

MINUTES OF MEETING OF PLANNING COMMITTEE B

Thursday, 5 September 2019 at 7.30 pm

PRESENT: Councillors Alan Smith (Vice-Chair), Suzannah Clarke, Silvana Kelleher, John Muldoon, Mark Ingleby and Jim Mallory

APOLOGIES: Councillor Aisling Gallagher

OFFICERS: Senior Group Manager, Senior Planning Officer, and Committee Officer.

ALSO PRESENT: Horatio Waller – External Legal Representative

At the start of the meeting, the Vice-Chair, Councillor Smith, announced the procedure that would be followed for considering the planning applications. The Vice-Chair introduced those present at the meeting.

1. Declarations of Interests

Councillor Muldoon declared a personal, prejudicial interest in item 5, 3 -7 Cheseman Street as a company for which he worked, had a professional relationship with one of the Applicants and he withdrew from the meeting during consideration of the item.

2. Minutes

Resolved –

That the minutes of the meeting of the Planning Committee B held on 18 July 2019 be agreed and signed as a true and accurate record.

3. Heathside and Lethbridge Committee Report

The Senior Planning Officer gave an illustrative presentation to the report, recommending to the Committee to approve the discharge of Condition 2 (Reserved Matters) subject to the conditions and informatives outlined in the report.

The Committee noted the report, and that the main planning considerations specific to the application were related to the design of the building, the external appearance, and landscaping of public and private areas on the proposed site.

In response to questions raised, the Officer advised the Committee that the majority of affordable housing had been delivered during the earlier phases of the regeneration work. As an indication, phases 1 – 4 delivered the required affordable housing units. It was confirmed that the play areas within the development were accessible, with no cost to the occupants. The Officer added that steps had also been taken to make the areas safe, with a view to discourage potential anti-social behaviours in the environmental surrounds.

The agent for the applicant also addressed the meeting, with a suggestion to the Committee to approve the proposal in the report, as extensive site and public consultations had been carried out by the developer prior to submitting the application.

The Committee made enquiries and received confirmation by the agent that the developer undertook a rigorous process to review the development plans, with a view to deliver high quality homes to residents. Thus, high quality materials would continue to be used in the construction by the developer. The agent further confirmed to the Committee that a huge part of the development plan was geared towards supporting plant bio-diversity from the Sites of Importance for Nature Conservation (SINC) area to the park. Thus, it was unlikely that native trees would not be removed. However, out of 43 trees earmarked to be felled, 29 would be lost to the footprint of the building, including non-native sycamore trees, and the remaining 14 would be removed because of disease.

The Officer also responded to questions raised, advising the Committee that the sunlight and daylight provision was reasonable. In particular, it would be impossible to meet 100% Building Research Establishments (BRE) requirements. Thus information that 88% of the units met the BRE requirement was deemed acceptable for a scheme of this nature in an urban setting.

A resident also addressed the Committee, advising that she was representing Morgan Hill residents. She expressed appreciation for officers' support received during the consultation process. However, residents continued to be opposed to the proposal because the concerns they raised about ecological issues and overlooking had not been addressed. Specific to the issue of overlooking, the representative stated that it should be noted that the application site was too close to residential dwellings on Morgan Hill. Thus, residents were concerned that proposed construction works would create subsidence to houses on a slope to the application site.

The Committee considered the submissions made at the meeting, and

RESOLVED – Unanimously

That full planning permission be **GRANTED** for the approval of reserved matters (condition 30) in relation to Phases 5 and 6 of the Heathside and Lethbridge Estate redevelopment comprising the construction of buildings ranging from six to seventeen (Phase 5) and seven to eight (Phase 6) storeys in height to provide 443 residential units, parking, new landscaping and other associated works, in relation to the development approved under Section 73 of the Town and Country Planning Act 1990 for minor material amendments to the planning permission DC/09/72554 dated 22 March 2010, as amended by: DC/10/75267 dated 29 September 2010, DC/10/75395 dated 27 January 2011, DC/12/81165 dated 24 January 2013, DC/14/087835 dated 18 August 2014, DC/14/087335 dated 28 October 2014, DC/15/090624 dated 21 April 2015, DC/15/092670 dated 21 August 2015, DC/17/101616 dated 19 June 2017, DC/17/101686 dated 24 August 2017, DC/17/104709 dated 1 December 2017, DC/18/106053 dated 29 March 2018 and DC/18/107715 dated 12 April 2019, for the redevelopment of the Heathside and Lethbridge Estates, Blackheath Hill and Lewisham Road SE10, comprising outline

planning permission (Phases 2-6) for up to 512 square metres of retail floor space, 768 square metres of:

- community floor space
- an energy centre
- 1,054 residential units in buildings ranging from 3 to 17 storeys in height, together with car and cycle parking, associated highway infrastructure, public realm works.
- provision of open space and detailed planning permission (Phase 1) for the redevelopment of land fronting onto Blackheath Hill for 138 residential units in buildings ranging from 4 to 7 storeys in height, together with car and cycle

And a requirement that officers should formulate a condition in relation to:

- SINC Slope
Before any work, the developer to submit a management plan prior to removal of any trees on the slope within the SINC detailing the measures which will be put in place to ensure the stability of the slope is safeguarded.

Reason: To ensure that the neighbouring properties are not damaged or affected by the proposed works.

4. 402-404 Evelyn Street, London, SE8 5QL

The Senior Planning Officer gave an illustrative presentation to the report, recommending to the Committee to grant approval for the construction of a three storey building on the site of 402-404 Evelyn Street, SE8, to provide 4 commercial units at ground floor, 2 one bedroom and 6 two bedroom self-contained flats on the upper floors, together with the provision of green roof, bin storage and cycle parking spaces to the rear.

In response to questions raised, the Officer advised the Committee that a condition was in place to ensure that materials to be used during the construction of the site would be of the highest quality. The Officer clarified to the Committee that the proposed development would provide employment opportunities for residents. The Committee was further advised that to apply a condition on potential rent levels for commercial units was not a planning consideration. However, a change of use in the future by the developer in relation to the commercial units might require a planning application.

The Committee noted further responses by the Officer that the Delivery Management Plan had a provision for dealing with trade waste from commercial units. However, it may not be possible to include a condition to limit vehicles weighing 1½ tons during the construction work. Legal advice was sought on the matter, and it was clarified that a condition to address this concern could be added in the event planning permission was granted.

The applicant also responded to questions raised, advising the Committee that consultations with residents were ongoing as part of the application process which commenced in 2010. The applicant stated that he was pleased with revisions to the Construction Management Plan in liaison with local authority officers.

In response to further enquiry, the applicant gave an assurance to the Committee that commercial use of the proposed units would not change to residential, and that he was willing for a condition to be applied in that regard. It was stated that the use of HGVs during operation of the site was unlikely because the commercial units to be constructed would be relatively small in size. Thus, mini-transit vans would be used by businesses. However, a monitoring device could be installed to alleviate resident's concerns about vibrations from vehicles when the commercial units become operational.

The Committee considered the submissions made at the meeting, and

RESOLVED – Unanimously

That full planning permission be **GRANTED** for the construction of a three storey building on the site of 402-404 Evelyn Street, SE8, to provide 4 commercial units at ground floor, 2 one bedroom and 6 two bedroom self-contained flats on the upper floors, together with the provision of green roof, bin storage and cycle parking spaces to the rear,

And a requirement that officers should formulate conditions in relation to safeguarding the ground floor units for the proposed commercial uses, and conditions requiring the approval of a delivery management plan (to include details of refuse servicing) and a construction management plan.

5. **3-7 Cheseman St report**

The Service Group Manager gave an illustrative presentation to the report, recommending to the Committee to grant planning permission for the demolition of the existing garages at the rear of 3-7 Cheseman Street SE26 and the construction of a single storey building to provide 2, two bedroom self-contained dwellings amenity space, together with the provision of cycle parking spaces and refuse and recycling stores.

In response to questions raised the Manager confirmed that the development was single storey and the ground would be levelled, making some areas lower than at present. It was clarified that the matured trees shown in the drawing plans were planted in properties close to the application site.

The Manager also noted a suggestion by the Committee, confirming that the proposed building would be constructed in accordance with building control regulations. However, an additional condition would be added to the construction details to secure the stability of existing buildings during excavation work on the proposed site.

A resident addressed the meeting, advising the Committee that 33 homes existed opposite the application site. Thus, the new construction would create an overdevelopment in the established environment, resulting in traffic and parking problems. The resident was of a view that the congestion that the additional development would create could also result in hazard due to limited access by emergency service vehicles into the area.

Commenting on statements by the resident, the Committee made further enquiries. In response, the Manager stated that the implementation of a Controlled Parking Zone in the environment to the application site could not be justified, as only 3 units would have parking facility. However, established double yellow lines in the area would help with traffic management controls.

The Committee considered the submissions made at the meeting, and

RESOLVED – Unanimously

That full planning permission be **GRANTED** for the Demolition of the existing garages at the rear of 3-7 Cheseman Street SE26 and the construction of a single storey building to provide 2, two bedroom self-contained dwellings amenity space, together with the provision of cycle parking spaces and refuse and recycling stores.

- To provide four commercial units (Use Class A1, A2, A3 and B1) at the ground floor and residential flats above.
- To provide a total of eight residential flats over the two floors, comprising of two 1-bed and six 2-bed units.

And requirements for:

- A condition requiring submission of a tree protection management plan for approval by the Local Planning Authority prior to commencement of the development, in order to ensure trees in adjacent gardens are protected during construction of the site.
- Another condition requiring submission of measures to be undertaken to ensure ground stability will be safeguarded during the construction process for approval of Local Planning Authority (to be informed by a ground survey).

The meeting closed at 9.15pm

Chair