

PLANNING APPLICATIONS COMMITTEE

Tuesday 14 June 2016 at 7.00 pm

MINUTES

PRESENT: Councillor Liz Atkins (Substitute), Councillor Malcolm Clark, Councillor Bernard Gentry, Councillor Diana Morris (Deputy Chair), Councillor Mohammed Seedat, Councillor Joanne Simpson and Councillor Clair Wilcox (Chair).

1. **DECLARATION OF PECUNIARY INTERESTS**

There were none.

2. **MINUTES**

RESOLVED: That the minutes of the previous meeting held on 03 May 2016 and 17 May 2016 be approved and signed by the Chair as a correct record of the proceedings subject to the amendments as detailed in the second addendum.

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

3. **363-365 CLAPHAM ROAD (LARKHALL) 16/01229/FUL & 16/01230/LB**

Case No 16/01229/FUL and 16/01230/LB (agenda item three, page 19 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 10 June 2016 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the proposed loss of employment floorspace, affordable housing offer and quality of residential units. Members were also advised to consider the proposed height and bulk of the development along with the impact on neighbouring residential amenity and nearby trees.

Officers confirmed the procedure for submitting written and visual representations to the planning authority prior to the committee meeting. All the information councillors needed to make a balanced decision of the application was included within the officer's report, addenda and presentation.

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

- The garden at 1 Hazelwood Mews was currently secluded and peaceful. The building on the south side of the proposed development would directly overlook the garden and result in a loss of privacy to residents.
- The proposed building would be overbearing on neighbouring properties.
- A number of late amendments had been made to the application and local residents had not been given enough time to fully consider their impact. Residents had also not had enough time to employ a planning consultant to represent them at the committee.
- The building would unduly impact on the level of sunlight and daylight received by the residents at 1 Hazelwood Mews. This contravened Policy Q2 of the Lambeth Local Plan 2015.
- The proposals would have a devastating impact on local neighbouring residents' quality of life and more time was required for further consultation and revision to the plans.
- The gardens neighbouring the site at 361 Clapham Road were particularly special and contributed to the local conservation area. Privacy would be compromised by the proposed development and residential amenity would be effected by office workers and noise from the children's playground.
- The applicant's arboricultural report did not confirm that there would be no damage to local trees. The basement construction was likely to harm tree roots and this would have a knock-on effect for local wildlife and the conservation area.
- The height and massing of the development was significant and would undoubtedly effect the levels of sunlight and daylight reaching 361 Clapham Road.
- There was no precedent for new tall buildings or basement developments in the area and the height of the proposed rear building was not offset by being set back from the property boundaries.
- A development containing 28 residential units and the potential for 120 office workers on site was not consistent with the character of the local conservation area.
- The refuse and waste management issues remained unresolved.
- Planning officers and the Arboricultural Officer needed to visit the site and reassess the impact of the development.

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

- The applicants had worked for over two years to produce a development that would respond well to the local environment and respect the privacy of neighbouring residential properties. Following consultation with residents, fundamental changes had been made to the application and it was not considered that the resulting development would have any undue effect on residential amenity.
- Extensive work had been carried out to ensure the proposals were consistent with the local conservation area.
- The design minimised the level of overlooking on neighbouring gardens and opaque louvers had also been included to this effect.
- No trees would be felled as a result of the development and all

would be protected.

- The existing listed building would be carefully restored.

The Ward Councillor for Larkhall, Councillor Andrew Wilson, then stated the following:

- The garden at 361 Clapham Road was particularly beautiful and its privacy would be compromised by the excessive height and bulk of the proposed buildings.
- The development would have an unacceptable impact on neighbouring residential amenity.
- The permanent retention of the proposed opaque louvers must be secured by condition.
- The health of local trees would suffer as a result of the basement excavation.
- There was a risk that the employment units would be converted to residential accommodation under permitted development.
- The tenure mix cascade strategy would not necessarily result in any social rented units on site. It was likely that all the affordable units would be Intermediate and these could not be considered truly affordable. More affordable housing was required.

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

- The applicant had agreed to develop the office units to turnkey standards. This would appeal to small-to-medium enterprises (SMEs) by making it easier for them to establish on the site. There was clear demand for SME office space in the area and the development was consistent with council policy to retain commercial space in the borough.
- Condition 29 would prevent B1 to residential change of use without planning permission.
- The council had employed a specialist to review the sunlight/daylight assessment submitted by the applicant. They had requested additional information before agreeing that there would be no impacts on neighbouring properties outside of the BRE standards.
- The opaque louvers were one of a number of strategies being employed to protect the privacy of neighbours. The positioning of balconies and perimeter walls would also prevent overlooking. The louvers would allow residents of the proposed development to look up and out, but not down, on neighbouring gardens.
- No balconies had been proposed for the front building in order to conserve the significance and setting of the listed building.
- The council's independent viability consultant (BNPP) noted that there was a high alternative use value for the site and confirmed that the applicant was providing the maximum amount of affordable housing.
- The tenure mix cascade strategy would allow for a six month period of marketing of the affordable housing units to an agreed list of registered providers. If no providers took up the offer in this time, the applicants could revert back to the current affordable housing offer of six Intermediate units.
- Should Members consider it necessary, an informative could be included requesting as much soft landscaping as possible within the

landscaping plan.

- It would be difficult to enforce a condition preventing people from smoking in particular parts of the site, however Members could request that a designated smoking area be provided via a Site Management Plan. The smoking area could be positioned sensitively away from residential units.
- It would be difficult to restrict the amount of people visiting the office units at any one time.
- The retention of the opaque louvers would be required by Condition 15.
- The height of the front building would be marginally lower than the adjoining listed building.
- The council did not give guidance regarding the steepness of the slope that bins would have to be wheeled up for refuse collections. However the gradient would be consistent with the gradients required by other similar planning authorities.
- The applicant had agreed to retain the existing boundary wall next to 1 Hazelwood Mews. This agreement would be secured by condition.

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

- The retention of office space was in line with council policy and was to be commended. The level of commercial space was not excessive and B1 employment units would be compatible with the residential area.
- One Member remained unconvinced about the level of demand for employment units in the area, however other Members were satisfied that there was sufficient demand for this type of office space.
- An additional informative was required to advise the applicant to include as much soft landscaping as possible in the landscaping plan.
- A Site Management Plan should be secured by condition.
- An informative should be included requesting that any designated smoking area within the office outdoor amenity space be sited as considerately as possible from the point of view of the residential occupiers.
- The Site Management Plan should also make reference to the numbers of people using the office amenity space at any given time in order to safeguard residential amenity.

It was MOVED by Councillor Wilcox, seconded by Councillor Seedat, and

RESOLVED, unanimously

To GRANT Planning Permission (16/01229/FUL) subject to a Section 106 Agreement and conditions as outlined in the officer's report and published addenda and the following:

- i. An additional condition requiring a Site Management Plan.
- ii. An additional informative that requests that the Site Management Plan includes a provision that any designated smoking area within the office outdoor amenity space be sited as considerately as possible from the point of view of the residential occupiers and that it contains a

- provision regarding managing the numbers of people using the office amenity space at any given time to protect residential amenity.
- iii. An additional informative requiring that there is as much soft landscaping as possible included in the landscaping plan.
 - iv. That the words 'and returned' are inserted into the waste management condition to ensure the bins are returned to the site on collection day.

The committee also delegated authority to the Director of Planning and Development to:

- Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning and Development considers reasonably necessary;
- Negotiate, agree and finalise the planning obligations pursuant to Section 106 of the Town and Country Planning Act 1990, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms as the Director of Planning and Development considers reasonably necessary; and
- Complete the planning obligations in the officer's report.

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

RESOLVED, unanimously

To **GRANT** Listed Building Consent (16/01230/LB) subject to the conditions as outlined in the officer's report and published addenda.

The committee also agreed to delegate authority to the Director of Planning and Development to finalise the recommended conditions as set out in the report including such refinements, amendments, additions and/or deletions as the Director of Planning and Development considered reasonably necessary.

4. PLANNING APPEAL AND ENFORCEMENT APPEAL DECISIONS - FEBRUARY AND MARCH 2016

The Committee acknowledged the planning appeal and enforcement appeal decisions between February and March 2016 and noted that the planning authority was above the national average for success in defending appeals.

CLOSE OF MEETING

The meeting ended at 20:51.

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 5 July 2016

Date of Despatch: Monday 20 June 2016

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