

Committee	PLANNING COMMITTEE (B)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date 28 February 2019

## MINUTES

To approve the minutes of the meeting of Planning Committee (B) held on the 10 January 2019, 15 November 2018, 23 May 2018 and 11 October 2018.

### LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (B) held in ROOMS 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU on 10<sup>th</sup> January 2019 at 19:30.  
PRESENT: Councillors Suzannah Clarke (Chair), Tom Copley (Vice-Chair), Obajimi Adefiranye, Tauseef Anwar, Andre Bourne, Liz Johnston-Franklin, John Muldoon, John Paschoud and James Rathbone

OFFICERS: Mehdi Rezaie - Presenting Officer Planning Service, Jeremy Ward – Case Officer, Christopher Dale - \_\_\_\_\_, Paula Young – Legal Services and Jesenka Ozdalga – Committee Co-ordinator

APOLOGIES: Cllr Silvana Kelleher, due to other Committee commitments would arrive later.

#### **1. Declaration of interests**

1.1 No declarations of interests.

#### **2. Minutes of the meeting held on 15 November 2018.**

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

2.2 *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.

*Cllr Silvana Kelleher arrived.*

#### **3. 1 Waldram Park Road, SE23**

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

3.2 *The presenting officer* introduced the details of the application.

3.3 *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.

- 3.4 *Cllr Kelleher* asked for clarification on S278.
- 3.5 *The case officer* clarified that it is an agreement between the developer and planning and highways authority regarding improvements to the highway.
- 3.6 *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.
- 3.7 *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.
- 3.8 *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.
- 3.9 *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.
- 3.10 *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.
- 3.11 *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.
- 3.12 *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.
- 3.13 *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.
- 3.14 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 re-constituted 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.

- 3.15 *Cllr Muldoon* declared personal interest as member of IHG and Hilton loyalty scheme.
- 3.16 *Cllr Kelleher* expressed support for this scheme and applicant that care about the local area, but was concerned about traffic.
- 3.17 *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.
- 3.18 *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.
- 3.19 *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.
- 3.20 *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.
- 3.21 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.
- 3.22 *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.
- 3.23 *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.

- 3.24 *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.
- 3.25 *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.
- 3.26 *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.
- 3.27 *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.
- 3.28 *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.
- 3.29 *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.
- 3.30 *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.
- 3.31 *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.
- 3.32 *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.
- 3.33 *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.

#### **4. Rear of 110 Wood Vale, SE23**

*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.

- 4.1 *Cllr Bourne* asked for clarification on width of a Moonlight Drive and emergency vehicle access.
- 4.2 *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.
- 4.3 *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.
- 4.4 *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.
- 4.5 *Cllr Kelleher* supported *Cllr Bourne* and raised concerns in terms of emergency vehicles being able to get in, turn around and get out.
- 4.6 *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.
- 4.7 *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.
- 4.8 *The presenting officer* clarified that there would also be skylights placed in the roof which would complement angled windows.
- 4.9 *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.
- 4.10 *The presenting officer* clarified they would only be within dual aspect flats.
- 4.11 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.

- 4.12 *Cllr Kelleher* raised concerns regarding land contamination as it was previously an industrial site.
- 4.13 *The agent* clarified that there is a condition in the report regarding land contamination that requires relevant assessments to be done.
- 4.14 *Cllr Kelleher* raised concerns about equality issues by having 3 bedroom unit on the upper floor and no lift.
- 4.15 *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.
- 4.16 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.
- 4.17 *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.
- 4.18 *The planning officer* clarified that it is correct but is also extends onto the potential overshadowing issue including the potential privacy intrusion aspect.

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

4.20 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.

## **5. 59 Quentin Road, SE13**

5.1 *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.

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

5.3 *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 raise when you want to build it and it is a civil matter. The ownership is irrelevant from planning perspective.

5.4 *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.

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

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

5.7 *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.

## LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (B) held in ROOMS 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU on 15<sup>th</sup> November 2018 at 19:30.

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

OFFICERS: Suzanne White - Presenting Officer Planning Service, Kheng Chau – Legal Services and Jesenka Ozdalga – Committee Co-ordinator

NO APOLOGIES.

### **1. Declaration of interests**

Cllr Copley declared being a member of **The Campaign for Real Ale**.

There were no other declarations of interests.

### **2. Minutes of the last meeting**

**Cllr Clarke (Chair)** asked for an amendment to include conditions from the Councilors for the Ashmead Primary School application that was resolved for approval.

Cllr Paschoud asked for an amendment of the part where it states “Minutes of the Planning committee B – closed meeting”, to read: Minutes of the Planning committee B.

### **3. 88 Springbank Road, SE13**

The presenting officer outlined that the application is for change of use from retail use (Class A1) to micro pub (Class A4), together with installation of a new window to the side elevation and new door to the rear elevation. The officer further clarified that the site is within an existing parade with residential use above and that the application relates to the commercial unit only that has been vacant for some time. It is proposed to divide the existing ground floor into 3 areas where the largest space with a bar would be in the front, toilets would be in the middle and snug at the rear. The existing basement is proposed to be used as a cellar. There are no changes to the front elevation except for the door location.

The presenting officer outlined that 19 objections were received, a petition of 29 signatures against, 28 letters in support and 20 people attended a local meeting. Objections are in regards to the noise and disturbance, increased parking demand, opening hours, risk of setting a precedent and security issues.

Officers' view is that:

- the principle of the development would be acceptable
- it would improve the local economy
- there is no Class A4 use in the wider parade area,
- amendments to the proposal to limit access to the rear yard and remove the smoking area will reduce impact on neighbors
- operational plan and noise assessment reports were submitted, Environmental health officers reviewed it and conditioned details for ventilation system
- Highways were consulted and estimated that customers would come from local area using public transport and as such they considered that there will be no material impact on the traffic and raised no objections subject to conditions.

Cllr Kelleher outlined that she used to live in the area and that between Hither Green Lane and Hither Green Station there are no drinking establishments.

Cllr Johnston-Franklin raised a question in terms of the residents that are living above the establishment and how many of them have children which raises concerns about noise and opening hours, with further comment that if it is a drinking establishment, there is no need to be open at 8am.

The presenting officer clarified that there are measures that can be conditioned to reduce impact on neighbors, such as restricting opening hours and requiring soundproofing of walls and ceilings and that there should be balance between supporting local economy and impact on residents.

Cllr Copley pointed out that licensing would be able to restrict the hours when alcohol can be sold.

Cllr Adefiranye pointed out that local people whose life would be impacted should be considered in regards to the proportion of objections received.

The presenting officer clarified that in the local meeting, they had both objecting and supporting comments from local residents.

Cllr Rathbone raised questions about sound insulation and if Environmental Health officers were satisfied with the original and amended proposal, as well as if we know what is the use of the rooms above. The presenting officer clarified that there are 2 aspects, one of which is a condenser unit and that further details can be required through a condition. Another aspect is that there is not enough ceiling space for sound insulation to achieve 10db reduction over the building regulations requirement, though an improvement of 5db could be achieved. Furthermore, the presenting officer clarified the room above is a habitable room and that with the lower level of noise expected in the snug, and a condition to prevent use of an amplified sound system, these measures should be sufficient in reducing noise impact to an acceptable level for the residents.

Cllr Kelleher raised a question as to where the smoking area would be after the amendments. The presenting officer clarified that customers would have to use the footpath in front of the establishment.

The committee received verbal representations on behalf of the applicant. Pete Hadley – agent highlighted that the application was prepared with support of 3 councillors, that a micro pub would contribute to the viability of the parade, that changes were considered in order to address the concerns, access to the rear garden was removed from the application, refuse will be kept in the cellar area, an operational statement was provided, staff will supervise customers and no anti-social behavior would be allowed, and Environmental health officers were satisfied with sound insulation measures and the condenser unit.

Jenny Marsden, resident of Springbank Road highlighted that she is supporting this development, that sound and traffic impacts were mitigated, that opening hours are shorter than some shops on the road, that it would create 7 jobs, be a place for people to gather and improve and prevent further erosion of the street.

Paddy - local resident highlighted that families in the area are desperate for a facility like this, that the parade needs regeneration and investment and it would feed more into local economy.

Councillors did not have any questions.

The committee received verbal representations on behalf of the local residents Mark Glaysheer and Ross Cameron.

Ross highlighted that he is a resident above the adjacent unit to the application property and that they are already experiencing a lot of noise from the cab office below. He raised concerns about noise from the busy pub and smoke that would come straight into rooms. It was also pointed out that some impacts were addressed by the applicant later and residents were not informed about it. Furthermore, it was highlighted that this proposal is creating a risk of a breach of human rights to use the property, insulation has to be provided to the bedroom above and assessment for breakout noise

should be made as rooms above would not be able to open the windows in the summer due to the noise. It was also highlighted that the snug would overlook the children play area.

Cllr Johnston-Franklin asked for confirmation about noise they are currently experiencing and if noise is their main objection.

Ross clarified that they hear noise from the street and commercial unit below everywhere in their flat, that they had to soundproof their bedroom and confirmed that their main objections are noise and smoke from the outside.

Cllr Silvana Kelleher highlighted that she knows the area well and that the area suffered economically in the 80s and never recovered and asked if local representatives think that this may help bring the life to the area.

Mark pointed out that regeneration of the area is the priority but for the right proposal. Ross added that there are no empty units on the parade and there isn't anything that needs further regeneration.

Cllr Clarke (Chair) pointed out that the opening hours proposed by the applicant did not match those in the proposed condition and that a supporting letter from the ward councillors is distributed to everyone at the table.

The presenting officer clarified that the applicant has submitted their opening hours but that officers considered it was appropriate to condition longer opening hours (opening from 8am each day) as this would not cause harm to amenity and would enable the applicant to provide other services such as a café style offer during the day, which would improve the viability and activity of the parade.

Cllr Anwar asked what is the procedure following the approval of the application and is it possible to condition monitoring of the development in 3 or 6 months.

SW clarified that we cannot put a monitoring condition as such, but if a breach of any condition were notified to the planning enforcement team, it would be investigated.

Cllr Adefiranye raised a concern about smoking outside the premises and that smoke would go up to flats and asked if we can put a condition on that.

The presenting officer clarified that the property is on a public street and reasonably busy route and that it would not be possible to construct the condition to prevent smoking on the street.

Cllr Copley added that it is probably an issue for the licensing department when it comes to smoking and drinking outside the premises.

Cllr Kelleher suggested to install an extendable canopy in front of the premises to prevent smoke going to upper flats.

The presenting officer clarified that it is for the applicant to consider such suggestion but that it cannot be conditioned as part of this application. Furthermore, the presenting officer clarified that there is already a condition in place to prevent people accessing the rear, for refuse to be kept in the basement and that the report covers details such as vacant units on the parade.

Cllr Clarke (Chair) highlighted that noise issues, the snug being under the bedroom, smoke issues and overlooking should be discussed further.

The presenting officer clarified that when it comes to the noise assessment, it is detailed in the addendum report, that Environmental health, considering the size and the use of the room and limited ceiling space accept a 5db improvement as sufficient.

Cllr Clarke (Chair) required further information on overlooking and the presenting officer clarified that the existing window would be the snug window and the rear garden is approx. 15m long to the rear

boundary, therefore given the distance it should mitigate overlooking. It was subsequently clarified that the distance from the rear elevation of the application unit to the rear elevation of the dwelling to the rear is 30m.

Cllr Copley suggested conditioning shorter opening hours for the snug, as there is a bedroom above the snug and sufficient sound insulation cannot be provided.

Cllr Paschoud highlighted that the report was clear and thorough and it seems that issues with the snug were addressed, and that the conversation is going beyond planning considerations for the change of use. Furthermore, there are other council services who deal with issues that are raised. Cllr Paschoud suggested adding an informative to the applicant to do their best to prevent smoking outside as we cannot condition it.

Cllr Rathbone and Cllr Copley raised a question about how the wording of the condition for the use and opening hours of the snug would be added and they further suggested not to leave that question to the licensing department and that it should be conditioned within the application. Cllr Rathbone further suggested to reduce one opening hour each day for the snug.

Cllr Anwar expressed his disagreement for a condition on the opening hours of the snug for a reason that evening is the main time when pubs are operating.

The presenting officer highlighted that Condition 7 in the main report covers the opening hours for the whole premises and the area labeled as a snug should be only be opened during certain hours. The presenting officer also clarified that opening of the premises during the day would be preferable to maintain viability.

Cllr Copley suggested to pass approval with condition on opening hours until 10pm for the snug and moved motion to approve officer's recommendation. This was seconded by Cllr Adefiranye.

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/17/104854 subject to a condition restricting opening hours for the snug until 10pm any day.

#### **4. 34 Sunderland Road, SE23**

The presenting officer outlined that this application is for alterations and conversion of the existing 2 residential units into 1 x one-bedroom and 2 x two-bedroom units. The property is a large two-storey detached Victorian building, located on the west side of Sunderland Road with PTAL 3-4. The proposed side extension is to accommodate an internal staircase for upper flats and would be set back from the front elevation. The ramp to the entrance hall is proposed with a low retaining wall separating it from the front yard parking area. Meeting rooms at the ground floor would remain the same, and on the first floor it is proposed to provide a larger 1 one-bedroom and 1 two-bedroom unit. On the second floor and in the roof extension another two-bedroom unit is proposed. The treatment of the proposed front elevation with side extension and rooflights would match the existing property. To the rear elevation, a large rear roof extension is proposed set in from the sides and eaves and clad in zinc with two rooflights. To the side elevation 5 new windows and rooflights are proposed to be installed and to the south elevation 2 new windows and a rooflight are proposed.

The application received 3 objections from local residents in regards to overlooking, scale of the dormer and being overdeveloped with further extensions.

Highways were consulted and were satisfied with a proposal, subject to conditions.

Officer's view on the principle of the development is that it would increase the size of the existing one-bedroom unit which is considered an improvement, that design is acceptable and sensitive to the

character of the property, that there are no parking issues and no material issues to local neighboring amenities.

Cllr Copley asked for clarification of paragraph 6.8 whether it can be established or not if the use is lawful.

The presenting officer clarified that there was no planning permission, but Council Tax has been paid for several years and on balance officers are satisfied that the use has likely been in place for 4 years and would be lawful.

Cllr Copley raised concern about loss of family sized three-bedroom property and what policy we have to protect those units.

The presenting officer clarified that policies are against subdivision of houses, and flats are not protected.

Cllr Paschoud asked for clarification on which windows are overlooking and what kind of rooms are behind those windows, and if they are stairways or bathrooms.

The presenting officer outlined which windows would potentially overlook the neighboring property.

Cllr Rathbone asked for clarification on paragraph 6.33 and whether new units would meet required standard sizes.

The presenting officer clarified that the existing one-bedroom unit does not meet required size, but the enlarged unit proposed would.

Cllr Johnston-Franklin raised concern on lack of amenity space and increase in accommodation and it seems not to be considered as part of the proposal from developers.

The presenting officer clarified that there was no amenity space attached to the existing property.

The committee received verbal representations on behalf of the applicant, Richard Martin, member of Forest Hill Friends Meeting House and the architect Nicholas Jamieson. Richard highlighted their involvement with the community and work with groups helping refugees. Meeting rooms on the ground floor are used by a wide variety of groups for mutual support and afterschool activities. Meeting House is very active with families and children who are part of the church and the objective of this application was to use empty space above the meeting area and to make that available for housing in the local community and in order to improve the quality and quantity of the housing offered. It was important to separate the housing which led to the need for a staircase. Meeting House is looking to generate income from the flats that will be needed to support society friends. Furthermore, it was highlighted that the society has a strict approach to maintenance of their buildings and all their properties are subject to maintenance every 5 years.

Cllr Kelleher raised two questions, first on the noise impact, and second on whether the housing would be for low-income members.

Richard Martin clarified that their meetings are held quietly, that activities in their meetings don't involve noise, that activities are not happening late in the evening and that they will take interest in who would rent the flats. Furthermore, Richard clarified that in terms of rental intention, at the moment they are looking into a number of alternatives and they will set the policy.

Cllr Clarke (Chair) highlighted that rentals are not within the scope of planning committee.

The committee received verbal representations on behalf of the local residents, Jason Kee and Paul Bolger, owners of property at 32 Sunderland Road.

Cllr Clarke (Chair) asked for clarification of overlooking issue.

Jason clarified that the proposed north elevation window on far right, is overlooking directly on their patio and hallway, one large window at the bottom is 3.75m opposite our bathroom, velux window looks directly into bathroom and that placement of proposed windows is perfectly opposite.

Cllr Bourne asked about which room is to the far right and the presenting officer clarified that it is a kitchen and that that window will be obscured glazed.

Jason furthermore explained that they don't object to the proposal in principle, but they object to the proposed fenestration and rooflight. They further propose that the rooflight could be moved to the east facing roofslope and that the far right kitchen window is superfluous as that space already has another three windows. Bathroom windows need to be open in the summer and for ventilation and therefore, they are recommending a condition on the proposed windows to be obscured glazed and fixed shut only to provide light into the staircase.

Cllr Paschoud asked if some windows don't have conditions, and if we could put a condition on them to be obscured glazed.

Jason Kee clarified that the stairway windows don't have a condition.

Cllr Clarke (Chair) clarified that neighbours want those windows to be fixed shut as well and that stairways need some ventilation.

The presenting officer clarified that it can be added as condition that windows are obscured glazed and fixed shut to a set level with fanlight opening.

Jason Kee added that the rooflight should be obscured glazed too.

Cllr Paschoud highlighted that there should not be any changes to move rooflights to the front elevation.

Cllr Clarke (Chair) asked the applicant and architect whether they would accept the stairway windows being obscured and fixed shut and what comment would they have on the rooflight.

Architect Nicholas Jamieson clarified that windows on the stairways have to be openable by fire regulations to vent the smoke out, and in order to protect privacy there are other solutions and agreed for the rooflight to be obscure glazed.

Cllr Clarke (Chair) proposed to put a condition on the stairway windows and rooflight to be obscured glazed and there will be no condition on limiting their opening.

Cllr Paschoud moved the vote for the application to be approved, with the additional restrictions on the windows conditioned. 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/18/106214 subject to condition on stairway windows and rooflight at the north elevation to be obscured glazed.

#### **5. 51 Bargery Road, SE6**

The presenting officer highlighted that this application was deferred at the last committee. Officers negotiated with the applicant to remove the gable end window and instead insert a rooflight on the side gable roofslope.

Cllr Paschoud clarified that at the last committee meeting the applicant was asked to revise the proposal which is now done and moved the vote for the application to be approved. 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/18/105821.

**6. Unit 2 Grosvenor Court, Adenmore Road, SE6**

The presenting officer outlined that these are two applications, one full application and one advertisement consent for the installation of a new shopfront and ATM, at the Catford Green development, between Catford and Catford Bridge stations, at the front elevation of the ground floor unit. The proposal is retaining the shopfront as it was approved in the original application, with installation of an ATM and change of width of the sliding door. It would be a Sainsbury's shop with their typical signage. The ATM would include CCTV above it. To the side elevation there is no proposed change to the previously approved shopfront. To the rear elevation, next to the service area 2 ventilation louvres are proposed.

The application received 3 objections from local residents in regards the ATM may attract anti-social behavior and advertisement light may disturb sleeping at night.

Highways were consulted and raised no objections.

Officer's view is that proposed illumination levels are low and acceptable.

Cllr Rathbone added that inclusion of retail was originally part of the development, and any future resident was aware of that.

Cllr Kelleher added that the corner sign is small in size and its light would not affect residents above.

Cllr Johnston-Franklin raised question about the location of the ATM and if that location would be unsafe for people trying to take their money out.

The presenting officer pointed out that the area around the ATM is open and the ATM includes lightning and CCTV.

Cllr Bourne moved the vote for the application to be approved. This was seconded by Cllr Copley.

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 applications DC/18/108247 and DC/18/108259.

**7. 1 Tyrwhitt Road, SE4**

The presenting officer highlighted that this is an application for the change of use and conversion of the ground floor unit from A1 retail to a residential unit and alterations to the shop front. The property is located on the eastern side of Tyrwhitt road, in the Brockley Conservation Area and is subject to an Article 4 Direction. It is a three-storey Victorian property with retail unit at the ground floor that operated as an off-licence shop and has been vacant since July 2017. There are some existing shops nearby on Loampit Hill.

It is proposed to convert the retail unit to a two-bedroom flat at the ground floor with an extension to the rear. A front yard would be established with boundary treatment. The first and second floors are proposed to remain as existing with only window replacements. At the front elevation, elements of the traditional shopfront would be retained and restored with some obscured glass inserted.

The application received 2 objections, 1 from a local resident and 1 from The Brockley Society in regards lack of justification for change of use and loss of employment.

The presenting officer outlined that the applicant did not submit marketing evidence, but they submitted a viability statement to justify the loss of the retail unit and on balance it is considered acceptable to justify the change of use. In regards to design, reinstating timber sash windows is an

improvement, the front boundary treatment would be in keeping with local character, the standard of the accommodation is good and there would be no negative impact on neighbours.

Cllr Johnston-Franklin recalled that the property was under offer for a long time, so it could have been a restriction for people who may have wanted to occupy it as a business in that very viable situation.

The presenting officer clarified that they only have confirmation that the occupiers were out of business for some time.

Cllr Adefiranye pointed out that Tyrwhitt road is a residential road in the Brockley Conservation Area and that this proposal would be harmful, front wall details should be looked at in more detail and that Brockley Society is one of the biggest consultees for the Council and they were concerned about loss of employment.

The presenting officer clarified that it is officer's opinion that the proposed front boundary treatment fits in well with existing properties but it is possible to condition some of those details.

Cllr Kelleher shared concerns raised with Cllr Johnston-Franklin and asked for clarification on a large garden behind and if access is restricted.

The presenting officer showed drawings and Cllr Clarke (Chair) confirmed that there is no garden, it is an outdoor space.

The committee received verbal representations on behalf of the applicant, Jo Townshend, architect and agent of Mr and Ms Patel who own the building for 30 years and they have an ongoing interest in the property. They are aware of community concerns, they have worked with officers to redesign the proposal from the first application. Hard work was put in to be respectful of the tradition of the shopfront and providing what would be someone's home. The previous occupier who was leasing the property had struggled with viability, they tried to market the property and it wasn't considered to be viable. They consider that DM 16 relates to a parade of shops and this is one shop sitting on its own, behind the main busy parade, where most successful shops are and it doesn't attract the same level of interest. There is a shop on the corner that has been empty and has a much better location. The application would provide good quality accommodation in the area with a good PTAL rating.

Cllr Rathbone raised a question on how many commercial agents were approached to market the property. The agent did not have an answer.

Cllr Adefiranye raised concerns on the fact that the original scheme had a solid wall and brick panels, and it is replaced with railings and that the location of cycle storage and bins has moved.

Cllr Clarke (Chair) pointed out that there is a viability report and even viable businesses can close, and this property appears not to be too far from the parade to be considered isolated.

The agent clarified that the unit was an off-licence shop, and that new retail stores had taken away trade from the property and that the corner property has been empty for a long time.

Cllr Clarke (Chair) pointed out that it is difficult to discuss the corner property as there is no sufficient information.

The committee received verbal representations on behalf of the Brockley Society, Clare Cowen, the chair of the Society who asked for refusal of the change of use and that there is nothing to indicate that this property has been properly marketed. The proposed boundary treatment is acceptable as are the upstairs windows changed to sash windows. The area is dependent on these shops on the outskirts. The corner shop will be a deli, the owner confirmed it will be opened by Christmas. The whole area is going through changes with new developments and units like this are an asset to the community. The Victorian shopfront cannot be used as a residential front.

Cllr Anwar commented that no one will close their shop if it is making money and that residential rent is much lower than commercial rent.

Cllr Rathbone pointed out that the current business is not viable and it has not been marketed and proposed to defer this application so that the applicant can provide more viability justification.

Legal officer Kheng Chau clarified that officers recognized that the property was not marketed and consultations were carried out as a departure.

Cllr Clarke (Chair) pointed out that main issues here are loss of retail, loss of employment, change of use.

Cllr Johnston-Franklin went back to the point of assumption of viability, as there is development of viable businesses in the area.

Cllr Adefiranye stated that it is more rewarding to create jobs and that there is no proof that sufficient effort was made to market this property and proposed this application to be rejected, or to defer for additional proof of marketing.

Cllr Bourne drew attention to the fact that focus on employment is irrelevant if a property has been empty for a year and that property owners would know what they can or cannot do.

Cllr Clarke (Chair) asked if a motion to suspend standing orders could be moved. Cllr Rathbone moved to suspend standing orders. Cllr Kelleher seconded. Standing orders were suspended at 9.59pm.

Cllr Copley moved the vote for the application to be rejected for lack of marketing and loss of retail unit. This was seconded by Cllr Johnston-Franklin.

Members voted as follows:

For: Councillors Copley, Johnston-Franklin, Adefiranye, Clarke (Chair), Kelleher, Rathbone

Against: Anwar, Bourne, Muldoon, Paschoud

RESOLVED: Refuse application DC/17/104231 for change of use from retail unit (Class A1) to residential unit (Class C3) for reason of loss of commercial space and employment.

### **8. 93-99 Ladywell Road, SE13**

The presenting officer highlighted that this is an application for a three storey new development with 256 sqm flexible commercial use ground floor space with cycle and refuse storage. It is located on the north side of Ladywell Road within a local parade. Previously it was used as a petrol station with a canopy and there is a single storey building to the rear. The existing buildings would be demolished and the proposed ground floor would provide a flexible commercial area. The residential entrance is on the left side of the plan. At the first floor 4 one-bedroom units and on the second floor 3 two-bedroom units are proposed. The front elevation has similar height to adjacent buildings with 4 gables and terraces in between for the 2 bed flats. The design reflects the existing positive character on Ladywell road. The building would have a mansard roof and to the rear a projecting bay includes a stairwell with bay windows are also proposed. Proposed materials are brown brick, velux rooflights system and dark zinc mansard roof with aluminium windows. The addendum report covers revision of drawings and an additional condition relating to PV panels.

The application didn't receive any comments from local residents and received one objection from The Ladywell Society in regards of overprovision of commercial units, design and materials. The Ladywell Traders Group prefer smaller businesses in the area.

Highways and TFL raised no objections.

Officer's view is that the scheme would be acceptable in principle, it would contribute to the local parade and would remove an unsightly feature from the area. The proposed residential units would meet minimum standards of accommodation. It would be a car free development with high public transport accessibility. The development would not result in significant harm to the neighboring amenities.

Cllr Johnston-Franklin pointed out that zinc is proposed and raised a concern that this development is setting a precedent, because there was no use of zinc previously in the conservation area and that there may be alternatives in material choice.

The presenting officer clarified that we do see zinc in many conservation areas and that it is a modern and very durable material and it would be used on the roof only and that policies look for a materials to be complementary to the existing context, rather than prescribing that they match.

Cllr Paschoud pointed out that Ladywell Tavern, just on the other side of the road has a good amount on the zinc on its roof.

The committee received verbal representations on behalf of the applicant. Alex Wythe, architect and Jack Southon, who clarified that this would be a sustainable development, replacing a dreadful area, providing residential and commercial units that are designed to be flexible in the future. In terms of materials they are willing to discuss conditions. Alex Wythe explained that this development is a modern interpretation of conservation area with zinc as a modern alternative to lead, with specially designed bay windows at the rear to avoid impact on the neighbors. In terms of materials, they are willing to discuss and condition them.

Cllr Kelleher highlighted the previous case with concerns on viability of retail use.

Alex Wythe clarified that Ladywell is a vibrant area with no vacant shops and the proposed ground floor is a flexible space. With the location being in a flood zone 2 it wouldn't be possible to put residential units on the ground floor.

Cllr Johnston-Franklin raised a question on overlooking at the back and impact in terms of daylight.

Alex Wythe clarified that windows closest to the rear properties would be opaque and other windows are positioned at an angle to prevent overlooking. Mr Southon further clarified that there is a report for daylight and sunlight.

The committee received verbal representations on behalf of The Ladywell Society. Geoffrey Thurley, committee member of The Ladywell Society pointed out that the design is not sympathetic to the Ladywell area, that the proposed color of bricks is too dark, that the front gables are not as soft as on the adjoining buildings, that space for terraces at the front could be incorporated within the internal space, that black zinc is not a material used in the area and that tiles or grey slates could be more appropriate. Material for windows cannot be aluminum as windows at adjoining buildings are single glazed. The Ladywell Traders Association raised concerns that Class A1-A3 units could have detrimental impact on the viability of the parade. There is already a good variety of Class A1 units. There is no gym in the area and no viability survey has been carried out and it is not clear from the proposal whether divided commercial units would be fitted with separate toilets.

Cllr Rathbone highlighted that there is already a condition in place for materials.

Cllr Copley pointed out that the design is in keeping with the area and moved a vote for the approval of the application.

Cllr Paschoud commented that this constitutes a sustainable development and is not bad enough to be refused and that respect is given to the Society for bringing up design details and seconded the vote.

Furthermore, Cllr Paschoud raised an issue over having this most significant application last on the agenda when it is late and where design details concerns are being presented from The Ladywell Society.

Cllr Clarke (Chair) asked Cllr Paschoud about which points should be further covered.

Cllr Paschoud highlighted issues about the design and proposed to make the applicant work with society and those concerned as they seem to be open to some flexibility when it comes to materials.

Cllr Anwar agreed with Cllr Paschoud and proposed condition that no big superstores like Tesco should be allowed in proposed commercial units.

The presenting officer clarified that it is not possible to restrict the occupier, only the use.

Cllr Adefiranye supported Cllr Clarke (Chair) to allow for more time to discuss many elements of this proposal.

The presenting officer clarified that design in conservation areas is the main concern, and that in officer's view this is a good quality design and fits well with the character of the area. The detailing and materials would be discussed with conservation officers at the approval of details stage and, if Members were minded, these condition applications could be brought back to committee.

Cllr Rathbone pointed out that conditions on materials are already attached.

Cllr Paschoud clarified that his concern was relating to the late hour for discussing the most important application with the most extensive impact on public realm, expressed his agreement with planning officers and that it seems that the developer could be trusted to resolve issues over materials.

Councillors were reminded that there was a motion on the table.

Cllr Copley moved the vote for the application to be approved. This was seconded by Cllr Paschoud.

Members voted as follows:

For: Councillors Copley, Anwar, Bourne, Muldoon, Paschoud, Rathbone.

Against: Clarke (Chair), Adefiranye, Johnston-Franklin, Kelleher

RESOLVED: Approve application DC/18/107234.

The meeting ended at 22.50.

15<sup>th</sup> November 2018.

## **MINUTES OF THE PLANNING COMMITTEE B**

**Wednesday, 23 May 2018 at 7.53 pm**

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

**1. Planning B membership**

RESOLVED that the circulated report on the membership of Planning Committee B be noted.

**2. Planning B Election of chair**

RESOLVED that Councillor Suzannah Clarke be elected as Chair and Councillor Tom Copley be elected as Vice-Chair for the Municipal Year 2018-2019.

LONDON BOROUGH OF LEWISHAM

**MINUTES of the PLANNING COMMITTEE (B) meeting held in Council Chambers, Civic Suite, CATFORD SE6 on Thursday 11 October 2018 7:30pm.**

Present

Councillors: Clarke (Chair), Copley (Vice Chair), Anwar, Bourne, Johnston-Franklin, Muldoon, Paschoud & Rathbone.

Apologies: Councillors Adefiranye & Kelleher.

Officers: Suzanne White – Planning Service, Vincent Murphy – Planning Service, David Syme – Planning Services, Kheng Chau - Legal Services, Alfie Williams - Planning Committee Co-ordinator.

1. DECLARATION OF INTERESTS

There were no declarations of interests.

2. MINUTES

The Minutes of the Planning Committee (B) meeting held on 30 August 2018 were agreed by members.

3. Ashmead Primary School

Planning Manager Suzanne White introduced the details of the application and noted that 36 objections and 9 letters of support were received in response to the consultation conducted by the Council. It was also noted that neither TfL nor the Council's Highways Department objected to the development. Suzanne White then explained that an Addendum Report had been produced detailing three further comments, two from local Ward Councillors and one from the Brockley Society. The comment from Councillor McGeevor proposed an amendment to Condition 11 strengthening the wording relating planting within the soft landscaping condition.

Councillor Paschoud asked for confirmation on whether the public space on Lewisham Way would be lost. Suzanne White confirmed that much of the existing space would be developed. Councillor Copley asked a question relating to the loss of playground space. Suzanne White responded by noting that the development would result in a better quality playground given the fragmented layout of the existing space, the provision of new all-weather facilities and the provision of a sandpit. Councillor Rathbone asked whether any new green space would be provided. Suzanne White stated that there would not be any new public green space. Councillor Clarke noted that there is a park in the vicinity of the school.

Councillor Anwar asked a question regarding highway safety. Suzanne White noted that the new entrance on Lewisham Way would be secondary to the existing entrance and that the school had proposed various safeguarding measures including limiting the time period the entrance would be in use and requiring staff supervision of the entrance. Councillor Johnston-Franklin asked a question relating to air quality. Planning Officer Vincent Murphy stated that some areas of the site did not meet EU standards but that the impact is very slight. Councillor Johnston-Franklin stated that even a very slight impact is not good enough. Councillor Clarke asked if the mature tree on Lewisham Way could be retained. Suzanne White replied that the loss of the tree is regrettable but would be necessary to allow the construction works to take place.

The Committee then received a verbal presentation from Sean O'Flynn (Head Teacher), Kerry-Anne O'Neil (Architect) and Russell Edwards (Project Manager). Sean O'Flynn explained that the scheme would provide Ashmead with key benefits and meets the brief required by the school. Mr O'Flynn explained that the key objective was to keep as much playground space and trees as possible and stated that the height of the building was key to achieving this objective and retaining the forest school.

Kerry-Anne O'Neil explained that the proposal would allow a 3<sup>rd</sup> of pupils a more direct entrance to improve the accessibility of the school. It was then stated that the planting of trees within the site would help mitigate the loss of trees on Lewisham Way and would help improve air quality. Kerry-Anne O'Neil then commented that the soft landscaping and level changes at the Lewisham Way entrance provide positive urban design and highway safety. In addition, it was noted that the area on Lewisham Way would still be public space.

Councillor Rathbone asked whether there would be an impact on the existing school facilities. Sean O'Flynn stated that the proposal provides substantial benefits for pupils including an improved playground given that the existing space is not fully utilised. Councillor Clarke asked which age groups would use the Lewisham Way entrance. Sean O'Flynn replied that the entrance would be used by years 4, 5 and 6. Mr O'Flynn then explained that there would be a management programme rehearsing the use of the entrance in order to identify issues. It was also noted that the new forms would be introduced gradually and that the school would not be fully occupied until 2023 which would allow time to conduct risk assessments and suspend the use of the entrance if any issues are identified.

Councillor Clarke asked if railings had been considered for Lewisham Way. Vincent Murphy explained that the Road is managed by TfL and that TfL were opposed to railings. Planning Manager David Syme explained that a series of soft barriers had been used to enhance safety including level changes and planting. Russell Edwards confirmed that TfL were supportive of the design including the removal of fencing.

Members then received a presentation from Clare Cowen and Chris Johnson representing the Brockley Society. Yvonne Horsfall Turner (owner of Stone House), Shin Egashira (parent) and Douglas Jenkinson (parent) were also in attendance to answer questions from members. Clare Cowen stated that she had attended two meetings regarding the proposal and that there were extensive concerns within the local community including from parents, residents, the St John's Society and the Brockley Society. Clare Cowen acknowledged that improvement have been made to the design however, concerns remain regarding safety due to the proximity to the A2 and the impact on long views of the Grade II Listed Stone House. It was noted that the site is adjacent to Lewisham and Southward College which can cause mayhem with traffic during busy periods

Clare Cowen expressed concerns with air quality in the area and stated that the school had a duty of care to pupils given the effects on conditions such as asthma. It was highlighted that there had been a fatal collision recently further along the A2. Clare Cowen then stated that the entrance should be kept away from the main road and proposed that the building is either moved north or at an angle.

Councillor Bourne asked whether the proposal to relocate the building had been put to the project team. Chris Johnson replied that the proposal had not been put to the applicant. Mr Johnson also commented that the Trees are visually important to the area and stated that on bin collection days the width of the remaining footpath would be further reduced. Councillor Clarke stated that moving the building would reduce the size of the playground. Chris Johnson replied that a green roof could be installed and used as a play space. Councillor Clarke responded that a roof space may present safety issues and reminded members and the objectors that they must discuss the present application.

Councillor Rathbone commented that the views of Stone House are not historic given that there was a row of terrace houses on the site until the 1970s. Chris Johnson gave an overview of the planning history of the site and then stated that the benefit of the long view and green space on Lewisham Way should not be lost. Councillor Johnston-Franklin asked whether the entrance on Lewisham Way would be retained in the alternative plan. Chris Johnson stated that it would not. Councillor Clarke reiterated that members must only discuss the scheme put before them and asked what concerns parents of pupils at the school had with the scheme. Shin Egashira replied that he had concerns regarding pedestrian safety, air pollution and the loss of trees.

Councillor Clarke asked Council Officers for more information regarding air pollution and asked if the siting of the building would help with dissipation. Vincent Murphy replied by providing an overview of the air quality reports submitted with the application. The first report commissioned into air quality at the site used existing monitoring. The existing monitoring showed that air pollution had been declining over a 5 year period. The second report monitored air pollution at locations within the site and found that air pollution at 6 receptors demonstrated that EU limits were exceeded. The maximum impact of any change in air pollution exposure was assessed to be 'slight'. Vincent Murphy concluded by noting that the air quality consultant for the applicant had stated that this equates to a miniscule impact.

Councillor Clarke commented that the existing trees on Lewisham Way are larger than the proposed trees and raised concerns that the new trees would not be as effective in screening air pollution. Vincent Murphy replied that the quality of mitigation provided by planting would be reviewed by an air quality expert which would be secured by condition. Suzanne White stated that it is not possible to ensure that the mature tree on Lewisham Way is retained but that a review can be secured by condition.

Councillor Paschoud noted that members do not know that the taller trees provide better air pollution mitigation and stated that there is sufficient information within the report to arrive at a conclusion. Councillor Paschoud then commented that the new building may provide a level of mitigation and noted that there is an existing school on the site. Vincent Murphy replied that the air quality consultants agree that the new building would provide a barrier.

Councillor Copley noted that Councillor McGeevor had withdrawn her objection due to the strengthened soft landscaping condition. Councillor Copley then moved to approve the application with the strengthen soft landscaping condition and a new condition securing further investigation for tree protection. The motion was seconded by Councillor Rathbone.

Members voted as follows:

FOR APPROVAL: Councillors Clarke, Copley, Anwar, Bourne, Johnston-Franklin, Paschoud, Muldoon & Rathbone

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/17/104714 subject to conditions **for soft landscaping and tree protection.**

4. 77 Sydenham Park Road

Planning Manager Suzanne White introduced the details of the application to members and noted that that four objections had been received relating to the scale of the extension, overdevelopment, overlooking, loss of light, run-off and parking.

Members then heard a verbal representation from Chis De Souza the owner of the property. Mr De Souza explained that he had lived at the property for 12 years and that with a growing family they required extra space. Mr De Souza stated that they had taken all of the comments on board and had made amendments to the scheme. Mr De Souza noted that the extension is of a modest size similar to a neighbouring extension currently under construction. Mr De Souza concluded by explaining that the majority of the extension would be built on existing hardstanding so would not result in a loss of garden space and that the extension would not prevent parking on the drive.

The committee then received a verbal presentation from Jane McNamara objecting to the proposal. Ms McNamara explained that she was representing four households located on Chelsfield Gardens and stated that the extension was large and obtrusive. Ms McNamara stated that this type of extension would not be allowed in a Conservation Area and that

although the property is not a Conservation Area, the area does benefit from a distinct character due to the contrasting line of red bricks. This characteristic would be lost and therefore the extension would not be in keeping with the appearance of the surrounding area. Ms McNamara also stated that the extension would reduce parking space at the property adding to parking pressures in the area and also raised concerns with increased run-off.

Councillor Clarke asked if the extension would be used for living space. Suzanne White confirmed that it would. Councillor Rathbone noted that No.81 has a similar extension. Following further deliberation Councillor Paschoud moved to approve the application. The motion was seconded by Councillor Bourne.

Members voted as follows:

FOR APPROVAL: Councillors Clarke, Copley, Anwar, Bourne, Johnston-Franklin, Paschoud, Muldoon & Rathbone.

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/18/106425 subject to conditions.

#### 5. 51 Bargery Road

Planning Manager Suzanne White presented the details of the application to members and noted that the application site was within the Culverley Green Conservation Area. Suzanne White also explained that the planning history at the property includes an application for seven rooflights to be installed in the front and rear roof slopes that was refused and dismissed at appeal and enforcement action against the conversion of the property to a HMO. It was also noted that discussions with officers had resulted in a revision to the proposal to include a gable window in place of a rooflight.

Councillor Rathbone asked for clarification regarding permitted development rights relating to HMOs. Suzanne White explained that the conversion of a property to a HMO for 6 people or less would be permitted development. Councillor Paschoud asked whether the property was currently in use as a HMO. Suzanne White replied that she did not know if the property is currently a HMO but noted that the Council has not received any enforcement complaints. Councillor Rathbone asked whether members could require an inspection of the property as a condition. Councillor Clarke stated that members can only consider the application being presented. Suzanne White commented that the application must be decided on its merits. Councillor Rathbone stated that there is historic enforcement action at the property so this issue is pertinent. Planning Lawyer Kheng Chau stated that members can not consider the potential future use of the property.

Members then received a verbal presentation from Eric Kently representing the Culverley Green Residents Association. Mr Kently stated that he shared members concern regarding potential conversion to a HMO but explained that the proposed front gable window is also a concern. Mr Kently explained that he was not against loft conversions and conceded that rooflights are a necessary evil but stated that a window in the gable would be the worst option. Mr Kently observed that the properties on Bargery Road are symmetrical pairs and that introducing a window would destroy this symmetry and ruin the triangular apex that had been well preserved. Mr Kently also objected to the loss of historic brickwork that could never be reversed and concluded by questioning why the Council are encouraging gable windows.

Councillor Rathbone requested clarification of what was originally proposed. Suzanne White replied that a front rooflight was originally proposed and it was determined that a gable window would be a less harmful alteration. Councillor Paschoud questioned why a gable window is considered preferable. Eric Kently responded to confirm that the Culverley Green

Resident's Association were not clear why the Council had taken this position. Councillor Clarke asked if the Culverley Green Resident's Association would have an objection to a rooflight. Eric Kently commented that a rooflight would be preferable given that they can be temporary. Suzanne White stated that the Council's position is that rooflight is a modern intrusion to the roofscape and commented that she did not agree that rooflights are temporary.

Councillor Paschoud commented that the applicant had been persuaded to revise the proposal to something more objectionable and asked whether it was possible to defer the application to get the revision reversed. Suzanne White confirmed that the committee could defer the application to allow the applicant to make amendments. Kheng Chau stated that members had the option to defer or refuse the application.

Councillor Paschoud moved a motion to defer the application. The motion was seconded by Councillor Muldoon.

FOR DEFERAL: Councillors Clarke, Copley, Anwar, Bourne, Johnston-Franklin, Paschoud, Muldoon & Rathbone.

AGAINST: None

**Resolved:** That application DC/18/105821 be deferred.

6. 2 Manor Mount

Planning Manager Suzanne White introduced the details of the application and noted that the proposal was retrospective. Suzanne White then explained that three letters of objection were received to the application.

The committee then received a verbal representation from John Dalton the agent for the application. Mr Dalton explained that the works were necessary due to water ingress and commented that the planning process had been onerous as the application had originally been submitted in 2015. Mr Dalton stated that the Council had lost drawings and samples and commented that it had been difficult to contact Council Officers during the course of the application.

Councillor Paschoud asked Mr Dalton why he did not apply for planning permission prior to installing the replacement roof. Mr Dalton replied that the works were urgent and therefore this was not an option. Councillor Paschoud apologized to Mr Dalton for the poor quality service he had received. Councillor Paschoud then commented that he could see no material planning reasons for refusing the application and moved to recommend approval. The motion was seconded by Councillor Johnston-Franklin.

FOR APPROVAL: Councillors Clarke, Copley, Anwar, Bourne, Johnston-Franklin, Paschoud, Muldoon & Rathbone.

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/17/99661 subject to conditions.

7. 9-19 Rushey Green

Planning Manager Suzanne White introduced the details of the application and explained that the application had previously been approved at a Planning Committee B held in April 2018. Suzanne White then explained that the site had subsequently changed ownership with a revised affordable housing offer increasing the affordable housing mix from 24% to 36% by

habitable room. Suzanne White stated that the scheme was now eligible for the Mayor of London's 'fast-track route' removing the requirement for a late-stage viability review.

Councillor Copley stated that the applicant had made a good offer that complied with policy and noted that there would be uncertainty with the late stage review given Brexit. Councillor Copley then moved a motion to approve the application. The motion was seconded by Councillor Paschoud.

FOR APPROVAL: Councillors Clarke, Copley, Anwar, Bourne, Johnston-Franklin, Paschoud, Muldoon & Rathbone.

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/17/101909 subject to conditions and the negotiation of the Section 106 Agreement.