

<b>Item No.</b> 6.1	<b>Classification</b> OPEN	<b>Decision Level</b> PLANNING COMMITTEE	<b>Date</b> 15/11/2005
<b>From</b> INTERIM DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-CO-0151 )  Closure of part of Lant Street to provide a nursery playground, a multi use games area and garden for primary school.		<b>Address</b>  Land fronting Charles Dickens Primary School & adjacent to 23 Lant Street SE1  <b>Ward</b> Cathedrals	

### **PURPOSE**

- 1 To consider the above application. This application is for Committee decision as the proposal is the Council's own development and due to the number of objections received.

### **RECOMMENDATION**

- 2 To grant planning permission.

### **BACKGROUND**

- 3 The application site is currently public highway that links Borough High Street with Southwark Bridge Road. The highway, although narrow (7 metres wide), allows two way traffic to flow and provides on-street parking amenity, the highway also encompasses a pedestrian footway on both sides. The highway is flanked by a number of uses, including commercial uses at the eastern end towards Borough High Street, the school in the central part of Lant Street and a number of residential buildings which comprise the dominant use along Leant Street and surrounding streets.
- 4 An application for a certificate of lawfulness submitted by the school for the existing use of land to the north of Lant Street as a playground was refused by the Council in January 2003. The applicant had failed to supply adequate information to show that the land had been in continual educational use for 10 or more years.
- 5 Planning permission was granted by the Council in 2000 for the erection of 3 no. 5 storey blocks of residential accommodation and 70 basement car parking spaces on a piece of land north of the application site. At present the contractors have placed hoardings around the land north of Lant Street and are using it to store their equipment.
- 6 Planning permission for an almost identical application (04-CO-0015) was

refused at planning committee on the 05/08/2004 for the following reason: "The proposed playground extension would by reason of its need to permanently close Lant Street preventing through traffic from accessing Southwark Bridge Road or Borough High Street via Lant Street fail to give priority or improve safety conditions for essential traffic contrary to Southwarks Unitary Development Plan [July 1995] policy T.5.3 Alterations to the Road Network".

- 7 The school fronts both Lant Street and Toulmin Street with the main elevation along Lant Street and the existing playground fronting Toulmin Street. The application is for an additional playground across Lant Street. The area that is proposed to be created as additional playground space is 1537 square metres. This area of land comprises 401 square metres of public highway and the remaining area of land is on the northern side of Lant Street bound by a new development of residential accommodation. The land will be enclosed by a 3 metre high fence on the west and eastern boundaries fronting Lant Street. The parcel of land will only be accessed by the school and will provide additional playground facilities.
- 8 There will not be any through access for pedestrians in order to ensure the safety of the children and therefore will result in the closure of Lant Street to vehicles creating two 'dead ends' east and west bound along Lant Street. The closure will eliminate the link that Lant Street provides between Borough High Street and Southwark Bridge Road. At present the play area for each child is significantly lower than the Department for Education and Skills (DfES) recommended area of 46 square metres. The current provision is 2.8 square metres per child, the proposal will allow this provision to rise to 6 square metres. The playground created will provide each of the 340 pupils at Charles Dickens Primary school with an additional 3.2 square metres of play space and the space will be divided into themed areas for playing such as a ball court, a garden and an area for nursery children.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

- 9 The main issues in this case are the impact of the proposal upon the amenity of surrounding and future residents and businesses, the appearance of the proposal and the implications for pedestrian and vehicular traffic.

### **Planning Policy**

- 10 Southwark Unitary Development Plan 1995 [UDP]:

E.2.3 Aesthetic Control - Complies

E.3.1 Protection of Amenity - Complies

C.5.2 Protection of Play Spaces and Facilities for Children - Complies

T.5.3 Alterations to the Road Network - Complies

The Southwark Plan [Revised Draft] February 2005

Policy 3.11 Quality in Design - Complies

Policy 3.2 Protection of Amenity - Complies

Policy 2.3 Enhancement of Educational Establishments - Complies

Policy 5.2 Transport Impacts - Complies

11 **Consultations**  
Site Notice: 16/02/2005

Press Notice: None

Consultees:

AWG Construction Service Limited  
The Old Brewery  
Brewery Courtyard  
Draymans Lane  
Marlow  
Bucks SL7 2FF

Alphabet Surrey Ltd  
164 Hind Grove  
London E14 6HP

1-20 (CONS) Douglas Buildings, Marshalsea Road SE1 1EH

21-45 (CONS) Douglas Buildings, Marshalsea Road SE1 1EJ

61-77 (CONS) Douglas Buildings, Marshalsea Road SE1 1EL

78-109 (CONS) Douglas Buildings, Marshalsea Road SE1 1JW

1-49 (CONS) Lant House, Lant Street SE1 1PJ

1, 1B - 52 (CONS) Redman House, Lant Street SE1 1JU

Facilities manager, 54-56 Lant Street SE1 1QP

48, 52 Lant Street SE1 1QP

8-10 Lant Street SE1 1QN

57, 57A, 59, 61-63, 65, 67A, 67B Lant Street SE1 1QN

Gladstone Arms, 64 Lant Street SE1 1QN

12, First Floor 10a, Second floor 10b Lant Street SE1 1 QR

Castle Printers Ltd  
Sundrey Street SE1 1PF

Facilities Manager  
14-15 Weller Street SE1 1LQ

85-91 (cons) Mint Street SE1 1QX

1-9 (cons) Trundle House, Trundle Street SE1 1QS

Flats 1 to 47 (consec) 4 Sanctuary Street SE1 1EA

Flats 1 to 12 (consec) Gaitskell Way SE1

Flats 1 to 33 (consec) Isaac Way SE1 1EE

2, 4, 6 Sanctuary Street SE1

4-7 Vine Yard SE1

6 Vine Yard SE1

**Replies from:**

Traffic Group

There are no objections to the proposal because the Traffic Assessment supplied shows that the proposal will not result in any adverse effect upon the road network. The applicants must be advised that they need to close the highway under sections 247 and 253 (Stopping-up and Diversion of the Highways) of the Town and Country Planning Act 1990 and they must be informed that if the works permitted will result in the relocation of a statutory utility they must meet the cost. Furthermore the applicant must also be advised through an informative that they must meet the cost of the works carried out to Lant Street. The details showing the remaining public highway including materials and any street furniture must be agreed in writing by the Local Planning Authority, this should be conditioned on any permission issued.

Transport for London

No objections, the impact upon Borough High Street is minimal.

Crime Prevention Officer

No objection

**SUBMISSIONS IN OPPOSITION TO THE APPLICATION**

Wimpey Building

All residential units constructed as part of the Wimpey Homes scheme (e.g. 1-47 Sanctuary Street) have been consulted, however the majority of these units are still unoccupied. The developer of this site has not made a submission to this scheme, but did lodge an objection to the previous scheme which is included for the committee's benefit.

Objection

"I have discussed the planning application with my client who has asked me to lodge a formal objection to the planning application. My client is concerned about the effects of the proposal on the amenity of the occupiers of the residential units contained within the site. Specifically noise and disturbance arising from the use of the site as a school games area and possible use of the facility out of school hours. My client is also concerned about the potential for the area to be used for anti-social behaviour".

2 Douglas Flats, Marshalsea Road

I object to the proposal.

62E Trinity Church Square

The permanent closure of Lant Street Would block Cycle and Pedestrian Access. The development only benefits, one limited section of the community.

96 Douglas Building

This area is already noisy with kids shouting at the top of their voices, my bedroom faces this area.

3 Lant House

The closure of Lant street would be a serious health and safety risk for residents at

Lant house. Having the school play ground so close to residential living spaces would prove to be noisy and disruptive.

#### El Vergel, the Latin American and Mediterranean Caterers

I am concerned with the closure of pedestrian access and the knock on effect this will most definitely have on our business. I do not think it makes business sense to isolate our shop at one end of Lant Street, thus obstructing our prospective customers access. I would approve of the proposed plan if it was adapted to include a public pedestrian crossing as in a bridge.

#### Flat 1, 6 Vine Yard

The scheme would:

Substantially increase traffic on Sanctuary Street, Toulmin and Weller Streets all residential roads.

Result in dangerous traffic conditions at the junction of Lant Street and Sanctuary Street.

Produce an undesirable loss of on street residents parking bays that are at a premium.

Create unnecessary diversions that will result in the increased difficulty in getting about the area whether on foot, bicycle or vehicle.

Adversely effect local shops and other businesses due to servicing difficulties and separation from their customers.

#### Flat 35, 4 Sanctuary Street

- Is there going to be pedestrian access?
- There is no provision for lighting along the footpath.
- the proposed 3 metre fencing across the existing road is unsightly, no attempt has been made to soften the impact.
- Traffic to the Primary School is heavy in the morning and afternoon, Toulmin Street being particularly chaotic. Closure of the street would exacerbate these issues.
- No further facilities are required.
- If the proposal does go ahead what will the resulting road layout be like? Has this been considered? If the streets are to be made one way has the increase in traffic on Mint Street and Weller Street been Considered?

#### 62E Trinity Church Square

The proposal would block pedestrian and cycle access and effect the street aspect of Charles Dickens School. The scheme amounts to the appropriation of public land with the benefit to a very limited section of the community.

Closing roads tends to isolate residents and businesses, leading to cul-de-sac and blind spots. Thus emptier and more dangerous streets.

#### 57A Lant Street

Pedestrian cycle access would be cut off from the local shops. concerned about the poor design of the proposed fencing, the street has already lost some beautiful buildings.

Closing the street will cause traffic problems. In closing the street several local residents parking spaces will be lost.

#### 20 Redman House, Lant Street

My main objection to the proposal is that it will inevitably force me to have to take a longer route each time on outward and returning journey. Closure of Lant Street will bottle neck flows on alternative routes. Drivers intending to make short trips will have to use more petrol.

### 97 Douglas Buildings, Marshalsea Road

Traffic in the area has increased considerably following the completion of flats in Lant Street. Congestion in Marshalsea Road will increase.

Noise will increase. This is already a significant problem in the area. There are more than adequate recreation facilities, parks, playgrounds in the immediate area.

### 3 Lant House

I oppose the closure of Lant Street on health and safety grounds. Lant Street is a major road servicing residential housing, if this were to be closed it would pose a life and death threat to residents, should emergency services need to access this road to get out of Lant House. I also oppose the high level of noise from the school playground being closer to residents housing.

### 42 Lant House

I object to the application as Lant Street is for myself and my children a main access to the Borough High Street and amenities there ect post office, the library and access to buses and as this is one of the closest proper crossings of Borough High Street, I feel access is very important.

### Waterloo Wine Co Ltd 6 Vine Yard

We occupy premises at 57A Lant Street and 6 Vine Yard for our wine importing and wholesaling business.

We strongly object to the possible granting of this planning permission on the following grounds:

- Closure of Lant Street will cause a substantial increase in traffic on Sanctuary Street making the ingress and egress of trucks and vans to our premises in Vine Yard significantly more difficult.
- Judging by the recent traffic caused by cars delivering children to Charles Dickens School the Eastern end of the closure and thus the Lant Street/Sanctuary Street corner will become dangerously over crowded with cars turning and reversing for the proposed entry to the new play area.
- The proposal includes residents parking on the eastern end of the Cul-de-sac to replace partially the existing residents parking area opposite the school. This will only increase the danger and difficulty for access by refuse trucks, fire services and of course school run vehicles.
- The report states that the fire service does not use Lant Street-as my office overlooks Lant Street, I can assure you that this is not true.
- We have retail shops at 61 Lant Street-a significant proportion of our customers live on the western side of the proposed closure and will in future have a significantly longer walk to our premises-if in fact they continue to do so.
- Because of the existing and increased congestion in Marshalsea Road our own delivery times will be substantially longer by not being able to use Lant Street.
- If an increased playground area was required for the school, why did not the Council purchase the two parcels of adjoining land which were available. i.e the Ace Shipping Yard or the paper yard at 54 Lant Street, rather than propose the blatant theft of public highway, which was of benefit to all not a minority as proposed.
- We are one of the few remaining warehouse operations in this area of London and ideally wish to remain here-but proposals such as these, will affect our financial abilities to remain here.
- **This submission also includes a petition 107 names and signatures which are all opposed to the application.**

## **SUBMISSIONS IN SUPPORT OF THE APPLICATION**

### Flat 43, 4 Sanctuary Street

I think this is a splendid idea which will support an already excellent school.

Flat 23, 4 sanctuary Street

We very much support this application. However some traffic calming measures are required to slow the 'out through' traffic that runs between Borough and Blackfriars. Also a local courier company (A-Z) uses the street allot and at high speed.

19 Douglas Buildings, Marshalsea Street

I support the application because the pupils will have more playground space and they will be safer against the traffic.

30 Issac Way, Sanctuary Street

I have seen the plans for the proposal and I have no objection, I would like to see the gates at either end of the road to be more attractive and innovative in design.

137B Barry Road

The application will be a tremendous enhancement to the families at Charles Dickens School.

67b Lant Street

Road space that could be used for education purposes.

17 Hayles Buildings Elliotts Row

I support this application in principle. I believe these facilities will benefit the education and health of the school children in an inner city environment.

**PLANNING CONSIDERATIONS**

Highway Implications

- 12 The proposal will result in the removal of a section of public highway rendering Lant Street an access only road both east and west bound. The closure of the public highway is considered acceptable in principle. It is accepted by the Council, as the Highway Authority, and by Transport for London (TfL), that the closure of part of Lant Street to through traffic will not have a detrimental impact upon the road network in the vicinity nor is the closure considered to have an unacceptable impact upon the current users of Lant Street. The findings of the Traffic Assessment that is included as part of this application state that "there would be no material impact upon the traffic movements on the local highway" and "of those (pedestrian) trips that would be diverted, the walking distances would increase only slightly". These findings concur with the results of a similar study conducted by the Council in order to investigate the implications of the above scheme. This study was conducted prior to the introduction of the Congestion Charge. Additionally the closure of Lant Street is not considered to have an unacceptable impact upon the adjoining Borough High Street, a classified Red Route.
- 13 The assessment also cites the Fire Brigade's confirmation that Lant Street is not used as an access route notwithstanding the presence of a fire station on Southwark Bridge Road. The applicant has submitted further plans showing the swept paths of delivery vehicles of different sizes travelling between Lant Street and Sanctuary Street. the red line of the drawings shows the actual vehicle wheel path and body overhang of the vehicles is indicated in green. The swept paths show that it is possible for articulated and non articulated vehicles to use Lant Street and Sanctuary Street. It is hoped that this additional information will address the main reason for refusal of the previous application.

The Councils Traffic engineer has assessed the application and has no objection to the proposal subject to conditions.

#### Impact upon Amenity

- 14 The closure of Lant Street is not considered to result in an unacceptable impact upon the surrounding residents of Charles Dickens Primary School. Pedestrians and drivers can traverse east and west along Great Suffolk Street, Marshalsea Road or Mint Street to avoid the closure of Lant Street. Great Suffolk Street can also be used as alternative through route between Borough High Street and Great Suffolk Street. It is not therefore judged that the stopping-up of part of Lant Street will have an unacceptable impact upon the residential amenity of surrounding occupiers.
- 15 The creation of the a playground is not judged to have an unacceptable impact upon those residents who occupy dwellings adjacent to the site. Although, the playground will represent additional play space for the existing children at Charles Dickens Primary School, the additional play space will not result in an increase in the number of children attending the school. The proposal is not therefore considered to generate a greater noise level than at present and as such the proposal will not detrimentally impact upon residents in this way. The proposed boundary fences are not considered to have an unacceptable effect upon residential amenity as there are no existing residents that will be unacceptably affected by the presence of the eastern and western boundary fences.
- 16 It is, however, accepted that the proposal will have the greatest impact upon the future occupants of the Wimpey Homes scheme on the north side of Lant Street. This development has been completed recently with apartments currently being let. The southern boundary wall and southern flank wall of the two residential blocks of the scheme form the northern boundary of the playground. The block to the south east of the site has some balconies that overlook the proposed playground area, but the majority of the building facades have blank flank walls facing the proposed playground area. The boundary wall is 2.0 metres in height, including railings that form part of the wall. It is accepted that the proposed playground extension will have more of an impact upon the residents of the block than the present playground which is situated to the west of the school. However it should be noted that Southwark Education owns this land and it has been the intention that this land forms part of the school. However, it should be noted that an application for a Certificate of Lawfulness for the playground use was refused in January 2003.
- 17 The resulting impact, however, is not considered unacceptable. The playground is designed for primary school children and the proposed facilities reflect their age, such as a small ball court, nursery play area, play bark and stepping stones. Given the nature of the play area and the age of the user group, it is not considered that the facility will result in unacceptable noise or disturbance to the occupants of the adjacent residential scheme. Additionally the playground will be most heavily used during the working day when it may reasonably be assumed that the majority of the occupants of the Wimpey Homes scheme will be at work. The opening times and days of the playground for community uses can be restricted to prevent late evening and weekend

disturbance. The proposal is also designed so that the grassed area abuts the residential development with the small ball court at the southern end of the play area away from the residential development.

- 18 Due to the proposed road closure, which would prohibit access to service vehicles, the proposal has given rise to objections from business owners in Lant Street. As discussed previously in the report, there is an adequate number of alternative through routes that flank Lant Street that will enable delivery vehicles to access businesses at both the Borough High Street and Southwark Bridge Road ends of Lant Street. The minor level of inconvenience caused to business by the stopping-up of Lant Street is not considered significant enough to warrant refusal and it is not envisaged that the scheme would damage the business prospects of those concerns located in Lant Street, which is not itself a busy thoroughfare.

#### Aesthetic Control and Designing out Crime

- 19 The proposal is considered acceptable in terms of its impact upon the street scene. The street is fairly secluded, and is lined with a diverse range of building types and styles. It has the appearance of a 'side street' which is not a significant thoroughfare and, as such, the proposed playground is not considered to have a detrimental impact upon the appearance or character of the street. The dimensions of the boundary treatments are also considered acceptable; the gauge of the fencing can be agreed by condition.

- 20 The creation of a new playground is considered to improve the security of the school. The proposal will not create a crime enclave as an objection suggests as the proposal will close off a part of Lant Street that is presently unsurveyed at night or at weekends. The playground will create two new ends of Lant Street that will open on to Sanctuary, Weller and Toulmin Streets, all of which are well surveyed. The playground is not accessible to the public and will only be accessed by the children through the school. The playground extension is not therefore judged to present an unacceptable danger to children or surrounding residents.

#### Enhancement of Educational Facilities

- 21 In conclusion, it is considered that the proposal will enhance the existing educational facility by increasing the provision of the playground area, which fully complies with policies C.5.2 Protection of Play Spaces and Facilities for Children of the Adopted Southwark Unitary Development Plan (July 1995) and policies 2.3 Enhancement of Educational Establishments, 3.1 Protection of Amenity, 3.11 Quality in Design, 5.2 Transport Impacts of the Revised [Draft] Southwark Plan February 2005.

#### **EQUAL OPPORTUNITY IMPLICATIONS**

- 22 The proposal will increase the amount of play provision for young school children, who at present have an inadequate play area.

#### **LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

23 The proposal will make better use of the public highway by providing safe and secure play facilities for young school children and will not disrupt a major pedestrian or cycle route.

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