

PLANNING APPLICATIONS COMMITTEE

Tuesday 1 August 2017 at 7.00 pm

MINUTES

PRESENT: Councillor Malcolm Clark, Councillor Nigel Haselden, Councillor Diana Morris, Councillor Joanne Simpson (Vice-Chair) and Councillor Clair Wilcox (Chair)

APOLOGIES: Councillor Mohammed Seedat

ALSO PRESENT: Councillor Rachel Heywood

1. **DECLARATION OF PECUNIARY INTERESTS**

There were none.

2. **MINUTES**

RESOLVED: That the minutes of the previous meeting held on 04 July 2017 be approved and signed by the Chair as a correct record of the proceedings.

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

3. **452 - 456 BRIXTON ROAD (FERNDALE) 16/06053/FUL**

Case No. 16/06053/FUL (agenda item 3, page seven of the agenda pack and page one of the addendum).

The Chair explained that officers were recommending deferral of the item as a late objection had been raised by a statutory consultee that could not be resolved before the meeting.

It was **MOVED** by Councillor Wilcox, **SECONDED** by Councillor Morris, and

RESOLVED, unanimously

To defer consideration of the application.

**4. GARAGE BLOCK, HILLSIDE GARDENS ESTATE (STREATHAM HILL)
17/01401/FUL**

Case No. 17/01401/FUL (agenda item five, page 125 of the agenda pack, page 23 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 28 July 2017 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the demolition of the existing garages and the provision of four two-bedroom affordable houses with refuse storage, cycle parking and landscaping treatment. The first addendum had also added a condition regarding the use of one of the homes as a show home. The officer advised that the addendum gave two different hours of operation, and advised that the correct hours proposed, would be 10-4 Monday to Friday excluding Public and Bank Holidays. Members were shown locations plans, sections, elevations and floorplans, and were shown comparisons of the current and original proposals. The officer also advised that a further 7 objections had been received.

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

- Pre-application information, which had been obtained through Freedom of Information requests, had described the site as sensitive.
- The application breached policy Q14(e) due to the scale, size and proximity to existing buildings.
- The application would destroy the open, verdant character of the area, and would result in a permanent loss of existing residents' privacy.
- The proposed building would be 1.5 metres above some existing properties. The scheme would be closer to existing properties than the 18 metres as stated in guidance.
- There were issues of flooding in the area that had not been addressed in the report.
- Policies EN5, Q2 and Q14 would be breached.
- The agenda had been published before the end of the consultation period and there had not been a site visit.

The agent and an officer from Lambeth Housing then provided the following information in support of the application:

- There was a shortage of affordable homes for families in Lambeth and this application was an opportunity to deliver.
- The development met needs identified in the Borough Plan.
- Most of the 19 garages were in a dilapidated state and were underused.
- The homes would be rented at affordable rent levels on council tenancies.
- As a result of feedback at the pre-application stage, balconies had been removed, the height of the building had been reduced and the top storey had been removed.

Officers, the agent and the architect then provided the following information in response to questions from Members:

- The Council's Flood Risk Officer had been consulted on the application and had raised no objections.

- The primary material would be brick to fit in with existing buildings. The precise details of the brick had not been decided on but could be secured by condition. A simple, understated approach to design would be taken, with subtle detailing.
- Due to the size of the building, detailing on the flank walls was not considered necessary.
- The two storey proposal fitted in better with the surrounding area than the original three storey application, and was sufficiently visually subordinate. While the application would be visible from properties on Kingsmead Road, it would be almost 18 metres away.
- Variation in brickwork could be accommodated in a modular form of construction.
- The build time would be approximately 15 weeks, significantly lower than standard build times. Elements would be pre-manufactured to size, lowering waste and build hours. The homes would be built from lightweight steel gauge, which was commonly used in backland developments and affordable housing. Work prior to building, such as demolition, would take approximately six weeks.
- Although materials were pre-manufactured, they arrived on site unassembled. The brickwork was panellised so could be altered.
- A requirement to minimise the use of heavy construction vehicles could be added to the conditions.
- Although the proposal was less than the recommended 18 to 21 metres from some properties on Kingsmead Road, officers felt that the impact was acceptable.
- The windows of Hillside Gardens and the proposed dwellings did not directly face each other, due to the land levels and positions of the existing and proposed windows, limiting overlooking, whilst opaque windows would be used for bathrooms.
- The first addendum added a condition limiting the hours of the show home from 10.00 - 16.00 Monday to Friday, excluding bank holidays. Access to the show home would be by invitation only.
- Waste Officers had advised that there was sufficient waste storage capacity on the Hillside Gardens estate. The condition on waste storage was flexible to allow alternatives.

The Legal Officer drew the Committee's attention to paragraph 4.2.4 of the report, which referred to the units being let at social rents while elsewhere in the report reference was made to the units being let at affordable rents. The Committee were advised that for planning purposes, there was a distinction between 'social rent' and 'affordable rent'. The applicant confirmed to the Committee that rents would be council rents set in line with the HRA and the units let on secure tenancies.

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

- While there would be impact on neighbours' amenities, the level of impact was acceptable and the conditions around design, detailing and landscaping would mitigate the impact.
- The need for good quality, affordable homes in the borough was pressing.
- There needed to be discrete waste management systems in Hillside Gardens and the scheme.
- The land was already developed on, was currently disused and not attractive. The development would generate a positive use of the

land. The scheme was in keeping with the local area.

- The proposal would be closer to Hillside Gardens than would be expected in a suburban context. Although the windows would not directly face each other, however there would still be a degree of overlooking as people did not look out of windows from one angle.
- The application had improved considerably through work with officers during the application process.
- The design conditions should be amended requesting that the applicant supplies a proposal to add the provision of a brick pattern to alleviate the blank façade. The pattern should be similar in tone to existing buildings. An informative should be added requesting officers to ensure that the choice of design elements assists the visual subordination of the scheme.
- Condition 9 should be amended to remove reference to the development's waste scheme being part of the estate's waste scheme. An informative should be added expressing the Committee's strong preference for discrete waste and recycling facilities.
- The Construction Management Plan should minimise heavy construction traffic through the estate.

It was **MOVED** by Councillor Simpson, **SECONDED** by Councillor Haselden, and

RESOLVED, by four votes to one

To **GRANT** planning permission subject to the conditions as outlined in the officer's report and published addenda, subject to the completion of an obligation pursuant to s106 Town and Country Planning Act 1990 to include the securing of the residential units as social rent affordable housing units with finalisation of the terms of that obligation to be delegated to the Assistant Director of Planning in consultation with housing officers, and further subject to the following:

- i. A condition requiring designs to be submitted for the visual alleviation of the blank façades.
- ii. An informative encouraging the applicant to select a brickwork that would help to achieve visual subordination.
- iii. An informative expressing the Committee's preference for the provision of discrete refuse storage.
- iv. Condition 9 to be amended to remove 'Alternatively, evidence provided that there is sufficient capacity across the estate'.
- v. An informative requesting that landscaping described in condition 10(d) to maximise permeability both in design specification and detailing.
- vi. An informative requesting that the Construction Management Plan minimise heavy construction traffic through the estate.
- vii. The amendment of the condition regarding the show unit to add 'twelve months from the completion of the show unit'.

5. TYLER HOUSE, SIDNEY ROAD (FERNDALE) 16/07104/FUL

Case No. 16/07104/FUL (agenda item four, page 81 of the agenda pack and page 15 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 28 July 2017. Members were advised of the key material planning issues for

consideration which included the refurbishment of the existing 1960s building, the ground floor extension, the addition of two lift shafts, the provision of 13 additional affordable units, and the addition of cycle parking, waste storage and play area. Members were shown location plans, satellite photos, proposed elevations and proposed floorplans.

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

- The applicant was a community-based housing association located in the Stockwell Park Estate.
- The application was one part of the wider regeneration of the estate.
- All of the new homes would be affordable, with an increased mix of tenure type and size. All of the new units met the space and density guidelines and were all dual aspect. New residents would receive a three year car club membership.
- The applicant had worked with officers to devise the best possible scheme.

Officers, the agent and the architect then provided the following information in response to questions from Members:

- The building was made of white brick slips, as stated in the report. There would be no stock bricks.
- The cladding had originally been black, but officers had negotiated a softer grey, and the exact colour had yet to be confirmed.
- The design of the balustrade would not allow space for residents to erect additional screening. Other treatments had not been considered. A thin profile balustrade could be used to provide additional screening.
- The Council's Flood Risk Officer had been consulted and had not raised objections.
- There would be a full decant for all the tenanted flats on the ground floor during the renovation. The occupants of the top floor flats would be decanted during the construction of the roof extension.
- The leases for the new flats would not include the right to a parking permit.
- While conventional horizontal cycle parking was preferred, vertical cycle storage was sometimes deemed acceptable when there were space limitations.
- It was common for additional screening to be prevented in the lease, but the desire for additional screening could be addressed through good design.

The Legal Officer advised that:

- Provided the new units were able to be adequately identified, a clause preventing the issue of residential parking permits for those units was capable of being enforced. It was not unusual for developments to be subject to restrictions on the issue of residential parking permits that affected new units only.
- It was not possible to impose a general restriction preventing a purchaser of a shared ownership unit from acquiring 100% equity in such a unit, and if that occurred, the property would cease to be owned on a shared ownership basis.
- It would be necessary to investigate whether it was possible to include within a s106 agreement a clause that had the effect of requiring a person who acquired 100% of the equity in a shared

ownership unit to give the housing association the right of first refusal to buy back the unit. It was suggested that this could be addressed via an amendment to the existing recommended delegation to officers, if the Committee resolved to grant planning permission.

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

- The possibility of the housing association buying back previously shared ownership properties should be explored.
- The application would upgrade and enhance the existing building, and would provide existing residents benefits through the improved courtyard.
- Consideration would need to be given to the detailing of the white walls to ensure their good condition into the future.
- More consideration should be given to the detailing of the balustrade.

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

RESOLVED, unanimously

1. To GRANT planning permission subject to a Section 106 Agreement and the conditions as outlined in the officer's report and published addenda and subject to the following:
 - i. An informative requesting that the colour of the cladding should minimise any potential overbearing.
 - ii. An informative requesting that in developing the final balustrade detail, adequate consideration is given to the privacy of future residents.
2. To delegate authority of the Director of Planning and Development to:
 - Finalise the recommended conditions as set out in this report;
 - Negotiate, agree and finalise the planning obligations as set out in this report pursuant to Section 106 of the Town and Country Planning Act 1990, to include investigating whether a clause can be inserted into the s106 Agreement that would have the effect of allowing the housing association to have first refusal in respect of buying back any 100% owned units, reporting back those findings to the Chair and agreeing in consultation with the Chair the terms of any such clause.

CLOSE OF MEETING

The meeting ended at 9.30 pm

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 5 September 2017

Date of Despatch: Wednesday 9 August 2017

Contact for Enquiries: Henry Langford

Tel: 020 7926 8703

Fax: (020) 7926 2361
E-mail: MBurton2@lambeth.gov.uk
Web: www.lambeth.gov.uk

The action column is for officers' use only and does not form a part of the formal record.