

| | | |
|--------------|------------------------|-------------------------|
| Committee | PLANNING COMMITTEE (B) | |
| Report Title | MINUTES | |
| Ward | | |
| Contributors | | |
| Class | PART 1 | Date: 28 SEPTMEBER 2017 |

MINUTES

To approve the minutes of the meeting of Planning Committee (B) held on the 17th August 2017.

LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (B) held in ROOMS 1 & 2, CIVIC SUITE, CATFORD SE6 on 17th AUGUST 2017 at 7:30PM.

PRESENT:

Councillors: Ogunbadewa (Vice-Chair), Ingleby, Mallory, Moore, Muldoon, McGeevor, Hilton

OFFICERS: Suzanne White - Planning Service, Michael Forrester – Planning Service, Paul Clough - Legal Services, Andrew Harris - Committee Co-ordinator.

APOLOGIES: Reid (Chair), Wise

1. CHANGES TO AGENDA

Councillor Ogunbadewa (Vice-Chair) revised the order of business for the evening. The order was as follows:

1. Declarations of interest
2. Minutes
3. 36 Vicars Hill, London, SE13 7JL
4. 50 St German's Road, London, SE23 1RX
5. 54 Chinbrook Road, London, SE12 9TH

2. DECLARATION OF INTERESTS

There were no Declaration of Interests at the start of the meeting.

3. MINUTES

Councillor Ogunbadewa (Vice-Chair), asked if Members agreed that the Minutes of the Planning Committee (B) meeting held on 6th July 2017 were a true and accurate record. Members agreed that they were.

4. 36 Vicars Hill, London, SE13 7JL

The Planning Officer Michael Forrester outlined the details of the case to Members, and confirmed that nine objections and one letter of support had been received from local residents, with the Brockley Society also writing in support of the scheme.

The committee then received verbal representation from Ms Jean Burnell (applicant). She relayed to members that the existing garage on site was no longer safe, and that the proposed studio was of the same footprint and height as the existing structure, except for an increase on the boundary which would form a retaining wall. She stated that the use of the building was to be for a studio and gym space, and that residential accommodation was no longer sought. Finally she added that the building would be no closer to adjoining properties and therefore would not increase levels of overlooking, but that planting would also be incorporated to improve privacy.

Councillor Ingleby asked Ms Burnell whether the studio/gym was to be used for business or pleasure, to which Ms Burnell confirmed it was for pleasure.

The committee then received verbal representation from Mr Anthony Gaylard (neighbour) and Mr Jon White (neighbour), who were speaking in opposition to the proposal. Mr Gaylard outlined concerns including the proximity to his property, multiple refused applications for similar schemes, intention was for residential use, privacy implications, out of character for the conservation area. Mr White reiterated that he believed the intention was for a residential dwelling and that the proposal was against Council policy.

Councillor Ingleby queried whether the proposal would create a precedent for back garden development and the use of the flat roof as amenity space. The Planning Officer Michael Forrester confirmed that as there was an existing building of substance on site, this would not form a precedent for back garden development. He stated that the previous applications for residential use had been refused, with a condition on the current scheme to ensure it would be used for ancillary purposes. He also confirmed that there was a condition attached which restricted the use of the flat roof as amenity space.

Councillor McGeevor then moved a motion to accept the Officer's recommendation, subject to the conditions outlined in the report. It was seconded by Councillor Hilton.

Members voted as follows:

FOR: Ogunbadewa (Vice-Chair), Hilton, Moore, McGeevor, Muldoon, Ingleby.

ABSTAINED: Mallory.

RESOLVED: That planning permission be granted in respect of application DC/17/101595, subject to the conditions outlined in the report.

5. 50 St German's Road, London, SE23 1RX

The Planning Officer Michael Forrester outlined the details of the case. Questions from members followed, including requests for clarification on the parking arrangements, materials and unit and room sizes. The Planning Officer Michael Forrester confirmed that the

site was not located in a controlled parking zone, that the building was rendered to the rear, and that the unit and room sizes passed that national requirements. Regarding the proposed materials, the Planning Officer Michael Forrester also confirmed that a condition could be attached requiring a full brick finish, to which Councillor McGeevor confirmed it should.

The committee received verbal representation from Mr Matt Corcorn (agent). Mr Corcorn outlined to Members that the scheme had been reduced from six units to five, that all dwellings met the national size requirements, and that he raised no objection to the incorporation of a condition requiring a London stock finish to all elevations. He added that the scheme was in compliance with Council policy and that the scheme provided needed homes for the borough. Finally he stated that the Council's Highways Department had raised no objections to the scheme and that the applicant would look to allocate parking to the units.

Councillor Ingleby sought clarification regarding the proposed materials to the top floor and the setback from the main elevations. He also sought clarification as to whether the top floor would be used as a balcony. Mr Corcorn Confirmed that the top floor would feature zinc cladding, with the walls being setback between 2.5m-3m from the main elevations. He also confirmed that there would be no balconies to the front of the building.

Councillor Hilton requested paper plans and stated she was confused by the plans. The applicant then clarified the plans with Councillor Hilton. Councillor Hilton then stated that the ground floor flat was not suitable for a family dwelling due to the layout. She inquired as to whether the London Plan had specific requirements regarding the layout of units. The Planning Officer Michael Forrester confirmed that the scheme was in line with London Plan policy and that there were no grounds to refuse the application regarding internal layout. Councillor Hilton asked whether the applicant would be willing to change the layout of the ground floor unit, to which the applicant confirmed they would be condition. The Planning Officer Michael Forrester stated that this could not be attached as a condition, but an informative would be added.

No objectors were present at the meeting.

Councillor McGeevor put forward that two conditions be attached to any approval, the first for parking space assignment and the second for the brick finish. Councillor Ogunbadewa (Vice-Chair) stated that the condition on parking way come into difficulties if some residents had no cars, to which Councillor McGeevor agreed and withdrew the condition relating to parking. Councillor Ingleby then added that the condition for brick should not include the zinc cladding to the top floor of the building.

Councillor Ingleby added that a condition should be attached to restrict the use of the flat roof as an external amenity area/balcony. The Planning Officer Michael Forrester confirmed that a condition had already been attached to the recommendation.

Councillor Ingleby then moved a motion to accept the Officer's recommendation, subject to conditions in the report and the additional condition materials condition and layout informative. It was seconded by Muldoon.

Members voted as follows:

FOR: Ogunbadewa (Vice-Chair), Moore, McGeevor, Muldoon, Ingleby and Mallory.

ABSTAINED: Hilton.

RESOLVED: That planning permission be granted in respect of application DC/17/100842, but with the addition of a condition regarding the proposed materials and an informative regarding the internal layout.

The condition was worded as following:

Notwithstanding the details shown on P9/013 Rev G; P9/014 Rev G; P9/015 Rev G all external elevations shall be finished in London stock brick and the top recessed floor in zinc cladding, samples of which along with all windows, external doors and balcony finishes shall be submitted to and approved in writing prior to above ground works. The development shall be carried out in accordance with the approved details.

Reason: *To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.*

The informative was worded as following:

The applicant is advised that the internal layout to the lower ground floor three bedroom flat could be improved by swapping the kitchen and bedroom so that the main living areas are closer together.

6. 54 Chinbrook Road, London, SE12 9TH

The Planning Officer Suzanne White outlined details of the application to members and made reference to representations, petitions and amended plans submitted by the applicant following publication of the Committee Report and identified that these were summarised in an Addendum Report. Questions from members followed, including how many buses passed outside and clarification on the lack of consultation referenced by the objectors. The Planning Officer Suzanne White stated that according to TFL the site was served by four bus routes. She then stated that the consultation referred to by the objectors had been carried out by the applicant, and that all consultations carried out by Lewisham met the requirements outlined in legislation and Lewisham's Statement of Community Involvement.

The committee then received verbal representation from Mr David Carroll (Agent) and Dr Prad Velayuthan (applicant).

Mr Carroll outlined to members that the decision should be based on whether the current scheme was acceptable on the site, rather than if it could be better placed elsewhere. He stated that the site had a PTAL rating of 4, being served by 6 daytime buses, and that two thirds of the patients would not use cars. He clarified the number of on-site parking spaces, asserting that the travel plan would help to reduce car visits. He added that the Council's Highways Officers had not objected to the scheme and that there was no record of fatalities on the road. Finally he added that amendments had been incorporated into the scheme following a public consultation, and he reiterated that both the Council's Urban Design and Highways Officers were in support of the scheme.

Dr Velayuthan confirmed to members that it was proposed to replace four old GP practices with two new modern centres. He stated that the old centres were no longer fit for purpose

and were causing a strain on the delivery of services. He reiterated that the centre would be close to patients and was served by good public transport, thereby reducing the need for car journeys. He added that the centre would serve a high proportion of elderly residents, who would be unable to travel further afield should the current application be refused. Finally he stated that the centre would serve and support some of the most vulnerable members of the local community.

Councillor Hilton sought clarification over the number of existing health centres and their use should the scheme be granted. Dr Velayuthan confirmed that there were four sites currently in use, three of which would be shut down once the new centre had been constructed.

The committee then received verbal representation from Ms Anna Finch-Smith (neighbour) and Mr Les Padfield (neighbour) who were speaking against the proposal. Ms Finch-Smith asked whether members were aware of the outcome of the Full Council meeting which had taken place. Councillor Ogunbadewa (Vice-Chair) stated they were, with Councillor Muldoon adding that no decision had been passed in the previous meeting with regard to the scheme.

Ms Finch-Smith stated that she had no objection to the proposed health centre, but did object to the proposed location. She stated that she as well as other members of the community had been told that it was a 'done deal', noting that s106 funding had been agreed. She stated that residents' concerns had been ignored and there had been a lack of participation in the process. She outlined that there had been a large petition in opposition to the scheme and asserted that the scheme was contrary to Council policy as it would result in the loss of a residential family dwelling. She added that the Council had failed to provide requested information, including an FOI request.

Ms Finch-Smith also stated that there had been numerous vehicle accidents, with road safety being a major concern among local residents, and that the scheme would intensify this with 242 patients visiting per day. She stated that the scheme was out of keeping with the residential character of the streetscene and did not include sufficient on-site parking for staff. She added that there would be environmental impacts and the health of the adjoining resident would be affected due to the installation of an air-conditioning unit.

Ms Finch-Smith then requested the decision be deferred until the requested information was provided and to allow the meeting with the Mayor to take place. She also stated that the proposal was contrary to a covenant on the road which stated that only residential properties were permitted on Chinbrook Road.

Councillor Ogunbadewa (Vice-Chair) sought clarification regarding the 'done deal' statement, to which Mr Padfield stated he had been told by employees of the health centre that it had already been granted. Councillor Ingleby remarked that a decision had not already been made and that it was the Committee's decision as to whether the scheme would be approved or refused. He also sought clarification on the parking arrangements for the street. Catherine Paterson (Highways) confirmed if residents voted in favour of a controlled parking zone, one would be implemented.

Councillor McGeevor reaffirmed Council Ingleby's comments that the application was not a 'done deal', and that she had first heard of the scheme at the full council meeting and then by email from the Save Bethany House Group and at this meeting.

Councillor Hilton asked if it was felt that there would be more accidents due to the presence of a health centre.

Ms Finch Smith replied that the junction was dangerous, as vehicles crossing from Amblecote Road to Luffmann across Chinbrook Road had to make an 'S' manoeuvre.

Mr Padfield raised concerns regarding inaccuracies about the consultation which took place and the details which were outlined in the report. He added that there were already safety concerns relating to the junction on Chinbrook Road, which would be worsened by the proposal. Councillor Ogunbadewa (Vice-Chair) asked whether there were already accidents at the junction and whether this would get worse as a result of the scheme. Ms Finch Smith confirmed that the numbers of accidents would worsen and provided photos to demonstrate the existing situation. Councillor Hilton made a comparison to the existing highways condition in Forest Hill, which she stated had no surgery. She noted the good visibility on Chinbrook Road and stated that she didn't see the same danger here compared to Forest Hill. Mr Padfield stated that it would result in additional pollution and grid lock during certain times of the day. Ms Finch-Smith then asserted that not all sick people would be able to walk or drive and would be dropped off by taxi/cars.

Ms Finch-Smith outlined that there had been 135 accidents in the last ten years on Chinbrook Road, and that the proposal would be dangerous for both road users and pedestrians. Councillor Hilton asked if there had been any fatalities, to which Ms Finch-Smith replied she had conflicting responses and was waiting on information to be provided as part of her outstanding FOI request. Councillor McGeever asked whether an entrance on Amblecote Road would ease the concerns. Ms Finch-Smith replied that as Amblecote Road was a no through road, this would raise additional concerns, and also noted that Amblecote is overparked. Ms Finch-Smith also stated that the photos provided by Officers were not representative. She also added that as there was no CPZ on Luffman Road, it would be severely impacted by the scheme. Councillor Ogunbadewa (Vice-Chair) noted that the site was walking distance from Grove Park Station. He then asked the Highways Officer whether the proposal was seen as a health and safety concern.

Catherine Patterson (Highways) made the following comments:

- There were not health and safety concerns as the application proposed to utilise existing accesses onto the property
- None of the accidents had been related to the existing access to the application site
- There were CPZs in most surrounding roads so parking generated by the proposal could not park except in short term bays
- There would be some impact on Luffman Road, but a financial contribution secured through a S106 agreement with the applicant would provide funds to consult residents on extending the area of the CPZ to include Luffman Road.
- There had been no accidents relating to pedestrians
- 50% of the residents in Lewisham did not own a car so highways works to provide a crossing on Chinbrook Road are proposed to be secured in order to accommodate residents travelling by sustainable modes
- Lewisham is now a 20mph zone, meaning previous accident data was no longer relevant

Ms Finch-Smith argued that the existing entrance use would change and reiterated that it would be dangerous for both pedestrians and road users.

Councillor Mallory asserted that the 20mph speed limit was not adhered to. He also noted that the junction did appear dangerous. He then inquired whether measures could be taken to improve the safety of the junction. Catherine Paterson (Highways) stated that if it were perceived to be dangerous this would be addressed, but that the data did not support this view. She also noted that much of the traffic on Chinbrook Road is likely to be commuter traffic, people passing through the borough, not turning off onto side roads. She stated that a crossing would bring speeds down and improve safety for pedestrians. Ms Finch-Smith

responded, stating that not all accidents were reported and that local residents had local knowledge.

Councillor Mallory enquired as to the status of the 4th September meeting. Councillor Muldoon confirmed that the Healthier Communities Select Committee had no locus on planning applications and had made a referral to the Mayor to encourage representatives of the parties to meet to discuss the future of primary care services in Grove Park and to clarify the proposals for 54 Chinbrook Road. The meeting would have no bearing on the planning committee.

Councillor McGeevor asked the applicant if they had considered moving the building forward in order to create an alternative access onto the site, and the relocation of the air-conditioning unit away from the neighbouring property. Mr Steve Alexander (Architect) responded, confirming there was to be minimum air-conditioning, with the building designed to allow maximum natural air flow, but confirmed that discussions had taken place with the neighbouring occupier and that plant would be located at the rear of the building, on the Amblecote Road side, away from No 52. He also stated that moving the building forward would not be appropriate solution, as this would be at odds with the existing building line within the street. He also added that it was preferable to have pedestrian access from Amblecote Road so that there would be no conflict between pedestrians and vehicles entering the site.

Mr Amol Pisol (applicant's highways consultant) stated that their assessment showed that if 34% of patients drove, this would account for 80 vehicles per day, adding that this was considered to be a worse case scenario. He went on to add that no accidents had occurred since the implementation of the 20mph speed limit, with the Metropolitan Police confirming there had been no fatalities. Finally he added that he believed it to be a sustainable location, with 18 buses per hour serving the site.

The committee then received verbal representation from Councillor Suzannah Clarke, who spoke against the proposal under standing orders. Councillor Clarke stated that she knew the site very well and raised the following concerns and points regarding the proposal:

- Existing noise and air pollution on Chinbrook Road would mean it would not be possible to use natural ventilation
- Statistics on fatalities wrong, there has definitely been one
- There are only two bus routes
- The officer presentation mentioned a tyre garage, but Chinbrook Road does not have a commercial character
- The design would be inappropriate and out of character with the existing streetscene, which consists of predominantly 2 storey dwellings
- The visual impact would be worsened by the corner plot location
- There are alternative sites
- Inadequate parking which would cause further parking stress on the area
- Residents do not want a CPZ on Luffman Road
- The proposal would be contrary to Lewisham's Core Strategy
- The scheme would set a harmful precedent for loss of housing
- Inadequate consultation and lack of information
- Reduction in green space due to the loss of a garden
- The decision should be based on the change of use, not the provision of a new medical centre
- Other GP surgeries have lots of parking spaces
- Chinbrook Road is a very busy road

- The park gates will be used as a turning circle
- People will walk across the road from Luffmann Road
- The decision should not be based on the cost of the scheme
- The owner expected the house to be used to provide a GP surgery, not demolished

Councillor Clarke also provided accident data which included a fatality. Catherine Paterson (Highways) stated that the fatality was in 2007 and was at the junction of Chinbrook Road and Baring Road, a distance from the site and therefore not relevant to this case.

The committee then received verbal representation from Councillor Colin Elliott, who spoke in favour of the proposal under standing orders, who opened by stating that he was disappointed the scheme had divided the community. He said the design had been an initial issue, but this had been amended by the applicant following concerns. Furthermore, all the main concerns had been addressed by amendments to the scheme. Councillor Elliot then relayed to members that there had been hostilities towards the supporters of the scheme. He stated that the development would reduce health inequalities, with the wheelchair access vastly improved compared to the current site. Finally he stated that the GPs has worked within the area for many years and that the scheme would provide a welcome improvement to the existing facilities.

The planning officer, Suzanne White, responded to the points raised:

- According to TfL, 4 regular bus routes plus 3 serving a local college serve the site. The 4 regular routes each have between 2-8 services per hour.
- There is a tyre garage on Chinbrook Road, and though it is setback, vehicular access is from Chinbrook Road and it would be expected to generate more vehicular traffic than residential use
- The proposal meets a specific exception to Policy DM2 (loss of housing) by providing a community facility
- Corner plots can be treated differently in urban design terms as they may provide scope for a larger building or different design without disrupting a row of houses
- The application must be determined on its merits, in accordance with the Development Plan and therefore alternative sites are not relevant
- A relatively new health centre on Baring Road has parking spaces to the front but only for staff
- Hours of operation are proposed to be controlled by condition
- As a result of the amended parking layout to the rear, there will be space for vehicles to use the access to turn
- The owner's son has provided a letter in support of the proposal. Also, a letter of support from the CCG was received today.

Councillor Hilton asked why the scheme was considered to constitute good design. The planning officer, Suzanne White, responded that there are several considerations. The bulk of the building is concentrated on the plot of the existing house, respecting the building lines to the front and rear. The mass of the building has been arranged to focus on the corner of Amblecote Road and Chinbrook Road, reducing adjacent to No 52 and to the rear, being sensitive to that context. The level of fenestration has been increased to give a more open feel and window openings reduced to more closely reflect the scale of residential properties. The materials are of a high quality and their tone reflects those evident in the surrounding context. Finally, the landscaping scheme has been developed to a high level to help integrate the building within the existing green context.

Councillor Mallory stated that it was the role of the planning committee to not only address the concerns of locals, but to also address the wider needs of the community, which meant

making unpopular decisions at times. He also referenced the fact that the site was not located within a conservation area and that the impact on local character was not therefore an overriding concern. He also asserted that some of the points Councillor Clarke had made were not relevant planning considerations.

Councillor Mallory went on to state his general support for the proposal, but added that he had one major reservation to the scheme relating to the traffic around the 'S' shaped turn.

Councillor Ingleby also stated that he had reservations regarding the parking and movement issues, stating that more information on parking issues and statistics were required. He expressed concern that the CPZ review wouldn't happen and proposed to defer the application until the CPZ work was done.

Catherine Paterson (highways officer) stated that a contribution was sought from the applicant in order to bring a CPZ review forward. The planning officer, Suzanne White, added that the contribution could only be spent on a CPZ review in the vicinity of the site, making it possible to progress ahead of other areas.

Suzanne White (planning officer) requested clarification on the proposed deferral reason. Councillor Ingleby confirmed that it was due to concern over the 'S' shape manoeuvre and to better understand parking in the area.

Catherine Paterson (highways officer) suggested that a condition could be added to require a road safety audit to be carried out for the site and the recommendations implemented.

Following further deliberation, Councillor Mallory moved a motion to attach an additional condition regarding a road safety audit. It was seconded by Councillor McGeevor.

Members voted as follows:

FOR: Ogunbadewa (Vice-Chair), Moore, McGeevor, Muldoon, Hilton and Mallory.

ABSTAINED: Ingleby.

Councillor Ingleby then moved a motion to defer the application to a future committee to allow for additional information on highways stress to be provided. The motion was not seconded.

Councillor Mallory then moved a motion to accept the Officer's recommendation, subject to the conditions outlined in the report and the additional condition regarding the provision of a road safety audit. It was seconded by Councillor McGeevor.

Members voted as follows:

FOR: Ogunbadewa (Vice-Chair), Moore, McGeevor, Muldoon, Hilton and Mallory.

ABSTAINED: Ingleby.

RESOLVED: That planning permission be granted in respect of application DC/17/101268, but with the addition of a condition requiring a road safety audit.