2. Relocating the dedicated community space internally within the market extension, but without any increase in size.

During the first PAC, Cllr Ben Kind commented;

".... I was interested in the community floorspace. What is it going to be used for? It appears to be added on as an afterthought..."

A planning officer replied: *"The community engagement is not intended to be binding."*

We would argue that open collaboration with the community should be at the forefront of a planning process such as this, if it is going to be of benefit to that community.

7.3 Colourful Brixton?

Meanwhile the colourful images produced in October 2020 by Hondo to promote the application could again be seen as out of step with local feeling and were greeted with bemusement on local social media and digital news sources, such as Brixton Buzz.

Economic displacement and gentrification are seen as real issues locally - they are experienced directly by marginalised communities.

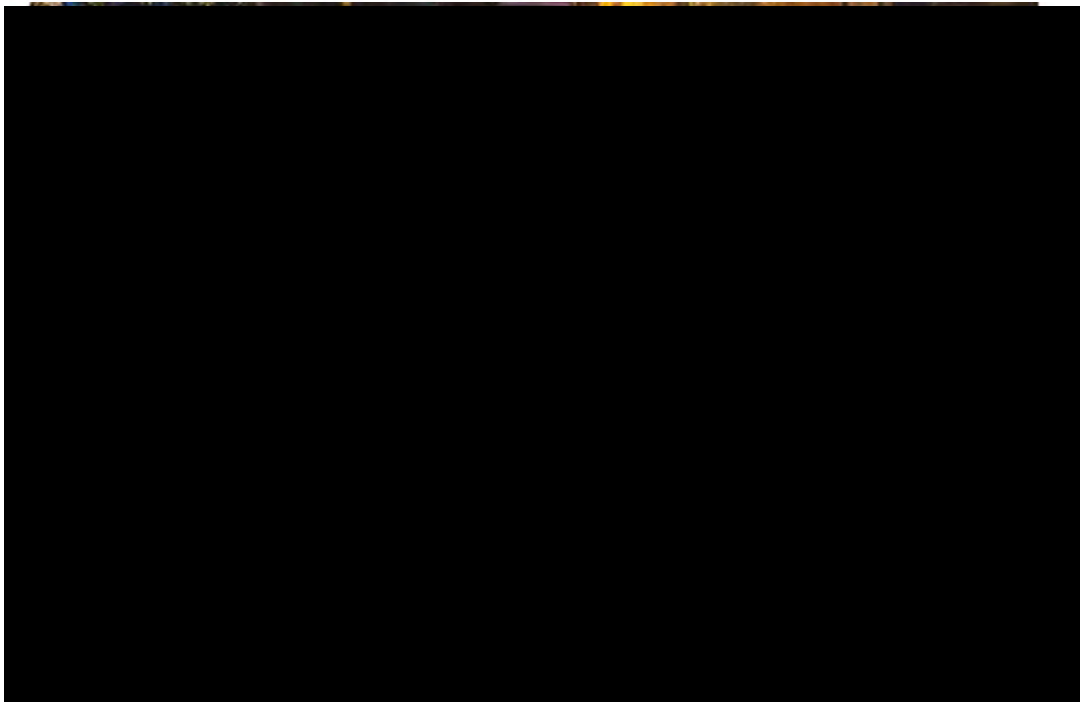
The kind of imagery employed by developers is therefore very important. It can be a key part of the communication, or lack of communication, between developers and communities who may see themselves as 'under threat' from these processes.

We have argued there has been a lack of community consent and engagement here. These artists' impressions of 'community', 'heritage' and 'diversity' appear to have been bolted, or 'photoshopped' onto the existing plans, without any real understanding of whether or not the real people affected by the plans feel included in the plans themselves.

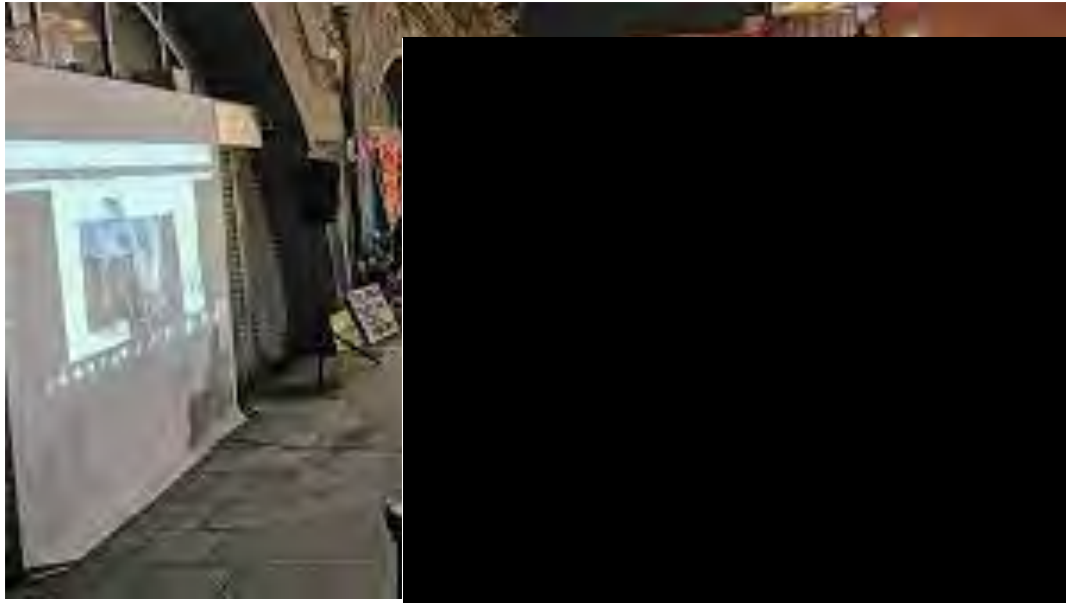
We would argue that these images are no substitute for real community consultation and engagement.



And here's the all-sunny, fun packed space outside on Pope's Road, where young children can run free
parping saxophones, and where beautiful trees and bushes grow simply *everywhere*.



Hondo publicity photos, featured in Brixton Buzz, 8th October 2021



Above-Brixton residents watching a public screening of the PAC meeting on November 3rd 2020 organised by campaigners against the Hondo Tower plans

Section 8. The Hondo Tower, Brixton's Economic Prospects and the London Recovery Programme

8.1 Hondo Enterprises describe themselves as 'a property investment, development and asset management company specialising in *opportunistic* and value - added transactions in Central London' (ref 10, italics added.) It doesn't make sense that an 'opportunistic' development can be repackaged to residents as a beneficial opportunity if developers have failed to acknowledge their existence in the first place.

Rent increases by Network Rail a decade ago along with the other economic forces described have destabilised a number Brixton's long standing independent retailers.

Therefore, we at 'Fight the Tower' and many other Brixton based groups would welcome and support a community-focused recovery programme, involving the council, central government and the GLA's planning directorate.

We are making the case however that the approval of this tower would not meet the Mayor's outcomes such as "Building Strong Communities", "*Sustainability*" "Helping Londoners into Good Work", "High Streets for All" and "A Green New Deal" all of which will be needed to help 'build back' Brixton.

If the project does not benefit those who need it most, then it will not recognise or address 'structural inequalities' in the area. An inadequate allocation of community space, and no firm guarantees of affordable rents for local businesses would only further contribute to spiralling gentrification.

Plans to construct new retail space, next to an established town centre won't help local retailers already affected by reduced footfall and increased reliance on home deliveries.

We have been listening to Brixtonians give their views-the overwhelming reaction has been one of shock, anger and some weary cynicism about the developers' motives.

8.2 Office space vs private housing

Neighbouring International House already provides low-cost space for Brixton's start-ups, at lower rates than those anticipated for the Hondo Tower, yet filling them has been slow. Low demand for commercial office space in Brixton, even before the pandemic, raises justified fears this tower could be repurposed as private housing, with no affordable offering.

This is a point made by Helen Hayes MP at PACs 1 and 2, who questioned whether there were sufficient protections against this.

Conclusion

The communities of Brixton would be very supportive of the GLA's Recovery Programme, if the solutions are community centred more than developer-led.

Brixton's communities deserve better. Let's work together to come up with a plan that truly supports Brixton's communities, rather than one that displaces them from a neighbourhood which they helped to make unique.

Thank you.

[REDACTED]

References

ref 1. PAC 1 Addendum 1- Planning Applications Committee- 25th August 2020

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:c0570c6a-d233-4191-973e-db956d322840>

Addendum 2 - Planning Applications Committee- 25th August 2020

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:0621f60d-c120-4b6f-b0aa-8d72bb0fe543>

ref 2 PAC 2

Addendum 2 - Planning Applications Committee-3rd November 2020

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:5fdfff2c-5d67-4219-ac07-135230efdfa9>

ref 3 Economic Impact Assessment Economic Impact Assessment-Volterra

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:583d3d25-5e80-4b21-af43-03fe1af68bc2>

Employment and Skills Plan-Volterra March 2020

https://planning.lambeth.gov.uk/online-applications/files/6DF2DE34DDA308158071458C2E395194/pdf/20_01347_FUL-EMPLOYMENT_AND_SKILLS_PLAN-2467221.pdf

ref 4 Pope's Road-Travel Plan and Transport Assessment- Caneparo-July 2020

https://planning.lambeth.gov.uk/online-applications/files/F7060DA3D474A6758E014C378D9BFB7F/pdf/20_01347_FUL-TRAVEL_PLAN-2510056.pdf

https://planning.lambeth.gov.uk/online-applications/files/213C765134DE9DEF21A37CDE1756B3D3/pdf/20_01347_FUL-TRANSPORT_ASSESSMENT_F1_200331_PART_1-2467238.pdf

ref 5 LONDON OVERGROUND STATIONS STUDY Steer Davies Gleave Report 2014

<https://www.lambeth.gov.uk/sites/default/files/ec-lambeth-overground-stations-study-report-2014.pdf>

ref 6 82 Email Objections received by received by Lambeth Planning Dept

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:12ad6658-4cdc-4daa-a0a9-d48e7721f2ce>

ref 7 Comments from Lambeth Council's planning portal—Objections and comments in favour of the planning application

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:15ca5a87-0c29-4df9-9953-6cbf7758dbd2>

ref 8 Statement of Community Involvement parts 1-3 (Lowick)

Part 1

https://planning.lambeth.gov.uk/online-applications/files/AF9704AA993FF4232113D60E6F274D3B/pdf/20_01347_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT_PART_1-2467243.pdf

Part 2

https://planning.lambeth.gov.uk/online-applications/files/35E8EDE224596F222675725BC5013F55/pdf/20_01347_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT_PART_2-2467242.pdf

Part 3

https://planning.lambeth.gov.uk/online-applications/files/85E76E9265451D692FA8CBF8A38EACA2/pdf/20_01347_FUL-STATEMENT_OF_COMMUNITY_INVOLVEMENT_PART_3-2467241.pdf

Pope's Road Exhibition Boards-Hondo/Adjaye Associates February 2020

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:ebcf8e76-f56a-4b00-b504-6b7d926eb233>

Ref 9 Community and Commercial Use Strategy

https://planning.lambeth.gov.uk/online-applications/files/875B54B63588D0453C5869894C96468D/pdf/20_01347_FUL-COMMUNITY_AND_COMMERCIAL_USE_STRATEGY-2510052.pdf

Ref 10 Hondo Enterprises

[\(https://hondo-enterprises.com/\)](https://hondo-enterprises.com/)

Additional Sources

Petition one

<https://www.change.org/p/cllr-jack-hopkins-leader-of-lambeth-council-stop-hondo-enterprises-building-a-20-storey-tower-in-the-central-brixton-heritage-area>

Petition two

<https://www.change.org/p/sadiq-khan-sadiq-khan-stand-with-brixton-stop-taylor-tower-e3e171ec-0bcf-45b7-a47b-b06a3e06f67b?fbclid=IwAR2Mn1iR1JLYGPBarDpoD-o4Rce8tKD46UcDpLHIQM8pdZuYyTQzMOy27h0>

Brixton Conservation Area

<https://www.lambeth.gov.uk/sites/default/files/pl-BrixtonConservationAreaStatement26March2012.pdf>

Public Comments on Lambeth's Planning Portal NOTES

NB-When last checked on 29th October 2021, the responses to this application on Lambeth's planning portal were as follows:

Public Comments 2187

Objections: 1914

Supporting: 262

The total number of people reported as objecting or supporting is 2176.

Of these 2,176 entries, 87.95% are opposed to the plan.

<https://beta.lambeth.gov.uk/planning-building-control/planning-applications/search-submit-comment-applications>

Ref : 20/01347/FUL

The Pope's Road site

<https://www.brixtonbuzz.com/2018/01/last-dance-at-the-brixton-rooftop-brixton-beach-and-casa-brixton-as-sports-direct-take-control-jan-2018/>

414 Club

<https://brixtonblog.com/2020/12/building-owners-cold-shoulder-creators-of-club-414/?cn-reloaded=1>

<https://brixtonblog.com/2016/05/414-club-owner-defeats-council-high-court/?cn-reloaded=1>

<https://www.brixtonbuzz.com/2017/12/brixtons-club-414-wins-high-court-battle-as-landlords-fail-to-force-their-eviction/>

Nour Cash and Carry

<https://www.brixtonbuzz.com/2020/04/petition-launched-to-save-nour-cash-carry-supermarket-in-brixton-market/>

Hondo Enterprises- background

<https://www.brixtonbuzz.com/2020/02/brixton-for-sale-who-are-hondo-enterprises-owners-of-brixton-village-market-row-club-414-and-more/>

Hondo Tower design ‘tweaks’

<https://www.brixtonbuzz.com/2020/10/hondo-tweak-the-design-of-their-brixton-20-storey-enormo-tower-with-groovy-happenings-and-foliage-galore/>

Brixton Buzz-Hondo consultation-Pre written letters

<https://www.brixtonbuzz.com/2020/10/hondo-start-soliciting-signatures-in-the-street-to-support-their-unpopular-enormo-tower-in-popes-road-brixton/>

Brixton Buzz-Build up to PAC meeting

https://www.brixtonbuzz.com/2020/08/lambeth-officers-recommend-approval-for-controversial-hondo-enormo-tower-along-popes-road-ahead-of-planning-applications-committee/?fbclid=IwAR3FP9Ju4DcShgzZFPZEn66AVQjkgraj-CiheQ_zmjlGoTppJNt27hYd3_E

Public Transport/Overground connections

<https://www.brixtonbuzz.com/2017/03/lambeth-council-starts-review-to-look-at-business-case-for-reopening-east-brixton-train-station/>

<https://www.brixtonbuzz.com/2014/10/lambeth-feasability-study-looks-into-new-brixton-and-loughborough-junction-overground-stations/>

The Brixton Project

<https://www.thebrixtonproject.com/>

Carney Place/Milles Square/Brixton Square letter of objection

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:95b410a7-b336-40f2-adcb-42a702cb9e76>

Email Objection from Brixton Rec Users’ Group

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:92ea5cbd-6d4b-4f1e-a3e4-84a514bfd02f>

Lambeth Planning Performance Charter

<https://documentcloud.adobe.com/link/review?uri=urn:aaid:scds:US:67101417-a614-4b29-ae06-f2064e07c050>

Protests

<https://www.brixtonbuzz.com/2020/11/video-report-and-interviews-from-the-hondo-tower-protest-outside-lambeth-town-hall-2nd-nov-2020/>

Example of postcards expressing objections to the tower

**THIS TOWER WILL
PUSH PRICES UP
AND PEOPLE OUT**

Dear councillors,

I am a local resident based in Brixton.

I'm writing to object the 20/01347/FUL proposals for 20-24 Pope's Rd.

I object to the proposal on the basis of:

*Once again, wealthy Communities
of people are wanting to impose
their wealth fuelled plans onto
much poor, deprived Communities.
Brixton, my home has had enough
of it's Soul torn from it's
Community. This cannot
go ahead!!*

Best,
The People of Brixton

Lambeth Council has confirmed the date of the meeting that will vote on
whether London's tower should be approved or rejected on
Tuesday 3 November at 7am.

SAVEUS.COM @SAVE_USUR #FIGHTTHETOWER #WEAREWATCHING

**THIS TOWER WILL
PUSH PRICES UP
AND PEOPLE OUT**

My name is: Mr Michael Cassidy

I am a local resident based at: Planning Department

I'm writing to object the 20/01347/FUL proposals for 20-24 Pope's Road.

I object to the proposal on the basis of:

*Keep culture in the
community.*

**FIGHT
THE
TOWER**

London Borough of Lambeth

Lambeth Town Hall

Brixton

SW2 1RS

THIS TOWER WILL PUSH PRICES UP AND PEOPLE OUT

My name is: [REDACTED]

I am a local resident based at: [REDACTED]

I'm writing to object the 20/01347/FUL proposals for 20-24 Pope's Road.

I object to the proposal on the basis of:

there is very little demand for
luxury office here in Brixton.
What about supporting the
local community with long
term, sustainable, well paid
jobs? This office block will do nothing
for the local
community

Best
[REDACTED]



Mr Michael Cassidy

Planning Department

London Borough of Lambeth

Lambeth Town Hall

Brixton

SW2 1RS

Lambeth Council

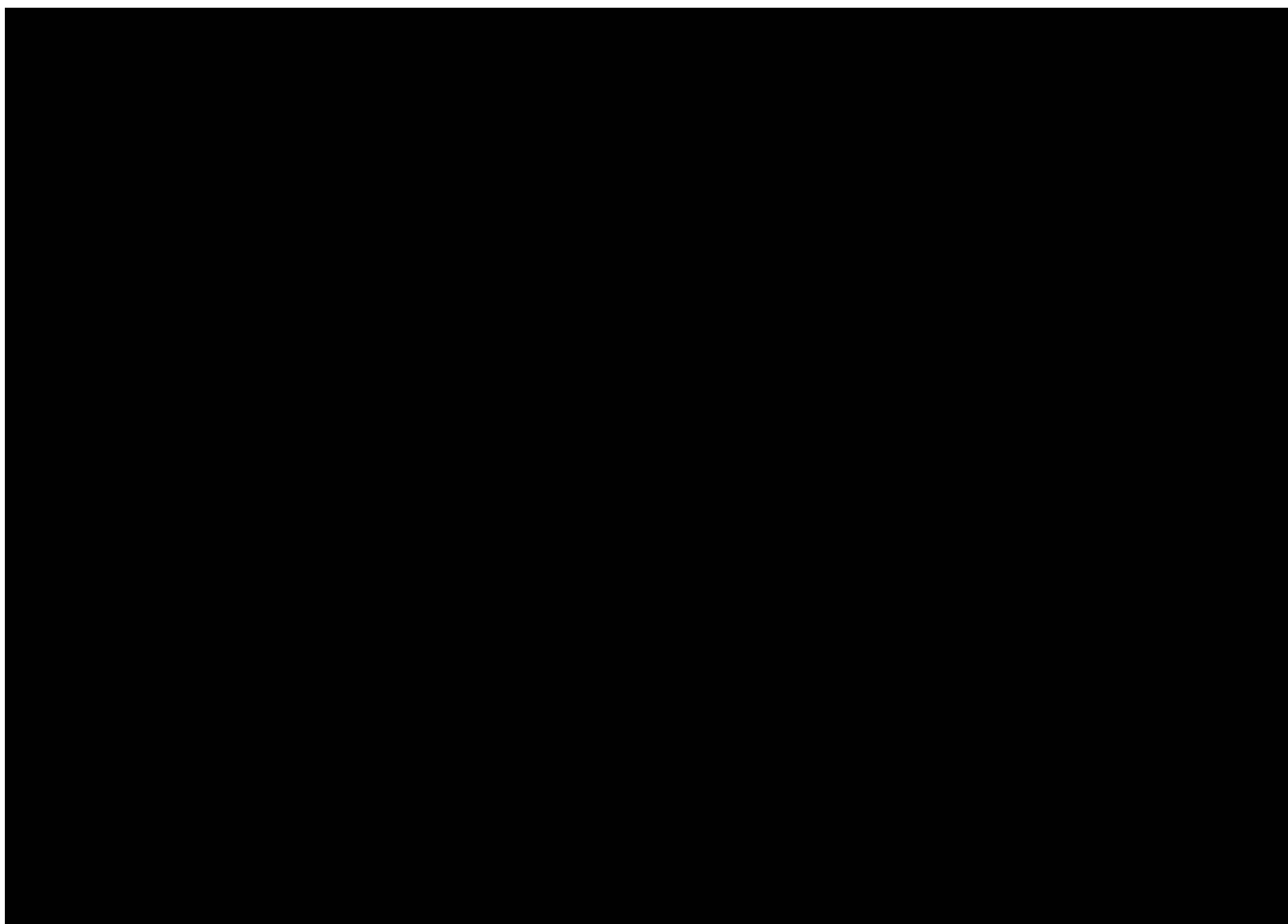
Planning Performance Agreement Charter

The Council's Community Plan sets out its vision for the future of the Borough. This vision requires that all development is of the highest quality and is founded on the principles of economic, social, environmental and physical sustainability. As set out in its Local Plan new development must contribute to the well-being of existing and future communities.

This Charter sets out how the Council will work with developers, the community and other key stakeholders to ensure that all large and complex development proposals are carefully considered in a constructive, collaborative and open manner. Such an approach is the best way of developing proposals that will meet the vision and objectives of the Council. Where major development proposals are deemed to be in accordance with the Development Plan for the area or have the potential to meet the Council's objectives, the Council will instigate a Project Team approach and seek to manage the project through a Planning Performance Agreement (PPA).

Excerpt from Lambeth's Planning Performance Agreement Charter

Additional photographs

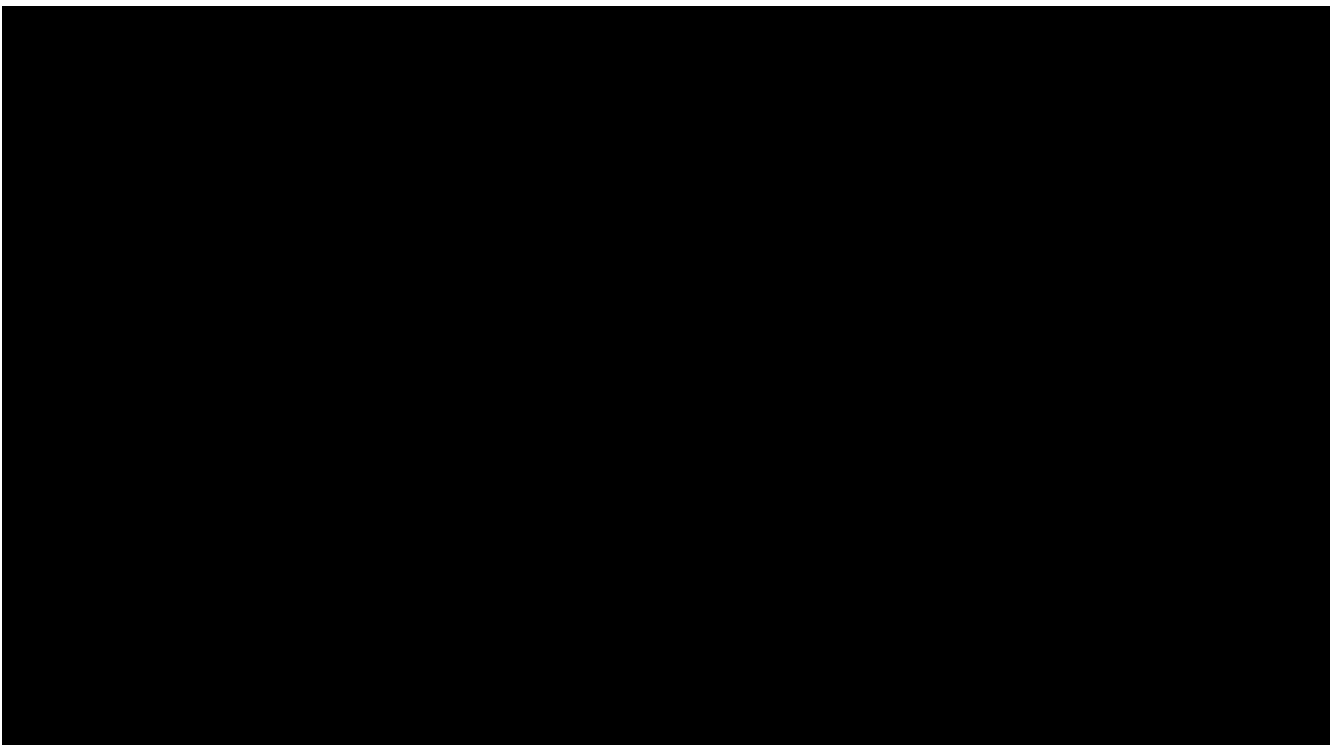


Above-protest outside Lambeth Town Hall 3rd November 2020



We've no idea what's happening here. Some random woman seems to have brought along her own flip chart while everyone ignores her.

Above-Hondo publicity material depicting a scene inside the proposed development, as featured in Brixton Buzz article 8th October 2020



Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	
Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	
Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	
Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	
Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	
Contributor Name	Address	Comment Type	Date	Comment
[REDACTED]	[REDACTED]	S - Support	28.10.2020	

Above-Blank expressions of support on Lambeth's planning portal

Below-3 model letters in support of the application.

Expansion of market / Office space

Mr Michael Cassidy
Planning Department
London Borough of Lambeth
Lambeth Town Hall
Brixton
SW2 1RS

My name is [REDACTED]

I am a local resident based at [REDACTED]

I'm writing in support of the 20/01347/FUL proposals for 20-24 Pope's Road.

I support a new market space in this new development. Brixton Market is integral to the community and an expansion will help local business people continue to serve local people and allow for a range of services including traditional retailers. Similarly, I'm very encouraging of increasing the number of good-quality jobs in Brixton town centre. Locally there are still serious problems with unemployment. The current economic crisis will cause many more people to lose their jobs. It is critical that we do everything we can to support future economic growth and new job opportunities.

An expanded market will improve the overall shopping offer and experience for residents and visitors, increasing footfall for the whole Market. A bustling new market space with many more small shops will provide more options and more attractive spaces to enjoy food and drink in Brixton town centre. New free public toilets will also make the experience of shopping in Brixton more comfortable and pleasant. Brixton has become an increasingly-attractive place for people to set up businesses in the past few years, but there is a serious shortage of office space. I'm supportive of these plans, which will encourage more businesses, particularly in the creative industries, to base themselves here. A critical mass of new office space will provide a huge boost to traders, shops and restaurants in the town centre, with almost 2,000 new workers spending money each working day.

Brixton's markets have thrived in the past few years, this expanded Market will preserve space for traditional traders and provide opportunities for new businesses that can attract many more thousands of visitors to Brixton. Helping Brixton become a significant office location should also take pressure off public transport, as more local people will have opportunities to work locally, and not have to commute to central London.

Creating a fantastic new market space will provide space for growth and a boost for the businesses within the existing market spaces like Brixton Village, Market Row and Electric Avenue. The scale of this development will also enable more local residents to be supported with affordable workspace, helping them personally and boosting Brixton's economy with more local start-ups and entrepreneurs.

At this difficult economic time it is more important than ever to build the new spaces that Brixton's businesses will need to create jobs in the future.

Best [REDACTED]

[REDACTED]

My name is... [REDACTED]

I am a local resident based at ... [REDACTED]

I am a market trader based at ...

I am a business-owner based at...

I'm writing in support of the 20/01347/EUL proposals for 20-24 Pope's Road.

I support the plans for extra market space in this new development. Brixton Market is so important to our local community and more space will help give local businesspeople a boost. It will also mean a wide range of services - including traditional retailers - on offer for our local community and visitors to Brixton.

A larger market will improve the shopping experience for the community as well as encouraging more footfall throughout the Market. A bustling new market space with many more small shops will provide more options and more attractive spaces to enjoy food and drink in Brixton town centre. New free public toilets will also make shopping in Brixton much more comfortable and pleasant.

Creating a fantastic new market space will provide space for growth and a boost for the businesses in the existing market spaces like Brixton Village, Market Row and Electric Avenue.

Best
... [REDACTED]

Expansion of market / Office space

Mr Michael Cassidy
Planning Department
London Borough of Lambeth
Lambeth Town Hall
Brixton
SW2 1RS

My name is [REDACTED]

I am a local resident based at [REDACTED]

I'm writing in support of the 20/01347/FUL proposals for 20-24 Pope's Road.

I support a new market space in this new development. Brixton Market is integral to the community and an expansion will help local business people continue to serve local people and allow for a range of services including traditional retailers. Similarly, I'm very encouraging of increasing the number of good-quality jobs in Brixton town centre. Locally there are still serious problems with unemployment. The current economic crisis will cause many more people to lose their jobs. It is critical that we do everything we can to support future economic growth and new job opportunities.

An expanded market will improve the overall shopping offer and experience for residents and visitors, increasing footfall for the whole Market. A bustling new market space with many more small shops will provide more options and more attractive spaces to enjoy food and drink in Brixton town centre. New free public toilets will also make the experience of shopping in Brixton more comfortable and pleasant. Brixton has become an increasingly-attractive place for people to set up businesses in the past few years, but there is a serious shortage of office space. I'm supportive of these plans, which will encourage more businesses, particularly in the creative industries, to base themselves here. A critical mass of new office space will provide a huge boost to traders, shops and restaurants in the town centre, with almost 2,000 new workers spending money each working day.

Brixton's markets have thrived in the past few years, this expanded Market will preserve space for traditional traders and provide opportunities for new businesses that can attract many more thousands of visitors to Brixton. Helping Brixton become a significant office location should also take pressure off public transport, as more local people will have opportunities to work locally, and not have to commute to central London.

Creating a fantastic new market space will provide space for growth and a boost for the businesses within the existing market spaces like Brixton Village, Market Row and Electric Avenue. The scale of this development will also enable more local residents to be supported with affordable workspace, helping them personally and boosting Brixton's economy with more local start-ups and entrepreneurs.

At this difficult economic time it is more important than ever to build the new spaces that Brixton's businesses will need to create jobs in the future. [REDACTED]

Best [REDACTED]

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:

[REDACTED]

Transport Written Representation – Planning Application 2020/5276/S1

The proposed Hondo development will have a significant negative impact on public transport within Brixton and London. This is both because it removes the possibility/feasibility of introducing an overground connection in the area and will introduce new volumes of commuters to Brixton which have not been properly accounted for in Hondo's plans. In addition, in the process of blocking an opportunity for the construction of an Overground connection in Brixton, the application breaches the London Plan and critically limits Lambeth's ability to implement a key policy commitment contained in its Local Plan.

The recently announced amendments that have been made to the application do not change any of the transport concerns within this document. The amendments consist solely of employment funding and lengthening the term of the affordable workspace. This fails to address any of the key concerns outlined below, considering the removal of an opportunity for an Overground station in Brixton and Hondo's considerations of the impact this development will have on existing local transport.

Removing Option for an Overground Station in Brixton

Currently the Overground line that provides an east-west orbital public rail service for London passes through Brixton without stopping. These tracks are immediately adjacent to the application site. The only interchanges with radial routes in and out of London on the Overground line in south London are at:

- Clapham High Street -links to Clapham North on the Northern Line of the London Underground via a walk across a main road
- Denmark Hill- link to Thameslink

The next nearest link to the London Underground is at Canada Water.

Lambeth Council made a commitment to introduce an overground connection on the East-West Orbital Line between Highbury and Islington and Clapham Junction in the Council's 2015 Local Plan. Para 2.197 of the newly adopted Lambeth Plan 2021 states that:

*As already highlighted under section B above, it will not be possible to achieve the significant levels of housing and economic growth set out in the Local Plan without the supporting **transport infrastructure** required for people to travel to and from work, shops and leisure destinations. **Existing public transport in Lambeth is already very well used and over capacity in some cases, and current improvements will not achieve the level of capacity increase that is needed.** Public transport accessibility also varies, with some parts of the*

*borough – particularly in the south – quite poorly served. **Overall, radial transport (into the centre of London) is better in Lambeth than orbital transport (east-west).** Investment in station capacity, **track layouts** and signalling improvements as part of the ‘metroisation’ of rail services is required to support the transport infrastructure capacity needed in the borough. Improved sustainable transport links will also help to reduce borough wide carbon emissions.*

Lambeth’s current Public Transport policy is set out in T4 of Section 8 of the Lambeth Plan 2021 and this includes a continued commitment to ‘improved interchanges and east-west orbital links’. Additionally, in Section 11 of the Lambeth Plan 2021 (Places and Neighbourhoods), the policy states at para 11.55 in relation to Brixton station that

‘improved access to east to west rail services, such as the Overground, is also desirable and the council is keen to explore longer term options to deliver this’.

Section 8 of Lambeth Plan 2021 states at para 8.1 that:

*The **Lambeth Transport Strategy 2019** and **Transport Strategy Implementation Plan** sets out the council’s strategic vision for transport in the borough. Development is expected to support delivery its objectives.*

And para 8.23 states that:

*The key transport infrastructure projects to be delivered during the plan period are listed in the **Infrastructure Delivery Plan**.*

The Adopted Local Plan para 2.32 states that, according Lambeth’s Transport Strategy 2019, passenger growth over the past 10 years on the overground has been ‘strong’.

The Lambeth Infrastructure Delivery Plan 2020 states at para 4.3 that:

“The following projects are expected to be delivered between 2024/25 and 2034/35: ...

- ***Orbital rail connections – a set of infrastructure improvements, including the provision of new platforms to provide an interchange with London Overground and other orbital services in the Brixton/Loughborough Junction area, as well as platform lengthening to accommodate longer trains at Wandsworth Road and Clapham High Street”***

Annex 1 of the Delivery Plan references the Lambeth Local Implementation Plan III March 2019, which states at Outcome 5 (“Public Transport will meet the needs of a growing London”):

“The overarching aim of the MTS [Mayors Transport Strategy] is to reduce the amount of traffic on our roads so when looking at how to increase the number of journeys by public transport we need to consider how it can be made a more attractive option for car drivers...While fewer than 10% of journeys to work are made by car in the central and

*northern parts of the borough, nearly 20% of commutes in the south of the borough are by car. The breakdown of where commuter inflows and outflows are heading shows that **it is largely orbital travel to the west, east and south where the opportunities lie**. An improved public transport offer to these destinations has the potential to attract car drivers... Improvements to suburban rail services in London, such as the **London Overground orbital route** have shown how good quality public transport offer attracts customers. Clapham High Street station on the **Overground orbital line has seen a dramatic growth in passenger numbers of nearly 1,000% over 10 years**. TfL's business case for devolving control of other suburban rail lines to be under the Mayor's control highlights how **people in Streatham choose to take bus services to access the high frequency Victoria Line at Brixton, rather than use closer rail stations with an infrequent service**. **Delivery of a south London metro service on these suburban lines would be a big opportunity to increase mode share of public transport...We will work with industry stakeholders and through the planning process to secure improvements to capacity, access and interchange at Waterloo, Vauxhall and Brixton stations and investigate options for an additional Overground station in the borough.**"*

The same plan notes that Lambeth must 'apply London Plan policy T3 to support and safeguard improvements to public transport'.

The development would contravene Policy T1 in the London Plan titled 'Strategic Approach to Transport'. This policy requires that:

"All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated."

It is therefore abundantly clear that the Lambeth Plan 2021 recognises the popularity and success of the east-west Overground service in reducing commuter car use and is committed to pursuing opportunities for introducing an interchange station on the Overground in the Brixton area.

The feasibility of introducing an overground station at Brixton was addressed in a study conducted for the Council by Steer Davies Gleave in 2014. The 2014 feasibility study found that the number of passengers using Lambeth's four overground stations grew over the previous five years, higher than previously estimated. Additionally, by creating direct travel options in south London to destinations at that time, and still at present, only possible via 'circuitous routes via public transport' would align with sustainability goals as well as 'generate a base level of demand in the order of two million passengers'.

The study demonstrated that a station could be constructed at Brixton interchange with the Victoria Line London Underground, together with interchange connections to the Chatham and Catford Loop lines.

One of the 2 options considered in the study was to swap over the existing Catford Loop Line tracks with the Overground tracks and create a platform between them to serve both

lines. This platform would be situated on the site of the Hondo application. Another option considered was to construct a high-level viaduct and station over the existing Catford Loop line. This again would involve a platform being situated on the site of the Hondo application.

Clearly both of these options would necessitate making use of the application site to be able to achieve a new stop on the Overground line at Brixton and therefore the proposed Hondo development would remove a key opportunity to improve Brixton and London's public transportation. This would be in contravention with the Mayors London Plan policies T1 and T3 and would severely limit Lambeth's ability to implement its policy commitments as spelled out in its Local Plan.

Removing the opportunity to construct an overground station which would bring considerable benefits to the area does not appear to align with a policy of safeguarding as committed to over a 6-year period.

Further, the London Plan – according to the Good Growth Fund page on the GLA website – *“sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years”*. Looking to the long-term development of public transport infrastructure in South London, preventing a prime opportunity to integrate environmental and social goals by improving connectivity in an area not met by an underground route or Network Rail, is in distinct discord with this purported strategy. This also links to the circular economy strategy, moving towards a more extensive, high quality public transportation network with low emissions and significant reach.

The Hondo development would limit future public transport opportunities and provides insufficient mitigation for removing the possibility of an Overground connection in Brixton. As well as the above policy breaches, this is in contravention to the Planning Performance Agreement signed in 2019. Paragraph 6.2 states that the development must promote:

*“Sustainable modes of transport whilst minimising any impact on the amenity of residents. The scheme **should serve as an example that can be built upon in the development of proposals for further expansion in line with the council's programme**”*.

The development cannot serve as a suitable example for future developments if it obstructs a future key transportation connection in the local area. Further, paragraph 8.3 iii states that the proposed scheme must be

*“Serviced in an acceptable manner and delivers appropriate infrastructure to **optimise accessibility by a choice of transport modes**. To ensure that the construction of any future development **minimises the impact on surrounding Network Rail assets and the operational railway**.”*

The development reduces accessibility by a choice of transport modes due to its obstruction of the establishment of a new Overground connection in Brixton. As a consequence of this, its situation between two rail viaducts indeed impacts surrounding Network Rail assets and railways.

In 2014, at a Mayor's Question Time, it was outlined that the cost of constructing the station and relevant infrastructure would cost upwards of £80 million. Compared to the budget allocated to an entirely new national rail station being constructed in Reading at Green Park – circa £17 million (comprised of £9.15 million from the Local Growth Fund, Section 106 developer contributions of £5.6m, and £2.3 million from the Department for Transport's New Station's Fund) – including an entire station building and road connections, it appears these could be an overestimation.

Further, the potential benefits an overground connection could bring to Brixton have been analysed by several sources. In 2018, Clapham Transport Users Group argued in favour of the station in order to reduce dangerous overcrowding at Clapham North and Clapham Common tube stations on the Northern Line. In addition, growing passenger numbers to and from Brixton itself have increased the need for improved transportation capacity in the area. Opening an overground station on the Atlantic Road site, as stated in the 2014 feasibility study, would create commercial opportunities through its placement at the heart of Lambeth's redevelopment plan. Despite high risks of disruption, close links to other transportation routes and high potential for commercial and residential development make the case for keeping the position between the viaducts a viable option fiscally logical. The developer's figures underestimate the hindering impact on public transport that the development will have, in terms of capacity and long-term viability through passenger numbers for TfL. The Station Audit Assessment in the same study found Brixton's railway station to be dismally underperforming. Although conducted in 2014, minimal changes have been implemented to alleviate conditions reported in the scathing assessment by Steer Davies Gleave, finding Brixton station to lack signage, aesthetics, amenities, and sufficient access, in addition to being visibly poorly maintained with poor levels of service information.

It is therefore astonishing that neither the transport reports prepared for Hondo or the Lambeth officers report make any reference to the obstructed opportunity to open an Overground station, nor any consideration of the additional commercial benefits this may have brought to Brixton. The Brixton Society raised this issue in their objection to the application, but this was not addressed in the Officer's Report.

Hondo Considerations on Transport

Considerations made by Hondo to the impact of several hundred additional commuters entering and leaving Brixton are limited. Commissioned in March 2020, transport planning consultants Caneparo Associates prepared a transportation report for Hondo's development. The report's conclusion states that:

'The proposed development will result in an increase in trips made by public transport and active modes, which can be supported by existing capacity subject to further discussion with the highway authorities regarding mitigation measures to be secured by planning condition and/or S106 legal agreement.'

This projected increase in trips made by public transport is based on 2011 census data, which is 10 years out of date and crucially therefore does not take into account recent and

current strategies within the borough and by the Mayor for London as a whole to reduce car use and increase use of public transport.

The figures projected by Caneparo totals 699 additional trips in the peak morning period and 635 after work hours end. The report goes on to state that, regarding the underground, train and buses it was considered that, despite 83.75% of employees not being residents (as stated in the Officer's Report) the impact would be either "negligible" or have no "material impact". This assessment appears to sit in contradiction to the conclusion of Lambeth Council's 2014 report that Brixton's Victoria Line station is 'overcrowded' and in need of relief. In addition, Hondo's report, produced by Volterra, on the job creation forecasts that an additional 1800 jobs would be created by the development. However, the trip generation figures only account for an additional 863 trips in the morning and 784 in the evening, including walking. These figures only include the extra transport demand from office space, stating that leisure and restaurant staff are not included in these figures due to them being 'secondary' trips. This logic is flawed, as these workers would be commuting as a direct result of the development. In addition, the GLA Stage 1 report at paragraph 60 states that trip generation for market and community must be factored into transport impact assessments, which Hondo did not as cited again in the GLA Stage 2 report paragraph 2.

The developers have been required, by TfL to provide a section 106 payment of £450,000 towards mitigating the impact on buses. This is due to be paid in two instalments – one six months' before completion and the second one year after the first. The two instalments of £225,000 are to pay for three additional bus journeys in the peak hour over two years. In this regard, three additional bus journeys for peak hours does not accord with a "negligible" impact. In addition, the GLA Stage 1 report states bus contributions of £1.125 million was required from Hondo to cover three additional buses over a five-year period, but only £450,000 was agreed. The Planning Performance Agreement for the development signed in 2019 states at paragraph 7.2 that the developer must ensure "that appropriate S106 obligations are negotiated that contribute commensurately towards infrastructure in the area and that mitigate any impacts of the Scheme that there may be". This does not appear to have been met, if only two out of five years of required bus mitigation funding has been agreed.

Hondo's transport assessment (paragraph 7.6) states that "Sites have been selected from TRICS that are comparable in terms of location, accessibility, and parking provision" to provide insight into the development's projected transportation impact. However, TfL's website states that the TRICS database can be used if the sites are "similar to the proposed development in terms of location, scale, land use and car parking". The sites chosen to compare with this development are almost all very different sizes to the site in question in terms of office space, and only one location is in Lambeth. We deem this to be in contravention to the recommended use of the TRICS database, and in disagreement with the statement in Hondo's transport assessment.

The developer's figures therefore underestimate and misrepresent the impact on public transport that the development will have.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application

as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.



Sources

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2014 Feasibility Study Steer Davies Gleave

Lambeth Transport Strategy 2019

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Infrastructure Delivery Plan

Caneparo Associates, 2020, Transport Assessment: Pope's Road Brixton London Borough of Lambeth.

Volterra, Transport Report

GLA Stage 1 Report

GLA Stage 2 Report

Pope's Road Planning Performance Agreement

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by:

[REDACTED]

Transport Written Representation – Planning Application 2020/5276/S1

I have received the most recently revised application, and am resubmitting my written representation in opposition to the development proposed by Hondo. The revisions again do not change the negative impacts the development would have on local transport, local marginalised communities, the environment, local heritage, the local economy, and daylight for surrounding residents.

Below is the written representation which I submitted on 12th December 2021. The representation below was posted to the address provided by the GLA on the website, so I am not sure whether the paper copy was received.

Best wishes,

[REDACTED]

Written Representation – 12th December 2021

The recently revised application does not change any of the substantial negative impacts this development would have on local transport, local marginalised communities, the environment, Brixton's heritage, the local economy, and surrounding residents' daylight.

The amendments consist solely of employment funding and increasing the term of the affordable workspace. This fails to address any of the key concerns outlined below in relation to transport. In sum, these are:

- The development removes any future option to construct an Overground station in Brixton
- Hondo's assessment of the impact of the development on local public transport fails to adequately account for the additional trips in peak hours which will be generated because of the tower

Critically, by blocking an opportunity for the construction of an Overground connection in Brixton, the application breaches the London Plan and critically limits Lambeth's ability to implement a key policy commitment contained in its Local Plan.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.



N.B. In this written representation, I enclose my already submitted written representation (Friday 10th December 2021) for your information. Thank you for reading this submission.

Removing Option for an Overground Station in Brixton

Currently the Overground line that provides an east-west orbital public rail service for London passes through Brixton without stopping. These tracks are immediately adjacent to the application site. The only interchanges with radial routes in and out of London on the Overground line in south London are at:

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Hondo’s transport assessment (paragraph 7.6) states that “Sites have been selected from TRICS that are comparable in terms of location, accessibility, and parking provision” to provide insight into the development’s projected transportation impact. However, TfL’s website states that the TRICS database can be used if the sites are “similar to the proposed development in terms of location, scale, land use and car parking”. The sites chosen to compare with this development are almost all very different sizes to the site in question in terms of office space, and only one location is in Lambeth. We deem this to be in contravention to the recommended use of the TRICS database, and in disagreement with the statement in Hondo’s transport assessment.

The developer’s figures therefore underestimate and misrepresent the impact on public transport that the development will have.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.

[REDACTED]

SITE ALLOCATION 16, URBAN DESIGN AND PUBLIC REALM

1. Site Allocation 16

The application site is located within Site 16 and would occupy the majority of it.

1.1 Lambeth Local Plan 2021 (LLP2021)

Policy PN3 (Places and Neighbourhoods- Brixton) states that (emphasis added) :

*Brixton’s role as a **distinctive, multicultural and diverse** major town centre will be safeguarded and promoted through careful and sensitive regeneration, recognising its local distinctiveness and historic built environment, and supporting economic, social and environmental sustainable development. A key objective of the Brixton Economic Action Plan is to develop a broader and more resilient local economy. Where necessary and justified to achieve the objectives of this policy, the council will use conditions and/or planning obligations in new development proposals to limit uses consented within Class E.*

This will be achieved by:

*F. securing traffic reduction and initiatives to reduce harmful emissions and improve air quality; **the creation of new high-quality, safe, accessible and animated public spaces** with increased green infrastructure; **improvements in provision for pedestrian movement and cyclists**; **improved linkages within the town centre and connections with adjoining areas**; and communal use of public spaces and public art.*

*K. supporting development on **sites 15 and 16 in accordance with the site allocation policies for those sites** and the guidance and principles set out in the Brixton Central Supplementary Planning Document.The design of the development proposals should complement and **enhance the permeability and of public spaces and improve pedestrian and cycle movements through this part of the town centre**. Development proposals will also be expected to contribute towards wider public realm improvements in this part of the town centre to facilitate a comprehensive and unified approach.*

To date, the Brixton Central Supplementary Planning Document has not yet been published, but LLP2021 policy PN3 sets out the policies for Site 16 -Brixton Central (between the viaducts) as follows:

287 Lambeth Local Plan 2020-2035 Section 11: Places and Neighbourhoods	
Site 16 – Brixton Central (between the viaducts) SW9	
Site area	1.13 ha
Ward	Coldharbour
Ownership	Network Rail and private
Current use	Bounded by two railway viaducts the site comprises Brixton overground station, railway track and arches (in use as retail, office and storage), retail, part of Brixton Market and disused car park.
Transport	Public transport accessibility level 6a (exceptional)
Flood zone	Flood zone 1 - a site-specific flood risk assessment has been carried out as part of the strategic flood risk assessment.
Heritage	Brixton Station is within the Brixton conservation area. Grade II listed Brixton Village (Granville Arcade) and locally-listed Walton Lodge Laundry are to the south of the southern railway viaduct.
How the site was identified and relevant planning history	Included in the SHLAA 2009 as a potential housing site Identified in the Brixton Masterplan June 2009 and Brixton area SPD June 2013.
Preferred use	Improvements to Brixton Station to include a new station entrance and pedestrian links. Mixed-use development including retail, new workspace, food and drink, community, educational, leisure and recreation uses, possible market extension and associated uses. Development to include revitalised railway arches with options to provide links through to improve north-south routes.

Site 16: Brixton Central (between the viaducts) SW9



- Site Boundary
- Listed Building
- Opportunities to Open Up Access / Residential Linkage Improvements
- Extending Commercial Activity
- Opportunity to Reinforce Station Entrance
- London Underground Station
- Rail Station
- Conservation Area

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Site 16 – Brixton Central (between the viaducts) SW9	
Design principles and key development considerations	<p>Large site bounded by railway viaducts with considerable development potential subject to improving access and permeability through the site.</p> <p>The council will support development on the site that:</p> <ul style="list-style-type: none">i. provides opportunities to improve the station entrance and station facilities generally, including lift access and cycle parking;ii. provides public realm improvements to Brixton Station Road to include links to both the mainline and underground stations, the opening up of arches to provide links to north-south routes east of Popes Road and potential links to Brixton Village;iii. enhances the arches to provide active uses and routes through;iv. opens up Popes Road to provide a wider public space with the potential to provide improved and/or additional market spaces;v. includes market facilities;vi. includes environmental improvements to the viaduct arches serving the Orpington Line;vii. integrates and complements development on the Popes Road site (Site 15);viii. includes the re-provision of the redundant 1950s building;ix. avoids creating a canyon on either side of the railway viaducts;x. proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.

Under the heading 'preferred uses' for Site 16, it states "*mixed-use development including retail, new workspace, food and drink, community, educational, leisure and recreation uses, possible market extension and associated uses*". It does not state 'office' or 'office-led' development, whereas a number of other site allocations in the borough stipulate 'office' , 'office-led' development or 'mixed use including offices' as their preferred uses. Although supplemented with retail, food and drink and community uses, this application is essentially for an office-led development (offices making up over 88% of GIA) so **the application does not fit into the land uses envisaged for Site 16.**

The preferred uses for Site 16 also state '*Development to include revitalised railway arches with options to provide links through to improve north-south routes.*' The opportunities to open up the arches to provide north-south links from Brixton Market to Site 5 (Pop Brixton) are indicated with a broken green line on page 286 above.

Under the heading 'Design principles and key development considerations' it states that (emphasis added):

"The council will support development on the site that:

- ii. provides public realm improvements to Brixton Station Road to include links to both the mainline and underground stations, **the opening up of arches to provide links to north-south routes east of Popes Road and potential links to Brixton Village;***
- iii. **enhances the arches to provide active uses and routes through;***
- vii. **integrates** and complements development on the Popes Road site (Site 15);*
- ix. **avoids creating a canyon** on either side of the railway viaducts;*
- x. proposes **low buildings** to protect the amenity of new residential development on Coldharbour Lane adjoining the site.'*

The only arch within the red line on the site plan is shown on the applicant's Ground Floor Plan (ref PRD-AA-ZZ-00-DR-A-03-003) as shown below..



As shown on this drawing, this arch will be used for short stay cycle parking and because of its proximity to Popes Road (already a pedestrian only route) the application would not achieve any improvement to north-south pedestrian links through the site over and above that which is currently available. The drawing also shows that the only **external doors** giving access to the passageways to the north or south are to the rear of retail units themselves, and other self-contained rooms, rather than providing **public** access routes in and out of the building to the north and south.

The following extracts from Lambeth Officers report concern the impact on the railway viaduct arches (emphasis added):

8.2.13 The applicant owns **Brixton Market to the south** of the site and one of the wider aspirations of this proposal is to connect the new building to the listed market with a pedestrian link. This aspiration is supported. However, (i) **delivering this is not in the applicant's gift as the railway arch between the two is not held by them**, (ii) **the arch required is not within the red line boundary of the site**, and (iii) **no listed building consent application accompanies this proposal**. Given the above, only limited weight is given to this as a public benefit because the new connection south is prepared for but not actually delivered.

8.2.14 A **northern connection** halfway along the length of the site is also anticipated by the proposal. This too is welcome. However, (i) **delivering this is also not in the applicant's gift as the railway arches between the site and Brixton Station Road is not held by them** and (ii) **the arch required is not within the red line boundary of the application site**. Given the above, limited weight is also given to this as a public benefit because the new connection north is prepared for but not actually delivered. Notwithstanding this, the proposal does allow for possible connectivity to improve both the north and south routes in the future and the applicant is actively exploring the possibility of purchasing the required railway arches with Network Rail to facilitate these wider aspirations.

8.2.19 The rows of railway arches to the north and south of the site are currently occupied by assorted tenants and infilled with unattractive elevations. Given the occupancy and leases, **it may be many years before these railway arches come forward in an animated and attractive manner which would make a safe pedestrian environment**. This concern is shared by the Council's independent DRP, who commented as follows:

"The Panel is encouraged by the aspiration to open up the adjoining railway arches but notes that this is beyond the scheme red line. The panel considers that a fall-back position needs to be considered given it may be some time before active units and possible new links might come forward".

It is clear therefore that the application **does not attempt** to deliver the required north-south pedestrian links through the site. Even though the ability to deliver them fully in the foreseeable future is subject to arches coming

forwards, **no provision has been made in the building's design to allow for this permeability.** The application therefore fails to comply with Site 16 policy (ii).

With regard to site allocation policy (vii) the following extract from LLP2021 shows the context of Site 15.



A pedestrian link between Sites 15 and 16 already exists via Popes Road and the application does not in any other way attempt to physically integrate Sites 15 and 16 as demonstrated above. Therefore **the application fails to comply with site allocation 16 (vi) policy.**

With regard to site allocation 16 policy (iii), the following extracts from Lambeth Officers report concern the activation of the arches (emphasis added):

8.2.21 The applicant hopes to secure an additional arch to the north and one to the south to create pedestrian access from Brixton Station Road through the site and south to connect into the Grade II listed Brixton Market and to Coldharbour Lane below. Notwithstanding this, the current ambiguity around these routes – the separate ownership, the dead infill frontages within the viaduct arches, the curved alignment (limited visibility) presents an issue in relation to Policy Q3, part a (i), requiring proposals to “design out opportunistic crime, anti-social behaviour in a site specific manner, based on an understanding of the

locality and likely crime and safety issues it presents”. Although the proposed scheme hopes to facilitate future links and interaction with the arches, this is not part of the application to be considered by committee.

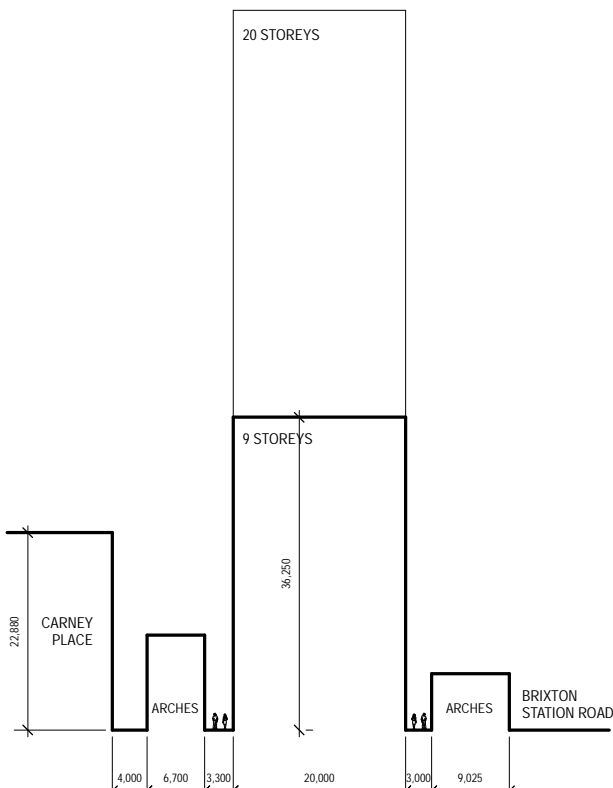
8.2.22 Similarly, **Policy Q6, part (iii) is not met either, which requires “improved legibility, permeability and convenient access via direct routes for all users (but avoiding alleyways and back lanes)”**. Furthermore, the presence of the service yard at the constrained eastern end of the site means that **public access through to Valentia Place would not be safe** or desirable due to manoeuvring service and delivery vehicles. This effectively means that the **new viaduct routes will be dead ends** at their eastern end.

8.2.23 This concern was shared by the *DRP*, who commented as follows:
“The Panel were not convinced that the Valentia Place service area can accommodate through pedestrian access in terms of a safe and attractive public realm. The panel consider that desire line to Valentia Place is not a strong one and is **unlikely to be safe** without sufficient use anchors”.

8.2.24 Given the issues above, **the new routes present potential risks to the public and their separate ownership, it is considered that these routes should be gated and opened as part of a security and Site Management Strategy until a safe, long term solution is secured and delivered. Such details would be secured by condition s106 .**

By maximising the footprint of the building and extruding this footprint to 20/9 storeys the design of the building not only fails to provide pedestrian routes that penetrate the site, it fails to take the opportunity to provide a wider public space between the development and the arches. The arches are home to Brixton's much valued artistic and creative communities. But it is clear that **far from opening up and reactivating the arches, the proposed development would do the exact opposite** -it would create tall, narrow canyons between the arches and the development, which would not only be oppressive to both current arch occupiers and the general public, they would also be unsafe.

The diagram below which has been produced by scaling off the applicant's drawings illustrates in basic form how the proposed development would relate to the arches.



This photograph below shows the arches along the south border of the site, as viewed from the east.



As evidenced above, the application **fails to comply with Site Allocation 16 policy (iii) because it fails to enhance the arches to provide active uses and routes through.**

With regard to site allocation 16 policy (ix) it is clear that the application fails to comply with this policy because it creates a canyon between buildings on the southern railway viaduct as demonstrated above.

The issue of policy interpretation of canyons came up at the first Lambeth Planning Applications Committee meeting on 25 Aug 2020.

Cllr XXXX: ".....so thank you for what you were saying about that study and just moving to site 16, can you perhaps XXXX give us a bit of an idea about how/when the local plan was produced and how site 16 was drawn up-what was meant by item 9 within that site allocation about avoiding/creating a canyon on either side of the railways- was that about a ground level issue or was that talking about creating a canyon between two buildings such as this application and the existing accommodation on coldharbour lane-? Where's the canyon that it was trying to avoid and can you describe it? "

Lambeth Design and Conservation Officer XXXX " Well the policy presumption against canyon-like development along railway lines is actually one that's embedded in wider policy, so I think its policy Q7 talks about that, bear with me we can have a look- and I suspect that it was transferred across as being relevant because of the proximity to the railway line, ermm..... I'm just scanning policy Q7 now...yeah policy Q7 part 7 says development will be sought if it would not create unattractive canyon-like development along railway lines, so it's a general policy approach for across the borough whereas railway lines pass through -**we don't want the railway commuters experience of our borough to be that of a canyon of continuous development.** So it's not necessarily a site specific consideration although there than is a railway line running on either side of this site. "

Cllr XXXX " Thanks XXXX, so why do you think it was specifically mentioned then for site 16 and for not others? because this is a really narrow strip of development land. Given the market that's next to is protected, you've got the Carney Place/Milles Square devt and the laundry site that obviously have height on them and are explicitly referenced then site allocation 16 draws specific attention to the canyon effect that could be created by having a taller building on that site, so I mean its specifically mentioned in this one site allocation, so I appreciate that it's something that applies more in general, but it was specifically drawn out for this site. "

Lambeth Design and Conservation Officer XXXX “ well I suppose this site adjoins a railway line so we will have teased out the various key policy considerations from the local plan and we often repeat them here so that there will also be a reference to heritage impacts normally and so on and so forth. Umm, the market isits cultural significance... its internal significance really that’s about the market .But I suppose really to sum up, you know **the policy aspirations borough wide are to avoid continuous canyon-like development along railways lines.. relevant here as much as it is anywhere else**”

Given that policy PN3 and policy T2 both emphasise the importance of good quality public spaces for pedestrians, it is astonishing that policy with regard to canyons appears to have been interpreted by the Lambeth Design and Conservation Officer in a way that prioritises railway commuters above pedestrians. Moreover, it can be seen from the following extract from Site 15 allocation of LLP2021 that any tall buildings in this part of Brixton would be restricted to the Brixton Station Road frontage of Site 15 only.

Site 15 – Popes Road SW9

Design principles and key development considerations

This site provides a major opportunity for a wider range of town centre uses, improving the frontage along Brixton Station Road, public realm improvements and integration with development on Site 16 - Brixton Central (between the viaducts).

The council will support development that:

- xiii. provides higher-density development with adequate public space, so long as this does not create an unacceptably cramped relationship with International House;
- xiv. locates any tall buildings on the Brixton Station Road frontage;

So not only does the application create a canyon on the southern side of site 16, it fails to integrate with developments envisaged on Site 15 - **contrary again to site 16 policy (vi)**.

Regarding Site 16 policy (x) the application was, and is advertised as a departure from this policy because it is a tall building, whereas Site 16 policy (x) **specifically proposed low buildings** ' to protect the amenity of new residential development on Coldharbour Lane adjoining the site.'

A written representation submitted to the GLA by [REDACTED] on 3rd Feb 2022 evidences in detail the unacceptable harm to sunlight and daylight amenity that the proposed development would have on the residents of flats at 368-372 Coldharbour Lane (Carney Place) which is contrary not only to Site 16 policy (x) but also policy contrary to policy Q2 of LLP2021, and policy D9 C 3 a) of the London Plan.

A written representation submitted to the GLA by [REDACTED] on 11th Feb 2022 demonstrates that the proposed development would also fail to protect **views from the adjacent Loughborough Park Conservation Area** by virtue of the fact that it would entirely obscure views towards the London skyline. This is contrary to LLP2021 policy Q22.

To summarise, the application fails to comply with LLP2021 Site 16 policies (ii), (iii), (vii), (ix) and (x). It is also questionable whether it complies with all of the remaining Site 16 policies, but there is no doubt that **it fails to comply with at least five of the ten Site 16 policies**. The departure from this policy has clearly been understated.

By failing to comply with Site 16 policies, the application fails to comply with LLP2021 policy PN3.

Policy T2 (Walking) of the LLP2021 states that (emphasis added):

*C. Development proposals should deliver an **improved environment for pedestrians**, appropriate to the scale and nature of the proposal with particular regard to accessibility, **safety**, convenience and directness of movements, **including provision of new routes and desire lines**, and enhancement of existing routes with reference to the Lambeth Healthy Routes Plan*

In the same way that the application fails to comply with Site 16 policies (ii), (iii) and (vii), it also **fails to comply with policy T2 C** because although an enlarged public space would be created on Popes Road, the application would not provide the new pedestrian links envisaged for Site 16, but instead would introduce public safety issues.

1.2 The London Plan 2021 (LP2021)

The way that site allocations embed themselves into policy at a London level is explained in the London Plan 2021.

*0.0.25 The Plan provides the framework to address the key planning issues facing London, allowing boroughs to spend time and resources on **those issues that have a distinctly local dimension** and on measures that will help deliver the growth London needs. This includes: area-based frameworks, action plans and Supplementary Planning Documents, **site allocations**, brownfield registers and design codes, as well as supporting neighbourhood planning.*

Policy D1 of the LP2021 states that (emphasis added):

B In preparing Development Plans, boroughs should plan to meet borough-wide growth requirements, including their overall housing targets, by:....

*3) following the design-led approach (set out in Policy D3 Optimising site capacity through the design-led approach) to establish optimised site capacities for site allocations. Boroughs are encouraged to set out **acceptable building heights**, scale, massing and indicative layouts for **allocated sites**, and, where appropriate, the amount of floorspace that should be provided for different land uses.*

Policy D3 of the LP2021 (referred to in policy D1 above) states that (emphasis added):

*A All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including **site allocations**. Optimising site capacity means ensuring that development is of the most appropriate **form** and **land use** for the site.*

*3.3.1 For London to accommodate the growth identified in this Plan in an inclusive and responsible way every new development needs to make the most efficient use of land by optimising site capacity. This means ensuring the **development's form is the most appropriate for the site and land uses meet identified needs. The optimum capacity for a site does not mean the maximum capacity; it may be that a lower density development – such as gypsy and traveller pitches – is the optimum development for the site.***

As stated previously, the proposed office-led development **does not fit the envisaged land use of Site 16**. The **form** of the proposed development cannot be regarded as being appropriate for this site because the policy that Lambeth have developed for Site 16 specifically advocates **low buildings and permeability**. The applicant has clearly attempted to maximise GIA but this is to the detriment of residential amenity, the public realm and heritage assets.

Policy D3 goes on to say (emphasis added):

D Development proposals should:

*2) encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings, that are aligned with peoples' movement patterns and **desire lines in the area***

*5) achieve **safe**, secure and inclusive environments*

*7) deliver appropriate **outlook, privacy and amenity***

*10) achieve indoor and **outdoor environments that are comfortable and inviting for people to use***

Once again, in the same way that the application fails to comply with Site 16 policies (ii), (iii) and (vii), it also **fails to comply with LP2021 policy D3** because the building's design makes no attempt to allow for or provide the new pedestrian links/desire lines envisaged for Site 16. Instead it would introduce narrow canyons between the proposed tall building and the railway arches which would be not only be uninviting, they would create public safety issues. The proposed development would also severely affect the privacy, views (outlook) and daylight amenity for the residents of 368-372 Coldharbour Lane- the amenity that Site 16 policy (x) was intended to protect.

Finally, LLP2021 Annex 10 and hence Policy Q26 of the Development Plan does not identify the application site as being appropriate for tall buildings. On the contrary, the LLP2021 specifically proposes **low buildings for Site 16**. Therefore, the application is **contrary to LP2021 policy D9**, which in section B states that:

*3) "Tall buildings should **only** be developed **in locations that are identified as suitable in Development Plans.**"*

2. Urban Design and Public Realm

Policy Q6 of LLP2021 is alluded to in the Lambeth officers report. This concerns Urban Design and Public Realm. It states that (emphasis added):

The council supports development that provides:

i. the most effective use of the site;

*ii. **safe, attractive, uncluttered, co-ordinated public realm that enhances the setting of and spaces between buildings;***

*iii. improved legibility, **permeability and convenient access via direct routes for all users (but avoiding alleyways and back lanes);***

*iv. a building line that maintains **or improves upon the prevailing building line** (forward encroachment of established building lines will only be supported where it is fully justified and where no unacceptable change to amenity or local character will result);*

*v. new or **enhanced public space and green infrastructure;***

The Lambeth Officers report confirms that the proposed development fails to comply with policy Q6 (iii). As the Lambeth officers report states at paras 8.2.22-8.2.24, the new viaduct routes would be unattractive, unsafe and would present potential risks to the public. The narrow, deep canyons created by the height of the proposed development would effectively worsen the existing setting and space between buildings. Therefore the application does not comply with policy Q6 (ii) either.

With regard to policies Q6 (iv) the application maintains the existing building lines to the north and south but fails to mitigate the negative impact of the height of the building on these passageways.

Therefore, with regard to policy Q6 (v), the proposed pedestrian routes along the north and south of the building are not new or enlarged and neither are they enhanced- quite the opposite in fact.

The above demonstrates that the application has failed to properly consider its spatial relationship with the railway arches and as such is contrary to LLP2021 policy Q6.

Conclusion

The application has so far, only been considered to be a departure from Local Plan policies Q26 (ii) and Site 16 policy (x) but in fact, as evidenced above, when considered against relevant Local Plan policies concerning site allocations, pedestrian transport, urban design and public realm, the proposed development fails to comply with Local Plan Site 16 policies (ii), (iii), (vii), (ix) and (x), and therefore also Local Plan policy PN3. It also fails to comply with Local Plan policies T2 C and Q6.

At a London level, the proposed application **fails to comply with London Plan policy D3** with regard to land use and form.

In addition, it also fails to comply with Policy D3 with regards to optimising the site's capacity. The proposed development is simply too large, too tall, and too close to the railway arches and fails to take the opportunity to allow pedestrian links to flow through it. It is an oppressive, impermeable building that is out of scale with its context and its design has not properly considered its relationship with that context.

The proposed development is also **fundamentally contrary to London Plan Policy D9** (Tall Buildings) which states that:

*"Tall buildings should **only** be developed in locations that are **identified as suitable in Development Plans.**"*
(London Plan, p.139)

As stated above, Annex 10, and hence Policy Q26 of the Development Plan does not identify this site as being appropriate for tall buildings.

In contrast, the Development Plan allocation for Site 16 within which the application site resides, actually proposes low buildings. Yet, the proposed development within Site 16 is for a tall building. So the proposal is contrary to the Local Development Plan on both of these counts - it both breaches Local Plan policy PN3 Site 16 (x) and also breaches Local Plan policy Q26.

For this reason, the **proposed scheme is a fundamental breach of London Plan policy D9 on Tall buildings.**

I urge the Mayor to reject this application on these grounds and the many other grounds already raised by objectors and residents of Brixton.

Save Nour/Fight the Tower campaign
16th Feb 2022

[REDACTED]
London Borough of Lambeth
Development Control
Phoenix House (10) Wandsworth Road
London
SW8 2LL

Our ref: SL/2021/121614/01-L01
Your ref: 20/01347/FUL
Date: 07 December 2021

Dear [REDACTED]

**Demolition of the existing building and erection of a part five, part nine and part twenty storey building comprising flexible class A1 (shops)/A3 (restaurants and cafes)/B1 (business)/D1 (non-residential institutions)/D2 (assembly and leisure) uses at basement, ground and first floor levels, with restaurant (class A3) use at eighth floor level and business accommodation (class B1) at second to nineteenth floor levels, with plant enclosures at roof level, and associated cycle parking, servicing and enabling works
reconsultation due to external design changes to the building facades as well as relocation of the community floorspace at the first floor level.**

20 - 24 Pope's Road London SW9 8JB

Thank you for consulting us on the above planning application.

We have reviewed the information and have the following comments to make:

Advice to the applicant – site specific advice

If you would like to receive site specific advice or discuss documents in further details with us, we are able to do so under our charged planning advice. Please contact us on kslplanning@environment-agency.gov.uk for further details.

Standard Planning Informative

The Government is committed to ensuring that the planning system does everything it can to support long term, sustainable economic growth, and has made it clear that significant weight should be placed on the need to support economic recovery through the planning system and related consent regimes, [while protecting the wider environment](#).

Sustainable development is about preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of land, air, water or noise pollution or land

instability. Sustainable development must therefore be based on a clear understanding of the historic land-use, the wider economic, social and environmental setting and the proposed development. Lack of understanding of the risks of contamination or pollution associated with a development site can lead to delay and additional costs if permits/licences other than the planning permission are required.

There is substantive guidance on best practice for site assessments and this should be followed fully to ensure planning applications are accompanied by relevant preliminary documentation, to allow them to be promptly processed and sustainable developments fully supported.

Local planning authorities should ensure that any site is suitable for its new use, especially high risk uses, taking account of ground conditions, contamination arising from previous uses and any proposals for land remediation, pollution prevention and foundation design.

Land Contamination

The Guiding Principles for dealing with Land Contamination is available on <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks>.

We recommend as best practice that all site desk study, site investigation, remediation strategies and verification reports submitted for planning purposes are undertaken by a suitably qualified person, preferably registered as a SILC/SQP. We recommend that for brownfield site developments – especially on sites with higher risk previous uses – desk study reports, site investigations, remedial strategies and verification reports are signed off under the *National Land Quality Mark Scheme* (NQMS).

The NQMS is a system designed by the industry-led Land Forum to ensure that land contamination management work meets the necessary standards. It applies in particular to the presentation of environmental information to the regulator in the form of reports setting out both factual and interpretative information.

Under the scheme, reports are prepared in line with good practice and signed off by a suitably qualified and experienced person registered under the NQMS who aims to ensure that:

- The work has been planned, undertaken and written up by competent people who have relevant experience and/or qualifications in their respective disciplines
- The underlying data has been collected in line with established good practice procedures and its collection has been subject to control via established quality management systems
- The data has been processed, analysed and interpreted in line with established good practice and any specific advice provided by the relevant regulatory authorities or regulatory bodies
- The reports set out recommendations or conclusions that are substantiated by the underlying data and are based upon reasonable interpretations
- Any limitations in the data or uncertainties in the analysis are clearly identified along with the possible consequences of such limitations

If developments are supported by NQMS reporting we can assume that the local planning authority has the necessary information to allow decisions to be taken without the need for additional site-specific advice from us. We can recommend that you take account of the conclusions and recommendations within an NQMS report.

If you need further support understanding the report, please seek advice from your Environmental Health/Environmental Protection Department who will be able to advise on the generic aspects of land contamination management.

Where planning controls are considered necessary, we recommend that you seek to integrate any requirements for human health protection with those for protection of the water environment. This approach is supported by paragraph 174 of the National Planning Policy Framework and the Water Framework Directive, which places such duties on all public bodies.

We also recommend that you consider the merits of advising the developer to handle any further land contamination management work that may be required under the NQMS.

Any unexpected contamination encountered during development of a site should be reported to the Environmental Health Officer (EHO) in accordance with *Building Regulations Approved Doc C*.

Foundation Design and Contamination

Piling can result in risks to groundwater quality by mobilising contamination when boring through different bedrock layers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. If piling is proposed, a Piling Risk Assessment should be undertaken to confirm the proposed design does not pose risks to the groundwater. This should be in accordance with EA guidance document "*Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention. National Groundwater & Contaminated Land Centre report NC/99/73*".

Drainage Design and Contamination

Any SuDs design for clean roof drainage should be through sealed trap gullies and only sited in areas of clean naturally occurring materials in accordance with building regulations Approved Doc H (link below) and good practice design guidance (CIRIA R156).

All infiltration drainage from roads and service areas that bypasses the upper soil layers via soakaway chambers or boreholes may require a permit to discharge to ground, unless additional pollution prevention measures are installed that prevent contaminated water reaching the aquifer body.

Drainage may be restricted in a source protection zone or over an aquifer where groundwater is at shallow depths. Foul drainage should be discharged to mains sewers where possible. Developers should check <https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h> for Binding Rules information for small scale non mains discharges.

Submissions to the LPA should include all relevant information on foul drainage proposals using the following form.

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

Treated discharges to ground or surface waters may require an Environmental permit.

Engineering works

Any excavation and re-profiling works on closed landfill sites are likely to require an Environmental permit. Any new engineering works on permitted landfills will require appropriate variations to the permit as well as planning permission.

Soils and Stones

The CLAIRE Definition of Waste: Development Industry Code of Practice (version 2) provides developers/operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works can be sustainably re-used under an industry agreed Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution in accordance with an approved remediation strategy.
- treated materials can be transferred between sites as part of a hub and cluster project formally agreed with the EA for a set number of development sites.
- some naturally occurring clean material can be transferred directly between sites for agreed re-use.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to:

- the Position statement on the Definition of Waste: Development Industry Code of Practice and;
- The [Environmental regulations](#) page on GOV.UK

Wastes Removed from development sites.

Contaminated materials that are (or must be) disposed of are waste. Therefore, the handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the [hazardous waste](#) pages on gov.uk for more information.

Do not hesitate to contact us if you require further details.

Yours sincerely

[Redacted signature]

[Redacted name]

Written representation submitted by:

Date: 13th Dec 2021

In response to the recent revisions to this application, I note that there has been no change to the height, scale or the design of the building. Therefore all the issues raised in my previous representation submitted on 27th October 2021 still relate to the revised application. These are set out below once more.

TALL BUILDINGS AND DESIGN

1. TALL BUILDINGS

Tall and large buildings are singled out in planning policy and subject to specific and stringent tests because of the inherent potential for the scale of these buildings to cause harmful effects.

These precise tall building policies are set out in the newly adopted London Plan 2021 and the newly adopted Lambeth Plan 2021.

The Lambeth Plan defines a tall building in any location north of the south circular (which includes Brixton town centre) as anything above 45m. The 20/21 storey tower element of this application would be 83.4m tall (95.6m AOD) but it fails to meet both London and Lambeth tall building policy.

The breaches of these policies are extensive and concern policy D9 of the London Plan and policies Q26, PN3 (site allocation 16) and the Brixton SPD of the Lambeth Plan as follows:

D9(B)(3) 'Tall buildings should only be developed in locations that are identified as suitable in Development Plans'.

Annex 10 referenced in policy Q26 (Tall Buildings) of the Lambeth Plan and informed by Topic Paper 8 (Lambeth Tall Buildings) is a series of maps showing locations in Lambeth considered appropriate for tall buildings. On the Brixton map, although 2 locations are identified (International House and the Canterbury Arms/Pop Brixton site) the application site is not. Even with regard to the 2 sites identified, which are further away from the Brixton Conservation Area than the application site, the general maximum building height recommended for these 2 locations is 65m AOD. **At 95.6m AOD, the 20 storey tower would be over 30m taller (47% taller) than this recommendation.**

Clearly this is a fundamental breach of London Plan policy D9.

In contradiction to London Plan policy D9, Lambeth's Local Plan makes provision for 'windfall' sites not identified in Annex 10, but the development is still required to meet all the stringent tests of policy Q26 of the Lambeth Plan and the remainder of policy D9 of the London Plan. Failure to meet those tests is evidenced below:

D9 C 1) a) i) Make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views /Q26 a) (i) will not adversely impact on strategic or local views

The view NNW from Brockwell Park looking towards Brixton is listed as view of local interest at policy Q25 C (i) of the Lambeth Local Plan 2021. Paragraph 8.2.34 of the Lambeth officers report acknowledges that the development would compromise the panoramic view from Brockwell Park. It states:

*" Its proximity and bulk makes for a much more dominant contribution to the view than anything in Brixton makes at present." Para 8.2.37 states that 'The view management objective is harmony – where no one element should dominate the view or block an appreciation of / compete with the landmarks. **The proposal would cause harm** because of the dominant scale and proximity to the*

viewer. It introduces unwelcome visual competition with the distant landmarks thus disrupting the view composition contrary to the objectives of Policy Q25, part (a) Given that harm to the significance of the view is identified, **the proposal does not meet the views test of Policy Q26, part (a), [i].**

Para 8.2.67 states that 'The proposal will be dominant in the middle grounds and, as identified in the views section (see paras 5.47 – 5.50) will have an **adverse impact on the local view.**'

The above demonstrates without doubt that the proposal would breach Lambeth policy Q26 part (a) (i) and London Plan policy D9 C 1) a) i) and would adversely affect (cause harm to) this important local view.

D9 C 1) a) ii) mid-range views-make a positive contribution to the local townscape /Q26a) (iii) the proposal makes a positive contribution to public realm and townscape

Para 8.2.31 of Lambeth Planning Officers report states that 'Modelling undertaken by the Council's Conservation and Design team has concluded that **the maximum height this site could reasonably accommodate without causing townscape and heritage harm was 14 storeys (57m AOD).** This is borne out by the Lambeth officers assessment.

In relation to the 26 views provided by the applicant in their Townscape, Historic and Visual Impact Assessment (THVIA) the Lambeth officers report reviewed 19 of these and concluded that in 15 cases (78% of cases), the impact on the heritage assets concerned would be negative and in relation to townscape, the report states:

8.2.56 (view 12) 'The proposal is a significant, dominant presence through the trees and in terms of bulk, scale and mass it is **at odds with the low-rise historic townscape.** The proposal would have a negative effect on the setting of St Matthew's Church in this view.

8.2.59 (view 14) The proposal adds a significant and prominent bulk to the skyline. It is large scale and dominant. If the view moves northward the Town Hall tower becomes a prominent terminating feature. In that view, the proposal will be visible with the LTH [Lambeth Town Hall]. The proposal would be of a competitive form in relation to the LTH tower. Together they frame the view down Acre Lane. However, as a landmark listed building and as a marker for the principal civic function of the Borough the primacy of the Town Hall tower is diminished – a negative effect on the setting results.

8.2.60 (view 12) the [Grade II Tate] library can be glimpsed through the trees in a homogenous low-rise **townscape** setting. The proposal is a significant, dominant presence through the trees and in terms of bulk, scale and mass it is **at odds with the low-rise historic townscape.**As a striking vertical element in an otherwise low-rise context it will be excessively dominant. The effect on the setting of the library will be negative.

8.2.61 (view 13) The Library and the other buildings (including Lambeth Town Hall behind the viewer) frame and define the junction and **share common characteristic of low form – 2 – 3 storeys and traditional architecture.** There is a broad, clear sky above. The proposal introduces a boxy, skyline form in the centre right of the view. **It visually competes with and draws the eye from the low-rise buildings including Tate Library.** The effect distracts the eye from the listed building.

8.2.62 (view 12) the Ritzy is seen through the trees in a **homogenous low-rise townscape setting.** The proposal is a significant, dominant presence through the trees and in terms of bulk, scale and mass it is **at odds with the low-rise historic townscape.** Whilst the trees screen in this particular viewpoint, should the viewer move across the road eastward into the northern corner of St Matthew's Peace Garden (by the Budd Mausoleum) the proposal will rise dominantly to the Behind the Ritzy much in the same way it does behind the Tate Library in Images 19 and 20. The effect on the setting of the Ritzy Cinema will be negative.

8.2.76 The proposal is a significant, dominant presence through the trees and in terms of bulk, scale and mass it is **at odds with the low-rise historic townscape.** The effect will be similar from much of Windrush Square / Effra Road. As a striking vertical element in an otherwise low-

rise context it will be very dominant. It is considered a negative impact results to the setting of the BCA

8.2.92 (view 26) *This architectural and **townscape dominance** is to the detriment of the built character of Electric Avenue 's locally listed buildings and to the detriment of the bustling, historic street market. The effect would actually worsen should the viewer move left – then the building will fill the entire view.*

8.2.94 *In summary, the proposal would be the predominant built form when viewed from much of the Brixton Conservation Area (BCA). It would introduce an **unwelcome visual competition to the historic civic character area south of Acre Lane/ Coldharbour Lane and to the north it would be oppressively dominant and distracting.***

8.2.113 *All of the affected undesignated heritage assets have been designated for their **townscape value** –the positive role they play in the street scene. This generally makes them positive contributors to the conservation areas in most instances too. In all the identified cases above, the effect of the proposal comes from its **physical dominance and the visual competition it introduces into the townscape.***

8.2.127 *The assessment of heritage impacts has shown that where heritage assets (designated and undesignated) have **townscape value**, the proposal generally has an **adverse impact** on their significance because of its dominance and the visual competition it would introduce. **These heritage impacts cannot be unpicked from the general townscape effect of undue dominance.***

The above demonstrates comprehensively that the proposal would have a negative impact on the Brixton townscape, contrary to London policy D9 C 1) a) ii) and Lambeth policy Q26a) (iii).

D9 C 1) a) iii) immediate views from surrounding streets- where the edges of the site are adjacent to buildings of significantly lower height, there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy

No such transition in scale exists- the form of the building is simply an extrusion from its footprint. The adjacent residential properties on Coldharbour Lane are some 14m lower in height than the 9 storey element of the proposed development. Walton Lodge is only 3 storeys high. This would result in severe adverse daylight amenity impacts for their residents which do not meet BRE guidelines. On average, the first three floors of the flats on Coldharbour Lane would have their VSC daylight levels reduced by 55%. The building would also be between 13m and 17m away from these properties and residents have raised legitimate concerns about resultant overlooking and privacy issues particularly since the top floor of the 9 storey element would be open to the public at night and the vast majority of rooms affected in the residential properties are bedrooms.

Clearly the proposed development is contrary to London Plan D9 1) a) iii).

D9 C 1) b) reinforcement of spatial hierarchy

As demonstrated above, and according to Lambeth planning officers' own assessment, the proposal is at odds with the low-rise nature of its townscape. The Lambeth Design and Conservation Area report states at para 5.2 'A 20 storey building with roughly the same setback as the existing single storey building will have an exceptionally oppressive effect on the user's spatial experience of this small urban space.

Clearly the proposed development would not reinforce existing spatial hierarchy and therefore also breaches this policy.

D9 C 1) c) architectural quality and materials should be of an exemplary standard/Q26 a) (ii) design excellence is achieved (form, proportion, silhouette, detailing and materials etc)

Relevant extracts from Lambeth planning officers report which evidence non-compliance are as follows (emphasis added):

8.2.125 In relation to Policy Q26, part (iii) [of the Lambeth Plan 2015] **the proposal does not achieve a design excellence in terms of its form – it is too tall and dominant, silhouette – (it is blocky and dominant) or detailing – (the diagrid at high level draws undue attention to the building).**

8.2.116 However, whilst it is often the case that considered detailing can lessen perceived bulk and play down the appearance of mass, as stated above it is often the sheer scale of the proposal (its oppressive bulk, scale and mass) that is problematic. For example, whilst the brick frame carrying relatively square windows is an attractive concept which responds well to the local context, when it is stretched over such large elevations it does not help to mitigate against the dominant mass of the building. This comes across particularly in the view from Atlantic Road at the Vining Street junction (View 23). It should be noted that Historic England also considers the façade to be too industrial in character due to the 'repetitious windows and squat proportions'.

Although the architects have clearly studied and noted the prevalence of arched openings in neighbouring facades of Victorian architecture in the vicinity, and the use of brick, their replication does not translate well to a building of a completely different scale and form and results, as Historic England state, in a building that appears to be industrial in character and therefore not a response to its function. The building has been designed as if it were a factory. The Creative and Digital industries that it purports to serve are unlikely to be inspired by this architecture -the building design is unimaginative.

D9 C 1) d) avoidance of harm to the significance of heritage assets and their settings or otherwise require clear and convincing justification and demonstrate that alternatives have been explored. The buildings should positively contribute to the character of the area

Significant and widespread harm to heritage assets and their settings is demonstrated throughout the Lambeth officers report. Clear and convincing justification and demonstration of alternatives is not demonstrated.

Evidence of the harmful impact on the character of the area is demonstrated in the Lambeth officers report as follows (emphasis added):

8.2.10 Pope's Road is currently a constrained and intimate space even with the existing single storey building. The proposed bulk and massing of the 20 storeys **would radically change the character of the space** and as a result the setting of the space's contribution to the **significance of the BCA would be harmed.**

8.2.79 The assessment in para 5.108 – 5.116 explored the visual impacts on the setting of the CA when viewed from the southern side of the conservation area. The conclusion is a **negative effect on the setting due to the very high visibility and dominant appearance of the proposal over the special civic character area which is a key component of the conservation area.**

8.2.92 However, the combination of the height and the bold structural treatment of the upper floors of the West elevation draws the eye upward. Rather than the foreground historic market and locally listed buildings being the focal point of the view the viewer's eyes are automatically drawn upwards to the rooftop of the proposal. **This architectural and townscape dominance is to the detriment of the built character of Electric Avenue's locally listed buildings and to the detriment of the bustling, historic street market.** The effect would actually worsen should the viewer move left – then the building will fill the entire view. The effect on the setting of the BCA is negative.

8.2.94 In summary, the proposal would be the predominant built form when viewed from much of the Brixton Conservation Area (BCA). It would introduce an **unwelcome visual competition to the historic civic character** area south of Acre Lane/ Coldharbour Lane and to the north it would be oppressively dominant and distracting. **The effects on setting are overwhelmingly negative.**

In the words of Helen Hayes- local MP, ex town planner, former partner of a major architectural practice and former member of the Housing, Communities and Local Government Select Committee (emphasis added):

The design of the building is not distinctive, it is indistinguishable from many other tall buildings across London. As such, it does not add to or enhance the character of the historic environment in central Brixton, or provide any expression of the uniqueness and diversity of the local community. If approved it will erode the distinctiveness of an area of London which is currently characterised by a unique mix of Victorian and Edwardian architecture, occupied by a diverse range of predominantly BAME-owned independent businesses.

D9 C 3) a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort/Q26 a) (v) the proposal adequately addresses the criteria in London Plan policy D9C in terms of acceptable visual, environmental and functional impacts including microclimate, wind turbulence, noise, daylight and sunlight,

The Lambeth officers report identifies properties on Coldharbour Lane that will suffer ‘significant adversity’ with regard to daylight loss should the development go ahead where ‘the majority of reductions to daylight VSC and daylight distribution do not meet BRE Guide target criteria.’

According to the tests submitted by the applicant’s daylight and sunlight consultant, in total 120 windows would not meet the BRE guidelines for daylight VSC and a further 65 would not meet the BRE guidelines for daylight distribution. Of those, 57 windows would suffer from 40% or more reductions in levels of VSC daylight and 68 windows would have retained levels of VSC daylight of 15% or less. The majority of these windows belong to the residents of the flats in Coldharbour Lane – the very reason site allocation 16 proposes low buildings.

GIA RESULTS SUMMARY									
windows not meeting BRE guidelines				VSC Loss			VSC retained		
	VSC	NSL	APSH	20-30	30-40	40+	0-15	15-20	20-27
Granville Court	4	0	N/A	4	0	0	0	2	2
Valentia Place	2	0	0	1	1	0	2	0	0
368-372 Coldharbour Lane	73	53	0	15	11	47	39	24	10
Chartam Court	15	1	0	15	0	0	15	0	0
Westgate Court	8	0	2	2	2	4	1	7	0
Wincheap Court	0	1	0	0	0	0	0	0	0
28 Atlantic Road	2	0	0	2	0	0	0	0	2
Walton Lodge	16	10	0	5	5	6	11	3	2
Total	120	65	2	44	19	57	68	36	16

These impacts are unacceptable and neither the applicant’s consultants nor the independent sunlight and daylight advisor engaged by Lambeth (Schroeders Begg) presented these overall statistics to the Lambeth Planning Applications Committee (PAC).

Furthermore, despite the fact that BRE guidelines state that “*The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight*” no sunlight or daylight tests were carried out on adjacent public buildings which significantly include statutory listed buildings Brixton Recreation Centre and Brixton Village which rely on overhead natural daylight and sunlight.

The wind report submitted by the applicant states that “*With the inclusion of the Proposed Development, there would be a significant change in the aerodynamics on-Site, resulting in a general increase of the wind speeds around the Site.*” It acknowledges that wind mitigation measures would be necessary and yet the analysis of the wind tests carried out with those mitigation measures in place fails to include upper level locations in the winter (the windiest season) – these locations would include the train station platforms and the terraces and podium of the Brixton Recreation Centre. Concerns about the wind impact of the building in these specific locations were raised by at least one objector as reported in the officers report, but this objection was dismissed by the response ‘A wind assessment has been submitted with the application which concludes that the wind impacts of the

development are acceptable'. At the 2nd Lambeth PAC meeting, one of the planning officers stated that " *Both the applicants' and the **council's technical experts** are satisfied that a final package of appropriate wind mitigation measures can be secured to address policy requirements.*' The fact that the council's technical experts failed to spot that the tests carried out on behalf of the application did not take into consideration of these locations calls into question whether the condition placed on the application would be properly scrutinised, should the application be approved.

A recent development at 8 Albert Embankment ,where residential amenity issues were prevalent, was refused planning by the Secretary of State. The conclusion was that the development breached LLP policy Q2- in other words, the impacts were deemed unacceptable. In this case only 24 windows would have suffered major adverse impact compared to 57 in this case.

The above demonstrates that the application breaches both the London Plan and the Lambeth Plan in terms of sunlight and daylight impacts and that in terms of wind comfort, insufficient analysis was carried out on specific locations to demonstrate compliance.

Lambeth policy PN3

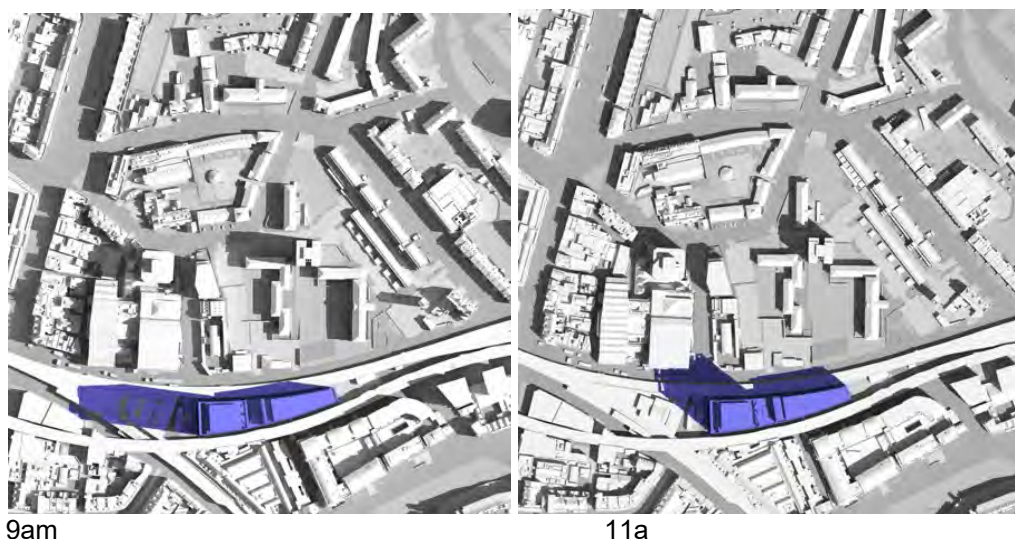
The proposal also fails to meet policy PN3 (K) of the Lambeth Plan. The site allocation for Site 16 (Brixton Central – between the viaducts) includes the application site and under the heading 'design principles and key development considerations', it states that the council will support development on the site that:

(ix) avoids creating a canyon on either side of the railway viaducts;

(x) proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.'

The pedestrian area on Popes Road between the Catford Loop/Chatham railway viaduct and the Atlantic/Overground railway viaduct is already enclosed on 3 sides by those viaducts and on a third side by an office building. The fact that the existing building on the application site is only one storey high means that natural daylight and sunlight currently penetrates into this pedestrian area. Enclosing the 4th side with a 20 storey tower building, will severely block this natural light and indeed create an oppressive canyon effect, contrary to site allocation 16 (ix). This issue was raised in objections made by the Carney Place/Milles Square residents association and by Brixton Market Traders Federation (who operate from the street market on Brixton Station Road) but was dismissed in the Lambeth officers report and dismissed at PAC2 when raised by one of the PAC members.

Extracts below from the applicant's sunlight and daylight report reveals, the development would plunge the Popes road pedestrian area and Brixton Station Road into shadow during the summer months. These images show the impact at 9am and 11am on 21st June.



This canyon effect is also contrary to Lambeth Plan policy Q7 (Urban Design- new development):

*New development (new buildings and conversion schemes) will generally be supported if:....
viii. it would not create canyon-like development especially along streets and railway lines*

The application, as submitted, acknowledges that it is a departure from policy with regard to site allocation 16 (x).

2. DESIGN

2.1 Design Led Approach

Policy D3 of the London Plan 2021 (Optimising site capacity through the design-led approach) states that:

D Development proposals should:

*1) enhance local context by delivering buildings and spaces that **positively respond to local distinctiveness** through their layout, orientation, scale, appearance and shape, with due regard to **existing** and emerging **street hierarchy**, building types, **forms and proportions***

*11) respond to the existing **character of a place** by identifying the **special and valued features and characteristics that are unique to the locality** and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local **character***

Contrary to London Plan policy D3, The development would not enhance local context (harm is identified) or respond to local distinctiveness or character, as evidenced in section 1 and throughout the planning officers report.

Policy Q5 of the Lambeth Plan 2021 (Local distinctiveness) states that:

*A. The **local distinctiveness** of Lambeth should be sustained and reinforced through new development.*

B. Proposals will be supported where it is shown that design of development is a creative and innovative contextual response to positive aspects of the locality and historic character in terms of:

- i. urban block and grain, patterns of space and relationship, townscape/ landscape character;*
- ii. **built form (bulk, scale, height and massing)** including roofscapes;*
- iii. siting, orientation and layout and **relationship with other buildings and spaces**;*
- iv. the use of low maintenance, robust and durable walling materials; and*
- v. quality and architectural detailing (including fenestration and articulation)*

C. Where development proposals deviate from locally distinct development patterns, applicants will be required to show in their design/heritage statements that:

- i. the proposal clearly **delivers design excellence**; and*
- ii. will make a positive contribution to its local and historic context.*

As evidenced by extracts from the planning officers report quoted in section 1 above , the development would be at odds with the existing low rise townscape , which would be to the detriment of its built character and as Historic England have said '*it is the scale and massing which are its inherent flaws.*'. The planning officers do not consider that the meets the required standard of excellence.

The development would therefore breach of policy Q5 of the Local Plan and policy D3 of the London Plan.

2.2 Design Review Panel

Policy D9 of the London Plan also states at para 3.9.4 that

*The higher the building the greater the level of **scrutiny** that is required of its design. In addition, **tall buildings that are referable to the Mayor**, must be subject to the particular design scrutiny requirements set out in Part D of Policy D4 -Delivering Good Design.*

Policy D4 para E states that:

The format of design reviews for any development should be agreed with the borough and comply with the Mayor's guidance on review principles, process and management, ensuring that:

- 1) design reviews are carried out transparently by independent experts in relevant disciplines*
- 2) design review comments are mindful of the wider policy context and focus on interpreting policy for the specific scheme*
- 3) **where a scheme is reviewed more than once, subsequent design reviews reference and build on the recommendations of previous design reviews***
- 4) **design review recommendations are appropriately recorded and communicated to officers and decision makers***
- 5) schemes show how they have considered and addressed the design review recommendations*
- 6) **planning decisions demonstrate how design review has been addressed.***

The minutes of the pre-application Design Review Panel (DRP) meeting that took place on 18th February 2020 were not disclosed to the Planning Application Committee (PAC), but were obtained via an FOI request together with Lambeth officers' briefing notes to that meeting.

This reveals that the Lambeth briefing notes to the DRP's meeting, when the building stood at part 22 storey, part 9 storey height, stated that (emphasis added):

*5.1 Officers support redevelopment of the site however there are concerns about the proposals height, bulk and silhouette and its impact on the surrounding townscape and harm to heritage assets. Officers are seeking a reduction in height to lessen the visual impact and harm to the setting of heritage assets. **A reduction to 14 storeys is recommended** – this height would be comparable with other nearby tall buildings (other nearby tall buildings (International House, Brixton Station Road) and allow the development to sit more comfortably within the local townscape.*

And the minutes from that DRP meeting record the panel's views as follows:

*2.10 The proposed height and mass is considered **unacceptably assertive and unacceptable in terms of local townscape and heritage impact**. The panel welcomed the proposed removal of some storeys proposed at the review. However, the panel notes the **further reductions are required** to address the harmful heritage and townscape impact.*

These further reductions in storey height as recommended by the DRP did not materialise. As evidenced at para 5.42 of Lambeth's Design and Conservation report (obtained by FOI request) 'The original pre-application submission was for G+21 storeys. The applicant has reduced this to G+19 with changes to ceiling heights'.

And although the minutes of the DRP meeting state that 'The Panel look forward to reviewing the scheme in the near future as the design progresses', no such further review took place according to the Planning Performance Agreement programme (obtained by FOI request). The minutes and reports from the technical briefings held on 14 Aug and 16 Oct 2020 (obtained via FOI requests), reveal that no mention was made of the DRPs views on the height and mass of the building at these technical briefings. Although the Lambeth officers report refers to other comments made by the Design Review Panel, it crucially fails to mention the DRPs views on the height and mass of the building.

Contrary to London Plan policy D4 E 4) full design review recommendations were not communicated to the Lambeth PAC before they took their decision.

2.2 Design Codes

At para 134 of the NPPF 2021 , it states that:

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Para 49 of the National Model Design Code 2021 Part 2 ('Tall Buildings Design Principles') states that:

*Tall buildings are, by their nature, one-offs and need to be designed to the **highest architectural quality** because of their prominence. They can be designed in a variety of architectural styles, but the following principles apply to all tall buildings:*

Top:** The top of the building and its impact on the skyline needs to be carefully considered. Services needs to be concealed and **both the street views and the long views need to be considered.

Form:** The form and silhouette of the building needs to be considered. The long and short elevations need to be **well-proportioned in terms of their slenderness.

As evidenced in section 1, Lambeth officers do not consider that the proposal achieves design excellence and harm to street and long range views is evidenced. The height of the 20 storey tower is only approximately 3 times its width.

The February 2020 draft Lambeth Design Code SPD Part 3 states that:

*3.4 Designers should guard against over development by ensuring the development capacity of the site is optimised and not exceeded. Over development, especially at high density, leads to poor outcomes not just on site but for the wider community. This can include insufficient amenity spaces, poor daylight sunlight or excessive pressure on public realm and infrastructure. **Designers need to be able to show how they have achieved optimum density. The first step is ensuring all established planning policy and other development standards are met.***

3.10 With the need for continued growth in Lambeth and in recognition that London's character is ever-evolving much of the new development coming forward is going to be taller than its current context. In some instances development may be substantially taller.

Designers should:

- 1. Consider **stepping massing down in sensitive locations** where it would be desirable to respond positively to established context; especially **heritage assets and conservation areas.***
- 2. Ensure the built forms work in **immediate and longer views.***
- 3. Use locally distinct materials and careful proportions to aid visual integration with local context.*

3.28Given that tall buildings are by their definition 'substantially taller' than their context their impact is undoubtedly going to be greater.

Designers should:

- 2. Guard against outcomes that **loom uncomfortably over existing low-rise neighbours***
[...]
- 5. **Seek elegant and well-proportioned architectural outcomes** which unify the top, middle and base into a coherent whole.*

6. Mitigate against potential adverse impacts – wind, micro-climate, daylight and sunlight etc. through design excellence.

The building is in a sensitive location being immediately adjacent to the Brixton Conservation, but yet the highest part of the building is located at that boundary. Neither does the building mitigate against adverse impacts. The building would indeed loom over its existing low-rise neighbours and cast long and large shadows over the town centre

The Brixton SPD is under review but in relation to tall buildings the adopted Brixton SPD 2013 states at para 4.1.2 that (emphasis added):

*Tall building development on suitable sites, to a height of 10 storeys, is likely to have a neutral impact on Brixton's heritage assets (and their settings). Development between 10 and 15 storeys will be visible from within the conservation area and has the potential to have an adverse impact. **Development in excess of 15 storeys is likely to have a significant adverse impact. Large, bulky, squat or alien looking structures are unlikely to be considered acceptable. In order to mitigate such harm, new tall buildings should be slender, of elegant proportions and with a good silhouette.***

The design of the building is neither slender nor elegant. Both blocks are crude extrusions from its footprint which results in an equally crude silhouette..

The above demonstrates that the design fails to meet national, regional and local design codes and policies let alone achieve the level of excellence required by Lambeth policy Q26 and the exemplary standard required by London Plan policy D9.

SUMMARY

When Sir David Adjaye, signed Skyline campaign's statement on 29 March 2014, he agreed that implementation of [tall building] policy is 'fragmented and weak' and this had resulted in buildings which are 'hugely prominent and grossly insensitive to their immediate context and appearance on the skyline'. This quote describes the building designed for Hondo Enterprises in the centre of Brixton on a site which Lambeth Council consider not to be appropriate for tall buildings.

If this application were to be approved it would set a damaging precedent for further tall buildings in the area and across London.

Quite clearly the application in front of the Mayor flies in the face of London and Lambeth tall building policy. It is precisely the sort of development that these policies are designed to prevent and I would urge to the Mayor to refuse this application.

[REDACTED]

-
Written representation submitted by :

[REDACTED].

Transport Written Representation – Planning Application 2020/5276/S1

The proposed Hondo development will have a significant negative impact on public transport within Brixton and London. This is both because it removes the possibility of introducing an overground connection in the area and as it will introduce new volumes of commuters to Brixton which have not been properly accounted for in Hondo's plans. In addition, in the process of blocking an opportunity for the construction of an Overground connection in Brixton, the application breaches the London Plan and critically limits Lambeth's ability to implement a key policy commitment contained in its Local Plan.

Removing Option for an Overground Station in Brixton

Currently the Overground line that provides an east-west orbital public rail service for London passes through Brixton without stopping. These tracks are immediately adjacent to the application site. The only interchanges with radial routes in and out of London on the Overground line in south London are at:

- Clapham High Street - links to Clapham North on the Northern Line of the London Underground via a walk across a main road
- Denmark Hill - link to Thameslink

The next nearest link to the London Underground is at Canada Water.

Lambeth Council made a commitment to introduce an overground connection on the East-West Orbital Line between Highbury and Islington and Clapham Junction in the Council's 2015 Local Plan. Para 2.197 of the newly adopted Lambeth Plan 2021 states that:

*As already highlighted under section B above, it will not be possible to achieve the significant levels of housing and economic growth set out in the Local Plan without the supporting **transport infrastructure** required for people to travel to and from work, shops and leisure destinations. **Existing public transport in Lambeth is already very well used and over capacity in some cases, and current improvements will not achieve the level of capacity increase that is needed.** Public transport accessibility also varies, with some parts of the borough – particularly in the south – quite poorly served. **Overall, radial transport (into the centre of London) is better in Lambeth than orbital transport (east-west).** Investment in station capacity, **track layouts** and signalling improvements as part of the 'metroisation' of rail services is required to support the transport infrastructure capacity needed in the borough. Improved sustainable transport links will also help to reduce borough wide carbon emissions.*

Lambeth's current Public Transport policy is set out in T4 of Section 8 of the Lambeth Plan 2021 and this includes a continued commitment to 'improved interchanges and east-west

orbital links'. Additionally, in Section 11 of the Lambeth Plan 2021 (Places and Neighbourhoods), the policy states at para 11.55 in relation to Brixton station that

'improved access to east to west rail services, such as the Overground, is also desirable and the council is keen to explore longer term options to deliver this'.

Section 8 of Lambeth Plan 2021 states at par 8.1 that:

*The **Lambeth Transport Strategy 2019** and **Transport Strategy Implementation Plan** sets out the council's strategic vision for transport in the borough. Development is expected to support delivery its objectives.*

And para 8.23 states that:

*The key transport infrastructure projects to be delivered during the plan period are listed in the **Infrastructure Delivery Plan**.*

The Adopted Local Plan para 2.32 states that, according Lambeth's Transport Strategy 2019, passenger growth over the past 10 years on the overground has been 'strong'.

The Lambeth Infrastructure Delivery Plan 2020 states at para 4.3 that:

"The following projects are expected to be delivered between 2024/25 and 2034/35: ...

- *Orbital rail connections – a set of infrastructure improvements, **including the provision of new platforms to provide an interchange with London Overground and other orbital services in the Brixton/Loughborough Junction area**, as well as platform lengthening to accommodate longer trains at Wandsworth Road and Clapham High Street"*

Annex 1 of the Delivery Plan references the Lambeth Local Implementation Plan III March 2019, which states at Outcome 5 ("Public Transport will meet the needs of a growing London"):

*"The overarching aim of the MTS [Mayors Transport Strategy] is to reduce the amount of traffic on our roads so when looking at how to increase the number of journeys by public transport we need to consider how it can be made a more attractive option for car drivers...While fewer than 10% of journeys to work are made by car in the central and northern parts of the borough, nearly 20% of commutes in the south of the borough are by car. The breakdown of where commuter inflows and outflows are heading shows that **it is largely orbital travel to the west, east and south where the opportunities lie**. An improved public transport offer to these destinations has the potential to attract car drivers...Improvements to suburban rail services in London, such as the **London Overground orbital route** have shown how good quality public transport offer attracts customers. Clapham High Street station on the **Overground orbital line has seen a dramatic growth in passenger numbers of nearly 1,000% over 10 years**. TfL's business case for devolving control of other suburban rail lines to be under the Mayor's control highlights how **people in Streatham choose to take bus services to access the high frequency Victoria Line at Brixton, rather***

than use closer rail stations with an infrequent service. Delivery of a south London metro service on these suburban lines would be a big opportunity to increase mode share of public transport...We will work with industry stakeholders and through the planning process to secure improvements to capacity, access and interchange at Waterloo, Vauxhall and Brixton stations and investigate options for an additional Overground station in the borough."

The same plan notes that Lambeth must '*apply London Plan policy T3 to support and safeguard improvements to public transport*'.

The development would contravene Policy T1 in the London Plan titled 'Strategic Approach to Transport'. This policy requires that:

"All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated."

It is therefore clear that the Lambeth Plan 2021 recognises the popularity and success of the east-west Overground service in reducing commuter car use and is committed to pursuing opportunities for introducing an interchange station on the Overground in the Brixton area.

The feasibility of introducing an overground station at Brixton was addressed in a study conducted for the Council by Steer Davies Gleave in 2014. The 2014 feasibility study found that the number of passengers using Lambeth's four overground stations grew over the previous five years, higher than previously estimated. Additionally, by creating direct travel options in south London to destinations only possible via 'circuitous routes via public transport' would align with sustainability goals as well as 'generate a base level of demand in the order of two million passengers'.

The study demonstrated that a station could be constructed at Brixton interchange with the Victoria Line London Underground, together with interchange connections to the Chatham and Catford Loop lines.

One of the two options considered in the study was to swap over the existing Catford Loop Line tracks with the Overground tracks and create a platform between them to serve both lines. This platform would be situated on the site of the Hondo application. Another option considered was to construct a high-level viaduct and station over the existing Catford Loop line. This again would involve a platform being situated on the site of the Hondo application.

Clearly both of these options would necessitate making use of the application site to be able to achieve a new stop on the Overground line at Brixton and therefore the proposed Hondo development would remove a key opportunity to improve Brixton and London's public transportation. This would be in contravention with the Mayors London Plan policies T1 and T3 and would severely limit Lambeth's ability to implement its policy commitments as spelled out in its Local Plan.

Removing the opportunity to construct an overground station which would bring considerable benefits to the area does not appear to align with a policy of safeguarding as committed to over a 6-year period.

Further, the London Plan – according to the Good Growth Fund page on the GLA website – *“sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years”*. Looking to the long-term development of public transport infrastructure in South London, preventing a prime opportunity to integrate environmental and social goals by improving connectivity in an area not met by an underground route or Network Rail, is in distinct discord with this purported strategy. This also links to the circular economy strategy, moving towards a more extensive, high quality public transportation network with low emissions and significant reach.

The Hondo development would limit future public transport opportunities and provides insufficient mitigation for removing the possibility of an Overground connection in Brixton. As well as the above policy breaches, this is in contravention to the Planning Performance Agreement signed in 2019. Paragraph 6.2 states that the development must promote:

*“sustainable modes of transport whilst minimising any impact on the amenity of residents. The scheme **should serve as an example that can be built upon in the development of proposals for further expansion in line with the council’s programme**”*

The development cannot serve as a suitable example for future developments if it obstructs a future key transportation connection in the local area. Further, paragraph 8.3 iii states that the proposed scheme must be

*“serviced in an acceptable manner and delivers appropriate infrastructure to **optimise accessibility by a choice of transport modes**. To ensure that the construction of any future development **minimises the impact on surrounding Network Rail assets and the operational railway**.”*

The development reduces accessibility by a choice of transport modes due to its obstruction of the establishment of a new Overground connection in Brixton. As a consequence of this, its situation between two rail viaducts indeed impacts surrounding Network Rail assets and railways.

In 2014, at a Mayor’s Question Time, it was outlined that the cost of constructing the station and relevant infrastructure would cost upwards of £80 million. Compared to the budget allocated to an entirely new national rail station being constructed in Reading at Green Park – circa £17 million (comprised of £9.15 million from the Local Growth Fund, Section 106 developer contributions of £5.6m, and £2.3 million from the Department for Transport’s New Station’s Fund) – including an entire station building and road connections, it appears these could be an overestimation.

Further, the potential benefits an overground connection could bring to Brixton have been analysed by several sources. In 2018, Clapham Transport Users Group argued in favour of the station in order to reduce dangerous overcrowding at Clapham North and Clapham Common tube stations on the Northern Line. In addition, growing passenger numbers to

and from Brixton itself have increased the need for improved transportation capacity in the area. Opening an overground station on the Atlantic Road site, as stated in the 2014 feasibility study, would create commercial opportunities through its placement at the heart of Lambeth's redevelopment plan. Despite high risks of disruption, close links to other transportation routes and high potential for commercial and residential development make the case for keeping the position between the viaducts a viable option fiscally logical. The developer's figures underestimate the hindering impact on public transport that the development will have, in terms of capacity and long-term viability through passenger numbers for TfL. The Station Audit Assessment in the same study found Brixton's railway station to be dismally underperforming. Although conducted in 2014, minimal changes have been implemented to alleviate conditions reported in the scathing assessment by Steer Davies Gleave, finding Brixton station to lack signage, aesthetics, amenities, and sufficient access, in addition to being visibly poorly maintained with poor levels of service information.

It is therefore astonishing that neither the transport reports prepared for Hondo or the Lambeth officers report make any reference to the obstructed opportunity to open an Overground station, nor any consideration of the additional commercial benefits this may have brought to Brixton. The Brixton Society raised this issue in their objection to the application, but this was not addressed in the Officer's Report.

Hondo Considerations on Transport

Considerations made by Hondo to the impact of several hundred additional commuters entering and leaving Brixton are limited. Commissioned in March 2020, transport planning consultants Caneparo Associates prepared a transportation report for Hondo's development. The report's conclusion states that:

"The proposed development will result in an increase in trips made by public transport and active modes, which can be supported by existing capacity subject to further discussion with the highway authorities regarding mitigation measures to be secured by planning condition and/or S106 legal agreement."

This projected increase in trips made by public transport is based on 2011 census data, which is 10 years out of date and crucially therefore does not take into account recent and current strategies within the borough and by the Mayor for London as a whole to reduce car use and increase use of public transport.

The figures projected by Caneparo total 699 additional trips in the peak morning period and 635 after work hours end. The report goes on to state that, regarding the underground, train and buses it was considered that, despite 83.75% of employees not being residents (as stated in the Officer's Report) the impact would be either "negligible" or have no "material impact". This assessment appears to sit in contradiction to the conclusion of Lambeth Council's 2014 report that Brixton's Victoria Line station is "overcrowded" and in need of relief. In addition, Hondo's report, produced by Volterra, on job creation forecasts that an additional 1800 jobs would be created by the development. However, the trip generation figures only account for an additional 863 trips in the morning and 784 in the evening,

including walking. These figures only include the extra transport demand from office space, stating that leisure and restaurant staff are not included in these figures due to them being “secondary” trips. This logic is flawed, as these workers would be commuting as a direct result of the development. In addition, the GLA Stage 1 report at paragraph 60 states that trip generation for market and community must be factored into transport impact assessments, which Hondo did not as cited again in the GLA Stage 2 report paragraph 2.

The developers have been required by TfL to provide a section 106 payment of £450,000 towards mitigating the impact on buses. This is due to be paid in two instalments – one six months before completion and the second one year after the first. The two instalments of £225,000 are to pay for three additional bus journeys in the peak hours over two years. In this regard, three additional bus journeys for peak hours does not accord with a “negligible” impact. In addition, the GLA Stage 1 report states a bus contribution of £1.125 million was required from Hondo to cover three additional buses over a five-year period, but only £450,000 was agreed. The Planning Performance Agreement for the development signed in 2019 states at paragraph 7.2 that the developer must ensure “that appropriate S106 obligations are negotiated that contribute commensurately towards infrastructure in the area and that mitigate any impacts of the Scheme that there may be”. This does not appear to have been met, if only two out of five years of required bus mitigation funding has been agreed.

Hondo’s transport assessment (paragraph 7.6) states that “Sites have been selected from TRICS that are comparable in terms of location, accessibility, and parking provision” to provide insight into the development’s projected transportation impact. However, TfL’s website states that the TRICS database can be used if the sites are “similar to the proposed development in terms of location, scale, land use and car parking”. The sites chosen to compare with this development are almost all very different sizes to the site in question in terms of office space, and only one location is in Lambeth. We deem this to be in contravention to the recommended use of the TRICS database, and in disagreement with the statement in Hondo’s transport assessment.

The developer’s figures therefore underestimate and misrepresent the impact on public transport that the development will have.

Therefore, I would kindly urge the Mayor to reject Hondo Enterprises planning application as it breaches various planning policies of Lambeth and London. In addition to that it removes any future opportunity for the Brixton community and South London to access an East / West overground service in this location.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tuesday 14th December 2021

20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)

Written representation submitted by [REDACTED]

14/12/2021

1. Introduction

Further to my written representation of 28 Oct 2021 this is my submission in response to the recent revisions made by the applicant and set out in the document produced by DP9 consultants entitled 'Planning Statement Addendum 3', dated Nov 2021. The revisions have been summarised by the GLA as:

- A. Increasing the term of the Affordable Workspace to 2090. A period of 25 years was originally provided.
- B. Providing a new Brixton job training fund of £1,000,000 (£40,000 per annum for a period of 25 years).
- C. In addition to the apprenticeships already provided, the applicant would provide an additional 50% for apprenticeship opportunities during the occupation phase.

These revisions only deal with two aspects of the application – employment and affordable workspace.

2. Employment

2.1 According to figures contained in Hondo's Employment and Skills Plan March 2020 (ESP) only **14% of all jobs** and only **15% of office jobs** (15% of FTES) within the development are expected to go to Lambeth residents, let alone Brixton residents. These figures are woefully short of meeting the 25% target for local jobs during the construction phase and the first 2 years of occupation stipulated in Lambeth Local Plan (LLP) policy ED15. In fact it amounts to meeting only 56% of this quota and **367 fewer local jobs** than Lambeth stipulates.

2.2 Office Jobs

Office jobs in the development would make up 91% of all jobs post construction according to Hondo's figures. Hondo admit in their ESP that the 25% target in respect of local office jobs is '**unachievable**' because the office workforce would likely be commuting from outside of the borough, particularly during early operational occupation- the very period that the 25% target is most concerned with.

2.3 Construction Jobs

According to the ESP figures, although it is anticipated that 1452 jobs would be generated during the construction phase of the project, this only equates to 145 FTEs and only **12% of these jobs** or FTEs are expected to go to Lambeth residents,

let alone Brixton residents. This only amounts to **17 FTEs for Lambeth residents** and amounts to **less than half of the 25% requirement**. The ESP at para 5.3 states that *'this [12%] proportion of jobs to LBL residents should be easily achieved given that the Applicant intends to use every effort to use local subcontractors where practical to do so, and will also strive to employ locally via the Jobcentre.'*

Even if the applicant were able to nominate the use of local subcontractors as clauses in the main building contract, this only aims at meeting 12% not 25% local jobs/FTEs. Such a clause in the building contract would in any case be extremely likely to incur costs that the applicant is not obliged to commit to. Conversely, complex construction projects such as this more often than not involve subcontracting specialist multinational engineering firms who would not be obliged to provide employment to locals. **The likelihood of achieving more than at best 17 FTEs to local residents during the construction phase is therefore very slim.**

2.4 Financial Contributions

Lambeth policy ED15 part C also requires that major development proposals make financial contributions **in addition to meeting the target of 25% local jobs**. An endowment of £1.55m was proposed with the original application which the Lambeth officers report acknowledges would be necessary **in order to make it policy compliant**. The 12.5% uplift to this financial contribution that was offered shortly before Lambeth took its decision to approve the application only amounts to an increase of £300,000 in total.

Lambeth policy ED15 E stipulates that these financial contributions will *'normally fall due on the implementation of planning permission'*, but Hondo are only committing to paying **£150,000 up front**- the rest would not be paid off fully until **25 years down the line**. Therefore, the endowment proposed does not accord with this policy and goes nowhere towards making up for the huge shortfall in jobs that should be provided to local people **during the first 2 years of occupation**.

2.5 Apprenticeships

The revised offer to provide an additional 50% of apprenticeship opportunities during the occupational phase amounts to adding 13 apprenticeship opportunities to the 26 already required under Lambeth policy. This might sound well-intentioned but **none of these apprenticeships can be secured**. Hondo say they would use 'reasonable endeavours' to encourage tenants to provide these but ultimately it will be up to the tenants in the building to decide, it is not in the gift of the applicant. Hondo are not offering to increase support for unemployed people over and above the quota of 10 required by Lambeth policy.

2.6 Brixton job training fund

The revised financial offer of £1m towards a Brixton job training fund looks generous, but would again be spread over 25 years (£40K pa) and therefore not targeted at the first 2 years of occupation that policy ED15 is concerned with. According to Annex 9 of the Lambeth Local Plan, it costs £6,500 to help one unemployed person secure an entry level job and £26,000 to deliver an apprenticeship at level 2 and 3. So £40K pa for a Brixton job training fund would only cover the cost of training 5 local unemployed people each year or less than 2 apprenticeships per year. Post construction, the anticipated local job shortfall in the development compared to policy

ED15 is 168. It would therefore take **at least 33 years before the 25% local jobs quota could in theory be achieved** by these means-ie only if this training resulted in 100% successful job applications to tenant employers in the building, which cannot be secured either by Hondo or Lambeth.

The offer is not index linked and therefore whilst training costs would increase with inflation, the annual payments would not and so would be worth progressively less.

3. Affordable workspace

Hondo's 12.5% so-called *affordable* workspace in the building would be charged at 50% of their full market rent. As this will be a high spec, high-cost building it would still not be affordable to small businesses in Brixton.

If, as envisaged, Impact Brixton would move into the building, this would not increase the amount of affordable workspace provided, it would simply relocate it. The same would apply to the relocation of any other small businesses currently located in Brixton.

The revised application does not increase the amount of so-called *affordable* workspace or reduce the rental costs; it only increases the length of time that it would be available for. Modern office blocks tend to have a life span of 30 to 40 years at best- so Hondo's offer would be meaningless beyond the lifespan of the building and may in practice only amount to an increase of 5 years. The building would certainly not last until 2090. Within 30 years, the maintenance costs, service charges and the *affordable* rent are bound to increase.

4. Regeneration

The revised application clearly still fails to meet Lambeth policy ED15 and furthermore it is contrary to London Plan policy SD10.

The application site is in Coldharbour ward which is acknowledges to be **one of the two most deprived in the borough** and is also surrounded by a cluster of areas that have been identified in the Lambeth Plan as being in the 20% most deprived areas in England.

Policy SD10 of the London Plan states that:

*C Development Plans, Opportunity Area Planning Frameworks and **development proposals should contribute to regeneration by tackling inequalities** and the environmental, economic and social barriers that affect the lives of people in the area, **especially in Strategic and Local Areas for Regeneration.***

Brixton is identified in the London Plan as a Strategic Area for Regeneration.

Without sufficient provision of jobs to Brixton residents, this is clearly not a development aimed at or capable of tackling inequality in the area.

5. Harms v Benefits

This comparison was addressed in my previous representation dated 28 Oct 2021. I have summarised it below in light of the revisions to the application.

- The Tower is a **large speculative office block** contrary to the London Plan office categorisation for Brixton town centre as '**C- protect small office capacity**'.
- The GLA Stage 2 report 1 March 2021 stated at para 36 that: '*London Plan policies SD6 and E1 support increases in the stock of offices of different sizes where there is evidence of demand, particularly within town centres where the provision of office floorspace is an important contributor to the local and London-wide economy.*'
- The JLL Commercial Office Baseline Report commissioned by Lambeth and published in Oct 2020 states specifically that based on market intelligence there would be **insufficient demand** for the quantum of **office space** provided by the application even without taking into account the effects on home/office working patterns that **COVID** has caused.
- **The Creative and Digital Industries** are targeted for this office-led development but yet a survey carried out as part of the Lambeth Creative and Digital Industry Study 2017 indicated that affordable rent was a top priority for this sector. This high-cost and high-spec building is therefore unlikely to be offering rents that would attract this target market.
- If this lack of demand is realised, the **Article 4 direction** proposed would be extremely weak in the face of any appeal. This would enable change of use from office to residential without planning permission being required and therefore without any requirement for the provision of affordable housing that Brixton and London desperately need.
- Even if there were sufficient demand for this huge amount of office space, the development would provide **very few local jobs**, and certainly insufficient to meet Lambeth's Employment and Training policy ED15. It would not tackle the severe **inequality** in Brixton and therefore it would not address the objectives of its status as a **Local Area for Regeneration**-contrary to London Plan policy SD10.
- In contrast, **marginalised communities** will suffer the most from the Hondo development as rents in the town centre are likely to rise. Rather than benefiting local communities, the Tower threatens to undermine and disrupt the local economy, accelerating gentrification, confirming fears of irreversible ethnic and social cleansing.
- **Heritage Harm** – this scheme will harm 28 heritage assets and 5 conservation areas, affecting key **civic landmarks** such as the Town Hall, St Matthews church, the Tate Library and Ritzy Cinema on Windrush Square, Electric Avenue, the Brixton REC and Brixton Market. The tower would dominate and dwarf these buildings and cast long shadows over the whole of

the tower centre. This harm is considered **unacceptable by the Design Review Panel and Heritage England.**

- The proposal would also cause harm to the **cultural heritage** of Brixton. Brixton is often referred to as the capital of Black Britain. *“The great and varied mix of cultures and communities who live in and use Brixton is one of its great defining features and has a direct relationship with the physical character of the area” – Brixton Conservation Area Statement (Lambeth 2012).*
- The proposed **new indoor market** would directly **compete** for custom with the **existing street and indoor markets.**
- Harm to **townscape, character and local distinctiveness** is evidenced extensively in the Lambeth planning officers report and confirmed by the **Design Review Panel** - contrary to Lambeth policies D3 and Q26 and London Plan policies D3 and D9.
- Harm to residents' amenity- **187 windows** in the surrounding residential properties would not meet BRE guidelines for adequate daylight of which **57** would suffer a **reduction in VSC daylight of 40% or more** and 68 windows would have a retained VSC level of **15% or less**. The vast majority (126) of these windows belong to residents of the flats in Coldharbour Lane who live in the affordable homes that would directly face the tower only a matter of a few metres away. These residents would also suffer from **overlooking** and lack of **privacy** to their bedrooms. Harm to residential amenity is the very reason why Lambeth's site allocation 16 proposes low buildings.
- **Climate Change / Carbon:** The building **does not meet the 35% reduction in carbon emissions** required in the new London Plan and a whole life cycle assessment has not been carried out by Hondo. Fight the Tower campaign's own assessment of a whole life cycle indicates that it would take **55 years for the building to offset its embodied carbon**, and this does not take account of the embodied energy needed to demolish it at the end of its useful life.
- The Tower's design is such that it will need extensive retrofit due to its inadequate **energy efficiency**, which is inherently difficult to improve on. Moreover, the lack of proposed renewable energy technologies means that the building will become commercially unviable due to escalating **heating and cooling costs.**
- The site has been identified as **unsuitable for tall buildings** and will breach at least **21 Lambeth Plan and 18 London Plan policies**. If approved it would not only undermine the strength of the Mayor's new London Plan, it will set a **precedent for more inappropriate tall buildings in Brixton and across London**, causing further widespread damage.
- Only **1%** of the floor-space is allocated for **community use** - in other words 221sqm -

about the size of a 3-bed apartment.

- The development would block the opportunity to provide a much-needed **station** interchange **linking** the orbital **overground line to the underground**.
- Instead, the development will actually **increase the strain on public transport**. With over two thirds of working Lambeth residents being currently employed outside the borough and a development which will be substantially 'importing' an office workforce from outside the borough, this sets up a scenario of two-way commuting patterns rather than people being employed locally and able to walk or cycle to work.
- **Public Toilets** should be on the ground floor. Hondo's public toilets would be in the basement and will be inaccessible and only open in line with opening times of the building. Five extra cubicles are not enough to serve current needs, let alone additional new users.
- Hondo's **public square** is not even part of their planning application although it is described as a benefit. Any new public square would undermine Windrush Square.
- The **design** of the building is not considered by Lambeth planning officers to achieve the level of 'excellence' required of a tall building under Lambeth policy Q26 and London Plan policy D9. Lambeth planning officers consider it to be 'too tall, blocky and dominant'. The Design Review Panel considered it to be 'unacceptably assertive'
- The scheme does **not have the support of the local community**. The small number of participants who took part in Hondo's public consultation exercise overwhelmingly opposed the scheme and 7,000+ signed an on-line petition objecting to the tower. Only 19 people wrote representations of support in their own words - the remainder signed pre-written 'model' letters

Conclusion

The Mayor has already expressed his concerns about the height of the building and the harms it would cause. This revised offer ignores the Mayor's concerns. Even if the applicant were to increase their financial bid, this would have no impact on the damage the Tower will do to Brixton's heritage, culture and local economy and will have no impact on the inherent environmental and residential amenity harm.

The speculative nature of the office-led development introduces material and **substantial risk** that - should the scheme be approved - it would not be commercially viable. This is speculation on a large scale. Many of the purported benefits are spurious. At best the development would not provide sufficient jobs for local people or reduce inequalities, but if, as predicted there is not enough demand for the office space this building will continue to cause harm. It will become a huge white elephant in the centre of Brixton looming over the town centre or converted to luxury flats that Brixton residents cannot afford.

The purported benefits are not substantiated by the evidence and these considerations do not outweigh the wholesale departure from Lambeth and London-wide policy.

Even if the Mayor were to conclude that at best the potential benefits could outweigh the harm to heritage assets alone, the development would also cause **other harms** quite apart from the consideration of heritage assets, which as a matter of planning judgement are sufficient to conclude that the **harms outweigh the purported benefits**. I urge the Mayor to reject this application.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED] >
Sent: 13 December 2021 23:42
To: Mayor of London; [REDACTED]; John Finlayson
Subject: Written representation - Submission - 20-24 POPES ROAD (GLA Stage 3 ref: 2021/0265)
Attachments: Written representation - re revised Hondo Tower plan [REDACTED].pdf

Dear London Mayor and GLA Officers,

I hope my email finds you well in these challenging times. I appreciate all the work you do in this department and beyond.

Please find attached my **written representation on the revised Hondo Enterprises planning application in Brixton**. I tried to briefly cover all the aspects of the revised proposal (employment / workspace), so I hope that it is a clear argument against this application that goes against everything Mr Mayor stands for - not only re: employment and workspace but the environment, our communities, the unacceptable height of the building and more.

Thank you in advance for reading my brief document. Please, do not hesitate to contact me if you have any questions.

Have a nice and safe Christmas and let's hope that the new year will bring more health and love all around us.

Warm wishes,

[REDACTED]

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[REDACTED]

From: [REDACTED]
Sent: 14 December 2021 08:06
To: Mayor of London
Cc: [REDACTED] John Finlayson
Subject: Written representation-Submission - 20-24 POPES ROAD(GLA3ref:2021/0265)

Dear Sir,

I am writing on behalf of the Brixton Recreation Centre Users Group (BRUG) to lodge a further objection to the proposed Hondo Tower office block in central Brixton.

BRUG is the recognised community group which represents the 2500 visitors to Brixton Rec daily. Lambeth Council have maintained dialogue with BRUG for almost 20 years to ensure that the views of the Rec users are listened to. Unfortunately throughout the entire planning process no one from Hondo or Lambeth Council consulted us about these proposals. They are not part of Lambeth's Local Plan and as they stand they don't conform to the height restrictions that should apply in this unique location.

Brixton Rec is a Grade 2 listed building for both its inherent architectural qualities as well as its significance to the long established Afro-Caribbean community in Brixton. The monstrous tower block proposed would impinge upon the Rec, limiting daylight within for significant periods; its huge size would overwhelm the established small traders in and around the area - the market stalls and cafes used by local people; the anticipated 2000 + workers in the tower would negatively impact upon the activities within the Rec and potentially displace the local people who depend upon access to the Rec for exercise and socialising. The likely change in the demographics with such an influx of people would be detrimental to our diverse and challenged community.

The plans are insensitive to the established community which includes an adjacent conservation area. The residents in the mixed public and private flats would lose significant daylight inside their homes and be overlooked at all times.

There was no open public consultation undertaken to establish the need for such a huge office block in central Brixton and with the changing work habits in this post-Covid time, it's quite likely that offices would be empty. Just 100 metres away from the site is International House, owned by Lambeth Council and being successfully used for creative workspaces and start-up businesses - these fulfil much of the needs of local entrepreneurs and creative artists already and at an affordable cost. Under the present regulations such empty office spaces could be converted into either "rabbit hatch" flats or luxury apartments in the future.

Unfortunately our community in Brixton have seen what Hondo have done to significant parts of the area already - established stall holders in Brixton Village and Market Row have been pushed out by extortionate rent rises and replaced by trendy eateries beyond the means of most local people. Club 414 was taken over and the people who ran it for decades were forced out. The site on Coldharbour Lane now stands boarded up - a symbol of the speculative intentions of Hondo.

The gestures offered by Hondo to try and entice the Mayor to give their proposals the go ahead are irrelevant and insignificant. Indeed Lambeth Council are currently trying to encourage investment in a vast part of Brixton Rec which has never been developed, to set up training opportunities for local young people. BRUG have worked with Lambeth officers on these and will continue to do so. If successful this would enable the sort of training schemes Hondo propose to be established in a publicly owned building rather than a private speculators 20 storey folly.

Hondo's plans would change central Brixton negatively and disrupt a good, vibrant and diverse community that we all treasure. Nowhere have I seen any mention of the massive disruption that all the demolition and consequent construction to the area would have upon our community. These proposals won't help to revitalise Brixton but they will alienate local people who already feel threatened by such insensitive speculators.

BRUG hopes that the Mayor will listen to the voices from our community and firmly reject the plans to build this unwanted and unnecessary office block in the heart of our community.

Regards,

[REDACTED]

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20-24 POPE'S ROAD (GLA Stage 3 ref: 2021/0265/S3)

Written representation submitted by [REDACTED]

I had previously submitted my concerns about the impact that the proposed development (20-24 Pope's Rd) would have on the privacy, sunlight and daylight of the properties on Carney Place (including my flat)

I am submitting this new written representation to **applicant's enhanced offer (November 2021) and the additional documents they submitted in January 2022**, and which is the object of the current public consultation (14 January - 4 February 2022)

The new planning application has not made any changes to the volume, height and shape of the original proposal. Accordingly, **the harm to privacy, sunlight and daylight to properties of Carney Place continues to be unacceptable**. It is for this reason that I respectfully ask the Mayor of London to reject the proposed development and spare the residents of Carney Place from its unacceptable harm to our lives.

The rest of the document examines in detail the planning application and explains why the impact of the proposed development on privacy, sunlight and daylights on Carney Place properties is unacceptable.

CRITICAL ANALYSIS OF 20/01347/FUL AND ITS IMPACTS ON AMENITY, PRIVACY, SUNLIGHT AND DAYLIGHT

IMPACT ON PRIVACY OF COLDHARBOUR LANE 360-372 PROPERTIES

Policy Q2 Amenity iii) of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- *Policy Q2 Amenity iii)*
*[Development will be supported if] adequate outlooks are provided avoiding wherever possible any undue sense of enclosure or **unacceptable levels of overlooking (or perceived overlooking)***

The planning application recognizes that *“the proposed office blocks will be unduly close to the rear windows of The Viaduct and Carney Place, creating mutual privacy issues and undue enclosure, in defiance of Local Plan policies Q2 (ii) and (iii)”*. However, this aspect was not revised in the second set of amendments reported to Lambeth Planning Application Committee (PAC) in August 2020, because the officer’s report considered that the scheme is *“designed to ensure no undue overlooking”*.

I believe this omission misled the PAC when assessing the level of overlooking this proposed development will cause on the neighbouring properties. As the officer’s report acknowledges, the most severely affected *“rear windows”* are in fact the bedroom windows of Carney Place properties (also identified as Coldharbour Lane 360-372), which will directly face the proposed development at a distance of 17m. This distance is below the minimum between habitable rooms (i.e. 18m to 21m) that Housing SPG 2.3.36 consider as *“useful yardsticks for visual privacy”*. Indeed, the officer also employs 18m as the parameter to establish the properties most severely affected by the proposed scheme. Yet, the report considers that the identified severe impact is mitigated by the design of the building.

However, the drawings provided do not convincingly demonstrate that design is mitigating this severe overlooking on the neighbouring properties. The cross sections provided in the revised plans (dated October 2020), especially the Proposed Cross-Section E-E’ and F-F’, have carefully omitted the volumes of Coldharbour Lane. This makes it extremely difficult to understand the level of overlooking on these properties by the proposed development. Had these volumes been properly represented in the cross sections, the unacceptable level of overlooking on the bedrooms of Coldharbour Lane would have been evident and changes to the massing and position of the building would have been required.

IMPACT ON DAYLIGHT AND SUNLIGHT OF COLDHARBOUR LANE 360-372 PROPERTIES

Policy Q2 Amenity iv) of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- Policy Q2 Amenity iv)

*[Development will be supported if] it would not have an **unacceptable impact on levels of daylight and sunlight on the host building or adjoining property** including their gardens or outdoor spaces;*

The planning application refers to the GIA technical report to justify that “*unacceptable harm is not caused to the surrounding residential properties and the daylight and sunlight impacts are commensurate for the surrounding urban context*” in relation to Current and Future Baselines. **The next paragraphs will consider the justifications that the GIA report provides for this positive assessment.**

Paragraph 4.8 of the GIA report indicates that:

- *“The suggested parameters and target values set-out in the BRE guidelines are based upon a suburban context. The guidelines also state that “the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.”*

Firstly, BRE guidelines do not specifically state that the parameters and target values are based upon a suburban expectation of reasonable daylight, although many sunlight and daylight professionals do appear to assume this. Notably Para. 2.2.7 of BRE states that

- *“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of daylight. The area lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*

Clearly, the **BRE guidelines indicate that the impact of any new development should not affect existing neighbours’ need to use electric lighting to supplement the amount of natural daylight they receive, regardless of whether these are occupants in urban or suburban settings.** Therefore, the adoption of ATVs on the assumption that the BRE parameters are for suburban environments is not only a wrong interpretation of this guidance, but it can also trigger a significant energy impact on the neighbouring properties.

Secondly, Brixton is neither a historic city centre or an area with high rise buildings. The proposed building does not match the height and proportions of existing buildings, which are significantly lower and smaller. Therefore, to assume that a higher degree

of obstruction is unavoidable is not justified because the existing urban fabric around the proposed development is not that dense.

Finally, Para 1.6 of the BRE guidelines states that

- *“In special circumstances the developer or planning authority may wish to use different target values.”*

However, **these ‘special circumstances’ have not been identified in the report.** For these reasons, the **setting** Alternative Target Values (ATVs) **is not appropriate** or adequately justified in the context of the application.

The officer’s report (Para 8.4.4) makes a similar reflection as the GIA report and states that:

- *“The BRE guidelines are not mandatory; they do however act as a guide to help understand the impact of a development upon properties and other spaces, while acknowledging that in some circumstances, such as that of an urban environment or where the existing site is only previously partially developed some impact may be unavoidable. It should be further noted that the BRE guide considers level of daylight, sunlight and overshadowing tests based on an expectation of reasonable levels of light within a suburban context and this should be kept in mind when considering a central London context as is the case for the application site.”*

However, **the officer’s report does not provide justified reasons for adopting ATVs either.** In addition, there is no mention in the BRE guidelines to consider different values in the case where sites are partially developed, which further rejects the justification for the use of ATVs.

Paragraph 4.9 of the GIA report indicates that:

- *“Given the advice set-out above; our own professional experience; and the retained daylight levels attributed to many recently consented schemes within London, we have set Alternative Target Values that we believe are commensurate for the Site and the surrounding context:*
 - *A window is considered to retain a reasonable VSC value, if it achieves 15% or more, following the implementation of the Proposed Scheme.*
 - *A room is considered to retain a reasonable NSL value, if it achieves 50% or more, following the implementation of the Proposed Scheme.”*

The BRE guidelines and methods for setting ATVs are set out at Appendix F. However, **GIA report** has not adopted this methodology. Instead they have **set ATVs that represent a substantial deviation from the BRE target values:**

- 15% VSC compared to 27% VSC, which amounts to almost half of what BRE guidance considers an acceptable level of retained VSC.
- 50% NSL compared to 80% NSL, which amounts to a 30% reduction of what BRE guidance considers an acceptable level of retained.

These substantial **deviations are claimed to be based on GIAs own professional experience and ‘recently consented schemes within London’**. However, **the report does not provide evidence of the schemes it is referring to**, which could be located in very different contexts to the one of this proposed development. Therefore, the adoption of these ATVs is not justified.

Section 5 of the GIA report lists all the residential properties assessed against BRE criteria and those that achieve the BRE criteria. Para 5.4 then goes on to say:

- *“Where changes in daylight and sunlight occur to the remaining properties, the impacts are fully discussed in the following sections. All results can be found in Appendix 04.”*

The results from the GIA analysis reveal that 120 habitable rooms/windows of surrounding residential properties would not meet the BRE guidelines for VSC daylight, 65 would not meet the BRE guidelines for NSL daylight and 2 would not meet the BRE guidelines for APSH sunlight. This totals **187 rooms/windows not meeting one or more of the BRE guidelines**. Of these, 126 are situated at 368-372 Coldharbour Lane- immediately adjacent to the site.

However, the GIA Conclusion section, at Para. 7.6 presents these results as % rather than absolute terms:

- *“Based on the Current Baseline scenario, upon successful implementation of the Proposed Scheme, 11 of the 19 (57.9%) properties assessed will meet the national numerical values identified in paragraphs 2.2.21 and of the BRE handbook for daylight and sunlight. Overall, in relation to daylight, there will be an 86.7% compliance rate for VSC and a 90.7% compliance rate for NSL. In terms of daylight overall, 578 of the 702 rooms assessed achieve BRE compliance for both NSL and VSC (82.3%). In relation to sunlight, 99.5% of windows and 99.7% of rooms assessed will achieve compliance for APSH. Each of these overall figures is considered to be high, given the urban context of the Site. We are therefore of the opinion that overall, unacceptable harm is not caused to the surrounding residential properties and the daylight and sunlight impacts are commensurate for the surrounding urban context.”*

This presentation of the statistics is misleading. Rather than expressing the figures as percentages of the **rooms/windows assessed**, it expresses the percentages as those proportions of **properties assessed**. Furthermore, percentages are not indicative of the level of compliance – i.e., a larger sample of properties considered further afield would inevitably yield more compliant results. The fact that GIA draws their conclusion from the **statistics presented in this way distorts the**

fact that there are a considerable number of rooms/windows that are non-compliant.

I have collated the information presented in the GIA report and presented it in the form of summary tables at the end of this document (Appendix I). These tables present a more accurate and clear analysis of the impact on daylight/sunlight from the proposed development on the surrounding residential properties. They show that **a total of 187 windows/rooms do not comply with one or more of BRE guidelines**. Moreover, a total of **57 windows would suffer from daylight losses in excess of 40%**, and a total of **68 windows have a retained VSC lower than 15%**. In both cases, **the impact on those windows is significantly higher than the acceptable levels indicated in the BRE Guidelines**.

Despite this significant impact, the GIA report states that

- *“overall, unacceptable harm is not caused to the surrounding residential properties”.*

However, in the recent decision by the Secretary of State on the 8 Albert Embankment case (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106), he states that:

- *“[the Secretary of the State] agrees with the Inspector in that he accepts that the proposal would have a major adverse impact on the 24 rooms on the lower floors of Whitgift House (IR731). He also agrees with the Inspector’s analysis of daylight effects at 2 Whitgift Street (IR732-735).”*

And that

- *“... **those reductions** at Whitgift House and 2 Whitgift Street would result in reductions **greater than Building Regulations Establishment (BRE) guidelines**, in some cases substantially so, and residents [at Whitgift House and 2 Whitgift Street] would experience **an unacceptable increase in gloominess**. Accordingly, like the Inspector **he attaches very significant weight to the harm to the occupiers of these two properties** (IR759).”*

So the Secretary of State concludes that

- *“For the reasons set out above the Secretary of State agrees with the Inspector overall, that **there would be harm to the living conditions of residents by reason of significant loss of daylight to windows and habitable rooms**, principally affecting Whitgift House and 2 Whitgift Street (IR837). He considers that the identified harms would involve a degree of conflict with the relevant development plan policies particularly in respect of aspects of LLP site allocation Policy PN2 (Site 10) as well as LLP policy Q2 and LP policies D3 and D6.”*

The number of windows affected by the proposed development in Brixton is significantly higher than those in Albert Embankment. Moreover, the significant reductions in daylight levels are considered to cause *“an unacceptable increase in gloominess”*. It is for these reasons that the Secretary of State, agreeing with the

Planning Inspector, considers that overall there is harm on the living conditions. It is therefore surprising that the GIA report and the officer's report consider that the severe impact on 57 windows in terms of daylight loss and 68 windows in terms VSC retained does not amount to significant harm on the properties. **Based on the Albert Embankment decision, I believe that the overall conclusion of the GIA report and the officer's report is wrong and that the harm to surrounding properties is unacceptable.**

At para 8.4.10 the officer's report states that:

- *"Appendix I of the BRE Guide sets out the following adverse definitions:*
 - Minor Adverse: Reductions in VSC or NSL of >20% to 29.9%;*
 - Moderate Adverse: Reductions in VSC or NSL of 30% to 39.9%; and*
 - Major Adverse: Reductions in VSC or NSL of equal / greater than 40%."*

This is factually incorrect. Although Appendix I of the BRE guidelines refers to three categories of minor, moderate or major adverse impact, it does not prescribe ranges of VSC or daylight distribution reduction in percentage bands.

The officer's report then includes a property by property analysis based on its own established numerical bands to conclude that isolated examples of non-compliance are considered acceptable/reasonable within an urban context. However, this conclusion is unfounded for several reasons. First, the officer's report acknowledges that, **in Coldharbour Lane alone, 42 rooms will have a 'major adverse' impact with regards to VSC reduction.** This number of rooms is significantly lower than those in the Albert Embankment case (24 rooms), which were not dismissed as 'isolated examples' but as a reason to deem the scheme as creating significant harm.

Second, the GIA report and the officer's report have **not included the plans indicating the position of the windows analysed.** Therefore, it is not possible to verify that the findings from such analyses correspond to the worst affected properties in Walton Lodge and Coldharbour Lane.

And third, the officer's report analyses the worst affected properties in Walton Lodge and Coldharbour Lane properties by considering bedrooms separately from living rooms and kitchens. However, the GIA results are not separated in this way. Therefore, **it was not possible for the PAC (or the general public) to check the figures in the officer's report against those in the GIA one.** I believe that this might have led to a series of inconsistencies that might have confused the PAC when assessing this application. Such inconsistencies are **presented below:**

Inconsistencies in the analysis of Walton Lodge

At para 8.4.26, the officer's report states that:

- “8.4.26 The majority of reductions to daylight VSC not meeting BRE Guide target criteria relate to bedrooms and can be summarised as 6 No having ‘major adverse’ reductions, 4 No ‘moderate adverse’ and 1 No ‘minor adverse’ reductions. In most cases the retained VSC values are below the mid-teens so clearly there is some significant adversity although this should be balanced with the inherent arrangement, that these windows are already typically partially restricted to daylight by their projecting or recessed positions to that of the main or rear elevation thus some degree of inherent sensitivity. Given that these reductions are to bedrooms, in terms of overall judgement, it is reasonable to consider overall a ‘moderate’ adversity.”

According to the GIA report there are 16 windows in Walton Lodge that do not meet BRE VSC guidelines. This overall figure is not indicated in the officer’s report. Whilst the profile of the west façade is used to justify the relatively low values of retained VSC, **what is not reported is that 4 of the 11 bedrooms not meeting BRE guidelines score as ‘major adverse’ on both VSC reduction and VSC retention.** In addition, considering the adverse effect to bedrooms as an ‘overall judgement’ conceals the severity of the impact. This is not justified because, as the **BRE guidelines** at Appendix I state:

- **“An adverse impact on one property cannot be balanced against negligible or beneficial impacts on other properties. In these situations it is more appropriate to quote a range of impacts.”**

At para 8.4.27, the officer’s report states that:

- “8.4.27 In addition to the bedrooms, there are some VSC minor adverse reductions 2 No living/kitchen/dining rooms and 1 No kitchen but for these rooms, an acceptable or good retained VSC value is achieved.”

According to the diagram presented by Schroeders Begg at the PAC meeting 25/8/20 (but not publicly available from Lambeth’s Planning Application website), one of the two living rooms that do not meet BRE reduction values falls into the ‘moderate adverse’ range for VSC reduction rather than the ‘minor adverse’ range. This is the living room on the 2nd floor to the north of the property. The GIA results do not distinguish between room types, and nor does the officer’s report state what the retained values of VSC are for these rooms. Nevertheless, **since these rooms do not meet BRE for retained VSC, it is not appropriate to say that ‘acceptable or good’ retained VSCs are achieved**, particularly since these are the type of habitable rooms that the BRE guidelines regard as more important.

At para 8.4.27, the officer’s report states that:

- “8.4.28 Similar to VSC, the majority of reductions to daylight distribution not meeting BRE Guide target criteria relate to bedrooms and can be summarised as 5 No having ‘major adverse’ reductions, 3 No ‘moderate adverse’ and 1 No ‘minor adverse’ reductions. There is clearly some significant adversity although this should be balanced with the inherent arrangement, that the windows

serving these rooms are already typically partially restricted to daylight by their projecting or recessed positions to that of the main or rear elevation thus some degree of inherent sensitivity. Given that these reductions are to bedrooms, in terms of overall judgement, it is reasonable to consider overall as 'moderate' adversity."

According to GIA results, there are **10 rooms in the Walton Lodge property that do not meet BRE recommended values for Daylight Distribution/No Sky Line. This overall figure is not contained in the officer's report.** However, according to the diagram presented by Schroeders Begg at the PAC meeting 25/8/20, there are only 9 such rooms and none were identified as likely to suffer minor adversity. In addition, the GIA results relate to reductions in Daylight Distribution, so the calculation is relative and therefore already takes account of the existing recessed/projecting conditions of the windows in question. **Paragraph 8.4.28 is therefore also misleading and under-represents the number of rooms adversely affected.**

At para 8.4.29, the officer's report states that:

- *"8.4.29 In addition to the bedrooms, there is 'minor adverse' reduction in daylight distribution to 1 No living/kitchen/dining rooms. This impact is considered to be acceptable."*

There is **no explanation for why the daylight distribution impact is considered acceptable** in this living room when it does not meet the recommended BRE value.

Finally, the officer's report considers VSC and DD separately but does not draw the results of the two aspects of daylight together. BRE considers that if either VSC or DD values are not met, then the rooms in question would suffer adversely. According to the GIA report, there are 16 cases of divergence from BRE VSC values and 10 cases of daylight distribution divergence - a total of 26 instances where at least one of the BRE criteria are not met.

Inconsistencies in the analysis of 368-372 Coldharbour

According to GIA results, **73 windows in Coldharbour properties do not meet the BRE value for VSC.** However, this figure has not been included in the officer's report.

It is worth reminding again that the recent decision by the Secretary of State on the **8 Albert Embankment case** (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106) states that:

- *"[the Secretary of State] agrees with the Inspector in that he accepts that the **proposal would have a major adverse impact on the 24 rooms** on the lower floors of Whitgift House (IR731). He also agrees with the Inspector's analysis of daylight effects at 2 Whitgift Street (IR732-735)."*

And that

- “... **those reductions** at Whitgift House and 2 Whitgift Street would result in reductions **greater than Building Regulations Establishment (BRE) guidelines**, in some cases substantially so, and residents [at Whitgift House and 2 Whitgift Street] would experience an unacceptable increase in gloominess. Accordingly, like the Inspector he attaches very significant weight to the harm to the occupiers of these two properties (IR759).”

So the Secretary of State concludes that

- “For the reasons set out above the Secretary of State agrees with the Inspector overall, that **there would be harm to the living conditions of residents by reason of significant loss of daylight to windows and habitable rooms**, principally affecting Whitgift House and 2 Whitgift Street (IR837). He considers that the identified harms would involve a degree of conflict with the relevant development plan policies particularly in respect of aspects of LLP site allocation Policy PN2 (Site 10) as well as LLP policy Q2 and LP policies D3 and D6.”

As confirmed by Schroeders Begg at the PAC meeting on 25/8/20, the floor plans for these properties were taken from Planning Application drawings and therefore do not necessarily correspond to their current room uses. Indeed, **many of the bedrooms in these blocks have been repurposed as working spaces during the pandemic** and those uses could be expected to continue in the future as working patterns become more flexible. Therefore, **the officer's and GIA's reports should not assume that bedrooms can simply have lower levels of daylight because, as habitable rooms, they serve (and will serve) multiple functions.**

At para 8.4.32, the officer's report states that:

- “8.4.32 For the north facing elevation, the majority of reductions to daylight VSC to windows do not meet BRE Guide target criteria; with the exception of 1 No living room, these all relate to bedrooms. In terms of reductions to bedrooms, these can be summarised as 46 No. having ‘major adverse’ reductions, 11 No. ‘Moderate adverse’ and 2 No. ‘Minor adverse’ reductions; thus in total 59 No windows in the north elevation having a noticeable impact. However, in 28 No. instances (circa 50%) the retained VSC values are mid-teens or above. In addition, for the isolated 1 No living room, there is a major adverse reduction to VSC.”

This assessment is impossible to ascertain because the GIA report has not included drawings with the position of the assessed windows.

In addition, there is a discrepancy between the above figures and these statistics reported to the PAC meeting 25/8/20. According to the diagram presented by Schroeder Begg at that meeting, there were 59 rooms on the north elevation of the

building that did not meet BRE VSC reduction values. This is one room shorter than in the officer's report, which also identifies 1 living room that does not meet the BRE VSC reduction values.

As the GIA results do not analyse the rear elevation separately, it is again not possible to verify the levels of retained VSC reported by Schroders Begg. In addition, if in 28 instances the retained VSC values are 'mid teens or above', this leaves 31 (more than 50%) of instances for bedrooms where the retained VSC is less than or equal to only 15%, lower than the 27% indicated in the BRE guidance. Also the retained VSC value for the isolated living rooms is not reported.

At para 8.4.32, the officer's report states that:

- *"8.4.35 For the windows serving rooms within the west facing elevation, which includes a significant number of living room windows, in terms of daylight VSC, there are some isolated 'minor adverse' reductions whilst for daylight distribution, reductions meet the default BRE Guide target criteria."*

According to the GIA results, overall there are 73 windows in this property that do not meet BRE guidelines in terms of VSC. Therefore either 12 or 13 windows on the west elevations are non-compliant with BRE VSC values, which as the officer's reports states would affect a significant number of living room windows. To report 12/13 windows as 'isolated' instances is misleading.

At para 8.4.36, the officer's report states that:

- *"8.4.36 In summary, there is significant adversity to the windows and rooms served by those windows in the north facing elevation facing the railway / closest to site) and limited adversity to those in the west facing elevation (the latter should readily be considered acceptable). For the north facing windows / rooms, the majority relate to bedrooms which appear to be within dual aspect flats (based on floor plans) and with living rooms facing the central courtyard to the south (with the exception of 1 No. ground floor living room served by a window in the north elevation although this particular flat appears to still have a separate open-plan kitchen dining room viewing onto the central courtyard to the south). On balance, given that the majority of reductions are to bedrooms, albeit there is also one living room, in terms of overall judgement, it could be considered overall as 'high moderate / low major' adversity with due consideration that the flats are dual aspect and majority relating to bedrooms, although quite an extensive number of bedrooms."*

There is no justification for considering the daylight impact on the west facing windows as acceptable. Even though these rooms have been categorized as 'minor adverse' they still do not meet the BRE targets and relate predominantly to living

rooms. The fact that the majority of bedroom windows affected on the north elevation are within flats that are dual aspect is irrelevant because those bedrooms do not benefit from the dual aspect. Moreover, as mentioned previously, the impact of the pandemic has meant that many of the bedrooms have been used as working spaces. This trend is likely to continue for the foreseeable future due to the increase of flexible working patterns. Therefore, it is not acceptable to assume that these bedrooms do not need optimal daylight conditions as they will be used for more than simply sleeping.

Finally, Policy PN3 Brixton of the Lambeth Local Plan (September 2021) (LLP 2021) states that:

- *Policy PN3 Brixton*

Site 16: Brixton Central (between the viaducts) SW9

The council will support development on the site that (...) (x) proposes low buildings to protect the amenity of new residential development on Coldharbour Lane adjoining the site.

The planning application recognises that **the proposed development is a departure from this policy**, but considers that it would not “*conflict with policy in all other regards and it would deliver a wide range of social, economic, environmental and sustainable benefits to the community.*”

The officer’s report to the PAC makes a similar statement:

- *“Notwithstanding that the proposal represents a departure from Policy Q26 and Site Allocation 16 of the Local Plan, the application scheme is considered not to conflict with policy in all other regards and as such, as a policy compliant scheme it would deliver social, economic, environmental and sustainable benefits to the community.”*

However, the report does not explain where exactly the proposed scheme deviates from Policy PN3. Therefore, **the PAC report minimizes the mighty significant deviation from policy that the proposed development represents** (i.e. a tall building where there is explicit preference for a low one). This omission helps the GIA report to justify to the PAC the impact of this tall building on the daylight of neighbouring properties, on the assumption that this is acceptable for urban environments. But, as demonstrated above, not only is such assumption not supported by the BRE guidelines, the location of the proposed development has been clearly identified in the Local Plan for low buildings – which would not have incurred any significant daylight and sunlight impacts on its surroundings.

There is also evidence of Lambeth’s long-standing preference for low buildings in this area. The planning history of Carney Place properties (also identified as Coldharbour Lane 360-372) is a case in point. The original planning applications for **368-372 Coldharbour Lane (05/01015/FUL and 05/01016/FUL) were rejected on several grounds, including the height of the proposed development – i.e. 12 storeys.** The rejection was appealed and subsequently called in by the Secretary of the State, who dismissed the appeal and upheld the Inspector’s decision. Among the reasons given by **the Secretary of the State for supporting the rejection** of the original scheme were:

- *“The tall element of the scheme does not make a positive design statement but would rather detract from the skyline of the area around it.
The development would be oppressive in terms of its sense of enclosure as a result of the tightly enclosed courtyard, privacy for some flats and the height of the buildings.”
(p.7 of Planning Statement 06/04037/FUL)*

As a result, **the applicant revised the original proposal and presented a scheme of blocks surrounding the courtyard ranging from five to seven storeys high**, with the highest blocks facing the railway line and the site of the proposed Hondo Tower. This new application (06/04037/FUL) was finally approved and developed into the existing residential blocks at 368-372 Coldharbour Lane.

This case provides further evidence that the area has never been considered adequate for tall buildings because of the damaging impacts on privacy and skyline, a view shared in common by the Planning Inspector and the Secretary of the State as well as the Lambeth Local Plan. The proposed scheme 20/01347/FUL disregards all this planning history without any convincing justification for it.

IMPACT ON DAYLIGHT AND SUNLIGHT OF OTHER NON RESIDENTIAL BUILDINGS

Although the GIA reports confines itself to analysing the impact of the proposal on daylight and sunlight to residential buildings, Para. 2.2.2 of the BRE guidelines states that:

- *“The guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would include hospitals, hotels and hostels, small workshops and some offices.”*

In addition, Para. 3.2.1 of the BRE states that:

- *“In designing a new development or extension to a building, care should be taken to safeguard the access to sunlight both for existing dwellings and for any nearby non-domestic buildings , where there is a particular requirement for sunlight.”*

Brixton Recreation Centre and Granville Arcade are Grade 2 listed buildings immediately adjacent to the site and also public buildings. As a covered market enclosed by buildings on its flanking walls, Granville Arcade relies exclusively on its glazed roof to provide natural daylighting. The sports hall of Brixton Recreation Centre also relies on south facing overhead glazing to provide one of the very few sources of natural daylight. The occupants of these buildings (the general public) would clearly have a reasonable expectation of daylight, if not sunlight, when using them. However, **there is no explanation for the omission of these non - residential buildings in the GIA report, which means that the impact on them has not been properly considered by the officer and the PAC.**

SUMMARY COMMENTS

I have collated the results from the GIA analysis in a series of summary tables (see Appendix I). These summaries, which would have been very useful for the PAC, highlight the real impact of the proposed development on the neighbouring properties. They reveal that 120 windows in surrounding residential properties would not meet the BRE guidelines for VSC daylight, 65 would not meet the BRE guidelines for NSL daylight and 2 would not meet the BRE guidelines for APSH sunlight. This totals **187 instances not meeting BRE guidelines, 126 of which relate to 368-372 Coldharbour Lane and 26 of which relate to Walton Lodge.**

Notwithstanding the fact that GIA did not use the BRE guidelines for VSC and instead used their own subjective 'alternative target values' (ATVs), which Schroeders Begg seem to have adopted, **68 windows would only retain a VSC of between 0% - 15% and 57 windows would suffer from daylight losses in excess of 40%.** This means that all these properties will have to use the electric light for a longer period to compensate for their significant loss of natural light, as explained in the BRE guidelines.

Taking into account the recent decision by the Secretary of the State on the case of 8 Albert Embankment (ref: APP/N5660/V/20/3254203 & APP/N5660/V/20/3257106), where the severe impact on the daylight conditions of 24 rooms meant the scheme was considered harmful to the surrounding properties, I believe that **the numbers indicated above are strong evidence of the harmful nature of this proposed development on its surroundings.**

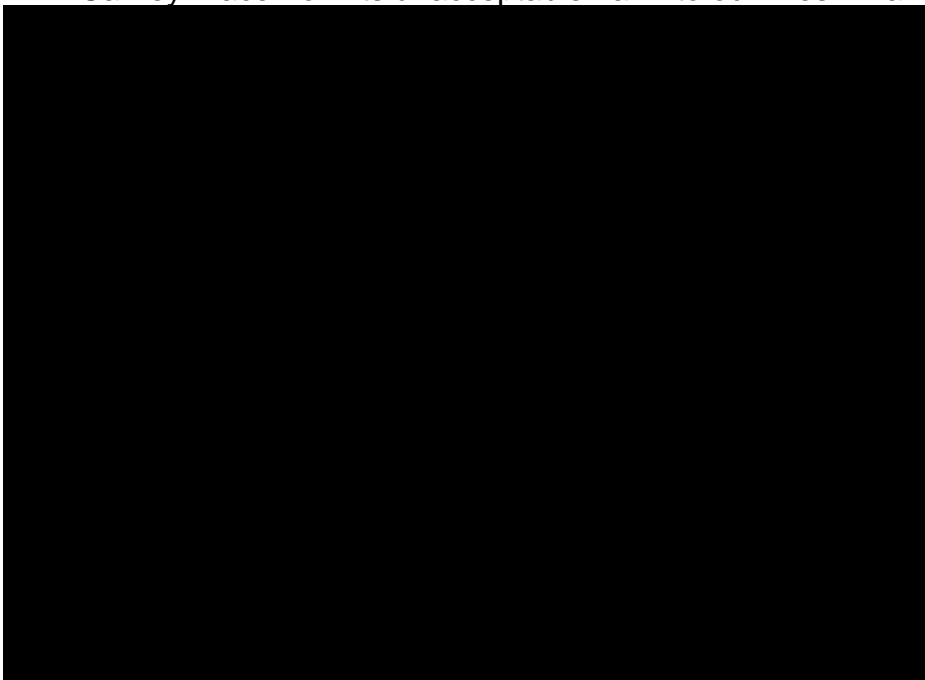
In addition, **the analysis of the GIA's report is missing some vital information.** First, it lacks a map of where each of the affected windows is situated. Second, it does not differentiate between bedrooms and living rooms. In addition, it does not clearly summarize the total number of windows not meeting BRE guidelines, or the level of adversity on them. I believe that the summary tables included in my Appendix I (below) would have helped the PAC to have a clear understanding of the harm this proposed scheme would cause on the surrounding properties. **The PAC's ability to make a fair assessment of daylight/sunlight impact was therefore compromised.**

According to the officer's report, Schroeders Begg carried out an independent review of the GIA report but this review has not been published. Instead, the Lambeth officer's report appears to refer to Schroeder Beggs findings on a property by property basis, but once again no overall statistics are presented. Although Schroeders Begg gave a presentation to the first PAC meeting, that presentation was never presented to the PAC in written form, so their ability to take in all the information and carefully assess it before making a decision was clearly compromised.

In all, this written representation argues that the proposed development will cause an excessive, unjustified and unacceptable level of sky line and daylight loss on the surrounding properties. The GIA report and the officer's report minimise the seriousness of these impacts when they assume that bedrooms can be significantly impacted, as indicated in the previous paragraph. However, my tables show that the scale and quality of the impacts on the surrounding residential properties will be significant and severe. I think that the PAC would have probably felt the same

had they seen a similar detailed breakdown. The Albert Embankment case proves that the harm inflicted by this proposed scheme must be considered harmful and significant. **Finally, I would like to highlight that behind the affected windows there are people living their lives.** These affected rooms are where many residents spend a considerable amount of their day time and therefore play a paramount role in their *“sense of wellbeing in the home”* (London Housing SPG 2016, para. 2.3.35). **A severe impact on the daylight levels or the privacy of these properties is a severe impact on their wellbeing.**

For all these reasons, I believe **the harm of the proposed development on privacy, daylight and sky line conditions is not justified and cannot be simply balanced up with the benefits from other aspects.** Therefore, I am respectfully asking the Mayor of London to reject the proposed development and spare the residents of Carney Place from its unacceptable harm to our lives. Thank you.



APPENDIX I

Rooms/windows in proposed development not meeting BRE guidelines

	VSC	NSL	APSH
Granville Court	4	0	N/A
Valentia Place	2	0	0
368-372 Coldharbour Lane	73	53	0
Chartam Court	15	1	0
Westgate Court	8	0	2
Wincheap Court	0	1	0
28 Atlantic Road	2	0	0
Walton Lodge	16	10	0
Total	120	65	2
	187		

A total of 187 windows/rooms do not comply with one or more of BRE guidelines. Of these, 126 are situated at 368-372 Coldharbour Lane, the property right opposite the proposed development.

Detailed breakdown of VSC loss in each property.

	20% - 30%	30% - 40 %	> 40%
Granville Court	4	0	0
Valentia Place	1	1	0
368-372 Coldharbour Lane	15	11	47
Chartam Court	15	0	0
Westgate Court	2	2	4
Wincheap Court	0	0	0
28 Atlantic Road	2	0	0
Walton Lodge	5	5	6
Total	44	19	57

A total of 57 windows would suffer from daylight losses in excess of 40%, way above the BRE guidelines and falling within the 'major adverse' category set in the officer's report.

Detailed breakdown of VSC retained in each property.

	0% -15%	15% -20%	20% - 27%
Granville Court	0	2	2
Valentia Place	2	0	0
368-372 Coldharbour Lane	39	24	10
Chartam Court	15	0	0
Westgate Court	1	7	0
Wincheap Court	0	0	0
28 Atlantic Road	0	0	2
Walton Lodge	11	3	2
Total	68	36	16

A total of 68 windows have a retained VSC lower than 15%, the minimum set in the GIA report as acceptable. A total of 120 windows are below the 27% VSC retained minimum standard set in the BRE guidelines. This means that 120 windows will have to use the electric light a lot more to compensate for the significant loss of natural light, as indicated in the BRE guidelines.