

Rush Common Policy and Guidance Note

- Lambeth Council is committed to preserving and improving Rush Common Land
- In order to support this, the Council has produced a Policy and Guidance Note. This was approved by the Corporate Committee in September 2007
- This will promote the importance and value of this land and provide guidance for works which require Rush Common consent



This leaflet sets out the main areas of guidance to help you understand what it means to be an owner or occupier of a property or land on Rush Common.

Historic background

- The Rush Common Act 1806 prevented building on Rush Common Land.
- The laying out of roads, building of St Matthews Church and various shops and commercial development north of Coldharbour Lane on Rush Common land was allowed by specific legislation.
- The 1947 London County Council (General Powers) Act gave powers to take enforcement action against or to grant consent for buildings or structures on Rush Common Land south of Coldharbour Lane for buildings or erections above the surface of the earth.
- These powers subsequently passed to Lambeth Council.

Lambeth's Policy for Rush Common

- Rush Common land is a much valued unique and historic area of land.
- Its open space and open character provide a valuable amenity for Brixton Town Centre and the area to the south of it.
- The Council is committed to maintaining the open character and nature of Rush Common Land.
- The Council will promote the awareness of the importance and value of Rush Common Land as well as the associated responsibilities for landowners.
- The Council will protect the open character against inappropriate development through the application and enforcement of the Rush Common Acts.
- The Council will seek opportunities to maximise the openness of Rush Common including the creation of Brixton Central Square.
- The Council will promote and encourage proposals to enhance the open character of Rush Common Land as well as to improve the quality of both privately owned land and public open space where the opportunities arise.

Circumstances where Rush Common consent is required

- Building works or new structures above the surface of the earth require Rush Common consent (this is in addition, and separate to normal planning controls).
- In general this means that works requiring Rush Common consent include: new buildings, extensions, walls, railings, lighting columns, paving and hardstandings for car parking and other purposes (this is not a comprehensive list and advice should always be sought prior to commencing works).
- All applications will be tested against the purpose of the Act, which is to maintain the open character of Rush Common land.

Criteria for deciding applications for Rush Common consent

- The Council will resist all development proposals that could have a detrimental effect on the open character of Rush Common including the use of gardens for car parking and in accordance with the policy and guidance on specific issues set out in this document.

Enforcement

- The Council will ensure that the Rush Common Act is enforced and is committed taking enforcement action through legal procedures once the policy is in place.

Summary of main guidance on specific issues

Boundary enclosures

- Any new walls, fences, and other means of enclosure require Rush Common consent.
- Proposals should take the opportunity of opening up of Rush Common, reflect the need to retain its open character, maintain and enhance views.
- In general, solid boundaries should be a maximum of 1 metre high, a higher means of enclosure with railings or combination of brick and railings to a maximum height of 2 metres may be allowed.
- Other means of enclosure may be allowed on areas of Rush Common so long as views and the open character of the Common are not adversely affected.
- Exception may be made for temporary hoardings to enclose building sites although each application would be treated on its merits in respect of impact and proposed duration.

Signs / advert hoardings / lighting columns / street furniture and utility undertakings

- Rush Common consent is required for temporary advert hoardings to enclose building sites.
- Signs, lighting columns street furniture and play equipment fall into the category of “structures above the surface of the earth” and therefore require Rush Common consent.
- Signs and advert hoardings may also require separate consent under the Town and Country Planning (Control of Advertisement) Regulations 2007.
- Utility and other similar infrastructure works which involve erections above the surface of the earth will require Rush Common consent and will be assessed on the basis of the policy in relation to the scale and context of the proposal.
- Reinstatement of temporary works is required within 6 months of completion of the works.

New buildings, extensions or structures

- New buildings, extensions or structures will not be approved although there may be some exceptions where the open character is not compromised.
- Temporary structures in connection with site works such as portakabins and site hoardings will only be allowed for the duration of the works where there is no alternative option. Reinstatement of the land will generally be required within 6 months.
- The redevelopment or rebuilding of buildings at least partly on Rush Common Land will be sympathetically considered as long as the open space and character would not be adversely affected.

Parking areas

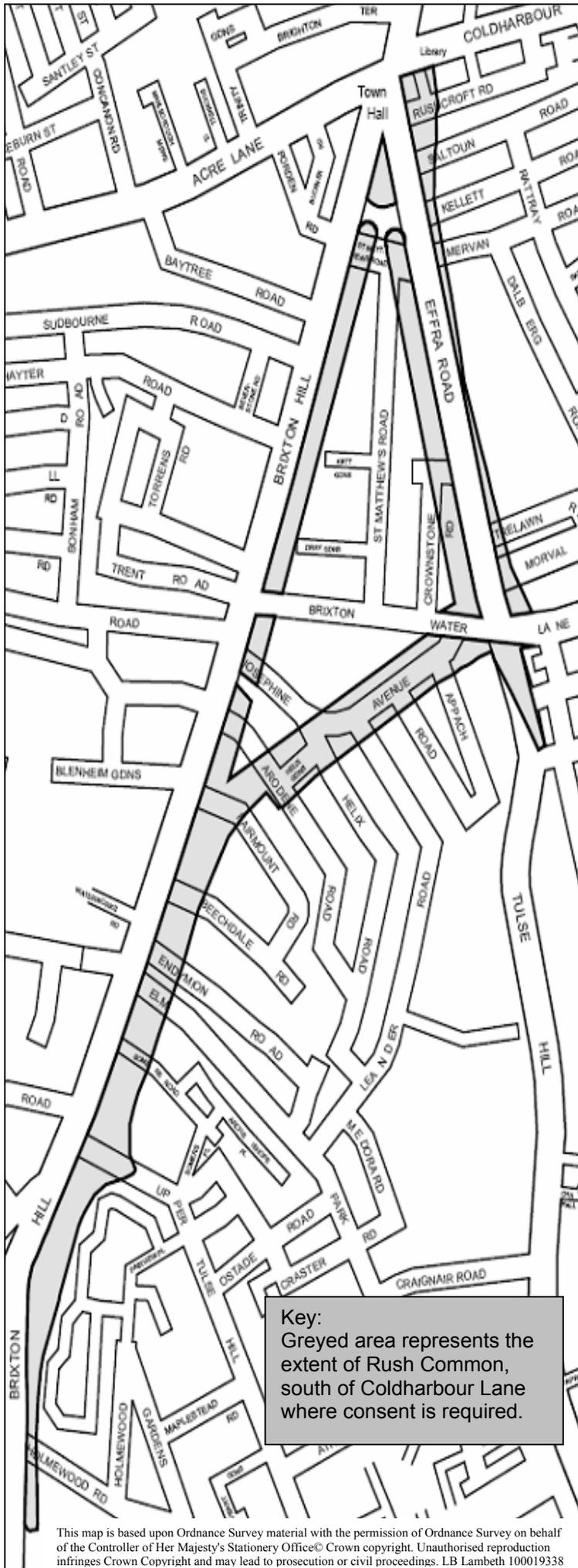
- The demolition of boundaries creating vehicle entrances, pavement crossovers / driveways and hard surfaces for the parking of vehicles all involve erections above the surface of the earth and therefore require Rush Common consent.
- The parking of cars in gardens reduces the openness of gardens individually, and cumulatively. This has a harmful effect, contrary to the purpose of the Rush Common Act. Therefore the Council will not grant Rush Common consent for the laying of surfaces for the purposes of providing a parking surface in gardens.

Temporary Works for Events

- Events held on Rush Common having temporary structures or installations will only require Rush Common consent if they are in place for over 28 days.

Trees

- Tree works are not subject to Rush Common consent but are covered by planning controls.



Key:
 Greyed area represents the extent of Rush Common, south of Coldharbour Lane where consent is required.

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How to obtain further information

Copies of the Guidance Note and a detailed map showing the extent of Rush Common proscribed land, can be seen on the Council's website www.lambeth.gov.uk or at The Tate Library, Brixton or the Town Planning Advice Centre, Phoenix House, 10 Wandsworth Road, Vauxhall, London, SW8 2LL

Contacts

Please address all correspondence to:

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Translations

If you would like this information in large print, Braille, audio tape or another language please contact us on 020 7926 1195

Si desea información en otra idioma rogamos nos llame al 020 7926 1195

Si vous souhaitez ces informations dans une autre langue, veuillez nous contacter au 020 7926 1195

Se desejar esta informação noutro idioma, é favor telefonar para 020 7926 1195

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