

Planning and Development Control Committee Minutes

Tuesday 13 October 2020

1. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2. **ROLL-CALL AND DECLARATION OF INTERESTS**

Councillors: Colin Aherne, Wesley Harcourt, Alex Karmel, Rachel Leighton (Chair), Natalia Perez, Asif Siddique, Matt Thorley and Matt Uberoi.

Cllr Wesley Harcourt declared a non-pecuniary interest in respect of Item 7 – Shepherd’s Bush Station, Plimley Place, as market stalls came under his remit as Cabinet Member for the Environment. He had also met with residents recently on a range of issues affecting their area. As he considered this would not be a conflict of interest, he remained in the meeting and voted on the item.

Cllr Wesley Harcourt declared an interest in respect of Item 8 – 115 to 129A Scrubs Lane, as he was a member of the ODPC Planning Committee. As this was a conflict of interest, he withdrew from the meeting and did not vote on the item.

Cllr Natalia Perez declared a non-pecuniary interest in respect of Items 4 and 5 – School Caretaker’s House, Melcombe Primary School, 160 Fulham Palace Road, as her daughter attended the school. As she considered this would not be a conflict of interest, she remained in the meeting and voted on the item.

Cllr Natalia Perez declared an interest in respect of Item 8 – 115 to 129A Scrubs Lane, as she was a member of the ODPC Planning Committee. As this was a conflict of interest, she withdrew from the meeting and did not vote on the item.

3. **MINUTES**

The minutes of the meeting held on 28 September 2020 were agreed.

4. DECISION TO CHANGE THE ORDER OF THE AGENDA

In view of there only being registered speakers for Shepherd's Bush Station, Plimley Place, the Chair proposed that the running order of the agenda be changed to: Shepherd's Bush Station, Plimley Place, both Melcombe Primary School applications, Mackenzie House and finally, 115 – 129A Scrubs Lane. This was agreed by the Committee.

5. SHEPHERD'S BUSH STATION, PLIMLEY PLACE, LONDON, SHEPHERD'S BUSH GREEN, 2019/03240/FR3

Please see the Addendum attached to the minutes which amended the report.

Cllr Wesley Harcourt declared a non-pecuniary interest in respect of Item 7 – Shepherd's Bush Station, Plimley Place, as market stalls came under his remit as Cabinet Member for the Environment. He had also met with residents recently on a range of issues affecting their area. As he considered this would not be a conflict of interest, he remained in the meeting and voted on the item.

The Committee heard representations from two residents in objection to the application.

During the course of discussions, Cllr Alex Karmel proposed that the application should be deferred to a future meeting to enable officers to provide additional information. This was seconded by Cllr Matt Thorley.

The Committee voted on the recommendation to defer application 2019/03240/FR3 as follows:

For:

7

Against:

1

Not Voting:

0

RESOLVED THAT:

Planning Application 2019/03240/FR3 be deferred to a future meeting, to enable officers to provide additional information on the service and delivery plan, loading and unloading, the adjacent taxi rank and monitoring information in relation to the market stalls.

6. SCHOOL CARETAKER'S HOUSE, MELCOMBE PRIMARY SCHOOL, 160 FULHAM PALACE ROAD, LONDON W6 9ER, FULHAM REACH, 2020/01500/FR3

Please see the Addendum attached to the minutes which amended the report.

Cllr Natalia Perez declared a non-pecuniary interest in respect of Items 4 and 5 – School Caretaker's House, Melcombe Primary School, 160 Fulham Palace Road, as her daughter attended the school. As she considered this would not be a conflict of interest, she remained in the meeting and voted on the item.

Officers provided a presentation which covered both applications.

During the course of discussions, Cllr Alex Karmel proposed that condition 3 (in relation to the planned usage of the HMO by no more than three permanent teachers) be amended, so this also included usage by teaching support staff.

This was seconded by Cllr Matt Thorley.

The Committee voted on the proposal to amend condition 3 as follows:

For
2
Against
6
Not Voting
0

The Committee then voted on the recommendations for application 2020/01500/FR3 as follows:

Officer Recommendation 1

For:
8
Against:
0
Not Voting:
0

Officer Recommendation 2

For:
8
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2020/01500/FR3 be approved, subject to:

1. That the Chief Planning Officer be authorised to determine the application and grant permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992 subject to the condition(s) listed below:
2. That the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion
7. **SCHOOL CARETAKER'S HOUSE, MELCOMBE PRIMARY SCHOOL, 160 FULHAM PALACE ROAD, LONDON W6 9ER, FULHAM REACH, 2020/01501/LBCHF**

Please see the Addendum attached to the minutes which amended the report.

Cllr Natalia Perez declared a non-pecuniary interest in respect of Items 4 and 5 – School Caretaker's House, Melcombe Primary School, 160 Fulham Palace Road, as her daughter attended the school. As she considered this would not be a conflict of interest, she remained in the meeting and voted on the item.

Officers provided a presentation which covered both applications.

The Committee voted on the recommendations for application 2020/01501/LBCHF as follows:

Officer Recommendation 1

For:
8
Against:
0
Not Voting:
0

Officer Recommendation 2

For:
8
Against:
0
Not Voting:
0

RESOLVED THAT:

Planning Application 2020/01501/LBCHF be approved, subject to:

1. That the Chief Planning Officer be authorised to determine the application and grant permission subject to the condition(s) listed below.
 2. That the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.
8. **MACKENZIE HOUSE, 363 LILLIE ROAD, LONDON, FULHAM REACH, 2020/02121/VAPO**

Please see the Addendum attached to the minutes which amended the report.

The Committee voted on the recommendations for application 2020/02121/VAPO as follows:

Officer Recommendation 1

For:

7

Against:

1

Not Voting:

0

Officer Recommendation 2

For:

8

Against:

0

Not Voting:

0

RESOLVED THAT:

Planning Application 2020/02121/VAPO be approved, subject to:

1. That the Chief Planning Officer be authorised to vary Schedule 5 of the Section 106 agreement dated 28 August 2015, to allow the 8 affordable housing for shared ownership units to become 8 intermediate for rent units.
 2. To authorise that the Chief Planning Officer after consultation with the Head of Law and the Chair of the Planning and Development Control Committee be authorised to make any minor changes to the proposed Heads of Terms of the legal agreement or conditions, which may include the variation, addition or deletion of conditions, any such changes shall be within their discretion.
9. **115 - 129A SCRUBS LANE, LONDON, COLLEGE PARK AND OLD OAK, 2020/02049/OPDOBS**

Please see the Addendum attached to the minutes which amended the report.

Cllr Wesley Harcourt declared an interest in respect of Item 8 – 115 to 129A Scrubs Lane, as he was a member of the ODPC Planning Committee. As this was a conflict of interest, he withdrew from the meeting and did not vote on the item.

Cllr Natalia Perez declared an interest in respect of Item 8 – 115 to 129A Scrubs Lane, as she was a member of the ODPC Planning Committee. As this was a conflict of interest, she withdrew from the meeting and did not vote on the item.

Cllr Alex Karmel requested that the minutes record, the increase in the percentage of affordable housing for the development was welcome.

The Committee voted on the recommendation for application 2020/02049/OPDOBS as follows:

Officer Recommendation 1

For:

6

Against:

0

Not Voting:

2

RESOLVED THAT:

This Council raises objection to the proposed development for the following reason(s):

- 1) LBHF objects to the affordable housing proposed. LBHF will hold the nomination rights for the development and as such the affordable housing offer must be one that can be utilised by the Council for its residents. The affordable housing quantum of 32% is not supported, nor is the 84% Shared Ownership and 16% London Living Rent tenure and neither comply with adopted policy. Both the quantum and tenure should be revisited to deliver a policy compliant

development at a level that can be utilised by LBHF. The Council expects any s106 agreement to secure appropriate review mechanisms as advised by the Mayor's Affordable Housing and Viability SPG. The proportion of 3 bed units is not in accordance with policy and should be revised to secure the appropriate level of family accommodation.

- 2) LBHF objects to the proposal and recommends a number of further improvements and revisions to its height and design are secured. The future context of the site has changed from the extant permission and this has not been recognised in the quality of the design in this sensitive edge location. Conditions as outlined are also requested to be secured to ensure adequate mitigation to the impacts of the development. Please refer to the attached Case Officer's report to read the full assessment of the proposal and the Council's requested conditions and revisions should permission be granted.
- 3) LBHF objects on highways grounds and requires a Healthy Streets approach to be adopted. The 12 Blue Badge parking spaces is not commensurate with the 21 wheelchair homes to be provided and it is a requirement that 21 wheelchair spaces are provided for and secured by way of obligation for those units for the lifetime of the development.

Addendum

Meeting started: 6:30 pm
Meeting ended: 8:10 pm

Chair

Contact officer: Charles Francis
Committee Co-ordinator
Governance and Scrutiny
Tel
E-mail: charles.francis@lbhf.gov.uk

PLANNING AND DEVELOPMENT CONTROL COMMITTEE
Addendum 13.10.2020

REG REF.	ADDRESS	WARD	PAGE
2020/01500/FR3	School Caretaker's House, Melcombe Primary School	Fulham Reach	12
Page 19	Paragraph 1.3, fourth sentence, delete "4" and replace with "6a".		
Page 23	Paragraph 3.22, insert sentence at the start of the paragraph: "The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. Sections 16, 66 and 72 of the Act are relevant to consideration of this application."		
Page 25	Paragraph 3.35, insert sentence at the end of the paragraph: "Furthermore, it is considered that this is compliant with Section 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990."		
Page 27	Paragraph 3.45, first sentence, after "serving", add "the ground floor living room,".		
2020/02121/VAPO	Mackenzie House, 363 Lillie Road	Fulham Reach	37
Page 41	Paragraph 2.7, third column in the table, for Flat 30 delete "£39,560" and replace with "£39,950".		
2019/03240/FR3	Shepherds Bush Station, Plimley Place	Shepherd's Bush Green	43
Page 48	Para 3.1 Renumber paragraph 4.1 and add an additional sentence at the end: "The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the principal statutory duties which must be considered in the determination of any application affecting listed buildings or conservation areas. Sections 16 and 72 of the Act are relevant to consideration of this application."		
Page 50	Para 8.1 Add the following at the end: "The application site is located within Shepherds Bush Conservation Area. Since the designation of the Conservation Area, in October 1984; the eastern extent of the Conservation Area has been subject of significant change. This is owing to redevelopment of Shepherds Bush underground station as part of the Westfield development. This development included the demolition of a group of locally listed, Buildings of Merit. Owing to this earlier change, the current proposals; given both their scale and temporary nature, would not result in any harm to the character and appearance of the Conservation Area. Consequently, it is considered that this is compliant with Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990."		