

## **PLANNING APPLICATIONS COMMITTEE MINUTES**

**Tuesday 29 March 2022 at 7.00 pm**

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

**PRESENT:** Councillor Scott Ainslie (Substitute), Councillor Malcolm Clark, Councillor Scarlett O'Hara (Vice-Chair), Councillor Ben Kind (Substitute), Councillor Mohammed Seedat, Councillor Iain Simpson and Councillor Joanne Simpson (Chair)

**APOLOGIES:** Councillor Ibrahim Dogus and Councillor Becca Thackray

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

There were no pecuniary interests; however, Councillor Joanne Simpson highlighted that she was a candidate for Stockwell West and Larkhall Ward in the Local Government election on 5 May 2022, which the development for Item 3 was situated in. Councillor Simpson advised of a leaflet which she had signed which referenced the application, but that she could consider the application with an open mind.

### **2 72 Upper Ground (Bishops) 21/02668/EIAFUL**

Case No. 21/02668/EIAFUL, (agenda item 2, page 15 of the agenda pack, page 9 of the first addendum and page 9 of the second addendum).

The Presiding Officer provided an update on the site visit that took place on Saturday 26 March and a written record was taken by officers including locations visited, questions asked by Members in attendance and the responses provided by officers.

Before the case officer gave his presentation a verbal update was provided on the public representations received from the National Theatre and additional wording proposed to Condition 4 (Demolition and Environmental Management Plan) and Condition 12 (Construction and Environmental Management Plan) to set out additional requirements to minimise impact to the National Theatre during demolition and construction works.

The case officer started the presentation on the proposed development, which included the following points:

- The site comprised of a 25-storey building with a four-storey podium and was located in the Waterloo Opportunity Area and London's Central Activities Zone (CAZ).
- The pre-application phase began in April 2020 and a total of 21 meetings had taken place with Council officers covering design, layout, massing, public realm and landscape, employment and cultural uses, daylight/sunlight impacts, sustainability, and transport. In addition, the proposal was presented to the Council's Growth and Investment Panel twice and the Design Review Panel (DRP) twice.

- The applicant carried out a public engagement program during the pre-application stage.
- The development would provide high-quality office floorspace that prioritises wellbeing, sustainability and productivity for its future occupants. The form of the buildings provides adaptable floorplates that would allow for flexibility and appeal to a variety of sectors and occupants.
- The proposed development would provide flexible commercial units at the ground level of the building along the northern and eastern sides of the site for use as retail, restaurants, cafes, and bars to activate these frontages and support the primary employment floorspace.
- There would be a discount of up to 90 per cent for charities and not-for-profit organisations committed to supporting disadvantaged young people in the creative and tech industries.
- There would be a £1.1 million employment and skills payment towards specialist jobs to support local people. The development was predicted to create in the region of 4,319 jobs, once it was ready for use.
- The position of the towers and height of the podium mass was informed by the strategic protected view that passes through the site from Westminster Pier to St Paul's. The overall height was limited to protect the setting of Somerset House. The height stepped down to the eastern boundary and a lower height towards the river to respond to the site's context.
- The proposal was considered with regards to tall building policies, being policy D9 of the London Plan and policy Q26 of the Lambeth Local Plan. These policies apply a design led approach and identify locations where tall buildings are appropriate, contained in the Lambeth Local Plan. The officer clarified that the proposal had been considered against both relevant parts of Lambeth Local Plan policy Q26, which has assessment criteria for tall buildings at identified locations as well as for other locations not specifically identified as an appropriate location. Officers were content that there was clear and convincing justification to demonstrate the appropriateness of both tall building elements and that the criteria of the policy was met. As such the proposal was considered to comply with tall building policies D9 and Q26.
- The proposed public realm comprises 40% of the site area, would open up to Queen's Walk, and includes generous areas of planting with a significant uplift in urban greening and biodiversity value.
- With regards to heritage impacts, officers identified a low degree of less than substantial harm to the settings of three designated heritage assets, including the South Bank Conservation Area, Roupell Street Conservation Area, and the Grade I Listed Somerset House.
- The GLA and Historic England identified less than substantial harm to the setting of the Grade II Listed IBM building and Grade II Listed National Theatre, and Historic England identified that there would be a low degree of less than substantial harm to the setting of the Grade I Listed St Paul's Cathedral in the view from Westminster Pier.
- The daylight and sunlight assessment highlighted that some of the neighbouring properties would have a major adverse effect from the proposal and others would have a moderately adverse effect.
- The proposal would remove 105 car parking spaces from the existing site and sought to further reduce vehicle trips by consolidating deliveries and implementing a Travel Plan that promotes sustainable modes of travel. The development proposes 1,176 long-stay cycle parking spaces at the basement level.
- There would be a 43% improvement over baseline emissions for regulated CO2 emissions and an offset S106 agreement payment of approximately £1.58 million for Net Zero Carbon Emissions. The proposal targets an 'Outstanding' BREEAM rating for the

office areas and would achieve 'Excellent' ratings for the cultural and retail uses.

The Committee then heard the following points in objection to the application:

- A local resident in a neighbouring property to the south of the site noted that the daylight to her living room, would be reduced by 63.5 per cent. The worst effected flats and houses could accommodate 86 people. Chronic light deprivation causes depression and mental health disorders.
- A local resident noted that impacts on light would affect social housing units. The proposal would also impact on light levels to open and green spaces. Florence Eshalomi MP had 1,354 signatures on a petition against the application.
- The representative for the National Theatre set out three points of concern:
  - 1. The misleading characterisation of the Historic England position in its written representation, which Members have been told is concluded as "less than substantial harm", but the Historic England advice actually uses the terminology "presence of listed buildings in this area would be diminished" and that there would be a disproportionate impact on the site. Nowhere does it state that this would be less than substantial harm.
  - 2. There was no policy support for the tall building on the riverside, and there was no justification to support it because of the Historic England conclusions of significant heritage impacts. The Southern Tower exceeded the guidance for a height limit of 100m. The proposal did not compliment the adjoining listed buildings in façade design, structure or materials.
  - 3. The National Theatre requested for conditions have only been partly met and do not include restrictions on carrying out works at certain times.

The following points were raised in support of the application:

- The development site was the former ITV studios, and the building currently was uninviting and made no positive contribution to the South Bank experience. The developer wanted to change this, and the proposal presented an opportunity in the post-pandemic economic recovery.
- The proposal would create world class workspace, with creative and cultural uses, restaurants and public spaces.
- The proposal includes much needed office space for businesses of all sizes to collaborate and would provide jobs and employment to local people, including 1,700 construction jobs and 4,000 jobs during operation with 25 per cent of jobs being created for local residents.
- The design of the building was inspired from the unique architectural and historic heritage of the area and would reinforce the character of the South Bank.
- The building addressed Twenty-First Century needs, promoting mental health and wellbeing of the organisations within the building and inclusion of garden terraces or balconies on every floor.
- The site would maximise biodiversity and was designed to the highest sustainability standards, it would be fossil fuel free and net zero carbon in use.

Councillor Jennie Mosley and Councillor Kevin Craig, Bishop's Ward Councillors, raised the following points:

- The current proposal would bring harm to the local residents and organisations due to the size and design.
- The design would not enhance the local architecture or benefit the local community.
- The negative impact on daylight and sunlight on neighbouring properties and residents would be significant.
- The designated purpose for the office and working space would not benefit the local

community due to the hybrid working approach organisations had in place.

- The proposal was an overbearing and bulky building.
- Historic England had stated that the proposal would cause harm to nearby heritage assets including the South Bank Conservation Area.

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

- Following a request from council officers Historic England provided an email following their initial advice clarifying that where they identified harm that this was less than substantial harm to heritage assets, including Roupell Street Conservation Area, Somerset House, IBM Building and the National Theatre.
- The design of the building was articulated to break up the massing of the bulk and scale of the proposal with a layered effect to reflect the adjoining listed buildings in a contemporary fashion.
- The façade included alternating transparent windows and white laminated glass, which created a layering effect. The design would maximise the amount of natural light into the building and would reduce reflectivity.
- The design maximised active frontage all around the site, however it would be difficult to provide active frontages to every part of the frontage, so there would be small areas which would have less activity, but these would be provided with interesting treatments in materials and greenery.
- The plant area was not located at ground level and therefore would not create noise and air quality issues to the public realm.
- The sky pod is a rooftop space that would be part of the roof level restaurant on the river front building providing views across London.
- The applicant team and officers had engaged in meetings with Historic England regarding the proposal's proximity with listed buildings. Historic England had confirmed with the council's conservation officer that the proposal would cause less than substantial harm in their overview of heritage assets.

The Committee adjourned the meeting from 20:57 until 21:07. Then Members' questions continued with the following information provided by officers in response:

- 10 per cent of the development would be provided as affordable workspace, which was in line with the Local plan policy requirement in terms of area; however, the type of creative space and discounts proposed by the applicant would deliver cheaper space than conventional affordable office space.
- The cultural space is proposed to be publicly accessible and is designed with the ability to host events and exhibitions.
- The creative space would be available for a period of 15 years with a 50 per cent rental discount to an affordable workspace operator. The policy requirement was for a period of 15 years; however, this could be extended by the building landlord at a future stage.
- The Council's Culture, Enterprise and Skills team had worked closely with the applicant and engaged with a large number of local groups to help shape the proposed affordable workspace and cultural offer.
- The restaurant and sky pod would be a publicly accessible use but was not offered as a free-to-access area, therefore it was not included as a public benefit.
- The site was protected by the Thames Flood Barrier and the flood risk assessment finds that the site was at a low risk of flooding including consideration of climate change impacts.
- Officers clarified that 40 per cent of the site area would be provided as public realm in the proposal, which is a significant uplift from the current site's provision of 8 per cent.
- The cumulative impact of overshadowing on nearby open spaces includes impacts from

the nearby extant permission at Doon Street. The case officer confirmed that the extant permission at Doon Street would also overshadow the properties at Iroko Housing during the afternoon.

- The public realm areas would be all open for access 24 hours a day and the applicant would offer 24/7 security as there would be no gates or closures.
- The application was considered with regard to the tall building policy and the tallest block in the proposal would be situated in a location designated for a tall building. Whilst the shorter river fronting block was also a tall building but slightly outside of the area designated suitable for a tall building in the Local Plan, officers were content that there was clear justification in support of it in line with the tall buildings policy.

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

- The development would have an impact on the South Bank area the increase in height and massing from what was currently on the site was acknowledged. However, the design reflected character of neighbouring IMB and National Theatre buildings.
- Impacts on daylight to nearby properties is regrettable but is a central location and the levels of loss are acceptable.
- Improvements to public realm in the South Bank would provide easier and safer access.
- The development would provide affordable creative workplace in a prime location within Central London.
- There would also be a positive contribution to biodiversity in the area.
- The design was interesting that distinguished itself from others nearby and would not have an adverse effect on the skyline overall.
- Permeability on either side of building created by public realm.
- Impacts on neighbouring properties was not unexpected in parts of central London such as this.
- There would be less than substantial harm to heritage assets, but on balance the public benefits of the proposal including affordable workspace, transport improvements and public realm improvements outweigh this harm.
- The impact on the National Theatre should hold significant weight with the bulk, massing and scale of the proposal in proximity to the Theatre.
- There would be embodied carbon created by the development which would require carbon offsetting.
- The proposal would contribute to the cohesive feel towards the South Bank area and would provide jobs and creative space to the Borough.

*At 9:55pm the Committee agreed to suspend standing orders and continue the meeting until 10:45pm.*

The Committee continued making the following observations:

- There were concerns raised about the design, which was acknowledged as a subjective matter.
- There would be an impact on the daylight and sunlight on residents' dwellings with significant harm caused to certain dwellings; but on balance, the application would be acceptable.

21/02668/EIAFUL:

It was MOVED by Councillor J Simpson, SECONDED by Councillor Clark

And

**RESOLVED**, with six votes for and one vote against

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) and any direction as may be received following further referral to the Mayor of London.
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.

**3 118-120 Larkhall Lane, 56A and 56B and Land Adjoining Baptist Church (Larkhall) 21/04093/RG3**

Case No. 21/04093/RG3, (agenda item 3, page 163 of the agenda pack, page 21 of the first addendum and page 14 of the second addendum).

The Planning Officer introduced the report and highlighted the following information:

- Brought Members' attention to and provided a summary of the matters contained within the published addenda.
- The proposed Section 106 agreement heads of terms are updated to reference the £70,000 financial contribution towards the delivery of healthy routes network improvements, which was agreed by the applicant. Officers considered the buildings to be well designed and would contribute positively to the townscape and integrate well with the established urban structure and public realm.
- The proposal would create 127 new dwellings, of which 57 would be affordable homes (equating to 50.1% by habitable rooms), deliver an increase in biodiversity, make sufficient commitment to sustainability, and included improvements to public realm street frontages on Larkhall Lane and Courland Grove.

The following points were raised in support of the application:

- The Homes for Lambeth programme sought to maximise delivery of low-cost rent homes, providing better homes for current secure tenants and those on the Council's waiting list.
- Lambeth has 30,000 people on the council's housing waiting list, including 5,000 children. Those families need new homes urgently and Homes for Lambeth is delighted to bring these much-needed proposals forward.
- The applicant had consulted at pre-application stage with officers, the Design Review Panel and the local community, in particular the Friends of Larkhall Park who they met on 8 separate occasions to update them on scheme progress and engage with them on design process.
- Development would provide replacement employment and community floorspace

designed by architects to be flexible and accommodate a wide range of end users.

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

- The method of construction would utilise a hybrid solution of timber and other materials.
- Whole Life Cycle Assessment (WLC) submitted and considered acceptable.
- Applicant's architect explained that using mass timber within construction had some constraints. One of the outcomes of a review of high-rise residential buildings was that buildings above 18m were no longer permitted to have combustible material in the external wall.
- Architect explained that small houses could not be constructed from timber as Mayor's recent guidance on grant funding prohibits combustible materials at any height.
- The community floor space had been designed to be flexible and appeal to a wide range of end user groups. The floor space would be of a much higher quality than the existing floor space which was within portacabins.
- Applicant has engaged Locality who have undertaken consultation with neighbours, various community groups including Friends of Larkhall Park to help inform what the community space can be used for.
- The proposed space was reviewed by the Council, who considered that the themes indicated by the applicant around children and young people, climate change, enterprise and employment, health and wellbeing, community uses within cultural sector would be well suited to this site.
- The height of the building was at the lower end of the threshold for tall buildings within Lambeth. The tall building stepped down towards the residential along Larkhall Lane. The materials included a brick base with textured panels on upper floors to create interest.
- It was confirmed that the existing building (Eurotower) was taller than the tallest of the proposed buildings.
- The hard and soft landscaping condition required the applicant to look further at Urban Greening and see if the Urban Greening Factor (UGF) could be increased to 0.4 to meet policy requirements.

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

- The design was considerate for the surrounding area and the public benefits outweighed the negative impacts, in continuing to provide homes for people in the borough and just over 50 affordable homes.
- The building would use sustainable materials in the construction phase.
- The request by the Friends of Larkhall Park for a basement to be included was noted. However, the Committee was satisfied with officers' reasons for discounting that being financial reasons, excavation of the basement is expensive but also sustainability reasons not sustainable option.

21/04093/RG3:

It was MOVED by Councillor J Simpson, SECONDED by Councillor O'Hara

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 this report and any direction as may be received following further referral to the Mayor of London.

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.
  - 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 6 (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.

#### **4 Hungerford Coach Park At South Bank (Bishops) 22/00117/FUL, 22/00118/ADV**

Case Nos. 22/00117/FUL, 22/00118/ADV (agenda item 4, page 321 of the agenda pack, and page 26 of the second addendum).

The Chair decided that there would be no officer presentation for this application.

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

- The changes to the application since the last time it came to a committee meeting were that there were fewer trader outlets.
- There were no changes to the opening hours and there were similar numbers of cafes proposed.

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

22/00117/FUL:

It was MOVED by Councillor J Simpson, SECONDED by Councillor Kind

And

**RESOLVED**, unanimously

1. To GRANT conditional planning permission.
  
2. Agree to delegate authority to the Director of Planning, Transport and Sustainability to finalise the recommended conditions as set out in this report, addendums and/or PAC minutes.

22/00118/ADV:

Moved Councillor J Simpson, seconded Councillor O'Hara

And

**RESOLVED** unanimously

1. To GRANT conditional express advertisement consent
2. Agree to delegate authority to the Director of Planning, Transport and Sustainability to finalise the recommended conditions as set out in this report, addendums and/or PAC minutes.

The meeting ended at 10.36 pm

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 14 June 2022

Date of Despatch: Tuesday 31 May 2022

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