

## **PLANNING APPLICATIONS COMMITTEE MINUTES**

**Tuesday 15 March 2022 at 7.00 pm**

**Committee Room (B6) - Lambeth Town Hall, Brixton, London, SW2 1RW**

**PRESENT:** Councillor Rezina Chowdhury (Substitute), Councillor Malcolm Clark, Councillor Scarlett O'Hara (Vice-Chair in the Chair), Councillor Mohammed Seedat and Councillor Becca Thackray

**APOLOGIES:** Councillor Ibrahim Dogus, Councillor Iain Simpson and Councillor Joanne Simpson

### **1 Declaration of Pecuniary Interests**

Councillor Seedat informed the Committee that he had previously visited the South London Islamic Centre, and this did not amount to a pecuniary interest.

### **2 8 Mitcham Lane (St Leonards) 18/01093/FUL**

Case No. 18/01093/FUL, (agenda item 2, page 17 of the agenda pack, page 11 of the first addendum and page 9 of the second addendum).

The Planning Officer introduced the report and indicated that late comments had been received from the Streatham Society who stated that they were not consulted on the proposed development. Officers confirmed that the Streatham Society had been consulted over the two consultation periods. The officer stated that:

- There had been 783 public representations received, 638 were in support, 138 were objecting and 7 were neither supporting nor objecting.
- Mitcham Lane was part of the Transport for London Road Network, and the development site was located near St Leonard's Church, which was a heritage asset.
- The proposal was for a four-storey redevelopment of 8 Mitcham Lane, known as the South London Islamic Centre (SLIC), due to the poor conditions and the insufficient capacity of the current building. The Islamic Centre had been part of the community since 1977.
- The applicant advised that the residential units to be lost as part of the proposal were not market units and were ancillary to the existing worshipping facility. However, officers did not have sufficient evidence that was the case and had assessed the application on the basis that the proposal would depart from the Lambeth Local Plan policy H3 which seeks to safeguard existing housing.
- The proposed nursery would be reserved for those who were attending the mosque.
- There would be a low level of less than substantial heritage harm to the conservation area and there would be heritage harm due to the loss of a non-designated heritage asset (NDHA).
- There would be no deliveries to SLIC during unsociable hours and it would be prohibited

to play amplified music at the site.

- There would be two accessible parking spaces, a delivery and servicing plan, and the cycle parking provision would be in line with London Plan requirements.
- One of the reasons for the delay in the determination of the application was to wait for the St Leonard's and Streatham Vale West Controlled Parking Zone (CPZ) to be implemented, which was implemented on 31 January 2022; the CPZ covers the Friday peak of use at the site.
- The existing site provided no ecology or biodiversity benefits, and the proposal would meet the London Plan Urban Greening Factor (UGF) requirement, provide onsite carbon reduction to comply with the London Plan and include solar panels on the roof.
- There would be an employment and skills contribution of £86,389 and a travel plan monitoring fee of £3,800.

The Committee then heard the following points from objectors:

- The proposal site was within a conservation area and the prime function was to be a dignified and peaceful worship area, however the design had none of those attributes.
- The design of the building would be dominant and out of character with surrounding buildings.
- The site was within a conservation area, and it was stated in the NPPF that the design of the new building should enhance or be in keeping with the existing area. Further to this there would be no public benefits from the proposal.

The following points were raised in support of the application:

- The current site was not fit for purpose as the prayer and worship areas were cramped and resulted in worshippers praying in the courtyard.
- The site had been used for community activities such as most recently a covid vaccination clinic and the holding of an MP surgery.
- The applicant had removed the top floor from the original design in response to input from local residents.
- The centre would continue to play an active part in the local community.

Councillor Nicole Griffiths, a St Leonard's Ward Councillor, raised the following points:

- The demolition of the current site was needed due to the worshipping areas not being fit for purpose.
- The site was proposing a holistic travel plan with a minor level of travel in private vehicles and the building would provide benefits within the community.

Councillor Scott Ainslie, a St Leonard's Ward Councillor, raised the following points:

- The conditions that people had been congregating in was appalling however the design of the proposal was not in line with the neighbouring buildings.
- The officer report stated that the effect on the non-designated heritage asset was less than substantial harm, but the proposal was removing it completely.

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

- Regarding Councillor Ainslie's comment on the non-designated heritage asset and by removing the asset would increase its' designation, officers advised that the issue of substantial or less than substantial harm specifically related to the designated heritage assets.
- Streatham had numerous different character types and building typologies in the conservation area which had informed the design.
- Concerns on the copper cladding material of the design were raised due to the ageing

nature, however officers indicated that the material would be coated copper which was a durable finishing material.

- The design had changed since the application was originally discussed with Lambeth planning officers and a controlled parking zone had been implemented.
- Public meetings had taken place and the design had evolved to take into account the views of local residents and organisations.
- The bookshop and café units would be open to the general public at all times as would the ground and basement levels of the site.
- Transport to the site for worshippers would predominantly be either via public transport or on foot. The applicant would be required to provide a visitor management plan and promote sustainable transport options to the site.
- The disabled parking spaces available would have electric charging facilities.

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

- The application would introduce additional community facilities which would be enjoyed by local residents and organisations.
- The design of the building would add to the townscape of the surrounding area.
- There would be less than substantial harm to the conservation area and the public benefits would be an improvement from the current site. It was suggested there be a financial contribution to the collection of rubbish and the securing of a travel management plan to encourage the applicant to explore group community transport ideas to reduce car use.
- The demolition would increase carbon emissions.
- The building design would create an inclusive atmosphere.

The Presiding Officer advised that Condition 16 on page 61 of the published report required a management plan, and that particular condition could be amended to reflect that the management of the venue should include elements around waste management. It was noted that it would be difficult to include reference to the adjoining Streatham Green as this was a public area and had an existing management plan separate from the development site.

Members also wanted to include an informative for the applicant to continue the dialogue with the Friends of Streatham Green. Officers also confirmed that there was a condition to re-use and recycle the materials from the existing building which was proposed to be demolished.

18/01093/FUL:

It was MOVED by Councillor O'Hara, SECONDED by Councillor Clark

And

**RESOLVED**, unanimously

1. To GRANT conditional planning permission subject to the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) containing the planning obligations listed in the report and subject to the following:
  - a. Amendment to condition 16 (Venue Management Plan) to include the requirement for details of on-site waste management measures to minimise potential for littering in the surrounding area.

- b. To include an informative to capture the Committee's request that the applicant continue dialogue with the local community organisation Friends of Streatham Green.
  - c. To include an informative to capture the Committee's request that the Travel Plan include details of measures to encourage the use of ride-sharing such as minibuses.
2. Agree to delegate authority to the Director of Planning, Transport and Sustainability 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 as set 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 Director of Planning, Transport and Sustainability to refuse planning permission for failure to enter into a section 106 agreement for the mitigating contributions identified in this report, addendums and/or the PAC minutes.

### **3 Denby Court 99 and 109 Lambeth Walk (Princes) 20/04425/RG3**

Case No. 20/04425/RG3, (agenda item 3, page 95 of the agenda pack, page 15 of the first addendum, page 12 in the second addendum).

The Presiding Officer highlighted that in response to a public representation seeking a Member site visit, there was not a requirement for Members to hold a site visit and, as detailed in the Council's Constitution, site visits should only be requested where the benefit was clear and substantial. The Presiding Officer indicated that officers had visited the site and illustrated the site using photographs and aerial mapping in the Committee report and officer presentation.

The Planning Officer introduced the item and advised the proposal was for redevelopment of two Council owned properties at 99 and 109 Lambeth Walk with new housing, to be built by Homes for Lambeth. The officer drew attention to the 1<sup>st</sup> and 2<sup>nd</sup> addendums which provide corrections, amended text to the report and conditions and addressed further submissions and advised Members that if they had any questions or needed clarification on any of the matters in the addendums that officers would provide further responses.

Members were made aware there was one resident still living at the site, but that they had signed a lease for a new home from 7 March and had requested more time to move their possessions and would be moving shortly.

The Officer also noted that Cllr Kevin Craig of Bishop's ward had advised in writing that following revisiting the plans and debate around the scheme that he removed his objection.

The second addendum included responses to comments on the daylight and sunlight assessment and in respect of an alternative development scheme.

The Officer described the site and former uses, relevant designations and the surrounding context. The officer also gave details of the application, which proposed 141 new homes with 50% to be affordable by habitable room). Existing buildings would be replaced with five new buildings ranging from 4-11 storeys, with associated landscaping and Blue Badge parking only. The officer explained the main planning issues as set out in the committee report, summarising the assessment for each. Land use, affordable housing and design and townscape impacts were all satisfactory.

In respect of heritage impacts, the site is not in a conservation area and has no listed buildings. Lambeth Walk and China Walk Conservation Area is opposite to the north and there are various other conservation areas in the locality. The Grade II listed former Lilian Baylis school is to the south. The Westminster World Heritage Site (WHS) is to the north-east, but the development does not have any impact on any of its designated viewpoints. The new buildings would obscure a view of the Victoria Tower at Westminster from the adjacent Lambeth Walk Doorstep Green as shown in images presented to the Committee. The officer noted this was a distant view, but it does allow the WHS building to be appreciated and as such officers found a very low degree of less than substantial harm and there was some degree of conflict with policy Q19 of the Local Plan and policies HC1 and HC2 of the London Plan. Officers concluded that on balance and giving great weight to the conservation of heritage assets, the public benefits provide clear and convincing justification for the less than substantial heritage harm identified.

The Council's Daylight and Sunlight consultant provided a summary of the impacts on neighbouring properties with regards to the BRE guidelines for daylight, sunlight and overshadowing. The consultant noted there is currently minimal massing on the site and many neighbouring properties to site have high levels of daylight and sunlight. For impacts to neighbouring daylight both the Vertical Sky Component and Daylight Distribution were assessed. Members were shown window maps and tables that illustrated the changes to levels of daylight and sunlight to neighbours, and the consultant advised Members of the degree of change, mitigating factors and which properties would experience minor, moderate and major adverse impacts. There would be properties where impacts did not meet the BRE guidelines.

Other main planning issues including housing quality and mix, sustainability, trees and ecology were discussed as well as other matters including transport, fire safety and wind microclimate which were all considered acceptable with a range of conditions and planning obligations recommended to secure details and mitigation as necessary.

In respect of the planning balance, there was a very level of less than substantial heritage harm to the Westminster World Heritage Site (WHS) but this was outweighed by the public benefits of the development, primarily from the delivery of 141 new homes, with 50% affordable housing.

The Officer concluded that approval was recommended, subject to conditions and a s106 agreement to secure planning obligations.

The Committee then heard the following points from objectors:

- The design of the buildings and the homes caused more damage to the existing site and neighbouring properties as there would be a breach of BRE guidelines.
- There would be a loss of the protected views to accommodate the proposal.
- There would be 5,000 tonnes of carbon released through the embodied energy.
- A resident indicated that Lambeth Walk was used by local residents and their families in the summer evenings and that it provided a hub of community life.
- The sunlight on the public garden in the area of Lambeth Walk provided social and mental health benefits. However, the proposal would overshadow this area.

The following points were raised in support of the application:

- The development was important for high quality homes to be built within the Borough and this proposal would introduce 141 high quality homes including a policy compliant level of affordable housing.
- The proposal would have private outdoor amenity space, walking and cycling initiatives, an increase in the current biodiversity on site and contribute to the historic character of the area.

Councillor David Amos, Councillor Joanne Simpson and Councillor Jon Davies, from Prince's Ward, raised the following points:

- Local residents' views were reflected in the updated design of the proposal and the proposal would benefit and improve the housing crisis that the Borough was facing.
- The current buildings were not fit to be occupied and needed improving which this scheme would provide.
- The scheme would provide benefits for the local community which included high quality social housing within the area.

*At 9:58pm the Committee agreed to suspend standing orders and continue the meeting until 10:45pm.*

Councillor Thackray proposed a motion to defer the item, however the motion was not carried.

Officers provided the following in response to Members' questions:

- The Council's daylight and sunlight consultant stated that assessments were made between the current level of sunlight received by the adjoining green space and the proposed sunlight conditions. Officers confirmed that the level would meet BRE guidelines.
- There were no proposals to add lighting outside of the site.
- The relevant carbon emissions policy sets a minimum target of a 35% carbon reduction with development to achieve zero carbon, with any shortfall met through a contribution. In this case there would be a £290,000 contribution from the application to meet the zero-carbon requirement.
- The main cause of the adverse daylight impacts would be the increased height and massing including from the tallest element. Officers confirmed that for occupants experiencing major adverse impacts, those being 40% reductions, the loss of daylight would be appreciable.
- The energy strategy would be designed to consider the cost for occupants. The design of the building would meet contemporary standards for energy efficiency and contribute to reducing energy costs. The energy system applied across the building with air source heat pumps and photovoltaic panels throughout. It was also confirmed that there would be good daylight levels to all units.
- Officers clarified the image showing the impact on the World Heritage Site was not a verified photograph and that in real life more detail would be visible, and it would be larger but that it is still a distant view.

Councillor Thackray proposed a motion to defer the item stating that the time left for the discussion was inadequate, however the motion was not carried.

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

- Regarding the concerns about impact on the WHS and protected views, Members were reassured that there would be a low degree of less than substantial harm to the setting of the Westminster WHS.
- There would be moderate to major adverse harm on daylight and sunlight levels to neighbouring properties, but the public benefits had been noted.
- One Member commented that the breaches to local plan policies, the carbon offsetting and the urban design elements were unacceptable.

The Presiding Officer stated that one of the Ward Councillor representations, suggested the applicant provide a green screen for the adjoining Purple Jay Nursery. The Presiding Officer noted that proposed Condition 6, required for details of dust and noise mitigation measures during the construction phase to be approved and this could be amended to add wording "including but not

limited to Purple Jay Nursery”.

The Transport Officer confirmed construction access routes would be from Lambeth Walk onto Lambeth Road and not from Fitzalan Street.

The Planning Officer confirmed that there would not be direct access from the site to Lambeth Doorstep Green following advice against this by the Secure by Design Officer.

20/04425/RG3:

It was MOVED by Councillor O’Hara, SECONDED by Councillor Clark

And

**RESOLVED**, 4 votes for and 1 vote against:

1. To GRANT conditional planning permission including a Grampian condition requiring the completion of an agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) containing the planning obligations listed in the report and any direction as may be received following further referral to the Mayor of London, and subject to

a. Amendment to condition 6 to include the following additional wording - *‘including, but not limited to, Purple Jay Nursery’*.

2. Agree to delegate authority to the Director of Planning, Transport and Sustainability 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 as set 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 Director of Planning, Transport and Sustainability to refuse planning permission for failure to enter into a section 106 agreement for the mitigating contributions identified in this report, addendums and/or the PAC minutes.

The meeting ended at 10.31 pm

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 14 June 2022

Date of Despatch: Tuesday 31 May 2022

Contact for Enquiries: Farah Hussain / Rob O’Sullivan

Tel: 020 7926 4201 / 020 7926 1427

E-mail: fhussain1@lambeth.gov.uk / rosullivan@lambeth.gov.uk

Web: [www.lambeth.gov.uk](http://www.lambeth.gov.uk)

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