

MINUTES OF THE PLANNING COMMITTEE B

Thursday, 10 January 2019 at 7.30 pm

PRESENT: Councillors Suzannah Clarke (Chair), Tom Copley (Vice-Chair), Obajimi Adefiranye, Tauseef Anwar, Andre Bourne, Liz Johnston-Franklin, Silvana Kelleher, John Muldoon, John Paschoud and James Rathbone

ALSO PRESENT:

Apologies for absence were received from

16. Declarations of Interests

No declarations of interests

17. Minutes

Cllr Copley asked for minutes to be corrected under Section 1 Declaration of interests to read: The Campaign for Real Ale.

Cllr Paschoud asked for clarification of two paragraphs under Section 2. Minutes to be corrected to read: Cllr Clarke (Chair) pointed out that planning permission conditions for the Ashmead Primary School application should be included in the minutes.

18. 1 WALDRAM PARK ROAD, LONDON, SE23 2PW

Cllr Clarke (Chair) clarified that the application is in Perry Vale Ward and not Forest Hill as listed.

The presenting officer introduced the details of the application.

The case officer Jeremy Ward presented addendum report and amendments to this application: The key point of addendum report is new recommendation B which gives authority to the Head of planning, once legal agreements are in place to grant permission subject to the conditions outlined in the original report. Amendments relate to the condition for "hours of operation" to be improved so the hours of operation are enforceable and condition relating to a road safety that highways officer requested. The addendum also refers to some inaccuracies in the report regarding policies, highways and street design technical issues identified which should be included in Section 278 agreement and that is corrected in the report.

Cllr Kelleher asked for clarification on S278.

The case officer clarified that it is an agreement between the developer and planning and highways authority regarding improvements to the highway.

Cllr Paschoud clarified with case officer that Reason for condition no 14 – Hours of operation of the retail unit is given in the original report but not in addendum report. Case officer clarified that only correction to the wording of the condition is included in the

addendum report. It is further clarified that addendum report is replacing condition 13 of the original report relating to the hours of the operation and not condition 14 as stated. *The presenting officer* introduced further details of the application and noted that during initial statutory consultation period no objections had been raised by Highways, Environmental Health and Protection or Drainage. Non-statutory bodies, Thames Water, Met Police, London Fire and Emergency Services and Transport for London were also consulted and raised no objections. 12 objections were received by local residents and businesses regarding highways matters, air quality, loss of retail unit, scale, design and principle of development.

Cllr Paschoud clarified with presenting officer use of branding in the planning application, as "Co-Op" is mentioned in paragraph 4.1 of the original report. The case officer clarified that it is a Class A1 unit and reference to Co-op is not a planning matter.

Cllr Paschoud asked for his interest as as a Labour and Co-operative Party member to be recorded. *Cllr Muldoon* and *Cllr Copley* asked for their interests as Labour and Co-operative Party members to be recorded as well.

Cllr Kelleher asked for a clarification on the bin collection. The case officer clarified that there is a servicing internal corridor adjacent to the shop.

Cllr Johnston-Franklin asked for a clarification on the use of 6th floor space on the corner. The case officer clarified that it is a small lift plant space for the operation of the lift and architectural feature on the corner.

Cllr Johnston-Franklin asked for a clarification on landscaping and as this is a busy road if there is going to be a site barrier. The presenting officer clarified that pavement would be widened and there would be a barrier.

Cllr Clarke (Chair) asked for the width of the pavement area on the frontage of the main road. The case officer clarified that footpath is approx.3m wide with a colonnade that creates an additional area.

The members received verbal representation from the applicant Mr. Johnny Srikrishna representing their family business that has been in the area for 30 years and on the specific site for over 20 years. They used to run a BP petrol station, after which they ran a convenience store for 2 years before leasing it to Co-Op. The applicant had discussions with the council, community and Forest Hill Society on appropriate land use and decided on a hotel scheme to provide community meeting space, café, bar and casual dining. The applicant believes having hotel in this location is supported by London Plan. From the commercial perspective, they spoke to number of hotel providers, but mostly to IHG (International Hotel Group) who has Holiday Inn Express franchise and Hilton Group who has Hilton by Hampton franchises. Both are shortlisted and very interested and hotel was designed to the Holiday Inn Express specifications. As a family business they are committed

to the area and chose an architect Ian Marc Petroschka who has experience in Lewisham and had worked on a similar scheme in Brockley. When choosing material and style for the building they wanted something that would be an asset to the area, so brick and reconstituted stone for detailing around windows would be similar to those on the neighboring buildings. At the same time they wanted to add something modern which is reflected in colonnade and glazed front at the ground floor. The scheme would have wider benefits, apart from this corner being redeveloped, they would add 170 sqm to the public realm and double the number of jobs.

Cllr Muldoon declared personal interest as member of IHG and Hilton loyalty scheme.

Cllr Kelleher expressed support for this scheme and applicant that care about the local area, but was concerned about traffic.

The Applicant clarified that they did a Parking survey which is in line with Lewisham Policy and which found parking provision to be sufficient. They considered underground car park but hotel providers based on their experience, hotel format and location did not recommend it. In addition, they did a feasibility study which supported location of the hotel and looked at Perry Vale car park behind the station, the plan is to hire from them if any hotel guests require parking.

Cllr Paschoud acknowledged amount of thought put into how this scheme can be of a local benefit, and to refer to previous discussion about brand of the convenience store asked if they had any thoughts or discussions about potential operator, how it would be operated and how would the offer compare to the local places.

The Applicant confirmed that they run this size of convenience store around the south east, it would be operated by them and there would be an equivalent of offer including fresh, ready meals and other provisions.

The Applicant's architect advised that Waldram Park Road pedestrian route would be 3m wide and they will add another 3.5m. The bins are located at the very northern part of the site to be out of way, but between the supermarket and the hotel is a 3.5m wide strip and bins would be brought during servicing days.

The members received verbal representation from the objector, Mr. Peter Sullivan, local resident, living on a Rockbourne Road with his house parking on Stanstead Road. The objector asked for correction of distance of 50m between hotel and the rail station. Cllr Clarke (Chair) clarified that PTAL ratings are formally set for how close and easily accessible the public transport is and used to tell us where a development can be located in relation to the public transport. The objector, being disabled person himself, raised question on the number of disabled people parking spaces in the hotel in case there are disabled employees of the hotel and for the guests.

Furthermore, he raised concerns about parking and the fact there is already no space for people to park in the area (his marked dropped curb on Stanstead Road is being blocked four times a week) and if there is a space and need for another premises like bar, hotel. Another hotel called Forest Hill hotel down the road closed because they went out of business.

The presenting officer clarified that there is one disabled parking bay provided on the street even though it is not necessarily a planning policy requirement under our parking standards. In regards of the commercial aspect and need, it is in Spatial Policy 3 that such proposals would be welcomed in the area and therefore principle of the development is acceptable in the planning terms.

Cllr Adefiranye: Parking for people with disabilities is very important. In a hotel with 89 bedrooms and all the facilities what is a demand for parking space and parking for people with disabilities should be a high priority.

Cllr Clarke (Chair) asked for clarification on a need for a development like this to provide certain number of parking spaces for disabled people and asked if there is a drop-off and pick-up point for people with mobility issues.

The presenting officer: From the planning there is no need to provide a disabled

parking space, but one is being provided here. Drop-off and pick-up point is on the side of the property and that is technically a need. From planning perspective to warrant a refusal on something that is not in our policies is difficult and opens a challenge for an appeal.

Cllr Rathbone asked for clarification that there is no such requirement in Lewisham Plan, London Plan or National plan for workplace or hotel or any class usages which this development would fall under.

The planning officer: There is none under the circumstance. It is important to note that we consulted Highways authority and engineer who do look at parking matters and is supported by TfL given that it is sustainable transport location.

Cllr Kelleher shared the previously mentioned concerns, pointed out that if a lorry comes for delivery and supermarket and somebody comes for drop-off there is not going to be enough space, and if they have a disabled worker they would need a parking for a disabled guest. With understanding of the restrictions in terms of planning Cllr Kelleher would like her shared concerns to be noted.

Cllr Paschoud said that the local resident raised some valid points regarding parking for disabled people including himself. Rockbourne Road and Stanstead Road are borough roads and Waldram Park Road is a TfL road. If the Council can identify need for more parking bays for disabled users on those roads, creating appropriate marked bays, it is not necessarily something that would be connected to or influenced by this development whether we approve it or not.

Cllr Johnston-Franklin pointed out that this is a hotel with one disabled parking bay for guests and staff, viability of ensuring we are meeting the requirements in terms of equality should be considered and shared concerns about the lack of facilities for disabled parking.

Cllr Copley: It was made clear that this is not a material consideration, but as our local plan is under review at the moment, maybe this is something we can think about going forward as a part of it.

Cllr Rathbone acknowledged Cllr Copley's comment: As we may not like the provision of the disabled parking space, it is not material consideration nor it is a requirement of Local plan, London plan or National plan and there is no benefit to the Committee to continue the discussion unless there is another comments. It is clearly a benefit to the local economy, there is a huge need for more hotel rooms across the city and it does not appear to be any valid objections or grants for refusal under planning law.

Cllr Rathbone moved motion to approve officer's recommendation. This was seconded by Cllr Paschoud. Members voted as follows:

For: Councillors Copley, Adefiranye, Clarke (Chair), Anwar, Bourne, Johnston-Franklin, Kelleher, Muldoon, Paschoud, Rathbone.

Against: None

Vote was unanimous.

RESOLVED: Approve application DC/18/106467 subject to the conditions from the officer's original and addendum reports.

19. REAR OF 110, WOOD VALE, LONDON, SE23 3DY

The presenting officer introduced the details of the application. There is an addendum to read to members which refers to page 59 under section 5.12 list of the relevant policies, the case officer omitted to place in the DM Policy 33 which is entitled infill, backland, back garden and amenity area. Officers can confirm that policy has been looked into and there is no material change in their recommendation. During the consultation period, no objections were raised from Highways (subject to conditions) or Environmental Health and Protection.

The Forest Hill Society made no comments. 5 objection letters were received from local residents raising concerns about overshadowing, overdevelopment, overlooking, parking, design and loss of employment. The officers consider the principle of development acceptable, that design and architectural detailing are of high quality and in context and the applicant had overcome previous reasons for refusal.

Cllr Bourne asked for clarification on width of a Moonlight Drive and emergency vehicle access.

The presenting officer advised that Highways officers carry out those assessments and they did not come back with concerns, the drive is wider than an average car, with an approx. guess the drive is 5-6m wide.

Cllr Bourne asked for clarification whether, in terms of objections and privacy to rear gardens, any windows of the development overlook the rear gardens on Wood Vale. *Cllr Clarke (Chair)* also asked for clarification on the balconies overlooking.

The presenting officer advised that there are windows on the side of the development but officers are satisfied with the distances in terms of privacy issues. There is approx. 20m if not more to the end of the curtilage of neighbour's site and then 15m or more from there onwards.

Cllr Kelleher supported *Cllr Bourne* and raised concerns in terms of emergency vehicles being able to get in, turn around and get out.

Cllr Clarke (Chair) clarified from previous similar example on the committee that emergency vehicular access is not needed, fire brigade only needs to be able to get fire hoses within the certain distance to the building.

Cllr Johnston-Franklin stated that 4 out of 7 units will not have a dual aspect and that in report under paragraph 6.37 is stated that a number of bedrooms will be served by angled windows and asked approx. what would that number be.

The presenting officer clarified that there would also be skylights placed in the roof which would complement angled windows.

Cllr Copley: It states that bedrooms with angled windows would be within dual aspect flats, does that mean that single aspect flats don't benefit from these angled windows.

The presenting officer clarified they would only be within dual aspect flats.

The members received verbal representation from Ms Olivia St Armour, planning consultant at Rapleys, the agent for this application. The applicants who were also present at the meeting were born and grew up in the area. This is the second application

submitted for the residential redevelopment of this site, the first was refused in March 2018 and had one single reason for refusal which is, in summary, that the impact of the additional height of the development would be overbearing and harmful for the property at 8 Langton Rise to the southwest. The current application successfully dealt with the reason for the refusal by removing the projecting second floor element immediately behind 8 Langton Rise. The property height at this point is the same as the existing building. This reduced impact on no.8 Langton Rise has been achieved by redesigning the development and changing the mix of units. One 3 bedroom unit is replaced with one 2 bedroom unit.

Regarding the concerns raised by local residents on Wood Vale, the proposal was sensitively designed to ensure that there is no material adverse impact on the amenities of all residents, for example, the separation distance from the rear boundaries of the properties fronting onto Wood Vale would be around 20m with a distance of around 30m to the rear wall of these properties. Equally, the recently approved application for the new dwelling at the rear of 122 Wood Vale shows no side windows facing the application site. The proposal would see change of use of a vacant industrial unit, following an unsuccessful two year marketing exercise. This is partly due to poor vehicular access and proximity to residential neighbours as well as the poor visibility from the road. The restoration of the existing industrial use would be more harmful to the neighbours in terms of noise and disturbance. The currently vacant site has very little prospect of productive employment use, and the proposed land use would make a positive contribution to the borough's housing needs. The site is partly within a conservation area but it is screened from most public vantage points. The scale and massing is appropriate and architectural detailing is of high quality. The proposal would preserve and enhance the conservation area. It should also be noted that each unit achieves required internal and external space. The site has good access to public transport and sufficient parking on the street. Therefore, members are encouraged to grant planning permission for the development in line with officer's recommendation.

Cllr Kelleher raised concerns regarding land contamination as it was previously an industrial site.

The agent clarified that there is a condition in the report regarding land contamination that requires relevant assessments to be done.

Cllr Kelleher raised concerns about equality issues by having 3 bedroom unit on the upper floor and no lift.

The Architect who designed the proposal clarified that there is no need to provide a lift on the development of this scale and in the terms of the units, two ground floor units are one family unit and one bedroom unit which is specifically designed to be accessible for disabled person.

The members received verbal representation from the objector *Keith Boniface*, resident of 124 Wood Vale, property adjacent to the proposed development: Local residents are disappointed to see that the developer did not take into consideration their objections, in the previous application sunlight and daylight report is misleading, ignores impacts on the gardens of Wood Vale, and the bulk of an additional floor will create additional problem. The end of the garden is used to grow vegetables, and with this development it would be completely shaded. *Cllr Clarke (Chair)* added that members could look at Google Earth to see better what it looks like. The objector continued with concerns about balconies and the windows impact on privacy and overlooking on their gardens and the noise impact of the people on the balconies.

The reason why local residents did not object to the original building

being built is that workers would be working during the day and there would be no noise impact in the evening. With other plans for residential properties being built behind 112-122 Wood Vale this is considered an overdevelopment in the area.

Cllr Rathbone asked for a clarification from the officers regarding overlooking to the rear gardens and whether that is something covered by the planning regulations or relates only to the houses, for example overlooking to a window.

The planning officer clarified that it is correct but it also extends onto the potential overshadowing issue including the potential privacy intrusion aspect.

Cllr Clarke (Chair) pointed out to paragraph 6.74 that gives details of sunlight and daylight.

Cllr Copley moved the motion to approve officer's recommendation. This was seconded by Cllr Muldoon. Members voted as follows:

For: Councillors Copley, Adefiranye, Clarke (Chair), Anwar, Bourne, Johnston-Franklin, Kelleher, Muldoon, Paschoud, Rathbone.

Against: None
Vote was unanimous.

RESOLVED: Approve application DC/17/107209 subject to the conditions from the officer's report.

20. 59 QUENTIN ROAD, LONDON SE13 5DG

The presenting officer introduced the details of the application. The application received 4 objection letters from local residents raising concerns on material planning issues like overshadowing and noise and disturbance and non-material issues like land ownership, access for maintenance personnel, trespass and loss of view. Paragraph 5.2 of the officer's report responds to these concerns.

Cllr Kelleher asked for a clarification on the ownership and ability to build on someone else's space.

Cllr Clarke (Chair) clarified that ownership is not clear and from planning committee perspective it makes no difference. It is possible to apply for planning on someone else's land, but issue would arise when you want to build it and it is a civil matter. The ownership is irrelevant from planning perspective.

Cllr Rathbone asked for a clarification on why this application was brought to committee as it doesn't seem to raise any real issues or valid objections.

The presenting officer clarified that potential overlooking and overshadowing issues raised by objectors are valid objections.

The legal officer further clarified that it is the number of objections that sends applications to the committee.

Cllr Adefiranye moved the motion to approve officer's recommendation. This was seconded by *Cllr Johnston-Franklin*. Members voted as follows:

For: Councillors Copley, Adefiranye, Clarke (Chair), Anwar, Bourne, Johnston-Franklin, Kelleher, Muldoon, Paschoud, Rathbone.

Against: None
Vote was unanimous.

RESOLVED: Approve application DC/18/107273 subject to the conditions from the officer's report.

The meeting ended at 21.20.
10 January 2019.