

THE LONDON BOROUGH OF CAMDEN

At a meeting of the **PLANNING COMMITTEE** held on **THURSDAY, 15TH FEBRUARY, 2024** at 7.00 pm in Council Chamber, Town Hall, Judd Street, London WC1H 9JE

MEMBERS OF THE COMMITTEE PRESENT

Councillors Heather Johnson (Chair), Edmund Frondigoun (Vice-Chair), Sagal Abdi-Wali, Lotis Bautista, Danny Beales, Nasrine Djemai, Tommy Gale, Andrew Parkinson and Tom Simon

MEMBERS OF THE COMMITTEE ABSENT

Councillors Lloyd Hatton, Liam Martin-Lane and Sue Vincent

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 the Planning Committee and any corrections approved at that meeting will be recorded in those minutes.

MINUTES

1. APOLOGIES

Apologies for absence were received from Councillors Hatton, Martin-Lane and Vincent.

Apologies for lateness were received from Councillors Abdi-Wali and Gale.

2. DECLARATIONS BY MEMBERS OF STATUTORY DISCLOSABLE PECUNIARY INTERESTS, COMPULSORY REGISTERABLE NON-PECUNIARY INTERESTS AND VOLUNTARY REGISTERABLE NON-PECUNIARY INTERESTS IN MATTERS ON THIS AGENDA

In respect of agenda item 7 (3), Councillor Simon declared for transparency that he had contact with both parties for and against the application over recent months, with most recent contact being with the Tavistock and Portman NHS Trust in January. However, he would consider the application with an open mind.

Councillor Beales also declared in relation to the same item that he had meetings a while ago with NW3 Community Land Trust about the site and more recently had discussions with Tavistock and Portman NHS Trust relating to the site but maintained an open mind in consideration of the application.

3. ANNOUNCEMENTS

Webcasting

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. Anyone wishing to avoid appearing on the webcast should move to one of the galleries.

Design and Heritage Training

The Chair also announced that the Design and Heritage Training had been re-scheduled to take place on Thursday 14th March 2024 at 7pm on the 10th Floor of 5 Pancras Square. Members were encouraged to attend.

4. REPRESENTATIONS TO THE COMMITTEE

RESOLVED –

THAT the supplementary information, written submissions and deputation requests contained in the supplementary agenda and Tabled paper be accepted.

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

There was no such business.

6. MINUTES

Consideration was given to the Minutes of the previous meetings.

RESOLVED –

THAT the Minutes of the meetings held on 14th December 2023 and 11th January 2024 be agreed and signed as accurate records of the meetings.

7. PLANNING APPLICATIONS

Consideration was given to the report of the Executive Director Supporting Communities.

7(1) 2 WATERHOUSE SQUARE, 140 HOLBORN LONDON EC1N 2ST

7(2) RELATED APPLICATION

The Chair announced that this application had been first considered including the written submissions and deputations at the Planning Committee meeting on 14th December 2023. The Committee had agreed that further consideration of the application be deferred pending further information.

She further advised that in accordance with agreed procedures as set out on the agenda that the Committee would need to resume its deliberations from the point in discussions at the previous meeting at which it was decided to defer the item. In view of this new deputations would not be permitted, those who made deputations or provided written submissions at the meeting previously in December were advised that they could make further written submissions on the additional information set out on the committee agenda and only those committee members who were present during the original discussion would be able to participate.

The Planning Officer provided the Committee with a brief summary of the applications reminding members that the Committee had deferred its decision on the applications for further information on:

- The impact of the scheme especially in relation to equalities, particularly the flexible space which could be used as a bar on the occupants of The Lodge, St Mungo's.
- The light impact of the proposed development on The Lodge, St Mungo's.
- The consultation process and how residents at this property and neighbouring residents had been engaged with; and.
- Requested that an Officer from the Market Team be present to comment on the impact on Leather Lane Market

He informed members that this information was now available in the Committee report which also included an equalities impact assessment, confirmation that the proposed bar use had been removed from the proposals, details of the impact of the development on Leather Lane Market and further assessment of day and sunlight impacts. He also reported that two additional representations had been received which had not been included in the Supplementary Agenda as the Council was only accepting representations from parties that had previously made written submissions or deputations to the Committee in December.

Officers responded to questions from Committee Members, as follows:

- In relation to mitigating the impact on the market, officers had secured as detailed in the Head of Terms that a Liaison Officer be provided by the developer to facilitate ongoing communication with the Council's market team and other parties, to manage relationships in the long term should planning permission be granted.
- In relation to the Construction Working Group, the Council provided guidance on how these should be managed and put a lot of detail into the S106 obligation including the number of meetings expected and the number of people that should be on the working group representative of the whole community.

Responding to a follow up question about engagement with the local community, the applicant team advised that were planning permission to be granted for their proposals, they would continue to maintain dialogue with the local community through the Construction Working Group, they had also offered to meet with occupiers close to the site as well as St Mungo's to understand the impacts and mitigate their concerns through the development of a Construction Management Plan.

Invited to comment about the impact of the proposals on the market, the Market Development Manager informed the Committee that she had met with the developer and was happy with the proposals, the section 106 agreement and that the market would not be impacted by the development.

On being put to the vote, with four in favour, none against and one abstention it was

RESOLVED –

THAT

- i) Planning Permission be granted subject to conditions and Section 106 legal agreement; and
- ii) Listing building consent be granted.

**ACTION BY: Director of Economy, Regeneration & Investment
Borough Solicitor**

7(3) 31 DALEHAM GARDENS LONDON NW3 5BU

Consideration was also given to the information provided in the Supplementary Agenda, the written submissions and deputation requests referred to in Agenda Item

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4 above, as well as the late tabled paper, which made some corrections to floorspace figures in the Land Use Table, wording of the basement impact assessment section and wording of condition 22.

Officers provided the following responses to Committee members questions.

- In relation to consultation with the school on the proposals, Officers visited the school and had met with the Planning Consultants representing the school, the school headmaster and a member of the NHS Tavistock Portman Trust to find out more about the special requirements and sensitivities of the children.
- It was acknowledged that the development would have an impact on the children from the construction and overlooking, however a number of measures had been taken to minimise and mitigate these impacts. This included obscure glazing and explicitly referring to the school in the Construction Management Plan/Construction Working Group so that the CLT engaged with the school during the whole process taking into account the special requirements of the pupils.
- The Planning Officer explained that the school had been concerned by the lack of proper engagement when previous building activities took place on the site, the noise and changes to the environment had impacted the school and been difficult for them to manage. The engagement steps put in place with these proposals were designed to keep the school better informed so they could adequately manage things from their end.

Invited to comment on how they had engaged with the school, the applicant stated that they were a community based grassroots organisation that would remain within the community. From the meeting they had with the school they had the impression that the school was content with the proposals which included changing the windows to fanlight windows so it would only bring light in with no view from inside, obscure glazing from public spaces such as staircases so you could not see out of them. The proposals could also potentially provide housing for teachers.

Responding to a further question from a Committee member about when the meeting took place with the school, officers confirmed that this meeting was after Tavistock Portman's response to the consultation, officers had subsequently met with the headmaster on site.

Answering a follow up question about whether Tavistock Portman's concerns around the impact of light and overlooking on the school had changed after the meeting with the school, officers commented that Tavistock Portman NHS Trust had concerns about the development and they could not confirm that their concerns were fully mitigated or that they had no further objections to the proposals. The main issue they raised was disappointment with the earlier CLT engagement efforts but appreciated the current dialogue. They had been notified of the Planning Committee meeting but had indicated that they were unable to attend. The impression officers got from the

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Headteacher was that the end product in a settled environment would be more manageable.

Invited to comment on what appeared to be a different view from the deputation, the depute informed the Committee that they had been in touch with the Chief Executive's Office of Tavistock Portman NHS Trust during the week, they did not appear to be aware of the Planning Committee meeting, it was half term with most people away. As far as they were aware their objection to the proposals had not changed and it was unfortunate they did not have a representative in attendance this evening.

The Chair commenting on the absence of a representative from Tavistock Portman NHS Trust noted that notification of the meeting had been sent, the organisation had an opportunity to make a representation if they wished, there had been no further representation from them following the meeting with officers. If one person in Tavistock Portman was unaware that was a matter for Tavistock Portman. Officers had provided the Committee with their knowledge of the meeting they had with the school representatives.

Answering further Committee members questions officers provided the following responses:

- Officers met with Planning Agents acting on behalf of the Trust and the School, who were professionals and understood the planning process, they also appeared to have been involved in writing the letter on behalf of the Chief Executive Officer.
- In terms of whether respite zones for the children were considered, this was very unusual, the ideal solution was to have measures in place to avoid this situation completely.
- The Council dealt with lots of sites that were difficult to bring forward for development because of particular sensitivities, the nature of the school and the complex needs of the children that attend were understood, however with the Council's experience of working on other sites there was every confidence that officers could work with the applicant and their contractors as well as the school to find a way to manage the construction process where it would minimise the impact on the school as much as possible. The Construction Working Group and CMP were an important part of that process and officers were committed to working with the school and CLT to find a solution.
- The equalities impact was assessed and had been mentioned throughout the report with section 22 providing a summary of the assessment.
- With regards to the windows that were not obscured, the condition could be changed to say all windows be obscured, however there were some windows above the sight line and you could not see out of, therefore it was not considered necessary to put a restriction on it.
- Officers had considered the application very carefully taken on board all the planning issues and all the views. The recommendations that not all windows were obscured or glazed was based on trying to strike a balance between the

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needs of new residential dwellings and the school. There were only a small number of windows that were not obscured.

- The school was in a residential area and there would be some overlooking, there was a house previously at the site which overlooked the school and officers did not think it was necessary for all windows to be obscured. However, it was a matter for members if they wanted to impose a further condition requiring all windows to have obscure glazing.

A Committee member commented that the site had a previous existing building of almost the same height and same use querying whether any of those windows were glazed also noting that the school had operated for a number of years throughout that period with a similar demographic of children with similar sorts of needs and while it was right to try to mitigate the concerns, reasonableness would also needed to be applied. The member was of the view that obscuring all the windows would be unreasonable.

The member also pointed out that demolition had taken place on the site because of a fire, there would need to be some construction and this would have some impact whatever was built on the site. In his view what was important was that the school was properly engaged with throughout that process and strong conditions were in place to ensure that the applicant complied with this, suggesting that the Construction Working Group with the school started at an earlier stage in the process.

A member commented that the proper assessment of the application depended on the impact of the development on the school and was of the view that this could not be determined without hearing from Tavistock Portman suggesting that the decision be deferred until the Committee received this information.

In response the Head of Development Management informed the Committee that Tavistock Portman had submitted an objection which had been taken into account, officers had meetings with the school at which they still expressed concerns around light impact assessment, overlooking and the impact of construction on the school. Officers understood those concerns and though not agreeing with them on all points for instance the light impact assessment demonstrated that there would not be the impact about which they were concerned. The issues to do with overlooking had been largely addressed by making amendments to the scheme. Officers were of the view that the right balance had been struck between providing good quality homes for people in the borough and also protecting the future of the school. The Head of Development Management noted that while it would have been ideal from the perspective of the Committee member to have somebody from the school present to receive the information first hand, in her view all the information had been provided to enable members to decide on the application.

Adding to the Head of Development Management's comments, the Planning Officer read out the response received from the school to the invitation to the Planning Committee meeting. Noting that representatives from the school had indicated they were unable to attend, expressed concern about previous construction on the site

and noted that ongoing dialogue with the applicant would be crucial to dealing with the concerns of the school.

After further discussion, on being put to the vote, with 7 in favour 0 against and 1 abstention it was

RESOLVED –

THAT Planning Permission be granted subject to conditions and a shadow Section 106 obligations.

**ACTION BY: Director of Economy, Regeneration & Investment
Borough Solicitor**

7(4) 81 BELSIZE PARK GARDENS, LONDON NW3 4JN

Consideration was also given to the information provided in the Supplementary Agenda, the written submission referred to in Agenda Item 4 above, as well as the late tabled paper, which made some minor updates to conditions 2, 3 and 5.

The Planning Officer introduced the application informing members of a late representation from the occupiers of 12 Lancaster Stables supporting the application subject to inclusion of the recommended conditions.

A Committee member noted that this had been a problematic location with a number of bad planning applications presented in the past, commenting that this application was welcomed.

In response to the Committee members question about the issue raised in the written submission about the communal garden fire door and amendment to wording of condition 24, the Planning officer commented that this had been discussed with the applicant. However, it was a private property matter and the applicant did not see the need for their rights to be impinged. The building had fire escapes and there was no intention to use this route as a fire escape.

Therefore, on being put to the vote, with nine unanimously in favour, it was

RESOLVED –

THAT Planning Permission be granted subject to conditions and Section 106 legal agreement.

**ACTION BY: Director of Economy, Regeneration & Investment
Borough Solicitor**

8. ANY OTHER BUSINESS THAT THE CHAIR CONSIDERS URGENT

There was none.

The meeting ended at 8.53 pm.

CHAIR

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MINUTES END