

<b>Item No.</b> 6.2	<b>Classification:</b> OPEN	<b>Date:</b> 09 February 2011	<b>Meeting Name:</b> Walworth Community Council
<b>Report title:</b>	<b>Development Management planning application:</b> Application 10-AP-2796 for: Full Planning Permission  <b>Address:</b> 292 WALWORTH ROAD, LONDON, SE17 2TE  <b>Proposal:</b> Construction of four storey building, plus basement, comprising 330m2 of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping.		
<b>Ward(s) or groups affected:</b>	Newington		
<b>From:</b>	Head of Development Management		
<b>Application Start Date</b> 12/10/2010		<b>Application Expiry Date</b> 07/12/2010	

## PURPOSE

To report the application to the Walworth Community Council meeting due to the recent appeal for non-determination.

## RECOMMENDATION

- 1 That the appeal against non-determination is not contested by the Council subject to appropriate conditions being attached to any consent issued as a result of the appeal.

## BACKGROUND INFORMATION

- 2 This application was deferred by the Walworth Community Council meeting on 17 November 2010 for more information on the following:
  - To check for the existence of any further planning history pertaining to the former Police Station Garden. This is discussed from paragraph 14 below.
  - To update on the Conservation Area appraisals for Sutherland Square and potentially Walworth Road. This is discussed from paragraph 92 below.
  - To update on any covenants. This is discussed within paragraph 134 below.
  - To update on previous loss of trees. This is discussed at paragraph 22 below.
  - To update on the petition. Legal advice was sought and it was considered that the appropriate forum for consideration was at the Walworth Community Council meeting.
  - A request for further consultation to be undertaken. This is discussed from

paragraph 126 below.

- To provide further information on the archaeological officers view and potential for archaeology on the site. This is discussed further from paragraph 100 below.

### **Site location and description**

- 3 The application site comprises the former front garden of the former Carter Place police station located off Walworth Road. The site is located at the corner of Walworth Road and Carter Place.
- 4 The subject site is presently vacant, but does contain two trees (a Lime and a Sycamore), both of which are subject to a tree protection order (TPO). There is a advertisement hoarding located on the flank wall of 294 Walworth Road.
- 5 The surrounding area is predominately in residential use aside from the shopping frontage along Walworth Road.
- 6 The site is located within a Public Transport Accessibility Zone, an Air Quality Management Area, the Elephant and Castle Town Centre and Opportunity Area, and within a Protected Shopping Frontage. The site is not located within a Conservation Area, but is located to the north of the Sutherland Square Conservation Area.

### **Details of proposal**

- 7 Planning permission is sought for the construction of a four storey building, plus basement, comprising a mix of A1 / A3 use and residential units. The development of the site has been designed to retain the TPO trees.
- 8 The front building line of the development has been designed to retain the Lime tree and as such this has created a landscaped area adjoining Walworth Road, and there is a larger communal amenity space to the rear of the building, adjoining the Sycamore tree.
- 9 The proposed building at basement and ground floor will provide 330m<sup>2</sup> of A1 / A3 use floorspace, and will provide a total of 9 self contained residential units located at first, second and third floor levels, comprising 1 x studio, 6 x one bed and 2 x two bed units. The development will also provide waste and cycle storage at ground floor level, and balconies associated with two of the residential units.
- 10 The building will be of modern design and be constructed in a range of materials, but will predominantly be constructed in brick, with also materials including timber cladding and render being proposed.
- 11 The proposed development overall has been scaled down from the initial refused scheme (04-AP-0248) and the more recently refused application (09-AP-1559). The latter was almost identical to this current scheme, although the ground floor extended a further 6.7m toward the (western) boundary with the Old Police Station on Carter Place.
- 12 See below for further details on both previous applications.

### **Planning history**

- 13 Planning permission was granted in October 1995 for a change of use from a police station to a church and community centre with two associated residential unit. This relates to the whole of the former Police Station site with the garden to the front.

- 14 This permission allowed the “change of use from Police Station to Church and Community Centre with two associated residential units, incorporating parking within railway arches, vehicular access from Carter Place, secondary glazing and raising of southern boundary wall”.
- 15 As part of this permission a condition was imposed requiring that “The front garden shown on Plan 4783/01/B shall be kept and retained as an open landscaped area”. With no other information, including plans, available it is assumed that this garden refers to the garden space fronting Walworth Road (the site that is subject of this application).
- 16 It is important to note that this condition did not provide for the gardens to be used by members of the public and there was to our knowledge (having undertaken investigations) no legal agreement requiring such.
- 17 The subsequent use of the premises as a church generated problems with noise and disturbance to adjacent residential occupiers and as such an Enforcement Investigation was undertaken. This complaint resulted in an investigation into the adherence to conditions of consent, which it was determined that the use did not comply with the conditions restricting hours of operation, and a requirement to submit details for approval relating to sound insulation.
- 18 The use of the premises had ceased when the Enforcement Officer visited the site in December 1999. Furthermore, given that not all of the associated conditions on the approval had been released the Council’s view is that the permission was not validly implemented.
- 19 All associated conditions also ceased at this time. The two sites as they are now known, being the Old Police Station site and the garden space (subject to this application) are two separate planning units, and they had been subdivided as early as 1998, as evidenced by a Land Registry Title plan of this date
- 20 Given that the previous community and church use of the site has ceased and that site has been subdivided a number of years ago, the use of the garden space has therefore been abandoned in the opinion of Officers.
- 21 Further planning history relating solely to the Former Police Station is listed under the planning history for neighbouring sites (see below)
- 22 An Enforcement Investigation was started in April 2003 regarding the felling and pruning of trees on the site. The site is subject to a Tree Preservation Order (approved in 1995) which protects two trees at the site. The Enforcement Investigation determined that the felled trees (Magnolia) were not protected under the TPO and therefore their removal was permitted. The protected trees had been pruned without prior permission however it appears the Arboricultural Officer did not have serious concerns to the works as no prosecution action was undertaken. Furthermore, these trees as existing are in good health so it could be concluded that no significant harm was done to them.
- 23 Planning permission (04-AP-0248) was refused in November 2004 for the erection of a four storey building comprising 2 retail units on the basement and ground floors, 9 flats on the upper three floors comprising 3 x one bed and 6 x two bed units, incorporating upper floor balconies, amenity area to the rear, cycle racks, disabled parking space and loading area with access off Carter Place. The application was refused for the following reasons:

- 24 1) *It is considered that the proposed development, by reason of its detailed design including materials, appearance and external design, would adversely affect the appearance of the terrace of which it would form a part and this part of the Borough. The proposal is contrary to policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995) and Policy 3.13 'Urban Design' of the second deposit draft Southwark Plan (March 2004).*
- 25 2) *The proposal in its current form does not incorporate the principles and objectives of 'Secured by Design', including a lack of natural surveillance and recessed door entrances to the rear which may result in the provision of an unsafe environment. Accordingly, the proposal is contrary to Policy E.1.1 'Safety and Security in the Environment' of the Southwark Unitary Development Plan (1995) 3.14 'Designing Out Crime' of the second draft deposit Southwark Plan 2004.*
- 26 3) *The proposal will result in the loss of two mature trees, both of whom are protected by a Tree Preservation Order, which make a significant contribution to the visual amenity of the area, the proposed replacement planting would fail to make such a significant contribution to the area. As a result the proposal is detrimental to the character and appearance of the area generally, contrary to Policy E.6.2 'Trees subject to Tree Preservation Orders and Trees in Conservation Areas' of the Southwark Unitary Development Plan (1995).*
- 27 4) *The habitable windows of the proposed development are within 21 metres of proposed habitable room windows within the former police station and will result in the loss of privacy for future residents of both proposals. The proposal is contrary to Policy E.3.1 'Protection of Amenity' and Supplementary Design Guidance No. 5 'Standards, Controls, and Guidelines for Residential Development' of the adopted Unitary Development Plan 1995 and Policy 3.2 'Protection of Amenity' of the second draft Southwark Plan (March 2004).*
- 28 The above refused application was then subject to an appeal which was dismissed in September 2005. Within the decision, the Inspector considered that the TPO trees have great importance and should be retained, as their loss would result in a significant harm to the character and appearance of the locality. It was also considered that the development would result in unacceptably poor surveillance, and that the design of the building would contrast abruptly, constituting a discordant feature in the streetscene. However, the Inspector did not agree that the development would create opportunity for overlooking of the adjoining building.
- 29 In response to this Appeal Decision a further planning application (09-AP-1559) was submitted and subsequently refused in December 2009 for the construction of a four storied building, plus basement, comprising 374m<sup>2</sup> of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1 x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping. The application was refused on the following grounds:
- 30 1) *The bulk and massing of the rear component of the proposed building would result in a loss of outlook and be overbearing, affecting the amenity of neighbouring occupiers. The development is therefore contrary to policy 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan [UDP] 2007.*
- 31 2) *The proposed development has failed to respond positively to its context, and by reason of detailed design would impact adversely on the appearance and character of the surrounding area, including the street scene on Walworth*

*Road and Carter Place, and views from the Sutherland Square Conservation Area. The development is therefore contrary to policies 3.2 'Protection of amenity', 3.12 'Quality in design' 3.13 'Urban Design' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of The Southwark Plan [UDP] 2007.*

- 32 3) *The proposal fails to demonstrate the impacts of the development on the environment, and that a sufficient percentage of energy requirements could be drawn from renewable energy sources. Due to lack of information on energy efficiency and a sustainability assessment (including water recycling, greywater reuse, sustainable drainage and renewable energy) the proposal is contrary to policies 4A.4 'Energy Assessment' and 4A.7 'Renewable Energy' of the London Plan (Consolidated with Alterations since 2004) and policies 3.3 'Sustainability Assessment', 3.4 'Energy Efficiency' and 3.5 'Renewable Energy' of The Southwark Plan [UDP] 2007.*
- 33 The above refused application was also then subject to an appeal which was dismissed in August 2010. Within the decision, the Inspector considered that the outlook of the occupiers of the Old Police Station would be significantly compromised. However, with regard to the second reason for refusal the Inspector concluded that the development would not harm the character or appearance of the area, including to the streetscene and the Sutherland Square Conservation Area. As part of the Appeal process the applicant submitted a Renewable Energy Report which proposed solar thermal collectors and solar photovoltaic panels which would achieve a 20% reduction in predicted carbon dioxide emissions, however the Inspector felt that the arrangement and appearance of the panels was unclear, and therefore this matter was not resolved.

#### **Planning history of adjoining sites**

- 34 Planning permission (92/0032B) was granted in August 1992 for the change of use of the first and second floor from B1 offices to 2 (two) one-bed flats.
- 35 Certificate of Lawful Development (05-AP-0068) was granted in March 2005 for the continued use of the first floor as a self contained flat at 294 Walworth Road.
- 36 In January 2001, planning permission was granted subject to legal agreement for the change of use of the Former Police Station from a church to form 24 flats, comprising 15 two-bedroom flats and 9 one-bedroom flats, some in the form of mezzanine studio flats. The proposal also included 18 car-parking spaces and about 240m<sup>2</sup> communal garden within the forecourt. The legal agreement was not signed. The site included the railway arches but excluded the garden space fronting Walworth Road.
- 37 It transpired that the land within the railway arches was not available for the applicant, and therefore a new planning application was required (02-AP-1092). This application was granted, subject to a legal agreement, which was never completed, for the conversion of the building into 24 flats, but with a reduction in car parking and refuse storage area from the previous. The site plan within this application also excluded the garden space facing Walworth Road.
- 38 In October 2003 planning permission was granted in principle for the change of use of the former church and conversion into 24 self contained flats, 13 x one bedroom, 9 x two bedroom and 2 x studio flats with 10 parking spaces. The legal agreement has not been completed. Enforcement Investigations are currently occurring into the unauthorised conversion of the building.

#### **KEY ISSUES FOR CONSIDERATION**

## **Summary of main issues**

- 39 The main issues to be considered in respect of this application are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
  - b] whether the bulk scale and massing of the building is appropriate to its context and avoids impact on neighbouring occupiers.
  - c] the design and appearance of the building and how it fits within the character of the area, including the setting of the conservation area.
  - d] the impact of the development on the amenity of neighbouring occupiers.
  - e] the quality of residential accommodation for future occupiers.
  - f] the protection of the TPO trees.

## **Planning policy**

- 40 Southwark Plan 2007 (July)
- 1.4 'Employment sites outside the preferred office locations and preferred industrial locations'
  - 1.7 'Development within town and local centres'
  - 3.1 'Environmental effects'
  - 3.2 'Protection of amenity'
  - 3.3 'Sustainability assessment'
  - 3.4 'Energy efficiency'
  - 3.5 'Renewable energy'
  - 3.6 'Air quality'
  - 3.7 'Waste reduction'
  - 3.11 'Efficient use of Land'
  - 3.12 'Quality in Design'
  - 3.13 'Urban Design'
  - 3.18 'Setting of listed buildings, conservation areas and world heritage sites'
  - 3.19 'Archaeology'
  - 4.1 'Density of residential development'
  - 4.2 'Quality of residential development'
  - 5.2 'Transport Impacts'
  - 5.3 'Walking and Cycling'
  - 5.6 'Car Parking'

Residential Design Standards [SPD] 2008

- 41 London Plan 2008 consolidated with alterations since 2004
- 4A.7 'Energy Assessment'
  - 4A.9 'Renewable Energy'
  - 4B.1 'Design principles for a compact city'

- 42 Core Strategy

The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Inspector's

report on the Core Strategy is expected to be published on 3rd February 2011.

Now the Inspector's binding report has been received, the Core Strategy, together with the suggested changes by the Inspector carry considerable weight. Whilst the Southwark Plan remains the relevant statutory development plan, where the Core Strategy suggests a different approach when determining a planning application, the Core Strategy is a significant material consideration that should be taken into account during this interim period.

43 Planning Policy Statements [PPS]

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS5: Planning for the Historic Environment

PPS25: Development and Flood Risk

Planning Policy Guidance [PPG]

PPG 15 'Planning and the historic environment'

PPS 23 'Planning and Pollution Control'

**Principle of development**

- 44 Representations from third parties assert that a key land use issue with the determination of this application is that of building on gardens, referred to as "garden grabbing". Recent changes in government policy (PPS3 Housing) sets out that private gardens shall be removed from the brownfield definition. The application site has never been in private residential use and therefore this reclassification does not apply. Furthermore, the reclassification of private gardens does not confer particular protection of this land, in the same way that Borough Open Land or Metropolitan Open Land are protected for example. The development of such areas will not contribute to the 60% brownfield target set by the Government, but nevertheless would still contribute to housing overall, and given the limited number of back garden developments applied for in Southwark, would be unlikely to push up near the 40% limit for non brownfield, or greenfield, development. Therefore the fact that private gardens are no longer brownfield may not in itself be used as a reason for refusal. It should also be taken into account that in the opinion of Officers, this particular land is not located within the curtilage of the Former Police Station or the unauthorised residential units that have now been created within the building having been physically separated since at least 1998.
- 45 Regard still needs to be had to the site specific assessment of impacts in terms of matters such as character, design, amenity, transport.
- 46 The principle of development is acceptable, provided that the bulk, scale and massing responds positively to the context of the site, in addition to providing a high level of design, suitable standards of residential accommodation, minimising the impacts on neighbouring occupiers, and the suitable protection of the TPO trees.
- 47 The commercial use (A1/A3) is acceptable given that there is no loss of existing floorspace, and it is not considered that there would be an over-concentration of retail use within the vicinity. The residential use (C3) on the upper levels is encouraged as it will provide additional housing for the borough. The density of the development is also well within the density range expected within this area.
- 48 There is a significant level of objection raised by third parties regarding the loss of this space. However, it is important to note that this land is not designated [as Borough

Open Land (BOL)], which is further discussed below.

### **Environmental impact assessment**

- 49 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project, although the development site does not exceed 0.5ha in area. In this context it is considered that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

#### **Amenity**

##### Neighbouring Occupiers

- 50 New developments should be arranged to safeguard the amenity of adjoining occupiers, and should not subject neighbours to loss of daylight or sunlight access, overlooking, domination or a loss of privacy.
- 51 Within the previous scheme, it was considered that the proposed development would harm the amenities of adjoining occupiers, in particular those occupying the former Police Station on Carter Street, and neighbouring occupiers to the south and southeast of the site. This concern related essentially to the proximity of the proposed development to these neighbouring sites, in addition to the proposed massing and bulk of the building at this location, would result in a development which would be overbearing, leading to a loss of outlook.
- 52 Within the appeal decision of the most recent application (09-AP-1559) on the subject site, the Planning Inspector considered that the residential occupiers within the adjoining building at 294 Walworth Road would not be unacceptably affected by the development.
- 53 The Old Police Station has windows to residential accommodation facing the subject site on four levels. The windows at lower ground floor level face toward a retaining wall and the Inspector found that the development would not have any material impact on these occupiers.
- 54 At upper ground floor level the present outlook from these windows is towards the boundary hoardings of the application site, and should the development be constructed these windows would look directly onto the rear of the proposed building.
- 55 The Planning Inspector concluded that the single storey rear elevation of the ground floor commercial unit would be in close proximity to these upper ground floor windows. For this reason it was found that the development would be unduly overbearing and the outlook of the occupiers would be significantly compromised.
- 56 The scheme has since been amended within this current application to reduce the proposed footprint of the ground floor extension to the rear by 6.7m, providing a setback of at least 11.5m from the upper ground floor windows to the Old Police Station.



- 57 It is considered that this significant increase in setback from the Old Police Station would sufficiently overcome the previous concern regarding impact on amenity of these associated adjoining occupiers.
- 58 The building has been designed to avoid overlooking and a loss of privacy to neighbouring occupiers through a combination of sufficient setbacks (more than 21m) and avoiding large windows and balcony areas directly facing neighbouring buildings.
- 59 The retention of the existing TPO trees has, in the opinion of the Council within both the previous and current schemes, overcome the previous concerns regarding their loss. The amenity of the site in this regard is therefore satisfactory.
- 60 Irrespective of the decision on whether to contest the appeal, conditions can be recommended to the inspector requiring the applicant to provide details of landscaping to be approved prior to occupation of the units, and implemented in the first planting season subsequent to completion.
- 61 For the aforementioned reasons, it is considered that the proposed development would ensure that the development would protect the amenities of adjoining occupiers and would therefore be in accordance with policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan [UDP] 2007 and the Residential Design Standards [SPD] 2008.

#### Future Occupiers

- 62 The Residential Design Standards [SPD] 2008 have been set to provide guidance on what constitutes a good quality of residential accommodation, which is required pursuant to Policy 4.2 'Quality of residential accommodation' of the Southwark Plan, for example unit and room size standards to ensure that an adequate amount of space is provided within each proposed unit, layout and stacking of units, and sunlight and daylight standards. Whilst these standards are minimum and exceeding these standards is preferable, there is some flexibility for conversions where it is recognised that the configuration of an existing building may preclude full compliance with the standards.
- 63 The proposed development will provide 9 self-contained flats which have been assessed against these minimum individual room and overall floor area requirements as outlined within section 2.3 of the aforementioned SPD, and the individual rooms and overall the units generally meet or exceed these standards.
- 64 It is considered that the stacking is good, there is sufficient storage space, and there is a good level of natural daylighting. It is considered that the proposed flats would provide a good standard of residential accommodation for future occupiers.
- 65 In terms of the proposed outdoor amenity space, the development would provide only two residential units private amenity space, both measuring approximately 4.5m<sup>2</sup> in area. However, the development would provide informal communal amenity space to the rear of the site facing Carter Place and around the protected tree. This communal amenity space would total approximately 150m<sup>2</sup> in area which will be completely landscaped as part of the development.
- 66 The Residential Design Standards [SPD] requires 50m<sup>2</sup> of communal amenity space in addition to 10m<sup>2</sup> private amenity space for each unit (added to the communal space where appropriate). Therefore, in this instance, the SPD would seek to provide a total of 140m<sup>2</sup> of amenity space, and the development provides more than this. It is

considered that the size of this space would meet the needs of the future occupiers especially given that the units are one and two bedroom units.

- 67 Furthermore, future occupiers would have sufficient access to outdoor amenity space within close proximity to the subject site (Burgess Park is located a short distance away).
- 68 Overall it is considered that the future occupiers would have a good standard of accommodation and would therefore meet the requirements of policy 4.2 'Quality of residential accommodation' of The Southwark Plan [UDP] 2007.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

- 69 It is not anticipated that any adjoining occupier would generate any material harm to the amenities of the future occupiers of the site. Irrespective of the decision on whether to contest the appeal, conditions can be recommended to the inspector requiring that the proposed residential units are designed to achieve a suitable internal ambient noise level.

### **Traffic issues**

- 70 The development is located in a high Public Transport Accessibility Level, a CPZ and within the Central Activity Zone (CAZ), therefore a car free development would be expected and the occupiers of the development would be made exempt from applying for parking permits.
- 71 This site falls within a controlled parking zone. In order to prevent possible overspill parking from the development, the applicant has been informed that a planning obligation will be imposed preventing occupiers of this development being eligible for on-street parking permits in the event of permission being granted. In order that the TMO can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO by way of S106 legal agreement. As such the applicant has entered into a S.106 legal agreement on this basis, which has been agreed by both parties. This will need to be completed and submitted to the Planning Inspectorate, irrespective of whether or not it is contested.
- 72 The application plans have indicated that there are two separate cycle storage spaces, the larger one being located adjoining the rear of the building which provides 10 stacked cycle spaces, and the smaller one is located along the southern boundary which provides 2 cycle spaces.
- 73 The Southwark plan states that cycle storage must be provided at 1:1. Policy 5.3 of the Southwark Plan states that cycle storage must be convenient, secure and weatherproof. For reasons of convenience, cycle storage must be of dimensions as stated in Manual for Streets, sections 8.2.21-8.2.24. Detailed and accurate plans are required to demonstrate the provision of cycle storage.
- 74 Overall, should consent be granted at appeal a condition could be imposed requiring that further details should be provided and approved prior to the occupation of the units.
- 75 The applicant will also need to provide the Council with a Service Management Plan, which should incorporate the total number and type of vehicles expected at the site for all elements; where the deliveries / servicing is to take place from (i.e. on-street or within the development); If on-street, what are the existing restrictions and / or proposed.

- 76 The applicant should be aware of any loading waiting and restrictions that operate in the area and that any contraventions will be enforced accordingly. The parking of any motorised vehicle on the public footway / footpath is also illegal and enforceable (unless otherwise indicated).
- 77 Also mentioned above, Transport for London (TfL) supports the scheme provided there is a Delivery and Servicing Plan for both the residential and commercial elements is provided, in addition to a Construction Management Plan and Construction Logistics Plan, which are conditional should consent be given.
- 78 It is considered that the further information such as a Service Management Plan and Construction Management Plan could be provided, and recommended to the Inspector to be secured by way of condition should consent be granted.
- 79 In terms of access, the development has been assessed by the Access Officer, who confirms that all dwellings conform to Lifetime Homes Standard, and Part M (Access to and within Buildings) of the Building Regulations.

### **Design issues**

- 80 The application site occupies a prominent corner to Walworth Road and Carter Place, which was once the front garden to the former police station, but is currently underdeveloped. The proposed building would form the end to a terrace of six 4 storey buildings on Walworth Road. The terrace is mainly characterised by simple relationships between primary and secondary design elements. Overall the traditional windows to brick ratios on neighbouring facades and vertical emphasis combine to present a clean uncomplicated group appearance. The exception being the 1950's infill immediately adjacent to the site. This section of Walworth Road is characterised by corner pivotal buildings which bring emphasis to street junctions.
- 81 The subject site is not a designated open space, however as the front garden to the former Police Station it does afford visual amenity within this urban area. Two mature trees on the site are protected and are considered to make a significant contribution to the visual amenity of the area. The former police station has been converted into residential accommodation, as discussed above.
- 82 The previous application (09-AP-1559) was refused, amongst other reasons, as it was considered that the development failed to respond positively to its context, and by reason of detailed design would impact adversely on the appearance and character of the surrounding area, including the street scene on Walworth Road and Carter Place, and views from the Sutherland Square Conservation Area.
- 83 However, within the Planning Inspectors report, it was considered that the previous development would respect the character and appearance of the area. The four storey Walworth Road bulk was considered acceptable and the fenestration would reflect the patterns of windows in the upper floor of the terrace. The Carter Place elevation would be more varied in bulk and design, and this was considered to reflect the varied scale of buildings on Carter Place.
- 84 The Inspector considered that the building made an appropriate architectural statement that reflects the scale of the buildings on either side, and that the form, design and materials would create a lively appearance that would still be in harmony with the streetscene.
- 85 In terms of this current application the proposed building is identical to the one the Planning Inspector assessed, aside from the reduction in the ground floor footprint to

the rear, and the solar panels on the roof.

- 86 Given that the Planning Inspectorate has previously accepted the bulk, design and massing of this building, there is no objection raised to the development in these terms. It is considered that the development meets the relevant policies of The Southwark Plan [UDP] 2007 and The London Plan.

#### **Impact on character and setting of a listed building and/or conservation area**

- 87 The Planning Inspector (within the appeal of the application 09-AP-1559) concluded that the scheme was of a satisfactory design, and that public views of the development from the Conservation Area would be almost entirely absent, and as such there is no impact on the Sutherland Square Conservation Area.
- 88 Similarly, given the suitable design and bulk of the building it is considered that the development would preserve the setting of the listed shopfront located at 305 Walworth Road (opposite).
- 89 Although the Police Station adjoining the site at 292 Walworth Road is not a listed building, it is a building of some architectural and historic interest. It is included as one of the buildings which is in the draft local list and is considered a heritage asset as defined by PPS5 (published March 2010). The site itself is the original front garden of the Police Station and forms part of its setting. Development on this site will affect the setting and should seek to compliment it through its scale, height, massing, alignment, materials and use. The draft Local List has not yet been published for consultation and carries limited weight at this stage. The local list is noted in the draft Core Strategy and its adoption as part of the Core Strategy should give the published local list greater weight in due course.
- 90 Should the Core Strategy be approved and adopted by members then locally listed buildings will be designated by the Council subject to public consultation. If the Core Strategy is adopted early in 2011 then the local list should be adopted later this year.
- 91 Whilst officers consider that there could be some impact upon this heritage asset, given that the local list is currently in draft form and has limited weight, as such, the impact on the former Police Station would not warrant a reason for refusal.

#### **Extension to conservation area**

- 92 Members at the Walworth Community Council meeting on 17 November 2010 requested an update on the possible extension of the Sutherland Square Conservation Area, and the possible creation of a Walworth Road Conservation Area.
- 93 The extension of the Sutherland Square Conservation Area has been considered by Officers. Sutherland Square is within the Conservation Area, however it is separated from the site by the railway viaduct to the west of the site. The Sutherland Square Conservation Area is largely residential in character (and the bulk of which is located to the other side of the railway viaduct), whereas the Walworth Road is predominantly commercial in character. The physical separation by the viaduct together with the difference in the character between the two areas does not warrant including this site in the historic context of the Sutherland Square Conservation Area and is not recommended by Officers.
- 94 Officers have considered the character of the wider area as part of the regeneration of the Elephant and Castle area and have noted the distinctive historic character of the Walworth Road. This appraisal of the wider area has prompted Officers to explore the option to designate the Walworth Road and the associated East Street Market area as

a new conservation area. However, the work to appraise this area for possible designation has not yet commenced and will include consultation with the affected property owners before Officers are able to make a recommendation to the Council. This process is likely to take at least a year.

### **Impact on trees**

- 95 There are two protected trees at the site (subject to a TPO), Tree T1 is a Sycamore approximately 15m in height, and the second, Tree T2 is a Lime approximately 5m in height.
- 96 The proposed development has been designed around the root protection area (in accordance with BS 5837) of the Sycamore, with some crown pruning with some balancing of the crown being acceptable. The proposed development has also been designed around the Lime tree, with the front building line being pulled back from Walworth Road and allowing for a small amenity space to be provided.
- 97 The Urban Forester has assessed the proposed development, and associated statement from the Arboricultural and Woodland Consultants, and is satisfied that the health and vitality of the two TPO trees can be protected with the imposition of conditions, should consent be granted at appeal.

### **Environmental Protection**

- 98 The Environmental Protection Team have no great concerns with either the Environmental Noise Survey or Air Quality Assessment, although they commented that the developer has not fully considered using the layout of the units to mitigate against the challenging environmental conditions at the site. Of particular concern is that bedrooms are located along Walworth Road and could be subject to high noise levels. The Environmental Protection Team therefore recommend that the internal arrangement should be revisited to address this issue, although this is not considered to cause harm such as to warrant refusal.
- 99 Furthermore, the habitable rooms along this facade may need to be mechanically ventilated. Details of this ventilation and ambient noise levels could be conditioned if consent is granted.

### **Archaeology**

- 100 The site in question is located on the Walworth Road, one of the major, historic routeways through Southwark. Its location is immediately adjacent to the Archaeological Priority Zone of Walworth Village. The site appears to have remained as open land since the mid 18th century, therefore there is the potential for archaeological remains from the early post-medieval period and medieval periods to be present on site. The nature of archaeological remains from this period, due to the rural nature of the site, have the potential to be shallow and lacking in deep stratigraphy.
- 101 The site is immediately adjacent to the 'village' of Walworth as shown on this same map, upon which the extent of the archaeological priority zone is based.
- 102 Villages change size over time relating to alterations in their economic base, farming practice population change etc. Village sizes, within Surrey, tend to remain relatively stable in the immediate post-medieval period as their economic base changes to service the food requirements of London, essentially they are using itinerant labour.
- 103 During the medieval period, in the 13th and early 14th centuries - before the black

death - during the period known as the 'village moment' villages contain large populations and generally covered a wider area. The decline in population caused by the black death and the associated changes in agriculture and patterns of landholding lead to a reduction in the size of villages and their reorganisation.

- 104 In terms of what archaeological material could be present on site; This could range from housing and agricultural buildings which predate 1750, potentially predating the mid 14th century or evidence for agriculture - farming, field system, land divisions etc. Other evidence could come in the form of rubbish pits, garden evidence etc. Most archaeological work on village sites has been based in the midlands and north of England where a different pattern of agriculture was practiced which lead to the abandonment of villages for a variety of reasons from the mid 14th century up to the later 16th century. This has enabled a greater level of study to be undertaken on archaeology of this period than has been possible in the south and east.
- 105 The proposal includes a basement and therefore the loss of all archaeological significance from the site is likely should such potential be present and no protection measures are incorporated. To comply with policy HE6 of PPS5 and policy 3.19 'Archaeology' of the Southwark Plan the applicant is required to supply adequate information to enable the archaeological significance of the site to be assessed.
- 106 In this case the preference would be to have an archaeological evaluation prepared at application stage. However, it is considered that on balance the imposition of appropriate and effective conditions would secure such assessment to be undertaken and approved by the Local Planning Authority prior to works being undertaken.
- 107 The site is currently clear open land so there are no obvious constraints to such work being undertaken. The Archaeological Officer had requested that this evaluation be submitted prior to determination, however given the limited timeframes in which determination is required this was not possible in this instance.
- 108 However, to ensure an adequate archaeological evaluation is undertaken prior to the development, conditions will be recommended to the Inspector requiring this is undertaken and submitted to the Council for approval prior to any works commencing at the site.
- 109 The Archaeological Officer can, on request, provide an archaeological brief detailing the methodology of the archaeological programme and can also provide information concerning archaeological organisations who work frequently within the Borough and who may be able to carry out the works.

## **Waste**

- 110 The plans indicate two separate waste storage spaces, one being located near the residential entrance, and another smaller one located near the secondary access from Carter Place. There are no further details of the use (whether it is for residential or commercial use) size of the bins, if there is recycling available, or collection details.
- 111 However, the applicant has confirmed that the larger of the two spaces relates to the residential component of the mixed-use scheme, and therefore the smaller would relate to the commercial element.
- 112 Each waste store appears large enough to accommodate separate refuse and recycling for the residential and commercial elements respectively. Therefore it is considered that should consent be granted, it would be suitable for a condition to be imposed requiring further detail to be provided and approved prior to occupation of the units.

## **Sustainability**

- 113 The previous application (09-AP-1559) was not accompanied by a Sustainability Statement, although some measures were outlined within the design and access regarding some basic energy efficiency measures.
- 114 The applicant submitted a Renewable Energy Report which proposed solar thermal collectors and solar photovoltaic panels which would achieve a 20% reduction in predicted carbon dioxide emissions with the Appeal documents
- 115 The Planning Inspector felt the technology would be at odds with the brown roof then proposed, and there were no plans provided to show their arrangement and potential visual impact.
- 116 The application plans have been amended since the previous application (09-AP-1559) to include the solar panels on the main roof space above the third floor level, and a smaller area above the second floor level to the rear.
- 117 As shown on the elevational plans the proposed solar panels would project slightly above the roofline of the building, however in reality the vast majority of views toward the building will be from ground level and it would be unlikely that any view of these panels would harm the appearance of the building or its wider setting.
- 118 The proposed panels would obviously provide wider benefits which would overcome any concern raised relating to visual appearance.
- 119 The development now meets Policies 4A.7 'Energy Efficiency and Renewable Energy' and 4A.9 'Providing for Renewable Energy' of the London Plan and Policies 3.3 'Sustainability Assessment', 3.4 'Energy Efficiency', and 3.5 'Renewable Energy' of The Southwark Plan [UDP] 2007.

## **Flood Risk**

- 120 As mentioned above, the Environment Agency supports the application provided the measures detailed within the submitted Flood Risk Assessment (FRA) are adhered to, and can be secured by way of condition, should consent be granted.

## **Planning obligations (S.106 undertaking or agreement)**

- 121 As discussed above, the applicant has entered into a S.106 legal agreement exempting future occupiers from obtaining car parking permits. The legal agreement will be forwarded to the Appeal Inspector.

## **Sustainable development implications**

- 122 As discussed above.

## **Biodiversity**

- 123 With regard to the concern raised relating to the impact on biodiversity, in accordance with policy 3.28 'Biodiversity' of The Southwark Plan [UDP] 2007, the site is not a site of importance to nature conservation or local nature reserves.
- 124 The site is currently in derelict condition and is partially overgrown with weeds and there has been refuse tipped at the site.

- 125 The development will retain the two protected trees, include soft landscaping and provide areas of brown and green roof to improve biodiversity of the site.

### **Consultation**

- 126 As considered by Members at the Walworth Community Council (WCC) meeting on 17 November 2010, further (wider) consultation was requested to be undertaken prior to further deliberation, and the application was deferred for this, and other reasons.
- 127 It is considered that the consultation undertaken has been relatively effective which is also reflected in the high levels of interest and involvement of the community to date.
- 128 To respond to Members request for wider consultation on the issues raised by this application, such as on the merits of a Walworth Conservation Area, future discussions are likely to be encouraged at a general Walworth Community Council meeting. No further statutory consultation is required.

### **Other matters**

- 129 The land was not identified as a site for designation within the 2003 Open Spaces Audit (prepared by an independent consultant). As part of this Audit there was community consultation to invite the public to propose suitable land for such designation.
- 130 The subject site was therefore not proposed to be Borough Open Land (BOL) within the proposed Core Strategy.
- 131 It is expected that the Planning Inspector's report will be published on 3rd February 2011. Within this report the Inspector has not included this (or any) designated open space within the Core Strategy. This site is therefore not designated as BOL land.
- 132 Whilst new open spaces are important to creating sustainable neighbourhoods and improving access to infrastructure and services, protection of open spaces is more appropriate through other documents such as supplementary planning and guidance documents.
- 133 Now the Inspector's binding report has been received, the Core Strategy, together with the suggested changes by the Inspector carry considerable weight. Whilst the Southwark Plan remains the relevant statutory development plan, where the Core Strategy suggests a different approach when determining a planning application, the Core Strategy is a significant material consideration that should be taken into account during this interim period.
- 134 Lastly, residents have also raised the issue of covenants, in particular that the land was historically gifted to the community. However, there are no covenants on this site and regardless if there were these would not be material planning matters.

### **Conclusion on planning issues**

- 135 Overall, the Planning Inspector's decision regarding the similar development previously refused scheme (09-AP-1559) is a significant material consideration that needs to be taken into account, and for reasons further explored above, it is considered that the current amended application has sufficiently overcome the previous outstanding concerns and is now in compliance with the relevant policies of The Southwark Plan [UDP] 2007 and The London Plan, and accordingly that the non-determination appeal should not be contested. Were the Council in a position to grant



permission a list of conditions is included and without prejudice to the Council's position this will be forwarded to the Appeal Inspector to consider.

### **Community impact statement**

136 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

### **Consultations**

137 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

138 Details of consultation responses received are set out in Appendix 2.

139 Summary of consultation responses

- The development will remove one of the only green spaces along Walworth Road and this should be retained, as it provides much needed amenity space and the green space is believed to have been covenanted to the public. This public space and its historic character will be lost forever. The Council should compulsorily purchase the property to retain public access to the amenity space, contributing to the public realm. The greenspace contributes to a sense of local identity.
- A detailed archaeological study is required to ensure there is no loss of remains..
- The design does not relate to the immediate context and is lacking in all aspects, there is no architectural relations with adjoining buildings, and the scale and massing show no respect to neighbouring properties. The scheme is overdevelopment.
- Loss of view of a historic building (Old Police Station).
- Further information is required regarding servicing and construction management
- The development is an overdevelopment with too many residential units within this space.
- There will be no car parking provided and there will be further pressure placed on the already strained residents car parking within the area.
- There are too many fast food takeaways within the area, in particular A3 class shops, with many struggling to pay rent.
- There will be noise and refuse pollution from the development.
- The development would remove the protected trees from the site.

### **Human rights implications**

- 140 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 141 This application has the legitimate aim of providing a mixed use development at the site including housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Strategic Director of Communities, Law & Governance**

- 142 None

#### **REASON FOR LATENESS**

- 143 This report has not been available for public inspection with five clear working days notice, as usually required for items to be considered. The reason for urgency is that the decision cannot wait for a further meeting to be summoned because the Council's Statement of Evidence for the appeal for non determination must be submitted to the Planning Inspectorate by 25 February 2010.

#### **REASON FOR URGENCY**

- 144 If the Council fails to submit its Statement of Evidence or decision not to contest the appeal by 25 February 2010 the Planning Inspectorate will not accept late submission. The Item is late due to the timing of receipt of the appeal for non-determination and the need for Officers to update and amend the report in addition to seeking Legal Officer advice prior to reporting this back to the Walworth Community Council.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1065-292  Application file: 10-AP-2796  Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5470 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

## AUDIT TRAIL

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Fennel Mason, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	3 February 2011	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Communities, Law & Governance	No	n/a
Strategic Director of Regeneration and Neighbourhoods	Yes	Yes
Strategic Director of Environment and Housing	Yes	Yes
<b>Date final report sent to Community Council Team</b>		3 February 2011

**Consultation undertaken**

**Site notice date:**

20 October 2010

**Press notice date:**

21 October 2010

**Case officer site visit date:**

20 October 2010

**Neighbour consultation letters sent:**

21 October 2010

**Internal services consulted:**

Archaeological Officer  
 Arboricultural Officer  
 Access Officer  
 Design and Conservation Officer  
 Environmental Protection  
 Metropolitan Police  
 Transportation Team  
 Waste Management

**Statutory and non-statutory organisations consulted:**

Environment Agency  
 Transport for London

**Neighbours and local groups consulted:**

**Neighbour Consultee List for Application Reg. No. 10-AP-2796**

<b>TP No</b>	TP/1065-292	<b>Site</b>	292 WALWORTH ROAD, LONDON, SE17 2TE
<b>App. Type</b>	Full Planning Permission		

<b>Date Printed</b>	<b>Address</b>
21/10/2010	4 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	36 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	5 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	7 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	6 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	35 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	30 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	2 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	31 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	34 SUTHERLAND WALK LONDON SE17 3EF

21/10/2010 32 SUTHERLAND WALK LONDON SE17 3EF  
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21/10/2010 15 ABBEY COURT MACLEOD STREET LONDON SE17 3HA  
21/10/2010 17 ABBEY COURT MACLEOD STREET LONDON SE17 3HA  
21/10/2010 19 ABBEY COURT MACLEOD STREET LONDON SE17 3HA  
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21/10/2010 329 WALWORTH ROAD LONDON SE17 2TG  
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21/10/2010 FLAT 3 277-279 WALWORTH ROAD LONDON SE17 2TG  
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20/06/1837 via email XXX  
20/06/1837 60 Sutherland Square London SE17 3EL  
20/06/1837 48 Sutherland Square London SE17 3EE  
20/06/1837 Cancer Research UK Angel Building 407 St John Street London EC1V 4AD  
20/06/1837 94 Penrose House Penrose Grove Walworth London SE17 3EA

**Re-consultation:**

N/A

### Consultation responses received

#### Internal services

##### Internal consultees

Archaeological Officer - requested that an archaeological evaluation is undertaken prior to determination, however this is unable to be undertaken given the restricted timeframe for meeting statutory targets and having the application heard at Community Council. For this reason conditions are recommended to be imposed requiring that such evaluation is undertaken with details submitted to the LPA for approval prior to any works commencing on site.

Arboricultural Officer - does not object to the development provided suitable conditions are imposed to facilitate protection of the TMO trees.

Access Officer - the dwelling conforms to lifetime homes standard and Part M of the Building Regulations, so there is no objection in this regard.

Design and Conservation Officer - had previous concerns with the development although the Planning Inspector's decision is a material consideration which has accepted the bulk, scale and design of the building. See above for further considerations.

Environmental Protection - have no great concerns with either the Environmental Noise Survey or Air Quality Assessment, but have requested a condition is imposed requiring a suitable internal ambient noise level within the residential units.

Metropolitan Police - no issues.

Transportation Team - in principle supports the scheme, although condition further details regarding cycle and waste storage to be provided, in addition to a service management plan. Refer to considerations above for further information.

Waste Management - no response received.

#### **Statutory and non-statutory organisations**

Environment Agency - supports the application provided the measures detailed within the submitted Flood Risk Assessment (FRA) are adhered to, and secured by way of condition.

Transport for London - supports the scheme provided there is a Delivery and Servicing Plan for both the residential and commercial elements is provided, in addition to a Construction Management Plan and Construction Logistics Plan.

#### **Neighbours and local groups**

##### OBJECTION

A total of 41 letters of objection have been received from the follow:

- No address given x 8



- 18, 21, 24, 28, 29, 30, 30d, 31, 36, 38b, 48, 56 and 60 Sutherland Square
- 4, 31 and 34 Sutherland Walk
- 1 Butterworth Terrace, Sutherland Walk
- 302 Walworth Road
- 83 Kingsfield Road, Watford
- 64 Reedworth Street
- 38 Fielding Street
- 94 Penrose House, Penrose Grove
- 40 Southwell Court, Camberwell
- 68 Lorrimore Road
- St Pauls Vicarage, Lorrimore Square
- The Long Run Venture, 49 Carnaby Street
- 170 Crampton Street
- 45 Westcott Road
- 36 Wansey Street
- 25 Cabot Square, Canary Wharf
- Cancer Research UK
- Jenny Jones, Green Party Group
- Cllr Anood Al-Samerai
- Cllr Catherine Bowman
- Cllr Patrick Diamond

Sutherland Residents Association Petition – have both a paper petition and an online petition. No paper petition has been received at the time of writing, although it was claimed that 699 had been obtained as of 11 November 2010. The online petition has 191 signatories at the time of writing of this report.

The wording of the petition was:

*“We the undersigned call upon Southwark Council to reject development proposals for the historic garden at Carter Place, 292 Walworth Road.*

*We request that this site is protected for the enjoyment of the people of Southwark. We request that the case is referred to the Council Assembly for a full discussion.”*

The reasons for objection are summarised as follows:

- The development will remove one of the only green spaces along Walworth Road and this should be retained, as it provides much needed amenity space and the green space is believed to have been covenanted to the public. This public space and its historic character will be lost forever. The Council should compulsorily purchase the property to retain public access to the amenity space, contributing to the public realm. The greenspace contributes to a sense of local identity. The new Council is committed to preserving green spaces in Southwark and this should be borne in mind when interpreting planning policies.
- The development is an overdevelopment with too many residential units within this space.
- A detailed archaeological study is required to ensure there is no loss of remains..
- The design does not relate to the immediate context and is lacking in all aspects, there is no architectural relations with adjoining buildings, and the scale and massing show no respect to neighbouring properties. The scheme is overdevelopment.

- Loss of view of a historic building (Old Police Station) which is well proportioned and surprising that it is not locally listed.
- Further information is required regarding servicing and construction management
- The development is an overdevelopment with too many residential units within this space.
- There will be no car parking provided and there will be further pressure placed on the already strained residents car parking within the area.
- There are too many fast food takeaways within the area, in particular A3 class shops, with many struggling to pay rent.
- There will be noise and refuse pollution from the development.
- The development would remove the protected trees from the site.
- Should consent be granted there will be an impact on water and sewer services within the Old Police Station.
- There will be additional stress placed on parking and traffic within the area.
- The development of the site will not increase the biodiversity of the site, and no ecology report has been provided and the natural habitat of species will be destroyed
- The consultation process is inadequate given this is a very significant decision to remove an important green space, and concern that local residents and groups have not been informed about the proposals in an accessible manner leading to lower participation in the consultation process.

## SUPPORT

A resident SE17 3UQ (no address provided) has written in support of the application on the condition that some materials conditions are imposed, planners should insist on high quality materials for this prominent building.