

Item No.	Classification	Decision Level	Date
1	OPEN	PLANNING COMMITTEE	27/07/04
<b>From</b> DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-CO-0015 )  Closure of part of Lant Street and use of the former highway land and adjoining land on north side of Lant Street as a playground, multi use games area and garden for the school, together with the erection of boundary fencing.		<b>Address</b>  Land fronting Charles Dickens School and 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 Lant 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. 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. 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**

### **7. Main Issues**

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.

### **8. Planning Policy**

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 Deposit Unitary Development Plan] March 2004

Policy 3.11 Quality in Design - Complies

Policy 3.2 Protection of Amenity - Complies

Policy 2.3 Enhancement of Educational Establishments - Complies

Policy 5.3 Transport Networks - Complies

### **9. Consultations**

Site Notice: 29 March 2004

Press Notice: Not required.

Consultees:

WG 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

Traffic Group  
Transport for London  
Crime Prevention Officer

**Replies from:**

10. 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

The scheme is judged to improve the security of the school and will assist in the security of the newly approved building to the north of Lant Street which will front the extended playground.

#### 57a Lant Street

Support for the proposal. It will prevent Lant Street being used as a rat run, however there is some concern that drivers would continue to use the top of Lant Street and Sanctuary Street as a short cut.

#### 6 Trundle House, Trundle Street

Support for the proposal. However it will result in traffic re-routing down Trundle Street. It will exacerbate an existing situation of Trundle Street being used as a rat run following the introduction of traffic lights on Marshalsea Road.

#### 52 Redman House, Lant Street

Support for the proposal. This proposal will greatly improve the facilities of the children attending Charles Dickens School, which are at present inadequate, it will also significantly improve the area from a residential point of view.

#### Pupils and Staff of Charles Dickens School

Support for the proposal. A number of written and illustrative communications received by Councillor Skelly detailing the need for an extended playground.

#### 82 Douglas Buildings, Marshalsea Road

Support for the proposal. The existing play facilities are inadequate, the children are forced to use local parks, i.e. Mint Street and Little Dorrit for sports facilities, the journey to these parks is dangerous and the children must play in unhygienic waste. Lant Street is not busy and it cannot be foreseen that its closure would be problematic. Southwark Council should be giving priority to open spaces, recreational facilities and children who should have a safe place to play. The children would benefit from this scheme as would the residents would would have open space to view.

#### 136 Rowland Hill House, Nelson Square

Support for the proposal. It is vital that the school creates more play facilities for the children, particularly given that many city children do not have access to private gardens.

#### Waterloo Wine, 57a-61 Lant Street

Objection to the proposal. The closure of Lant Street will make deliveries to the above address difficult, and will cause a dangerous situation at the junction with Sanctuary Street with cars needing to turn and reverse. There will be difficulties for refuse and emergency vehicles, contrary to the TIA (Traffic Impact Assessment) report which states that the fire brigade claim not to use Lant Street as an emergency access; they do. Customers to the above premises will have longer to walk and delivery times will increase as this will exacerbate existing problems in Marshalsea Road. There were other parcels of land the Council could have bought to execute this project rather than "this blatant theft" of public highway which would benefit the wider community, unlike this project which will have benefit to a limited minority.

George Wimpey City (developers of the land adjoining the north of the proposal site)

Withdrew their original objection to the scheme.

Plot 74, 54 Lant Street

Objection to the proposal. There is already adequate play provision in the vicinity i.e. Redcross Way. The proposal will force more traffic onto Great Suffolk Street.

62e Trinity Church Square

Objection to the proposal. The proposal will halt cycle and pedestrian access along Lant Street and will alter the frontage of the school. The proposal will only benefit one section of the community and will raise crime opportunity. This proposal will prevent the "free use" of Lant Street.

3 Lant House

Objection to the Proposal. The noise from the playground will be unacceptable and the closure of Lant Street will be a danger to the residents of the street as it will prevent access for emergency vehicles and other traffic.

## **PLANNING CONSIDERATIONS**

11. Highway Implications

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. 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.

12. Impact upon Amenity

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.

13. 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.
14. 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 which is currently under construction. The southern boundary wall and southern flank wall of the two residential blocks of the scheme will form the northern boundary of the playground. The boundary wall is 2.5 metres in height and rises to 5.3 metres including railings mounted on the wall. There are no windows in the northern elevations of the block. It is accepted that the proposed playground extension will have more of an impact upon the future residents of the block than the present playground which is situated to the west of the school. 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 future 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 future 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.
15. 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

16. 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.

17. 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

18. 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 (July 1995) and 2.3 Enhancement of Educational Establishments of the Revised Unitary Development Plan (March 2004).

### **EQUAL OPPORTUNITY IMPLICATIONS**

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

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

- 7.1 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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