

## PLANNING APPLICATIONS COMMITTEE

Tuesday 26 November 2019 at 7.00 pm

### MINUTES

- PRESENT: Councillor Nicole Griffiths, Councillor Ben Kind, Councillor Joanne Simpson (Vice-Chair), Councillor Clair Wilcox (Chair) and Councillor Timothy Windle
- APOLOGIES: Councillor Scarlett O'Hara, Councillor Malcolm Clark and Councillor Becca Thackray
- ALSO PRESENT: Councillor Jennifer Brathwaite and Councillor Mohamed Jaser

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

There were none.

#### 2. **MINUTES**

RESOLVED: That the minutes of the previous meeting held on 5 November 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. **ASHMOLE HOUSING ESTATE (OVAL) 19/00744/FUL**

Case No. 19/00744/FUL (agenda item 3, page 5 of the agenda pack, page 17 of the addendum and page 1 of the second addendum).

The Assistant Director of Planning, Transport and Development, explained that notification letters for the Ashmole Housing Estate application had not been sent to interested parties due to a miscommunication between officers. Therefore, he recommended to the Committee that the application should be deferred, as it would not be appropriate to proceed without interested parties having had the opportunity to be present and to participate. It was hoped that the application would be able to be considered by the Committee before Christmas ideally on 17 December 2019.

The Chair proposed in the light of officers' advice to accept officers' recommendation for the application to be deferred as indicated above.

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

**RESOLVED**, unanimously

To defer consideration of the application.

**4. LAMBETH COLLEGE VAUXHALL CENTRE, BELMORE STREET (STOCKWELL) 19/02643/OUT**

Case No. 19/02643/OUT (agenda item 4, page 71 of the agenda pack, page 21 of the addendum and page 3 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 22 November 2019 and the day of the meeting. Members were advised of the key material planning issues for consideration noting that the application was a 'hybrid' planning proposal for the site comprising both detailed and outlined aspects for approval and which aimed to support the staged redevelopment of the site in four separate phases. The first phase included delivery of Block A (Nine Elms STEAM Centre) to support science technology, engineering, arts and maths courses; a new high-quality public realm (referred to as a City Square and College Street) including highway improvements on Belmore Street; and cycle and disabled parking. Since publication of the report, the description of the student accommodation units had been amended to be described as 272 student bed spaces. The Lambeth College site fell within the Vauxhall Nine Elms Battersea Opportunity Area (VNEB OA). The outline element to the 'hybrid' application comprised of Blocks B, C and D which will be delivered in phases 2, 3 and 4 respectively. The rationale for the application was set out noting that main vehicular access will be from off Belmore Street with no access from or onto Thorparch Road. The building exceeded the baseline targets for carbon reduction (currently 35% in the Policy) and BREEM excellence was aimed for across all non-residential elements of the site. A commitment existed to connect to the Embassy Quarter Heat Network when available. The strategic aim of the college for the redevelopment was also shared by the Council and forms one of its core planning aims, which seeks to support the centre of excellence within high quality educational buildings in order to attract the best talent into the borough. Therefore, in principle, the proposals for an education led and mixed use redevelopment was considered acceptable.

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

- Patmore Estate, despite having 127 units within Lambeth, had not been considered.

- Enquiries pertaining to the Traffic Management Plan and the increased height from 14 to 20 storeys for Block C had been made on 14 March 2019, but no response from planning officers had been received.
- Both sides of Belmore Street had double yellow lines with a section of that road reserved for resident permit parking. Tenants would have difficulty getting out of their parking spaces. Therefore, the current traffic plan would not be suitable and should be reconsidered.
- The information provided was not complete and was inconclusive and contradictory.
- The overshadowing diagrams had been truncated and failed to demonstrate other areas which would have an impact on around 600-700 homes.
- The traffic assessments gave only a small and unlikely number of cycle movements.
- The evaluation of impacts, for example, visual impacts had been made subjectively.
- The assessment made was subjective on amenity impact and on sunlight and daylight.
- Comparison to a previous withdrawn submission had been included which was irrelevant.
- The application failed to reflect the significant impact on the parklet maintained by the community.
- In terms of the process, few people were aware of the nature of development proposed or the formal planning consultation process.
- Wandsworth did not support the proposal.
- The impact on views would pose significant harm to residents.
- The report was misleading and the GLA did not support the cycle parking element.
- The consultation process had been inadequate, misleading and insufficient engagement undertaken with residents.

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

- A vision existed to provide further education in Lambeth which was important and vital. It provided a lifeline for people that live, learn and work in Lambeth.
- An ambitious vision existed for technical education that would support the growth in jobs for Lambeth residents.
- Further education transformed lives and there was a need to ensure that first class educational facilities were available.
- Further education offered opportunities for people to be trained and re-trained, as a school setting did not work for everyone.
- Adults and young people would be able to access a wide range of training and technical education.
- The new centre at Nine Elms was absolutely vital to supporting that growth and development in Lambeth.

- The old campus at Vauxhall was no longer suitable to provide further education.
- The college received £20m grant funding from the Mayor of London to support 50% of the cost. It was hoped to complete construction of the STEAM Centre by September 2021 to meet the Mayor of London's funding condition.
- The decision had been taken to bring together the whole site (including Blocks B, C D) at the same time, as a result of four consultation events held for residents and local people.
- The planning permissions for use of Blocks B, C and D were in outline form to allow detailed plans that reflects the college's new curriculum strategy to come back to Committee in 2020.
- The concerns raised pertaining to the height of Block C had been recognised and acknowledged at the four consultation events held. However, the inclusion of Block C was vital to the funding and delivery of the wider public benefits associated with the new educational buildings.
- The three educational buildings together would create a centre of technical excellence in Lambeth for further education fit for the 21<sup>st</sup> century.
- A draft Construction and Environmental Management Plan was submitted with the planning application and discussions with planning officers pertaining to the plans had been held. Two conditions (12 and 13) covered the management plan and construction logistics which must be agreed before work commenced on site.
- Overall, the proposals put forward were considered acceptable with considerable thought given during discussions with the Council.

Councillor Mohamed Jaser then spoke as Ward Councillor for Stockwell Ward, stating the following:

- He had agreed to support Stockwell residents and listen to their concerns and objections regarding the Lambeth College development, which had also been outlined in a signed petition.
- Although at each review process the building height had been reduced, the 20 storey height still remained a concern for residents.
- The height of the Tower block (Block C) would lead to overlooking, loss of privacy, lack of sunlight, prevention of use of the outside garden space and affect the health and well-being of the local community.
- Many people purchased their homes to enjoy the outside space which would be affected if the Tower was to proceed.

At 7.40 pm, the meeting was adjourned for members and the Design Conservation Officer to view the model of the proposed development. The meeting resumed at 7.44 pm, where the Design Conversation Officer explained the arrangement of outline and detailed aspects with reference to the model and how each element related to its surrounding built context.

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

- The student uses for the development were considered to amount to a Sui Generis use as opposed to a residential (C3) use and planning permission would be required if an alternative use were sought or embarked upon.
- The student accommodation would be available for other education providers to use. The applicant clarified that the student accommodation in Block C would be managed by London South Bank University (LSBU). This would allow the LSBU and South Bank Colleges to maintain control of the entire public realm and open spaces on the site. Most students would be local people who lived locally.
- The Lambeth Tall Building Study had been produced to inform the evidence base of the emerging Lambeth Local Plan and Policy Q26 was the tall buildings policy in the Local Plan, which clearly sets out the policy test for tall buildings. Officers considered that the policy was complied with in this case.
- A short explanation of the Vauxhall Nine Elms and Battersea (VNEB) Opportunity Area Planning Framework (OAPF) guidance was given including a confirmation that officers consider that it does not preclude tall buildings from being developed in the application location.
- The policy had priority over guidance and OAPF was post-dated by the Lambeth Local Plan.

Officers then showed the key local views to the Committee that had been assessed pertaining to the application. Officers advised Members of the terms of the information from the GLA stage 1 response regarding the massing and height which demonstrated that the GLA supported the 20-storey building.

The applicant provided a response to the point raised by the Committee pertaining to height by stating that when the design proposal for the Tower was initially presented at the first consultation meeting, a 24-storey block was proposed. However, following concerns raised and at the next two consultation events, it was agreed that the Tower should be reduced from 24 to 20-storeys as now included in the current application. Officers further clarified the rationale for the building height was the viability of the scheme and to enable the applicants to make a significant investment and redevelopment of the site. This also offered the opportunity to enhance the education offered at the site. Officers had robustly tested the heights and environmental impact of that height, impact on neighbours and concluded that the impact would be of an acceptable level.

In response to a question from Members a representative of the Council's external advisors (Shroeders Begg Associates) outlined the impact on daylight and sunlight levels received by particular existing residential premises.

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

- Potentially another tall building in the area could arise if the policy test in Q26 passed. However, a tall building could not be built in close proximity, as there was a need to consider overshadowing/servicing issues that can arise.
- The application was supported by a Wind Micro-Climate Assessment which identified approximately 12 areas where wind speeds exceeded the Lawson Comfort criteria. The applicant's Consultant Wind Assessor had identified various mitigation to address those issues. The Council's Consultant Wind Assessor determined and recommended to officers that the matter be looked at further during post application stage. An appropriate condition (no. 32) was included in the report.
- It was very common with tall buildings that issues with wind speeds may occur due to its size. At the detailed design stage, mitigation would be integrated into buildings, such as planting, banner posts and screening in some locations could assist to deflect the wind. Further details would be explored through the design process should the outline scheme be approved.
- Regarding sunlight, 38 individual neighbouring amenity areas had been tested at 21 March equinox of which four had reductions exceeding 20%.
- In terms of daylight impact on properties on Nos. 202-230 Wandsworth Road, 27 flats (21 kitchen diners and six bedrooms) were found to be adversely impacted. Eight rooms had the greatest adversity. However, considering the amount of rooms that had been reviewed, this was considered as only a small percentage.
- Very few flats were dual aspect in the building. Very minimal reductions to the mid- section flats were seen, as they effectively met the relevant target criteria
- The draft Construction Environmental Management Plan specified vehicular potential routes would be conditioned. Further details would materialise when the contractor had been appointed. Currently, all vehicles would come via the Transport for London Road network as far as Battersea/Vauxhall using Wandsworth Road and turning into Belmore Street. No residential streets would be used for construction vehicle access.
- The draft Construction Environmental Management Plan showed that all construction access except for Block B would use the new access point at the end of Belmore Street. In terms of suitability for that access all construction vehicles would be overseen by a banksman and no reversing would be allowed over the public highway. Large vehicles would also be able to access the site.
- Having the main access route through the middle of the application site would give the best access to those buildings which was better than the Brooklands Passage route.
- As the student accommodation (Block C) was only in outline stage,

no details pertaining to deliveries, concierge or drop off-facilities for parcels etc had been decided but officers would expect to see this coming forward as a detail at the post planning stage (see recommended condition 33).

- Access to the site would be controlled by bollards and mopeds would be prevented from entering the site at the northern end but the southern end was still to be decided.
- The Northern Line Extension would include a new station at Nine Elms.
- The applicant proposed to make 202 cycle spaces for the 272 beds available. An additional 70 spaces would become available if required and would be monitored through the cycle management plan secured by recommended condition 34.
- The development was expected to be completed in phases. The applicants confirmed that a contractor had already been appointed under a pre-contractor services agreement to commence construction of Block A should planning permission be granted. The work would commence in early Spring 2020 to be completed by the September intake in 2021 to meet funding requirements of the GLA. The Estate Strategy developed by the college had been formally adopted and construction of the other educational elements would commence when funding became available and should be completed within five years.
- The applicant would seek to deliver the first part of the scheme and at the same time seek reserved matters for the latter parts of the scheme, if planning permission was successful. No mechanism existed in planning that the applicants must deliver the development within a certain period.
- Although the public realm aspects of the scheme were part of the full application, it was hoped to deliver it as part of the first phase of the development. The detailed terms of the Section 106 agreement, subject to final negotiations, could potentially state that the applicant could not commence a later phase of the development until the first phase of the public realm had been delivered. However, the final wording would be agreed through negotiations with the applicant.
- No further information was available regarding further improvements to the junction at Belmore Street and Wandsworth Road, as no negotiations with the Council's Highway Engineers had been held.
- A student scheme when presented had to be associated with a higher educational institute, in this case, LSBU. In addition, the applicant was providing 35% of the student bed spaces at affordable rent to be as defined through the Mayor's Housing SPG and Housing Annual Monitoring Report. A formula was used which reflected the annual rental cost for purpose-built student accommodation in London at reduced rents to ensure they were affordable to students.

Members referred to a short road behind Wandsworth Road which formed part of the Patmos Estate, technically in Lambeth but delegated responsibility to Wandsworth, that was in very poor condition. Concern was expressed regarding increased traffic on that road and for it to be placed on record that some S106 contributions might potentially be able to go towards improving that road given the likely increase in its use.

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

- Some Members remained concerned with the impact of a tall building indicating that the height and form was not prevalent in the local area.
- Other Members however noted that the Committee had welcomed the opportunity to view details of the design and to understand more about the design code and accepted that the scheme would achieve a high-quality design and were therefore satisfied that the appropriate processes and checks were in place for that to be achieved. It was also noted that reserved matters would come back before the Committee for consideration. Although it was recognised the building would be taller in height than other buildings in the area, some Members did not consider it warranted refusal of the scheme in the light of adopted policy. Concerns existed with daylight/sunlight in some rooms, particularly on Wandsworth Road but having regard to the external specialist advice that had been received it was noted that only a small number of rooms would be affected which was expected for his type of development.
- That the local ward councillors be consulted, in relation to the Construction Management Plan by attaching an Informative.
- Some Members recognised that educationally the development would add a lot to the area but had concerns regarding the appropriateness of the building under Policy Q26 and were convinced that the building would not be appropriate in the area. Concerns were raised regarding siting of access points for both construction and future servicing and the compatibility with the timeline for delivery of the public realm. The indicative documents for the Construction Environmental Management Plan suggested that the road could be widened before the construction of Block A but sought clarification on that point from officers. Concerns were raised regarding the delivery and sighting of the access points, as the proposal for construction traffic to be driven through the development for five years would have an impact on residents, which had not been adequately addressed. Whilst this could be conditioned the view was expressed that, for this type of development regarding the access point, this would not be sufficient.

Officers then provided the following information in response to points raised by from Members:

- Transport colleagues had confirmed it would be difficult for the Council to be definitive at this stage regarding the central access referred to by Members. However, if the application was granted, an Informative could be added asking that details of the Construction Environmental Management Plan to be submitted for approval under condition 12 explores the feasibility of this being the primary access point for construction vehicles.
- Regarding the public realm, the resolution could include a requirement to be captured through the Section 106 agreement that the public realm be provided in conjunction with the delivery of the first phase of the scheme subject to the proviso that the neighbouring phases to be delivered subsequently were not compromised.
- As regards the request that ward Members be consulted regarding the Construction Management Plan, this could be done through an Informative advising those details when submitted, the Council would consult with Stockwell and Larkhall ward councillors.

The Chair advised that the S278 works relating to Belmore Street and Wandsworth Road outside the application site that the increased footfall may be impacting on those areas and this should be considered in future mitigation should be noted in the minutes.

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

RESOLVED, by three votes for to two against

1. To GRANT outline and full details planning permission subject to completion of a Section 106 Agreement containing the planning obligations as listed in the report and subject to 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 also subject to the following:
  - i. An Informative (pursuant to condition 33) that ensures individual deliveries generated as a result of the future student accommodation use in Block C are minimised.
  - ii. An Informative that the Construction Management Plan (CMP) explores the feasibility of providing a principal access point for construction traffic vehicles via the central spine route only.
  - iii. An Informative to ensure that local ward members are consulted in relation to the submitted CMP details prior to its discharge.

- iv. S106 wording to secure provision of the relevant public realm in conjunction with the first phase of development and without compromising the delivery of the later phases.
  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 6 months of a committee resolution, 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 matters as identified in the report, addendums and/or the PAC minutes.

#### **5. APPEAL AND ENFORCEMENT DECISIONS MAY 2019**

Officers confirmed that all recent appeal decisions pertaining to telephone kiosks had been dismissed and the Inspector found in favour of the Council.

Members thanked officers for their efforts in defending decisions. In particular, the appeal for 26 Helix Road which regarded as very contentious, but the Inspector upheld the Committee's decision.

#### **6. APPEAL AND ENFORCEMENT DECISIONS JUNE 2019**

This was discussed under item 5.

#### **CLOSE OF MEETING**

The meeting ended at 10.00 pm

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 3 December 2019

Date of Despatch: Wednesday 18 December 2019

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