

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
222 Upper Street
LONDON N1 1YA

PLANNING SUB- COMMITTEE B		
Date:	24 th June 2014	NON-EXEMPT

Application number	P2014/0478/FUL
Application type	Change of Use
Listed Building	Not a listed building
Conservation area	Not in a Conservation Area
Licensing Implications	None
Site Address	Barnsbury Welfare Clinic, 1 Carnegie Street
Proposal	Change of use from Adult Day Centre to Parking Attendant Operational Centre

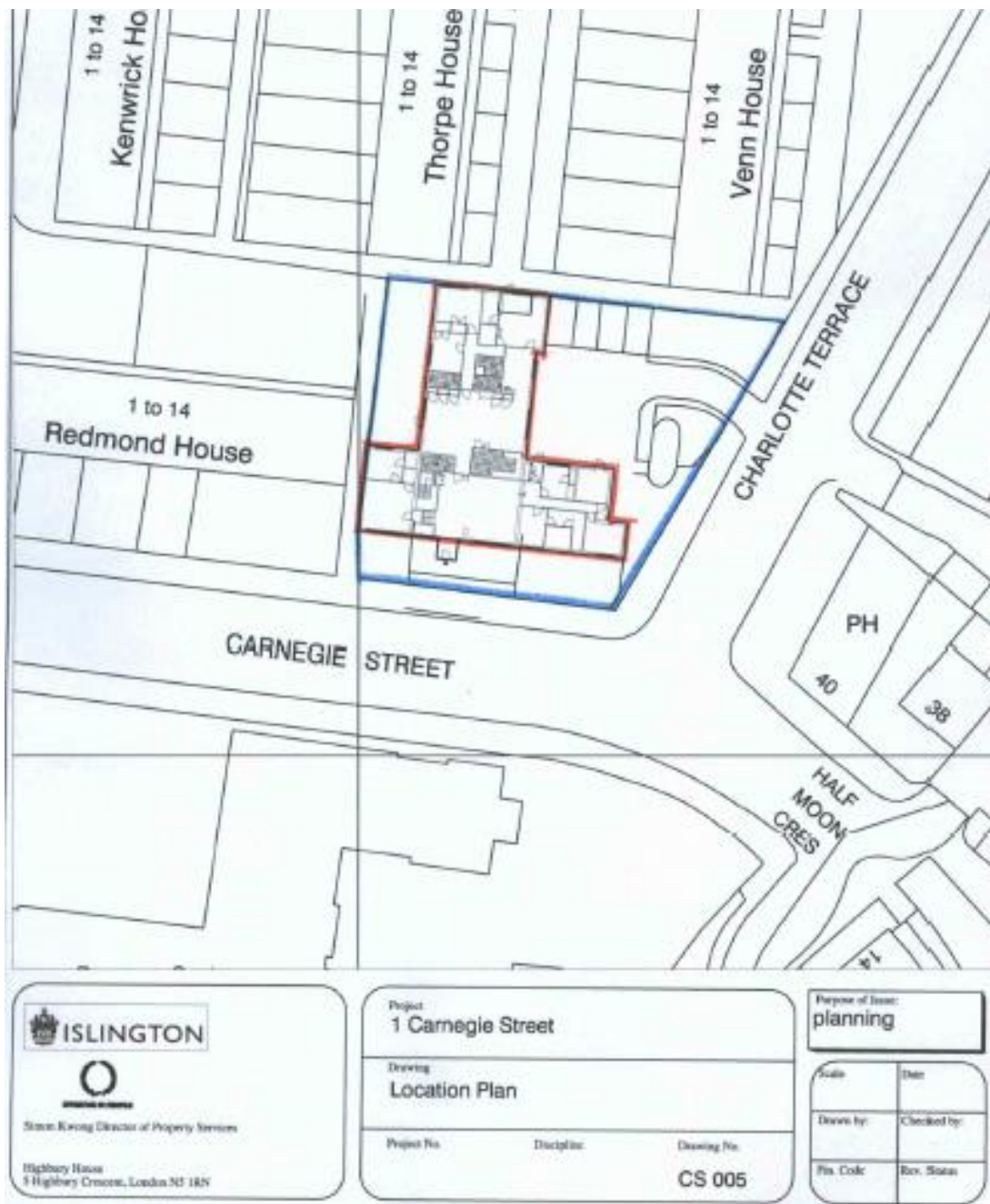
Case Officer	Eoin Concannon
Applicant	Islington Council
Agent	Mr Roger Stong

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1

2 SITE PLAN (SITE OUTLINED IN BLACK)



3 PHOTOS OF SITE/STREET



Photo 1: Aerial view of 1 Carnegie Street N1 9QW



Photo 2: 1 Carnegie Street – subject site ground floor with residential units above



Photo 3: Rear of the building



Photo 4: Rear of building

4 SUMMARY

- 4.1 The application seeks permission for the change of use of an existing Adult Day Centre (D1 Use Class) to a Parking Attendant Operational Centre (B1 Use Class).
- 4.2 The applicant has provided sufficient evidence to accept on balance that the existing day centre is no longer viable and attempts to market the property for alternative D1 use has been unsuccessful. Furthermore, an alternative off-site location 127 New Highbury Park would continue to provide the service previously provided at the subject site. Figures provided show that the demand for the day care centre has significantly dropped in the last six years and the alternative site (127 New Highbury Park) is not operating at full capacity at present. Therefore any increase in the demand for the service can be accommodated and the loss of the D1 is therefore acceptable in this instance.
- 4.3 The proposed Parking Attendant Operation Centre use will operate from 07:00am to 09:00 pm daily with a maximum of 70 staff using the facility. The Acoustic Officer has recommended an operational management plan be conditioned in order to prevent any adverse impact on the residential properties above. With this condition and restricted opening hours, it would not lead to a significant rise in noise levels to justify a refusal.
- 4.4 The proposal would also comply with the Council's transport policies and will be accessible to all.
- 4.6 As such, the application is considered acceptable and recommended for approval.

5 SITE AND SURROUNDING

- 5.1 The application site is situated on the northern side of Carnegie Street at its junction with Charlotte Terrace. The subject property comprises a four storey mixed used Council owned building.
- 5.2 Up until 2009, Carnegie Street Day Centre provided an adult day care service from the ground floor of the building. The day care centre at no 1 Carnegie Street began operating as a day centre for people with dementia in 2003/4. However, it has ceased operations since 2009 where it has remained vacant since.
- 5.3 Directly above the subject site are ten residential units comprising five flats and five maisonettes. The surrounding area is predominately residential with a mixture of both Council owned housing and private residential units further afield along Copenhagen Street. To the south east, there is a vacant Public House with Vittoria Primary located situated behind this public house.
- 5.4 The property does not lie within a designated Conservation Area nor is it a Listed Building.

6 Proposal (in Detail)

- 6.1 The application seeks planning permission for the change of use of the ground floor and basement of the building to a parking attendant operation centre. A total of 378 square metres floor space would be converted.
- 6.2 The proposed use would operate as the main control centre for parking attendants in the borough. As indicated, the existing adult care facility has not operated fully at the property since 2009 with the facilities relocated to 127 Highbury New Park. The proposal would provide an office and welfare facilities to staff. The facilities would include
- Offices (Management office)
 - Training and meeting room
 - Muster room and radio control room
 - Kitchen and rest area
 - Male and female locker rooms
 - Storage areas
- 6.3 The need for this accommodation arises from the expansion of the current apprentices' scheme at Brewery Road which has displaced the Parking Services facility from that property. The proposal would allow the Parking Service to be relocated in a suitable central location within the borough.
- 6.4 The operational centre would operate between the hours of 07:00am and 09:00 pm daily, with peak usage during the hours of 08:00AM and 07:00pm. It would cater for up to 70 staff visiting the facility with change over shift times being the key density points.
- 6.5 The staff would use this facility as a site base to commence or complete their work shift. The majority of staff will be off-site throughout their shift with the facility used for comfort breaks.

7 RELEVANT HISTORY

Planning Applications:

- 7.1 **P011045** Refurbishment of health centre to provide a day centre for older people with dementia, including new access facilities, lobby area, landscaped rear courtyard and repositioning of screen to rear of building. (Approved 13/07/01)

Enforcement:

7.2 None

Pre- Application Advice:

7.3 None

8 CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 110 adjoining and nearby properties on the 14th February 2014. A site notice was also displayed on 20th February 2014 providing members of the public with 21 days to comment.

The public consultation of the application therefore expired on 13th March 2014; however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, 2 representations had been received. The issues raised included (and the paragraph numbers responding to the issues in brackets).

- Concerns over the amount of staff, hours of operation (10.14-10.19)
- Concerns regarding the construction works involved and how this would impact on the residents above.(10.26)
- Lack of consultation with the neighbouring properties (10.27)
- Concerns over noise from the proposed use (10.14-10.19)
- Concerns regarding the trees on site boundary (10.28)

Internal consultees

8.3 **Planning Policy:** Satisfied that DMP policy DM4.12, part A (ii) (a and c) have been met fully. Additional information has been provided to address DM4.12 part a (ii) b. The supporting statement suggests some work has been done to explore an alternative social infrastructure use. No alternative social infrastructure has been identified while this does not demonstrate full consistency with DMP policy DM4.12 part a (ii) (b); it does go some way to addressing this criterion.

8.4 **Acoustic Officer:** Acceptable subject to conditions

9 REVELANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.3 The relevant SPGs and/or SPDs are listed in Appendix 2.

10 ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- Principle of the development
- Impact of the development on the residential amenities of the neighbouring occupiers;
- Transport Considerations;
- Accessibility
- Other issues.

Principle of the development

- 10.2 The key policy consideration is Policy DM4.12 which states that the Council will not permit any loss of social infrastructure uses unless
- i) a replacement facility is provided which would meet the need of the local population
 - ii) The specific use is no longer required on site – in which case justification must be provided.
- 10.3 In response to the first part of this policy, the applicant has provided a written statement from Sue Newton, Commissioning Manager for Islington's Older People's Contracts and Commissioning Team. This statement provides percentage figures on the service provided and the alternative site which

operates a similar service within the borough which has been able to facilitate the people who previously attended 1 Carnegie Street.

- 10.4 The previous Day Care use was operated by Care UK in association with Islington's Older People's Contract and Commissioning Team. The use operated as a Day Centre for people with Dementia from 2003/04. In 2005 it operated in conjunction with another similar facility at 127 Highbury New Park. Both of these facilities offered a total of 40 places per day on a daily basis for people with Dementia.
- 10.5 In 2009, due to fall in attendance at both centres, it was agreed to close No. 1 Carnegie Street at weekends as attendance was consistently below 45 percent during these days. This weekend service was provided at No.127 Highbury New Park which was more appropriate (purpose built) as a day centre with direct access to garden and larger open spaces as well as fresh daily meals.
- 10.6 The supporting statement indicated that since 2009, numbers attending both day centres continued to decline with approximately 68 percent average capacity in 127 Highbury New Park and less than 50 percent capacity for the Carnegie service. Average attendance of the combined service was 62 percent compared to 80-85 percent in 2009.
- 10.7 As numbers for the services had consistently remained below 'capacity' of 40 people per day and 20 people at the weekends, with no increase in the demand for places at the services, the Provider decided to consult service users/families/carers to obtain their views on making the temporary arrangement permanent. The result of the consultation was agreement to permanently use 127 Highbury New Park as the sole facility. This site would be able to accommodate any increase in demand for places in the future.
- 10.8 The figures provided indicate that attendances to the service at No.127 Highbury New Park continues to decline and given that the previous numbers attending 1 Carnegie Street remained below 50 percent, the alternative site is able to facilitate the need of such a service within the local population. Therefore, the applicant has demonstrated that another suitable infrastructure use would cater for the need on an alternative site. As such the first point of this policy is acceptable.
- 10.9 The second part of policy DM4.12 requires the applicant to demonstrate that there is no demand for another suitable social infrastructure use on site or that the site/premises is no longer appropriate for social infrastructure uses.
- 10.10 The statement from Sue Newton, (Commissioning Manager for Islington's Older People's Contracts and Commissioning Team) confirms that attempts to market No.1 Carnegie Street to social work teams, GP surgeries etc as a social infrastructure facility has failed to attract interest.
- 10.11 Planning Policy have been consulted on this statement and considered the Commissioning Manager for Islington's Older People's Contracts and

Commissioning Team as well placed to gauge potential demand for these facilities given the job entitlement. This Commissioning Manager would liaise regularly with other health, and social authorities and bodies including NHS. While this does not demonstrate full consistency with policy DM4.12 part A (ii) (b), it does go some way to addressing this criterion.

10.12 On balance, given that the demand for the existing facility has been absorbed at an alternative site in the Borough and some marketing attempts have been demonstrated through the Commissioning Manager for Islington's Older People's Contracts and Commissioning Team, the loss of the Day Care Centre use would be acceptable in this instance. Furthermore, the use of a vacant building for B1 office use is considered appropriate in this area.

Impact of the development on the residential amenities of the neighbouring occupiers

- 10.13 Policy DM2.1 of the Development Management Policies states that 'developments are required to provide a good level of amenity including consideration of overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure outlook and noise generation.'
- 10.14 The proposal would involve internal modifications only, as such it would not lead to any concerns normally associated with operational development. It would however generate an increase level of activity from the site with coming and goings of employees utilising the facility.
- 10.15 The supporting information indicates that the staff using the facility would work on a rota with shift changeover times representing the key density points. The proposed opening hours now 07:00am to 09:00 pm daily.
- 10.16 Each shift would have a maximum of 36 staff working with the peak usage occurring between the hours of 08:00am and 07:00pm. The proposal would have maximum movement of 70 people during shift changeover. This however, is unlikely to occur on a regular basis due to irregular arrivals of staff at different times. Given the overall size of the floor space and shift patterns, the numbers of staff entering and exiting the building is considered acceptable. It would not cause significant disturbance to the surrounding neighbours.
- 10.17 It must also be noted that staff would predominately be off-site deployed borough wide when on duty. Therefore movements of people are unlikely to be towards the maximum number during the bulk of the day.
- 10.18 The Acoustic Officer has been consulted on the scheme and considers the proposal acceptable subject to condition. The Officer has recommended that opening hours be restricted to the hours of 07:00am and 09:00pm. In order to mitigate against the impact of the increase number of people coming and

going from site during operational hours, an operational management plan should be produced and agreed. This operation plan should assess the noise impact from deliveries, idling engines, security gate/door operation and staff conduct.

- 10.19 Subject to compliance with the above conditions, it is considered that the proposed use would not harm the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies Plan 2013.

Transport Considerations

- 10.20 Although a travel plan has not been provided with this submission, the supporting information indicates that staff has access to free TFL transport. The applicant also operates a Green Travel Plan and supports walking and cycling. There is sufficient onsite space for cycle parking. A condition can be attached requiring secure cycle storage to be provided prior to occupation of the use. A storage space to accommodate 5 bicycles would be required.
- 10.21 The subject site is also situated centrally adjacent to Caledonian Road and would be served by regular bus service. It also within walking distance to both Kings Cross St Pancras and Angel Tube. It is envisaged that the majority of staff would arrive to the site via public transport, cycle or foot. As such, it is considered to comply with Policy DM8.3 (Public Transport) and DM8.4 (Walking and cycling) of the Development Management Policies Plan 2013.
- 10.22 Policy DM8.5 (Vehicle Parking) states that parking will only be allowed for non-residential developments where this is essential for operational requirements. On-site parking would not be required in this instance. The applicant has indicated that some vehicle parking for operational or service vehicles would be necessary however; this would be located off-site at a Pritchard Court.
- 10.23 Notwithstanding the above, there is a limited section of street parking available to the front of the building which may short term parking arrangement to the operative use given its function. As such, the proposal would comply with Policy DM8.5 (Vehicular Parking) of the Development Management Policies Plan 2013.

Accessibility

- 10.24 The site entrance benefit from a separate disabled access into the building. As such, it would be accessible to all and would comply with policy DM.2.2 (Inclusive Design) and the Supplementary Guidance Inclusive Design in Islington.

Other issues

10.25 The objections received raised other concerns related to the proposed development including

- Concerns regarding the construction works involved and how this would impact on the residents above.
- Lack of consultation with the neighbouring properties
- Concerns regarding the trees on site boundary

10.26 With regard the construction works, the proposal would involve an internal renovation which would not lead to a significant level of disturbance. No new operational development is proposed and any internal works would be expected to occur during the normal working day. An informative can be attached highlighting good working practices to the applicant. As such, it is not considered necessary to require a construction management plan in this instance.

10.27 The Council has met its statutory duties in relation to the consultation levels for this application (as addressed in 8.1-8.2). It involved full neighbourhood consultation for a period of 21 days and including a site notice displayed to the front of the property. Responses have been received from neighbours within the vicinity following the planning consultation. The issues raised by the objectors have been considered within the body of this report. The assessment however is solely on the planning merits. Any further consultation between the applicant and the residents regarding the use is not a planning matter to be assessed within this application.

10.28 The application would not involve works that would impact on boundary trees. A tree survey would therefore not be necessary given that it is internal renovation.

11 SUMMARY & CONCLUSION

Summary

11.1 The proposed change of use is considered acceptable. It has been established that the principle of the change of use is acceptable given the lack of demand for another D1 use as well as the location of a similar day care centre at 127 Highbury New Park. The noise generated from the proposed use would not be significant given the hours of operation. The use would be car free as per Council policies with access to all.

Conclusion

11.2 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATION A.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following:

List of Conditions:

	Commencement (Compliance)
1	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
	Approved Plans List: (Compliance)
2	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>[CS/001A, CS002A, CS004, CS005 Site Photographs, Planning Statement dated January 2014]</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
	Cycle Parking Provision (Details)
3	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the use. The storage shall be covered, secure and provide for no less than 5 cycle spaces. The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
	Hours of Operation (Compliance)
4	<p>CONDITION: The ground floor use hereby approved shall not operate outside the hours of:</p> <p>07:00– 21:00 daily</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity</p>
	Operational Management Plan (Details)
5	<p>CONDITION: An operational management plan assessing the noise impact (including (but not limited to) deliveries, vehicle movements, idling engines, vehicle</p>

	<p>stereos, security gate/door operation, staff conduct and plant noise) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the operational phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity</p>
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	<p>Informative:</p>
<p>1.</p>	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
	<p>Informative</p>
<p>2.</p>	<p>You are reminded of the need to comply with other regulations/legislation outside the realms of the planning system - Building Regulations as well as Environment Health Regulations.</p> <p>Any construction works should take place within normal working day. The Pollution Control department lists the normal operating times below.</p> <div data-bbox="347 1485 1484 1709" style="border: 1px solid black; padding: 10px;"> <p>Delivery and operating times - the usual arrangements for noisy works are</p> <ul style="list-style-type: none"> ○ 8am –6pm Monday to Friday, ○ 8am – 1pm Saturdays; ○ no noisy work on Sundays or Public Holidays (unless by prior agreement in special circumstances) </div>

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes pertinent to the determination of this planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 (Delivering the strategic vision and objectives for London)

Policy 3.17 Health and Social Care Facilities)

Policy 4.2 Offices

B) Islington Core Strategy 2011

Strategic Policies

Policy 3.4 (Employment)

Infrastructure and Implementation

Policy 4.2 (Social and community infrastructure)

C) Development Management Policies June 2013

Design and Heritage

Policy DM2.1 (Design)

Policy DM2.2 (Inclusive Design)

Shops, culture and services

Policy DM4.12 (Social and strategic infrastructure and cultural facilities)

Transport

Policy DM8.4 (Walking and cycling)

Policy DM8.5 (Vehicle Parking)
Policy DM8.6 (Delivery and servicing for
new development

4. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- Urban Design Guide
- Inclusive Design in Islington