

## PLANNING APPLICATIONS COMMITTEE

Tuesday 3 May 2016 at 7.00 pm

### MINUTES

PRESENT: Councillor Liz Atkins (Substitute), Councillor Malcolm Clark, Councillor Nigel Haselden, Councillor Diana Morris (Deputy Chair), Councillor Mohammed Seedat and Councillor Clair Wilcox (Chair)

APOLOGIES: Councillor Bernard Gentry and Councillor Joanne Simpson

The Chair held a minute silence in memory of Councillor Niranjan Francis who had recently passed away.

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

There were none.

#### **2. MINUTES**

**RESOLVED:** That the minutes of the previous meeting held on 12 April 2016 be approved and signed by the Chair as a correct record of the proceedings, subject to a minor amendment.

The Chair announced a provisional timetable for the meeting in accordance with Standing Order 9.9.1.

#### **3. LAND TO THE FRONT OF THE LONDON TELEVISION CENTRE, QUEEN'S WALK AND CONSTRUCTION ACCESS ROUTES FROM UPPER GROUND (BISHOPS) 16/00269/DET (CONDITION 6) AND 15/05217/DET (CONDITION 46)**

Case No 16/00269/DET (Condition 6) and 15/05217/DET (Condition 46) (agenda item three, page 11 of the agenda pack, page one of the addendum and page one of the second addendum).

The Planning Officer gave a presentation which included a summary of the report and subsequent addenda that had been published on Friday 29<sup>th</sup> April 2016 and the day of the meeting. Members were advised that the applications under consideration related to discharge of two conditions associated with the parent planning permission for the Garden Bridge which had been granted planning permission by the PAC on 11 November 2014. The two conditions were addressed separately.

Condition 6 (16/00269/DET) Scour and Accretion Monitoring and Mitigation Plan (SAMMP): The condition had been requested by Thames Tideway Tunnel and the Environment Agency in order to assess the potential

impacts of the Garden Bridge on the river bank and river walls. Consultation had been conducted with the Thames Tideway Tunnel, Environment Agency and Port of London Authority; all of whom raised no objections to the submitted condition. The potential hazards to river scour were highlighted and it was noted that adequate mitigation measures would be put in place to reduce the overall risk. In addition, a detailed monitoring programme had been agreed allowing the applicant to recognise when appropriate trigger points had been breached. The condition did not include a monitoring process for river accretion due to the low level of risk.

Condition 46 (15/05217/DET) Illegal Trading, Antisocial Behaviour, Crowd Control and General Enforcement Management Plan: Officers explained that extensive consultation had been carried out with a range of organisations including the South Bank Employers Group, TfL and Metropolitan Police and that the applicants had made a commitment to ongoing consultation. No objections were raised. An overview of the proposed security measures was provided and a coordinated approach to tackling crime and anti-social behaviour had been agreed with local stakeholders. The Garden Bridge Trust (GBT) would employ a minimum number of six Visitor Hosts, plus a Duty Manager assisted by CCTV and lighting, who would be responsible for the operation management of the bridge, landing buildings and immediate environment.

Members were advised about the crowd control plan, queue management plan and procedures proposed under elevated operations and worst case scenarios. The crowd control plan had been based on the assumptions produced under the transport assessment that had been previously approved as part of the parent application.

All matters covered under Condition 46 would be subject to regular and ongoing review as part of the Operations Management Plan (OMP), which would form part of the Section 106 Agreement and would be considered by PAC both prior to the opening of the bridge and further reviewed thereafter.

Following the officers presentation, the objectors raised the following concerns with the application:

- Members of the public had not been consulted on the application.
- Local residents, workers and opponents to the Garden Bridge application had been let down by the planning process.
- Serious issues of public safety on and around the bridge had not been properly analysed. The Garden Bridge would be a major tourist attraction and not enough had been done to mitigate public safety concerns off the bridge along the South Bank and Bankside.
- The police had not provided any comments on the proposals and no cumulative impact assessment had been produced about the range of major developments in close proximity to one another. Particular concern was raised about the width of the walk between Blackfriars Bridge and the Oxo Tower.
- The report had failed to address residents' concerns and the consultation exercises described in the report were inaccurate.
- Statistics produced in the report were false.
- Current dwell times and usage of the South Bank and Queens Walk had not been properly considered. The average dwell times as estimated in the report had been vastly underestimated.

- The development put tourism ahead of the interests of local residents, workers and commuters.
- The Garden Bridge had little public support.
- The flexible space on the ground floor of the landing buildings could be used as commercial space and could therefore act as a crime generator.
- The usage of the South Bank and Queens Walk had increased significantly in recent years and elevated operations of crowd management were likely to be required every day of the week.
- The transport assessment needed to be updated as part of the forthcoming OMP.
- The Garden Bridge could have a detrimental impact on the beach area located towards the Oxo Building.

Supporters of the application then made the following points:

- The SAAMP had been produced following extensive consultation with key technical partners, including the Environment Agency and the Port of London. It provided a robust framework. The submitted condition included provision for monitoring of scour and reactive intervention when necessary.
- Short term scour protection would be deployed during the construction of the bridge if necessary. No additional measures would be required once the Garden Bridge was in operation.
- Permanent scour protection would be placed around the piers.
- The Crowd Management Plan had been based on the assumptions produced under the transport assessment that had been approved as part of the parent application.
- The Crowd Management Plan accounted for the anticipated dwell times of visitors and could manage more if required.
- The public would be advised on when best to visit the Garden Bridge asked to avoid peak hours. One-way flows and temporary barrier systems could also be used to mitigate any potential congestion.
- The GBT would be able to collect accurate data on dwell times which would inform the Crowd Management Plan.
- At least 10 trained Visitor Hosts and a Duty Manager would be working to manage the bridge environment during peak periods.
- The enforcement plan to protect against crime and anti-social behaviour adhered to national standards and was in keeping with Port of London requirements.
- All Visitor Hosts would be well trained and supported by appropriate security measures to ensure the safe management operation of the bridge.
- The GBT was a member of the Lambeth Business Crime Reduction Partnership and the South Bank Business Watch.
- The applicants had committed to the development of a forum for ongoing consultation with the local residential and business community.

Councillor Jennie Mosley, the Ward Councillor for Bishops then made the following comments:

- The Garden Bridge would be a garden rather than a park. The business case put forward was not suitable for a bridge.

- There had been a lack of communication between the GBT and local stakeholders.
- The behaviours of visitors to the Garden Bridge would be different to those visiting other bridges in London.
- The proposals equated to a privatisation of public space, to be management by a private enforcement authority. The development would set a dangerous precedent.

Councillor Ben Kind, the Ward Councillor for Bishops then made the following comments:

- There had been a lack of consultation conducted by the applicants and scrutiny of the application process had been limited. Any consultation had been with the business community and local residents had not been involved.
- The report suggested a reliance on the local Safer Neighbourhood Panel (SNP) for public relations but it was unclear whether the SNP had been consulted at any stage of the process. The local SNP had not met recently and was not necessarily in a position to mediate ongoing relations between the GBT and local community.
- It was unclear whether the standard operation would see six Visitor Hosts actively working on the bridge at all times or whether this figure was inclusive of those located in the South Landing Building.
- Concerns were raised about the private security force for the bridge which would be able to issue fixed penalty notices.

Officers then provided the following information in response to questions from Members. The proposed conditions were addressed separately:

#### Condition 46 (15/05217/DET) Illegal Trading, Antisocial Behaviour, Crowd Control and General Enforcement Management Plan

- The size of the crowds visiting the bridge would be monitored through CCTV and dwell time would be recorded through Wifi usage. The information would be used to inform Visitor Hosts about how best to control the flow of visitors to the site.
- The bridge would have an occupancy limit of 2,500 which could not be breached.
- The OMP could be reviewed and amended in future to ensure that appropriate solutions were in place to mitigate any unforeseen problems with the operation of the bridge. Details of the OMP would be reviewed on the first three anniversaries of the opening of the bridge and could be called in for ad hoc reviews thereafter.
- There would be sufficient provision in place to manage crowds on and off the bridge. The public would also be advised to avoid visiting at peak times if necessary. Should the activity on the bridge prove to be higher than anticipated, there would be opportunity to review and alter the OMP.
- There would be a minimum of six Visitor Hosts, plus one Duty Manager, on site at any one time including those taking breaks. The applicant noted that the police were aware of the proposed staffing levels and that a minimum of 10 Visitor Hosts would be employed on site during peak periods.
- Visitor Hosts would be trained and approved under the Community Safety Accreditation Scheme. The applicant noted that the proposed enforcement regime would be an extension of that

already operational on the South Bank. Visitor Hosts would have the authority to uphold the conditions of entry and eject people under civil powers. They could confiscate alcohol and tobacco and request names and addresses, but could not detain or arrest.

- The deck capacity would be limited to 2,500 people and even at full capacity the bridge would achieve a comfort level A. An Evacuation Management Plan was still to come to PAC.
- The capacity of the lifts would be able to accommodate the anticipated demand.
- The Metropolitan Police had been thoroughly consulted in relation to Condition 46 and raised no objection.

#### Condition 6, Scour and Accretion Monitoring and Mitigation Plan:

- The applicant would be required to monitor for river scour beyond the opening of the bridge. Condition 36 secured a watching brief including the beach area and archaeological sites. There would however be no scope for members of the public to feed back into this monitoring process. Local people would be able report any resulting issue to the Environment Agency who would raise any these with the council is necessary.

The committee considered points raised by speakers in relation to Condition 6 and information provided by officers in conjunction with the report and published addenda. Members made the following comments:

- The anticipated level of river scour and accretion that would result because of the Garden Bridge seemed significant. However expert consultees had raised no objections to the submitted condition and their input commanded significant weight on these matters.
- Members noted the additional informative included in the report that had been recommended by the Environment Agency.

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

RESOLVED, unanimously

To APPROVE the details submitted in respect of Condition 6 (16/00269/DET), Scour and Accretion Monitoring and Mitigation Plan, as outlined in the officer's report and published addenda, subject to an informative to refer to monitoring in accordance with Environment Agency requirements.

The committee then considered points raised by speakers in relation to Condition 46 and information provided by officers in conjunction with the report and published addenda. Members made the following comments:

- The landscaping of the bridge would invite visitors to dwell.
- An effective local reference group was required to manage the relations between the GBT, local residential community, police and Ward Councillors. If, following preliminary discussions with the Chair of the SNP and local police, it became clear that the pre-existing SNP could not fulfil this function, an equivalent community-run forum would need to be established. This should be requested via an informative and included in the forthcoming OMP.

- The Garden Bridge should be visibly well resourced by Visitor Hosts during the opening phase of operation.
- Some Members raised concerns with the provisions in place for crowd control.
- Some Members acknowledged the dual role of the Garden Bridge but did not feel that there was sufficient justification for general enforcement powers to be used by Visitor Hosts on the bridge.
- Other Members noted that there was already staff employed on the South Bank who had these enforcement powers and that the proposals would provide an extension of the current enforcement regime.

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

RESOLVED, 4 – 2

To APPROVE the details submitted in respect of Condition 6 (16/00269/DET), Scour and Accretion Monitoring and Mitigation Plan, as outlined in the officer's report and published addenda, and:

1. To minute that work should continue between the Garden Bridge Trust and the Bishops Safer Neighbourhood Panel to revitalise the pre-existing panel as an accountable community-run forum to bring together residents, police and Ward Councillors. As part of this, direct contact should be made with the Chair of the Panel before the Operation Management Plan (OMP) returned to PAC. In addition, Members requested that an alternative 'accountable community based trust' be established to engage with residents if it became clear that the Bishops Safer Neighbourhood Panel was not in a position to fulfil this function.

*[The meeting adjourned between 8:55pm and 9:00pm.]*

**4. ST GABRIEL'S COLLEGE, CORMONT ROAD (VASSALL)  
16/00510/FUL AND 16/00511/LB**

Case No 16/00510/FUL AND 16/00511/LB (agenda item four, page 53 of the agenda pack, page 12 of the addendum and page three of the second addendum).

The Planning Officer gave a presentation which included a summary of the report and subsequent addenda that had been published on Friday 29<sup>th</sup> April 2016 and the day of the meeting. Members were advised of the key material planning issues for consideration and noted that the proposed building was a short term solution to allow uninterrupted provision of education whilst the new campus was constructed.

Following the officers presentation, the agent provided the following information:

- The new school could only be delivered if temporary accommodation for the school community was provided during the construction phase.
- The application was being presented following extensive dialogue with planning officers.
- A daylight/sunlight assessment had been submitted which indicated

that the impact on the nearby residential blocks was acceptable. Some of the windows would be obscured to protect neighbouring amenity.

- The applicant had submitted a full transport assessment and no objections had been made by the council's Highways Officer.
- The travel plan would encourage sustainable travel and the cycle parking provision would more than meet current demand. Additional cycle parking provision could be accommodated if required in future.
- The proposed development would allow for the full curriculum and current standards of education to be maintained.

Following the agent's representation, the Planning Solicitor advised that case law required that where there was harm to a heritage asset, even if such harm was less than substantial, such harm must be given considerable weight and importance. There was a statutory presumption in such cases to refuse planning permission, however this presumption could be outweighed by the planning benefits of the scheme and if this was the case Members could subsequently move to approve the application.

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

- Approval of the temporary scheme under consideration would not set a precedent for permanent developments which caused significant harm to local heritage assets.
- The proposed building was large but remained subordinate to its surroundings. Any anticipated harm to the local setting was mitigated by the temporary nature of the development.
- The design had been constrained by the needs of the school and the choice of colour was limited due to the modular construction.
- The starting number of cycle parking places exceeded the current level of demand at the school. There was the capability to extend capacity from 30 to 68 cycle parking places should there be the additional demand. The school travel planning officer would be able to review the situation quickly as and when it became apparent that additional provision was required.
- Students would be required to walk to the nearby leisure centre for PE and sports activities.
- The use of Myatts Field for lunch and play would be restricted to school hours and would not have an undue effect on residential amenity.
- There was provision for planting on site to be secured via condition.
- The hours of operation would remain the same as the Langton Road site with students generally vacating the building by 16:00.

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

- The two year life span of the building represented a significant portion of a student's education.
- The amount of cycle parking provision should always exceed the demand in order to incentivise people to cycle.
- The applicant was encouraged to enhance the planting and green space on site where at all possible.

- The design of the building was unsatisfactory and would cause harm to the nearby listed building. However, the application could be supported because of the temporary nature of the development and the public benefit that would arise from the forthcoming permanent solution.
- Members requested that indicative images of the forthcoming permanent structure be displayed on the boundary hoarding of the development site.
- The travel plan should place a clear emphasis on teachers' use of sustainable transport methods and an expectation that they lead the effort in encouraging the school community to walk and cycle to school.

It was MOVED by Councillor Clark, SECONDED by Councillor Atkins, and  
RESOLVED, unanimously

To APPROVE planning permission subject to the conditions as outlined in the officer's report and published addenda and the following:

1. An additional informative requesting that the travel plan places a clear emphasis on teachers' use of sustainable transport methods and expects them to lead the effort in encouraging the school community to walk and cycle to school.
2. It be minuted that the applicant was encouraged to display indicative images of the forthcoming permanent structure be displayed on the boundary hoarding of the development site.

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

RESOLVED, unanimously

To APPROVE Listed Building Consent subject to the conditions as outlined in the officer's report and published addenda.

The Chair thanked Ian Pinamonti-Hyde for his contribution and service to the Planning Applications Committee before wishing him good luck in his future position.

#### CLOSE OF MEETING

The meeting ended at 9:35pm.

CHAIR  
PLANNING APPLICATIONS COMMITTEE  
Tuesday 17 May 2016

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