

Committee	PLANNING COMMITTEE (A)	
Report Title	78 CANADIAN AVENUE, SE6 3BP	
Ward	Catford South	
Contributors	Geoff Whittington	
Class	PART 1	Date: 30 AUGUST 2012

Reg. Nos. DC/12/79404

Application dated 25 January 2012 completed 13 March 2012

Applicant Mrs A Wallace

Proposal The mixed use of 78 Canadian Avenue SE6 as a Family Contact Centre (Use Class D1) and dwelling-house (Use Class C3)

Applicant's Plan Nos. AMWL/012/001 & 002, Design and Access Statement and Site Location Plan.

Background Papers

- (1) Case File LE/697/78/TP
- (2) Lewisham Development Framework: Core Strategy (2011)
- (3) Adopted Unitary Development Plan (July 2004)
- (4) The London Plan (2011)
- (5) Lifetime Homes Standards
- (6) Residential Development Standards: SPD adopted 2006)

Designation Adopted UDP - Existing Use

## **1.0 Property/Site Description**

- 1.1 The application property is a 2-storey semi-detached dwelling located within the Culverley Green Conservation Area on the south side of Canadian Avenue, close to the junction with Bromley Road.
- 1.2 The character of the area is predominantly residential, including properties that have been converted into self-contained flats and care homes.
- 1.3 The property benefits from a spacious private garden at the rear. An existing driveway to the front allows for off-street parking.
- 1.4 The area is well served by public transport, with bus routes operating locally on nearby Bromley Road. The two Catford train stations lie within a short walking distance. On-street parking is restricted to residents only.

## **2.0 Planning History**

- 2.1 No planning history.

## **3.0 Current Planning Application**

- 3.1 The application proposes the use of the property as a contact centre during day-time hours, whilst remaining primarily as a single dwelling-house.

3.2 The use would provide a place for parents to meet with their young children who they have been separated from for varying reasons. This would operate on an appointment basis between 9am – 6pm Mondays to Fridays, and 9am – 5pm Saturdays and Sundays.

3.3 The meetings would take place within the ground floor living room of the dwelling, whilst the conservatory would provide a playroom for younger children. Existing bedrooms on the upper floor may also be used for play and reading purposes. The applicant, who also lives at the property, would oversee the meetings, and would employ two part-time administrative staff.

3.4 Outside of work hours, the property would be used as a single family dwelling.

3.5 No external alterations are proposed to the property.

#### **4.0 Consultation**

##### Neighbours & Local Amenity Societies etc.

4.1 Letters of consultation were sent to 51 local residents, together with a notice displayed on site. Ward Councillors were also consulted.

4.2 During the consultation period, one letter was received from the occupier of 76 Canadian Avenue, objecting to the proposal on the following grounds:

- Inadequate parking to accommodate staff, social workers, visitors and other users;
- They will probably park on our driveway since it is only next door;
- Already numerous care homes within the vicinity.

4.3 The Culverley Green Residents Association raised concerns toward the proposal in respect of its location within a residential area, loss of a dwelling-house, and organisation/ management of the use.

4.4 During a discussion with the planning officer, the Association were prepared to withdraw their objections toward the principle of the use, however their concerns were maintained in light of the applicant's decision to operate the proposed use at weekends.

(Letters are available to Members)

##### Highways and Transportation

4.5 Unobjectionable in principle.

##### Environmental Health

4.9 No objections raised.

## 5.0 Policy Context

### National Planning Policy Framework (NPPF)

- 5.1 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. In summary, this states, that for a period of 12 months from publication of the NPPF decision makers can give full weight to policies adopted since 2004 even if there is limited conflict with the NPPF. Following this period weight should be given to existing policies according to their consistency with the NPPF.
- 5.2 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, 214 and 215 of the NPPF.

### Ministerial Statement: Planning for Growth (23 March 2011)

- 5.3 The statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

### London Plan (July 2011)

- 5.4 The London Plan policies relevant to this application are;
- 3.3 Increasing housing supply; 3.4 Optimising housing potential; 3.6 Children and young people's play and informal recreation facilities; 3.8 Housing choice; 3.16 Protection and enhancement of social infrastructure; 3.17 Health and social care facilities; 6.9 Cycling; 6.13 Parking; 7.4 Local character & 7.5 Public realm.

### London Plan Supplementary Planning Guidance (SPG)

- 5.5 The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2004) & Housing (2005).

### Core Strategy

- 5.6 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1: Lewisham Spatial Strategy; Spatial Policy 5: Areas of Stability and Managed Change; Objective 10: Protect and enhance Lewisham's character; Core Strategy Policy 1: Housing provision, mix and affordability; Policy 14: Sustainable movement and transport, Core Strategy Policy 15: High quality design for Lewisham, Policy 16: Conservation areas, heritage assets, and the historic environment & Policy 19: Provision and maintenance of community and recreational facilities;

#### Unitary Development Plan (2004)

5.7 The saved policies of the UDP relevant to this application are;

STR URB 1 The Built Environment; URB 3 Urban Design; HSG 1 Prevention of Loss of Housing; HSG 4 Residential Amenity and HSG 7 Gardens.

### **6.0 Planning Considerations**

6.1 The main issues to consider in regard to this application include the suitability of the property to accommodate the proposed use, the resulting impact upon the amenities of neighbouring occupiers, and parking related issues.

#### Proposed Use

6.2 The use involves children from broken homes meeting with their parents or relatives on several occasions at the property on an appointment basis. The planning statement explains that 'the family centre is a place where vulnerable families living in the local area can come for assistance or services. In this case, it is a Child Contact Centre where children, who are looked after by the local authority, are brought by the foster carer to meet their birth parents for supervised contact time. The use of the rooms is strictly by prior appointment and a supervisor is in attendance to observe/ assist throughout.'

6.3 The applicant has explained that such meetings once took place in Council offices, however the provision of such facilities has diminished in recent years. Subsequently, this has resulted in a need to find alternative places to accommodate this type of use. Dwelling-houses are now a favoured option as they provide a more homely environment as opposed to the formal surroundings of a council office.

6.4 Each appointment, of which there would be up to 5 each day, would last for a maximum of 2 hours between 9am to 6pm Mondays-Fridays, and 9am-5pm Saturdays and Sundays. Outside these times, the dwelling would revert back to being used solely as a family household. Contrary to their statement, the upper floor bedrooms would not be 'furnished as living room spaces'. The rooms may be used for play purposes, however they would primarily remain as bedrooms. No internal or external structural alterations are proposed in this case.

6.5 The applicant has stated that she is fully qualified in this particular field, and her role is to oversee the meetings to ensure both parties participate in an appropriate manner. Two staff members would be employed to undertake administrative tasks on a part-time basis.

- 6.6 The applicant would have a close working relationship with Lewisham social services, who would ensure she has the right credentials to be undertaking such a role. The majority of children/ families would reside in Lewisham Borough, however it is likely some would come from neighbouring boroughs also.

#### Residential Amenity

- 6.7 Having dealt with similar cases in recent years, officers are satisfied that such a use is capable of operating in a discreet manner that is not detrimental to neighbouring residents.
- 6.8 The meetings would generally be held within the property, but younger children may be allowed to play in the rear garden during breaks. During the meetings, the child would undertake activities such as reading, writing, drawing and playing board games with their parents. The applicant has confirmed that noisy activities or the playing of music would not be encouraged.
- 6.9 Whilst the applicant has included Sundays as a day of operation, she has confirmed this is unlikely to occur regularly. The primary days of use would be Mondays to Fridays, however weekends would be used should there be an over-demand of appointments.
- 6.10 Considering the nature of the use, officers raise no objections to the principle of occasional weekend operation.
- 6.11 It is also suggested a condition be included that prevents any other form of activity that falls within Use Class D1 to operate without the benefit of planning permission. This would afford the local authority an opportunity to formally assess any future proposals for the property.

#### Highways

- 6.12 Officers have raised no objections to the proposal. The property has an existing front driveway that can accommodate off-street parking. There are currently on-street parking restrictions along Canadian Avenue, but this particular area is well served by public transport and officers do not consider that a refusal on traffic grounds could be sustained in this instance.
- 6.13 A neighbouring occupier is concerned that visitors would park on his driveway next to the application site. The applicant has responded that she would not allow this to happen, and would seek to advise all carers to park only on the driveway of no.78, or on street where permitted.

### **7.0 Consultations**

- 7.1 With regard to procedural matters, neighbour notifications have been carried out in accordance with the Council's usual procedure. Officers are satisfied that all statutory Council procedures have been followed and all neighbour concerns have been addressed.

## **8.0 Conclusion**

8.1 The proposed use of the property as a contact centre is considered acceptable, providing facilities for a worthwhile need. Subject to overall management of the use, there is no reason why it cannot operate without disturbing neighbouring occupiers. For these reasons, it is therefore recommended permission be granted.

## **9.0 Summary of Reasons for Grant of Planning Permission**

9.1 The decision to grant planning permission has been taken having regard to the policies and proposals in the London Plan (2011), the adopted Core Strategy and saved policies in the Unitary Development Plan (July 2004), as set out below and all relevant material considerations, including comments received in response to third party consultation.

9.2 The local planning authority has considered the particular circumstances of the application against relevant planning policy set out in the London Plan (2011), the adopted Core Strategy (2011) and saved policies in the Council's Unitary Development Plan (July 2004).

## **10.0 RECOMMENDATION GRANT PERMISSION subject to the following condition:-**

The premises shall be used for the mixed uses as a single family dwelling house and a Family Contact Centre and for no other purposes in the Town and Country Planning (Use Classes) Order 1987 (as amended).

### Reason:

To allow the local planning authority to properly assess the impact of other uses within Class D1 on the residential amenities of neighbouring occupiers, in accordance with Policy 19 Provision and maintenance of community and recreational facilities in the adopted Core Strategy (June 2011) and Policy HSG 4 Residential Amenity in the adopted Unitary Development Plan (July 2004).