



PLANNING APPLICATIONS COMMITTEE

Date: **Tuesday 7 May 2019**

Time: **7.00 pm**

Venue: **Committee Room B6, Lambeth Town Hall, Brixton Hill SW2 1RW**

Copies of agendas, reports, minutes and other attachments for the Council's meetings are available on the Lambeth website. www.lambeth.gov.uk/moderngov

Members of the Committee

Councillor Liz Atkins (Substitute), Councillor Scarlett O'Hara, Councillor Malcolm Clark, Councillor Ben Kind, Councillor Joanne Simpson (Vice-Chair), Councillor Becca Thackray, Councillor Clair Wilcox (Chair) and Councillor Timothy Windle

Substitute Members

Councillor Liz Atkins, Councillor Jennifer Brathwaite, Councillor Marcia Cameron, Councillor Joe Corry-Roake, Councillor Nigel Haselden, Councillor Jessica Leigh, Councillor Marianna Masters, Councillor Mohammed Seedat and Councillor Sonia Winifred

Further Information

If you require any further information or have any queries please contact: Nicholas Joseph, Telephone: 020 7926 3123; Email: NJoseph@lambeth.gov.uk

Members of the public are welcome to attend this meeting. If you have any specific needs please contact Facilities Management (020 7926 1010) in advance.

Queries on reports

Please contact report authors prior to the meeting if you have questions on the reports or wish to inspect the background documents used. The contact details of the report author are shown on the front page of each report.

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Ward Councillors (details via the website www.lambeth.gov.uk or phone 020 7926 2131) may be contacted at their surgeries or through Party Group offices to represent your views to the Council: (Conservatives 020 7926 2213) (Labour 020 7926 1166).

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Please contact Democratic Services for further information – 020 7926 2170 – or the number on the front page.

Map



AGENDA

PLEASE NOTE THAT THE ORDER OF THE AGENDA MAY BE CHANGED AT THE MEETING

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SECOND ADDENDUM: AMENDMENTS AND ADDITIONAL INFORMATION ON AGENDA ITEMS

ITEM 2 Application 19/00559/FUL – Brixton Village, London, SW9 (Coldharbour)																										
Page Number	Report Changes	Decision Letter Changes																								
Page 2	<p>Updated Non-residential Details table to read as follows:</p> <p>NON-RESIDENTIAL DETAILS</p> <table border="1"> <thead> <tr> <th></th> <th>Use Class</th> <th>Use Description</th> <th>Floorspace (m2) (Gross Internal Area)</th> </tr> </thead> <tbody> <tr> <td>Existing</td> <td>A1</td> <td>Shops</td> <td>1,003sqm</td> </tr> <tr> <td></td> <td>A3</td> <td>Restaurants & Cafes</td> <td>615sqm</td> </tr> <tr> <td></td> <td>A4</td> <td>Drinking Establishments</td> <td>15sqm</td> </tr> <tr> <td>Proposed</td> <td>A1</td> <td>Shops</td> <td>1,003sqm Not less than 816.5sqm and 42 units</td> </tr> <tr> <td></td> <td>A3</td> <td>Restaurants & Cafes</td> <td>630sqm Not more than 816.5sqm and 41 units</td> </tr> </tbody> </table>		Use Class	Use Description	Floorspace (m2) (Gross Internal Area)	Existing	A1	Shops	1,003sqm		A3	Restaurants & Cafes	615sqm		A4	Drinking Establishments	15sqm	Proposed	A1	Shops	1,003sqm Not less than 816.5sqm and 42 units		A3	Restaurants & Cafes	630sqm Not more than 816.5sqm and 41 units	No
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Page 8, paragraph 4.4.2 – ‘Consultations’ from ‘Adjoining owners/occupiers’	<p>An additional letter of support has been received making the following points:</p> <ul style="list-style-type: none"> The proposals will help increase footfall to the area. Footfall has been decreasing in the Market for several years and it is important for all our businesses that it begins to rise again. The Market is a key asset at the heart of the Brixton community. The application will help ensure that the Market remains responsive to local demands and in turn can continue to operate effectively and flourish for future traders and the local community. 	No																								

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<p>Page 13, Paragraph 7.8 - 'Trip Generation'</p>	<p>Replace Paragraph 7.8 with the following:</p> <p style="text-align: center;"><u>Trip Generation</u></p> <p>7.8 Any net increase in trip generation with a proposal of this scale/quantum will be negligible. Survey responses from existing tenants suggest that A3 uses generate an additional 1.5 servicing and delivery movements per week, over and above A1 use – with approximately 3 deliveries per week associated with A3 use. An additional (maximum of 18 no.) A3 units would therefore generate approximately 4 additional servicing/delivery vehicles per day.</p> <p>7.9 The local highway, footway and public transport network will be readily able to absorb any associated net increase in use. An uplift of up to 20% in Class A3 (Restaurants & Cafes) uses and a reduction of Class A1 (shop) use by a comparable 20% (from 70 to 50%) on the site will have a negligible impact on transport planning (particularly servicing).</p>	<p>No</p>
<p>Page 18 – 'Condition 11'</p>	<p>Amend Condition 11 to read as follows:</p> <p><i>A1 Units Floorspace</i></p> <p>11 No less than 50% of the floorspace within the market at ground floor level and connected upper floors that share the same access shall be in Class A1 use and no more than 50% of the floorspace as identified on Drawings MRGA011 – Proposed Ground Floor Plan and MRGA01 – Proposed First Floor Plan hereby approved shall be in Class A3 use.</p> <p>Reason: To ensure a satisfactory provision of Class A1 units and floorspace within the indoor market (policy PN3 of the London Borough of Lambeth Local Plan (2015) and policy PN3 of the Draft Revised Lambeth Local Plan (2018)).</p>	<p>Yes</p>
<p>Page 18 – 'Conditions;</p>	<p>Add the following additional condition:</p> <p>12 None of the ground floor level units, including those with a connected upper floor area that shares the same access, as identified on Drawings MRGA011 – Proposed Ground Floor Plan and MRGA01 – Proposed First Floor Plan hereby approved, shall be sub-divided into separate planning units, unless otherwise agreed in writing by the Local Planning Authority.</p>	<p>Yes</p>

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	Reason: To ensure a satisfactory provision of Class A1 units and floorspace within the indoor market (policy PN3 of the London Borough of Lambeth Local Plan (2015)).																									
ITEM 3 Application 19/00560/FUL – Market Row, London, SW9 (Coldharbour)																										
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Page 30, paragraph 4.4.2 – ‘Consultations’ from ‘Adjoining owners/occupiers’	<p>An additional letter of support has been received making the following points:</p> <ul style="list-style-type: none"> The proposals will help increase footfall to the area. Footfall has been decreasing in the Market for several years and it is important for all our businesses that it begins to rise again. 	No																								

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Page 35, Paragraph 7.8 - 'Trip Generation'	<p>Replace Paragraph 7.8 with the following:</p> <p><u>Trip Generation</u></p> <p>7.8 Any net increase in trip generation with a proposal of this scale/quantum will be negligible. Survey responses from existing tenants suggest that A3 uses generate an additional 1.5 servicing and delivery movements per week, over and above A1 use – with approximately 3 deliveries per week associated with A3 use. An additional (maximum of 10 no.) A3 units would therefore generate approximately 2 additional servicing/delivery vehicles per day.</p> <p>7.9 The local highway, footway and public transport network will be readily able to absorb any associated net increase in use. An uplift of up to 18% in Class A3 (Restaurants & Cafes) uses and a reduction of Class A1 (shop) use by a comparable 18% (from 68 to 50%) on the site will have a negligible impact on transport planning (particularly servicing).</p>	No
Page 41 – 'Conditions'	<p>Add the following additional condition:</p> <p>13 None of the ground floor level units, including those with a connected upper floor area that shares the same access, as identified on Drawings MRGA011 – Proposed Ground Floor Plan and MRGA01 – Proposed First Floor Plan hereby approved, shall be sub-divided into separate planning units, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure a satisfactory provision of Class A1 units and floorspace within the indoor market (policy PN3 of the London Borough of Lambeth Local Plan (2015)).</p>	Yes

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ITEM 4 <u>16/06172/FUL OCCC Estate, Cornwall Road, Wootton Street and Windmill Walk</u>		
Page Number	Report Changes	Decision Letter Changes
46 (update PAC report)	Amendments to documents to include addendum to daylight and sunlight specifically in relation to Windmill House has been received: Daylight and Sunlight, dated 02/05/2019 (prepared by GIA)	Y
46 (update PAC report)	Recommendation updated to reflect a further reason for refusal on the basis that the appellant is not willing to agree to the DMR rent levels to be set at Local Housing Allowance levels. That the Planning Applications Committee resolves that, had it been empowered to determine the application, it would have resolved to refuse planning permission on the basis the appellant is not prepared to enter into a planning obligation that would secure two review mechanisms in relation to the Protected Tenancy Units and Build to Rent Units and that the DMR rent levels are set at Local Housing Allowance levels (for Inner South East London) required by officers to make the application acceptable.	
52 (update d PAC report)	Para 4.6 updated to reflect that paragraph 4.2.1 of the original PAC report is updated to reflect representations received by We Are Waterloo September 2017. There comments are as follows: They neither support nor object to the Proposed Development and but offer comments based on the anticipated economic and operational impacts this development may have on the area. They welcome the following features: <ul style="list-style-type: none"> • The provision of new rehearsal space for The Old Vic Theatre, which is a key local cultural venue and a partner of the BID; • The replacement of all protected tenancy flats and the provision of 40 new discount market rent flats; and • The provision of new small office spaces. 	Y Additional Informative No.14 added

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	<p>The BID does have some comments on the detailed design of the proposed development, they focus its contents around the proposed conditions, as they do not seek to unduly delay the determination of the proposal. They are as follows:</p> <p><u>Landscaping and Walkability:</u> The Proposed Development is located adjacent to popular walking routes within the area, with people accessing nearby transport nodes (Waterloo and Waterloo East) as well as evening economy locations such as Southbank, The Cut and Lower Marsh. Cornwall Road is identified in the South Bank and Waterloo Neighbourhood Plan as a part of a potential “greenway”, a pedestrian route linking the South Bank with the Imperial War Museum.</p> <p>We are aware of the positive influence good place-making can have on people’s travel choices, with safe, green and connected public realms with appropriate street furniture helping to encourage walking as a travel choice over less sustainable methods. We note that South Bank and Waterloo Neighbourhood Plan Policy 4 seeks to maximise the amount of publicly accessible ground floor landscaped spaces provided as part of development proposals. We therefore request that the following wording is added to the end of proposed Condition 20:</p> <ul style="list-style-type: none">i) The amount of publicly accessible space to be provided on the ground floor of the sitej) How the landscape proposals for publicly accessible areas proactively encourage and support pedestriansk) The amount and location of publicly accessible street furniture to be provided on site <p><u>Active frontages</u> The area is typified by active frontages, which support a safe and visually stimulating public realm. Active frontages are strongly supporting in the London Plan and Lambeth Local Plan as well as the emerging South Bank and Waterloo Neighbourhood Plan.</p> <p>We support the requirements of proposed Condition 18 and ask that it include a requirement for the applicant to write a short statement detailing how the detailed design choices, as shown in the drawings, promote the principles of active frontages.</p> <p><u>Planning Officer Comment:</u> In terms of <u>publicly accessible space</u> Windmill Walk which will be publicly accessible. Parts of the amenity space will be enclosed with planting and hedges and include an informal play area which will include demarcated areas away from the thorough fare. There would be a thoroughfare on either side of the publicly accessible space. There is a passage provided between the spaces and the front elevation of the building and it will be set away from the Road. It should be noted that point (f) of the condition requires details of any seating to be submitted. It should be noted that the landscape strategy indicates that the entrances will be highlighted with a continuous paving finish that would link into the surrounding context.</p>	
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	<p>Officers don't consider that condition 20 needs to be updated but an additional informative can be included as follows:</p> <p><u>Informative 14</u> – With regards to Condition 20 (hard and soft landscaping) the applicant should ensure that the landscaping scheme indicates where the publically accessible spaces are, how it has been designed to encourage and support pedestrians.</p> <p>With regards to Active frontages, the revised DAS submitted includes indicative illustrations page 108-111 of how the frontages to Wootton Street and Cornwall Road would be treated, it also indicates consideration was given to the theatre rehearsal space and how it presents to the Cornwall Road. In this regard the main office and management areas are arranged and located to the front with the rehearsal rooms etc located towards the rear. As noted in the original PAC report the uses on the ground floor have been carefully considered to ensure active frontages. Officers don't consider that any further details in the form of a statement are required.</p>	
52 (update d PAC report)	<p>Para 4.6 updated to include update to Para 4.3.2 summary of Objections updated to reflect two representations received October 2017. The comments received are as follows:</p> <ul style="list-style-type: none"> • When will the application go to committee <p><u>Planning Officer Comment:</u> Letters were sent out to everyone that made a representation on the application informing them that the application would be heard on 7th May Planning Application Committee</p>	None
52 (update d PAC report)	<p>Para 4.6 paragraph updated to reflect that the applicant's consultant has provided an addendum to the daylight and sunlight assessment in response to the concerns raised by the occupant at Windmill House.</p> <p>In respect of receipt of the applicants updated daylight analysis review in respect of the effect upon neighbouring No 1-34 Windmill House (dated 02.05.19), Shroeders Begg have independently considered (on behalf of the London Borough of Lambeth) and provide comment as follows;</p> <p>1) Analysis Summary – Daylight and Sunlight to habitable rooms</p> <p>All analysis now presented within the revised analysis now meets BRE Guide target criteria with the exception of the following rooms which we have summarised in Table 1 (PLEASE NOTE – those window / rooms that are greyed within</p>	None

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	<p>the Table 1 do not meet target with balconies present but when balconies are theoretically removed for ‘without balcony’ analysis, such windows / rooms do meet target criteria which is permissible in reference to the BRE Guide thus can effectively be considered as meeting BRE Guide target criteria);</p> <p>Table 1 (attached at end of this addendum) - Daylight and Sunlight to habitable rooms NOT meeting BRE Guide Target Criteria (windows / rooms greyed meet target ‘without balcony’ analysis which is permissible in reference to the BRE Guide thus can effectively be considered as meeting BRE Guide target criteria)</p> <p>Thus from Table 1, we conclude that from the applicant’s analysis (GIA) only 2 No rooms do not meet the BRE Guide target criteria (‘without balcony’ analysis) and these relate to 2 No bedrooms (a ground and 1st floor bedroom);</p> <p>The ground floor bedroom (window/ room ref W7/500 R3) meets BRE Guide target criteria with the isolated exception of some ‘moderate adversity’ to daylight distribution and the removal of the balcony in this particular instance results in fairly minimal difference in the analysis – with the balcony present, the rooms will still retained almost 60% daylight distribution at the working plane which for such an urban locality and given rooms use, could be considered still reasonable (especially given this is an isolated result within the analysis).</p> <p>The 1st floor bedroom (window/ room ref W12/501 R12) is the one window within the table without a balcony above thus the analysis results are presented the same within the ‘with balcony’ and ‘without balcony’ section of the table. The results meet BRE Guide target criteria with the isolated exception of daylight distribution which is extremely close to target criteria / very ‘minor adversity’ which should be considered readily acceptable.</p> <p>In summary, the impact of the proposal upon neighbouring 1-34 Windmill House should be considered acceptable given the supporting ‘without balcony’ analysis indicating that in almost all cases, it is the inherent arrangement of balconies resulting in some isolated sensitivity rather than an adverse proposal.</p> <p>2) Ground floor front Communal Amenity Area to 1-34 Windmill House - Sunlight availability</p> <p>Based upon the analysis, we confirm that there is limited impact of the proposal upon the available sunlight to the communal amenity areas within 1-34 Windmill House and should be considered acceptable on the basis that all analysis results readily meet the 2 hour BRE Guide sunlight amenity test (BRE Guide target criteria is for at least half of the amenity to have the ability to receive two hours or more of sunlight at the equinox/representing the average for the year (21st March) or when below half the area remaining, not to result in less than x0.8 former value).</p>	
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<p>58 (update d PAC report)</p>	<p>Further update to table as follows:</p> <table border="1" data-bbox="488 341 1581 1326"> <tr> <td data-bbox="488 341 667 1326"> <p>6.1.27- 6.1.29</p> </td> <td data-bbox="667 341 1581 1326"> <p>Additional text below to be read in conjunction with these paragraphs and Table at paragraph 6.1.29 updated to reflect the latest London Living Rent levels.</p> <p>Delete paragraphs 6.1.27-6.1.29 in original report and amend the additional below as follows:</p> <p><u>Discount Market Rent (DMR) levels and nominations</u></p> <p><u>The approach to rent levels and nominations for affordable build to rent units is set out in the PPG and forms a material consideration for the assessment of such schemes. Further guidance for London is set out in the Mayor’s Affordable Housing and Viability SPG (as stated in para. 6.1.19 of the original officer report). Both the new draft London Plan and the Lambeth Local Plan review seek to establish policies on build to rent going forward.</u></p> <p><u>In terms of rent levels, the PPG suggests that rent levels for affordable elements of a BTR scheme should be set at 20% below market rent for the same or equivalent property (para. 003). However, the Mayor has established a slightly different rental approach known as the London Living Rent. London Living Rent varies across London and the Mayor has published benchmark London Living Rent levels for every ward within the capital. These levels are based on a third of average local household incomes and are adjusted for the number of bedrooms within each home. These figures will be updated on an annual basis.</u></p> </td> </tr> </table>	<p>6.1.27- 6.1.29</p>	<p>Additional text below to be read in conjunction with these paragraphs and Table at paragraph 6.1.29 updated to reflect the latest London Living Rent levels.</p> <p>Delete paragraphs 6.1.27-6.1.29 in original report and amend the additional below as follows:</p> <p><u>Discount Market Rent (DMR) levels and nominations</u></p> <p><u>The approach to rent levels and nominations for affordable build to rent units is set out in the PPG and forms a material consideration for the assessment of such schemes. Further guidance for London is set out in the Mayor’s Affordable Housing and Viability SPG (as stated in para. 6.1.19 of the original officer report). Both the new draft London Plan and the Lambeth Local Plan review seek to establish policies on build to rent going forward.</u></p> <p><u>In terms of rent levels, the PPG suggests that rent levels for affordable elements of a BTR scheme should be set at 20% below market rent for the same or equivalent property (para. 003). However, the Mayor has established a slightly different rental approach known as the London Living Rent. London Living Rent varies across London and the Mayor has published benchmark London Living Rent levels for every ward within the capital. These levels are based on a third of average local household incomes and are adjusted for the number of bedrooms within each home. These figures will be updated on an annual basis.</u></p>	<p>Y</p>
<p>6.1.27- 6.1.29</p>	<p>Additional text below to be read in conjunction with these paragraphs and Table at paragraph 6.1.29 updated to reflect the latest London Living Rent levels.</p> <p>Delete paragraphs 6.1.27-6.1.29 in original report and amend the additional below as follows:</p> <p><u>Discount Market Rent (DMR) levels and nominations</u></p> <p><u>The approach to rent levels and nominations for affordable build to rent units is set out in the PPG and forms a material consideration for the assessment of such schemes. Further guidance for London is set out in the Mayor’s Affordable Housing and Viability SPG (as stated in para. 6.1.19 of the original officer report). Both the new draft London Plan and the Lambeth Local Plan review seek to establish policies on build to rent going forward.</u></p> <p><u>In terms of rent levels, the PPG suggests that rent levels for affordable elements of a BTR scheme should be set at 20% below market rent for the same or equivalent property (para. 003). However, the Mayor has established a slightly different rental approach known as the London Living Rent. London Living Rent varies across London and the Mayor has published benchmark London Living Rent levels for every ward within the capital. These levels are based on a third of average local household incomes and are adjusted for the number of bedrooms within each home. These figures will be updated on an annual basis.</u></p>			

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The appellant has offered the Discounted Market Rent (DMR) units at London Living Rent levels in line with the SPG. ~~At the application stage (as reported in para 6.1.27 and 6.28), the appellant proposed to offer the DMR units at London Living Rent (LLR) and would seek to manage these units as part of the overall BTR scheme. The London Living Rent is updated each year, therefore~~ The table below reflects the latest London Living Rents position.

Rent (£ per month)				
Area Reference/Ward	Rent Type	One Bedroom	Two Bedrooms	Three bedrooms
Bishop's	London Living Rent	1124.00	1249.00	1373.00

Nominations

In the period following the deferral of the application, officers have engaged with the appellant to agree principles for nominations to the DMR units. In line with the revised NPPG (para. 009), nominations direct from the Council's housing list is not appropriate for DMR units. However, the appellant has agreed to the principle of a bespoke nominations agreement, which would need to be worked up and agreed with Housing. The nominations agreement would be secured through a planning obligation. This approach was deemed acceptable on an earlier BTR scheme at 516-522 Streatham High Road, which had a resolution to grant planning permission by Members, prior to its subsequent withdrawal.

The PPG (para. 009) also states that, "eligibility should be determined with regard to local household income levels, related to local rent levels."

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Notwithstanding the Mayor’s preferred approach to rent levels, officers consider that the offer of the DMR units at London Living Rents would still not be particularly accessible to those renting in the private sector, nor for those that would be nominated through any bespoke agreement as set out below. Officers therefore consider that the provision of the DMR units should be at Local Housing Allowance levels. These are rent levels that represent the maximum level of housing benefit a tenant could receive if renting in the private market. The table below shows a comparison with the prevailing LLR rents in the table above.

Rent (£ per month)				
Area Reference/Ward	Rent Type	One Bedroom	Two Bedrooms	Three bedrooms
Inner South East London	Local Housing Allowance	939.21	1219.62	1476.11

It is officers’ view that securing these units at Local Housing Allowance levels would be more accessible and provide a greater scope on which eligibility (in line with the PPG) is based within the local area. The difference in rent levels over a normal year is negligible and would not materially impact on the viability position.

The appellant is not willing to agree to the change from London Living Rent to Local Housing Allowance required by officers to make the application acceptable. By reason of the appellant not willing to enter into an obligation on this term, officers recommend to Members that the application cannot be supported and the appeal is defended on this basis.

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		<p>New para. 6.1.30</p>	<p>Paragraph 6.1.29 to be deleted and replaced and re-numbered as follows:</p> <p><u>Residential conclusion</u></p> <p>The proposal would include re-provision of 34 protected tenancy units on their current terms in addition to the 40 DMR units secured in perpetuity, delivering a headline rate of 18.6% affordable housing against the overall provision of 215 residential units.</p> <p>Officers consider that the 34 re-provided protected tenancy units, although not amounting to affordable housing in NPPF terms, are nonetheless able to be taken into account as a benefit in the overall planning balance.</p> <p>However, officers consider that the scheme is only acceptable subject to securing all the obligations and reviews recommended. As discussed above not all heads of terms have been willingly agreed by the appellant in respect of the 10 year review on the Replacement Protected Tenancy Units, <u>the rental levels for the DMR units</u> and the post-occupation review on the Build to Rent units.</p> <p>As such, by reason of the appellant not willing to enter into an obligation on the above terms, officers recommend to Members that the application cannot be supported and the appeal is defended on this basis.</p>		
<p>68 (update d PAC report)</p>	<p>Amend the table in para. 17.2 to include provision for the DMR units to be secured at Local Housing Allowance, rather than London Living Rent, as follows:</p> <ul style="list-style-type: none"> - Secure the DMR units in perpetuity. Rents secured at <u>Local Housing Allowance</u> London Living Rent rent levels (Inner South East London) with a bespoke agreement for nominations (as per guidance in the PPG). 				

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<p>60/61 (update d PAC report)</p>	<p>Para 8.2 updated to include an additional paragraph to clarify the access arrangements to the amenity space as indicated in bold.</p> <p>It is noted that residents located within building fronting Wootton Street would have direct access to the first floor amenity space from the first floor cores. The residents within the wing buildings fronting Cornwall Road and Windmill Walk do not have direct access. To ensure that direct access is provided a further condition No.46 is recommended as follows:</p> <p>Condition 46: Notwithstanding details shown on the approved plans, no above ground works shall commence until drawings and details have been submitted illustrating how all residents, particularly within the two wing blocks fronting Cornwall Road and Windmill Walk have direct access to the communal amenity space at first floor and eleventh floor level. These shall have been submitted to and approved by the Local Planning Authority in writing and thereafter maintained for the lifetime of the development.</p> <p>Reason: To provide easily accessible amenity space to all occupants (Policy H5 of the Lambeth Local Plan (2015) and the London Plan Housing SPG (March 2016))</p> <p>Further to the commentary in the Original PAC report, Lambeth now seeks to secure access to communal spaces for all residents in perpetuity. In this regard officers recommend that a planning obligation be included to secure shared access in perpetuity to all residents to all communal spaces for communal play spaces.</p>	<p>Y Additional condition 46 added.</p>
<p>69 (update d PAC report)</p>	<p>Under the heading Additional/Amended Condition(s) and Reason(s) of the report updated to include an amendment in relation to condition 13 on page 182 of the original PAC report and additional conditions added in respect of the Theatre space in relation to hours of operation/management to ensure no noise and disturbance is caused to the detriment of the amenities of adjoining occupiers of the area generally (Policy Q2 of the Lambeth Local Plan).</p> <p>Condition 13 - Amended as Follows: The Class B1 use of the office premises hereby permitted shall not operate other than within the following times: 06:00 to 23:00 on all days</p> <p>Reason: To ensure that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or users of the area generally (policies Q2 and T6 of the London Borough of Lambeth Local Plan</p>	<p>Y Condition 13 amended and additional conditions 47, 48 and 49 added.</p>

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	<p>(2015)).</p> <p>Additional <u>condition 47</u> added as follows:</p> <p>14. The hours of opening of the Sui Generis Use (Theatre Space) shall be submitted to and approved in writing by the local planning authority in advance of the commencement of use of the relevant space. Thereafter the Sui Generis Use (Theatre Space) shall not operate other than within the opening and closing hours agreed.</p> <p>Reason: To protect the amenities of surrounding residential occupiers and the surrounding area (Policies Q2)</p> <p>A further condition 48 included requiring a customer management plan be submitted demonstrating how customers leaving the building in relation the Theatre Space (Sui Generis Use) will be prevented from causing a nuisance for people in the area in accordance with Policy Q2.</p> <p>Additional <u>Condition 48</u> added as follows:</p> <p>The Sui Generis use (Theatre Space) shall not commence until a customer management plan has been submitted to and approved in writing by the Local Planning Authority. The customer management plan shall demonstrate how customers leaving this part of the building will be prevented from causing nuisance for people in the area. The use hereby permitted shall thereafter be operated in accordance with the approved details.</p> <p>Reason: To protect the amenities of surrounding residential occupiers and the surrounding area (Policies Q2)</p> <p>A further condition is recommended regarding the parking, garaging, manoeuvring, and the loading and unloading of vehicles to minimise inconvenience to the users of the adjoining highway.</p> <p>Additional Condition 49 added as follows:</p> <p>The scheme for parking, garaging, manoeuvring, and the loading and unloading of vehicles shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing. The scheme as approved shall be laid out in accordance with the approved details prior to the initial occupation of the phase 2 development hereby permitted and that area shall not thereafter be used for any other purpose, or obstructed in any way.</p>	
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	Reason: To enable vehicles to draw off, park and turn clear of the highway, minimising danger, obstruction and inconvenience to users of the adjoining highway and to minimise impact on amenity (policies T1, T6, T7, T8 and Q2 of the London Borough of Lambeth Local Plan (2015)).	
71 (update d PAC report)	<p>Recommendation updated to reflect a further reason for refusal on the basis that the appellant is not willing to agree to the DMR rent levels to be set at Local Housing Allowance levels.</p> <p>That the Planning Applications Committee resolves that, had it been empowered to determine the application, it would have resolved to refuse planning permission on the basis the appellant is not prepared to enter into a planning obligation that would secure two review mechanisms in relation to the Protected Tenancy Units and Build to Rent Units and that the DMR rent levels are set at Local Housing Allowance levels (Inner South East London) required by officers to make the application acceptable.</p>	

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Table 1 - Daylight and Sunlight to habitable rooms NOT meeting BRE Guide Target Criteria (windows / rooms greyed meet target 'without balcony' analysis which is permissible in reference to the BRE Guide thus can effectively be considered as meeting BRE Guide target criteria)

Floor	Room use	Window ref.	Room ref.	Daylight						Sunlight					
				VSC			Daylight Distribution			Annual sun (APSH)			Winter sun		
				Extg	Prop	Reduction %	Extg	Prop	Reduction %	Extg	Prop	Reduction %	Extg	Prop	Reduction %
ANALYSIS WITH BALCONIES															
Ground	bedroom	W7/500	R3	21	16.7	20.5	95.7	59.1	38.2	26	20	23.1	Meets BRE		
	Living rm	W11/500	R7	18	13.1	27.2	Meets BRE			25	15	40	Meets BRE		
	Living rm	W12/500	R8	17	12.2	28.2	Meets BRE			26	18	30.8	Meets BRE		
1 st floor	Living rm	W4/501	R4	19.7	15.7	20.3	Meets BRE			Meets BRE			Meets BRE		
	Living rm	W5/501	R5	20	15.6	22.0	Meets BRE			Meets BRE			Meets BRE		
	Living rm	W10/501	R10	19.8	14.8	25.3	Meets BRE			29	20	31.0	Meets BRE		
	Living rm	W11/501	R11	19.1	14.2	25.7	Meets BRE			31	20	35.5	Meets BRE		
	bedroom	W12/501	R12	Meets BRE			99.4	78.3	21.2	Meets BRE			Meets BRE		
2 nd floor	Living rm	W5/502	R5	21.6	17.2	20.4	Meets BRE			Meets BRE			Meets BRE		
	Living rm	W10/502	R10	21.4	16.4	23.4	Meets BRE			34	24	29.4	Meets BRE		
	Living rm	W11/502	R11	20.8	16.0	23.1	Meets BRE			Meets BRE			Meets BRE		
3 rd floor	Living rm	W10/503	R10	22.7	17.9	21.1	Meets BRE			Meets BRE			Meets BRE		
	Living rm	W11/503	R11	22.4	17.7	21.0	Meets BRE			Meets BRE			Meets BRE		
ANALYSIS WITHOUT BALCONIES															
Ground	bedroom	W7/500	R3	Meets BRE			97.0	62.1	36	Meets BRE			Meets BRE		
1 st floor	bedroom	W12/501	R12	Meets BRE			99.4	78.3	21.2	Meets BRE			Meets BRE		