

PLANNING APPLICATIONS COMMITTEE

Tuesday 7 November 2017 at 7.00 pm

MINUTES

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

APOLOGIES: Councillor Mohammed Seedat

ALSO PRESENT: Councillor David Amos, Councillor Kevin Craig and Councillor Jennie Mosley

1. DECLARATION OF PECUNIARY INTERESTS

Although not a pecuniary interest, Councillor Wilcox stated that she would stand down from the Committee for items 17/02044/FUL and 17/02331/RG4 (Streatham Vale Park), as the applications were in her ward and she had a pre-determined view.

2. MINUTES

With regard to the minutes of the meeting of 3 October, Councillor Morris requested that on item one (Declaration of Pecuniary Interests), the minutes be amended to 'With regard to application 16/06612/FUL (23 Hoadly Road), although not a pecuniary interest, Councillor Diana Morris stated that she knew people on both sides of the application but that she had not had any contact with either party regarding the merits of the application other than the materials received by all members in connection with the application.'

Councillor Morris requested that on item three (23 Hoadly Road) the tenth bullet point on page four be amended to 'The introduction of round pillars was problematic.'

RESOLVED: That, subject to Councillor Morris' amendments, the minutes of the previous meeting held on 03 October 2017 be approved and signed by the Chair as a correct record of the proceedings.

Regarding the minutes of the meeting of 17 October, Councillor Morris requested that on item one (Declaration of Pecuniary Interests), the minutes be amended to 'Regarding application 17/03194/FUL (Glenbrook Primary School), Councillor Diana Morris stated that while the application

was in her ward and she had been involved in discussions with residents regarding the proposed secondary school, she had not received any local representations on the plans for the primary school.'

RESOLVED: That, subject to Councillor Morris' amendments, the minutes of the previous meeting held on 17 October 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. KENNINGTON GREEN, KENNINGTON ROAD (OVAL) 17/04261/DET

Case No. 17/04261/DET (agenda item five, page 57 of the agenda pack, page nine of the addendum and page five 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 3 November 2017 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the indicative approved design, the refused design and the reasons for refusal, the impact on heritage assets, the consultation undertaken following the refusal and the changes to the design since the refusal. Members were shown plans of the head house site, an aerial photograph of the existing site and CGI images of the proposals.

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

- Two petitions, one with 362 signatures opposing the head house and one with 319 signatures opposing the landscaping, were presented.
- The proposed design was not the design that had been given consent in the original application. Freedom of Information requests to TfL had shown that there was no operational necessity for the change of design.
- The design proposals breached Local Plan policies and would harm conservation assets that would not be outweighed by public benefits.
- Refusing this design would not jeopardise the Northern Line Extension (NLE) programme.
- The proposed design had a greater massing than the indicative design and was in a prominent location on Kennington Green.
- The design was a brutal brick box which would have an adverse effect on the conservation area and listed buildings
- TfL and officers had ignored the number and extent of objections to the application.
- There would be no replacement trees on the western side of Kennington Green, despite a requirement to replace trees on a one-to-one basis.
- The tree pits were too small and the branches too low for the landscaping to be successful.
- The Community Plan had provided a landscaping plan with a vision, whereas the application did not.

The applicant, agent and architect then provided the following information in support of the application:

- The applicant had reflected on the reasons for refusal and the feedback previously given by the Committee. The head house had been designed within the limits of deviation of the national approval.
- Robust consultation had been undertaken. A three day public exhibition had been held, with opportunities for the public to see models and proposed materials. Landscaping was part of the consultation.
- The landscaping proposals were largely in line with the Community Plan.
- The design was contemporary, reflecting the function of the head house without being pastiche, through matching the height of existing buildings and the use of brick.
- Following the refusal of the design in November 2016, changes had been made to reflect the consultation; the brick plinth had been lowered, the chamfer transition had been moved to eye level and the choice of brick had been changed to reflect public preference.
- There were complex and challenging engineering requirements, with the head house providing a key evacuation route. Although the design had changed from the approved scheme, it was still within the permitted deviation.

Kate Hoey then spoke in opposition to the application as the MP for Vauxhall, stating that:

- The changes between the refused design and the application amounted to tinkering. Nothing had been done to mitigate against the negative impact.
- Following the refusal, she had been assured that TfL would work with her and the community, but had been ignored.
- The head house was an important building on a visible site, and would be in place for many years.
- Refusing the application would not delay building work. An unsuitable design should not be approved simply because of time constraints.

Councillor David Amos then read a statement on behalf of Oval Ward Councillors:

- Residents had lived with noise, dirt and disturbance during construction of the NLE, and wanted an acceptable head house and a green that would be well-used.
- Two marginally different designs had been submitted for consultation and the majority of residents disliked both design options.
- It had not been confirmed who would be responsible for maintenance of the landscaping.

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

- The Council would be responsible for landscaping maintenance. This had been agreed with the Parks Department.
- The use of a higher kerb would reduce the desire lines across Kennington Green. The zebra crossing had been permanently moved south along Kennington Road, further removing the likelihood of pedestrians walking across the Green.
- There would be a net increase of four trees, although their placement had changed.
- There would be ramp access at the southern end.

- The Council's Parks Officer had been consulted at an early stage and was satisfied with the planting strategy.
- Condition 4 required hard landscaping, gravel, soft landscaping, cycle storage, bins and street lighting. The indicative plan had been approved by the Planning Inspector.
- The proposal and community plan aligned regarding undulations to the Green and the raised kerb, but differed on road layout changes and changes to parking. The requested changes to the road and parking would require a wider parking survey, and were not part of TfL's obligations.
- Residents had devised the Community Plan with the intention of creating a shared space.
- The replacement trees would be at the maximum possible maturity, with a likely size of 650-800 centimetres.
- The unpanelled elevation on the west side faced the gin distillery, with limited public views.
- Brick samples had been visible on site and at the public exhibitions. However it was not possible to know how many of the 112 respondents had viewed the brick samples.
- Some suggestions from the consultation, such as a pitched roof, were not possible due to the engineering requirements, while others, such as green walls, were not suitable because of the ongoing maintenance costs. The owners of the gin distillery had raised concerns that people could use climbing plants or green walls to climb the walls into the distillery.
- Although the blank façade to the west elevation was the least preferred option, it had been devised after considering the Committee's views on the previous proposal and the need to make the west elevation subservient to the east and south elevations.
- The size, appearance and massing of the head house had been determined by the technical requirements. The applicant had met with London Fire Brigade but had not been able to get concessions on the design that would allow the submitted design to deviate from the required standards.
- The uniform height was needed to achieve the required ventilation area. Officers were of the opinion that the uniform height better reflected the local pattern of development.

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

- The application did not fully address the previous reasons for refusal. The uniform height made the design appear too broad and it would benefit from a stepped roof. However, the technical requirements prevented this.
- TfL's actions following the consultation and lack of engagement were disappointing and it was concerning that the majority of responses to the consultation opposed all designs.
- The landscaping proposals were acceptable.
- The technical arguments in respect of scale and massing were persuasive.
- The surrounding area was rich in heritage assets and it was imperative to achieve an appropriate design.
- The design was an improvement on the refused application with the lowering of the plinth.
- The application was unusual in its function and engineering

requirements.

- It was disappointing that the design had not been further developed in the year since the refused application.
- Consultation responses regarding the western façade should have been better considered, despite the Committee not raising the western façade in its reasons for refusal. It was not possible to add a condition regarding patternation of the western façade.
- The public benefits outweighed the harm to heritage assets.

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

RESOLVED, by four votes for to two against

To **APPROVE** details in relation to conditions 2 part (a) and (b) and Condition 4 of the Planning Direction insofar as those details relate to Kennington Green Head House and Kennington Green.

4. 108 STAMFORD STREET (BISHOPS) 17/03658/FUL

Case No. 17/03658/FUL (agenda item six, page 101 of the agenda pack, page 13 of the addendum and page seven 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 3 November 2017 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the temporary development for up to five years, the acceptability of the use, the location of the site in the Central Activities Zone (CAZ), Opportunity Area and Strategic Cultural Area, the impact on local transport, the provision of a Visitor Management Plan and the impact on nearby buildings. Members were shown images from the existing show in Stockholm, aerial photographs of the site, proposed elevations and the proposed layout. A model of the proposed materials was viewed by Members.

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

- The London Plan stated that the residential elements of the CAZ should be retained. Affordable housing was needed in the area and the site had previously been identified for housing use.
- The application was adjacent to a housing co-operative and a library. There were hundreds of residents living in the vicinity.
- There would be a negative impact with increases in anti-social behaviour and traffic. It was likely that taxis would wait outside the venue, worsening the air quality in the area.
- It was not clear how staff would be able to direct vehicles and pedestrians.
- There was no active frontage, contravening the Waterloo SPD's guidance.
- The proposal was inappropriate and would dominate in its size and design.

The applicant, agent and architect then provided the following information in support of the application:

- The application was for a temporary venue in a long-vacant site.
- The show already operated successfully in Stockholm, and was not

a nightclub, but an immersive theatre and dining experience.

- The site had never been identified for social housing use. The rent would be used by the landowner, Coin Street Community Builders (CSCB), to fund its community activities.
- The development would be available for community use, training opportunities for young people would be provided and 64 full time jobs would be generated. Residents would be offered heavily discounted tickets.
- Following concerns, the operating hours and carbon footprint had been amended.
- The Visitor Management Consultant had experience at high profile venues.
- There would be staggered entry and exit times to reduce the impact to neighbours. Guest access would be via Stamford Street and staff would marshal visitors.

Councillor Jennie Mosley then spoke as the Ward Councillor for Bishops in objection to the application, stating that:

- There was widespread local opposition to the application, with hundreds of people contacting her with their concerns.
- The area already had high levels of traffic and pollution, which would be worsened by the application.
- Residents' enjoyment of their gardens would be negatively affected.

The Ward Councillor for Bishops, Councillor Kevin Craig, then spoke in objection to the application, stating that:

- The application was unsuited to the area and was the result of CSCB needing to raise money.
- He was concerned that the Committee could grant permission based on the draft Visitor Management Plan (VMP).
- While the applicant strenuously denied that the application would be a nightclub, the impact to residents would be like that of a nightclub.

[At 22:00 the Committee elected to proceed with the meeting for a further 45 minutes in order to conclude the remaining matters of business.]

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

- The show would finish at 22.15, with recorded music being played until closing time at 23.30 during the week and at midnight at weekends. The volume of the music would be gradually lowered during that time.
- A Premises Licence had not yet been applied for.
- Traffic generation was assessed for the worst case scenario of full occupancy with 530 visitors. Travel mode shares were derived using Department for Transport TEMPRO data for recreational trips in Lambeth. For assessment of taxi movements, it was assumed that the private car travel and taxi mode share would be split equally together with an occupancy level of two visitors per vehicle resulting in the figure of 37 taxi movements. 10% of visitors were forecast to travel by coach which would equate to one coach per performance.
- Details of how marshals would direct guests would be given in the VMP.
- Following discussions with the Police regarding hostile vehicle

mitigation, condition 23 had been added.

- All tickets would be sold in advance, enabling early communication around arriving at the venue and minimising queuing.
- The smoking area would close after 22.30 and no drinks would be allowed outside the venue.
- The chimney was needed as it was a ventilation shaft. Due to the temporary nature of the building, natural ventilation was deemed most appropriate. The same principle had been used for the temporary National Theatre venue. Design officers felt that the proportions were elegant and refined, and would not dominate.
- A full-scale model of the materials would be provided as a condition of the planning permission. The metal discs would have rubberised fixings, which would prevent any noise as they moved.
- Due to the end time of the show, it was likely that most pedestrians would walk to Waterloo station and they would be directed there along Stamford Street and via the IMAX roundabout.
- The community offer would provide technical training and would be suitable for school visits. Officers did not consider the community offer to be necessary to make the application acceptable.

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

- While the community's desire for affordable housing was understandable, there was no planning requirement to use the land for housing.
- The application would introduce a use significantly different to the existing mix of the area.
- It was not clear how stewards would be able to control the dispersal of guests.
- Although the application was for temporary use, the building would be in place for five years, raising into question the suitability of the proposed design. The introduction of the chimney would impact on heritage assets.
- If the application was approved, the VMP should come back to Committee for approval to ensure that concerns around guest dispersal and noise could be addressed.
- The reasoning for the inclusion of the chimney was understandable.
- There were outstanding concerns regarding the amenity impact to residents.
- The site was on the border between primarily residential and cultural areas.
- Councillor Simpson wished it be minuted that one of the objector's comparison of the proposed design of the venue to a 'concentration camp' was in poor taste.

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

RESOLVED, by four votes in favour to two against

1. To APPROVE planning permission subject to a Section 106 Agreement and the conditions as outlined in the officer's report and published addenda and the following:
 - i. The Visitor Management Plan to be approved by the Committee prior to any works on site.

2. To delegate authority to the Director of Planning, Transport and Development to:
 - Finalise the recommended conditions as set out in this report; and
 - 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.
3. To delegate authority to the Director of Planning, Transport and Development to refuse planning permission in the event that the Section 106 Agreement is not completed by 19th December 2017 (or an alternative timeframe agreed with the LPA) on the grounds that the development would have an unacceptable impact on – transport and highways, visitor management, sustainability and local employment.

5. STREATHAM VALE PARK, ABERCAIRN ROAD (STREATHAM SOUTH) 17/02044/FUL

Case No. 17/02044/FUL (agenda item three, page 17 of the agenda pack, page one of the addendum and page one of the second addendum).

Members agreed to forego the officer's presentation to maximise time available for questions.

The applicant provided the following information in support of the application:

- The applicant had delivered services for children in the park for the past three years. However, this was difficult in winter due to the lack of lighting in the park. Granting the application would allow greater participation.

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

- Lights would be located to ensure there were no dark areas along paths. There would be small areas of darkness, preventing a negative impact on bats. The installation of bat boxes would help to mitigate the impact on bats.

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

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

RESOLVED, unanimously

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

6. STREATHAM VALE PARK, ABERCAIRN ROAD (STREATHAM SOUTH) 17/02331/RG4

Case No. 17/02331/RG4 (agenda item four, page 35 of the agenda pack, page three of the addendum and page two of the second addendum).

Members agreed to forego the officer's presentation to maximise the time available for questions.

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

- The park had suffered from a poor reputation for anti-social behaviour and was not well-used.
- The applicant had undertaken extensive consultation and had engaged with schools, churches and Friends groups, with no objections being raised.
- Free after school and weekend services were run for local children, and the application would help to sustain this by generating income from the sports facilities.

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

- The management of the park had been transferred to the Community Trust, but the extent of community access to the proposed facilities had not yet been agreed. The Community Trust intended to run free services for children after school and on Saturdays, with the facilities to be rented out to sports clubs in the evenings.
- The facilities would close earlier on weekends due to lower demand.
- While the park was currently unlocked at all times, it would be locked at night after the development. The BMX track would be designed to be inaccessible to motorbikes.
- The Friends group, Councillors and service users were engaged with the steering group.

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

- Condition 9 should be amended to ensure that the community use agreement is developed in consultation with the Friends of the park and Ward Councillors where possible.
- Motorcycle access to the park should be prevented where possible.

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

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

- i. Condition 9 to be amended to develop the community use agreement in consultation with the Friends of the park and Councillors where possible.
- ii. An informative requesting that potential motorcycle access to the park be prevented where possible.

7. APPEAL AND ENFORCEMENT DECISIONS JUNE 2017

It was noted that the appeal against the Committee's refusal of the application for 79-81 Clapham Common South Side had been upheld. Members noted the outcome of recent appeal decisions and thanked officers for their work in defending the Council's policies.

CLOSE OF MEETING

The meeting ended at 10.45 pm

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 28 November 2017

Date of Despatch: Wednesday 15 November 2017

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