

TOWN & COUNTRY PLANNING ACT 1990

RALPH WEST HALLS
LONDON
SW11

SUMMARY

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PLANNING INSPECTORATE REF NUMBERS:

APP/H5960/A/05/1196490;

APP/H5960/E/05/1196612

LPA REF NUMBERS:

2005/4182; 2005/4185

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1. The residents consider that the proposals for Ralph West Halls are far too ambitious given the nature of the site and its context in the Conservation Area and proximity to their homes.
2. The development is almost three times the size of Ralph West Hall and this gives rise to a series of adverse effects on the character and appearance of the Conservation Area, the amenity of local residents and the implementation of policies seeking to encourage sustainable development by relating increases in density to public transport availability.
3. These problems are fundamental and related to the basic brief which has not been developed in response to an assessment of the Conservation Area or the advice that was given by the Planning Officer before the competitive sale of the site. This advised that the site capacity would be significantly lower than that now advanced.
4. Although the residents conclude that the appellant's proposals are fundamentally flawed, they are not opposed to redevelopment, refurbishment, or re-modelling of Ralph West Hall as a matter of principle. All that they wish to see is for a scheme to be prepared which takes as its starting position the qualities of the Conservation Area in this vicinity and the capacity of the site.
5. The residents' concerns were endorsed by the planning committee when it refused both applications and whilst the decision of the planning authority is fully supported the residents' assessment was based on more fundamental concerns than those reflected in the planning officer's report and I focus my evidence on explaining the nature of those fundamental concerns.
6. Ralph West Halls has been here for 40 years and local people are used to it. They view the building pragmatically. I have met people who are enthusiastic about the architecture and would like to see it refurbished and retained. Equally there are people who are less inspired by it as a piece of architecture but, when asked about the idea of change, would like to see the positive factors of its layout, massing and landscaping protected.
7. There is widespread understanding that the building is in a Conservation Area and a resultant expectation that there should not be a dramatic change from

what exists today. Their wish is to see the existing positive qualities preserved or enhanced and as a group they consider that this could be achieved either by retention or by a sensitive replacement.

8. Section 72 of the Act requires the decision maker to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and in order to assess an application it is necessary to be able to define the existing character and appearance of the Conservation Area against which the proposed change is to be assessed.
9. The history of the area shows that there is a strong relationship between the entrances to the park and the urban context, the surrounding street pattern being strongly linked to the principal park entrances, a feature which is noted in the Council's Character Statement.
10. The London County Council's plans for comprehensive redevelopment around the appeal site showed the idea of a new estate set within an open parkland setting and a green link to Battersea Park. The approach was very characteristic of the Modernist architecture and town planning that the LCC architects department was pioneering at the time.
11. A new brief emerged for Ralph West Halls but the principle response of the design to the Battersea Park entrance opposite Ethelburga Street continued to be inspired by the idea of higher blocks standing in landscaped gardens and a green link rather than a traditional street pattern.
12. With the construction of the estate in accordance with this design idea the urban fabric was completed in a form that remained unchanged up to the designation of the Battersea Park Conservation Area in 1988 and continued unaltered to today.
13. Ralph West Hall was the product of a conscious design which considered its relationship to the Park. It was not an isolated ad hoc block as were many others of the time. Its inclusion within the Battersea Park Conservation Area boundary is logical and robust and provides an opportunity to protect the way in which the urban edge responds to the park today, which is a fundamental

constituent of the character of the designated Battersea Park Conservation Area.

14. The effect of designation was to preserve the long townscape vistas of the historic frontage along Albert Bridge Road without intervention as it is not until one reaches a point very close to the site that Ralph West Halls becomes visible.
15. The principle contribution which the site makes to the character of the Battersea Park Conservation Area, as experienced walking north or south along Albert Bridge Road, is the green space and the views it affords of the trees. The absence of buildings on the frontage is a positive factor which marks the entrance of the park and the connection to Ethelburga Street.
16. The higher building at the back allowed more space and less intrusion on the front and the strength of the design decision enabled twice as much floorspace to be provided on site as a result of creating a more open setting.
17. The architecture and planning of the 1950's and 1960's is often criticised for brutalism and lack of sensitivity for the historic environment. But in this case the decision not to intrude into the historic context of Albert Bridge Road, and to provide a green space linking to the Park instead, yielded considerable benefits for what is now the designated townscape of the Conservation Area.
18. The appellant's justification for the scheme design in relation to its impact on the Conservation Area is considered to be insufficient and unsound.
19. The appellant claimed that *the existing building is unattractive and does little to enhance the Battersea Park Conservation Area.*
20. English Heritage have provided a series of 10 questions designed to help such an assessment and in the context of the historical analysis I concluded that seven of the ten questions could be answered positively. This indicates that the loss of the building and its landscaped frontage should be considered to be negative factor in the assessment

of the change in character as it is the loss of a building and space which currently makes a positive contribution.

21. The appellant also claimed that - *the damaged streetscape needs repair.*
22. The appeal site is not an unsightly gap in a terraced street which has been crying out for an infill since the War. One of the main differences between the case advanced by the residents and the appellants appears to be that the residents appreciate the positive benefits of the space on the frontage whilst the appellants consider it to be a negative factor calling for intervention and repair.
23. If there is a coherent concept of 'repair' that could be applied to the site then this would be the idea advocated by the Borough Planning Officer in the letter of 15th March to Drivas Jonas (letter dated 15th March 2004) which suggested reverting to the traditional urban grain of the surrounding area.
24. I do not consider this approach to be warranted as there is no requirement to turn the clock back. However, if it were the basis of an approach this is clearly not the approach taken by the appellant because the appeal scheme seeks to return to a street perimeter whilst also retaining the vertical mass of the existing building.
25. The consequence is a hybrid and a very significant increase in building content compared to either the designated townscape, which includes RWH, or the historic predecessor pattern on the site.
26. For this reason the residents do not accept the premise that the new building would be a significant improvement over the existing or that the new building would preserve or enhance the character or appearance of the conservation area.
27. The appeal site contains a number of mature trees, which are protected by virtue of their inclusion in a Tree Preservation Order (TPO No. 10 – 1996), which encompasses a large extent of Albert Bridge Road, and Prince of Wales

Drive and the Arboriculturalist Report does not provide a justification as to why these specimens should be lost.

28. None of the subject trees are of poor quality, nor are they potentially dangerous. The protected trees are an important element of the local townscape and an intrinsic part of the character of the Conservation Area.
29. The Borough Planning Officers original advice to Drivers Jonas (letter of 15th March 2004) was that the development should avoid interference with the Plane tree and the four trees on the southeast corner of the site. Advice that has not been followed by the scheme.
30. It is therefore considered that the loss of the protected trees is without justification and would have a harmful effect upon the character and appearance the conservation area and would therefore fail to protect or enhance the character or appearance of the conservation area.
31. Furthermore, based on the information supplied with the planning application and the original tree survey conducted by ACS Consulting, it is possible to conclude that appeal proposal will unacceptably encroach upon the trees stated to be retained.
32. I have undertaken a comparative assessment of the density associated with the existing Ralph West Halls complex, the neighbouring area, and the former pattern of development on the site.
33. Ralph West Halls doubled the amount of development which previously existed on the site. However, the footprint of the buildings decreased reflecting the increased openness we enjoy today.
34. In light of these factors, the appeal proposal is advancing an increase in the built density in the Conservation Area that has no apparent precedent in the traditional form of the immediate area or the existing form of Ralph West Halls. It is, put simply, substantially out of character with the context in these empirical terms.

35. It is not surprising that the figures reveal this difference since the proposal is based on the idea of adding an Albany Mansions frontage to the site whilst also keeping the 10 storey Ralph West Halls at the back. A form of development that has no precedent in the Conservation Area.
36. The density associated with the appeal scheme is in the region of 902 habitable rooms per hectare, or 304 dwellings per hectare and this significantly exceeds the notional density of the existing Ralph West Halls and is substantially above that which is typical of the surrounding area.
37. The most fundamental consideration is the existing level of public transport accessibility and the capacity of the local network. Ralph West Halls is located within an area devoid of public transport opportunities compared to other parts of Central London and consequentially has a low PTAL index of only 2.
38. The density matrix contained within the London Plan recommends that for urban sites, with a Public Transport Accessibility Level (PTAL) of 2, that 300-450 habitable rooms per hectare, or 100 -150 dwellings per hectare, may be appropriate.
39. It is instructive to note that the surrounding area has a density of approximately 128 dwellings per ha which is consistent with the London Plan table and the density it recommends for an area of this nature.
40. The proposed residential density is double that which a public transport accessibility based strategy would suggest is a sustainable approach. The appeal proposals therefore represent a significant over development of the site given its relation to existing public transport networks and the character of the surrounding area.
41. The consequences of the high density would be to encourage greater use of the private car, due to the absence of other alternatives which is the complete opposite of Government policy. The proposal would therefore cause harm through the unnecessary trip generation and through its contravention of strategic policy on sustainable development and at a more local level the effects of additional traffic and car borne trips would adversely affect local amenity.

42. The Council's approach to density is set out in Policy H12, of the adopted Unitary Development Plan (2003). Policy H12 does not rely upon specific density figures but instead uses a criteria based approach. The density of the proposed development is completely inappropriate for this site, does not relate satisfactorily to its surroundings, and is completely out of character with the Conservation Area.
43. It is on this basis that the residents do not agree with the Officers conclusions in relation to matters of density and overdevelopment, and given that the scheme content was not materially changed, we think it was entirely right of the committee to conclude that the changes to the scheme had not addressed their prime concerns on this matter and that the application should be refused
44. It is therefore considered that the appeal proposals would be contrary to UDP Policy H12, and not in accordance with a sustainable approach to development as set out in the London Plan and PPG 3.
45. In response to the original application I set out the chief concerns local residents had in relation to the impact that the development proposal would have upon their residential amenity, including sunlight and daylight.
46. Particular concern was expressed that the appellant's did not provide an assessment in accordance with the full tests of the BRE guidance for daylight and sunlight, relying instead upon the British Standard for Average Daylight Factor (ADF).
47. The residents are concerned that the scheme completely encloses the currently open aspect from many of their windows, at all levels, and it follows that this is likely to have an adverse and harmful impact on their light.
48. It was considered that the relationship and distance between the proposed internal east elevation of the rear block and the rear elevation of Stafford Mansions was of particular importance as the distance between facing habitable rooms appears to be far less than the required 20 metres

49. The relationship between the existing apartments and the new development is therefore closer than the Council's standards would require and this means that in addition to the adverse effects on privacy the closeness of the development will lead to an unacceptable increase in enclosure which would have a harmful effect upon the amenities of residents of Stafford Mansions who face in that direction.
50. On this basis, concerns that the present appeal proposal would give rise to an unacceptable loss of privacy and an unacceptable increase in sense of enclosure remain.
51. The residents concern, which were supported twice by the planning committee, is that the appellant is attempting to fit far too much development onto the site and in a manner which is harmful to the Conservation Area and contrary to development plan policy.