

MINUTES OF THE STRATEGIC PLANNING COMMITTEE

Tuesday, 9 June 2020 at 7.30 pm

PRESENT: Councillors John Paschoud (Chair), Leo Gibbons (Vice-Chair), Paul Bell, Suzannah Clarke, Liam Curran, Olurotimi Ogunbadewa, James-J Walsh and Aisling Gallagher.

ALSO PRESENT:

Under Standing Orders:
Councillor Silvana Kelleher

Presenting Officers:

Director of Planning, Head of Programmes: Complex Projects, Service Group Manager: Development Management, Principal Planning Officer, and Major and Strategic Projects Manager.

Legal Representation:

Charles Merrett, Francis Taylor Building - on behalf of London Borough of Lewisham

There were no apologies for absence received.

1. Declarations of Interests

Declarations of interests were received by:

- Councillor Paul Bell - as Cabinet Member of Housing;
- Councillor Kevin Bonavia - as a member of the Blackheath Society, the Blackheath Working Party, and the Local Democracy Working Group;
- Councillor Curran - as a supporter of the Lenox Project since its inception
- Councillor Paschoud - as a supporter of the Lenox project, and a member of the Sydenham Society.

2. Minutes

RESOLVED that Minutes of meetings of the Strategic Planning Committee held on 30 January 2020 and 13 February 2020 be confirmed as correct records.

3. Proposed Temporary changes to the Scheme of Delegation

The Service Group Manager presented the report about temporary changes to the Scheme of Delegation, recommending to the Committee to agree the proposals therein, with a view to review them after a period of three months.

Illustrative sketches of the current and proposed schemes to demonstrate to the Committee the importance of continuing with the determination of all valid planning applications were presented. It was stated that the proposed changes would be made alongside revisions to the Council's Statement of Community Involvement, which would be considered at a meeting of the Mayor and Cabinet on 10 June 2020.

The Committee noted the report, and the addendum to it. It was recognised that due to the temporary postponement of planning committee meetings as a result of the lockdown created by the Covid-19 crisis, a backlog of planning applications requiring determination had arisen.

In discussing the recommendations, Members felt that the number of outstanding applications collated within the two months' period since the lockdown were excessive, but acknowledged that the proposals would enable the Council to meet its duty in determining all valid planning applications submitted to it. Members understood that failure to do so within the timescale prescribed by the Government could result in applicants lodging appeals against the Council with the Planning Inspector on the grounds of non-determination.

Continuing with their discussion, Members sought clarifications about the intentions and potential implications of the proposed changes. They expressed a view that the proposals should not distract from plans to consult and engage more widely with the community in light of a recommendation by the Local Democracy Group (LDG) to reform the Council's planning decision-making. Members stated that in view of the pending reform by the LDG, the recommendations in the report should only be approved on the basis that they would not be permanent, and that the review by the Committee after three months of implementation would be in accordance with the timeline specified by Officers.

In response to questions raised, the Director of Planning advised the Committee that the backlog of planning applications arose because it was not clear how the unprecedented circumstances would be managed immediately after the lockdown period. However, the additional temporary decision-making delegation to officers outlined in the report would enable the Council to meet its duty in determining planning applications within the Government's prescribed timescale.

The Director continued with her response, advising the Committee that the Planning department was committed to achieving recommendations on planning matters derived from the Local Democracy Review (LDR). Thus, nuances in place would ensure that Members remain empowered to make planning decisions during the temporary change period. As an indication, officers would continue to engage about rotas with chairs of planning committees in the event of a trigger of between 5 to 9 objections. It was confirmed that referrals of objections to planning committees by ward councillors would remain. Furthermore, the Planning department would continue to make referrals with significant impact and certain thresholds to the relevant committees as appropriate. The Committee heard that that safeguards for Members' 'call-ins' would also not be affected by the proposed plans.

Continuing on the issue of the LDR, the Director advised the Committee that complexity could arise in situations where local issues impact on more than one active community group existing in the same area. Notwithstanding that objections on planning applications from amenity groups would be considered during the temporary period, irrespective of the decision-making route.

The Director further advised the Committee that decisions relating to the demolition of public houses were important. However, the process would require

broader discussions, backed by full public consultation. Thus, it would be unrealistic to include such consideration as part of the temporary measures aimed at reducing the backlog of planning applications.

In her summing up, the Director reiterated that the determination of applications by planning committees during the current emergency situation would be resource-intensive, and could result in delays. She echoed statements by the presenting Officer that Members should approve the recommendations in the report, confirming that they would not result in permanency. It was confirmed that after three months of implementation, the temporary plans would be brought back in a report to the Committee, prior submitting for consideration at a meeting of the Mayor and Cabinet.

The meeting was addressed by a representative from the Blackheath Society. The representative informed the Committee that the Society acknowledged the fact that the concerns by local amenity societies were outlined in the addendum to the report. It was stated that the Society welcomed the reassurance about the three months' implementation term of the temporary changes. The Committee was asked to note that the Society would continue to monitor progress in the coming months, with an expectation that the processes would be transparent for local people to become aware of their rights and opportunities to participate.

In considering submissions made at the meeting, the Committee welcomed clarification by the Director that the proposed review of the temporary changes would provide an opportunity for Members to assess success in terms of the quality of the decisions that would be taken, and the transparent and fair processes that would be applied. Thereafter, Councillor James-J Walsh moved the recommendations. The recommendations were seconded by Councillor John Paschoud, and voted upon.

The Committee

RESOLVED

Unanimously

That it be agreed to authorise temporary amendment of the list of matters that are reserved to Planning Committee's A, B and C and to Strategic Planning Committee in the Council's Scheme of Delegation set out on page 311 of the Council's Constitution to enable the following matters be delegated to officers:

- Threshold of objections for applications being required to go to Planning Committee for decision to be raised from 3 to 5
- Any application with an amenity society objection to be subject to case review with Chair to determine whether it is referred to planning committee for a decision
- Any application with 5-9 objections to be subject to case review with Chair to determine whether it is referred to planning committee for a decision
- Agree that the above changes to working practices will be reviewed by the Strategic Planning Committee after a 3 month period following introduction.

4. PLOT 08, 15 and 22, CONVOYS WHARF, LONDON, SE8 3JH

Prior to considering the proposals relating to the Convoy's Wharf development in relation to Plots 22 and 8, the Committee received a background to the history of the proposed site by the Planning Team Leader. It was noted that the proposals were related to an outlined planning application.

In response to questions raised, the Committee received clarification from the Officer that the Mayor of London (MoL) decision at the time the outlined application was considered allowed for a minimum of 15% affordable housing across the entire Convoy's Wharf development site. However, Council officers were in discussion with the applicant to identify ways to secure additional affordable housing.

The Committee was further advised by the Officer that the Steering Group would inform the process by which a cultural strategy would be submitted. It would be the responsibility of the Council to agree the cultural strategy in consultation with the applicant.

Convoy's Wharf - PLOT 22

The meeting noted that the Committee had received a background to the history of the proposed site by the Planning Team Leader. It was confirmed that the previous Mayor of London (MoL) agreed the outline planning permission for Convoy's Wharf, and allowed for a minimum of 15% affordable housing across the entire site.

The Planning Officer gave an illustrative presentation on an application for the approval of Reserved Matters and other details relating to Plot 22 within the Convoys Wharf Development.

The Committee noted the report and the addendums to it. The scope of the proposed approved outline planning permission and the site description were also noted by the Committee.

In response to questions raised, the Officer advised the Committee that a condition was in relation to landscaping to the public realm, and would include full details of landscaping programme of the proposed site for approval by the Council, in consultation with partnering local authorities. Thus, the expectation for public spaces to be opened at all times could be realised.

The Committee was further advised that Transport for London (TfL), as the operator of the proposed river station, would have the ultimate naming right for the proposed river stop to be erected on the development site. However, the formal public consultation on the matter would most likely influence TfL's decision-making.

The Officer also responded to a concern with an assurance to the Committee that the Council had experience of managing complex schemes. It was confirmed that the Council would be utilising secured funding to monitor progress of the development when construction commenced on the proposed site. Annual reports to be supplied by the applicant would form part of the monitoring activity.

The Committee also received clarification that the cost of operations would be borne by the applicant. Furthermore, the CCTV strategy to be developed would be implemented as a safety measure, and not included in the monitoring process.

In light of a suggestion, the Director of Planning advised the Committee that the proposals were related to reserved matters. Therefore, any review to conditions outside the scope of the outline planning permission would be subjected to legal considerations because a variation to the approved Section 106 Agreement would be required.

The planning consultants and architect acting on behalf of the applicant responded to questions raised. It was clarified that the applicant would be responsible for managing the public realm areas on the proposed site, but the use of the spaces for community events would be the Council's responsibility to approve.

The Committee was further advised by the agents that there should be no reason why the applicant would not be willing to deliver a cultural record of the proposed development in consultation with the Lenox Project. In particular, the applicant was keen to improve on public consultation to inform the cultural strategy.

In light of a concern, the agents gave an assurance to the Committee that although the scheme was ambitious, it was deliverable. It was confirmed that the applicant hoped to commence construction on the proposed site 12 months upon receiving permission for the development to take place.

(Following a direction from the Chair, Councillor John Paschoud, the Committee unanimously agreed to suspend Standing Orders at 9.44pm until the end of the meeting).

Continuing with their responses to questions, the agents informed the Committee that the hierarchy of homes to be delivered would flow with the settings of the public realm to maximise the potential of the proposed site. It was stated that the applicant would use high-quality materials during development of the proposed site. The use of glass in the construction of the homes was discussed at the pre-application stage with Council officers, and considered sustainable for the type of development.

The agents further confirmed to the Committee that the use of lifebuoys and other river life-saving equipment would be incorporated into the design of the jetty area.

The Committee also received confirmation from the agents that the landscaping of the jetty area would be developed to support flexible programmes, with no impact on the existing river wall. Furthermore, the use class A3 and A4 nature of the buildings would support flexible uses in the commercial part of the proposed development. The agents stated that the arrangements would support night-time economy on the proposed site.

(The representative of 'Voice 4 Deptford' local group was invited by the Chair to address the Committee, but was unable to access the meeting due to IT technical issues. Whilst the IT problems were being investigated, the Chair gave a direction for the meeting to be adjourned at 21.53pm).

(The meeting resumed at 22.05pm. The IT problems were continuing. Following a direction from the Chair, the Clerk read out written statements in relation to Plot 22 that was submitted by the representative of 'Voice 4 Deptford' after the main agenda was published. The statements read out by the Clerk are attached as an annex to these Minutes).

The meeting was addressed by Councillor Silvana Kelleher on behalf of residents in the Evelyn Ward and the surrounding areas. Councillor Kelleher echoed statements read out on behalf of the representative of 'Voice4 Deptford' to highlight to the Committee that the applicant had consistently failed to consult on proposals across the development, in spite local people's willingness to suggest alternatives. It was stated that the applicant had not met the directions of the cultural strategy and the Cultural Steering Group in regard to the use of the proposed site. Thus, residents were concerned that the building design and materials to be used in the proposed construction would detract from Lewisham's rich historical significance. Councillor Kelleher added that the Section 106 directions had not been complied with because the play spaces to be delivered would be inadequate. It was stated that the parameters suggested for classroom sizes in the proposed school were also insufficient.

In her closing remarks, Councillor Kelleher asked the Committee to reject the proposals as an indication that the applicant's approach in the process had not achieved a reasonable professional standard.

The Committee made further enquiries and received clarification from the presenting Officer that details of the proposed development had been reserved by conditions, and were outlined in Appendix 1 of the main report.

The Director of Planning also clarified to the Committee that the applicant had not breached any conditions in regards to the approved scheme. However, the Steering Cultural Group had not meet regularly in the spirit of the Section 106 Agreement.

The Chair commented that he hoped residents would be understanding of the extent of the Council's involvement in the matter.

In considering submissions made at the meeting, Members were in a consensus that the decision taken by the previous MoL had limited their involvement. Members stated that they were however pleased that the applicant would be required to submit plans relating to layout, scale, appearance, access and landscaping to the Council for approval prior to commencement of construction on the proposed site.

Members suggested additional informatives in the hope that some of the concerns expressed on behalf of residents would be addressed.

Councillor Paul Bell moved the proposals. The proposals were seconded by Councillor Kevin Bonavia, and voted upon.

The Committee

RESOLVED Unanimously

That it be agreed to:

- a) GRANT Reserved Matters approval (layout, scale, appearance, access and landscaping) in relation to development Plot 22 subject to conditions and informatives outlined in the report;
- b) DISCHARGE all other details and matters required to be approved under Condition 20(i) relation to Plot 22;
- c) DISCHARGE conditions 3(ii), 7, 8(i), 13, 14(i), 15, 21 (b) to (f) and 45(i) in relation to Plot 22 only;
- d) PARTIALLY DISCHARGE Condition 21(a), in relation to Plot 22 (to exclude approval of plant and equipment which have yet to be submitted)
- e) AUTHORISE the Director of Planning to finalise and issue the decision notice in relation to the application and to include such amendments as she may consider appropriate to ensure the acceptable implementation of the development.

And to include informatives summarised at the meeting as follows:

- That planting choices be done in consultation with the local community
- That the Cultural Steering Group meets more regularly in accordance with the s106
- That CCTV installation be erected to provide timelapse record as the development progresses and to later be used for historic reference.

(The Committee moved to consider recommendations in relation to Plot 8)

Convoy's Wharf - PLOT 8

The Planning Officer gave an illustrative presentation to the report about an application to approve Reserved Matters and other details relating to Plot 8 within the Convoys Wharf Development.

The Committee noted the report and the addendums to it. The scope of the approved outline planning permission and the site description in relation to the proposals were also noted by the Committee.

In response to questions raised, the Officer advised the Committee that a condition was in place for plant-specific lighting to be erected at the site, subject to approval by the Council. It was stated that the nature of the bus stop to be erected was yet to be agreed by the Council. The Committee also received confirmation that the proposed play spaces would be designed for multi-functional uses in

accordance to policy requirements, therefore, it was likely that older children, and those with disabilities would be to access the areas.

The planning consultants and the architect acting on behalf of the applicant also responded to questions raised. It was stated that the applicant aimed to improve on communication dealings with residents, and had taken steps to establish an engagement team in that regard. The Committee also received clarification that potential occupants would have access to open spaces that would be implemented on the proposed site. However, it would be inappropriate to allow access for the general public in those spaces because of management and security issues.

(Following a direction from the Chair, Councillor John Paschoud, the meeting adjourned at 23.15pm because of IT technical issues, and resumed at 23.30pm. At that point, the IT technical issues were resolved. The representative acting on behalf of 'Voice for Deptford' was able to gain access into the meeting).

The representative acting on behalf for 'Voice for Deptford' expressed a disappointment because of the hindrances he experienced in his earlier attempts to gain access into the meeting earlier, and commented that it was unfair and undemocratic in terms of allowing the public to participate at the meeting. The representative commented on proposals relating to Plot 22, advising the Committee that residents were disappointed that there had not been a consultation on the proposals. The Committee was further advised that there had been no Steering Group meeting to consider cultural strategy, and the proposed development was poorly designed.

Specific to Plot 8, the representative for 'Voice for Deptford' asked the Committee to note that the proposed development would have a segregated gated community, with no disabled access. It was stated that there was no provision for social housing on the Plot 8. It was also the view of the representative that the environmental provisions would be minimalist. The representative stated that he was also concerned that there would be no public access to the green spaces on Plot 8.

In his closing remarks, the representative for 'Voice for Deptford' expressed a concern about the lack of community engagement. The Committee heard that the applicant had ignored residents throughout the process. However, the applicant could learn from other developers across London on how to consult with local people, including the Black and Minority Ethnic Groups.

On behalf of the Committee, the Chair apologised to the representative who spoke on behalf of 'Voice for Deptford'. Individual Members also expressed views in light of concerns expressed by the representative as follows:

- Councillor Kevin Bonavia commented in statement made by the representative for 'Voice for Deptford', confirming that the written statement submitted in relation to Plot 22 was read out at the meeting. Councillor Bonavia stated that the Committee also shared residents' frustration about the lack of affordable housing across the scheme.

- Councillor Walsh added that the applicant had confirmed that they hoped to improve on community engagement.
- Councillor Aisling Gallagher suggested that outcomes from a review on regeneration and engaging with local community undertaken by the Housing Select Community might be useful to the applicant as a means of incorporating best practice in their communication plan.
- Councillor Paul Bell expressed his sympathy for residents' feelings, and stated that the decision made by the previous MoL had imposed a constraint on the Council's ability to remedy the inadequacies of the proposed development. Councillor Bell commented that the applicant however had a responsibility to consider the type of legacy to be delivered for the benefit residents living in the Deptford area.

Speaking on behalf of her constituents in the Evelyn Ward and surrounding areas, Councillor Silvana Kelleher suggested that the Committee need not make a decision on the proposals, but should instead request that the applicant withdraw the application for a re-submission in light of the strength of feelings expressed at the meeting, particularly in regards to lack of community engagement.

In response to a question, the Director of Planning confirmed to the Committee that the Council would provide example of cases of genuine community engagement to encourage the developer to adapt for practical application.

In considering submissions made at the meeting, Members expressed views about disabled access, community engagement, access to the podium level and open space, the need for sheltered bus stops, and level access from the street to the podium. It was stated that the views expressed should be included as informatives to inform the proposed development plans.

Councillor Kevin Bonavia moved the proposals. The proposals were seconded by Councillor Olurotimi Ogunbadewa, and voted upon, with a result of 6 for, 1 against, and 1 abstention. It was noted that Councillor Liam Curran took part in the discussions but left the meeting before the votes were taken on the proposals.

RESOLVED

That it be agreed to:

- a) GRANT Reserved Matters approval (layout, scale, appearance, access and landscaping) in relation to development Plot 08 subject to completion of the legal agreement proposed at recommendation f) and conditions and informatives outlined in the report;
- b) DISCHARGE all other details and matters required to be approved under Condition 20(i) relation to Plot 08;
- c) APPROVE DETAILS UNDER/DISCHARGE conditions 3(ii), 7, 8, 13, 14(i), 15, 19, 20, 21(b),(c),(d),(e) and (f), 33, 45(i), 47 and 50(i)
- d) PARTIALLY DISCHARGE Condition 21(a), in relation to Plot 08 (to exclude approval of details of bus stops and associated passenger facilities which have yet to be submitted)

- e) APPROVE the external lighting strategy under Condition 12(i) in relation to the whole site;
- f) AUTHORISE the Director of Planning to negotiate and complete a deed of variation to the Section 106 Agreement dated 15 March 2015, under Section 106 of the 1990 Act (and other appropriate powers) so as to secure that the 65 London Affordable Rent units within Plot 15 are delivered concurrently with Plot 08.
- g) AUTHORISE the Director of Planning to finalise and issue the decision notice in relation to the application and to include such amendments as she may consider appropriate to ensure the acceptable implementation of the development.

And to include informatives summarised at the meeting as follows:

- That the applicant consults with the local community in relation to playspace, including those for older children and young people;
- That consideration be given to introduce public access to the podium level open space
- That consideration be given to the erection of sheltered bus stops. With an additional condition;
- Requiring level access from street level to the open space area on the podium

*(The Committee RESOLVED to postpone consideration of proposals relating to **Convoy's Wharf - PLOT 15** at future date to be determined by the Chair).*

The meeting closed at 12.15am

Chair