

## **PRESENT**

### **Members of the Committee**

Councillor Terence Buxton (Chairman)  
Councillor Paul Warrick (Vice-Chairman)  
Councillor Robert Atkinson  
Councillor David Campion  
Councillor Emma Dent Coad  
Councillor Professor Sir Anthony Coates  
Councillor Ian Donaldson  
Councillor Councillor James Husband  
Councillor Miss Doreen M Weatherhead  
Councillor Charles Williams

### **Others in Attendance**

Mr Ed George, Senior Planning Officer (Strategic Sites)  
Mr James McCool, Transport Planner  
Mr Graham Stallwood, Head of Development Management  
Ms Heidi Titcombe, Senior Solicitor and Joint Head of Integrated  
Planning Legal Team  
Miss Anne Wright, Senior Governance Administrator

## **A1 APOLOGIES FOR ABSENCE AND MEMBERSHIP**

Apologies were received from Councillors Carol Caruana and Rock Feilding-Mellen. Cllr Feilding-Mellen decided not to sit on the Committee as he was part of the Council's Cabinet who had taken a decision on the proposed Kensington Academy and Leisure Centre earlier in the year.

## **A2 MEMBERS' DECLARATIONS OF INTEREST**

Councillor Terence Buxton declared that he was a Trustee of the Westway Development Trust and the re-provision of the MUGAs was proposed for the Westway Sports Centre. Councillors Atkinson and Professor Coates declared that they were members of the Family and Children's Services Scrutiny Committee.

## **A3 Agenda Item STR7 - Land at Lancaster Green, bounded by Silchester Road to the north, Grenfell Road and Bomore Road to the south, Dulford Street and Verity Close to the east and the Hammersmith and City Railway Line to the west, including the existing leisure centre.**

The Senior Planning Officer introduced the planning application and drew the Committee's attention to the Addendum Report which had been distributed to the Committee Members in advance of the meeting. He explained the extent of the Council's consultation and said that 1610 addresses were notified of the proposal in the surrounding area, five site notices were erected around the site and the proposal was advertised in the local press. He set out the consultation dates as 25<sup>th</sup> June to 20<sup>th</sup> July 2012 for the first period and 22<sup>nd</sup> August to 5<sup>th</sup> September for the second period. He explained that the Council had gone beyond its statutory obligation in terms of consultation and all the relevant documents had been made available on the Council's website.

The Senior Planning Officer outlined the proposals for the demolition of the existing centre and associated pitch facilities in order to facilitate redevelopment to provide a new Leisure Centre, a new Academy and a new residential block of 32 units. He presented a series of slides setting out the site boundaries and proposed site plan. He provided details of the proposed elevations, sectional drawings and floorplans of the proposed Leisure Centre, Academy and residential units. The following key points were noted:

- It was proposed that Station Walk be closed to accommodate the new development and a section 258 application was ongoing;
- The MUGA proposed on the roof of the new Academy would be 22 metres away from Grenfell Tower at its closest point;
- The fourth storey of the new Academy would be set back and the building would be 16.9 metres at its highest point;
- Photovoltaic panels were proposed for the southern half of the new Academy's roof;
- Two major routes were proposed to run through the site, one from east-west and the other a north-south connection;
- Areas of green roof were proposed for the new Leisure Centre;
- The new Leisure Centre would be 12.5 metres high with a section of plant rising to 16.3 metres;
- The proposed residential element would be for market sale only and the proceeds of the sale would be put towards the redevelopment of the site;
- The proposed residential unit would be a five storey development with two lifts and 16 parking spaces;
- All residential flats would comply with the London Housing Design Guidelines;
- The proposed residential block would be twenty metres from Barlow House;



- The two major routes through the development would be single surface paving but would only have vehicular access for servicing and emergencies;
- Lancaster Green would be retained and re-landscaped;
- The playground next to Grenfell Tower would be retained but the surrounding walls removed and replaced by railings;
- Attention was drawn to the tabled Public Realm Area Analysis;
- There would be a two per cent increase in hard landscaping across the site;
- There would be a five per cent reduction of soft landscaping across the site;
- There would be an increase in built form coverage across the site of three per cent;
- Two coach parking bays were proposed for Silchester Road which would displace five existing Borough residents parking bays that would be replaced on Silchester Road at various points;
- Seven disabled parking bays were proposed for the north-south link for use by the Academy and Leisure Centre;
- 28 on street parking spaces were proposed on Dulford and Bomore Road;
- He asked Committee to note the revisions to the recommendation and conditions as set out in the Addendum Report; and
- It was recommended that additional conditions be attached to the permission in response to objections from Sport England, if the Committee is minded to grant permission.

Cllr Dent Coad asked about the rationale behind the proposed closure of Station Walk and the Senior Planning Officer explained that due to the proposed footprint of the Academy building, the three metre corridor would not be considered acceptable as a footpath in planning terms and it could be dangerous. He explained that the proposed north-south route through the site would provide better visibility and therefore be a safer route. The Transport Planner added that although the new proposed route would be longer it was considered acceptable on balance that Station Walk would be lost as an adequate alternative would be provided.

Cllr Williams asked about the development's impact on the daylight and sunlight to Barlow House and how many dwellings would fall below BRE Guidelines. The Senior Planning Officer explained that of the windows tested 32 out of 84 on the western elevation would fall below BRE Guidelines but 21 of those 32 already fell below BRE Guidelines due to the recessed balconies on the properties. He said that even if a two storey building was built opposite Barlow House it would have the same impact.

Cllr Miss Weatherhead expressed concern about the possible number of coach drop offs for the Leisure Centre and questioned the level of coach parking and dropping-off provision. The Transport Planner said that the applicant had estimated five mini bus drop-offs per day which was probably an underestimate but there would be two full size coach parking bays which could accommodate three mini buses. He said that further work was necessary and confirmed that a Coach Management Plan would be required, with schools having to schedule their visits accordingly. He said that there was the possibility for the north-south route to be used as well as the Westway car park for gala days. He said that they had not have confirmation from the Westway Development Trust about the use of their car park.

Cllr Dent Coad raised the issue of re-landscaping Lancaster Green and said that the existing landscaping was done to combat anti-social behaviour. She was concerned that the green would not be able to cope with the influx of children and gave the example of Holland Park School and the number of Police and PCSOs that were need to control the students. The Chairman clarified that the Kensington Academy would be a lot smaller than Holland Park School and would be more comparable to the Chelsea Academy in size. The Senior Planning Officer said that the re-landscaping would open up the space and make it conducive to better surveillance.

Cllr Atkinson asked for further details about the use of the north-south route through the site and the Senior Planning Office said that there would be controlled access with the default position being that the barriers were closed to vehicles. He explained that disabled users and the school would have to register to have access to a self-managed system. He confirmed that the designated disabled parking bays were outside the proposed restricted access area.

Cllr Campion asked about the phasing of the project and whether the contractor would be required to be registered with the Considerate Constructors Scheme (CCS). The senior Planning Officer confirmed that a CEMP and a CTMP would be submitted that would detail phasing and how any noise disturbance would be kept to a minimum. He confirmed that the contractor was registered with the CCS.

The Chairman invited Cllr Judith Blakeman (local Ward Councillor) to the table to speak in objection to the planning application. She raised the following points in her submission:

- She also spoke on behalf of her fellow Ward Councillor, Todd Foreman;



- She was surprised their submissions had been read as objections as they were intended to be helpful comments;
- They still had reservations about some elements, namely:
  1. The recreational needs of the under 15s and the net loss of outdoor sports provision;
  2. The level of parking, specifically the lack of coach parking, proposed for the scheme; and
  3. The market housing constituted overdevelopment of the site.

Cllr Blakeman addressed each main area of concern in turn:

1. The recreational needs of the under 15s and the net loss of outdoor sports provision:
  - Some of the most deprived children in the country lived in the area;
  - Outdoor play space would be lost and there were no youth clubs;
  - The Under 15s were too young to go over to the Westway to play;
  - If the children were to play at the Leisure Centre it would probably be considered "vandalism" which has been said in the past and the Ward Councillors took exception to this;
  - Was it intended that the north-south route should be closed at the weekends and school holidays?
  - Grenfell Tower was going to lose green space to hard space and the open space would be dissected by the north-south and east-west routes;
  - The new green spaces will not belong to the residents;
  - Had the Council satisfied its duties under the Open Spaces Act and obtained permission from the Secretary of State for the proposals;
  - There was going to be a loss of sports provision on site and the re-provision off site at the Westway was unacceptable; and
  - The cost of the new sports facilities could be prohibitive for the youth and would they be offered a lower rate or free use?
2. The level of parking, specifically coach parking, proposed for the scheme:
  - The developers had underestimated the level of need for parking;

- It was naive to suggest that people use public transport, especially for those who were travelling from further distances;
- Those that travelled now by car from further afield to use the Leisure Centre would use alternative facilities;
- Residents would struggle to find permit parking;
- The Academy wouldn't have parking for their teachers and could they secure the best staff without this provision or adequate disabled parking provision;
- There would be a lot more than five minibus drop offs per day;
- She did not see how the Coach Management Plan could control the number of coaches or minibuses;
- Coaches needed onsite parking and dwell times had not been catered for; and
- Coaches were too big to be able to enter into the Westway car park.

3. The market housing constituted overdevelopment of the site:

- The SPD stated that residential accommodation should only be included if it did not compromise the objective of the SPD;
- It was their opinion that the proposed market housing would compromise the objective of the SPD;
- The residential element would put too much pressure on the site and was out of scale;
- The proposals would create a sense of enclosure;
- The Council's own Architectural Appraisal Panel had serious reservations about the proposed residential scheme;
- The development would be a monstrous carbuncle on the site and had been an afterthought;
- The level of market housing on the Holland Park Scheme had been called-in and was therefore reduced in size and that scheme had far more open space than the proposals for this scheme;
- The proposals would be out of keeping with the area and Walmer Road used to have two to three storey houses;
- The potential consequences of the Council's decision to sell the freehold of the residential scheme should be assessed;
- That part of the site could be left open to give flexibility to the scheme if further space in needed, for example for additional parking;
- The use of the residential element to cross-subsidise the cost of the scheme was not a planning matter;



- The Council had a high level of reserves that could be used for the development; and
- Would the developer be prepared to double-glaze the affected residential block windows while construction was taking place if the TMO could not raise the money for these works?

In conclusion, Cllr Blakeman said that as the planning application could not be amended that evening to address concerns, she urged the Committee to either defer or reject the proposals.

Mr Edward Daffarn (Grenfell Action Group), supported by Mr Tony Wilson (Planning Aid), were invited to the table to speak in objection to the application. Mr Daffarn spoke first and raised the following main issues:

- The Grenfell Action Group was formed in 2010 in response to the original KALC proposals;
- He did not speak for everyone living in Grenfell Towers but believed he spoke for the majority;
- About two thirds of the residents of Lancaster West were opposed to the scheme;
- It should be noted that the Grenfell Action Group was not opposed to the educational of children in North Kensington;
- There were three main areas of objection, namely: the consultation process; the loss of amenity and the proposals were flawed and unsound;
- From day one the local residents had been treated with contempt;
- Planning Aid had stepped in to assist;
- There was great anger at the way residents had been treated and it was unacceptable;
- They were never consulted on the Core Strategy and had been excluded from that process which was evident as no local objections were lodged;
- Their local Residents Forum had asked the Police to talk to them about safety issues but they had not obliged;
- The development would be taking away their amenity space;
- Grenfell Towers did not have balconies and Lancaster Green was their amenity space;
- Lancaster Green had been built for them and offered some respite from the concrete jungle they lived in;
- They used the green for walking, bird watching, sitting out and it was their nature walk;
- The replacement football pitches would be next to a polluted motorway and they were making a documentary about this which they hoped to give a wide circulation;
- The proposed level of parking provision would not be enough;

- Nobody wanted the north-south and east-west roads put through the estate;
- Their heating systems needed to be replaced which they had been promised but this was not included in the proposals;
- The proposals were unsatisfactory, unsafe and unsound;
- Three quarters of the trees on the estate would be lost;
- There was a big difference between what residents were originally told to the plans proposed;
- The proposed footprint of the building kept on changing and different figures were given in a number of different places;
- The confused figures were difficult to understand and he did not see how the Committee could pass judgment on them;
- A number of amendments were also in the Addendum Report and local residents and lay people did not have the time to take all of the different figures and amendments in.

Mr Wilson stated that although he accepted that the statutory consultation obligations had been met; the volume of documents in such a short space of time were very difficult for lay people to take in and assess. He shared Mr Daffarn's concerns about the quantity of information and supported a deferral so that more time could be given in order for a correct and robust decision to be made.

Ms Sarah O'Connell, representing the Chelsea and Westminster Swimming Club, welcomed the proposed new pool in the Leisure Centre but asked that planning conditions be added to ensure access for the swimming club to use the facilities for competitions and training. She highlighted the following points:

- The swimming club was founded in 1947 and they had had four swimmers who went to the 2012 Olympic and Paralympic trials;
- There was an increasing commercial focus of swimming pool operators;
- The club could not provide a service without swim time and competition time;
- Children are motivated through competition;
- ASA and Sport England had said it would be possible to impose conditions;
- Their request for one week and two evenings per year for competitions was modest;
- They also request affordable pricing for use of the centre; and
- London Swimming had emailed the previous day in support of their requests.

Responding to questions from the Committee, Ms O'Connell explained that the member parents and children were committed and flexible in terms of swimming times, but usually they were not able to secure training times before 7pm.



In answer to Mr Daffarn's concerns about the figures provided by the applicant, the Senior Planning Officer confirmed that the figures before the Committee that evening were entirely accurate and correct and were the final figures. He said that the existing playground next to Grenfell Tower would be re-provided as a playground.

**The meeting was adjourned for a ten minute break and resumed at 8.15pm.**

The Chairman invited the representatives of the applicant to the table in order to respond to the objections raised. Mr Marc Watterson (Taylor Young), Mr Andrzej Kuszell (Studio E – Academy and Residential), Mr Chris Churchman (landscaping) and Mr Sandy Scott (leisure facilities) came to the table. Mr Watterson spoke first and made the following points:

- Through work with Highways consultants they were able to maximise the amount of parking provision;
- The appropriate number of disabled parking spaces would be provided for both buildings;
- The north-south road would be a pedestrian route and the bollards would be maintained in an upright position, including on the weekends and in the evening;
- One would need to have prior access arranged to use the north-south route for any vehicular movement;
- The north-south route would not be able to be used as a rat-run;
- The recreational spaces would meet the requirements of the community;
- The community had been involved in the design;
- The figures and facts before the Committee that evening were definitive;
- There would be a small loss of green public assembly space but the new provision would be better than what existed at present;
- They would continue to discuss detailed landscaping plans with the community to get what was best for them;
- All the publically open space would remain so;
- The proposed residential element was to cross-subsidise the development and this financial element was very important to the success of the scheme;
- The issue of overdevelopment was a subjective one;
- The proposed unit sizes of the residential block were appropriate for the area; and

- The double-glazing to Grenfell Tower would be part of the TMO's future plans and it would be unreasonable to expect the applicant to provide funding for that purpose.

Mr Kuszell added the following points:

- The scheme was very important for the Borough and although there were certain concerns about detail, there was broad support for the scheme;
- There was no cohesion across the site at present;
- There would be efforts to ensure the public spaces across the site resonate together and there was probably scope for further refinement of the landscaping;
- The proposals were secure by design and had gone through extensive consultation procedures;
- They had taken into account comments made and would ensure the security of the open spaces through fences, security lighting and CCTV;
- Two MUGA equivalents would be re-provided at the school and he believed that the school facilities would be opened for community use out of school hours;
- The residential block was always envisaged as an element of the scheme and formed part of the original brief;
- The residential element complemented the scheme and changed the scale from a larger buildings to a smaller residential scale; and
- The market housing did have a place in the scheme.

Mr Scott spoke about the proposed Leisure Centre and said that the operational details of the building could not be influenced at this stage as it would be for the operators to run the centre themselves. He explained that this meant they would not be able to address programming issues as raised by the Chelsea and Westminster Swimming Club.

Mr Churchman spoke about the landscaping of the site and said that open space was critical to the development and comprised about fifty per cent. The plans for landscaping had evolved over the past year and changed through discussions and consultation. He said that there had been a number of public presentations and the project team had offered to meet the tenants on site to discuss proposals. He added that provision for under 15s was not specifically mentioned by objectors. However, that age group could be specifically looked at if it was felt there was a fundamental need. He said that they would also look at the provision of formal open space which had been raised. Mr Churchman explained that the green spaces across the site would be much more coherent and an improvement for those living there. He said that Lancaster Green



would be re-provided and although there would be a loss of some open space, many of the existing small parcels of land were impractical and the proposed landscaping would be much more user-friendly. He confirmed he was happy to have further meetings with the local community to discuss the details of landscaping design.

Cllr Campion asked if the Leisure Centre roof could be used as open space and what the estimated cost would be. Mr Churchman explained that there would be a major operational impact if the roof were to be used as open space as a high level of monitoring and safety measures. He said that the roof would not be able to be a meaningful space to provide a facility that would draw people in.

Cllr Williams asked if the applicant had discussed the issue of informal play space with the community. Mr Churchman said that informal play space was difficult to define and there would be a number of open spaces provided which would not all be flat grass, there would also be some mounding. Mr Kuszell said that the issue of informal play space had been discussed at consultation events and at design meetings.

Cllr Dent Coad expressed concern about the design of the Leisure Centre specifically for those individuals who did not like to be watched when exercising. She said that the proposed building would be a "glass box" and the applicant was designing in problems that would later need to be rectified. She added that if people did not feel safe they would not exercise at the facility. Mr Scott said that there would be translucent glazing across the majority of the glass looking over the main pool. He explained that they wanted to allow some views and get the right balance but views would be limited and controlled. He said that blinds would be available to close off the teaching and leisure pool if required. He confirmed that there would be retractable blinds on the glazing looking on to the sports hall.

Cllr Coates expressed some concern about the suggestion that the proposed MUGAs at the Westway Sports Centre would be heavily polluted and he asked for assurances that this would not be the case.

The Committee discussed a number of concerns and issues emanating from the representations received. The level of coach parking and the need for the market housing were examined. With regard to the level of parking, the Transport Planner confirmed that a transport assessment had been submitted with the plans and although there would be a net loss of 101 off street parking spaces, they would be replaced with 24 on street spaces and there were also approximately 20 to 30 unoccupied bays in the local vicinity at any one time that could be used. He agreed that in the busiest times

there would not be enough on street parking to accommodate the cars the site could now accommodate but it was the Council's policy to discourage car use and encourage the use of public transport, cycling and walking. He said that the plans should lead to a reduction in traffic. When asked if further public transport would be provided, the Transport Planner said that the transport assessment identified a bus route that would generate approximately 500 additional trips. As a result of the assessment, TfL had recommended an additional bus service be provided which the applicants have agreed to fund. He confirmed it would cost approximately £350,000 for this new week day service. He added that although it was acknowledged that it would be useful to have a Mayor of London cycle docking station on the site, a location for this station had not yet been identified.

The Chairman invited the following Council Officers to the table to answer questions from the Committee: Ms Laura Johnson (Director of Housing), Mr Ian Turner (Schools and Children's Services), Peter Wright (Capital Projects) and Christopher Allen (Leisure Sports and Physical Activity Manager).

Responding to concerns about possible pollution at the proposed MUGAs at the Westway Sports Centre, Mr Allen explained that the MUGAs would be provided at an existing sports centre and therefore they had not specifically measured pollution levels in that area as the centre would already need to meet criteria of being safe and secure for children and young people in its own right as an existing centre which had been in operation for twenty years. Cllr Dent Coad added that the MUGAs would also be near the Shepherds Bush roundabout which would compound the pollution.

Before the Committee entered into its deliberations, the Chairman set out the Conditions that he suggested should come back to the Planning Applications Committee if Members were minded to grant planning permission, namely:

- Condition 3a) to f)
- Condition 4a) to e) and g), h) and i)
- Condition 5a) to g)
- Condition 6a) to l) (not k))
- Condition 7 and
- Condition 8

The Chairman also stated that Condition 24 should be amended to include a "switch-off" clause and Condition 30 be amended so that the hours of use for the MUGA are amended to 10:00 hours to 20:00 hours on Saturdays, Sundays and public



holidays. He said that the Addendum report should be taken as read.

The Committee went into a period of deliberation and the following main points were noted:

- Condition 38 was welcomed;
- One should not lose sight of the two massive positives of the scheme: the new Academy and Leisure Centre;
- The existing Leisure Centre needed to be replaced;
- The new leisure centre will address health concerns such as low life expectancy;
- The landscaping details would come back to the PAC for approval;
- The north-south and east-west links would improve and open up the site;
- There will probably be a different application put forward in the future for the residential block;
- It was important that local residents be involved in the final details of the landscaping;
- The design of the two main buildings was welcomed and endorsed;
- The level of coach parking was still an area of concern;
- The residential block was a step too far and constituted overdevelopment;
- Problems were being designed into the Leisure Centre and some people will never feel comfortable to use it;
- The pollution at the site of the MUGAs was a concern and levels must be measured;
- The loss of daylight and sunlight to Barlow House was unacceptable;
- More work on developing informal play space should be carried out;
- The greenery across the site would be enhanced and more useable open space would be provided; and
- It was noted that the Council strongly supported the Chelsea and Westminster Swimming Club and hoped that a future contractor would accommodate their training and gala needs.

The Chairman called for a formal vote on the matter and asked for a show of hands of those who wished to **Grant** the application subject to:

1. the Conditions specified in the committee report and in the Addendum Report; and

2. Subject to the following conditions coming back for approval to PAC, namely:
  - 3 a) to f);
  - 4 a) to 4), g); h) and l);
  - 5 a) to g);
  - 6a) to l) (not k))
  - 7
  - 8; and
3. Subject to the following additional conditions being amended as follows:
  - Condition 24 to require plant to be switched off if it cannot comply with the condition;
  - Condition 30 the hours being amended to 10:00 hours to 20:00 hours on Saturday, Sundays or public holidays andDelegate the approval of the precise wording of these conditions to the Executive Director, Planning and Borough Development; and
4. Subject to the completion of a unilateral undertaking containing the S.106 planning obligations specified in the committee and Addendum reports and to delegate to the Executive Director, Planning and Borough Development the authority to issue the planning permission following the completion of the unilateral undertaking.

The Committee also requested:

- i) the Bi-Borough Director for Cleaner, Greener and Cultural Services arranges for a review of the air quality at the Westway Multi-Use Games Areas and provides a report to Councillor Buxton ; and
- ii) In negotiating any lease of the leisure centre the Bi-Borough Director for Cleaner, Greener and Cultural Services notes the committee's desire that account is taken of the need for swimming clubs for children to hire space for training and competitions.

There were eight votes recorded in favour of granting the application, with Councillors Atkinson and Dent Coad voting to refuse the application.

RESOLVED -



That planning permission be granted subject to the resolution set out above.

**Action by:**  
**EDP&BD**

**ANY OTHER URGENT MATTERS**

There were none.

The meeting ended at 9.45pm

Chairman