

## **PLANNING APPLICATIONS COMMITTEE**

**Tuesday 17 December 2019 at 7.00 pm**

### **MINUTES**

**PRESENT:** Councillor Scarlett O'Hara, Councillor Malcolm Clark, Councillor Joanne Simpson (Vice-Chair), Councillor Becca Thackray, Councillor Clair Wilcox (Chair) and Councillor Timothy Windle

**APOLOGIES:** Councillor Ben Kind

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

There were none.

#### **2. LANSDOWNE WOOD CLOSE (KNIGHTS HILL) 18/03492/FUL**

Case No. 18/03492/FUL (agenda item two, page one of the agenda pack).

The Planning Officer gave a presentation which included a summary of the report. Members were advised of the key material planning issues for consideration. The Officer advised that the inspector's grounds for the dismissal of the appeal for a previous application in September 2017 (17/02012/FUL) had been considered and overcome in this application. The site comprised of a car park, which had 13 spaces for existing residents. The officer noted that Lambeth Highways were unable to enforce any parking restrictions on this road as it was privately owned, therefore a private company would be the only parking enforcement option. This would be necessary to ensure no unauthorised parked vehicles would obstruct refuse and servicing vehicles from entering the location. The two-bedroom units would consist of two storeys when built and would meet Nationally Described Space Standards. The two external staircases to provide access to the lower ground floor units would be reconstructed in accordance with details secured through a condition to be attached to the permission. Two methods of access were presented during the construction period; either a temporary staircase or maintain access to one staircase while the other would be rebuilt. Members were advised that no trees would be felled, and only minor pruning would be necessary. Due to the scheme size, there would be a contribution of £93,468 for the provision of affordable housing offsite. Should a Controlled Parking Zone (CPZ) come forward in the future, the development would be permit free and car club memberships provided.

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

- The original leases and freeholds included rights in respect of the pavement and four parking spaces and the application should therefore be postponed to allow time for lawyers to contest on a civil level.

- Despite maintenance costs being paid, the grounds were in a poor condition.
- A maintenance and management plan for the whole estate was required.
- The development proposal would affect public right of way.

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

- The scheme comprised of five new homes and was carefully designed to meet Council policies.
- Surveys conducted showed sufficient availability of parking spaces within walking distance of the site.
- Cycle parking would be provided to encourage sustainable travel and there were no traffic or transport reasons for the application not to proceed.
- Any civil matters should not affect consideration of the application.

Councillor Jackie Meldrum then spoke as Ward Councillor for Knights Hill, stating the following:

- She accepted the need for a new development but was concerned about the access to the lower-level housing.
- One of the access staircases had collapsed and was in need of repair.
- The scheme was meant to be accessible but did not include a disabled parking space and the closest parking space was up a nearby hill.

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

- The location did not contain a disabled parking place and there was no policy requirement to provide one. The proposed application would be a car free scheme.
- The closest Car Club space was on Royal Circus.
- Due to the scale of the development no contribution to future CPZs was required and the Inspector stated in her appeal decision that there would not be an increase in vehicles substantial enough to result in harm to highway safety.
- The scheme would ensure a safe route at all times for residents during the construction phase and lighting and signage would be secured by a condition. Residents would be kept up to date with access issues during the construction phase.
- Issues surrounding public and private rights of way would not fall within the remit of this decision as it was a private road, which would mean limited enforcement options for the Council. The issues that were raised by the objectors in relation to rights of way would

be a civil matter and not for consideration by the Committee.

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

- The scheme was positive as it would provide refuse collection, the preservation of trees, a Car Club space and a better layout than the previous scheme.
- An informative should be added to the decision notice to encourage dialogue between the existing residents of adjoining properties and applicant regarding the staircase.

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

RESOLVED, unanimously

1. To grant planning permission subject to a Section 106 Agreement, the conditions as outlined in the officer's report and the following:
  - i. An informative relating to Condition 3(f) requesting consultation and dialogue between residents and the applicant about the external staircases.
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.

### **3. ASHMOLE HOUSING ESTATE (OVAL) 19/00744/FUL**

Case No. 19/00744/FUL (agenda item three, page 51 of the agenda pack, page one of the addendum).

The Planning Officer gave a presentation which included a summary of the report and subsequent addendum that had been published on Friday 13 December 2019. Members were advised of the key material planning issues for consideration and noted that the application consisted of two sites. The existing building on the first site on Meadow Road would be demolished and replaced on the second site at Ebbisham Drive, which was currently vacant, where it was proposed to erect six terraced houses and nine flats. The scheme would be 100% affordable housing. The scheme would be of an appropriate scale to surrounding buildings and would have a positive impact on the setting of the Vauxhall and St Mark's Conservation Areas. The proposal would include the replacement of the existing tenants' hall, which would be 27m<sup>2</sup> smaller. A temporary tenants' hall would cover the construction period of the development. There would be a number of conditions to ensure that existing and future residents would not be

disturbed by the noise. There would be some loss of daylight and sunlight, but this was considered acceptable due to the urban character of the area.

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

- The proposal would provide new homes to assist with the council's delivery towards its annual housing targets.
- The applicant had engaged with the local community and received generally positive feedback and support.
- This scheme would deliver 100% affordable housing and residential units would be provided with policy compliant levels of amenity space.

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

- The proposed entrance to the development was at the north end of Claylands Road.
- The low flow fittings were a standard requirement which would result in the use of less water.
- The proposed £7,821 contribution for off-site children's play space could be used for improvement works to the nearby multi-use games area subject to the applicant's agreement and a scheme coming forward for improvements within the Ashmole Estate. This could be secured either through a Grampian condition as the MUGA fell outside the application red line site, or a planning obligation.
- Construction vehicles for site one were proposed to enter and exit from Meadow Road, whereas site two could only be accessed from Ebbisham Drive.
- Details of landscaping, including the planted area between Wisden House and the proposed building at Meadow Road, would be secured by condition.
- There were a range of design typologies in the surrounding area, which allowed the opportunity to be bold and different. The cut-out form would break up the perceived bulk and massing of the three storey buildings.

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

- A Member was disappointed that a replacement MUGA was not proposed.
- Concern was raised on the poor visibility lines at the junction of Meadow Road and Claylands Road.
- Members were pleased with the provisions in respect of affordable housing and the replacement of the tenants' hall.
- Members noted the loss of daylight and whilst some trees would be lost, others would be planted.

- A Member requested that an informative be added about planting externally to counter the loss of lighting.
- A Member requested an informative for the MUGA to be improved.

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

RESOLVED, unanimously

1. To grant planning permission subject to a Section 106 Agreement, the conditions as outlined in the officer's report and published addenda and the following:
  - i. Amendments to Condition 44(f) and the inclusion of an accompanying informative to ensure that the CEMP includes details of hours of construction and measures to address pedestrian safety, including particular reference to the safety of children accessing nearby schools.
  - ii. A condition or planning obligation to secure improvements to the existing MUGA within the Ashmole Estate in place of a financial contribution of £7,821 towards provision off site was to be explored and reported back to the PAC Chair for final agreement
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 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.

**4. HIGGS INDUSTRIAL ESTATE, HERNE HILL ROAD (HERNE HILL)  
18/05425/FUL**

Case No. 18/05425/FUL (agenda item five, page 169 of the agenda pack, and page three of the second addendum).

The Planning Officer gave a presentation which included a summary of the report and second addendum that had been published on the day of the meeting. A verbal amendment to Conditions 15 and 24 were also proposed. Members were advised of the key material planning issues for consideration. In 2015 a mixed use redevelopment scheme comprising 3,633m<sup>2</sup> of Class B1/B2 floor space and 124 residential units was approved and the previous industrial buildings were demolished in 2016. The proposed scheme would consist of four blocks ranging from two to 16 storeys, which would include 4150m<sup>2</sup> of commercial/employment floor space, 134 new homes, of which 66 would be affordable and 68 would be for market. Communal amenity space areas were proposed at second floor

podium level and on the roof of Block C for the use of all residents, which would be controlled by S106 legal agreement. There would be changes made to the brick colour used in the proposal which would help to reduce the visual massing of the development. The scheme proposed four disabled car parking spaces and 313 cycle parking spaces; with 300 long-stay (248 residential and 52 commercial) and 13 short stay (4 residential and 9 commercial) spaces proposed. There would be a play space area of 488m<sup>2</sup> proposed at second floor podium level and communal amenity space of 530m<sup>2</sup> (292m<sup>2</sup> at second floor podium level and 238m<sup>2</sup> on the roof of Block C. Extensive views analysis was undertaken to inform assessment of the impact on strategic and local views and heritage assets. The closest statutorily listed building was approximately 230m away, Ruskin Park was approximately 300m away and Loughborough Park Conservation Area was 116m at its closest point. Images were shown of views of the site and proposed materials in the local context. There were no residential properties with directly facing habitable room windows that would be less than 20 metres from the proposed site. Existing residential properties would be approximately 35 to 68 metres away from the development. The completed development was forecasted to provide 380 new jobs, which would be a net increase of 330 more than the previous use on the site.

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

- The calculations on density were based on the location being considered as a central London location, whereas it should be considered as an urban location.
- The proposed scheme would result in an overly dense development which would be out of scale with its surroundings.
- The application did not adhere to Council policies and the London Plan, and should be rejected.
- There were 108 objections to the scheme and discrepancies in dealing with these.
- The concerns of the GLA and Historic England were not addressed.
- The comments from September 2019 were not referred to in the report.
- Officers' statements on the quality and attractiveness of the application were subjective with no empirical data.
- Public transport infrastructure would be unable to cope with the demand generated by the development, especially at rush hour peak times.
- The proposal was for a gated community, with private green space and no community green space.
- Improved cycling and walking routes are required and there is no through route as envisaged in the masterplan for the area.

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

- Peabody was founded over 150 years ago and had built over 66,000 new homes, including 3,000 in Lambeth.

- The proposed scheme offered 50% affordable housing on a habitable room basis, including affordable rent and shared ownership homes, which would make significant contributions to local housing needs.
- The scheme would provide better employment space than the previously approved application.
- There would be better amenity space available to all residents.
- The proposal would provide high quality homes and design with good quality materials.

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

- The site was a non-designated industrial site and the quantum of workspace proposed would be a good offer.
- The site is not designated as a Key Industrial and Business Area (KIBA).
- The GLA had issued its stage 1 response and its further views would be received at stage two including viability.
- There would be no heritage harm to Ruskin Park.
- Officers considered the GLA request for further information on energy strategy to have been addressed.
- There would be 60% dual aspect properties and there would be no north-facing single aspect properties. The scheme was designed so that it would be southwest facing and therefore allow a good amount of light to come in. 92% of rooms met daylight targets which would be considered reasonable for an urban locality. Officers advised that it would be possible to amend the rear elevation of Block A to improve the daylight (Average Daylight Factor) to the living rooms, living kitchen diners and kitchen diners on the second, third and fourth floors of the affordable rent units identified which did not meet the ADF Criteria. Consideration could also be given towards improved annual usability of the amenity balcony areas to these units.
- There would be mechanical ventilation as proposed in paragraph 7.3.15 of the officer report which would provide fresh air.
- The provision for over 12s play space had been factored into the amenity space and would comply with policy. There would be two parks available at easy walking distance. There was no policy basis to require a contribution for Grove Adventure Playground.
- TfL had not objected to the scheme but had outstanding issues about cycle docking which had been resolved as a S106 contribution would be made.
- Officers had not identified any safety issues in relation to a possible congestion on Herne Hill Road at the corner with Coldharbour Lane. The footway was within acceptable limits. As Coldharbour Lane was part of the healthy route network, there would be an opportunity to review the width of the pavement.

- The arches were linked to another application and not the one in question, and therefore Members could not require the pavement to be widened. The development will provide an active frontage facing the Arches.
- The northern part of the site had a PTAL rating of 4 and the southern part of the site had a PTAL rating of 3.
- The site was considered to be 'urban' for density purposes. Officers considered that the density of the scheme would be acceptable. This was an area where the Council was seeking to attract new small and medium businesses, and this scheme would help to deliver this.
- The extant planning permission was a material consideration.
- The scheme proposed a S106 contribution of £50,000 towards Herne Hill station, which would develop and promote lift access at the station.
- The development did not result in a noticeably greater height on Herne Hill Road compared to the extant permission. The part 14/part 16 storey taller elements would be visible but not jarring due to the use of different, contrasting bricks.

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

- A Member that had originally been concerned with the density and height, had decided that these concerns were outweighed by the benefits of the scheme.
- Members commended the scheme for the affordable housing provision.
- One Member believed that the proposed site had been used wisely, and welcomed the three bedroom housing and the breakdown of the bulk of tower blocks.
- The uplift in affordable housing negotiated by officers post application submission was welcomed.
- Members expressed concerns that pedestrian safety for crossing from the corner of Coldharbour Lane going towards the train station had not been adequately addressed and requested whether it could be an addition to S106 contribution. They also expressed concern about the number of single aspect homes.
- A Member believed that the design of the site and its impact on the community could be better with more imagination and expressed continued concern of the overheating of rooms and lack of fresh air.
- A Member considered that any harm to heritage assets would be negligible and the benefits would outweigh the harm. Officers drew Members' attention to guidance on the legislative and policy approach to heritage assets contained within the published agenda pack. Officers advised that if members considered that there would be harm to a heritage asset, even if such harm was negligible, then such harm must be given considerable importance and weight

when weighed against the public benefits arising from the development. There was a strong presumption against granting planning permission for development which would harm a heritage asset. However it could be outweighed by public benefits if powerful enough to do so.

- It was a dense scheme but a modest increase on the extant scheme.

*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.*

It was MOVED by Councillor Windle, SECONDED by Councillor Clark, and RESOLVED, five votes for, one vote against.

1. To grant planning permission subject to a Section 106 Agreement, the conditions as outlined in the officer's report, published addenda and verbal update, any direction as may be received following further referral to the Mayor of London and the following:
  - i. An informative requesting that the pedestrian experience at the road crossing to the north of the site be looked at as part of Healthy Routes contribution
  - ii. An informative requesting that the ability of this site to contribute to pedestrian permeability be safeguarded in the future should neighbouring sites come forward for development.
  - iii. Amended Condition 15 (Detail Drawings and Samples) to read as follows:
    - 15 Notwithstanding the details shown on the drawings hereby approved, no development shall take place until drawings at a 1:10 scale (including sections) showing construction detailing has been submitted to and approved by the Local Planning Authority in writing, unless otherwise agreed in writing by the Local Planning Authority. The drawings and samples shall include details of the following:
      - a) Samples and specification of all external materials;
      - b) Sample panels of brick to be built on site (fixings, mortars, materials etc) for inspection and approval. Sample panels should include example of horizontal banding and soldier coursing detail proposed.
      - c) All external construction detailing in the form of 1:10 scale drawings (including sections) including balconies, windows and doors, vertical fins, recessed brick panels, residential and commercial entrances and canopies, residential signage, commercial shopfront signage and Herne Hill Road planting beds.
      - d) Amended rear elevation of Block A that incorporates design amendments to improve the daylight (Average Daylight Factor) to the living rooms, living kitchen diners and kitchen diners on the second, third and fourth floors of the affordable rent units identified which did not meet the ADF Criteria and annual usability of the amenity balcony areas to these units.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory and that it protects or enhances the character and appearance of the listed building and the Albert Embankment Conservation Area (policies Q2, Q11 and Q22 of the London Borough of Lambeth Local Plan (2015)).

- iv. Amended Condition 24 (Delivery and Servicing Management Plan) to read as follows:

24 The use hereby permitted shall not commence until a Delivery and Servicing Management Plan has been submitted and approved in writing by the local planning authority. The use hereby permitted shall thereafter be operated in accordance with the approved details. The submitted details must include the following:

- a) frequency of deliveries to the site;
- b) frequency of other servicing vehicles such as refuse collections;
- c) dimensions of delivery and servicing vehicles with vehicles entering and exiting from the site, ensuring that vehicles do not exceed 7.5 tonnes;
- d) proposed loading and delivery locations; and
- e) a strategy to manage vehicles servicing the site.

Reason: To protect the amenities of adjoining occupiers and the surrounding area (Policy Q2 of the London Borough of Lambeth Local Plan (2015) and to limit the effects of the increase in travel movements (Policy T8 (Servicing) - Lambeth Local Plan 2015).

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 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 matters identified in the report, addendums and/or the PAC minutes.

## **5. EUROPARK CAR PARK, DOON STREET AND CORNWALL ROAD**

**(BISHOPS) 19/03676/FUL**

Case No. 19/03676/FUL (agenda item four, page 121 of the agenda pack, page five of the addendum and page one of the second addendum).

Members agreed to proceed without an officer's presentation due to time constraints.

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

- The 'Meet Vincent Van Gogh Experience' would only be in London for a short period of time. It had been around the world and would be an interactive and immersive experience for children and adults.
- There would be no original artwork, but it would recreate his work digitally and physically.
- South Bank was chosen due to its rich arts and culture heritage, as well as being next to National Theatre and BFI.
- The event was supported by the Leader of the Council, the Mayor of London's office, the Van Gogh Museum, the Dutch embassy and local residents and businesses.
- The applicant proposed to give away 500 free tickets to schools and residents.

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

- There would be public relations opportunities with the San Mei Gallery, who would also receive some free tickets.

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

- The scheme was excellent and Members commended the event.
- A member was originally concerned about possible corporate events and potential opportunities for late night drinking, but stated that the addenda had clarified and given comfort.

It was **MOVED** by Councillor Wilcox, **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.
2. Agree to delegate authority to the Assistant Director of Planning, Transport and Development to:
  - a. Finalise the recommended conditions as set out in this report, addendums and/or PAC minutes; and
  - b. Negotiate, agree and finalise the planning obligations asset out in this 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 contribution

**6. APPEAL AND ENFORCEMENT DECISIONS JULY 2019**

Members thanked officers for their work in upholding Council policies.

**CLOSE OF MEETING**

The meeting ended at 22:20

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 21 January 2020

Date of Despatch: Wednesday 22 January 2020  
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