

PLANNING APPLICATIONS COMMITTEE 1

Tuesday, 19th February, 2008 at 7.00 pm

MINUTES

PRESENT: Councillor Toren Smith (Chair), Councillor Diana Morris (Vice-Chair), Councillor Brian Palmer and Councillor Neil Sabharwal (Substitute)

APOLOGIES: Councillor John Whelan and Councillor Andrew Gibson

ALSO PRESENT: Councillor Suzanne Poole

1. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

2. **MINUTES OF PREVIOUS MEETING**

RESOLVED: That the minutes of the meeting held on 11 December 2007 be approved and signed by the Chair as a correct record of the proceedings, subject to the amendments below and that the minutes of the meeting held on 29 January 2008 be deferred for consideration at the next meeting.

Amendments - 11 December 2007

- Item 5, resolution: After 'proposal', insert 'and the', remove the full stop and change 'Potential' to 'potential'.
- Item 7, fourth paragraph, fourth line: change 'obscured' to 'obstructed'.

3. **ST. SAVIOURS COLLEGE, 110 HAMILTON ROAD (GIPSY HILL WARD)**

(Report No. A - 07/02973/DET B - 07/03051/DET C - 07/02998/DET) (Page 13 of the agenda and page 1 of the attached addendum)

Officers introduced the application which was for approval of details pursuant to Conditions 3 (Materials), 5 (Boundary Treatment) and 15 (Defensible Planting) of planning permission 07/00423/FUL.

The Chair of the Rommany Road Resident's Association and two other local residents addressed the committee and made the following points:

- Local residents were disappointed that they had not been consulted by the applicant since the planning permission had been granted in May

2007, despite assurances that had been made at the time.

- The details submitted would lead to a decline in security for local residents which was unacceptable. As it currently was, the site was secure with a boundary fence of 2.3M in place on the Rommany Road frontage. The proposals would lessen the security and bring the fence down to 1.5M on the Rommany Road frontage. There were also issues with the security system to be used for opening the gates with the applicant now proposing a key pad entry control system rather than key fob entry control system. These issues could have been addressed relatively simply if the applicant had consulted with local residents as they had promised.
- Conditions which the committee had requested in May 2007 had been ignored by the applicant. There had been no provision of a children's play area or CCTV, bricks from the demolition had been destroyed and were now unusable and the memorial plaques on the site had not been preserved.
- As a result of the demolition, the footpath next to the site had been closed for many months. This was another indicator of how little regard the developer had for the residents of Rommany Road and Hamilton Road.
- Residents felt that Council officers had not been responsive in answering their questions.

The Head of Development Control explained that there had been an officer error which had resulted in 3 of the 5 additional conditions agreed by the committee not being imposed on the planning permission. The 3 conditions relate to brick reuse, memorial plaques and a provision of play area in the centre of the site. Officers had since met with the applicant to negotiate on these matters. Whilst the bricks may not be salvageable, some of the plaques were and the applicant had suggested using £10,000 of the £50,000 cycle infrastructure provision in the S106 agreement to pay for a play area on the site.

Councillor Suzanne Poole, in her capacity as ward councillor for Gipsy Hill Ward, addressed the committee and raised the following points:

- The requests of local residents had been very reasonable and they had tried to engage in the process. However, the applicants had been unresponsive and had failed to consult them. Residents had also had problems getting Council officers to answer their questions.
- Security was a major concern and she could not understand why the fence was being reduced from 2.3M to 1.5M in height on the Rommany Road frontage of the site.
- Felt that it was disgraceful that the committee's requests regarding the reuse of bricks and plaques had been ignored.
- The development would bring in lots of families and children to the area which already had poor provision of play facilities. She felt that provision should be made for this in addition to the S106 funding already agreed.
- She believed that the non-attendance of the applicants at the meeting was indicative of their attitude throughout the process. Considered that the application should be refused on the grounds that the applicant

had failed to observe the requests of the committee when permission was granted.

The Chair opened the debate and the following issues were discussed by the committee:

- The 1.5M height of the fence was for aesthetic purposes and officers believed that a higher fence would be out of keeping with the street scene. However, if the committee was minded to, it could specify that this should be higher.
- Members felt that the light grey material on the upper floors could be more colourful to provide visual interest. Also concerned that the 'red brick' did not match that of the chapel on the site.
- Security on the site was a real concern. The committee was particularly concerned about the height and design of the boundary fences and how secure the entrance gate would be. It was felt that the fence on the Rommany Road frontage of the site should be at least 1.8M high and the gate should be an automatic closing gate, rather than spring loaded, and accessed by a key fob rather than a key pad entry control system. Members were not convinced that Secure by Design guidelines had been followed.
- Members were very unhappy with the way that the applicant had acted over the provision of a play area after it had been clearly agreed at committee. They felt that officers should continue to put pressure on the applicant to provide this without the money being moved from elsewhere in the S106 agreement.
- The committee was disappointed that there were no representatives of the applicant present at the meeting to engage in discussions on the issues which had arisen.

It was **MOVED** by the Chair and **SECONDED** by Councillor Palmer, that the approval of detail applications for Conditions 3 and 5 be **REFUSED** on the following grounds:

1. The grey cladding and red brick submitted by the applicant, which were to be used on the external elevations of the development were not satisfactory.
2. The height and design of the Rommany Road boundary fence and the design of the gate and the entry control system on the Rommany Road boundary fence were unacceptable. The height of the Rommany Road fence is to be increased to a minimum of 1.8M and the design of the railings should be amended to have a pointed finial. Both gates to the bowling green should also be a minimum of 1.8M and an automatic closing gate and a key fob entry control system are required. Boundary treatment to meet Secure by Design guidelines.
3. Officers were asked to pursue variation of the 106 agreement to include the provision of a play area in the middle of the site and memorial plaques and tablets to be reused and replaced on site.

It was agreed that the detail application for Condition 15 be **APPROVED**.

It was unanimously **RESOLVED** that the Approval of Detail applications in respect to Conditions 3 (07/02973/DET) and 5 (07/03051/DET) be **REFUSED**

on the following grounds:

1. The grey cladding and red brick submitted by the applicant, which were to be used on the external elevations of the development were not satisfactory.
2. The height and design of the Rommany Road boundary fence and the design of the gate and the entry control system on the Rommany Road boundary fence were unacceptable. The height of the Rommany Road fence is to be increased to a minimum of 1.8M and the design of the railings should be amended to have a pointed finial. Both gates to the bowling green should also be a minimum of 1.8M and an automatic closing gate and a key fob entry control system are required. Boundary treatment to meet Secure by Design guidelines.
3. Officers were asked to pursue variation of the 106 agreement to include the provision of a play area in the middle of the site and memorial plaques and tablets to be reused and replaced on site.

And that the Approval of Detail application in respect to condition 15 (07/02998/DET) be **APPROVED**.

4. HAMPTON HOUSE, 20 ALBERT EMBANKMENT (PRINCE'S WARD)

(Report No. 07/04264/FUL) (Page 51 and pages 1 to 13 of the attached addendum)

Officers introduced the application which was for redevelopment of the site involving the demolition of existing buildings and erection of three buildings of between 13 and 27 storeys to provide a mixed use development comprising ground floor commercial units (flexible Use Class A1, A2, A3, A4, B1, D2), an 167 room apart-hotel, 242 self contained residential units comprising 93 x 1 bed, 77 x 2 bed, 65 x 3 bed and 7 x 4 bed, along with associated parking and landscaping including first floor podium and roof gardens.

A local resident representing the Vauxhall Gardens Community Centre and the Kennington Association addressed the committee and raised the following points:

- Of all the site views presented to the committee, there had been none of the prospective views from the Council estates behind the site. Residents' groups had asked the developers for these views but had not received anything from them.
- The proposed development would mean a loss of sunlight for residents living behind the development. They had lost their Parliament view to a nearby development and the S106 money which was supposed to compensate them had been spent elsewhere.
- The proposed scheme would only be offering 32% affordable housing which was below the requirements of 40%. It was believed that the Mayor of London would be minded to refuse the application on these grounds.
- The development was essentially anti-social and would create a vertical gated community.
- There had been no real consultation with the social rented estates and the Vauxhall Gardens Community Centre and the Kennington Association were missing from the list of consultees. To not let local

people have their say would be to set a poor precedent.

- There were severe social needs on the estates behind the development but these had been avoided and the S106 agreement did not offer anything to these communities.

Members were concerned about whether the Council had sufficient mechanisms in place for feeding the needs of local people into these processes. It was brought to their attention that, as part of the Council's asset disposal programme, the Vauxhall Gardens Community Centre was to be relocated from its current site to one on Glasshouse Walk and a contribution of S106 money could be important to the ongoing viability of the centre. Members requested that, in the event of an approval, officers seek a contribution to this scheme as part of the S106 agreement.

Representatives of the applicant addressed the committee and raised the following points:

- The scheme would see the creation of a high quality series of buildings which would raise the benchmark for this type of development.
- There would be 77 new affordable units in the scheme which would be provided without grant funding. This would give the Council 100% nomination rights. There would also be S106 contributions totalling £1.6 million.
- The applicant had worked closely with partners and had ironed out a lot of problems through the consultation process.
- The buildings currently in the area were monotonous and this was an opportunity to transform it, getting rid of the 'wall like' effect, producing breaks and views and creating visual interest with the use of texture and colour. The scheme had been carefully designed as a 'local' tall building rather than a 'metropolitan' tall building.
- The carbon footprint of the development had been reduced by 39%. Car parking spaces had been minimised and there was provision of cycle spaces.
- The buildings would provide discreet raised garden spaces for the amenity of residents and the pavement was being expanded around the foot the site to create a lively area around the blocks.

The Chair opened the debate and the following points and issues were raised and discussed:

- The overall quality of the development was high and a vast improvement to what was currently on the site.
- The neighbouring hotel had been built to the edge of its site, which had caused some problems for this development. As a result, the design sought to move and angle the building away from its neighbour so that residents of Hampton House would not be looking onto the hotel.
- It was suggested that the Parks team had not included Peddlars Park in the S106 agreement as it had recently undergone a refurbishment.
- A play area would be provided in the upper landscape of the scheme. The proportion of amenity space given over to this could be varied according to the demand.

- The shortfall in affordable housing was considered a real sticking point and members felt that the amount provided should be higher. The applicant stated that any development had to make a profit or it would not get built. The level of profit on this site was already relatively low as the constraints of the site and the high quality of the development had large costs. The residential values had been calculated before the current 'credit crunch' and would now probably be lower. The applicant had been very open about the whole process and had submitted its figures to the scrutiny of a third party, property consultants Atisreal.
- Representatives of Atisreal confirmed to the committee that their findings tallied with the claims of the applicant. The applicant had been optimistic in terms of estimated income and bill costs were high due to the high quality of the buildings and the proximity to the railway and the river. The inclusion of grant funding had been explored but this would only bring the level of affordable housing up to 35% due to the enormous gap between social rented and private property values. They were of the opinion that affordable housing had been maximised on this site.
- The inclusion of an overage clause was not something that the applicant thought was practical. He pointed to the high values already attached to the properties and the rising costs of construction and noted that he would not be compensated if this brought profit margins down.
- There was an issue concerning transport and the capacity at Vauxhall tube station. The applicant claimed that analysis of the situation indicated that the development would add only 106 extra people to the flow through Vauxhall tube station during peak hour of 8.00am to 9.00am whilst cutting the number of people exiting the station.
- There was a deficit of £50,000 between what TfL had requested from the applicant in regards to transport measures and what was being offered. The applicant claimed that they had tried to be open and transparent in their dealings with TfL but had encountered difficulties. TfL had claimed an amount from the applicant to mitigate the extra strain on transport but had been unwilling to provide the applicant with breakdowns and analysis of how this figure was arrived at.
- Members felt that the noise from the railway on the site could be a significant problem. Members requested legal advice about imposing sound proofing as a condition. The Legal officer advised that soundproofing was a building regulation. The law was clear and the committee could not impose restrictions on sound proofing except in exceptional circumstances as this was a building regulation issue and not a planning consideration. Members were also advised about PPG 24 where again the government considers that the Building Regulations are the most appropriate means of control for sound insulation between dwellings and LPA should not use planning conditions to control sound insulation. It was explained that mitigation measures were included in the conditions. The building had also been designed so that basic ventilation did not rely on windows being open. Members wanted to ensure that all parts of the residential development would be soundproofed to acceptable standards and considered that rooms should be tested for soundproofing and all had

to fall within either category A, B or C of PPG24, prior to the occupation of the building.

- Members felt that there were issues, particularly the level of affordable housing and the impact on transport in Vauxhall, which the GLA should carefully consider.

MOVED by the Chair and **SECONDED** by Councillor Palmer that planning permission be **GRANTED**, subject to the conditions in the report, as amended in the addendum, the signing of a S106 agreement and the following additional conditions, subject to the recommendation of the GLA:

1. Internal sound checks to be carried out, prior to occupation, in a sample of rooms in every block of the development with all to fall within category A, B or C of PPG24.
2. A review of the S106 headline figures and the consideration of funding for the Vauxhall Garden Community Centre to be agreed by Chair and Vice-Chair of the committee.

Voting:

For – 3

Against – 1

Abstention - 0

RESOLVED: That planning permission be **GRANTED**, subject to the conditions in the report, as amended in the addendum, the signing of a S106 agreement and the following additional conditions, subject to the recommendation of the GLA:

1. Internal sound checks to be carried out, prior to occupation, in a sample of rooms in every block of the development with all to fall within category A, B or C of PPG24.
2. A review of the S106 headline figures and the consideration of funding for the Vauxhall Garden Community Centre to be agreed by Chair and Vice-Chair of the committee.

5. **9 BECMEAD AVENUE (ST. LEONARD'S WARD)**

(Report No. 07/04089/FUL) (Page 25 of the agenda and page 1 of the attached addendum)

Officers introduced the application which was for conversion of existing single dwellinghouse into 6 self-contained flats (2 x 3 bedroom, 2 x 2 bedroom and 2 x 1 bedrooms units) involving excavation and enlargement of existing basement and installation of front and side light-wells, railings and the erection of lower ground and ground floor 2 storey rear extension together with a loft conversion including the erection of a side dormer and installation of 1 front rooflight and 3 rear rooflights. Installation of new windows to the front, side and rear elevations at basement and ground floor levels, removal of a rear window and formation of new entrances on the Ockley Road frontage. It was noted that, in 2005, another application for a three storey extension on this site had been refused on design grounds on account of the proposal being too large and bulky. However, a Certificate of Lawful

Development had been granted for another proposal for a single side and rear extension, along with associated alterations. It was the opinion of officers that the new application was an improvement on both of these proposals.

A local resident addressed the committee and raised the following points:

- Planning permission had been granted in 2004 to erect two new semi-detached houses on land to the rear of this property. However, the developer had ignored the constraints imposed by the planning committee and built properties which were not consistent with the approved plans. The Council had taken enforcement action, which was also ignored and the developer had since been prosecuted. The remainder of 9 Becmead Avenue was now under new ownership but the resident was concerned that this may be a simulated transfer and asked the committee to investigate this to ensure that no links existed between the two companies.
- The Council had previously used the extra demand on parking as a reason for refusal but officers were now departing from this line. They had measured the parking stress in the middle of the night but it was during the day that it was at its busiest as most of the cars were those of commuters or visitors to the health centre.
- The cellars of local residents were regularly flooding and levels of saturation in back gardens had increased as a direct result of recent nearby developments. This proposal would further add to this problem.

A representative of the applicant addressed the committee and raised the following points:

- The previous history on the site had nothing to do with the applicant who had worked closely with the Council's planning officers to produce an acceptable scheme.
- He understood the transport issues in the area and had offered a contribution towards a car club scheme as part of the application.
- The development would be largely on the same footprint as it is currently on. The property was not in a flood risk zone and an onsite investigation had been carried out to look at the flooding issues.
- The premises had, in recent years, been derelict and had squatters in. This proposal was for a good quality scheme which would alleviate these issues.

The Chair opened the debate and the committee discussed the following issues:

- The committee could not take into account the identity of the developers of the site as this was not a planning consideration.
- Overnight parking was seen as the correct measure to take as this was a good measure of the stress from resident's parking.
- It was acknowledged that there was a problem in the area created by the run-off of water and some mitigation measures would need to be taken.
- Members felt that the windows at the rear of the property could be better designed to be more in keeping with the surrounding area.
- The development would be large and have an impact on the street scene but most members of the committee agreed that it would be a

considerable improvement on what was currently there and what had previously been applied for.

MOVED by the Chair and **SECONDED** by Councillor Sabharwal that planning permission be **GRANTED**, subject to the conditions in the report, as amended in the addendum, the signing of a S106 agreement and the following additional conditions:

1. The details of flooding mitigation measures be approved by officers.
2. The details of the proposed windows in the rear wall be approved in consultation with the Chair and Vice-Chair of the committee.

Voting:

For – 3

Against – 1

Abstention - 0

RESOLVED: That planning permission be **GRANTED**, subject to the conditions in the report, as amended in the addendum, the signing of a S106 agreement and the following additional conditions:

1. The details of flooding mitigation measures be approved by officers.
2. The details of the proposed windows in the rear wall be approved in consultation with the Chair and Vice-Chair of the committee.

6. PLANNING APPEAL DECISIONS

The committee noted the outcome of appeal decisions between 1 and 31 January 2008.

7. ADDENDUM (ATTACHED)

CLOSE OF MEETING

The meeting ended at 9.45 pm

CHAIR
PLANNING APPLICATIONS
COMMITTEE 1

Date of Despatch: 29 February 2008

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15	St Saviours College, 110 Hamilton Road	Amend approved plan number: FNH342-P-35A to read 36A	Amend approved plan numbers: FNH342-P-35A to read 36A
33	9 Becmead avenue SW16	<p>Para 3.11.1 <u>Response to Consultation</u> Since the agenda was publicised a further letter of objection has been received reiterating the objections already reported in relation to parking, scale and design of extension and drainage</p>	
39-40	9 Becmead avenue SW16	<p>Para 3.13.10 <u>Proposed floorspace Vs SPD Tables</u> The figures shown for the overall floor space in the proposed scheme and the draft SPD include circulation and/or storage space provision.</p> <p>Table (v) – First floor flat: Amend to indicate 2 x bathrooms measuring 4.0sqm & 4.2sqm, respectively.</p> <p>Table (vi) – Second floor flat: Amend figure in overall floor row for Minimum to 60sqm (-3.1)</p>	
53	Hampton House, 20 Albert Embankment	Approved plans section incorrectly notes PA004. Should read Plan PA004 Rev 01	Approved plans to include PA004 Rev 01
56	Hampton House, 20 Albert Embankment	<u>Description of development</u> should read: "Building 1 would be 24 storeys, Building 2 would be 27 storeys and Building 3 would be 13 storeys"	

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58	Hampton House, 20 Albert Embankment	<p>Amend Para 5.5 – Formal response from CABE received. They reiterate that many of the basic propositions are welcomed, but that there are concerns regarding the quality of outdoor spaces and quality of life within some flats, and that appropriate wind, daylight and overshadowing studies be carried out to inform further design development. Concern is also raised about the relationship between Building 3 and Riverbank Plaza Hotel. Consider that the scheme should be aiming higher than the stated intention to achieve level 3 Code for Sustainable Homes.</p> <p>Note - line 5 of para 55 – replace “<i>undermining</i>” with “<i>underpinning</i>”.</p>	
58	Hampton House, 20 Albert Embankment	<p>Amend Para 5.8 – the Environment Agency has advised that they have no objections to the scheme but have sought a number of conditions and informatives which are either already proposed or are suggested alongside.</p>	<p>Add following condition: The development shall proceed in accordance with the submitted flood risk assessment by URS reference 44407520 MARP0001 Issue 3.</p> <p>Amend condition 42 to read as follows: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.</p> <p>1. A desk study identifying:</p> <ul style="list-style-type: none"> - all previous uses - potential contaminants associated with those uses - a conceptual model of the site

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			<p>indicating sources, pathways and receptors</p> <ul style="list-style-type: none"> - potentially unacceptable risks arising from contamination at the site. <p>2.Site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.</p> <p>3. The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.</p> <p>4. A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.</p> <p>Any changes to these agreed elements require the express consent of the Local Planning Authority.</p> <p>Add following informatives: To prepare the Flood Warning and Evacuation Plan, we would refer the applicant to both the recommendations of the accepted FRA and Chapter 6, paragraphs 6.16 to 6.22 of the Government Guidance "Development and Flood Risk - A Practice Guide Companion to PPS25".</p>

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			<p>Piling or other penetrative methods of foundation design can cause unacceptable risks to groundwater. A risk assessment should be carried out as per our guidance 'Piling into Contaminated Sites'. This and other guidance on piling into potentially contaminated sites is available on our website (www.environment-agency.gov.uk). Click on the publications and search for piling.</p> <p>The water table is likely to be shallow at the site. It is therefore susceptible to pollution from oils and fuels from construction machinery.</p> <p>The Environment Agency strongly recommends that the applicant consults our Pollution Prevention Guidance notes (PPGs). These are aimed at a wide range of industries and activities that have the potential to cause pollution. They can be downloaded from our website www.environment-agency.gov.uk . Type PPG into the search engine or paste this link into your browser: http://www.environment-agency.gov.uk/business/444251/444731/ppg/</p>
58	Hampton House, 20 Albert Embankment	<p>Amend Para 5.9 – the following points are noted with respect to transport matters, resulting from dialogue between the Transport Planner, TfL and the applicant's agents, following on from TfL/GLA's formal response to the application:</p> <ul style="list-style-type: none"> - TfL state that for the peak 3 hours (7-10am) there is capacity for 31,000 pedestrians in both directions. Current use is approximately 20,000. However, they state that capacity varies considerably over the 3 hour 	

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		<p>period and that although there is capacity at some periods within this 3 hours at other times capacity is reached and some control is required. This is why TfL (LUL) have been seeking more detailed analysis from the developer. TFL have a current congestion relief scheme that will provide capacity until around 2030 although their forecasting does not take into account additional development at Vauxhall which would be likely to reduce this additional time period, and require station control at an earlier date. Although an individual development is unlikely to have a significant impact on its own given the overall number of daily trips through Vauxhall station (in this case the developer predicts just under 120 additional Underground trips between 8-9am) there is a cumulative impact and this is what needs to be assessed in cases such as this, particularly given the number of large development sites that are likely to come forward. Each developer should therefore provide a contribution towards improvements.</p> <ul style="list-style-type: none"> - London Buses have the final word on assessing if there is potential spare capacity or not on the network as they monitor it on a daily basis. The transport consultant should acknowledge that 2004 data is in essence out of date and reflects the 2004 situation, not the current situation. London Buses are able to provide additional information on patronage growth since 2004 and to justify that there is not sufficient capacity on the 344 route for accommodating extra passengers. - The development is located at the busiest point of the route (ie between Vauxhall and Lambeth Bridge). The usage of the 344 has increased since the latest published survey (BODS2004). The cumulative impact of this development should also be considered given the high development pressure in this area. 	

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		<ul style="list-style-type: none"> - The Vauxhall area is a key Transport Hub and is currently experiencing problems in terms of capacity, accessibility and connectivity with the surrounding area. The cumulative impact of planned/proposed developments in the area are a considerable factor in relation to adding to current capacity/accessibility problems at Vauxhall. - The Vauxhall/Albert Embankment area is currently under mounting development pressure (to date, we are aware of 5 referable planning applications in this area: Wah Kwong House, Hampton House, Texaco Albert Embankment, Vauxhall Island Site and Bondway) - your Council have recognised this and are currently working with BDP to prepare an SPD for the area. We have had a couple of meetings to date and it looks like Lambeth have high aspirations for this area. All of which involve changes to the transport network/system which are likely to be very costly. - If the total Section 106 contribution for this development is 'fixed' at £1.5 million, then it is TfL's view, given the current issues at Vauxhall and the surrounding bus network, that a large proportion of this sum goes towards transport improvements (either towards identified schemes or towards a S106 pool for transport - as discussed with your colleagues). With developments in the City of London, TfL argues (on similar grounds) that 40% of the overall contribution should go towards transport. It seems that given the nature of this development a more appropriate percentage would be 30%. (i.e around £450,000) - The works required to the public highway as part of the comprehensive/landscaping of the site are a necessary part of this development and should be picked up in a 278 agreement (if necessary) and be entirely separate to S106. S106 should be used to mitigate (Circ 05/05) not to fund necessary/Landscaping works 	

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		<p>by the developer. - this is an important point.</p> <ul style="list-style-type: none"> - TfL expects to have very limited funds available in the coming decade for such schemes - it is therefore essential that we ensure new developments contribute towards necessary mitigation and transport improvement measures. 	
59	Hampton House, 20 Albert Embankment	Amend Para 5.10 – City of Westminster have provided a formal consultation response which raises “no comment”	
59	Hampton House, 20 Albert Embankment	Amend Para 5.11 - London Borough of Camden has raised objections on the basis that the proposal would fail to preserve or enhance the ability to recognise the Palace of Westminster and would breach the Background Assessment Area threshold plane. In particular there is concern over whether the tallest elements would impact on the view from other points on Parliament Hill. It is stated that the submitted documentation does not appear to show the elements of the scheme which would be within the shadow of the tallest tower or whether elements which breach the 40m backdrop .	
59	Hampton House, 20 Albert Embankment	<p>Amend Para 5.12 - The Mayor of London considered a report on this proposal on 06 February 2008. The following comments have been made:</p> <ul style="list-style-type: none"> - The Mayor has raised serious strategic concern regarding the proposed approach to affordable housing, questioning the assumptions made by the Council’s consultant in relation to estimated level of grant funding and the limited effect if grant funding were available. The applicant has failed to provide justification as to why grant funding has not been applied for on the site. As such, it is not clear if the proposal represents the maximum reasonable level of affordable housing achievable; - The proposed mix of units fails to meet the requirements of the London Plan Housing SPG; - Without a play space strategy detailing the location of the proposed play space, the expected child occupancy levels, 	

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		<p>along with the accessibility and size of nearby children's play space, it is not possible to assess whether the proposal complies with the London Plan;</p> <ul style="list-style-type: none"> - With respect to energy, further clarification has been sought with respect to target emissions of the residential element, modelling for baseline carbon dioxide emissions, dwelling emission rates, annual heat and electricity consumption, potential for increasing the size of the CHP, further details of the planned control regime for the various plant, and further information on the use of photovoltaics; - The comments made by TfL (noted under 5.9) have been reiterated, with confirmation that contributions towards a section 106 pool fund for transport improvements is required, that more work/information is required with respect to parking levels, trip generation, impact on the footway network, the proposed highway layout, the proposed tree planting, analysis of capacity at Vauxhall station, coach parking, and the impact upon the bus network need further consideration; - Comments from the LDA have been provided - reference is made to formalising initiatives to create training and employment opportunities through s106 agreement 	
93	Hampton House, 20 Albert Embankment	Amend Para 7.2.37: note that comments have now been received from the Crime Prevention Design Advisor. Concern has been raised regarding the vehicle access and that it appears to be completely open. Secure gates are suggested, and lockable gates for the cycle parking. It is noted that a condition regarding details of secure by design is already proposed which will ensure that the matters raised by the Crime Prevention Design Advisor are taken into consideration.	

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94	Hampton House, 20 Albert Embankment	Amend Para 7.2.44 (s106 planning obligations): note that the s106 will need to include a planning obligation to secure the 77 affordable housing units and the nomination rights for the scheme. A clause to secure the play space and public art are required. Further, contrary to the Officers report, reference to the disabled spaces is required in the heads of terms as these could not be secured for residential use only. A Construction management plan has been proposed as a condition and is not required in the s106 agreement. However parking management and delivery management would need to be included in the s106.	
96	Hampton House, 20 Albert Embankment	Amend Recommendation: It is noted that this application is referable to the Mayor, who has 14 days in which to decide whether or not to direct the Council to refuse planning permission. On basis that the application expires on 7 th March 2007, the recommendation should be re-worded that if not called in and the s106 is not signed by 6 th March 2007, the application will be refused for the reasons outlined in Recommendation 2.	
99	Hampton House, 20 Albert Embankment		Amend condition 5: Prior to the commencement of any building work, detailed elevational drawings, together with samples and a schedule of all materials to be used in the elevations, balconies, roofing, windows/joinery of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.

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99	Hampton House, 20 Albert Embankment		<p>Amend condition 7: Prior to the commencement of building works, a Landscape and Public Realm Strategy for all external public realm areas within the curtilage of the site hereby approved shall be submitted to and approved by the Local Planning Authority. This Strategy is to include, amongst other things, details of proposed plant and tree maintenance, paving materials, pedestrian priority materials and shared surface treatments, plant species, ground levels, green roofs, living walls and boundary treatments. The development shall be in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p>

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100	Hampton House, 20 Albert Embankment		<p>Amend condition 16: Prior to the commencement of building works, full details of the provision to be made for at least 328 covered and secure cycle parking for the residential and commercial elements, including visitor parking, shall be submitted to and approved in writing by the Local Planning Authority and shall include details of location and means of access to secure cycle storage. The cycle parking shall be provided in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.</p> <p>Add informative: In relation to Condition 16, the applicant is advised that in providing the required amount of covered and secured parking, it may necessitate the rearrangement of the car park and potential loss of parking spaces as Officers are not convinced regarding triple stacking in particular.</p>

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105	Hampton House, 20 Albert Embankment		<p>Add condition: Prior to the commencement of building works, full details of the delivery/servicing area shall be submitted to and approved in writing by the Local Planning Authority and shall include details of entry and exit swept paths. The delivery area shall be provided in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.</p> <p>Add informative: In relation to Condition 48, the applicant is advised that in providing the required swept paths, it may necessitate the rearrangement of the car park and potential loss of parking spaces.</p>
105	Hampton House, 20 Albert Embankment		<p>Add condition: Details of the proposed access shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of building works. No other part of the development shall be occupied until the new means of access has been sited, laid out and constructed in accordance with the approved details.</p> <p>Reason: In order to minimise danger, obstruction and inconvenience to users of the highway and of the access. (Policies 9 and 31 of the Adopted Unitary Development Plan (2007) refer.)</p>

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105	Hampton House, 20 Albert Embankment		Amend relevant conditions: In order to achieve consistency and to enable effective project management by the applicant, it is suggested that aside from pre-demolition conditions, that relevant conditions which currently state details "prior to commencement of development" are re-worded to state "prior to commencement of construction/building works"

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