

PLANNING APPLICATIONS COMMITTEE

Tuesday 21 March 2017 at 7.00 pm

MINUTES

PRESENT: Councillor Malcolm Clark, Councillor Bernard Gentry, Councillor Diana Morris (Vice-Chair), Councillor Mohammed Seedat, Councillor Joanne Simpson, Councillor Clair Wilcox (Chair) and Councillor Sonia Winifred (Substitute)

APOLOGIES: Councillor Nigel Haselden

ALSO PRESENT: Councillor Tim Briggs

1. DECLARATION OF PECUNIARY INTERESTS

In relation to application 15/04274/FUL (Land at Mayfield Close and Rear of 83 – 87 Park Hill), Councillor Bernard Gentry declared that he would take leave from the Committee for the duration of the item as he was registered to speak against the application.

With regard to application 16/05627/FUL (79 Braxted Park), Councillor Clair Wilcox declared that she would absent herself from the meeting and move to another room for the duration of the item as she was the Ward Councillor and knew the parties involved.

2. MINUTES

RESOLVED: That the minutes of the previous meeting held on 28 February 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. 79 BRAXTED PARK (STREATHAM SOUTH) 16/05627/FUL

[Councillor Wilcox vacated the Committee and absented herself from the meeting room for the duration of this item. Councillor Morris acted as Chair for the duration of this item.]

Case no. 16/05627/FUL (agenda item six, page 173 of the agenda, page 11 of the first addendum and page six 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 17 March and on the day of the meeting. Members were advised of the material planning considerations which included the conversion of the building to four self-contained flats and a single-storey extension, the alterations to original features, the impact on the conservation area and the impact on local transport. The application had overcome previous reasons for refusal.

Following the Planning Officer's presentation, objectors raised the following points:

- The second addendum was incorrect and there were 174 signatures on the objectors' petition.
- Government guidance had not been followed as drawings had been inconsistent.
- The application made a mockery of the Leader's letter from 2009 confirming the Streatham Lodge Estate Conservation Area.
- Officers had not followed best practice in areas such as technical appraisals, lighting assessments and parking assessments.
- There was considerable existing parking stress in the area and the application would worsen this.
- The rear extension would be highly visible and would impact on neighbours' privacy.
- The fence boundary, the bin stores and the alteration to the bay window needed to be considered under Article 4.
- The proposal would paint over the pebbledash rendering, which had been in place since 1906.
- The conservation area status had been designated by Cabinet in 2009. In conservation areas, the heritage had to be preserved or enhanced.
- The scheme would be highly visible from the street.
- The orientation of the building would be changed, with the entrance for the majority of the flats being moved from Braxted Park to Strathbrook Road.
- Considerable changes were proposed to the building, despite minor changes on other properties in the area being rejected.
- The conservation area had Article 4 protection, which appeared to have been overlooked.
- The building line would be altered and was therefore inappropriate.
- A petition of over 450 names against the application had been presented.

The applicant then spoke in support of the scheme, stating that:

- There would be minimal change to the outside of the building.
- Materials had been chosen to match original materials, with timber-framed doors and windows to be used. A condition required examples of materials to be provided.
- The objectors' desire to retain the pebbledash could be accommodated.
- The property was very large and four well-sized flats would be provided.

The Ward Councillor, Councillor Danny Adilypour, addressed the Committee, raising the following points:

- Not enough consideration had been given to the conservation area

status and Article 4 protection.

- Officers appeared to have a relaxed attitude towards whether architecture was original and whether the extension constituted an alteration to the site. The title deeds should be checked whether the rear projection was part of the original build.
- The Committee should demand a site visit if it could not reject the application.

In response to questions from Members, officers stated that:

- Article 4 restricted permitted development rights within the conservation area. It did not affect what development would be considered acceptable.
- The Local Plan recommended that three-bedroom properties be maintained as family residences. The building was currently a six-bedroom house and therefore not covered by the policy. Policy H5 (housing standards) did not apply and policy H6 (residential conversions) had been met.
- Every application was considered on its own merits.
- The second addendum included details of how the application had been made acceptable to officers. Skylights in the rear extension had been removed, the side infill extension would be subordinate to the host building, the bay shape would be retained, the side boundary wall would be an appropriate height, a parking survey had been provided and the daylight and sunlight levels would be acceptable.
- Officers assessed the building as if all of the features were original. The concern would be the level of harm to heritage features, not necessarily whether they were original.
- Policy required conservation areas to be preserved or enhanced. The rear extension was less than one metre and replicated the building's features and the infill extension would be subordinate. While there would be some new aspects, they were not considered to be harmful. Aspects deemed to be of interest would be preserved.
- The parking stress survey would have followed the Lambeth methodology, measuring parking stress within 200 metres of the site on two separate weekdays in the evening or at night, when demand was likely to be highest.
- The parking stress survey was conducted on Tuesday 20 September and Thursday 22 September 2016, at 05.00. In the immediate area there was high stress, with occupancy above 85%. Slightly further away there was lower stress, with occupancy at 60%.
- It was anticipated that there would be up to one car per property. One off-street parking space would be retained on-site.
- The car club provider would need to assess whether an additional car club space was required. If a car club space was provided, demand for parking by private cars would likely decrease.
- Although the main entrance for the majority of the flats would change, there would be no architectural change. The view from Braxted Park would be unchanged and the high boundary fence and soft landscaping would minimise the visual impact from Strathbrook Road.
- The measurement of the floor area had been consistent throughout the application.

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

- The diagrams had been highly useful in understanding what was proposed.
- There would be a detrimental effect on a conservation area.
- There was an element of harm, although it was relatively minor and an unfortunate result of policy requiring one family unit in conversions.
- The roof lights were out of place in a conservation area and were not a good fit with the rest of the building.
- The side window was currently PVC-framed, and replacing it with timber framing would be an improvement. While replacing the bay window with a door was not ideal, it was acceptable as the bay shape would be retained.
- The rear extension would alter the building line and would be visible from the street.
- It was not clear that the proposal met policy requirements. The applicant had evidently made efforts to comply with policy.
- Providing a three-bedroom family home and other accommodation was welcome. On balance, it was probable that the level of harm was acceptable, provided that the applicant's offer to retain the pebbledash treatment was accepted.
- The building was in a prominent location and had a particular vista. A substantial change was being proposed to a noticeable building.
- The area was suburban, and was unlike many other areas of Streatham.

It was PROPOSED by Councillor Simpson, SECONDED by Councillor Clark, and

NOT CARRIED, by two votes to four

To approve permission.

It was then MOVED by Councillor Morris, SECONDED by Councillor Gentry, and

RESOLVED, by four votes to two

To reject officers' recommendations and REFUSE permission for the following reason:

The roof lights and the projection of the rear extension would harm the balance of the building. The change in building line would alter the relationship with the rest of the road. The fenestration of the infill extension was inappropriate and should have been designed to mimic the existing fenestration. This amounted to a failure to preserve the conservation area.

4. 41 - 45 ACRE LANE (BRIXTON HILL) 16/03327/FUL

Case no. 16/03327/FUL (agenda item four, page 55 of the agenda, page four of the first addendum and page three of the second addendum)

This item was deferred due to a lack of time and due to concerns that residents had not been adequately notified.

5. LAND AT MAYFIELD CLOSE AND LAND REAR OF 83 - 87 PARK HILL (CLAPHAM COMMON) 15/04274/FUL

[Councillor Gentry vacated the Committee for the duration of the item].

Case no. 15/04274/FUL (agenda item seven, page 201 of the agenda, page 13 of the first addendum and page seven 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 17 March and on the day of the meeting. Members were advised of the material planning considerations which included the erection of two three storey properties, the harm to conservation areas and the lack of compliance with policy Q14 (development in gardens and backland sites). Members were advised that officers recommended refusal of the application.

Following the Planning Officer's presentation, objectors raised the following points:

- They supported officer's findings.
- While it was necessary to maximise provision of additional homes, this had to be done sustainably.
- NPPF guidance was key to backland development. NPPF guidance also advised that previously developed land be used for development.
- The proposal would cause harm to the local area and could create a precedent for similar schemes.
- The design was inappropriate and did not reinforce the distinctiveness of the local area. The size, height and massing was out of keeping.
- The application did not meet policies Q5 (local distinctiveness), Q7 (urban design: new development) and Q22 (conservation areas).
- Properties on Park Hill would overlook the site.
- There was no access to the site from the public highway.

The agent for the application then spoke in favour of the scheme, stating that:

- The site was not garden land and had been severed from Park Hill for over 30 years. It provided little in terms of biodiversity or visual amenity.
- The site was accessible from Mayfield Close and the applicant was in discussion with the Salvation Army to secure access. It was not a backland site.
- The leafy, suburban character of the area was achieved through properties being set back from the highway with front gardens. This proposal would not impact on front gardens.
- The scheme would not be particularly visible from the road and there would not be significant issues of overlooking.
- The scheme would contribute to the evolution of the local area.

The Ward Councillor for Clapham Common, Councillor Bernard Gentry, addressed the Committee, stating that:

- Approving the application would set a precedent for similar schemes in the future. There was a risk that development would spread across the green corridor of the area.
- There was a need to preserve gardens to protect biodiversity and quality of life. There were few areas of the borough with such high

levels of green space.

- The application would have a highly detrimental effect on the area.
- A number of local residents were vulnerable.

The Ward Councillor for Clapham Common, Councillor Tim Briggs, addressed the Committee, raising the following points:

- It was a finely balanced proposal. He had called the application in to the Committee as the applicants had been given conflicting information from officers for four years as they sought to develop a suitable scheme. The scheme had previously been recommended for approval, but new officers were now recommending refusal.
- The applicants had worked to amend the proposal in line with officer advice.
- The Committee had previously agreed to view guidance more flexibly to maximise housebuilding.
- The site was not a garden and had not been used as one for over 30 years.

In response to questions from Members, officers stated that:

- Half of the site was standalone, while the other half was connected to 83 Park Hill. Part of the site was therefore a garden, and part was not.
- The addendum provided a list of conditions should the Committee approve the application.
- A bat survey had not been conducted as it was only possible to do them at certain times of the year. Condition 4 required an ecological assessment.
- Ownership of access was not a material planning consideration. If the application were approved, the applicant would be responsible for securing access.

The committee considered points raised and information provided by officers, objectors, the applicant's representative and Ward Councillors in conjunction with the report before making the following observations:

- The guidance that Councillor Briggs referred to was in regard to extensions, not new development.
- Policy required 70% of the garden to be retained in backland sites, which was not met. The proposal would result in a significant loss of garden.
- There would be an unacceptable impact on the conservation area and the green corridor.

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

RESOLVED, unanimously

To **REFUSE** the application in line with officers' recommendations.

6. 340A CLAPHAM ROAD (LARKHALL) 16/06668/FUL

Case no. 16/06668/FUL (agenda item five, page 99 of the agenda, page five of the first addendum and page four 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 17 March and on the day of the meeting. Members were advised of the material planning considerations which included the demolition of the existing building, the erection of a building up to nine storeys tall, the provision of a café, office space and residential uses, the redevelopment currently underway in the area and the provision of amenity space. Members were shown diagrams displaying the existing and proposed plans, sightlines and floorplans.

Following the officer's presentation, the applicant's representative stated that:

- The application was the result of two years of work, a year of consultation and frequent consultation with Ward Councillors. Where there had been concerns, revisions had been made.
- The proposed development would include family homes and would provide on-site shared ownership housing.
- The application would complete the development of this section of Clapham Road.
- The tenant currently occupying the building was satisfied with the development and would relocate staff to prevent loss of employment.
- New homes and jobs would be provided as a result of the proposal.

In response to questions from Members, officers stated that:

- Discussions were had throughout the application on how to maximise the affordable housing offer. The constrained nature of the site presented issues in providing additional affordable housing, as Registered Providers generally requested a separate access for rented units which would reduce the amount of affordable housing. The level of affordable housing at 19% had been independently verified and the level provided was higher than the amount assessed as viable at 16%. There would be a review mechanism to take into account any uplift in value.
- The possibility of providing a separate core at the front of the building for affordable housing had been investigated. However, it was not suitable and Registered Providers had raised concerns.
- The café unit on the ground floor would activate the frontage and provided connectivity in the site.
- The proposal was a mixed use scheme and complied with policy on retaining employment space. The office space would provide employment space for SMEs and research with local estate agents had demonstrated that there was demand.
- The applicant had won NLA awards for enterprise space at other schemes.
- The application met standards of design excellence. The height of the building had been discussed at length and it had been decided to locate the highest point towards the front of the site, with the rear of the site being closer in height to the neighbouring Notting Hill Housing scheme. The proposal would sit comfortably within the street scene.
- There would be no detrimental impact on nearby heritage buildings.
- The scheme would have grey brick on the frontage and a lighter brick towards the rear of the building, although the precise materials had not yet been confirmed. This would complement the materials of the neighbouring developments. Members could specify the

- colouring of materials through an informative.
- The sharing of the plant between the office and residential uses had been used successfully at other schemes by the applicant. There was sufficient capacity at the site.
- Cooling would be required in the office space and a condition required details of the cooling system to be provided.

[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 points raised by the applicant and information provided by officers in conjunction with the report before making the following observations:

- The application was positive and would provide much-needed workspace for start-ups. It would provide a better use of the land than at present.
- The site was constrained and as a result a number of compromises had to have been made, such as around the quantum of affordable housing.
- Choosing a warmer tone of brick would be ideal. An informative should be added to request that regard is paid to neighbouring buildings when deciding on the materials and the grille should be designed to the highest standards.
- Issues around disabled parking had emerged late in the application and were difficult to accommodate.
- Once the redevelopment of the area, including this application, was complete, there would be a considerable improvement of the streetscape.
- The affordable housing offer was unacceptable, in terms of the number of affordable units and the tenure split.
- Providing employment use and the active frontage of the café was beneficial to the area.
- The informative on materials should also ensure that grilles on the street frontage be designed to ensure a high quality frontage.

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

RESOLVED, by five votes to two

To grant planning permission subject to conditions outlined in the officer's report, the completion of a Section 106 agreement and the following:
Informative to request that regard is paid to neighbouring buildings when materials are selected and that the grille is designed to ensure a high quality frontage.

7. 22 - 25 LOWER MARSH (BISHOPS) 16/06417/FUL

Case no. 16/06417/FUL (agenda item three, page 9 of the agenda, page one of the first addendum and page one of the second addendum)

The agent and architect for the application introduced the application, stating that:

- The application would provide welcome investment and redevelopment of a neglected block, and would be a positive addition to the local area.

- The applicant would work with the Council's officers to ensure that the proposal would be of a high standard and in keeping with the character of the local area.
- The distinct character of Lower Marsh had inspired the design of the application.
- The scheme was designed to be perceived as individual buildings incorporated into the area.
- 27 Lower Marsh had a mansard roof which was able to conceal two floors, which had inspired the design of the mansard roof of the scheme.

In response to questions from Members, officers and the applicant's representatives explained that:

- One of the characteristics of Lower Marsh was the lack of uniformity in the built forms and officers did not want to introduce excessive formalisation or uniformity.
- The current corner building (22 Lower Marsh) was from the 1950s, was different to other nearby buildings and was not attractive. Design and Conservation officers were of the opinion that a brick building with a single tier mansard was appropriate.
- While demolition would not normally be supported, the existing building was not in a good level of repair and there were few original features to preserve. Effort would be made to remove rendering to reveal the original brickwork to retain the historic character.
- The concealed double mansard at 27 Lower Marsh was effective and was similar in style to the proposed balustrade and mansard.
- There would be hotel rooms behind the balustrade and a solid parapet would block light from entering those rooms.
- The application complied with Policy PN1 regarding the level of A1 use.
- All applications had to be assessed on their own merits. The proposal met policy requirements.
- Although there were other examples of ghost signage in Lower Marsh, the signage on this site was not of particularly high value. On other sites in the borough ghost signs had been created on new builds and treated to appear aged.
- The existing façades that were to be retained were rendered, although revealing the original brickwork was preferred.
- The new building at 22 Lower Marsh and the rear elevations would be constructed of brick.
- Ten per cent of hotel rooms would be acceptable for visitors with disabilities, as required by policy.
- The applicant would be required in the s106 agreement to allocate £10,000 to provide one disable parking space.
- Condition 10 required details of materials before construction. Extraction from the commercial units would be through an internal riser and ducting system, which would provide a more aesthetic appearance. There would be no cooking in the hotel.
- The applicant had been in contact with and was due to meet the We Are Waterloo BID to secure training and local employment after construction. The s106 heads of terms could be amended to include employment after the construction period.

The committee considered points raised by the applicant's representatives and information provided by officers in conjunction with the report before making the following observation:

- It was important to try to retain the smaller commercial units on Lower Marsh.
- The meetings with the BID were a positive and development which Members hoped would be successful in bringing local employment in the area.
- Members hoped that the hotel would be upmarket to prevent the area from becoming an area dominated by the night-time economy.
- Creating a different parapet that would still allow views from the hotel rooms would be positive.
- The proposed amendments to the s106 agreement regarding employment and skills provision were of great importance.

It was MOVED by Councillor Clark, SECONDED by Councillor Winifred and

RESOLVED unanimously

To grant planning permission, subject to conditions and completion of a s106 legal agreement.

8. PLANNING APPEAL AND ENFORCEMENT DECISIONS OCTOBER 2016

Members noted the results and thanked officers for their effort in defending the Council's decisions.

9. PLANNING APPEAL AND ENFORCEMENT DECISIONS NOVEMBER 2016

This item was considered with the Planning Appeal and Enforcement Decisions October 2016.

CLOSE OF MEETING

The meeting ended at 10.40 pm

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 4 April 2017

Date of Despatch: Wednesday 29 March 2017

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