


LONDON BOROUGH OF LAMBETH

Delegated Register 26/00528/FUL

Approver:	 17/04/2026
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Site: Railway Bell 14 Cawnpore Street London Lambeth SE19 1PF

Description: Construction of nine 1 bedroom apartments, associated private and communal amenity, bin and bike store, with the retention of the existing Railway Bell pub frontage. Demolition of the existing pub structure and outbuildings with retention of the pub frontage.

Drawings: g&w Basement Impact Assessment 1 GWPR6481/BIA/March 2025 V1.01; KALMARs Marketing Report November 2024; Fire Statement 12 February 2026; 23003_PL_020A; 23003_PL_021A; 23003_PL_022A; 5922-E P01 Sheet 1; 014; 5922-E P02 Sheet 3; 5922-E P02 Sheet 2; 5922-E P02 Sheet 4; PL_002.1 A; 011; 010; Proposed South and West Section Elevations; 004 B; 003 C; 006 A; 005 B; 002.2 A; 015; 016; 017; MAAK Design & Access Statement February 2026; 001

Case officer: Katherine Leftwich

Recommendation: Refuse Permission

Recommendation date: 14/04/2026

Section 106: Required if approved.

1. Summary

Designations

Designation/constraint
Locally Listed Building - Railway Bell Hotel, 14 Cawnpore Street

Site area

Total site area (sqm)	Total site area (hectares(ha))
497	0.05

Floorspace comparison

Use class	Description	Existing floorspace (Gross External Area (GEA))	Proposed floorspace (GEA)
C3	Dwellings	Unknown- no existing first floor plan provided	727sqm approx.

Sui Generis	Public House	Unknown- no existing ground floor plan provided	0sqm
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Housing details

Residential Type		No. of bedrooms per unit				
		1	2	3	4	5+
Existing	Private flats			x1		
Proposed	Private flats	x9				

2. Site Description

- 2.1 The application site comprises a detached, two-storey, mid-19th century building with a gable roof, situated on the south side of Cawnpore Street. The ground floor of the property comprises a public house (Sui Generis) which is currently unoccupied. The first floor of the building comprises a three-bedroom flat which is occupied. It is not clear whether this residential use is manager accommodation for the public house or a separate self-contained dwelling. There are a series of outbuildings within the rear yard which are used for storage. One of the outbuildings contains a kitchen and is being used by a business. It is unclear exactly what the use of this building is, however, it has historically been used as a function room for the public house. There is direct access to the rear yard of the site via a dropped kerb and gated driveway situated to the western side of the site, accessed from Cawnpore Street.
- 2.2 The site is situated next to Paxton Primary School, which adjoins the eastern boundary of the site. To the west of the site is a row of four, 1950s, terraced dwellinghouses. The rear of the site adjoins the rear garden of no. 64 Gipsy Hill.
- 2.3 The building was locally listed in 2012 for its architectural and historical interest. The building retains its original pub front, comprising a timber and traditional tile fascia with two sets of doors, two windows framed in stucco pilasters and cornices. The building is constructed in stock brick and features casement windows with round heads at first floor.
- 2.4 The site is not within a conservation area.
- 2.5 It is noted that the public house currently fronts straight onto the pavement- there is no front garden. The applicant has included 29sqm of pavement within the red line of the location plan in order to provide front gardens for the residential units. The applicant does not own this section of land and it forms part of the public highway. No notice has been served on the highway authority as part of the application form.
- 2.6 A site visit was undertaken on 19 March 2026.
- 2.7 Following the site visit, Officers note that the submitted Existing Site Plan (reference PL_002.1 Rev A) has been drawn incorrectly. There is no outbuilding to the eastern flank elevation of the pub building, as is suggested by the plan, and there is no covered terrace. This area was found to be an open yard with a wall separating it from the rear yard.

2.8 Additionally, it is not clear whether the lawful use class of the residential flat is ancillary to the public house (Sui Generis) or separate self-contained accommodation (C3). The flat was found to be occupied during the site visit and had its own entrance via the back yard. This report will therefore consider the use to be as self-contained residential accommodation, however this does not confirm the lawfulness of the use.

3. Proposed Development

3.1 The application seeks the demolition of the existing pub structure and outbuildings with the retention of the pub frontage and the construction of nine 1 bedroom apartments, associated private and communal amenity and bin and bike stores.

3.2 The proposal seeks to retain the existing two-storey pub frontage, with the addition of a mansard roof to provide further accommodation, alongside the introduction of a basement level. A three-storey extension is proposed to the eastern side of the building, which would be set down from the height of the main pub block. This extension would extend along the eastern boundary of the site and connect to a new two-storey building at the rear.

4. Relevant Planning History

Planning Application History

71055 - Application Permitted - Decision date: 24.11.1953

The execution of small alterations at the rear of the existing licensed premises The Railway Bell Public House, 14 Cawnpore Street, Lambeth.

07/00614/FUL - Application Permitted - Decision date: 16.03.2007

Installation of a free standing awning canopy to side garden.

07/01857/FUL - Application Permitted - Decision date: 03.07.2007

Installation of two freestanding retractable awnings within the rear beer garden.

19/02154/FUL - Application Permitted - Decision date: 28.10.2019

Removal of existing timber framed lobby and erection of a steel framed structure with retractable awning to the side elevation and associated works.

5. Consultation

5.1 Public consultation was undertaken in accordance with statutory and council requirements as follows:

5.2 A site notice was displayed on 19 March 2026 and a press notice was published on 6 March 2026.

Neighbours

Number of neighbours consulted:	36
Number of objections:	139
Number in support:	0
Number neither supporting nor objecting:	0

Comments can be summarised as follows:

Summary of Comments	Officer Response
<p><i>Loss of Public House</i></p> <p>Concerns that the loss of the public house (and its function room used for community events) would adversely impact the community. The pub has significant social, cultural and community value.</p> <p>Concerns that inadequate marketing evidence has been provided to demonstrate that the site is unviable as a public house. The marketing period is only 14 months rather than 24.</p>	<p>See 'Land use principle' section of this report.</p>
<p><i>Heritage Harm</i></p> <p>Concerns that the facadism and demolition of the majority of the locally listed building (including its historic features) would cause substantial harm to the building and the wider streetscape.</p> <p>Concerns that the contemporary additions would cause harm to the appearance of the building and the local area.</p>	<p>See 'Design' section of this report.</p>
<p><i>Design</i></p> <p>Concerns that the development would be excessive in scale for the site. Concerns the number of units proposed would be overdevelopment.</p> <p>Concerns that the scale, height and massing would be out of keeping with the area's local character.</p> <p>Concerns the design priority has been to maximise units rather than produce a high-quality design.</p>	<p>See 'Design' section of this report.</p>
<p><i>Housing</i></p> <p>Concerns that no family accommodation has been proposed and that nine one-bedroom units is unsuitable for the area.</p> <p>Concerns that the proposal does not provide a mix of housing sizes.</p> <p>Concerns that no affordable housing is proposed.</p>	<p>See 'Housing mix' and 'Housing quality' sections of this report.</p> <p>There is no requirement for minor developments to provide affordable housing.</p>
<p><i>Amenity</i></p>	<p>See 'Amenity' section of this report.</p>

<p>Concerns that the proposal would cause adverse impacts to neighbouring daylight and sunlight.</p> <p>Concerns that the proposal would result in overlooking into neighbouring properties particularly from balconies and terraces.</p> <p>Concerns that the courtyard and increased activity would cause noise impacts.</p> <p>Concerns that the boundary treatments would be overbearing on neighbouring properties.</p> <p>Concerns that the construction of the proposal would cause disturbance (noise, dust, disruption) to neighbours and the adjoining primary school.</p>	<p>In the event of the approval of the application, details of the method of construction and the management of the construction process could be secured by pre-commencement condition.</p>
<p><i>Refuse and Recycling</i></p> <p>Concerns that the location of the bin stores would cause noise, odour and vermin impacts for neighbouring properties.</p>	<p>See 'Transport' section of this report.</p> <p>In the event of the approval of the application, further details of the recycling and refuse storage could be secured by planning condition.</p>
<p><i>Transport</i></p> <p>Concerns that the proposal would result in increased parking pressure and congestion due to residents parking in the area and due to an increase in deliveries.</p> <p>Concerns the increase in traffic would cause highway risks.</p> <p>Concerns that the construction of the proposal would cause highway impacts.</p> <p>Concerns with the quantity and quality of the cycle storage.</p> <p>Concerns that the front garden landscaping would encroach on the public pavement causing accessibility issues.</p>	<p>See 'Transport' section of this report.</p>
<p><i>Basement</i></p> <p>Concerns that the Basement Impact Assessment does not resolve issues raised with the basement proposal, particularly in relation to groundwater conditions, flood risk and ground stability.</p>	<p>See 'Basement and flooding' section of this report.</p>
<p><i>Fire Risk</i></p>	<p>See 'Fire safety' section of this report.</p>

Concerns that the site would have inadequate fire access and emergency vehicle access.	
<p><i>Trees & Landscaping</i></p> <p>Concerns that no tree survey has been undertaken.</p> <p>Concerns that there could be a loss of biodiversity as a result of the proposal.</p>	See 'Ecology and landscaping' section of this report.
<p><i>Sustainability</i></p> <p>Concerns that the demolition of the building is unjustified in terms of embodied carbon.</p>	See 'Sustainability' section of this report.
<p><i>Procedural</i></p> <p>Concerns that inadequate consultation was undertaken, with insufficient time to comment, no site notice and neighbour letters not being sent to enough people.</p> <p>Concerns that there has been no engagement from the Council regarding the potential use of the public house as a community facility.</p>	<p>Letters were sent to 36 properties, including all adjoining neighbours, on 27.02.2026. A site notice was displayed on 19.03.2026. The consultation period lasted from 27.02.2026 until 11.04.2026 allowing a total of 43 days for comments to be submitted. This exceeds the statutory requirement of 21 days.</p> <p>The Council is not the applicant and does not own the site.</p>
<p><i>Other</i></p> <p>Concerns that there are bricks at the site indicating that construction could begin imminently.</p> <p>Concerns that the function room has been converted into a retail unit.</p> <p>Concerns that the proposal would impact the function of the adjoining primary school.</p>	<p>It was found on the site visit that the building was being used to store various items, including bricks. It was not evident that any works were being commenced.</p> <p>The function room appeared to be in operation as a kitchen- a request for investigation will be made to the Planning Enforcement team.</p> <p>There is no evidence to suggest that residential use at the site would impact the operation of the neighbouring school.</p>

Responses from Members of Parliament, Local Councillors, Local Interest Groups and public bodies:

SAVE Britain's Heritage

SAVE Britain's Heritage objects to the above planning application for the substantial demolition of the Railway Bell Pub in Gipsy Hill. We consider that the proposal would cause substantial harm to a locally listed heritage asset, which is unjustified in both heritage and environmental terms. The application fails to comply with national and local policy and guidance for preserving Lambeth's historic environment, and SAVE recommends that the local planning authority refuse planning permission.

Historic Buildings & Places

Provided Lambeth Council is satisfied that the Railway Bell is no longer viable as a public house, HB&P would have no objection to the principle of a change of use and the repurposing of the site for a residential use.

Our main concerns are the lack of discussion in the application around the building's heritage status, nor has evidence been provided to show why the public house cannot be retained and adapted to suit the new desired use. The local listed/ NDHA status mean more flexibility in facilitating the changes needed to adapt the building, including the proposed roof top addition, etc. but facadism of the street elevation is not considered appropriate, nor does it mitigate the loss of the asset or its local historic value.

Friends of the Railway Bell

Concerns that the proposal would result in a loss of a community facility and public house, and that the marketing provided is not sufficient to meet policy, being only 14 months. No assessment has been provided for the loss of the function room.

Concerns that the demolition of the rear of the building would result in unjustified harm to the significance of the locally listed building and the appearance of the street scene.

Concerns the 1892 Young & Co plaque on the rear stables would be removed.

Concerns that the housing mix of 9 one-bedroom units is inappropriate and would fail to provide family housing.

Concerns that the proposal would result in parking stress.

Concerns that insufficient information has been provided with regards to the basement.

The Royal Fine Art Commission Trust

Every effort should be made to retain the public house use for which the building was designed. The Railway Bell is a fine and charming example of beautifully-conceived pub architecture of the kind that is under serious daily threat across the country. As a result of those pressures, the imperative to preserve small but perfectly-formed neighbourhood pubs of this kind becomes more pressing by the day.

To preserve the facade alone is no answer: architecture exists in three dimensions and to reduce the pub to a two-dimensional stage set - but stripped of much that gives it value as street theatre - would represent a significant loss to the locality.

We strongly urge Lambeth to reject the application.

Helen Hayes Member Of Parliament

The Railway Bell is a locally listed mid nineteenth century public house described as a two storey cottage style building. The scale of the proposed extensions and alterations would fundamentally alter the building's character and setting. Retaining only the façade, while surrounding it with significantly larger extensions on all sides, would not preserve the building's character or its appearance within the streetscape. One of my constituents has also highlighted concern about the proposed removal of the 1892 Young & Co plaque, which forms part of the area's local social and commercial history.

There are also concerns about unresolved risks identified in the Basement Impact Report. The report references perched groundwater, potential sewer flooding and permeable superficial deposits, and suggests that further monitoring and assessment is needed. Planning policy expects such risks to be fully addressed at the application stage, and I am concerned that approving the scheme before this is done would create unnecessary risk for this locally listed building and neighbouring properties.

The loss of community infrastructure is another significant issue. The Railway Bell has served the local area for many years and includes a community garden and a large function room. Policy ED9 sets clear expectations around the marketing and viability assessment required before a community pub can be considered for redevelopment. I understand that the applicant's marketing period falls short of the 24 months expected under policy, and appears to have been limited in scope. One of my constituents has also noted that steep gradients around Gipsy Hill and Woodland Road may make alternative venues difficult to reach for elderly or mobility impaired residents, and that there is no comparable community function space within the nearby area.

Councillor Christine Banton

I have received several emails from residents who are objecting to planning application 26/00528/FUL for nine one-bed flats at the locally listed Railway Bell Hotel.

Residents have raised concerns that there has been no clear information about the deadline for submitting objections. I have also been informed that many residents have not received notification of the application, nor have they seen any notices posted on nearby lamp posts. As a result, a public meeting has now been arranged for Monday evening.

Could you please confirm the deadline for submitting objections? I would also request that this application be referred to the Planning Committee given the level of community concern and the heritage status of the building.

Officer Comment: The public consultation process has been duly undertaken- see above in Section 5 of this report. The call-in request has been noted, however given that the application has been recommended for refusal, it has been agreed by Cllr Banton that the application should be determined by Delegated Decision.

Consultees**Flooding - SUDS**

The submitted Basement Impact Assessments identifies a few concerns and makes recommendations for further investigation. No further information has been provided and therefore it is not possible to make an assessment of the flood risk, particularly from groundwater.

Building Control

Insufficient information has been provided. The applicant should complete all the relevant sections outlined within the Lambeth Design Guide Part 5, including Appendices 2, 3, 4 and 5, which relate to subterranean flow, slope stability, flooding and listed buildings respectively.

Conservation & Urban Design

A contemporary architecture which references the proportions of the original pub and broader area has been taken. Whilst this is appropriate for the new build blocks, a more heritage led approach needs to be taken for the pub building. Flank walls and existing window openings should be retained, and a conservation led approach to the mansard roof should be taken, including retention of chimneys, proportions, form, and materiality in accordance with LLP policy Q23 which requires retention and enhancement of non-designated heritage assets.

The demolition of much of the locally listed building would result in heritage harm. The bin and bike store located to the west of the pub should be set-back from the pub frontage in order to preserve its significance.

SERCO Lambeth Waste Team

The route from the collection point must be level and step free and the bins will need to be presented for collection on collection scheduled day.

Transport Lambeth

Revised cycle parking is required, prior to determination, to ensure this can be provided in line with London and Lambeth Local Plan Policies.

Clarification over highways boundary is also required (red line boundary).

In addition:

- (Future) Car Parking Permit Free (secured by s106)*
- (3 year) Car Club Memberships (secured by s106)*
- Details relating to refuse/recycling submitted for approval and secured by Condition*
- Method of Construction Statement secured by Condition*

- Details relating to cycle parking spaces including a minimum of 14 (long-stay) and minimum of 2 (short-stay) spaces, secured by Planning Condition and details submitted for approval in the future. Well located, horizontal, safe and secure cycle parking would be required.
- Electric charging for 1 in 10 cycles
- Cycle Hire Membership.
- Consultation with Serco, Lambeth's Waste and Recycling contractor.
- Contribution of £2,500 per unit towards the implementation of a CPZ in the area. Secured by S106 agreement. (total of £22,500)
- Closure of crossover and reinstatement of footway (via S278)

TFL Road Network Development

No comment.

Highway Team Lambeth

The section of land that is right in front of 14 Cawnpore Street is classified as public highway, because dating back historically before the 1950s, that section of land was public highway.

Hanover Gardens Association

No response

Norwood Forum

No response

Norwood Action Group

No response

Friends of Norwood Cemetery

No response

Ward Councillors

No response

Development Control Enforcement Team

No response

Conservation Works For CAMRA

No response

Sewers Minor Dev Thames Water

No response

Development Control Department Thames Water

No response

Victorian Society

No response

6. Policy

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

- 6.2 The development plan in Lambeth is the London Plan (2021), and the Lambeth Local Plan 2020-2035 (September 2021). Together with council Supplementary Planning Documents, the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are material considerations alongside the council's development plan.
- 6.3 Set out below are those policies most relevant to the application, however, consideration is made against the development plan as a whole.

London Plan (2021) policies:

D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D12 Fire safety
H1 Increasing housing supply
H10 Housing size mix
HC1 Heritage conservation and growth
HC7 Protecting public houses
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 12 Flood risk management
SI 13 Sustainable drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

Lambeth Local Plan 2020-2035 (September 2021) policies:

D4 Planning obligations
H1 Maximising housing growth
H4 Housing size mix in new developments
H5 Housing standards
H6 Residential conversions
ED9 Public houses
T1 Sustainable travel
T3 Cycling
T6 Parking
T7 Servicing
EN1 Open space, green infrastructure and biodiversity
EN3 Decentralised energy
EN4 Sustainable design and construction
EN5 Flood risk
EN6 Sustainable drainage systems and water management
EN7 Sustainable waste management

Q1 Inclusive environments
Q2 Amenity
Q5 Local distinctiveness
Q7 Urban design: new development
Q8 Design quality: construction detailing
Q9 Landscaping
Q10 Trees
Q11 Building alterations and extensions
Q12 Refuse and recycling
Q13 Cycle storage
Q16 Shopfronts
Q23 Non-designated heritage assets: local heritage list
Q27 Basement development
PN11 Upper Norwood

Supplementary Planning Documents (SPDs) & Other Relevant Documents:

Lambeth Design Guide SPD (2023)
Marketing of Commercial Premises and Sites Guidance Note (2023)
Refuse & Recycling Storage Design Guide (2022)
Waste and recycling storage and collection - technical specifications (2023)

7. Planning considerations

7.1 Land use principle

Existing and Proposed Housing Use

- 7.2 Policy H1 of the Lambeth Local Plan (2021) (LLP) seeks to maximise the supply of additional homes through taking full advantage of opportunities to deliver additional housing.
- 7.3 Following the failed Housing Delivery Test published in 2024, the LPA is now subject to sanctions which involve preparing an Action Plan to demonstrate how it will accelerate housing delivery, plan for additional housing, and is subject to a strengthened presumption in favour of sustainable development when assessing and determining planning applications. When the presumption is applied, the overall aim is to increase housing delivery in the Borough. The presumption therefore implies that the planning balance should be weighed strongly against the loss of any housing units and places greater weight on supporting the provision of new housing units.
- 7.4 The proposal would result in the loss of one, three-bedroom residential unit and the provision of nine one-bedroom units thereby making a positive contribution towards Lambeth's housing stock. The principle of the provision of additional residential units is supported.

Loss of Public House Use

- 7.5 Policy HC7 of the London Plan (2021) relates to public houses, and states that applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.
- 7.6 Paragraph 7.7.6 of the supporting text for Policy HC7 states:

- 7.7 When assessing whether a pub has heritage, cultural, economic or social value, boroughs should take into consideration a broad range of characteristics, including whether the pub:
- a. is in a Conservation Area
 - b. is a locally- or statutorily-listed building
 - c. has a licence for entertainment, events, film, performances, music or sport
 - d. operates or is closely associated with a sports club or team
 - e. has rooms or areas for hire
 - f. is making a positive contribution to the night-time economy
 - g. is making a positive contribution to the local community
 - h. is catering for one or more specific group or community
- 7.8 Paragraph 7.7.7 of the supporting text states that, to demonstrate authoritative marketing evidence that there is no realistic prospect of a building being used as a pub in the foreseeable future, boroughs should require proof that all reasonable measures have been taken to market the pub to other potential operators. The pub should have been marketed as a pub for at least 24 months at an agreed price following an independent valuation, and in a condition that allows the property to continue functioning as a pub. The business should have been offered for sale locally and London-wide in appropriate publications and through relevant specialised agents.
- 7.9 Part A of policy ED9 of the Lambeth Local Plan (2021) (LLP) relates to public houses, and applications for the change of use, redevelopment and/or demolition of a public house will be assessed on economic viability; cultural, social and heritage significance; and the impact of the proposed use on the street scene. A viability report must be submitted and this must include evidence of active and appropriate marketing over a continuous period of at least 24 months and evidence that all reasonable efforts have been made to preserve the facility.
- 7.10 Part B of policy ED9 states that changes of use will only be acceptable where the criteria set out in part (a) of the policy above are met and there is no reasonable prospect in the medium term of re-use or refurbishment for an alternative commercial, business and service, community or appropriate sui generis use in town centres; or for an alternative social infrastructure use outside of town centres, demonstrated through marketing evidence.
- 7.11 Part C of the policy states that, if the public house is considered by the council to be either of townscape value or a heritage asset the council will seek retention of the building and any external features of interest, including characteristic pub features.
- 7.12 With regards to the viability report, supporting text paragraph 6.68 of the LLP the council will require evidence that:
- a comprehensive sustained marketing campaign has been undertaken, offering the public house for sale as a going concern and using an agreed realistic independent valuation of the premises and in a condition that allows the property to continue functioning as a pub;

- the marketing campaign has run for a period of at least 24 months before the planning application is submitted, as specified in the London Plan;
- if marketing has been based wholly or partly on an alternative community or employment use, there has been prior discussion with the council on the principle of the proposal;
- the public house has been offered for sale locally, and in the region, in appropriate publications and through relevant specialised agents;
- it can be demonstrated that the public house is not financially viable; in order to determine if this is the case, the council will require submission of trading accounts for the last three full years in which the pub was operating as a full-time business; and the CAMRA Public House Viability Test, or a similar objective evaluation method, has been employed to assess the viability of the business and the outcomes (to be shared with the council) have demonstrated that the public house is no longer economically viable.

7.13 When assessing whether a pub has heritage, cultural, economic or social value, the council will consider whether the public house meets the tests outlined in paragraph 7.7.6 of the London Plan. The listing of a pub as an Asset of Community Value will also be a material planning consideration.

7.14 The council will also need to consider whether:

- there are alternative licensed premises within easy walking distance (400m) of the public house
- any such alternative premises offer similar facilities and a similar community environment to the public house which is the subject of the application
- the role the public house plays in the provision of space for community groups to meet, and whether the loss of such space would contribute to a shortfall in local provision, will be a material consideration in the assessment of applications.

7.15 Outside of town centres, and where the above criteria have been met, appropriate social infrastructure uses will be preferred and evidence of marketing for alternative social infrastructure uses will be required before a change of use outside of these use classes will be accepted.

7.16 The Lambeth Marketing of Commercial Premises and Sites Guidance Note (2023) states in paragraph 3.4 that, in advance of the marketing exercise beginning, the applicant should notify the Council of its intended start date.

7.17 The guidance note also outlines minimum requirements for the marketing exercise. Applicants must undertake the following methods:

- a. A copy of the dated letter of instruction to the commercial agent or workspace provider
- b. At least one advertising board in a prominent location on the exterior of the property/site that is visible to passing vehicles, cyclists and pedestrians. Contact

information should be clearly provided on the boards. Advertising boards should be constantly present throughout the period in which the property is being marketed. Dated photographic evidence of the board in situ throughout will be required.

- c. Dated records of extensive web-based marketing through the commercial agent or workspace provider and the Estates Gazette.
- d. Dated advertising within target publications including local press and any publications produced by relevant local business/community networks and organisations.
- e. Dated advertisements in specialist publications relevant to the existing use, where applicable.
- f. Contacting the Business Improvement District and the council's Business, Culture and Investment team to support matching with tenants. At the time of publication, the best way to contact the Business, Culture and Investment team is to fill in the form at:
Talk to us - Lambeth (lambethnow.co.uk)

7.18 Paragraph 3.6 of the guide states that dated records (including photographs or screenshots) of each of the marketing methods must be recorded at least on a quarterly basis. For example, this would include dated photographs of the advertising board to demonstrate that it has been continually present. This evidence should then be included as part of the marketing report.

7.19 With regards to the price, paragraph 3.8 states that the premises/site should be marketed at a price and associated terms that are commensurate with market values, based on evidence from recent and similar transactions and deals. At least three examples should be provided of completed transactions involving a similar site or premises and similar terms within the local area within the last three months, or written evidence from an independent qualified valuer on the market values in the local area. All information about price and terms should be provided in a format that enables easy comparison, using equivalent and comparable expressions of price per unit of floorspace. Where the price changed during the period of the marketing campaign, the reasons for this should be recorded and included in the marketing report.

7.20 Paragraph 3.9 states that premises can be marketed for either sale or lease. Where premises are marketed for lease, the length of lease offered should not be unduly restrictive and should include the potential for a short-term lease in appropriate cases. Details of the lease terms offered should be included in the marketing report, along with any changes made to the terms offered during the period of the marketing campaign and the reasons for this.

7.21 Public houses should be marketed to be free of tie and without restrictive covenants that would prevent other pub operators or community groups from taking over the premises and trading as a public house.

7.22 Paragraph 3.12 requires that the applicant must complete the Validation Checklist and submit this as part of any marketing evidence.

- 7.23 Paragraph 3.13 stipulates that the marketing report must include records of enquiries to the commercial agent throughout the whole period of the marketing campaign. This should record the date, contact details and nature of the enquiry (e.g. the type of business or individual enquiring), how the enquirer found out about the premises, and the follow up actions undertaken. i.e. whether the enquiry resulted in a site visit. If an offer was not accepted, justification for doing so must be provided.
- 7.24 The applicant has provided a Marketing Report produced by KALMARs and dated November 2024. The report provides marketing evidence from August 2023 to November 2024, totalling 14 months. This fails to meet the 24-month requirement stipulated by Policy ED9 of the London Plan (2021) and Policy HC7 of the London Plan. The council were not notified of the commencement of the marketing period, contrary to the marketing guidance note.
- 7.25 No independent valuation of the premises has been undertaken, and the site was listed for sale as 'offers invited', providing no clue to potential buyers of the estimated value. Two marketing brochures have been provided within Appendix F of the marketing report. The brochures provided do not evidence that the marketing was undertaken for any period of time, nor where they have been published. The Savills brochure is dated January 2023, before the site was sold to the current owners (on 20 June 2023) and is therefore irrelevant. The KALMARs advert is undated.
- 7.26 No evidence has been provided with regards to web-based advertising, advertising boards, or publications in local press/publications. No evidence of contact with Lambeth's Business, Culture and Investment team has been provided. No details have been provided of the lease offered or its restrictions.
- 7.27 The marketing report only provides an estimation of the likely refurbishment works, 'excess of £200,000'. No breakdown has been provided to explain how this figure has been calculated.
- 7.28 No trading accounts have been provided to demonstrate that the site is not financially viable as a public house and no CAMRA Public House Viability Test has been submitted.
- 7.29 It appears that the public house was in operation until it was put up for sale in 2023 and was subsequently sold to the current owners in June of the same year. No evidence has been provided to demonstrate why the public house ceased operation nor has any evidence been provided to demonstrate why the public house has not been in operation since it was purchased in 2023.
- 7.30 No validation checklist has been submitted, and no details have been provided with regards to the enquiries made, which, according to the Marketing Report, comprise 45 enquiries within 14 months.
- 7.31 It is stated that of these 45 enquiries, only 5 were publicans. The other 40 enquiries were not pursued as they were seeking "*redevelopment or refurbishment opportunities*". It is not clear what definition was used by KALMARs when assessing the relevance of enquires. Refurbishment enquiries may not have resulted in the closure of the pub and is it unclear

whether the redevelopment enquiries may have been for community facilities, or re-developments where the pub use would have been retained.

- 7.32 It is stated that the 5 publican enquires were not pursued due to the location of the site and its proximity to Westow Hill (competition); the existence of 11 pubs within 400m of the site (competition); high costs of refurbishment (financial viability); size and layout of the venue (financial viability); broader issues with the costs of running pubs in recent years.
- 7.33 It is stated that only 3 viewings were undertaken, with one not turning up and two being put off by the poor condition of the site. It is not clear whether the site was in the condition shown in the photographs included in the marketing report when the site visits were undertaken, or whether the site was in its current condition.
- 7.34 The Planning Officer visited the site as part of the planning application process. It was found during the visit that the site was being used to store car parts and was not in a fit state to be viewed by prospective buyers. Much of the property was inaccessible due to items being stored across the floor in the pub.
- 7.35 The site is a locally listed building and has a function room located within the rear yard which was available to hire prior to the closure of the site. Officers therefore consider the public house to have heritage, cultural, economic and social value, as defined by paragraph 7.7.6 of the London Plan. Officers also note that there has been a strong response from the local community in objection to the scheme, and particularly in relation to the loss of the public house use. It has not been demonstrated that the site is unviable and therefore the loss of the public house use is not supported.
- 7.36 Overall, Officers consider the submitted information regarding the marketing of the public house fails to demonstrate compliance with policies ED9 of the Lambeth Local Plan (2021), HC7 of the London Plan (2021) and Lambeth Marketing of Commercial Premises and Sites Guidance Note (2023). It has not been demonstrated that the use of the site as a public house is not viable, nor has it been demonstrated that other community uses have been explored.
- 7.37 The proposed loss of the public house use is therefore not supported in principle. The proposal would be contrary to Policies ED9 of the Lambeth Local Plan (2021), HC7 of the London Plan (2021) and the Lambeth Marketing of Commercial Premises and Sites Guidance Note (2023).

7.38 Housing mix

- 7.39 Policy H4 of the LLP requires the provision of a mix of housing sizes, types and tenures in new residential schemes to meet the needs of different sections of the community. This policy does not prescribe a mix of units for market housing but instead recommends “a balanced mix of unit sizes including family-sized accommodation”. In all cases, proposals are expected to demonstrate that the provision of family-sized units has been maximised. However, the policy recognises that the dwelling type and mix proposed may be dependent on the particular location and nature of the individual development site, financial viability considerations and need to achieve mixed and balanced communities in the borough.

- 7.40 The proposed development would result in the loss of one existing, three-bedroom, dwelling unit. It is unclear what the GIA of the existing unit is, given that no existing floorplans have been provided. However, the loss of this family sized dwelling (defined in the local plan as having three or more bedrooms) would be contrary to the aims of Policy H4 which seeks to maximise family sized accommodation.
- 7.41 The proposal would result in the provision of nine, 1-bedroom/2 person dwellings. The proposal would therefore result in the net uplift of eight additional dwelling units. None of the proposed units would be 'family-sized'. There would therefore be a net loss of one family-sized flat, despite the provision of eight additional units.
- 7.42 The proposal does not offer a range of unit sizes, contrary to Policy H4 of the Lambeth Local Plan (2021). The proposal does not provide any family-sized accommodation, and results in the loss of one family-sized unit. The provision of only one-bedroom units in an area of family housing which adjoins a primary school is not considered to be the most effective use of the land. Furthermore, the provision of nine units at the site would constitute overdevelopment. A mix of units of varying sizes, including family-sized units, would be expected in this location.
- 7.43 Overall, the proposal would fail to provide a suitable mix of housing sizes and would fail to provide any family-sized accommodation, resulting in a loss of one family-sized unit. The proposal would fail to comply with Policy H4 of the Lambeth Local Plan (2021).

7.44 Housing quality

- 7.45 Policy D6 of the London Plan (LP) relates to housing quality and seeks to ensure that developments provide high quality design housing and sets out the minimum internal space standards that all new developments are required to meet in line with the nationally described space standards (NDSS). In terms of internal head room, the minimal floor to ceiling height must be 2.5 metres for at least 75 per cent of the Gross Internal Area (GIA) of each dwelling in accordance with the LP.
- 7.46 Similarly, Policy H5 of the LLP states that new dwellings should accord with the principles of good design, provide dual-aspect accommodation and meet the NDSS as set out in LP Policy D6. Furthermore, Policy H5 will require at least 10 sqm of external amenity space for each residential unit. However, paragraph 5.34 of the LLP allows for, in exceptional circumstances, where it is demonstrated that the site constraints make it impossible to provide open amenity space for all dwellings in flatted developments in line with the standards as set out in LLP Policy H5, the provision of internal living space equivalent to the amenity space requirement within a proportion of dwellings may be accepted.
- 7.47 Policy Q2 of the LLP expects new development to provide high quality accommodation, including adequate levels of light, privacy and good outlook. It further requires that adequate amenity space should be provided free from excessive noise or disturbance, pollution or odour, oppressive enclosure, wind/downdraught, and overshadowing.
- 7.48 The proposal would result in the provision of nine, 1-bedroom/2 person dwellings. These would replace an existing 3-bedroom flat. A comparison of the Gross Internal Area (GIA) of the proposed units against the minimum space standards as required by the LP, LLP and supplementary planning guidance is included in the table below:

Proposed Dwelling	Number of bedrooms/persons	Required GIA (sqm)	Proposed GIA (sqm)	Bedroom areas (sqm)	Amenity spaces (sqm)	Dual aspect (Y/N)	Storage require (sqm)	Storage provided (sqm)
Apartment 1	1 bed – 2 person (two storey)	58sqm	56sqm	14sqm	14sqm	Yes	1.5sqm	1.6sqm
Apartment 2	1 bed – 2 person (two storey)	58sqm	61sqm	14.2sqm	14sqm	Yes	1.5sqm	1.6sqm
Apartment 3	1 bed – 2 persons (one storey)	50sqm	50sqm	12.1sqm	10.6sqm	Yes	1.5sqm	2sqm
Apartment 4	1 bed – 2 persons (one storey) [M4(3) compatible]	50sqm	69.5sqm	21.5sqm	35sqm	Yes	1.5sqm	3.2sqm
Apartment 5	1 bed – 2 persons (one storey)	50sqm	61sqm	12.2sqm	12sqm	Yes	1.5sqm	1.7sqm
Apartment 6	1 bed – 2 persons (one storey)	50sqm	50sqm	12sqm	7.5sqm	Yes	1.5sqm	1.8sqm
Apartment 7	1 bed – 2 persons (one storey)	50sqm	67sqm	13.5sqm	17.3sqm	Yes	1.5sqm	2.3sqm
Apartment 8	1 bed – 2 persons (one storey)	50sqm	58.5sqm	11.7sqm	12sqm	Yes	1.5sqm	1.1sqm
Apartment 9	1 bed – 2 persons (one storey)	50sqm	50sqm	12sqm	7.5sqm	Yes	1.5sqm	1.7sqm

7.49 Apartment 1 falls below the minimum internal space standards for a 1-bedroom/2 person dwelling over two storeys. Apartments 6 and 9 fall below the required provision of external amenity space. However, there is a shared garden within the yard area of the site which could mitigate the shortfall in this respect.

7.50 The storage provided for Apartment 8 would also fall short of the NDSS by 0.4sqm. Given that this unit would be dual aspect and would provide a suitable quality of accommodation in terms of its overall GIA, this shortfall would not be significant.

- 7.51 With regards to the internal floor-to-ceiling heights, sections have not been provided for all of the units, meaning that it is not possible for Officers to assess whether they would provide a minimum height of 2.5m for at least 75 per cent of the GIA.

Daylight and Sunlight

- 7.52 Whilst three sunlight studies have been provided for Spring Equinox, Winter Solstice and Summer Solstice, no BRE-compliant Daylight and Sunlight Assessment (D&SA) has been provided to demonstrate that the units would receive adequate daylight and sunlight.
- 7.53 Officers are concerned that some of the units appear to be quite blocked in. The balcony for Apartment 7 within the rear block, attached to the bedroom, would be very enclosed not only by the proposed development but also by the adjacent school. It seems unlikely that the bedroom window would receive adequate natural light. Similarly, the bedrooms of Apartments 1 and 2 are at basement level with daylight coming through the rear-facing bi-fold doors to the sunken courtyard. Given the small size of these courtyards (8.4sqm and 8.5sqm respectively) it is unlikely that these rooms would receive adequate levels of daylight.
- 7.54 The use of high-level windows in Apartments 3, 6 and 9 also raises concerns with the daylighting of these units, however larger openings would result in overlooking concerns between these apartments and the rear balconies of Apartments 1, 2, 5 and 8
- 7.55 In the absence of any formal D&SA, Officers are unable to determine whether the units would provide a suitable standard of accommodation with regards to daylight and sunlight.

Overlooking and Outlook

- 7.56 Metal railings are proposed for the ground floor terraces for Apartments 1 and 2. Given the proximity of these units to the communal yard, the lack of screening would allow direct overlooking from the communal area into the ground floor habitable rooms and private amenity areas of these units. Whilst screening could be incorporated, this would restrict outlook.
- 7.57 Similarly, the external garden/terrace for Apartment 4 would be directly overlooked from the communal yard given its position at ground floor level and the lack of any separation between the unit and the communal area.
- 7.58 The proximity of Apartments 3, 6 and 7 to the communal yard would also present overlooking concerns. For Apartments 3 and 6, the living area windows that face west into the courtyard would allow direct overlooking from the courtyard into these habitable rooms. Apartment 3 would be particularly impacted due to its position at ground floor level. Obscured glazing would be necessary to mitigate this impact, however, this would result in insufficient outlook from these apartments, due to the other windows in these living spaces being either high level or facing into enclosed terraces.
- 7.59 In terms of Apartment 7, obscured glazing would be necessary for the two windows facing yard, however this would again result in outlook concerns, particularly from the living room

where there is limited outlook from the western fenestration which faces the enclosed balcony.

- 7.60 Similarly, the proximity between the rear balconies of Apartments 2, 5 and 8 of the public house building to the apartments within the side extension building, Apartments 3, 6 and 9 has required the use of high-level windows in the side extension flats. This raises concerns with both daylight and sunlight and outlook.
- 7.61 The bedroom of Apartment 7 appears to be very enclosed and would likely fail to provide adequate levels of outlook. This is also the case with the basement-level bedrooms for Apartments 1 and 2 which only have outlook into the shallow subterranean courtyards to the rear of the site.
- 7.62 Similarly, the fenestration for Apartment 4 would all face into highly enclosed terraces, with only the front door in the hallway opening out into the courtyard. The terrace of the flat above, Apartment 7, would further emphasize this sense of enclosure and it is unlikely that the unit would receive adequate levels of daylight.
- 7.63 There would be mutual overlooking from balconies across the courtyard, however, this may be acceptable in this case given the site constraints.
- 7.64 Three of the apartments would face the public pavement at ground floor level, Apartments 1, 2 and 3. These units would only be acceptable if separation from the public pavement is achieved. The applicant does not own the land directly in front of the site which has been proposed to incorporate front garden areas. The use of public land to provide private amenity space would not be supported. The front garden areas proposed could therefore not be accomplished, rendering Apartments 1, 2 and 3 fully exposed to public view with insufficient levels of privacy.

Quantity and Capacity

- 7.65 The quantity of dwellings proposed is considered to be excessive for the site. The local context is suburban residential, and whilst there are taller residential blocks on Cawnpore Street (for example nos. 3-5 Cawnpore Street and Wiseman Court), these are within their own plots and are not perceived as extensions to existing structures or back land developments. The proposed provision of nine units formed via the partial demolition and extension to an existing two storey building within a relatively small plot of land would result in a cramped, high-density development that would require contrived mitigations such as high-level windows, obscured glazing and an extensive need for screening. Even with these mitigations in place, new issues arise- the necessity for obscured glazing and screening would result in outlook concerns.
- 7.66 Overall, the proximity of such a large quantity of units as currently designed within a small plot would not allow for the provision of high-quality dwellings.

Summary

7.67 It has not been demonstrated that the proposal would provide high quality accommodation. Insufficient information has been provided with regards to the floor to ceiling heights for the units, and one of the units (Apartment 1) falls short of the NDSS in terms of its GIA. In the absence of a Daylight and Sunlight Assessment, Officers are unable to determine whether the units would receive adequate levels of daylight and sunlight. Officers are also concerned that the majority of the units (Apartments 1, 2, 3, 4, 6 and 7) would have insufficient levels of outlook, particularly when overlooking is mitigated through obscured glazing and screening. The provision of front gardens for Apartments 1, 2 and 3 would not be achievable given that this land is part of the public highway, rendering these apartments highly exposed to overlooking from the street. The quantity of units proposed at the site is not considered to be suitable. The proposal would fail to provide high quality residential units and would be contrary to Policy D6 of the London Plan (2021), Policies H5 and Q2 of the Lambeth Local Plan (2021).

7.68 Accessibility

7.69 Policy Q1 of the LLP states that development should show how inclusive design would be incorporated.

7.70 Policy D7 of the London Plan (2021) states that at least 10 per cent of dwellings should meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and all other dwellings should meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

7.71 The application proposes to incorporate a wheelchair accessible unit within Apartment 4. The unit would be accessed via courtyard which would have step-free access up to the ground floor front door of this unit. The unit would provide sufficient space for a wheelchair unit.

7.72 The other eight units would provide sufficient GIA to be adaptable into accessible housing, although the upper floor units and Apartments 1 and 2 which have internal staircases, would be less readily accessible due to the nature of them not being step-free. Given the scale of the proposal and the constraints of the site, the accessibility provision is considered to be acceptable.

7.73 The proposal would comply with Policy Q1 of the Lambeth Local Plan (2021) and Policy D7 of the London Plan (2021).

7.74 Design

7.75 Policy Q5 of the Lambeth Local Plan (2021) seeks to preserve the local distinctiveness of Lambeth. Proposals will be supported where it is shown that design of development is a response to positive aspects of the local context and historic character.

7.76 Policy Q7 of the Lambeth Local Plan (2021) relates to urban design for new developments quality design which is visually interesting, well detailed, well proportioned and which is of a suitable scale, massing and building line for the site context. New buildings should include climate change mitigation and adaptation measures such as passive solar design, sustainable urban drainage systems, urban shading and heat reduction measures, and be built with durable, robust, low-maintenance materials.

- 7.77 Policy Q8 of the Lambeth Local Plan (2021) seeks construction detailing that is unified, visually attractive, robust and maintenance free.
- 7.78 Policy Q11 of the Lambeth Local Plan (2021) requires alterations to buildings to have a design which positively responds to the original architecture, roof form, detailing, fenestration (including design, materials and means of opening) of the host building and other locally distinct forms (such as group characteristics). Such features should be respected and retained. Subordination will generally be a key consideration. Policy Q11 B relates specifically to extensions, and states that subordination will be a key consideration when assessing proposals for extensions. Development which unacceptably dominates the host building will not be permitted. Subordination, in all its forms, is particularly important in relation to heritage assets.
- 7.79 Policy Q16 of the Lambeth Local Plan (2021) states that, on existing premises the council will seek the retention of historic shop fronts or those of architectural quality or any features of interest that survive on premises (including historic shop signage). These should be retained, refurbished and sympathetically incorporated into new work even when changes of use are proposed.
- 7.80 Policy Q23 of the Lambeth Local Plan (2021) relates to locally listed buildings and aims to resist the destruction of assets on the local heritage list (or harm to their settings) and expects applicants to retain, preserve, protect, safeguard and, where desirable, enhance them when developing proposals that affect them.
- 7.81 Paragraph 216 of the NPPF (2024) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.82 The application site is a locally listed building. The proposal seeks to retain only the front façade of the building and to demolish the rest. The demolition of much of the building would result in heritage harm which is not supported. No justification for this harm has been provided. The proposed demolition would be contrary to Policy Q23 of the Lambeth Local Plan which seeks to resist the destruction of locally listed buildings.
- 7.83 Currently there are views of the western flank wall of the public house from Cawnpore Street. As stated above, it is expected that this wall should be retained. The bin and cycle storage should be set-back from the building line so as not to clutter the front of the building and obstruct views of its flank elevation.
- 7.84 The proposed mansard 'extension' to the Railway Pub building would not be sympathetic to the historic significance of the building, contrary to Policy Q23 of the Lambeth Local Plan (2021). Any extension at roof level should take a heritage-led approach and should follow the guidance of the Lambeth Design Guide SPD (2023) Part 4. The SPD contains specific requirements for mansard extensions. This includes specifications with regards to the pitch of the roof slope, the design of dormer windows, the retention of chimney stacks and the use

of sympathetic materials. As stated above, the demolition of the rear portion of the building would not be supported.

- 7.85 The proposed use of terracotta, metal, standing seam cladding and contemporary-style windows on the locally listed building is not considered to be appropriate or sympathetic to the Victorian public house, and would cause harm. Similarly, any windows to the flank elevation would need to be sympathetic in design and material- the horizontal, high-level windows current proposed to the flank elevation would appear incongruous with the retained front of the building, both of which are highly visible from Cawnpore Street.
- 7.86 Without prejudice to the identified harm to the locally listed building and the desire for retention; in terms of the overall massing, the proposal would result in a three-storey building along the eastern boundary, and a two storey building along the southern boundary. The scale is considered to be appropriate for the site context and would not be overbearing or incongruous in this residential setting. However significant further design work is required. The use of brick and terracotta standing seam cladding is considered to be appropriate for the new blocks, however as stated above, a heritage-led approach should be taken for the locally listed building and sympathetic materials, such as slate tiles for the roof, should be used for this building. Where there are historic details, they should be identified and retained. Bricks should be retained and reused where appropriate.
- 7.87 Overall, a more conservation-led approach to the retention of the locally listed pub is required. The design would be contrary to Policies Q11 and Q23 of the Lambeth Local Plan (2021) and the Lambeth Design Guide SPD (2023).
- 7.88 Whilst the provision of front gardens for residential units is generally supported, it is unclear whether the applicant owns this area of pavement and therefore further information is required in order to support this element of the proposal.
- 7.89 The boundary treatments to the rear and western flank elevation do not appear to have been sufficiently considered. The submitted southern elevation shows a mismatch of brick material across the boundary wall adjoining no. 64 Gypsy Hill, with both yellow stock brick and red brick annotated. The sudden increase in height of the boundary between no. 12 and no. 14 Cawnpore Street would appear incongruous and would not integrate well within the existing context. No western elevation has been provided so it is unclear how the boundary wall will appear from the adjoining neighbouring property.
- 7.90 Overall, the design would result in the substantial demolition of a locally listed building and would introduce contemporary alterations to the building which would fail to respond positively to its local significance and traditional materials. The cycle and bin storage would be positioned too far forward and would harm the setting of the locally listed building. It has not been demonstrated that the demolition and harm caused to the locally listed building would be necessary for its viable use. The proposal would therefore fail to comply with paragraph 216 of the NPPF (2024), Policies Q5, Q8, Q11 and Q23 of the Lambeth Local Plan (2021) and the Lambeth Design Guide SPD (2023).

7.91 Basements and Flooding

7.92 Policy Q27 of the Lambeth Local Plan (2021) relates to basement developments, and states that proposals will be supported where it has been demonstrated that there would be no unacceptable impacts to:

- i. subterranean ground water flow (ground water);
- ii. slope stability (land stability);
- iii. surface flow and flooding (see also Local Plan policy EN5 and Annex 4);
- iv. the ability of trees and soft landscaping (existing and proposed) to thrive without irrigation;
- v. cumulative effects of basement development in the locality;
- vi. waste to land fill and carbon emissions; and
- vii. designated and non-designated heritage assets (including archaeology).

7.93 Applicants for basement proposals should submit a Stage 1 (Screening) Basement Impact Assessment, undertaken by a qualified professional, which captures all the issues raised above.

7.94 The council may, upon review of the Stage 1 (Screening) require further, more detailed Basement Impact Assessment (stages 2 – 4).

7.95 Policy EN5 F of the Lambeth Local Plan (2021) states that the use of basement space for bedrooms and non-residential uses where flooding could threaten the safety of people will not be permitted in areas susceptible to flooding (including but not limited to areas within current modelled breach flood extent and surface water modelling). A Flood Risk Assessment (FRA) will be required for developments that may be subject to other sources of flooding. For all developments, it must be demonstrated that the development will be safe (for its lifetime), and where required, it will reduce fluvial, tidal, surface water run-off and groundwater flood risk and manage residual risks through appropriate flood risk measures, including the use of sustainable drainage systems (SuDS).

7.96 Policy EN6 of the Lambeth Local Plan (2021) relates to sustainable drainage, and states that all proposals should ensure that the layout and design does not have a detrimental impact on floodwater flow routes across the site.

7.97 The Lambeth Design Guide SPD Part 5 (2023) relates specifically to basement developments and provides a flow screening chart through a series of questions within Appendices 2, 3, 4 and 5. It is necessary for applicant to answer the questions within this part of the SPD as part of any basement development application.

7.98 The application proposes to excavate a single storey basement level (approximately 3.5m below ground level) beneath the footprint of the existing public house building. The basement level would provide one double bedroom and a bathroom for both Apartments 1 and 2. The bedrooms would be situated to the rear of the basement levels and would include bi-folding doors providing access into an excavated, basement-level terrace area. Steps are proposed up to the main ground floor yard.

- 7.99 Lambeth's Building Control and Flood Risk teams were consulted on the application. Both teams raised concerns with the proposal based on the submitted Basement Impact Assessment (BIA).
- 7.100 No Flow Screening Chart, required by Appendices 2, 3, 4, and 5 of the Lambeth Design Guide SPD (2023) has been provided. The BIA also identifies several concerns that have not been addressed within the submission: the depth of the proposed extension is identified as being likely to encounter perched water/groundwater during construction. It is recommended that further assessment through a ground investigation and the installation of a monitoring well be undertaken. Additionally, there are concerns with the soil composition and the likelihood of subsidence due to shrinkage-swelling. It is recommended that the depth and volume change potential of the underlying soils should be investigated.
- 7.101 Similarly, concerns were raised with regards to pressure release following excavation, and stability during construction. The report identifies that a Ground Movement Assessment (GMA) should be undertaken to assess the impact on neighbouring properties with differing ground levels. A BRE Special Digest is required and a concrete specification is to be provided.
- 7.102 A groundwater monitoring well should be installed as part of the site investigation, as well as groundwater dip measurements following the site works, to investigate groundwater levels. The risks of sewer and surface water flooding should also be investigated further.
- 7.103 Given the site's history of bomb damage in the surrounding area, there is a moderate risk of unexploded weapons (UXO). It is recommended that a UXO risk report is undertaken.
- 7.104 No assessment on the impact to tree roots has been provided (this is discussed further in the Ecology and landscaping section of this report).
- 7.105 Overall, several concerns have been identified by the BIA, none of which have been addressed by the applicant. Without further investigation, as recommended by the submitted report, Officers are unable to determine whether the proposed basement would adversely impact subterranean ground flow, slope stability or surface flow. It is not clear whether the proposal would adversely impact tree roots, nor whether there would be structural implications for neighbouring properties or the retained frontage of the locally listed building. As stated in the Design section of this report, the retention of the locally listed building is necessary, and the principle of introducing a basement level would not be supported if there would be structural implications for the original building. This is not something that could be resolved by planning condition.
- 7.106 It has not been demonstrated that the bedroom accommodation would be safe against the risk of flooding.
- 7.107 The proposal would fail to comply with Policies Q27, ED5 and ED6 of the Lambeth Local Plan (2021) and the Lambeth Design Guide SPD Part 5 (2023).

7.108 Amenity

7.109 Policy Q2 of the Lambeth Local Plan (2021) states that development will only be supported if visual amenity from adjoining sites and from the public realm is not unacceptably compromised, acceptable standards of privacy are provided, adequate outlook is provided, while undue sense of enclosure and overlooking is avoided and daylight and sunlight levels to both the host property and surrounding properties are not compromised.

Daylight and Sunlight

7.110 No Daylight and Sunlight Assessment (D&SA) has been submitted with the application. Whilst the scale, massing and siting of the proposal is considered to be appropriate for the site context, there would be an uplift in height and footprint and it has not been demonstrated that there would be no impact to neighbouring amenity in terms of daylight and sunlight. Similarly, an overshadowing assessment should be provided for neighbouring properties in order to assess the impact. The submitted sunlight studies do not offer any numerical data, nor have any neighbouring habitable rooms been identified. No information has been provided with regards to neighbouring daylight. Officers are therefore unable to determine the impact of the proposal on neighbouring daylight and sunlight and therefore the proposal would fail to comply with Policy Q2 of the Lambeth Local Plan (2021) in this respect.

Sense of Enclosure, Privacy and Outlook

- 7.111 In terms of sense of enclosure and outlook, the proposed massing would result in a three-storey building along the eastern boundary and two storeys along the southern boundary. The eastern neighbour is Paxton Primary School which has no flank windows other than to serve hallways and stairways. The proposal would not offer any views into the primary school premises, nor would it offer views into the playgrounds of the school. The proposal would not have any negative impact on the school's amenity as a result.
- 7.112 The rear of the site adjoins the garden of no. 64 Gipsy Hill. In the absence of any contextual existing elevation drawings showing the site boundary, it is unclear what the height difference would be at this boundary, however the provision of an additional storey reaching an overall height of 6.13m would likely result in a sense of enclosure and overshadowing within this garden.
- 7.113 Similarly, in terms of the western boundary, the only building proposed on this side is the single storey refuse and cycle storage, which would not present any overlooking or sense of enclosure concerns for the adjoining property, no. 12 Cawnpore Street. However the party wall between nos. 14 and 12 Cawnpore Street appears to be proposed to be extended up to two storeys in height where the balconies for Apartments 4 and 7 meet the flank boundary of the site. This presents serious concerns in terms of sense of enclosure and daylight and sunlight for the external amenity space of this property. No western elevation drawing has been provided to fully illustrate this view from no. 12.
- 7.114 Additionally, whilst there is separation between the rear garden of no. 12 and the balconies of the proposed apartments, and whilst screening could potentially be incorporated into the scheme, the raised vantage of these terraces which would have views directly towards the garden of no. 12 in the case of Apartments 6 and 9, and would have oblique views into the

garden from Apartments 5 and 8, would result in a perceived sense of overlooking. In the absence of a western elevation drawing, it is also unclear whether the balconies of Apartments 4 and 7 would cause overlooking concerns.

Noise Impact

- 7.115 The site is situated next to a primary school and within a residential context. The provision of nine additional residential units within this area would not present any adverse impact to existing properties in terms of noise impact. The private amenity spaces proposed are modest in size and would not allow for large congregations of people. The yard area would provide a shared space where more people could congregate, however it is not anticipated that this would be likely to result in any adverse noise impacts, particularly given that the majority of the units have their own private amenity space. The yard would mostly be used to access the flats to the rear.
- 7.116 It is stated within the Design & Access Statement that the proposed units would be heated by Air Source Heat Pumps (ASHP). No information has been provided with regards to the location or noise levels of the ASHPs. It is therefore not possible for Officers to determine whether the ASHPs would cause adverse impacts to neighbouring amenity in terms of noise and vibration.

Summary

- 7.117 Overall, in the absence of a BRE-compliant Daylight and Sunlight Assessment, and in the absence of sufficient details in relation to the ASHPs, Officers are unable to determine the impact of the proposal on neighbouring daylight and sunlight, or the potential noise or vibration impacts of the development. It is considered that the extensions to the boundary heights to the southern and western elevations would result in adverse overshadowing and enclosure concerns for the adjoining gardens of nos. 64 Gipsy Hill and no. 12 Cawnpore Street. In the absence of a western elevation drawing, Officers are unable to fully assess the impacts of the development in terms of overlooking, however it is considered that the raised balconies would cause an adverse perception of overlooking from the rear garden of no. 12 Cawnpore Street. The proposal would fail to comply with Policy Q2 of the Lambeth Local Plan (2021).

7.118 Transport

Accessibility

- 7.119 Public Transport Accessibility Level (PTAL) is a measure which rates locations by distance from public transport services.
- 7.120 The proposed development site has a PTAL score of 4, which is considered good on a scale of 0-6, where 0 is considered 'very poor' and 6a/b is classified as 'excellent'.
- 7.121 Resultantly people residing at the proposed development site would benefit from good access to local public/passenger transport services.

Access

- 7.122 The site has an existing vehicular access which is proposed to be removed. The applicant would be requested, via S278, to remove the crossover and reinstate the footway to full height, in the event of the approval of the application.
- 7.123 Lambeth Highways Officers have confirmed that the front area of pavement at the site where it is proposed to include low walls and gates at the front of the existing pub, is a public footpath. The applicant does not have ownership of this land and the provision of front garden areas on the public pavement will not be supported. Officers note that no notice has been served to Lambeth Highways, nor has Certificate B been signed within the application form.

Car Parking

- 7.124 The site proposes no vehicular parking which is supported. The applicant would need to demonstrate that the development would not result in an unacceptable increase in on street parking and would not impact upon highway safety, the free flow of traffic, amenity, access by emergency vehicles, refuse collection and delivery of goods. No assessment has been provided to demonstrate that there would not be an increase in parking stress as a result of the development.
- 7.125 Additionally, in the absence of adequate off-street car parking, or in areas where development is expected to be car free and in the absence of a CPZ, it is considered that the development has potential to exacerbate existing parking pressure on-street which may then drive demand for a future CPZ. It is therefore required that the applicant enters into a S106 agreement to secure a contribution of £2,500 per unit towards the implementation of a CPZ in the area, and that the proposed development is designated car permit-free in the event of a CPZ being introduced. For 9 units, this requires £22,500. This is in line with Lambeth Local Plan Policy T6 and Annex 9.

Car Clubs

- 7.126 Lambeth Local Plan, paragraph 8.35 states: 'Car clubs' and 'pool car schemes' are shared pools of cars available locally for short term hire and are a convenient alternative to car ownership. They allow for occasional car use but discourage unnecessary car journeys.
- 7.127 Car Clubs are required where appropriate, preferably on-street to facilitate ease of public use. Car Clubs and pool car schemes will also be promoted as an alternative to car parking and individual car ownership.
- 7.128 The provision of Car Club membership should be required for all residents from first occupation of a development scheme in order to help mitigate the potential car parking pressure resulting from the provision of nine additional dwelling units. This should be secured by a Section 106 Agreement, in the event that the application is approved. A (three year) Car Club membership should be provided to all residents- available from first occupation.

Cycle Parking

- 7.129 Cycle Parking provision should accord with The London Plan (2021) which is supported by Policy Q13 of the Lambeth Local Plan (2021). At least 25 per cent of the total cycle parking provision should be of the most accessible type, such as 'Sheffield' stands, of which 5 per cent of the total cycle parking provision should be designed and clearly designated for larger and adapted cycles. The accessible stands must be single height and have no upper tier above the stand.
- 7.130 This should include 'Sheffield Stand' style (horizontal) cycle parking for ease of use with a minimum 1m between stands. For the purposes of security for long stay cycle parking, the covered storage facility should be lockable so as to deter theft of bicycles.
- 7.131 In all developments at least one charge point should be provided to allow for recharging of electric cycles and a charge point should be provided for a minimum of 1 in 10 cycle parking spaces.
- 7.132 A minimum of 14 long stay and 2 short stay spaces are required for nine, 1 bedroom/2 person dwellings. The applicant currently proposes 13 spaces. An additional space is required.
- 7.133 The plans indicate that nine of the long stay spaces would be provided as vertical cycle parking. Vertical cycle parking is not supported as it requires lifting of the bicycle and is not accessible to all. The supporting test of Lambeth Local Plan Policy Q13 states that: *“Vertical storage where the cycle must be lifted off the floor will not be accepted. Only options where it is possible to lock the frame and wheel of the cycle to the stand are acceptable.”*
- 7.134 The cycle parking proposed would fail to comply with Policy T5 of the London Plan (2021) and Policy Q13 of the Lambeth Local Plan (2021).

Cycle Hire Membership

- 7.135 In the event of the approval of the application, a minimum of three years free membership of the Cycle Hire scheme for all residents regardless of tenure, should be made available in new residential developments in line with Lambeth Local Plan Policy T3. This is to encourage the use of healthy modes of transport and to discourage car use and ownership thereby reducing parking stress.

Waste & Recycling

- 7.136 Refuse storage is proposed within the single storey structure to the west of the site. It is not clear whether the store would provide sufficient storage for the number of units. There should be a minimum of 450L provision for general waste and 450L for recycling waste. There should also be provision of 90L of food waste a week.
- 7.137 The position of the store is considered to be acceptable, however it should be set-back from the pavement as stated in the Design section of this report.
- 7.138 The storage will need to comply with the Waste & Recycling Storage and Collection Requirements (2023) and the Refuse & Recycling Storage Design Guide (2022). The

storage will need to be covered, well-ventilated, secure and durable. The management of the bin collection will need to be clarified.

- 7.139 In the event of the approval of the application, further details of the recycling and refuse storage could be secured by planning condition.

Construction Management

- 7.140 Local Plan Policy T7(e) requires planning applications to be accompanied by a construction and logistics plan, demonstrating arrangements for construction traffic and how environmental, traffic and amenity impacts would be minimised.
- 7.141 A Construction Management Plan (CMP) must outline the build duration, programme, numbers of construction vehicle movements, and a commentary on how the site will be built out and impact on the operation of the highway. In the event of the approval of the application, a CMP can be secured by pre-commencement planning condition, for review by Lambeth Highways.
- 7.142 In line with Local Plan Policy T7 (F), developers and their contractors will be expected to adhere to the Construction Logistics and Community Safety (CLOCS) standard and be registered through the Fleet Operator Recognition Scheme (FORS) or equivalent.

7.143 Ecology and landscaping

- 7.144 The National Planning Policy Framework (NPPF) 2024, Policy EN1 (Open space, green infrastructure and biodiversity) of the Lambeth Local Plan (2021) and Policy G6 (Biodiversity and access to nature) of the London Plan (2021) set requirements for Biodiversity Net Gain (BNG).
- 7.145 The Environment Act 2021 made a 10% BNG mandatory for all developments, other than specific exemptions, from 12 February 2024 and for small sites from 2 April 2024.
- 7.146 Furthermore, the National Planning Policy Framework (NPPF) requires development proposals to manage impacts on biodiversity and aim to secure net biodiversity gain.
- 7.147 Lambeth Local Plan Policy EN1 (Open space, green infrastructure and biodiversity) and London Plan G6 set out that development proposals should protect, enhance, create or manage nature conservation and biodiversity interest and promote measures to increase the quantity and quality of the Borough's biodiversity and ecology, in accordance with the borough's Biodiversity Action Plan (BAP) and the Mayor's Biodiversity Strategy.
- 7.148 Policy Q10 of the Lambeth Local Plan (2021) aims to safeguard trees of amenity, historic or ecological value.
- 7.149 The applicant has failed to provide any BNG documentation with the application. It has not been demonstrated that the site would be considered as de-minimis or exempt from BNG requirements.
- 7.150 Additionally, no assessment has been made with regards to the impact of the development, particularly with regards to the basement works, on nearby trees. There are mature trees to

the rear of the site within the rear garden of no. 64 Gipsy Hill. It is unclear whether the development would damage the root areas of these trees. The proposal would therefore fail to comply with Policy Q10 of the Lambeth Local Plan (2021).

7.151 In the absence of any supporting evidence to demonstrate either compliance with the 10% BNG uplift, or exemption for any reason, it is considered the proposed development would fail to comply with the aims and objectives of Policy G6 of the London Plan, Policy EN1 of the Lambeth Local Plan, paragraphs 180-186 of the NPPF and is not considered to be acceptable, having regard to the impacts on ecology and biodiversity.

7.152 Sustainability

7.153 Policy EN4 of the LLP states that all development will be required to meet the highest standards of sustainable design and construction feasible, relating to the scale, nature and form of the proposal. Policy SI 2 of the LP states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy: 1. Be lean: use less energy 2. Be clean: supply energy efficiently 3. Be green: use renewable energy.

7.154 Policy SI 5 of the LP states that development proposals, through the use of planning conditions, minimise the use of mains water in line with the operational requirement of the building regulations (residential development), achieving mains water consumption of 105 litres or less per head per day (excluding allowance of up to five litres for external water consumption).

7.155 Policy EN7 of the LLP states that all developments will be expected to recycle construction, demolition and excavation (CD&E) waste on-site wherever practicable. For all development, 95 per cent of construction and demolition waste should be reused, recycled or recovered and 95 per cent of excavation waste should be put to beneficial use. Disposal of CD&E waste in landfill should only take place where it has been demonstrated that alternative, more sustainable fates are not feasible.

7.156 The applicant has not provided a Sustainability Statement. The Design & Access Statement does include a brief section on energy and sustainability, and states that the design approach would be to use PassivHaus principles. Mechanical ventilation (MVHR) is proposed, and the units would be heated by Air Source Heat Pumps (ASHP). No information has been provided with regards to the location or noise levels of the ASHPs.

7.157 It is unclear whether embodied carbon has been considered as part of the proposed environmental cost of the demolition of the building. Officers would expect the demolition to be justified and explained even for minor applications.

7.158 No information has been provided with regards to the water use of the development; however full details could be secured by appropriate planning conditions.

7.159 It has not been demonstrated that the use of solar panels has been explored for the proposal, nor has it been demonstrated that that 95% of construction waste would be reused, recycled or recovered.

- 7.160 Proposals should also reduce CO2 emissions. New Building Regulations (Part L 2021) have adopted higher national standards securing the 19 per cent reduction of on-site regulated carbon emissions. This standard would, therefore, ensure the proposed development would comply with Policy EN4(iii) of the LLP.
- 7.161 In the event of the approval of the application, further details of the sustainability of the scheme could be secured by pre-commencement planning condition.

7.162 Fire safety

- 7.163 Part A of Policy D12 of the LP requires all development to meet the highest standards of fire safety to ensure the safety of all building users. As such, all planning applications should be accompanied by a Fire Safety Statement informed by Policy D12 of the LP.
- 7.164 A Fire Statement has been submitted. Whilst the statement suggests that fire appliances can stop on the public street, no site plan has been provided to identify the appropriate position. It is unclear whether access could be blocked by parked cars. No site plan has been provided to show the appropriate evacuation assembly points.
- 7.165 It is considered that, subject to the approval of the application, a more detailed Fire Statement could be secured by planning condition.

7.166 Planning balance

- 7.167 As discussed in the Land Use Principle section of this report, the LPA is subject to a strengthened presumption in favour of sustainable development when assessing and determining planning applications. When the presumption is applied, the overall aim is to increase housing delivery in the Borough. Paragraph 11 (d) of the NPPF (2024) applies under the strengthened measures, meaning that applications for new housing should be approved, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The relevant policies within the NPPF which could result in the outweighing the public benefits are listed within footnote 9. These include paragraphs 110 and 115 of chapter 9; and 135 and 139 of chapter 12.
- 7.168 The proposal would create an uplift of eight self-contained residential units thereby contributing to Lambeth's housing stock. This is a public benefit and has significant weight, strengthened by the measures set by paragraph 11 (d) of the NPPF (2024). However, as outlined in the Housing Quality section of this report, one of the units would fail to meet the NDSS for a one bedroom flat over two storeys. Insufficient information has been provided to determine whether the units would have adequate floor to ceiling heights, nor whether they would receive adequate levels of daylight and sunlight. Similarly, Apartments 1, 2, 3, 4, 6 and 7 would provide inadequate outlook and would be highly overlooked. Insufficient information has been provided to demonstrate that the basement-level bedrooms would be safe from flood risk. Additionally, the provision of front gardens for Apartments 1, 2 and 3 would not be achievable given that this land is part of the public highway, rendering these apartments highly exposed to overlooking from the street.
- 7.169 Additionally, the balance of unit sizes would not provide a range of dwelling sizes, and the proposal would result in the loss of one, three-bedroom, family-sized flat. It has not been demonstrated that the provision of nine, 1-bedroom units would be appropriate for the local

area, nor has it been demonstrated that a more balanced mix of unit sizes could not be provided at the site. Furthermore, given the local context and the size of the plot, the provision of nine residential units at the site is considered to constitute overdevelopment, to the detriment of the local area and the quality of accommodation of the occupiers. The proposed units would therefore fail to provide high quality accommodation for the local area. Paragraph 135 (a) of the NPPF (2024) states that development proposals should add to the overall quality of the area, and paragraph 135 (d) states that proposals should optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities. Paragraph 135 (f) of the NPPF (2024) states that development should provide a high standard of amenity for existing and future users. Paragraph 139 states that development that is not well designed should be refused. Given the poor quality of housing proposed and the inappropriate mix of units, it is not considered that the aims of this policy have been met. This carries significant weight.

- 7.170 It has been identified within the Principle of the Use section of this report, that the Railway Bell pub has heritage, cultural, economic and social value. The site is locally listed due to its historic and architectural significance. It has not been demonstrated that the use of the site as a public house is unviable. The proposal would result in the loss of a community facility without sufficient justification. Paragraph 135 (c) of the NPPF (2024) states that development proposals should be sympathetic to local character and history. Paragraph 135 (e) states that proposals should support local facilities. The loss of the public house carries significant weight.
- 7.171 The proposed demolition of the majority of the locally listed building and the proposed extensions to it, would cause harm to the building's significance as a non-designated heritage asset. No evidence has been provided to justify that the demolition is necessary for the functional use of the site. It has not been demonstrated that a heritage-led approach has been taken to the design of the extensions, contrary to Paragraph 216 of the NPPF (2024). Paragraph 135 (b) of the NPPF (2024) supports development that is visually attractive as a result of good architecture, and part (c) requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting. Part (d) states that development should maintain a strong sense of place. Paragraph 139 states that development that is not well designed should be refused. The proposal would fail to accord with Paragraphs 135, 216 and 139 of the NPPF (2024). This carries significant weight.
- 7.172 As outlined in the Amenity section of this report, in the absence of sufficient information to demonstrate otherwise, it is considered that the proposal would cause adverse harm to neighbouring properties with regards to sense of enclosure, overshadowing, daylight/sunlight, noise and perceived overlooking.
- 7.173 Similarly, insufficient information has been provided to demonstrate that the proposed basement excavation would not cause adverse impacts to neighbouring properties in terms of flood risk and subsidence. Paragraph 135 (f) of the NPPF (2024) states that development should provide a high standard of amenity for existing and future users. This carries significant weight.

7.174 It has not been demonstrated that the site is exempt from the requirement to provide a minimum 10% biodiversity net gain, nor has it been demonstrated that there would be no harm to the existing trees. No justification has been provided for this shortfall. Paragraph 135 of the NPPF (2024) states that development proposals should include effective landscaping (part a) and optimise the potential of the site in terms of landscaping and green space (part e). The proposal would fail to demonstrate that high quality landscaping with sufficient BNG would be provided. This carries significant weight.

7.175 It is considered that the combined impact of the loss of the use of the site as a public house, the heritage harm to the locally listed building and the impacts of the development on biodiversity would significantly outweigh the public benefit of the provision of eight additional residential units, particularly given that these units would not provide a high standard of accommodation. In accordance with Paragraph 11 (d) (ii), the harm caused would demonstrably outweigh the benefits and therefore the application is recommended for refusal.

7.176 Planning obligations

7.177 Policy D4 of the LLP refers to circumstances in which the council can seek S106 Planning Obligations to mitigate the impact of a development on the local infrastructure or secure additional facilities that are required as a result of the development coming forward.

7.178 Should the application have been recommended for approval, the following site-specific planning obligations would have been required to ensure the development would be acceptable:

Item	Details
Transport	<ul style="list-style-type: none"> • £2,500 per unit towards the implementation of a CPZ in the area, total of £22,500. • Securing each unit as car permit-free in the event of a CPZ being introduced. • Car Club Membership • Cycle Hire Membership
Other	<ul style="list-style-type: none"> • Monitoring fee (£500) • S278 for the removal of the dropped kerb

7.179 The development would also have been liable to pay the Lambeth and Mayoral CIL.

7.180 Allocation of CIL monies to particular infrastructure projects is not a matter for consideration in the determination of planning applications.

7.181 The applicant has not agreed to enter a S106 or a S278 for the above requirements.

8. Conclusion

8.1 Upon full assessment of the submitted material supporting the application, taking into account all material considerations, it is considered the objectives of the development plan have not been met.

9. Equality Duty and Human Rights

9.1 In line with the Public Sector Equality Duty the council must have due regard to the need to eliminate discrimination and advance equality of opportunity, as set out in section 149 of the Equality Act 2010. In making this recommendation, regard has been given to the Public Sector Equality Duty and the relevant protected characteristics (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).

9.2 In line with the Human Rights Act 1998, it is unlawful for a public authority to act in a way which is incompatible with a Convention right, as per the European Convention on Human Rights. The human rights impact have been considered, with particular reference to Article 1 of the First Protocol (Protection of property), Article 8 (Right to respect for private and family life) and Article 14 (Prohibition of discrimination) of the Convention.

9.3 The Human Rights Act 1998 does not impair the right of the state to make decisions and enforce laws as deemed necessary in the public interest. The recommendation is considered appropriate in upholding the council's adopted and emerging policies and is not outweighed by any engaged rights.

10. Procedural Note

10.1 The application has received one or more objections which are in part based on material planning grounds and as such the Local Planning Authority has given due consideration to clause 2 of the Planning Applications Committee terms of reference when determining the application.

10.2 Planning officers have used their professional judgement and are satisfied that in terms of the content of the objections, the application clearly fails to comply with the relevant planning policies and as such a decision may be taken by officers without requirement to refer to Planning Applications Committee.

11. Recommendation

11.1 Refuse Planning Permission.

12. Reasons for Refusal

1. In the absence of a robust marketing report, it has not been demonstrated that the use of the site as a public house (Sui Generis), which has been identified to have heritage, cultural, economic and social value, is not viable, nor has it been demonstrated that other community uses have been explored. The proposed loss of the public house use (Sui Generis) would be contrary to Policies ED9 of the Lambeth Local Plan (2021), HC7 of the London Plan (2021) and the Lambeth Marketing of Commercial Premises and Sites Guidance Note (2023), and would cause adverse impacts to the local community.

2. By reason of there being nine one-bedroom flats proposed, and a loss of one three-bedroom family-sized dwelling unit, the proposal would fail to provide a suitable mix of housing sizes and would fail to provide any family-sized accommodation. The proposal would fail to comply with Policy H4 of the Lambeth Local Plan (2021).
3. It has not been demonstrated that the proposal would provide high quality residential accommodation. Insufficient information has been provided with regards to the floor to ceiling heights for the units, and Apartment 1 falls short of the NDSS in terms of its GIA. In the absence of a Daylight and Sunlight Assessment, Officers are unable to determine whether the units would receive adequate levels of daylight and sunlight. The majority of the apartments would have insufficient levels of outlook and would be adversely overlooked. It has not been demonstrated that the basement-level bedrooms in Apartments 1 and 2 would be safe from the risk of flooding. The provision of front gardens for Apartments 1, 2 and 3 would not be achievable given that this land is part of the public highway, rendering these apartments highly exposed to overlooking from the street. The proposal would fail to provide high quality residential accommodation and would be contrary to Policy D6 of the London Plan (2021), Policies H5, Q2 and Q27 of the Lambeth Local Plan (2021).
4. By reason of the substantial demolition of a locally listed building (non-designated heritage asset) and the introduction of unsympathetic contemporary alterations to the building, and by reason of the position of the proposed cycle and bin storage, the proposal would cause harm to the significance of the locally listed public house which has not been justified or outweighed. The proposal would therefore fail to comply with paragraph 216 of the NPPF (2024), Policies Q5, Q8, Q11 and Q23 of the Lambeth Local Plan (2021) and the Lambeth Design Guide SPD (2023).
5. In the absence of further investigation, as recommended by the submitted Basement Impact Assessment, Officers are unable to determine whether the proposed excavation would adversely impact subterranean ground flow, slope stability or surface flow. It is not clear whether the proposal would adversely impact tree roots, nor whether there would be structural implications for neighbouring properties or the retained frontage of the locally listed building. It has not been demonstrated that the bedroom accommodation would be safe against the risk of flooding. The proposal would fail to comply with Policies Q27, ED5 and ED6 of the Lambeth Local Plan (2021) and the Lambeth Design Guide SPD Part 5 (2023).
6. In the absence of a BRE-compliant Daylight and Sunlight Assessment, and in the absence of sufficient details in relation to the Air Source Heat Pumps, Officers are unable to determine the impact of the proposal on neighbouring daylight and sunlight, or the potential noise or vibration impacts of the development. In the absence of a proposed western elevation drawing, Officers are unable to determine the full impact of the boundary treatments on the adjoining properties. However, it is considered that the proposed two storey boundary walls would cause an adverse enclosure and overshadowing issues for the rear gardens of no. 64 Gypsy Hill and no. 12 Cawnpore Street. The proximity and raised vantage of the proposed balconies would also cause adverse impacts to no. 12 Cawnpore Street in terms of perceived overlooking. The proposal would fail to comply with Policy Q2 of the Lambeth Local Plan (2021).
7. By reason of the number of spaces, and the type of stands, the proposal would fail to provide sufficient and accessible cycle parking provision. The cycle parking proposed would fail to comply with Policy T5 of the London Plan (2021) and Policy Q13 of the Lambeth Local Plan (2021).
8. In the absence of a Tree Roots Assessment undertaken by a qualified Arboriculturist, it is unclear whether the proposal would cause adverse impacts to the tree roots of nearby mature trees. The proposal would therefore fail to comply with Policy Q10 of the Lambeth Local Plan (2021).
9. In the absence of any supporting evidence to demonstrate either compliance with the 10% BNG uplift, or exemption for any reason, it is considered the proposed development would

fail to comply with the aims and objectives of Policy G6 of the London Plan, Policy EN1 of the Lambeth Local Plan, paragraphs 180-186 of the NPPF and is not considered to be acceptable, having regard to the impacts on ecology and biodiversity.

10. In the absence of a Parking Stress Survey demonstrating that the site would not cause impacts upon highway safety, the free-flow of traffic, amenity, access by emergency vehicles, refuse collection and delivery of goods, it is considered that the provision of nine residential units would likely cause an uplift in car parking on Cawnpore Street causing parking stress and highway safety implications, contrary to Policies T1, T6 and T7 of the Lambeth Local Plan (2021) and Policy T6 of the London Plan (2021).
11. In the absence of any agreement to enter a S106 with regards to providing car and cycle club memberships, contributing towards the introduction of a CPZ, securing each unit as car permit-free in the event of a CPZ being introduced, and in the absence of any agreement to enter a S278 agreement for the removal of the dropped kerb at the site, it has not been demonstrated that the proposal would not cause adverse impacts to the local area in terms of parking displacement, nor has it been demonstrated that the proposal would promote sustainable modes of transport. The proposal would be contrary to Policies T1, T3 and T6 of the Lambeth Local Plan (2021) and Policies T4, T5, T6 and T6.1 of the London Plan (2021).

13. Informatives

1. Paragraph 39 of the NPPF require Local Authorities to approach decision making in a positive way, to approve applications for sustainable development where possible and to work proactively with applicants to secure development that improves the economic, social and environmental conditions of the area. In this instance the application was considered to be in significant conflict with Lambeth's Local Plan and the NPPF, and a decision was issued providing clear and transparent reasons for refusal.