

MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Tuesday, 9 September 2014 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), James-J Walsh (Vice-Chair), Obajimi Adefiranye, Bill Brown, Suzannah Clarke, Amanda De Ryk, Stella Jeffrey, Helen Klier and Paul Upex

APOLOGIES: Councillor Mark Ingleby

ALSO PRESENT: Kate Anstey (Programme Manager), Claire Gray (Principal Planning Policy Officer), Andrew Hagger (Scrutiny Manager), David Knight (Planning Policy Officer) and Ian Ransom (Transport Service Group Manager)

1. Minutes of the meeting held on 17 July 2014

Resolved:

The minutes of the meeting held on 17 July were agreed.

2. Declarations of interest

2.1 There were none.

3. Preserving public houses and community assets of value

3.1 Claire Gray (Principal Planning Policy Officer) introduced the report and highlighted the following key points:

- The Planning Inspectorate has examined the Development Management Local Plan which relates to pubs and found it sound.
- The Development Management Local Plan will be formally adopted at an upcoming Council meeting after which it will form part of the Council's policy framework.
- The policy is now set and is valid up until 2026, but will be reviewed as part of further reviews of planning policy in the future.
- Planning policy allows for permitted changes (permitted development rights) of use that do not require planning permission. For example, pubs can be changed to a retail use, café, restaurant or form of business use (such as estate agents or legal premises) without the need for a planning application.
- The government is currently consulting about changes to the permitted development rights, although current proposals do not directly relate to pubs. Other planning related actions, including local listing and article four directions are available to protect pubs. An article four direction can remove all permitted change of use and can be applied to individual premises or blanket across the whole borough or areas of the borough.
- Other planning related actions, including local listing and article four directions are available to protect pubs. An article four direction can remove all permitted change of use and can be applied to individual premises or blanket across the whole borough or areas of the borough.
- Using article four does carry risk, as the Council could be at risk of a compensation claim by the owner of the article four property. The

compensation would be for the loss of permitted development use and loss of the opportunity of profiting from exercising that right.

3.2 In response to questions from the Committee, Claire Gray and David Knight (Planning Policy Officer) provided the following information:

- The exact measure for calculating the liability of the Council for imposing an article four direction is unclear, but would likely be based around the potential loss of value.
- Officers would only look at how a pub has been marketed before being disposed of if a planning application is submitted. The information required about the marketing of the pub would need to form part of the application.
- In theory it would be possible to place a blanket article four direction across all pubs across the borough. However, no-one else in the UK has done this and a lot of evidence would be required to carry this out and for it to stand up to challenge. It is likely the work required would be the same as to place an individual article four direction on each pub.
- Any land attached to a pub, such as a car park, and its usage would need to be addressed as part of the viability report submitted as part of the application.
- While accessibility is not explicitly considered as part of the viability report, this could be considered for addition when planning policy related to pubs is reviewed.
- If there was a proposal to change a pub to a cinema it would require planning permission. The viability report would form part of the basis of any decision.
- If the usage of a section of the pub is changed then permission is required.

3.3 The Committee then discussed:

- The status of the Windmill pub
- The status of the Baring Hall Hotel pub, including that the previous owners of the premises were seeking compensation from the Council and the need for further details.
- The lack of clarity in how compensation related to article four directions is decided upon, especially around how far back compensation claims can go.

Resolved:

The Committee agreed to refer the following to the next available Mayor & Cabinet meeting:

The Committee should be provided with updated details on the status of the article four directions and asset of community value listings that have been placed on the Baring Hall Hotel and Windmill pubs. This should include information about any on-going compensation claims or legal cases relating to these pubs.

The Committee should be provided with detailed information about how compensation for the owners of premises under an article four direction will be decided upon.

4. Neighbourhood planning update

4.1 David Knight (Planning Policy Officer) introduced the report and highlighted the following information:

- There have been 2 applications for Neighbourhood Forums so far.
- The application from Crofton Park and Honor Oak Park has been positively determined by the Mayor. The Crofton Park and Honor Oak Park area now has a designated forum and area. The Forum is expected to start developing a Neighbourhood Plan soon.
- There has been consultation on the Grove Park proposal, with a total of 16 positive or negative responses so far to the 1st and 2nd consultations with the majority in favour. The low number is seen as a positive sign that there is no groundswell against it and the proposal will go to Mayor & Cabinet in October.
- A group from New Cross and Corbett Estate have talked to officers who have provided info, but it has not moved beyond that stage as yet.

4.2 In response to questions from the Committee, David Knight and Claire Gray and (Senior Planning Policy Officer) provided the following information:

- The Neighbourhood Forum produces a Neighbourhood Plan for an area, which is a legal document that must be considered when making decisions on planning applications.
- A local group must submit an application to become a Neighbourhood Forum to the Council, and must also submit an application to define their neighbourhood area to the Council, before they can begin preparing a Neighbourhood Plan. The Neighbourhood Forum can designate any area for the plan, as long as it is sensible. There can be no overlap between areas covered by a plan.
- The regulations for groups are light touch and a Neighbourhood Forum has to show that there are 21 members and have a constitution. The group does not have to involve local councillors, although the Crofton Park group is led by a local councillor and the Local Assembly. Any group has to provide details of its members and officers will look at the membership of the group to make sure it reflects the community rather than just one section of it.
- The created and accepted Neighbourhood Plan remains in place once adopted by the Council, even if the Neighbourhood Forum ceases to exist.
- There is no guidance in place regarding updating a Neighbourhood Plan. Only a couple of plans have been passed across the country and the focus has been on putting them in place. A plan's power could erode over time if it moves out of line with changing national, regional and local planning policies.
- The cost of referendum for approving the Neighbourhood Plan is estimated to be £10k to 20k. It is possible to obtain money from central government to help cover the costs of putting Neighbourhood Plans in place; some of this could go towards partly covering the referendum costs.
- There is an examination process for all Neighbourhood Plans to ensure that the submitted plan is in line with national and local policies to avoid tension. Once adopted the plan holds the same weight as the adopted Council plans and policies.

Resolved:

That a further update report is brought to the Committee once a Neighbourhood Plan has been put in place and is being used. Any report should include information on costs involved in setting a plan up and how it works in practice.

5. Update on the Lewisham Implementation Plan

5.1 Ian Ransom (Transport Service Group Manager) introduced the report and highlighted the following information:

- Lewisham is required to produce a strategy for 20 years and has had one in place since 2011. As part of the strategy a three year LIP is produced outlining what projects will be funded. The 1st plan has finished and information about the 2nd one is provided in the report. The 3 year plan is developed following a spatial assessment.
- The LIP sets out local schemes where the spend is generally up to £500k, whereas projects over £1m are major schemes that require funding outside the LIP, but are identified as priorities within the document.
- There are 2 categories for projects, corridors and neighbourhoods.

5.2 In response to questions from the Committee, Ian Ransom provided the following information:

- The LIP covers improvements to the network but does not include resurfacing, which is paid for differently. However, officers would look to build resurfacing into improvement works.
- Parking can be used as part of traffic calming measures and improvements to the network can include measures to regulate the speed on roads. There will be a report to Mayor & Cabinet in November about introducing a 20 mph limit.
- There can conflict with the Mayor of London and funding from TfL for certain projects, for example road humps are not funded by TfL.
- Lewisham did receive £250k extra for potholes and there have been no cuts in the road maintenance budget, instead officers have driven down the costs of the contract.

6. Exclusion of Press and Public

7. Catford Regeneration Programme update

7.1 Kate Anstey (Programme Manager) introduced the report and highlighted the following information:

- In 2010 the Council bought Catford Shopping Centre through the Catford Regeneration Partnership Limited (CRPL), a wholly owned subsidiary of Lewisham Council limited by shares.
- Catford town centre as a whole is being re-examined as a development opportunity, with increased scope for residential and leisure usage.
- Following the publication of the London's Roads Task Force, TfL has recently completed an initial draft study to review the potential realignment of the south circular and officers have had meetings with TfL about this.
- There has been more interest in Catford from architects and developers and the upcoming consultation on extending the Bakerloo line could increase this further.
- The upgrade of Catford Broadway has almost been completed.

7.2 In response to questions from the Committee, Kate Anstey provided the following information:

- Within the context of the overall regeneration the improvement of the Broadway Theatre is a consideration, although the costs of doing so are likely

to be high. There is an opportunity with the potential rerouting of the south circular to relook at the theatre and develop a different surrounding space for it.

- There still needs to be some further exploration and thought about what Catford could become and the aims of the regeneration.
- Bringing forward acquiring the leasehold interests in parallel with the decant of Milford Towers has been discussed, but there is a need to consider the correct timing of this for the Council.
- While the issue of the south circular and its routing has been discussed for many years, there does appear to be a focus from TfL on exploring this fully at this point. A lot of time and energy has been put into their current work.
- Currently there is no firm timetable for starting development. There has not been any clarity on funding from TfL about the south circular and it seems that TfL would not pay for it all, so some of the cost would need to be met by the potential development scheme. Developments such as these always take a long time and until the South Circular is resolved and a way forward is decided, for example selecting a development partners, it is difficult to set one out.
- Catford Island is not owned by the Council, as it is a key site there will need to be conversations with the owners.
- A report on the Brookdale site went to Mayor & Cabinet last month.

7.3 The Committee also discussed the following issues:

- The potential for using the space between the two Catford stations as a public transport link including bus stops.
- The need for adequate parking in redevelopment.
- The need for there to be high quality design included in the redevelopment.
- That keeping the quirkiness of Catford (such as the Catford cat) would be positive.

Resolved:

That the Committee should receive update once further plans for the regeneration of Catford have been developed.

8. Select Committee work programme

8.1 The Committee discussed the work programme including the mini-scopes attached in Appendix B.

Resolved:

The Committee agreed to carry a rapid review on Modern Roads and that the next review should look at High Streets.

9. Items to be referred to Mayor and Cabinet

9.1 The Committee referred the comments agreed under item 3 to Mayor & Cabinet.

The meeting ended at 9.45 pm

Chair:

Date:
