



PLANNING APPLICATIONS COMMITTEE – ADDENDUM PUBLISHED 01 NOVEMBER

Date: **Tuesday 5 November 2019**

Time: **7.00 pm**

Venue: **Committee Room (B6) - Lambeth Town Hall, Brixton, London, SW2 1RW**

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Members of the Committee

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 Jennie Mosley, Councillor Mohammed Seedat and Councillor Sonia Winifred

Further Information

If you require any further information or have any queries please contact:
Maria Burton, Telephone: 020 7926 8703; Email: mburton2@lambeth.gov.uk

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Map



AGENDA

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

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<u>Page / Paragraph No</u>	<u>Report Changes</u>	<u>Decision Letter Changes</u>
<u>ITEM 1</u> <u>West Norwood Lawn Tennis Club</u> <u>18/04902/REM</u>		
Page Number	Report Changes	Decision Letter Changes
15	Insert new paragraph after Paragraph 4.3: <u>4.3.1 Scope of the Reserved Matters Application</u> 4.3.2 This is a reserved matters application, which is required to be submitted to resolve any matters reserved by the outline planning permission (ref 18/04902/REM). The outline permission is not a permission to commence work on site, but to establish the key principals of the development. Planning conditions can be discharged prior to the reserved matters application being granted, as the reserved matters must comply with that parameters permitted by the outline permission and are subject to the same conditions. The outstanding details of reserved matters applications generally include the following: <ul style="list-style-type: none"> • <u>Appearance</u> - aspects of a building or place which affect the way it looks, including the exterior of the development • <u>Means of access</u> - covers accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site • <u>Landscaping</u> - the improvement or protection of the amenities of the site and the area and the surrounding area, this could include planting trees or hedges as a screen 	No

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	<ul style="list-style-type: none"> • <u>Layout</u> - includes buildings, routes and open spaces within the development and the way they are laid out in relations to buildings and spaces outside the development • <u>Scale</u> - includes information on the size of the development, including the height, width and length of each proposed building <p>4.3.3 The related outline permission reserved all the above matters with the exception of details of access, which were considered to be integral to the feasibility of the scheme in principle. Access details were formally submitted and resolved at outline stage, subject to further detail required by Condition 17.</p> <p>4.3.4 Whilst the reserved matters require additional details, these relate to a level of detail that would be required by a full application seeking to resolve all matters within a single permission. The reserved matters do not constitute a level of additional detail above this. Additional detail has been provided in relation to the reserved matters and Condition 11 only. It is important to note that the reserved matters application is subject to the same set of conditions attached to the outline permission.</p> <p>4.3.5 A full set of conditions is provided within the outline permission decision notice (please refer to Appendix 5). For ease of reference, the conditions which are relevant to the reserved matters are listed below and would require formal discharge following a consent at reserved matters stage.</p> <p><u>Appearance</u></p> <ul style="list-style-type: none"> • Condition 6 – Secures details of proposed materials • Condition 7 – Secures detailed construction drawings 	

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	<ul style="list-style-type: none"> • Condition 10 – Secures details of existing and proposed ground levels <p><u>Means of access</u></p> <ul style="list-style-type: none"> • Condition 17 – Secures details of vehicular access, including appropriate signage • Condition 18 – Secures details of car parking bays <p><u>Landscaping</u></p> <ul style="list-style-type: none"> • Detailed landscaping plans are required by Condition 11, which is proposed to be discharge as part of this reserved matters application. • Condition 12 – Compliance with planting and seeding requirements • Condition 34 – Secures the protection of existing trees which are to be retained <p><u>Layout</u></p> <ul style="list-style-type: none"> • Condition 13 – Secures details of child playspace, including play equipment • Condition 21 – Secures details of cycle parking <p><u>Scale</u></p> <ul style="list-style-type: none"> • Condition 10 – Secures details of existing and proposed ground levels <p>4.3.6 All outstanding conditions will currently be dealt with under delegated authority. A list of conditions which have been discharged prior to this application are set out in Paragraph 5.1.3 below. Alterations in the scheme from outline to reserved matters stage are not considered to impact the approved details within the discharged</p>	

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	conditions and these are not required to be re-discharged should the current reserved matters application be granted.	
19	<p>Insert new paragraph at 5.2.1 as follows:</p> <p>5.2.1 Lambeth enforcement officers have confirmed that upon investigating the alleged breaches relating to the above enforcement cases, site visits established that there was no evidence of an alleged breach. The works undertaken were exploratory assessments to gather information in relation to the discharge of conditions. The works were not considered to constitute the commencement of development. Both enforcement cases were closed, with no further action to be taken.</p>	No
19	<p>Insert new paragraphs after 5.3.1 as follows:</p> <p>5.3.2 The final appeal application on the site (ref 15/03867/OUT) sought to demolish the existing buildings on site and construct replacement tennis club facilities at ground and basement floor with 34 flats above. The proposal comprised an outline application which sought to reserve all matters except access.</p> <p>5.3.2 The application was refused on the following grounds (abbreviated for ease of reference):</p> <ol style="list-style-type: none">1. Loss of open space without adequate re-provision (LLP Policy EN1).2. The proposal would give rise to mutual overlooking with the development at 1-66 Cheviot Gardens (LLP Policy Q2).	No

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	<p>3. The proposed communal amenity space and children’s play space would sunlight, privacy and would have poor access (London Plan Policy 3.5).</p> <p>4. Proposed residential development would be of a poor quality (LLP Policy H5).</p> <p>5. The application fails to provide the maximum reasonable amount of affordable housing (LLP Policy H2).</p> <p>6. The proposed affordable housing mix would provide an excessive amount of 1 bedroom units (LLP Policy H4).</p> <p>7. The proposal would result in an unacceptable impact on infrastructure and services without sufficient mitigating S106 contributions (LLP Policy D4).</p> <p>5.3.2 Revised plans were submitted and considered at appeal stage, which resolved multiple issues however the Inspector upheld the decision on reasons of refusal Nos. 2, 3 and 4. These matters have been addressed within the parent outline submission and within the current reserved matters application following the granting of outline permission.</p>	
22	<p>Amend Paragraphs 7.1-7.4 as follows:</p> <p>7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan in Lambeth is the London Plan (2016, consolidated with alterations since 2011) and the Lambeth Local Plan (adopted September 2015) (LLP)</p> <p>7.2 The new Draft London Plan was published on 1 December 2017 (updated August 2018) for consultation and will eventually supersede the current 2016 consolidated London Plan once the final version is published (anticipated Late 2019). The Draft London Plan is a material consideration in planning decisions. Officers consider that this should be afforded very limited weight at this stage. The LLP is currently under partial review to ensure it</p>	No

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	<p>complies with amendments to changes in the National Planning Policy Framework (NPPF) and London Plan. The LLP review is timetabled to follow the programme for the Draft London Plan. Consultation for the Draft Revised LLP commenced on 22 October 2017. At this time the amendments to the LLP do not carry any weight.</p> <p>7.3 The latest NPPF was published in 2019. This document sets out the Government’s planning policies for England including the presumption in favour of sustainable development and is a material consideration in the determination of all applications.</p> <p>7.4 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been set out in Appendix 3 to this report.</p> <p>7.1 The London Plan (2016) (consolidated with alterations since 2011) and the Lambeth Local Plan (2015) currently form the statutory development plan for the borough. For parts of the borough falling within the South Bank and Waterloo neighbourhood area the South Bank and Waterloo Neighbourhood Plan (post examination version, 2019) also forms part of the development plan.</p> <p>7.2 Emerging policies are a material consideration. In accordance with paragraph 48 of the National Planning Policy Framework (NPPF, 2019) a local planning authority may give weight to relevant policies in emerging plans according to the stage of preparation, number of unresolved objections, and consistency with the NPPF. Therefore as the Mayor progresses his review of the London Plan, as the Spatial Development Strategy for London, it will gain additional weight in planning decisions. It will not form part of the statutory development plan until it has been published in its final form. The latest position with regard to the preparation of the Draft London Plan is set out below.</p> <p>7.3 The Examination in Public on the draft London Plan was held between January and May 2019, and the Panel of Inspectors appointed by the Secretary of State have now issued their report and recommendations. This was made public on 21 October 2019. The recommendations contained within the Inspectors’ Report, in combination with the changes proposed by the Mayor during the examination process, give a</p>	

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	<p>good indication of the content of the final published version of the London Plan therefore the policies contained within the version as produced in July 2019 plus the recommendations within the Inspectors' Report (both links available below) can now be given a significant amount of weight in planning decisions.</p> <p>7.4 However the recommendations of the Panel's report are not binding on the Mayor of London, and it is understood that the Mayor is currently considering the report and intends to publish a response to each of the recommendations alongside his final 'Intend to Publish' (ItP) version of the London Plan, which will be sent to the Secretary of State. The Mayor has said he intends to do this by the end of 2019. Assuming there is no direction from the Secretary of State and the London Assembly does not reject the Plan, the Mayor intends to publish the final version in February/March 2020. At that point the new London Plan will replace the 2016 version and will form part of the Statutory Development Plan for London and the borough of Lambeth. Until this process is complete, the new London Plan will not have full weight in planning decisions.</p> <p>July 2019 Consolidated Suggested Changes version: https://www.london.gov.uk/sites/default/files/draft_london_plan_-_consolidated_changes_version_-_clean_july_2019.pdf,</p> <p>Further recommended changes: https://www.london.gov.uk/sites/default/files/lp_panel_recommendations_final.pdf</p> <p>7.5 The current planning application has been considered against all relevant national, regional and local planning policies as well as any relevant guidance. A full list of relevant policies and guidance has been set out in Appendix 3 to this report.</p>	
23	Amend Paragraph 8.3.1 as follows:	No

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	<p>8.3.1 The outline permission proposed 32 residential units of which 13 are affordable. There is an affordable housing provision of 40% at a tenure mix of 70% social rented and 30% intermediate rent / shared ownership. This is in full compliance with LLP Policy H2, as no public subsidy is available. The current reserved matters application initially proposed 9 units as affordable; however following discussion with the applicant, this has been revised to 13 units and maintaining the 70% social rented / 30% intermediate split as was originally approved by the outline permission and secured through the S106 agreement. This is therefore in full compliance with The current application is therefore proposed in line with the outline permission and LLP Policy H2, as no public subsidy is available.</p>	
28	<p>Amend Paragraph 10.3.1 as follows:</p> <p>10.3.1 Despite the general massing being acceptable, the detailed elevation drawings submitted at outline stage were not supported due to a dated appearance which lacked context and materials, resulting in haphazard and busy elevations. Further, fenestration proportions and arrangement were not considered suitable.</p>	No
28	<p>Amend Paragraph 10.3.5 as follows:</p> <p>10.3.5 The 4th floor is proposed to be finished in powder coated aluminium cladding, which would be set back from elevations facing the Cheviot Gardens development and the streetscene on Knight's Hill to reduce visual impact. This would complement the brick build, which has been simplified following the excess of brick types proposed at outline stage. It would also relate well to the local material palette, while breaking up the repetitive and monotone elevations at the outline stage, which gave the appearance of an exaggerated massing.</p>	No

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	<p>Officers support the progression of the proposed materials palette and the general materials appearance is an improvement on those presented at outline stage; however, the materials themselves do not form part of the proposal within this reserved matters application and would not be approved therein. Further details on materials are secured through Condition 6 of the outline permission, which is required to be discharged prior to the commencement of development. The inclusion of the improved materials on revised plans does however allow for the consideration of the amended appearance of the building within the reserved matters application to be better understood. This also caps the building, allowing the roofscape to be read better and properly terminate the building. The material composition and fenestration placement on the building would be rationalised, resulting improvements in detailing and a more varied but clear structure of fenestration positioning and hierarchy.</p>	

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Page	18/05230/FUL- 3 To 27 Wilcox Road, London, SW8 2XA	Decision Notice Changes
77	<p>Change site area to as below to correct a typographical error.</p> <p>Site area (ha): 0.20ha</p>	No
86	<p>Section 3.3 of the report provides details of the application. The following information is added to this description:</p> <p>The proposed buildings would be of comparable height to the adjoining Peter House and Martin House.</p> <p>Peter House has a parapet height of 16.5m and an overall height (to top of service plant) of 19.18m. Martin House has a parapet height of 16.65m and an overall height (to top of service plant) of 19.18m.</p> <p>The proposed west block has a parapet and overall height of 21.08m and the propose east block has a parapet and overall height of 18.23m</p> <div data-bbox="315 860 1420 1326" style="text-align: center;"> <p>The diagram shows two building elevations side-by-side. On the left is 'Martin House', a multi-story building with a grid of windows. Red arrows indicate its overall height as 19.18 m and its parapet height as 16.65 m. On the right is the 'East Block', a shorter building with a similar window pattern. A red arrow indicates its height as 18.23 m. The drawing is enclosed in a black rectangular frame.</p> </div>	No

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	 <p>The image contains two architectural drawings. On the left is a side elevation of 'Peter House', a multi-story residential building with a regular window pattern. Two red double-headed vertical arrows indicate heights: one from the ground level to the top of the main facade at 19.18 m, and another to the top of a slightly taller section at 16.50 m. On the right is a cross-section of the 'West Block', showing a taller structure with a grid of floors. A red double-headed vertical arrow indicates a height of 24.08 m from the ground level to the top of the structure.</p>	
<p>99</p>	<p>In paragraph 6.2 it was advised that the new Draft London Plan should be afforded some weight at this stage – this has changed now as discussed below and officers advise that the new Draft London Plan can now be given a significant amount of weight in planning decisions.</p> <p>The London Plan (2016) (consolidated with alterations since 2011) and the Lambeth Local Plan (2015) currently form the statutory development plan for the borough.</p> <p>Emerging policies are a material consideration. In accordance with paragraph 48 of the National Planning Policy Framework (NPPF, 2019) a local planning authority may give weight to relevant policies in emerging plans according to the stage of preparation, number of unresolved objections, and consistency with the NPPF. Therefore as the Mayor progresses his review of the London Plan, as the Spatial Development Strategy for London, it will gain additional weight in planning decisions. It will not form part of the statutory development plan until it has been published in its final form. The latest position with regard to the preparation of the Draft London Plan is set out below.</p>	<p>No</p>

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	<p>The Examination in Public on the draft London Plan was held between January and May 2019, and the Panel of Inspectors appointed by the Secretary of State have now issued their report and recommendations. This was made public on 21 October 2019. The recommendations contained within the Inspectors’ Report, in combination with the changes proposed by the Mayor during the examination process, give a good indication of the content of the final published version of the London Plan therefore the policies contained within the version as produced in July 2019 plus the recommendations within the Inspectors’ Report (both links available below) can now be given a significant amount of weight in planning decisions.</p> <p>However the recommendations of the Panel’s report are not binding on the Mayor of London, and it is understood that the Mayor is currently considering the report and intends to publish a response to each of the recommendations alongside his final ‘Intend to Publish’ (ItP) version of the London Plan, which will be sent to the Secretary of State. The Mayor has said he intends to do this by the end of 2019. Assuming there is no direction from the Secretary of State and the London Assembly does not reject the Plan, the Mayor intends to publish the final version in February/March 2020. At that point the new London Plan will replace the 2016 version and will form part of the Statutory Development Plan for London and the borough of Lambeth. Until this process is complete, the new London Plan will not have full weight in planning decisions.</p>	
<p>103 - 105</p>	<p>Affordable housing is discussed at section 7.23 of the report. Paragraph 7.37 states that in the event that the applicant is unable to secure a Registered Provider to manage the affordable housing units, the applicant has agreed to a planning obligation secured by S106 requiring them to contribute towards the delivery of off-site affordable housing.</p> <p>This approach is consistent with emerging London Plan policy. Sections 4.6.8A and 4.6.8B of the draft London Plan are provided in full below but, in summary, they acknowledge the difficulties of securing Registered Providers for small housing developments (1-25 flats) and state that boroughs may permit small housing development to contribute towards affordable housing off-site or as an in-lieu payment.</p> <p><i>4.6.8A In some circumstances it may be impractical or otherwise unsuitable to provide on-site affordable housing with the relevant tenure split on small housing developments (see Policy H2A Small housing developments). Affordable housing providers may not be willing or able to absorb a small number of affordable homes into their portfolio where servicing and management costs would exceed plausible income from service charges. Servicing and management costs may be reduced where affordable homes are provided in a single affordable tenure.</i></p> <p><i>4.6.8B Boroughs may therefore permit small housing developments to access the Fast Track Route where on-site affordable housing is provided in a single affordable housing tenure to the satisfaction of the borough. Where there is no demand from</i></p>	<p>No, but the planning obligations are changed</p>

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affordable housing providers for a small number of affordable homes, either where provided as mix of affordable tenures or in a single affordable housing tenure, boroughs may permit small housing developments to access the Fast Track Route where the relevant threshold is met off-site or as an in-lieu payment. Boroughs are encouraged to set out their approach to affordable housing requirements on small housing developments.

The council’s policy team has advised that the council’s approach to affordable housing requirements on small housing developments is to follow the approach of the Mayor and is to include the opportunity for in-lieu payments rather than on-site provision.

Nonetheless, officers will continue working with the applicant to maximise opportunities for the affordable housing to be provided on-site. This is to include requiring the applicant to write to all of the RPs on the council’s list of preferred RPs and giving them a 6-month period in which to consider whether they would seek to manage the scheme. The applicant will also be required to market the site openly to all Registered Providers for the same six month period. The council’s housing team will have the opportunity to approach smaller RPs to alert them about the development during this period. Homes for Lambeth has been notified of the application and are currently considering whether they may seek to manage the affordable housing units.

In paragraph 17.3 it was advised that the tenure types of the affordable rented and intermediate housing would be confirmed via addendum. The affordable rent units would be provided as London Affordable Rent. The intermediate units would be provided as London Living Rent.

Given the above, the first item in the table at paragraph 17.3, which sets out the planning obligations to be agreed, is modified to read as follows:

Item	Details
Affordable housing – on-site provision	Eight units of affordable housing with the following mix: <u>Affordable rent:</u> 1 x 1 bedroom 3 x 2 bedroom 2 x 3 bedroom (To be provided as London Affordable Rent)

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	<p><u>Intermediate ownership:</u> 1 x 2 bedroom 1 x 3 bedroom (To be provided as London Living Rent)</p> <p>The applicant to search for a RP over a six month period, including approaching all of the RPs of the council’s preferred list of RPs, publicly marketing the scheme on real estate sites available to all RPs (to be agreed with the council), and allowing the council to approach RPs directly to find an RP that may be interested in managing the units.</p> <p>In the event that the applicant is unable to secure a RP to manage the affordable housing units, a contribution towards the delivery of off-site affordable housing. The contribution amount would be the equivalent to the uplift value arising from the higher number of market units onsite compared with the lower affordable housing values that would be achieved if these were provided onsite.</p>	
107	<p>Replace the third sentence of paragraph 8.8 with the sentence below to clarify the type of brick work finish expected.</p> <p>In this context Officers would seek to ensure the brick work would complement and have a similar colour tone of the LCC estate brickwork, rather than London stock brick.</p>	No
115	<p>Paragraph 10.5 advises that NSL results have not been provided because accurate floorplans of surrounding properties were not available. Officers have been able to locate floorplans of several surrounding properties and on this basis the applicant has been asked to provide NSL results. These will be reported in the second addendum.</p>	No
121	<p>Replace paragraph 13.6 with the following paragraph to clarify the existing parking demands and transport improvements in the area.</p> <p>The applicant has submitted a parking survey included at section 7.2.5 and Appendix I of the transport statement which demonstrates an (average) local parking stress on Wilcox Road to the front of the site at 75% and high parking stress on Luscombe way to the rear to the site at 94%. However, the proposals would not alter or remove the existing on-street parking on Luscombe Way to the rear of the site which would remain as existing. It is also noted that the majority of on-</p>	No

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	<p>street parking surrounding the application site is permit holder only within Stockwell 'CPZ' and the applicant has agreed to a s106 obligation that will prevent future occupiers of both the commercial and residential units from obtaining on-street parking permits. Furthermore, the TfL northern line extension from Kennington to Battersea is scheduled to be completed in Autumn 2021 and this route includes the Nine Elms tube station of which its entrance is located approx. 100m to the west of the application site. Therefore, officers consider that due to the existing good TfL bus services and new tube services available to this site which would attract future occupiers towards the use of more sustainable transport modes and would therefore mitigate any future impact on on-street parking demand.</p>	
<p>123</p>	<p>Replace paragraph 13.14 with the following paragraph to clarify what changes are required to the Method of Demolition and Construction Statement to ensure construction activities do not result in unacceptable amenity impacts or safety concerns:</p> <p>Officers recommend a condition (Condition 4) that requires the applicant to submit a Method of Demolition and Construction Statement that covers those matters that are not adequately covered in the applicant's draft Construction Management Plan. This would include addressing the following matters:</p> <ul style="list-style-type: none"> • Management of dust • Management of mud and debris on the public highway • Restriction of vehicle activity outside of peak travel periods • Restriction of vehicle activity outside of school pick up and drop off times • Protection of street trees. <p>The purpose of the condition is to minimise disruption to local residents, to increase the safety of people near the construction site, and to avoid conflicts with parents and children during school pick up and drop off times.</p>	<p>No</p>
<p>124</p>	<p>Replace paragraph 13.18 with the following information about Refuse and Recycling:</p> <p>The proposed refuse stores have been located at the rear of the site and will open up onto the pedestrian link between the two building. Waste collection would take place from the new delivery and servicing bay on Wilcox Road. The refuse stores would be next to the pedestrian link so they do not open onto Luscombe Way. This is to ensure the shortest possible route from the bin stores to the waste collection point on Wilcox Road and to ensure that the collection and movement of bins does not need to occur along Luscombe Way, thus avoiding any possibility of waste collection conflicting with traffic or parked cars in the Wyvil Estate.</p>	<p>No</p>

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	<p>It is understood that the bins would be collected from and returned to the waste stores by the waste collection teams, but the final details of waste collection is to be secured by a new Condition 48.</p>	
<p>146</p>	<p>Replace Condition 41 with a new Condition 41 (Refuse and Recycling Storage):</p> <p>Prior to the commencement of the use hereby permitted, details of the waste and recycling storage for the development shall be submitted to and approved in writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated use. The waste and recycling storage areas/facilities should comply with the Lambeth's Refuse & Recycling Storage Design Guide (2013), unless it is demonstrated in the submissions that such provision is inappropriate for this specific development.</p> <p>Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area (policies Q2 and Q12 of the London Borough of Lambeth Local Plan (2015)).</p>	<p>Yes</p>
<p>148</p>	<p>Insert a new Condition 48 (Waste Management Plan):</p> <p>Prior to the commencement of the development hereby approved, a final Waste Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include a) details of how bins will be transported from refuse and recycling areas to the waste collection point, and who will be responsible for this, b) confirmation that all bins will be returned to the refuse and recycling areas as soon as possible after collection, and who will be responsible for this, and c) details of the disposal of any oil from cooking that may take place in the A3 units. The measures approved in the Plan shall be maintained for the duration of the relevant uses.</p> <p>Reason to minimise danger, obstruction and inconvenience to uses of the highway (policies ED12, T6 and T8 of the Lambeth Local Plan 2015).</p>	<p>Yes</p>

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