

## **THE LONDON BOROUGH OF CAMDEN**

At a meeting of the **DEVELOPMENT CONTROL COMMITTEE** held on **THURSDAY, 15TH DECEMBER, 2011** at 7.00 pm in the Council Chamber, Town Hall, Judd Street

### **MEMBERS OF THE COMMITTEE PRESENT**

Councillors Milena Nuti (Chair), Roger Freeman (Vice-Chair), Paul Braithwaite, Sally Gimson, Sarah Hayward, Andrew Marshall, Flick Rea, Gillian Risso-Gill, Matthew Sanders and Laura Trott

### **MEMBERS OF THE COMMITTEE ABSENT**

Councillors Meric Apak, Jenny Headlam-Wells, Heather Johnson, Valerie Leach, Thomas Neumark and Sue Vincent

### **ALSO PRESENT**

Councillor Maya de Souza

**The minutes should be read in conjunction with the agenda for the meeting. They are subject to approval and signature at the next meeting of this Committee.**

## **MINUTES**

### **1. APOLOGIES**

Apologies for absence were received from Councillors Apak, Headlam-Wells, Leach and Vincent.

### **2. DECLARATIONS BY MEMBERS OF PERSONAL OR PREJUDICIAL INTERESTS IN RESPECT OF ITEMS ON THIS AGENDA**

In relation to Item 7(5) Makepeace Mansions and Holly Lodge Mansions, Councillor Hayward declared that as Cabinet for Community, Regeneration and Equalities, she had been involved in the overall regeneration schemes at Holly Lodge. She did not consider this to be a prejudicial interest and therefore took part in the consideration and voting on the item.

In relation to Item 7(5) Makepeace Mansions and Holly Lodge Mansions, Councillor Gimson declared that as ward Councillor for Highgate, she would be speaking on behalf of residents and tenants. She considered this a prejudicial interest and would therefore not take part in the consideration and voting on the item.

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In relation to Item 7(16) 97 South Hill Park, Councillor Nuti declared that she recognised the name of Mr Doganis, who had attended a ward surgery to ask about the planning process. She did not consider this to be a prejudicial interest and therefore took part in the consideration and voting on the item.

In relation to Item 7(17, 18 & 19) 3 Fitzroy Square, Councillor Nuti declared that she recognised the name of Mr Skow, who had attended a ward surgery to ask about the planning process. She did not consider this to be a prejudicial interest and therefore took part in the consideration and voting on the item.

In relation to Item 7(20 & 21) Coram Community Campus, Councillor Nuti declared that she was a Community Governor and Chair of the Finance and Premises Committee of the Thomas Coram Early Childhood Centre. She considered this to be a prejudicial interest and therefore would not take part in the consideration and voting on the item.

In relation to Item 7(20 & 21) Coram Community Campus, Councillor Hayward declared that she was a Community Governor of the Thomas Coram Early Childhood Centre. She considered this to be a prejudicial interest and therefore would not take part in the consideration and voting on the item.

### **3. ANNOUNCEMENTS**

#### **Webcasting of the Meeting**

The Chair announced that the meeting was being broadcast live to the Internet and would be capable of repeated viewing and copies of the recording could be made available to those that requested them. Those seated in the chamber were deemed to be consenting to being filmed and those addressing the Committee would be recorded and broadcast. Anyone wishing to avoid appearing on the webcast should move to one of the galleries.

### **4. REPRESENTATIONS TO THE COMMITTEE**

It was noted that a deputation request on Item 7(5) Makepeace Mansions and Holly Lodge Mansions had been received from the Holly Lodge residents Association and the Holly Lodge Community Centre Management Committee, before the deadline but had been delayed due to technical error, and therefore would be permitted to speak as part of the existing deputation.

#### **RESOLVED –**

THAT the written submissions and deputation requests in the agenda be accepted with the exception of the following:-

- (i) The deputation request from the applicant on Item 7(1 &2) 5 Belsize Lane, as there are no deputations against the application. To be considered as a written submission.

**5. NOTIFICATION OF ANY ITEMS OF BUSINESS THAT THE CHAIR DECIDES TO TAKE AS URGENT**

There were no such items.

**6. MINUTES**

**RESOLVED –**

THAT the minutes of the meetings held on 10<sup>th</sup> and 24<sup>th</sup> November be approved and signed as a correct record.

**7. PLANNING APPLICATIONS**

Consideration was given to a report of the Director of Culture and Environment.

**(1) 5 BELSIZE LANE, LONDON, NW3 5AD**

**(2) RELATED APPLICATION**

The Committee considered the written submission as referred to in item 4 above.

On being put to the vote, it was unanimously

**RESOLVED –**

THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report.

**ACTION BY: Director of Culture and Environment  
Borough Solicitor (AB)**

**(3) MANOR LODGE, 40 FROGNAL LANE, LONDON, NW3 6PP**

**(4) RELATED APPLICATION**

The planning officer gave a short presentation. In response to a question from the Committee regarding the depth of the basement it was stated that although it was a deep basement the borehole that the applicant had undertaken was 18 metres deep. The applicant's had looked at the ground conditions much further down than they were excavating. It was also stated that the basement was set away from the listed building and neighbouring properties and that the structural engineers report stated that it could be constructed without harm to any surrounding properties.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions as set out in the report; and
- (ii) THAT listed building consent be granted subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment**

**(5) 57-84 & 85-112 MAKEPEACE MANSIONS, MAKEPEACE AVENUE AND  
25-54 & 89-112 HOLLY LODGE MANSIONS, OAKESHOTT AVENUE,  
LONDON, N6 6HD**

The planning officer gave a brief presentation and stated that there were three main issues surrounding the application, which were, landuse, existing leaseholders, and the community contribution of £200,000. The planning officer clarified that the decision on how the community contribution would be spent would be taken by officers in consultation with the relevant Councillors and Cabinet Member. It was noted that there would be a further condition added in relation to a ramp in Block 6.

The Committee considered the additional information contained in the supplementary agenda and the deputation requests referred to in Item 4 above.

Councillor Maya de Souza, ward Councillor for Highgate, addressed the Committee.

Councillor Sally Gimson, ward Councillor for Highgate, addressed the Committee.

Andrew McDermott, Regeneration Team Leader, London Borough of Camden, responded to the points raised by the deputies, the following points were noted:

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- Housing had assisted the Family Centre in developing some of the design and would be happy to continue to support them;
- Internal insulation was being undertaken and combined heat and power would be provided as part phase one;
- The scheme would strive to provide as much affordable housing as possible;
- The Council had made provision for leaseholders to stay on the estate, such as:-
  - Leaseholders would be offered properties at market value plus up to 10% compensation;
  - Leaseholders would be given an advanced opportunity to purchase any of the 16 properties within the newly refurbished blocks on the estate currently being completed;
  - Leaseholders could received a higher rate of deposit on their currently property, if required;
  - Leaseholder would be given the opportunity to buy under the shared ownership regime;
  - If leaseholders were not able to do any of the above they could be granted a Council tenancy and be paid a proportion of the market value of the property; and
  - All tenants would have the right to return.

In response to a question regarding cycle storage, the planning officer stated that the scheme had been revised as stated in the supplementary agenda, so that there would only be provision for 12 spaces in total. It was noted that if the Committee were minded, it could add a condition requesting that 39 cycle storage spaces be provided.

Councillor Rea requested that her concerns be noted that it was a very good development but it would have an impact on people's lives, she recognised that it was not a planning consideration but if minded to grant permission, she wanted to see the leaseholder issues sorted out before any building work commenced.

The Committee expressed further concerns in relation to the leaseholder issues and the wording of Condition 7 which related to how the financial contribution would be spent.

In response the Legal Officer stated that the position on changing the wording of Condition 7 was that, it could be changed to make it more specific, but the actual position was different, as the decision to where the monies would be spent, was not a decision that the Committee could take. Any views expressed by the Committee on the spending of the monies would be taken into consideration at the time of the decision and would carry significant weight.

The Committee were further advised by the Head of Development Control that flexibility had been written into the condition, because if something should happen which meant that it was not possible to put funds into the Family Centre, the monies could still be secured for another community facility within the immediate locality.

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Councillor Hayward, Cabinet Member for Community, Regeneration and Equalities stated and assured the Committee that the Administrations policy was to spend the financial contribution on the family centre.

The Committee requested that the wording of Condition 7 be changed to read: “No part of the development hereby approved shall be commenced until the Council has confirmed in writing that it has received full payment of the financial contribution which is to be applied to the provision of community facilities within the locality of the site and also within the borough, including but not restricted to the Holly Lodge Family Centre, as calculated in accordance with the Council's relevant polices and Planning Guidance.”

Andrew McDermott stated that a number of meetings had taken place with the leaseholders and all reasonable steps had been taken to ensure the re-housing of the leaseholders.

On being put to the vote, it was unanimously

**RESOLVED –**

THAT Council’s own planning permission be granted under Regulation 3, subject to conditions as set out in the report and supplementary agenda, the rewording of Condition 7, as outlined above, the commitment of providing 39 cycle storage spaces on site (Amended Condition 4), and the addition of the following Condition:-

Condition 10:

The details of the proposed ramp and associated handrails to the front of block 6 shall not be otherwise than as those submitted to and approved by the Council before any work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(6) 199-206 HIGH HOLBORN, LONDON, WC1V 7BD**

**(7) RELATED APPLICATION**

The Committee considered the additional information contained in the supplementary agenda and the written submission referred to in Item 4 above.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report; and
- (ii) THAT listed building consent be granted subject to conditions and a Section 106 agreement as set out in the report.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(8) SITE TO THE REAR OF 202 - 204 FINCHLEY ROAD, LONDON, NW3 6BX**

The Committee considered the additional information contained within the supplementary agenda.

In response to a question from the Committee, the planning officer stated that the planning team were satisfied that although the building did not reach the 20% target for CO<sup>2</sup> emissions from renewables, the applicants had gone as far as they could in reducing emissions, having investigated the potential use of all renewable technologies since the last application was granted. The Committee asked a question about preventing loading and unloading from Finchley Road as requested by Transport for London. It was stated that if planning permission was granted there would be a construction and servicing management plan submitted which would control such matters.

On being put to the vote, it was unanimously

**RESOLVED –**

THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(9) 24-28 WARNER STREET, LONDON, EC1R 5EX**

**(10) RELATED APPLICATION**

The Committee considered the additional information contained within the supplementary agenda and the written submissions referred to in Item 4 above.

The planning officer stated that one intermediate, two bed, affordable housing unit had been secured. Two registered social housing providers had indicated an interest in the unit. To make up for the shortfall of affordable housing on site a financial payment-in-lieu had also been agreed to the Council's affordable housing fund. The

unit would be located on the ground floor of the development and have a separate entrance.

A question was raised regarding the viability of the Council taking on a single affordable housing unit. The officers did not have a definitive answer to the questions and would speak to colleagues in Housing to provide the answer.

The Committee noted and shared the concerns raised in a written submission and requested that an informative be added that temporary sleeping accommodation was classified as a material change of use and contrary to Camden Development Policies.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report, in the supplementary agenda and the following informative:

The applicant is reminded that the application hereby approved grants permission for permanent residential accommodation (Class C3). Any such use of the units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc would constitute a material change of use and require a further grant of planning permission.

- (ii) THAT conservation area consent be granted subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(11) 1 MABLEDON PLACE, LONDON, WC1H 9AJ**

The Committee considered the additional information contained within the supplementary agenda.

The Committee raised questions regarding, overlooking, construction through the Olympics and the off-site financial contribution. In response it was noted that, across street overlooking was usually acceptable; timings were not known for the construction period, but if granted, the applicants would be required to submit a construction management plan, and, the decision on where the affordable housing contribution would be spent would be made by senior officers and the relevant Cabinet Member.

On being put to the vote, it was unanimously

**RESOLVED –**

THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report and supplementary agenda.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(12) 150 HORBORN, LONDON, EC1N 2NS**

The Committee considered the additional information contained within the supplementary agenda and the written submission referred to in Item 4 above.

Some Members expressed concern about design, especially in relation to the corner feature design. In response the Conservation Officer stated that the setbacks and modulation of the roofline, and the colour and tonal quality of the cladding had taken into account the character of the adjacent listed building. Overall it was considered that the development represented an enhancement of the existing buildings.

It was commented that two construction apprentices seemed a low number for a big development, the Committee requested that it be increased and that they were not specific to construction apprenticeships. In response the planning officer stated that further talks could be had with the applicant.

On being put to the vote, with 7 in favour of the recommendation subject to securing the additional apprenticeships, 1 against and 2 abstentions it was

**RESOLVED –**

THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report and supplementary agenda.

**ACTION BY: Director of Culture and Environment.  
Borough Solicitor (AB)**

**(13) 42-45 BELSIZE PARK, LONDON, NW3 4EE**

**(14) RELATED APPLICATION**

The Committee considered the additional information contained within the supplementary agenda.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report; and
- (ii) THAT conservation area consent be granted.

**ACTION BY: Director of Culture and Environment  
Borough Solicitor (AB)**

**(15) MIDDLESEX HOSPITAL, MORTIMER STREET, LONDON, W1W 7EY**

The Committee considered the additional information contained within the supplementary agenda.

The planning officer stated that an objection previously submitted by the occupants of 18a Cleveland Street had been withdrawn.

The Committee commented that although the parking spaces had been reduced by seven, six of those spaces were disabled parking bays. In total there were 216 parking spaces which the Committee felt was too high. The Committee requested that the parking concerns be put into the letter of objection to the City of Westminster.

On being put to the vote, it was unanimously

**RESOLVED –**

THAT a letter of objection to the proposed development be sent to the City of Westminster.

**ACTION BY: Director of Culture and Environment**

**(16) FLAT BASEMENT AND GROUND FLOOR, 97 SOUTH HILL PARK,  
LONDON, NW3 2SP**

The Committee considered the additional information contained within the supplementary agenda, the written submissions and deputation requests referred to in Item 4 above.

In response to questions raised by the Committee the Conservation and Design Officer clarified that the Conservation Area Statement referred to two storey extensions not being acceptable. However, the application was for a two storey extension at basement and ground floor level and therefore complied with Camden Planning Guidance. The Conservation and Design Officer acknowledged that the extension would fill the gap but only at ground floor level in accordance with guidance. It was felt that the application had an acceptable impact on the view

retaining the visibility of the large trees above ground floor level ensuring the position and relationship between South Hill Park and the Heath was maintained.

In response to a question on design, the Committee noted that the extension was not intended to be a direct replica of the host building. In being overtly contemporary, materials were often used that contrasted, but also harmonised, such as the glazing which gave it a light weight permeable feel.

On being put to the vote, with 8 in favour and 2 against, it was

**RESOLVED –**

THAT planning permission be granted subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment**

**(17) 3 FITZROY SQUARE, LONDON, W1T 5HG**

**(18) RELATED APPLICATION**

**(19) RELATED APPLICATION**

The Committee considered the additional information contained within the supplementary agenda, the written submissions and deputation requests referred to in Item 4 above.

The Committee were advised that an appeal had been lodged against the previous scheme which was refused. If the Committee were minded to grant permission and the appeal won, the applicants could choose to implement either scheme.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report;
- (ii) THAT listed building consent be granted subject to conditions as set out in the report; and
- (iii) THAT conservation area consent be granted subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment  
Borough Solicitor (AB)**

**(20) CORAM COMMUNITY CAMPUS, 49 MECKLENBURGH SQUARE,  
LONDON, WC1N 2NY**

**(21) RELATED APPLICATION**

The Committee considered the additional information contained within the supplementary agenda and the written submission referred to in Item 4 above.

Discussion took place regarding the 'east structure' referred to in the written submission. It was clarified by the applicant's that the Tree House Structure, which sat on the east side of the site had previously been removed.

On being put to the vote, it was unanimously

**RESOLVED –**

- (i) THAT planning permission be granted subject to conditions and a Section 106 agreement as set out in the report; and
- (ii) THAT conservation area consent be granted subject to conditions as set out in the report.

**ACTION BY: Director of Culture and Environment  
Borough Solicitor (AB)**

**8. DATE OF NEXT MEETING**

It was noted that the next meeting of the Committee would take place on Thursday 12<sup>th</sup> January 2012.

**9. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT**

There were no such items.

The meeting ended at 9.53 pm

**CHAIR**

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**MINUTES END**