

PLANNING APPLICATIONS COMMITTEE

Tuesday 5 March 2019 at 7.00 pm

MINUTES

PRESENT: Councillor Ben Kind, Councillor Jessica Leigh, Councillor Marianna Masters, Councillor Becca Thackray, Councillor Clair Wilcox (Chair) and Councillor Timothy Windle

APOLOGIES: Councillor Joanne Simpson

ALSO PRESENT:

1. **DECLARATION OF PECUNIARY INTERESTS**

With regard to application 18/05029/FUL (Land Adjacent to Southwark Underground Station), Councillor Ben Kind stated that he had met with TfL when he was a Councillor for Bishops and had a pre-determined view on the application, so would withdraw from the Committee for consideration of the application.

Councillor Ben Kind stated that when he was a Councillor for Bishops, he had met with the applicant for application 18/03890/FUL (Lambeth Methodist Mission) about how they could meet and consult with the community. He did not talk about the merits of the application with the applicant and did not have a pre-determined view.

With regard to application 18/03890/FUL (Lambeth Methodist Mission), Councillor Becca Thackray stated that she had been in contact with the applicant on matters within her ward, but had not discussed the application.

2. **MINUTES**

RESOLVED: That the minutes of the previous meeting held on 12 February 2019 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. **LAND ADJACENT TO SOUTHWARK UNDERGROUND STATION, GREET STREET (BISHOPS) 18/05029/FUL**

Councillor Ben Kind stood down from the Committee for the duration of this item.

Case No. 18/05029/FUL (agenda item five, page 143 of the agenda pack and page 9 of the second addendum).

The Planning Officer explained that following publication of the agenda, Members had requested additional information regarding pedestrian footfall. This had been received from TfL and would require further analysis from officers and further public consultation.

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

RESOLVED, unanimously

To defer consideration of the application.

**4. LAMBETH METHODIST MISSION, 3-5 LAMBETH ROAD (BISHOPS)
18/03890/FUL**

Case No. 18/03890/FUL (agenda item seven, page 275 of the agenda pack, page 17 of the addendum and page 16 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 March 2019 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 and erection of a 1/4/12 storey building with church, hotel and ancillary café/bar uses, the land use principal of 137 bed hotel, the relationship and distances between the site and its neighbours with regards to amenity, the design and materials proposed. Members were shown images of the site, its context, nearby heritage assets, maps of the CAZ and Opportunity Areas, location of visitor accommodation in in the Waterloo area and wider area, existing and proposed hotels in Lambeth, proposed, elevations, materials, floorplans and proposed views of the site. The principle of 137 bed hotel use was not supported in policy. The Waterloo Opportunity Area was to the north of the site and the CAZ boundary was located along the centre of Lambeth Road. A summary of the approach taken within London Plan Policy 4.5(A)(c) and Lambeth Local Plan Policy ED12 to directing new visitor accommodation to appropriate locations was provided. Local Plan Policy ED12 stated that 'smaller scale' hotels would be supported outside the Central Activities Zone (CAZ), Opportunity Areas and Brixton and Streatham town centres where public transport accessibility levels were 'good' Level 4 or above. The hotel would be the second largest in the borough outside the CAZ, Opportunity Areas or town centres. It was officers' view that the hotel element of the application did not accord with London Plan or Local Plan policies, and that the hotel would not be 'smaller scale', so were recommending that Members refuse the application. Members viewed samples of the proposed materials with the Conservation and Design Officer.

The applicant and supporters then provided the following information in support of the application:

- The need for community work was increasingly important due to the impact of austerity, youth violence and loneliness. Lambeth Mission had a 150-year history of working with the community in the area.
- The site was 3 metres from the boundary of the CAZ.

- Without redevelopment, the church was in danger of closing down as the building was unsafe.
- The Mission did not have any community space at this site.
- The Mission was inclusive and welcomed all members of the community.

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

- Policy EN1 stated that in an area of open space deficiency, on-site open space needed to be provided.
- The number of hotel rooms that would be provided was greater than the median number of hotel rooms Lambeth and officers therefore considered it to be a medium-sized hotel. Members were directed to paragraph 10.39 of the PAC report which was read out by officers regarding the London Plan's definition of 'strategically important' hotels, a level which a small number of Lambeth hotels met.
- The amenity space would be on the communal roof garden on the roof of the single storey element. It would not be accessible from the hotel, and screening would be erected between the hotel and the amenity area to ensure the privacy of users.
- The coach pick-up and set-down point was on Lambeth Road, adjacent to the Imperial War Museum, and was an existing facility.
- Access to the hotel would be through a passage off Lambeth Road. The upper floor windows of International House that faced the passage were largely bathrooms and had obscured glazing, with the exception of one habitable room window on the ground floor.
- TfL had recommended a contribution of £10,000 for Legible London signage to aid wayfinding that would be secured through the s106 Agreement and conditions if Members granted planning permission.
- Details on controlling odour and fumes from the restaurant and café had not been provided but would be required by condition if planning permission was granted.
- At the pre-application stage, a proposal that included student housing on the site had been suggested, but this was not pursued further by the applicant.
- The local context was varied in height and style, with Georgian, interwar and post-war buildings in the vicinity. There would be no impact on the setting of Lambeth Palace or on views from Westminster. Officers considered the change in the view from the conservation area to be acceptable.

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

- The principle of the application was positive, with the securing of community use particularly welcome.
- The impact of the hotel use on local residents, as well as the contribution towards the area becoming more transient, would have a negative impact on the area.
- Members were not convinced that the need for community space could overcome the officers' reasons for recommending refusal.
- There were potential issues with Policy ED12 (a) (i) regarding space for coach and taxi pick-up and set-down.
- Some Members raised concerns regarding the height of the proposal, particularly from the conservation area facing north.

- The design was well thought through and was respectful of the context.
- Some Members expressed concerns regarding the relationship between the proposal and the neighbouring International House.

The Legal Officer advised Members that they could not reject the application because they considered that a use other than a hotel would be preferable, and that each application had to be judged on its own merits.

It was MOVED by Councillor Leigh, SECONDED by Councillor Windle, and RESOLVED, by five votes for to one against

1. To REFUSE planning permission in line with officers' recommendations for reasons as outlined in the officer's report and addenda with authority given to the Assistant Director of Planning, Transport and Development to amend the wording of the reasons for refusal to make them clearer and the following:
 - i. The proposal would not meet Local Plan Policy ED12 (a) (i) regarding coach and taxi set-down.
2. If there is a subsequent appeal, delegated authority is given to the Assistant Director of Planning, Transport and Development, having regard to the heads of terms set out in this report, addendums and/or PAC minutes, to negotiate and complete a document containing obligations pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to meet the requirement of the Planning Inspector.

5. THE CRICKETERS, 17 KENNINGTON OVAL (OVAL) 18/00338/FUL

Case No. 18/00338/FUL (agenda item three, page 3 of the agenda pack, page 1 of the addendum and page 1 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 March 2019 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the development of the pub, the provision of residential units with seven affordable units, the relationship with the Oval Gasholders site, the previous application that was refused in 2016 and the planning obligations. No viability assessment had been conducted as the proposal met the Mayor of London's 'fast track' approach for affordable housing. Members were shown images of the existing site, its context, proposed floorplans and elevations. The height of the proposal had been reduce by one storey in response to officer and public comments.

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

- The plan for diamond windows in the previous application had not been replicated in this proposal as it was considered too complex. The cruciform detailing in the balconies would provide the visual link to the gasholders.
- The roof would have a solid element within the structural glass exterior. There would be a curve to the glazing to soften the building shape.

- Photovoltaic panels would be provided on the roof.
- The development would not meet the expected 35% emissions reduction, but the Mayor of London's energy hierarchy had been applied. A zero carbon payment had been secured, which would be allocated towards energy efficiency schemes.
- The site was not an appropriate size to have Combined Heat and Power (CHP). An informant requested the applicant to engage with the developer of the Gasholder site on the possibility of signing up to the CHP there.
- Housing was responsible for enforcing parking on Council housing estates.
- Up to three HGV movements per day associated with the development were expected. HGV movements had not been provided in the transport assessment.
- Kennington Park was a seven minute walk from the site. On-site playspace would be provided for under-5s, although each flat would have private amenity space, and older children could make use of the communal amenity space.
- There were a number of conditions relating to noise to ensure that the pub could provide live music as had been done in the past. Licensing would also be able to attach noise conditions, and there were review mechanisms for a premises licence if those conditions did not adequately control the noise. Appropriate sound systems would be used.
- An electricity substation was necessary due to the power network upgrades associated with the development. UK Power Networks required that an entrance to the sub-station be provided to allow access in the event of power failure.
- The smoking area for the pub would be on Clayton Street. This was considered to be the least harmful location and officers did not envisage it impeding pedestrian flow. However, when a pub operator was identified, the smoking area could be moved.
- There was a brick wall between the site and the access road to the Reed House car park. The Customer Management Plan required that barriers around the smoking area be provided. Members could add a condition requiring a low wall or guard rail between the site and access road.
- A remediation strategy was secured via a pre-commencement condition in the event of issues of contamination.
- Shrubs would be used to separate the private amenity space and communal amenity space for the affected flat. This would provide privacy without increasing the sense of enclosure.

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

- The proposal would restore a long-unused site and would maintain pub use.
- Some Members expressed concerns regarding residential amenity, particularly for residents of Clayton Street. Outdoor seating for the pub would be permitted until late and there were potential issues of unauthorised parking.
- Other Members felt that negative impacts of the development could be controlled through the Customer Management Plan and the Licensing regime.
- The design was of a high standard.

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

RESOLVED, by five votes for to one against

1. To GRANT planning permission subject to a Section 106 Agreement and the conditions as outlined in the officer's report, published addenda and the following:
 - i. An informative to Condition 41 requesting that the smoking area be located where it will not harm the amenity of residents of Reed House.
2. Agree to delegate authority to the Assistant Director of Planning, Transport and Development to:
 - a. Finalise the recommended conditions as set out in the draft decision notice at Annex 1 of this report, addendums and/or PAC minutes; and
 - b. Negotiate, agree and finalise the planning obligations as set out in section 20 (paragraph 20.3) of the report, addendums and/or minutes pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
3. In the event that the Section 106 Agreement is not completed within three months of committee, delegated authority is given to the Assistant Director of Planning, Transport and Development to refuse planning permission for failure to enter into a section 106 agreement to secure the planning obligations identified in section 20 (paragraph 20.3) of the report, addendums and/or minutes.

6. 17 BELLEFIELDS ROAD (FERNDALE) 18/04311/FUL

Case No. 18/04311/FUL (agenda item six, page 219 of the agenda pack, page 7 of the addendum and page 11 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 March 2019 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 and erection of a 3/4/5 storey building with office and restaurant/bar use, the unimplemented planning permission from 2013 and 2015, the acceptable impact on daylight and sunlight and the amenity impact on neighbouring properties. Members were shown images of the site and its context, views to the site and images of the proposal.

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

- Although Bellefields Road was near the centre of Brixton, it was a quiet road. Noise from Brixton Academy was limited, whereas the proposal would be used daily.
- The nearby Canova Hall restaurant had recently opened and there had been issues with noise. It was likely that the restaurant associated with this application would have similar issues.
- There were issues of streets urination, litter and anti-social behaviour, with increases since Canova Hall opened.
- Stockwell Avenue was partly pedestrianised, but private hire drivers

regularly drove along it to reach Canova Hall. There were then impacts on congestion in Bellefields Road.

- Objectors wanted to know where the smoking area would be located.
- There were already issues surrounding parking on Bellefields Road, and the application would exacerbate them.

The applicant and agent then provided the following information in support of the application:

- The section of Stockwell Avenue that the application site was on was commercial in character, and the site was within the Brixton major centre and primary shopping area.
- The restaurant/bar entrance would be on Stockwell Avenue, as far as possible from Bellefields Road. There would be a lobby to prevent noise escape.
- The proposal would remove the alcove mentioned by objectors that was used for street urination.
- The applicant had made significant investments in Brixton, and schools and community groups used the applicant's other building. The need to respect neighbours was emphasised to visitors.
- The office element application would provide space for start-ups and the restaurant element would support other uses in the building.

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

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

- Conditions would restrict seating areas for the restaurant/bar element.
- The pedestrianized part of Stockwell Avenue allowed vehicle access for servicing and the Blue Star House car park, so access could not be removed completely.
- The surface of Stockwell Avenue indicated that it was a 'shared space' for vehicles, cycles and pedestrians.
- As part of the application, a loading bay would be created on Bellefields Road, with the intention of reducing delivery vehicles on Stockwell Avenue. Use of the loading bay would not be restricted to the application site.
- Any changes to Stockwell Avenue to make it less attractive for servicing and private hire vehicles would be separate to the application.
- 10-11 vehicle movements for servicing were expected as part of the application, so further interventions through the s106 Agreement or through s278 could not be justified.
- The Design out Crime officer had stated that the application could meet Design out Crime requirements. Measures to reduce anti-social behaviour would be part of the Visitor Management Plan.
- Waste storage would be on the ground floor and would be accessed from Bellefields Road. There would be daily collections due to the waste from the restaurant use. Conditions required bins to be returned to the store and for precise collection times to be set.
- There were 140 expected employees for the office space, and 164

covers for a restaurant or 320 covers for a bar. Officers were confident that Stockwell Avenue would be able to accommodate the increase in pedestrians.

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

- The design was of a high standard, with a good quality of materials.
- The provision of office space, particularly for start-ups, was positive.
- The active frontage on Stockwell Avenue could complement the area and could provide surveillance to prevent anti-social behaviour.
- The application raised the need to look more widely at the use of Stockwell Avenue, but that could not be done as part of this application.
- Stringent conditions would be needed to prevent an undue impact on neighbouring residents. The restriction on the use of the roof terraces was welcome and reflected the office use of the upper floors.

The Assistant Director for Planning, Transport and Development stated that the Committee could require that details of the condition regarding the Customer Management Plan come back to Committee for approval, but needed to consider whether this would be proportionate to the size and type of application.

It was MOVED by Councillor Kind, SECONDED by Councillor Thackray, and

RESOLVED, unanimously

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. Condition 25 to be amended to encourage the use of sustainable modes of transport
 - ii. An informative to explore the addition of CCTV to achieve Secure by Design objectives.
 - iii. An informative requesting that the Customer Management Plan be developed in consultation with Ward Councillors
2. To delegate authority to the Assistant Director of Planning, Transport and Development to:
 - a. Finalise the recommended conditions as set out in the report, addendums and/or PAC minutes; and
 - b. Negotiate, agree and finalise the planning obligations as set out in the report, addendums and/or PAC minutes pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended).
3. In the event that the Section 106 Agreement is not completed within six months of committee, delegated authority is given to the Assistant Director of Planning, Transport and Development to refuse planning permission for failure to enter into a section 106 agreement for the mitigating contributions identified in the report, addendums and/or the PAC minutes.

7. KING'S COLLEGE HOSPITAL (HERNE HILL) 18/04058/VOC

Case No. 18/04058/VOC (agenda item four, page 95 of the agenda pack and page 5 of the second addendum).

Members agreed that the officer's presentation was not required.

The applicant then provided the following information in support of the application:

- The application sought permission for 24 hour operation of the helipad.
- Permission for the elevated helipad had been granted in 2013, and the helipad had been operational since 2017. Since then, over 450 severely injured patients had been received by air.
- One complaint had been received, relating to a landing in Ruskin Park.
- It was estimated that there would be 1.6-1.8 additional landings per week.
- The applicant had a charitable grant to fund the operation of the helipad for 12 months.
- The noise levels and frequency would meet World Health Organisation recommendations.
- The application would ensure that patients could

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

- After the initial one year permission, any new application would be considered by the Committee, and evidence such as flight logs and complaints would be expected. The one year permission was a trial period, and longer applications would be for longer periods. The other helipads in London at Royal London and St George's had permissions for five years.
- Leeds and Southampton had 24 hour helipads. London was the only capital city in western Europe without a 24 hour helipad.
- The use of helicopters reduced the time taken to arrive to hospital. This was particularly critical in cases where the patient was further away from the hospital and severely ill or injured.
- Officers expected residents making complaints to approach either the Council or the hospital. Condition 9 in the second addendum required the applicant to provide a log of all complaints at the end of the permission period. If a future application was made, a new public consultation would be done. LB Southwark had been consulted during this application but had not provided comments.
- The hospital had a dedicated complaints phone number. When complaints were received, the hospital was able to check flight logs to verify if the helicopter was associated with the hospital.
- If 24 hours operation was approved, there would be no advantage to land in Ruskin Park. Ruskin Park was an approved landing spot and was used by police and army helicopters.
- The Civil Aviation Authority set regulations on conditions that helicopters could fly.

The Assistant Director of Planning, Transport and Development advised that Condition 4 be amended to remove "without the permission in writing of the Local Planning Authority".

It was MOVED by Councillor Kind, SECONDED by Councillor Masters, and RESOLVED, unanimously

To GRANT planning permission subject to the conditions as outlined in the officer's report and published addendum and the following:

- i) An amendment to Condition 4 to remove "without the permission in writing of the Local Planning Authority".
- ii) An informative requesting that officers liaise with LB Southwark in order to collate complaints.
- iii) An informative requesting that King's College Hospital add specific reference to complaining about helicopter noise on the website's complaints page.

8. APPEAL AND ENFORCEMENT DECISIONS OCTOBER 2018

Members thanked officers for their work defending Council policies.

CLOSE OF MEETING

The meeting ended at 10.30 pm

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 23 April 2019

Date of Despatch: Monday 18 March 2019

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