

## PLANNING APPLICATIONS COMMITTEE

Tuesday 5 September 2017 at 7.00 pm

### MINUTES

PRESENT: Councillor Liz Atkins (Substitute), Councillor Robert Hill (Substitute), Councillor Jane Pickard (Substitute), Councillor Mohammed Seedat, Councillor Joanne Simpson (Vice-Chair) and Councillor Clair Wilcox (Chair)

APOLOGIES: Councillor Malcolm Clark, Councillor Nigel Haselden and Councillor Diana Morris

ALSO PRESENT:

#### **1. DECLARATION OF PECUNIARY INTERESTS**

There were none.

#### **2. MINUTES**

RESOLVED: That the minutes of the previous meeting held on 01 August 2017 be approved and signed by the Chair as a correct record of the proceedings.

The Chair announced a provisional timetable for the meeting in accordance with Standing Order 9.9.1.

#### **3. RISING SUN HOUSE, 133 VAUXHALL STREET (PRINCES) 16/06169/FUL**

Case No. 16/06159/FUL (agenda item 4, page 57 of the agenda pack).

The Chair explained that officers were recommending deferral of the item to enable consultation with residents' groups to take place.

It was MOVED by Councillor Wilcox, SECONDED by Councillor Simpson, and

RESOLVED, unanimously

To defer consideration of the application.

**4. OCCC ESTATE, CORNWALL ROAD, WOOTTON STREET AND WINDMILL WALK (BISHOP'S) 16/06172/FUL**

Case No. 16/06053/FUL (agenda item 3, page seven of the agenda pack and page one of the addendum).

The Chair explained that officers were recommending deferral of the item to enable legal clarification of the existing protected tenancy units and their status in the proposed development.

It was MOVED by Councillor Wilcox, SECONDED by Councillor Simpson, and

**RESOLVED**, unanimously

To defer consideration of the application.

**5. 44 CLAPHAM COMMON SOUTH SIDE (CLAPHAM COMMON) 17/00605/FUL**

Case No. 17/00605/FUL (agenda item 6, page 195 of the agenda pack, page nine of the addendum and page nine of the second addendum).

The Planning Officer gave a presentation which included a summary of the report and subsequent addenda that had been published on Friday 01 September 2017 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the demolition of existing vacant buildings, the erection of six new residential and office buildings up to ten storeys in height, the impact on nearby heritage assets, the affordable housing offer, the public benefits of the scheme, the proposed materials and the distances from neighbouring buildings. A site visit had been held the previous Saturday. Members were shown existing and proposed site elevations and a sample of the proposed materials.

Following the officer's presentation, the objectors raised the following concerns:

- There was a 3 metre tall concrete wall along the boundary of the site and Abbeville Road. The developers had committed to the maintenance of the wall and trees for the five years required in the conditions. It would be preferable to require the developer to commit to the maintenance in perpetuity.
- The viability of the proposal had not been adequately demonstrated.
- The report's description of the flood risk did not convey the extent of flooding at the lower end of the site. Properties on Abbeville Road flooded regularly as the buildings were built on wells and streams.

The agents and architect then provided the following information in support

of the application:

- The site was complex, and the applicant had worked with the community throughout the application. A letter of support had been received from the Notre Dame Estate.
- The report stated that flooding requirements had been met and officers had praised the information that had been provided.
- The condition regarding the boundary treatment could be amended to be acceptable for Abbeville Road residents.
- There would be increased employment space in the proposal.
- There were two options for the affordable housing offer and the applicant would liaise with registered providers.
- The proposal would redevelop a backland site.

Officers then provided the following information in response to questions from Members:

- Condition 12 required any trees or plants that die within five years of occupation to be replaced.
- Some of the boundary fence with the Notre Dame Estate would not be opened up due to the topographical difference and the change in street character at that end of the Estate.
- Currently the site was predominantly hard-landscaped, and rain flowed down to Abbeville Road. The development would have attenuation tanks and green roofs, as well as landscaping to reduce water run-off with 120 trees to be planted on site. Flood officers were satisfied with the plans.
- All of the courtyards and amenity areas would be fully accessible.
- Indicative drawings, including of the public square, had been provided. The s106 agreement would require public use in perpetuity.
- The Council's housing team was comfortable that a registered provider could sign up to either of the affordable housing offers. If option A was chosen, the developer would have to provide justification for this approach.
- Three units on the lower ground and three units on the ground floor level in building A would be single aspect. The majority of units on building B would be single aspect, along with some private units in buildings C and D.
- One of the affordable housing offers aligned with the Mayor of London's new fast-track approach, with 35% affordable housing and 70:30 tenure split in favour of affordable rent, so would not have a review mechanism. The other option would provide a 50:50 tenure split. Officers would prefer a split in favour of affordable rent but both options were acceptable in terms of policy.
- Following initial objections, the level of car parking to be provided

had been reduced, TfL were reconsulted and did not object.

- It was anticipated that 18 two-way traffic movements would be generated per day.
- The applicant would be required to enter into a s38 agreement to adopt the public highway, at which point final details of the access would be agreed. The possibility of making the footway on the northeast side of the site shared use to include cycling could be explored.
- An indicative plan had been submitted with electric vehicle charging points at all residential parking spaces. The condition could be amended to provide charging points at the commercial parking spaces.
- Approval for the MUGA at the Lambeth Academy site was granted in 2003. Conditions stated that floodlighting could only be used when pitches were in use, with specific times for weekdays, weekends, public holidays, term time and school holidays.
- There were two art studios at Lambeth College that would have a reduction in daylight and sunlight of 40%. While this was a significant reduction, the low level massing currently on site meant that even a modest increase in massing would have a significant effect on daylight levels.
- The proposed cladding to be used on the top elements of each block had been used on other buildings in the borough.
- There was a deficiency on on-site playspace for older children and as part of the s106 agreement the developer would make contributions towards improvements to the existing playspace on the Notre Dame Estate.
- There would likely be little impact in reducing the hours that HGVs could access the waste transfer unit by one hour.

The Committee considered points raised by speakers and information provided by officers in conjunction with the report before making the following observations:

- There were relatively few contentious issues for such a large proposal. The reactivation of the site was welcome.
- Condition 33 should be amended to include details of planting to mitigate flood risk and of accessibility.
- Initial concerns regarding the daylight and sunlight levels in buildings C and D had been mitigated.
- An informative encouraging safer cycling should be added.
- HGVs' access to the waste transfer unit should be further restricted from 23.00-07.00 to 22.00-07.00.
- An informative should be added requesting that the applicant discuss with residents of Abbeville Road the boundary wall

maintenance and the mix of trees along the boundary treatment.

- Members preferred option B for the affordable housing offer and were keen to maximise the number of units at affordable rent.
- Officers should ensure that the scheme is fully accessible.
- An informative should be added requesting that consideration be given to providing playspace for older children, given the shortfall on site.
- An informative should be added requesting that consideration be given to the weathering of materials.
- Electric vehicle charging points should be provided in the car parking space for commercial uses.

It was MOVED by Councillor Wilcox, SECONDED by Councillor Simpson, and

RESOLVED, unanimously

1. To APPROVE planning permission subject to a Section 106 Agreement, and any direction as may be received following further referral to the Mayor of London, and the conditions as outlined in the officer's report and published addenda and the following:
  - i) Condition 33 to be amended to include an additional two points stating that 'planting, selection and soft landscaping should seek to optimise flood risk mitigation' and accessibility.
  - ii) An informative attached to condition 58 requesting that consideration be given to ECV charging points for commercial units.
  - iii) An informative attached to condition 52 expressing members' encouragement of segregation for cycles.
  - iv) Condition 16 to be amended to reduce hours of operation of the waste transfer site from 23.00-07.00 to 2200-07.00 to mitigate against the impact of HGVs.
  - v) An amendment to the S106 agreement to provide playspace for older children, given the shortfall on site.
  - vi) Condition 35 to be amended requiring the applicant to take responsibility for planting along boundary with Abbeville Road for the lifetime of the development.
  - vii) An informative requesting that the applicant discusses trees with residents of Abbeville Road.
  - viii) An informative requesting that officers give detailed consideration of weathering of cladding when considering detailed design.
2. To delegate authority to the Director of Planning, Development and

Transport to:

- a. Finalise the recommended conditions as set out in this report.
  - b. Negotiate, agree and finalise the planning obligations as set out in this report pursuant to Section 106 of the Town and Country Planning Act.
3. That if the Section 106 Agreement is not completed within four months of this Committee the Director of Planning, Development and Transport be given delegated powers to consider refusing the application in the absence of a legal agreement.

**6. 2 - 7 STOCKWELL GREEN (LARKHALL) 16/02035/FUL**

Case No. 16/02035/FUL (agenda item 3, page nine of the agenda pack, page one of the addendum and page one of the second addendum).

The Planning Officer gave a presentation which included a summary of the report and subsequent addenda that had been published on Friday 01 September and the day of the meeting. Members were advised of the key material planning issues for consideration which included the demolition of the existing building, the erection of a part 2, 3 and 4 storey building with residential and A1 use, the impact on nearby heritage assets, the provision of refuse storage, cycle parking and communal amenity space and agreed payments in lieu of provision of affordable housing and on-street - disabled car parking. Members were shown images of the existing site and streetscape, and of plans, elevations and on-street views of the proposal. Two conditions were proposed that had not been included in either addendum, regarding piling/basement construction and details of the children's playspace.

Officers and the applicant's representatives then provided the following information in response to questions from Members:

- All three residential blocks would be linked and the rooftop amenity space would be fully accessible. The condition regarding secured by design would cover security between the blocks.
- While the amount of playspace to be provided fell below London Plan standards, the shortfall was relatively small at 5.4m<sup>2</sup>. This was deemed acceptable due to the constraints of the site. Some flats in Block C would have gardens.
- After liaising with Transport Officers, the applicant had agreed to pay £10,000 towards an on-street disabled car parking space.
- To access the cycle parking at the lower ground level, users would have to walk along a corridor and down a set of steps, with a cycle ramp. A condition was in place to approve the details of the cycle storage.
- The refuse storage would be shared by residents and the A1 unit. The contribution of £20,000 towards a loading bay had addressed Veolia's concerns.

- A tenant had not yet been secured for the A1 unit.
- Policy ED10(d) was not breached as some retail space would be retained. Officers had worked with the applicant to maximise the amount of retail space as the initial application had been wholly residential.
- Six people were currently employed on the site, whereas nine would be employed in the new development.
- The local centres of Brixton and Stockwell were within 400 metres of the site.
- The viability assessment had been considered several times by BNP Paribas and the contribution of £38,000 was deemed appropriate. The viability assessment had been based on the lapsed approval granted in 2016. There would be a review mechanism for the financial contribution.
- The permission granted in 2008 did not include any affordable housing provision, as it was not then required in policy.
- It was the opinion of officers that the provision of family sized units had been maximised given the constraints of the site.
- Achieving an acceptable design had been difficult due to the differing architectural styles and massing of historic and modern neighbouring buildings. The stepping up of the building's height mediated the height differences and the horizontal banding accentuated the details of the listed buildings.
- The potential use of the ground floor commercial unit for A2 use had not been considered, and could not be considered at this stage.
- The proposal did not have any more of a detrimental effect than the existing neighbouring modern building. The application would be a positive contribution to the streetscape.
- According to official figures, the child yield of the development would be two.

[At 22:00 the Committee elected to proceed with the meeting for a further 45 minutes in order to conclude the remaining matters of business.]

The Committee considered information provided by officers and the applicant in conjunction with the report before making the following observations:

- The proposal did not look appropriate next to a listed building.
- The anticipated child yield appeared unlikely to be correct and the provision of children's playspace was inadequate.
- The justification for the reduction in A1 retail space was not clear.
- It appeared unlikely that a development with 24 units would not be able to support any affordable housing.
- The application complied with policy ED10 as there some retail

space was retained.

- The shortfall in playspace was relatively small and a refusal on that shortfall would be difficult to justify.
- The site was constrained and design officers had worked to achieve a high quality design.

It was MOVED by Councillor Simpson, SECONDED by Councillor Seedat, and

RESOLVED, by five votes for to one vote against

1. To GRANT planning permission subject to a Section 106 Agreement and the conditions as outlined in the officer's report and published addenda and the following:
  - i) A condition requiring that work on the children's playspace shall not commence until details have been provided and approved.
  - ii) A condition stating that no piling shall take place until a piling method statement has been provided.
2. To delegate authority of the Director of Planning, Development and Transport to:
  - Finalise the recommended conditions as set out in this report; and
  - Negotiate, agree and finalise the planning obligations as set out in this report pursuant to Section 106 of the Town and Country Planning Act 1990.
3. That if the Section 106 Agreement is not signed within 4 months of this Committee the Director of Planning, Development and Transport be given delegated powers to consider refusing the application in the absence of a legal agreement.

## **7. PLANNING APPEAL AND ENFORCEMENT DECISIONS APRIL 2017**

The Committee noted the outcome of appeal decisions and thanked officers for their work.

### **CLOSE OF MEETING**

The meeting ended at 10.10 pm

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 19 September 2017

Date of Despatch: Wednesday 13 September 2017

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