

PLANNING APPLICATIONS COMMITTEE 19TH OCTOBER 2021
FIRST ADDENDUM: AMENDMENTS AND ADDITIONAL INFORMATION ON AGENDA ITEMS

<u>ITEM 4</u>		
Erection of a nine storey building comprising a commercial unit (Class E) at ground floor and basement level and 9 no. self-contained residential flats (Class C3) on the upper levels. 21/01864/FUL		
Page Number	Report Changes	Decision Letter Changes
30	<p>Amend Paragraph 4.2 as follows:</p> <p>4.2 All Seven of the flats would have private balconies and all flats would benefit from step-free access to a communal roof terrace area.</p>	No
34	<p>Add the following after Paragraph 6.3.1:</p> <p><u>Emma Cons Gardens Steering Group</u></p> <p>A representation from the Emma Cons Garden Steering Group was received on 13/10/2021, raising the following objections to the scheme:</p> <ul style="list-style-type: none"> • The height of the building would be 50% taller than The Old Vic and would be incongruous with the character of buildings in the Site’s context. • The proposal would compete for attention with The Old Vic on views along Baylis Road up to the Waterloo Road junction. The scale of the proposal would harm the setting of the listed theatre and the relationship it has with Emma Cons Gardens (ECG). • The proposal would overshadow ECG, resulting in shading and harm to the trees and vegetation. The overshadowing would also make the space less attractive for use by members of the public. 	No

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39	<p>Amend Table 2 as follows:</p> <table border="1" data-bbox="468 428 1654 623"> <thead> <tr> <th rowspan="2">Unit</th> <th rowspan="2">Size</th> <th rowspan="2">No. in Scheme</th> <th colspan="3">Internal Floorspace (sqm)</th> <th rowspan="2">External Space</th> </tr> <tr> <th>Proposed</th> <th>Required</th> <th>+/-</th> </tr> </thead> <tbody> <tr> <td>1 Bed Flat 1</td> <td>1bed, 1person</td> <td>2</td> <td>38</td> <td>37</td> <td>+1</td> <td>5</td> </tr> <tr> <td>1 Bed Flat 2</td> <td>1bed, 1person</td> <td>2</td> <td>38</td> <td>37</td> <td>+1</td> <td>4 0</td> </tr> <tr> <td>3 Bed Flat 1</td> <td>3bed, 4person</td> <td>5</td> <td>74</td> <td>74</td> <td>0</td> <td>10</td> </tr> </tbody> </table> <p style="text-align: center;"><i>Table 2 Details of proposed flat types</i></p>	Unit	Size	No. in Scheme	Internal Floorspace (sqm)			External Space	Proposed	Required	+/-	1 Bed Flat 1	1bed, 1person	2	38	37	+1	5	1 Bed Flat 2	1bed, 1person	2	38	37	+1	4 0	3 Bed Flat 1	3bed, 4person	5	74	74	0	10	No
Unit	Size				No. in Scheme	Internal Floorspace (sqm)			External Space																								
		Proposed	Required	+/-																													
1 Bed Flat 1	1bed, 1person	2	38	37	+1	5																											
1 Bed Flat 2	1bed, 1person	2	38	37	+1	4 0																											
3 Bed Flat 1	3bed, 4person	5	74	74	0	10																											
39	<p>Amend the beginning of Paragraph 8.2.3.1 as follows:</p> <p style="padding-left: 40px;">8.2.3.1 Eight Seven of the proposed flats would have dedicated amenity space in the form of a privately accessed terraces.</p>																																
40	<p>Add the following after Paragraph 8.3.2.1:</p> <p style="padding-left: 40px;">8.3.2.1 At pre-application stage, the higher iterations of the scheme were considered to be overbearing on the neighbouring buildings and in particular the open space at ECG. The design sections of the delegated registers for the two schemes which were refused on the site are provided in Appendix 13. The 2015 refusal noted that “Officers do not object to the principle of a five-storey building in this location, subject to an appropriate bulk, scale and design being achieved, and do accept that there is an opportunity to construct a taller building in this location”. Following pre-application advice, the scheme’s height has been reduced to ground plus seven residential storeys and a garden top floor storey – a total of nine floors. This height would give added significance to an important corner-plot location, without being overbearing to ECG or to neighbouring buildings. The overall form and mass is slim and well-proportioned with a confident urban scale.</p>	No																															

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<p>40</p>	<p>Amend Paragraph 8.3.3.1 as follows:</p> <p>8.3.3.1 The 2014 refusal for the 8 storey building noted that “the overall acceptability of a taller building in this location heavily depends on the overall design and architectural quality of the building and how this would respond to the local context”. The refusal attempted to respond to the local design context by introducing a brick finish; however, the overall design was considered to be dated and failing to respond to the local context. proposed The building proposed by this current application would have a strong brick façade frame which emphasises verticality with chunky columns and slim horizontals. Arches have been introduced at ground level to reference the richly detailed ground floors and railway arches nearby. The crown of the building is highlighted with arches surrounding the roof garden. Following pre-application advice, the Applicant has proposed the current design with a slightly higher cornice and with arches (highlighted with special bricks) which are strong features which offer a landmark character. A further rationale for the arch work is to reflect and compliment the vernacular of The Old Vic, which incorporates arched windows on the primary frontage and more detailed arches recessed into the flank brickwork. Detailed drawings of these features and samples of the proposed brick types (and other material finishes) are recommended to be secured through Condition 3.</p>	<p>No</p>
<p>51</p>	<p>Amend Paragraph 8.6.3.3 as follows:</p> <p>8.6.3.3 The rear garden at Nos. 106 & 108 The Cut has an existing area of 62.6 per cent which receives two hours of direct sunlight on 21 March. Which The area which receives two hours of direct sunlight on 21 March would be reduced to 25.62 per cent of the garden if the proposal were to be constructed. This would be 0.59 a reduction of 41 per cent, times its former value which is in excess of the 20 per cent reduction which BRE Guidelines state is likely to be noticeable. In response to this, the Applicant has submitted a ‘Transient</p>	<p>No</p>

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	<p>Overshadowing Assessment’ which compares the impact of the 2017 extant permission with impact of the proposed scheme (comparison shown in Appendix 11). Neither the extant permission nor the current proposal would have any significant impact on overshadowing of the rear garden before 13:00, or after 16:00, on 21 March. The overshadowing assessment shows that in relation to the amenity spaces at both 108 and 110 The Cut, there the current proposal would result in be only a minor increase in overshadowing in comparison when compared to the impact of the extant permission. In addition, the assessment shows that within the summer months (when people are more likely to be using outdoor space) the proposal would cast no shadow on the amenity spaces outside of c. 1pm – 2pm. The current proposal is therefore not considered to result in unacceptable overshadowing to any private amenity space.</p>	
	<p>Amend Paragraph 8.7.3.7 as follows:</p> <p>8.7.3.1 Policy T7 T6 promotes Car Club usage across Lambeth, including aiming for Car Club bays within 400m of each other. The development will be required to provide Car Club Memberships to all eligible residents within each of the proposed residential units within the scheme and available from first occupation. This will be secured through the Section 106 agreement.</p>	
54	<p>Amend the last sentence of Paragraph 8.7.7.1 as follows:</p> <p>Subject to this contribution, the proposal would comply with LLP Policy T8 T7 (Servicing).</p>	No
55	<p>Amend Paragraph 8.7.8.1 as follows:</p> <p>officers recommend Condition 4 to secure a full Construction Management Plan prior to the commencement of works, as required by LLP Policy T8 T7, to be assessed by the Lambeth Highways team prior to any development commencing on the site.</p>	Yes – amend reason of Condition 4

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<p>73</p>	<p>Amend Appendix 3 as follows:</p> <p>T7 T6 Parking T8 T7 Servicing</p>	<p>No</p>
<p>62</p>	<p>Amend Condition 3 as follows:</p> <p>3 3. Notwithstanding the approved plans, prior to the commencement of any above ground works, and notwithstanding the details shown on the drawings hereby approved, detailed construction drawings of all external elevations (at scale 1:10) including the following items shall be submitted to and approved in writing by the local planning authority. A façade mock-up including brick panel samples should be constructed on site for design officers to view. The mock-up should show a typical window, reveal, arch and balustrade. The development shall not be carried out other than in accordance with the approved details unless otherwise agreed in writing by the local planning authority.</p> <ul style="list-style-type: none"> a. Detailed elevations; b. A schedule of materials detailing all external materials and any RAL colour where relevant, including the façade behind the green wall and PV panels; c. 1:20 façade section should be provided which shows individual bricks comprising a typical window reveal. The section should also specify the depth of setback between the main façade and columns and setback horizontal bands; d. Details of windows (including technical details, opening methods, elevations, reveal depths, plans and cross sections); e. Details of entrances, canopies and doors (including technical details, elevations, surrounds, reveal depths, letter boxes, plans and sections); f. Details of shop front (including integrated security measures; inclusion of property number); g. Details of roof treatments, cills and parapets; h. Details of rainwater goods (including locations and fixings); 	<p>Yes – change condition 3</p>

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	<ul style="list-style-type: none"> i. Details of boundary treatments including external walls, and internal and external fences and gates; j. Details of hard landscaping; k. Details of external furniture, lighting and ramps; l. A signage plan for the retail unit. <p>Reason: To ensure that the external appearance of the building is satisfactory and has an acceptable impact on the surrounding heritage assets, and to protect the privacy of adjoining occupiers (Policies Q2, Q5, Q7, Q16, Q20 and Q22 of the Lambeth Local Plan (2021)).</p>	
<p>62</p>	<p>Amend Condition 4 as follows:</p> <p>4 No demolition or development shall commence until full details of the proposed construction methodology, in the form of a Method of Construction Statement, have been submitted to and approved in writing by the local planning authority. The Method of Construction Statement shall include details regarding:</p> <ul style="list-style-type: none"> a. The notification of neighbours with regard to specific works; b. Advance notification of road closures; c. Details regarding parking, deliveries, and storage; d. Details regarding dust mitigation; e. Details of measures to prevent the deposit of mud and debris on the public highway; f. Details of a temporary lighting strategy, including details of temporary lighting of all public areas and buildings showing acceptable positioning and levels of glare; g. Any measures to mitigate the impact of demolition and construction upon the function and safety of the surrounding area for cyclists; h. Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network. <p>The demolition and development shall thereafter be carried out in accordance with the details</p>	<p>Yes – amend reason of Condition 4</p>

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	<p>and measures approved in the Method of Construction Statement.</p> <p>Reason: Development must not commence before this condition is discharged to avoid hazard and obstruction being caused to users of the public highway and to safeguard residential amenity from the start of the construction process (Policy T7 of the London Plan (2021) and Policies Q2 and T8 T7 of the Lambeth Local Plan (2021)).</p>	
65	<p>Amend Condition 13 as follows:</p> <p>13 Prior to the commencement of above ground development hereby permitted, a full Delivery and Servicing plan relating to the residential and commercial units within the application site shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall thereafter be operated in accordance with the approved details.</p> <p>Reason: To avoid obstruction of the surrounding streets and limit the effects of the increase in travel movements within the locality as well as safeguarding public safety and the amenity of the surrounding area (Policies T1 and T8 T7 of the Lambeth Local Plan (2021) and Policy T7 of the London Plan (2021)).</p>	Yes – amend reason of Condition 13
n/a	<p>Insert the following as <i>Appendix 13</i>:</p> <p><u>Appendix 8: Design sections of officers’ delegated reports of previous refusals</u></p> <p>Design Section relating to the refused application ref 13/05883/FUL:</p> <p>6.6 Policy S9 and Policy 33 require all development to be of a high quality design which contributes positively to its surrounding area. Policy 39 states that buildings should define highways and relate to the surrounding buildings and street scene. This policy goes on to say that development should respond to and enhance the architectural character of the area. Policy 45 seeks to protect the architectural integrity and special interest of listed buildings.</p>	No

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	<p>6.7 The proposed seven-storey plus basement building would replace an existing modest sized single storey building. A building reaching a higher height than the existing building on this site may be acceptable, however the proposed building at seven stories plus a roof terrace, would be three to four stories higher than the buildings located within the vicinity of the site. This is especially the case in relation to the adjoining terrace of residential flats. It is considered that the proposed development would appear stark and discordant with this terrace which would be further emphasised by the blank eastern elevation.</p> <p>6.8 With regard to the architectural design, this does not respond to the local context. The elevational treatment dominated by windows and port holes would not result in a positive contribution to this area of The Cut. The overall aesthetic is also considered dated and would not represent a high quality development which would be expected for a corner site in this prominent location.</p> <p>6.9 As noted in the site description, two grade II listed buildings are located within the vicinity of the site, namely The Old Vic and Royal National Theatre Studio buildings. Therefore any development on this site would have to preserve the architectural integrity and special interest of these buildings. It is considered that given the overall size, scale and design of the building is not acceptable this would have the potential to harm the special interest of these neighbouring listed buildings.</p> <p>6.10 Reference has been made within comments received, to the site on the corner of Bayliss Road and Waterloo Road which was granted at the Council's Planning Applications Committee on 11th February 2014 (ref 13/02618/FUL). It is acknowledged that this approved a new five storey building on this site. It is noted that comments have supported a five-storey building on the subject site in-keeping with the height of the building on this site. The Council makes no judgement in this respect and can only assess an application which has been submitted for consideration.</p>	
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	<p>6.11 Therefore, the proposed development is found to be contrary to policy S9 of the Lambeth Local Development Framework Core Strategy (2011) and policies 31, 33, 38 and 45 of the Lambeth Unitary Development Plan 2007 'Saved Policies'.</p> <p>Design Section relating to the refused application ref 15/01726/FUL:</p> <p><u>Design of the building/ Impact upon the street scene/ listed buildings</u></p> <p>6.6 Policy S9 and Policy 33 require all development to be of a high quality design which contributes positively to its surrounding area. Policy S9(a) states that innovation in design will be supported, especially when this would contribute to local distinctiveness, enhancing the built environment and heritage.</p> <p>6.7 Policy 33(c) states that 'buildings should be of a scale, massing and height that are appropriate to their site characteristics, setting, civic function and/or importance and location in the townscape'.</p> <p>6.8 Policy 39 states that buildings should define highways and relate to the surrounding buildings and street scene. This policy goes on to say that development should respond to and enhance the architectural character of the area.</p> <p>6.9 Policy 45 seeks to protect the architectural integrity and special interest of listed buildings.</p> <p>6.10 The previous application which was refused, sought to introduce a seven-storey plus basement building in this location. The bulk, scale and height of this building was found to be unacceptable in this location and that it would appear start and discordant within this terrace.</p> <p>6.11 The application now proposes a five-storey plus basement building in this location. Whilst a five-storey building is a welcomed reduction in height from the previous seven-storey</p>	
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	<p>building, Officers still have concerns about the height and bulk of the building. The proposed building is shown to be five-storeys but once the stair core and necessary balustrading for the roof terrace are introduced at roof level, the height of the building would appear as larger than five-storeys, significantly exceeding the height of the neighbouring properties within the terrace. Officers do not object to the principle of a five-storey building in this location, subject to an appropriate bulk, scale and design being achieved, and do accept that there is an opportunity to construct a taller building in this location. However, the overall acceptability of a taller building in this location heavily depends on the overall design and architectural quality of the building and how this would respond to the local context.</p> <p>6.12 The previously application was refused on design ground with the conclusion being that the proposed building did not respond to the local context. Any new design for a replacement building in this location therefore needs to overcome these previous design concerns.</p> <p>6.13 Whilst the applicant has introduced brick as a material in an attempt to respond to the local design context, the overall design and appearance of the development has still not successfully overcome these previous design concerns. The overall aesthetic of the scheme is considered to be quite post-war, displaying curtain walling elevations with simple vertical mullions and bands across the floor plates and brick service cores. This is considered to be a dated and old-fashioned form of architecture that does not reflect or respect the local context.</p> <p>6.14 Notwithstanding this, the proposed curtain walling design also does not lend itself well to a residential development; such a façade treatment is better suited for open-plan floor plates where full-height glazing is desirable. In residential-use situations, areas of glass need to be blacked out in order to accommodate the necessary walls and partitions and this results in discordant elevations. The reality is that the proposed south and west elevation drawings indicate simplicity which would not be possible to achieve. The real frame dimensions will need to be much chunkier than those shown in order to accommodate double glazing and provision will need to be made for windows to be opened. All of these issues above will result in a very different external appearance to those shown on the plans appearing crude and visually</p>	
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	<p>discordant.</p> <p>6.15 With regard to the proposed east and southern elevations, these blank wall treatments lack any visual distinction or difference and especially when viewing the development from the eastern end of The Cut, will not make a positive contribution to the local street scene.</p> <p>6.16 The need to respond to the local context has been outlined above and in this instance, this context is an area which is characterised by high status buildings comprising Portland stone and good quality brick work. The site is also located within the vicinity of a number of heritage assets namely the The Old Vic and Royal National Theatre Studio buildings which are both Grade II listed buildings. Therefore any development on the site would have to preserve the architectural integrity and special interest of these buildings.</p> <p>6.17 Given the design concerns raised above, the overall design of the development is considered poor and would not respond positively to the local environment. The development would also have the potential to harm the setting of the neighbouring Grade II listed buildings, thus failing to preserve the architectural integrity and special interest of these buildings.</p> <p>6.18 As such, the previous reason for refusal relating to design has not been overcome and the proposed development is found to be contrary to policy S9 of the Lambeth Local Development Framework Core Strategy (2011) and policies 31, 33, 39 and 45 of the Lambeth Unitary Development Plan 2007 'Saved Policies'.</p>	
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