

PRESENT

Members of the Committee

Councillor Paul Warrick (Chairman)
Councillor James Husband (Vice-Chairman)
Councillor Sam Mackover (Vice-Chairman)
Councillor Robert Atkinson
Councillor David Campion
Councillor Carol Caruana
Councillor Professor Sir Anthony Coates
Councillor Emma Dent Coad
Councillor Robert Freeman

Others in Attendance

Mr Jonathan Bore, Executive Director of Planning and Borough
Development
Mr Edward George, Senior Planning Officer (South)
Mr Graham Stallwood, Head of Development Management
Ms Heidi Titcombe, Principal Solicitor
Mr Jerome Treherne, Governance Administrator

Some 80 or so **members of the public** were also present.

A1 APOLOGIES FOR ABSENCE AND MEMBERSHIP

Apologies were received from Councillor Ian Donaldson. Councillor, Sir Merrick Cockell and Councillor Terence Buxton who decided not to sit on the Committee because of their prior involvement in the applications before the Committee.

A2 MEMBERS' DECLARATIONS OF INTEREST

No declarations of interest were made.

A3 MINUTES OF THE MEETINGS HELD ON 21 JANUARY AND 11 FEBRUARY 2014

Both sets of minutes were signed by the chairman as accurate records of the meetings.

In respect of the minutes of the 21 January meeting, Mr Bore advised Councillor Campion he would be sent him details of the Section 106 Agreement on the Thames Tideway Tunnel.

In respect of the minutes of the 11 February meeting, the Chairman advised Councillor Campion that despite a late night finish to a recent Planning Applications Committee (an occurrence the new rules were designed to eradicate) the impact of the new meeting rules should be considered at the end of the agreed six month trial at which point a balanced view could be formed. The Committee was informed that the layman's guide to committee meeting guidelines to encourage effective use of speaking time had not yet been finalised. Mr Stallwood agreed to circulate the guidelines to Members before they became a public document.

Action by: Executive Director of Planning and Borough Development

A4 STR10 – REDEVELOPMENT OF THE EARL'S COURT EXHIBITION CENTRE, THE LILLIE BRIDGE ROAD DEPOT, THE WEST KENSINGTON AND GIBBS GREEN HOUSING ESTATES AND ADJOINING LAND

The Senior Planning Officer introduced the report. He referred to the Addendum Report which detailed some minor corrections to conditions and drawing numbers. He noted the letter of 11 March 2014 from the Earl's Court Society and said the points it raised had been covered in section 7 of the report. He said the proposal for rail-based materials transfer suggested in the letter had been explored in a feasibility study.

The Senior Planning Officer presented slides that illustrated the details of the scheme for the development plots WV04 and WV06. He reminded the Committee that the images on panels and models around the meeting room provided more details.

The Committee noted the reserved matters before it focused on the layout of buildings within blocks and their appearance, the street layout and landscaping. Mr Bore confirmed no buildings were proposed to be higher than had been approved in the outline planning permission granted on 14 November 2012.

The Senior Planning Officer reported that the proposals had been presented to the Architecture Appraisal Panel (AAP) twice and its comments had led to amendments to the scheme. Mr Bore commented that the AAP had made relatively minor points following the second presentation and it appeared satisfied with the proposals overall. The Senior Planning Officer highlighted that the servicing arrangements had been set out in Conditions in the outline planning

permission and were also covered in the Section 106 Agreement. He confirmed a number of meetings with the Police had taken place to discuss security arrangements for properties and the principles of Secured By Design would be applied.

The following objectors representing the Earl's Court Society were invited to the table: Malcolm Spalding, David Driver, Mark Balaam, Nick Woolven and Councillor Linda Wade. In the 21 minutes in total permitted, the following points were made:

- the scheme sought to fill the permitted area to a maximum extent which was unnecessary and would mean overlooking into the existing houses on Philbeach Crescent where none existed at present, this represented a loss of amenity;
- the proposed housing in plot WV04C had a shoulder height above the current Exhibition Centre roofline and would damage the appearance of the Conservation Area;
- the proposed residential blocks were too large and dense leading to a loss of daylight and sunlight;
- the proposed buildings were too close to the existing buildings in Philbeach Crescent and would create a sense of enclosure;
- the proposed streets would be overshadowed by buildings and the quality of the small open spaces was inadequate, often appearing to be an extension of retail space;
- proposed coloured metal cladding panels and screens were disliked and unacceptable;
- vibration from the 25 heavy goods vehicle movements per hour was of concern and transport by rail should be considered;
- an explanation was needed as to why old and misleading images of town houses at the rear of Philbeach Gardens which erroneously depicted them as two storeys lower had been included in the officer presentation;
- the shop front appearances would be lurid and gaudy and the proposed use of reconstituted stone should be reconsidered as this material tended to weather badly;
- the design of shops along the high street and the proportions between the street and buildings especially near Warwick Crescent and on the Philbeach Gardens side did not conform to conservation standard guidelines and Council policy;
- no measurements were given for the 'pocket' gardens and the depth of tree pits along the Empress Gardens seemed too shallow;
- the road system should be designed to prevent any rat runs;
- little detail was given on the educational, health and other leisure amenities and little space had been allocated to these elements;

- overall the building design was fussy and not representative of the vernacular for this part of London. Simpler formal massing at the higher levels should replace the 'wedding cake' look, and
- residents agreed with the AAP that the classical references in the design lacked integrity.

The following were invited to the table: Annette Simpson (Capco), Mike Stowell (Farrells), Brian Girard (KPF), Fred Pilbrow (Pilbrow and Partners) and Craig Tabb (DP9). In the 21 minutes in total permitted, the following responses to the objectors' points were made:

- the scheme kept within the maximum and minimum parameters approved by the outline planning permission;
- the applicant was proud of the partnership approach that had been followed;
- the scheme was in accordance with design guidelines and was to the highest architectural and landscape standards as borne out by the exceptionally detailed design guidelines for town houses and building base parameters which had been followed;
- the approach taken was to deliver the scheme responsibly and to protect the area and residential amenity;
- expertise from a variety of landscape architects had been used to make the new development as welcoming as possible;
- 230 local people had attended the November information session and in response to comments, the park had been enlarged and non residential play space at ground floor level and children's play space had been introduced to improve the amenity for local people;
- the Architects had responded to comments from the Earl's Court Society in setting the parameters for building height, the design and on safeguarding residents' amenity during and after the construction phase;
- the vision behind the development was to reflect the architectural quality of this part of London;
- the panels for the shop fronts were to have restrained colours in response to comments made by local residents, and
- the demolition and building plans had been informed by discussion with a neighbourhood group and conditions ensured detailed mitigation measures to minimise traffic and noise.

The Committee asked for an explanation of why the misleading image of the building height of development plots WV04C and WV04D including the large trees shielding the blocks had been used in the presentation. Mr Stowell explained this image formed part of the design evolution at an early stage prior to the submitted outline plans and he, along with other representatives of the applicant,

admitted it was misleading. Ms Simpson reassured the Committee that the correct parameters had been clear to the applicant and other documents which accompanied the erroneous image clearly showed two additional recessed storeys. She reported that during discussions with the Earl's Court Society over the roofline designs, the images used had always had the additional two storeys set back indicating the correct height. The Committee understood the image without the top two storeys had not been included in the proposal to the November 2012 Committee and Ms Simpson stated this image carried no weight whatsoever.

The Senior Planning Officer confirmed the proposal was consistent with the parameters agreed in the outline plans. He advised that the maximum height of the building permitted from ground level was 22.2 metres from a 3.1 metre slab height. Ms Simpson confirmed this Above Ordinance Data (AOD) was included in the guidelines.

Councillor Champion noted the difficulty of assessing proposals because a scheme, when built often seemed to differ from the images presented of it at an earlier stage. Ms Simpson responded to say the applicant's intention was to build in accordance with the design in the slides presented to the Committee.

Councillor Caruana referred to loss of amenity for residents of Eardley Crescent. Ms Simpson said that light assessments had informed the outline plan and they indicated no undue reduction in sun or daylight. Overlooking issues had informed the design guidelines and she said this was not an issue. She confirmed that there would be 45 metres between the rear of Philbeach Gardens and the proposed building in WV04D and WV04D packets of land.

In response to Councillor Atkinson's query, the Planning Officer advised that details on the Traffic Management Plan would come back to the Major Planning Development Committee (MPDC). Ms Simpson commented that the scheme's design prevented vehicle use of the full length of the High Street. She referred to a Strategy Transport Review Group that was tasked with monitoring road use within the application site. The Committee noted the Section 106 Agreement covered inter alia this element of the scheme and the Planning Officer advised that the rat run issue was not within the reserved matters before the Committee today. The Committee noted that all roads within the application site would be publically accessible and Capco would be responsible for their management and maintenance.

Councillor Atkinson questioned if the trees which he considered were very important to the scheme, would survive once planted. Joe Wheelwright, a tree expert from Arup, came to the table and

explained that the suggested trees could be planted and maintained if they had a minimum depth of one metre soil which they would do throughout the landscaped areas. He said their root systems spread horizontally into soft works which would enable them to flourish. The tree species chosen reflected the sites where they would be planted.

Councillor Dent Coad suggested the proposed landscaping plan provided little space for recreational activities and the river park seemed overplanted. Ms Simpson responded by pointing out the series of formal gardens in the southern part of the site and the more formal landscaping north of the High Street where most of the play space would be located. Mr Wheelwright advised that the proposed landscaping complied with Council policies and green spaces for recreational use were within suitable walking distance and spread across the site. He said enclosed spaces were to be provided for under-fives and larger equipment for older children. He noted that at present no ball games areas were envisaged but suitable areas could be provided for this in due course.

During its deliberation, the Committee noted that it had not been the applicant's intention to mislead by showing an image with the incorrect image of the crescent and the exaggerated large size of the trees in front of it. The Committee also noted that with the additional two storeys, the building would still be within the approved limits. It was noted that Condition 5 (a) and (b) would require the coloured panels and detail of the top storeys to be approved at a later date. Mr Bore, in the light of the misleading image presented to the Committee, highlighted that the determining factor in the application before the Committee should be the detail of buildings and the materials. He emphasised that the recommended conditions would ensure that these aspects would be brought back to the Planning Application Committee for approval.

Councillor Atkinson said that the details of the proposed buildings did not fit with the existing Earl's Court village. Councillor Prof Sir Antony Coates expressed a wish for the application to be delayed to allow for further discussion. Councillor Dent Coad considered the proposed buildings' size to be out of proportion with properties nearby and they were not in keeping with those in the immediate area.

The Chairman asked that Members receive those parts of Conditions 1, 3, 5, 7, 9, 11, 13, 14, 15, 16, 17, 18 and 19 relating to materials to be referred back to Planning Applications Committee. This requirement was subject to consultation with the Chairman of the Committee as the PAC might decide that once materials for certain blocks had been considered there would be no need for all these Conditions to be further considered by the Committee.

The Committee voted by five votes in favour (with Councillors Atkinson, Caruana, Prof Sir Antony Coates and Dent Coad opposing) and RESOLVED to grant planning permission to the reserved matters subject to:

- (1) the conditions set out in the report, and
- (2) the conditions concerning the materials to be determined by the PAC at a later date.

Action by: Executive Director of Planning and Borough Development

STR11 – DEVELOPMENT PLOT WV04 AS APPROVED BY APPLICATION REFERENCE PP/11/01937 AT LAND BOUND BY WEST CROMWELL ROAD, WARWICK ROAD, PHILBEACH GARDENS, EARDLEY CRESCENT, LILLIE ROAD, OLD BROMPTON ROAD AND THE RAILWAY LINES, LONDON

The Planning Officer introduced the report and drew attention to the amended recommendations and drawings in the Addendum Report. He presented some slides of Development Plot WV04. The Senior Planning Officer clarified that more on-street car parking for residents only would be provided.

The Committee voted by six votes in favour (with Councillors Atkinson, Caruana and Dent Coad opposing) and RESOLVED to grant permission subject to:

- (1) the conditions set out in the report;
- (2) the prior completion of a S106 Planning agreement on the terms set out in sections 4 and 6 of the Committee report, and
- (3) delegation to the Executive Director, Planning and Borough Development the authority to negotiate the terms of the S106 agreement and issue the planning permission following the completion of the S106 agreement.

Action by: Executive Director of Planning and Borough Development

A5 Any Other Oral or Written Items which the Chairman Considers Urgent

There were none.

The meeting ended at 9.03pm

Chairman