

PLANNING APPLICATIONS COMMITTEE

Tuesday 23 January 2018 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:

ALSO PRESENT: Councillor Liz Atkins

1. DECLARATION OF PECUNIARY INTERESTS

There were none.

2. MINUTES

Regarding the minutes of 12 December 2017, Councillor Morris requested the following amendments:

- The ninth bullet point on page 2 state 'for car sales' instead of 'as a car showroom'.
- The second bullet point on page 5 be amended to read 'meant', not 'mean'.
- Item four (Woodmansterne Primary School) be amended to include 'Councillor Wilcox stood down from the Committee and Councillor Simpson chaired the meeting for the duration of this item'.

Regarding the minutes of 19 December 2017, Councillor Morris suggested the following amendments:

- The sixth bullet point on page 15 state 'houses in multiple occupation', instead of 'houses in multiple occupations'.
- The fifth bullet points on page 16 be amended to read 'be provided on site', not 'be provide on site'.

RESOLVED: That, subject to Councillor Morris' amendments, the minutes of the previous meeting held on 12 December and 19 December 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. 3, 5, 7, 9, 10 AND 11 COBURG CRESCENT (STREATHAM HILL)

17/03981/RG3

Case No. 17/03981/RG3 (agenda item three, page 21 of the agenda pack, page 1 of the addendum and page 1 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 19 January 2018 and the day of the meeting. Members were advised of the key material planning issues for consideration which included the redevelopment of the vacant site, the loss of 773m² of open space, the provision of a resource centre and accommodation for adults with learning disabilities and the provision of community space, café and a shop. Daylight and sunlight impacts to residential properties would be within BRE guidance, and six windows to the rear of the resource centre would be obscured to reduce the impact on neighbours. Members were shown images of the site at present and of the proposal and the distances between the proposed building and residential properties.

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

- He had proposed an amended condition that would ensure that the Palace Road Estate Residents' Association (PRERA) would be able to use the community space and café for free. Policy S2 of the Local Plan supported this approach.
- The community space was 68m², which was too small to be used as a meeting venue.
- Service users' access to the resource centre and accommodation could be safeguarded while improving community access.

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

- The proposal was a high quality design for the day service and long-term accommodation for people with complex needs. The integration of community facilities would enable inclusion.
- Although a small amount of open space would be lost, it would be mitigated by improvements to the landscape.
- The application had been developed in consultation with service users, carers, staff, PRERA and other residents. Consultation with residents had demonstrated that a café available to the community would be popular.
- The resource centre would provide an integrated service for all of the health needs of service users, as well as providing space for employment and skills training.
- The location within a residential setting and within an established community was a factor in choosing Coburg Crescent as the site. The resource centre would allow service users to be and feel safe while giving local residents access to community spaces.
- The application had the support of local residents and PRERA would be welcome to hold meetings in the community space.

Councillor Liz Atkins then spoke in objection to the application as Ward

Councillor for Streatham Hill, stating that:

- The resource centre needed to be at the heart of the community and would replace a community hall that had been well-used. Free access to the community space was needed to compensate for the lost hall. Cabinet had endorsed this principle in December 2017.
- It was not clear what was intended by reference to the 'conventional meetings' and 'associated community engagement' as referred to in the proposed conditions. The objector had drafted a new condition which she hoped the Committee would support.

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

- The objector had proposed an amendment to condition 22 specifying that the community space would have to be available to PRERA free of charge. Officers had not provided Members with the proposed revised condition because there was a difference of view between officers and the objector regarding the appropriateness of the revisions to the condition proposed by the objector. The wording of the condition as proposed by officers, which provided for entry into a community use agreement, was read out to the meeting. Officers advised that it was not possible to amend the proposed condition to provide that PRERA would be given access free of charge because there was no basis in planning policy for such a condition. Officers informed the meeting that it was their understanding that the applicant would be willing to offer free access but that would need to be negotiated outside the planning process.
- The previous building had been built over 40 years ago. Officers had not been able to identify any planning history for the original building and could not identify any planning conditions associated with that building.
- Policies S1 and S2 did not give the Council the ability to specify how the new space in use class D1 should be used. The amount of D1 space was more than previously.
- The community space could be closed off from the residential and day centre uses.
- The café would be 152m², including the kitchen area.
- There was currently 24,700m² of open space on the estate, of which 700m² would be lost through the application. The development would provide approximately double the required amount of open space per dwelling based on the Local Plan policy figure of 30m² per dwelling.
- Officers had discussed with the applicant the possibility of providing a temporary shop during construction. This would be subject to a separate planning application and was not provided for in the present application. It was not possible to keep the existing shop open during construction due to the proposed construction timescales.
- The second addendum included further information about the

proposed arrangements for management of the construction process, including arrangements for access to the site to be via Palace Road.

- Once construction was complete, the majority of traffic to the site would be minibuses for service users. The gate on Palace Road preventing through traffic would remain in place.
- Paths across the site would be designed to be accessible for wheelchair users. There would also be improvements to the pavement and kerb on Palace Road to bring the kerb level with the road. There would be no improvements to the road surface at the pedestrian crossing.
- Cycle parking would be provided. While the Adult Social Care team had worked with Wheels for Wellbeing, service users tended to use off-road tracks for safety reasons.
- Although the applicant had made a number of energy efficiency measures, carbon reduction targets could not be met while still viably meeting service needs. Officers had accepted the applicant's claims about the need for climate control measures because of the particular nature of the proposed development and that this made it more difficult to achieve carbon reduction targets.
- Guttering would be within the envelope of the building, and the downpipe would be behind cladding.

In response to a question from Members, the objector and Ward Councillor informed the meeting that the previous building on the site, since demolished, had had three halls: a tenants' hall that was let out to residents free of charge; one hall for offices; and hall one for general hire. The free of charge tenants' hall had been lost. It had been understood in consultation that the tenants' hall facility would be replaced free of charge.

In response to a question from Members, the applicant informed the meeting about the nature of the services that it was envisaged would be provided:

- 24 hour support for service users, including adults lacking capacity.
- There was a duty to safeguard vulnerable adults.
- There would be a staff presence in the community space and café and those spaces would not be left unattended.
- The applicant had been clear that the residents could hold their meetings on site. The applicant was happy to sign a side letter to that effect and that access would be free of charge. The applicant wanted local people to be able to have access to the building but at the same time wanted to be careful about the uses that the community could sign up to, in view of the need to safeguard vulnerable adults.

In response to a question from Members, the applicant stated that the Council had a duty to engage regarding possible apprenticeships. The café would provide employment and training opportunities for people with disabilities.

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

following observations:

- The application was welcome and would provide significant benefit for service users and the wider community. The opportunity for service users and residents to meet in the café and community space would provide particular benefit.
- Objectors' concerns were understandable, but there were limits on the extent to which planning conditions could properly be imposed. The terms on which a particular user of the building would be granted access would need to be resolved outside the planning system. Following advice from the Legal Officer regarding the scope for the use of an informative, Members asked that it be minuted that Members very much hoped that a satisfactory agreement could be reached between the applicant and residents regarding the terms of access to facilities.
- The applicant's commitment to working with residents of the Palace Road Estate on the use of community space was welcome.
- Condition 22 should be amended from 'community space' to 'community space including the café' to clarify the area covered by the condition.

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

RESOLVED, unanimously

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. Condition 20 i) be amended to include 'including holding meet the contractor events'.
 - ii. Condition 22 be amended to read 'community space including the café'.
2. To delegate authority to the Director of Planning, Transport and Development to:
 - a. Finalise the recommended conditions as set out in the report.
 - b. Negotiate, agree and finalise the planning obligations as set out in the report pursuant to Section 106 of the Town and Country Planning Act.

4. APPEAL AND ENFORCEMENT DECISIONS OCTOBER 2017

Councillor Wilcox stood down as Chair and Councillor Simpson chaired the meeting for the duration of this item.

Councillor Wilcox informed the meeting that in relation to the appeal decision for 79 Braxted Park (for which she had stood down when it had been considered by the Committee), she was aware of some concerns regarding the decision of the Planning Inspectorate and that the appeal decision might be subject to further challenge.

CLOSE OF MEETING

The meeting ended at 8.35 pm

CHAIR
PLANNING APPLICATIONS COMMITTEE
Tuesday 6 February 2018

Date of Despatch: Wednesday 31 January 2018

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