

# MINUTES OF THE PLANNING COMMITTEE C

Thursday, 22 February 2018 at 7.30 pm

PRESENT: Councillors Suzannah Clarke (Chair), Peter Bernards, John Paschoud, Sue Hordijkenko and Luke Sorba

ALSO PRESENT: OFFICERS: Helen Milner (Presenting Officer) and Richard McEllistrum – Planning Service, Paula Young- Legal Services and Georgia McBirney – Committee Co-ordinator

Apologies for absence were received from Councillor Liam Curran and Councillor Brenda Dacres

## 1. Declarations of Interests

There were no declaration on interests.

## 2. Minutes

Members approved the minutes for Planning Committee (C) held on 23<sup>rd</sup> November 2017.

## 3. 165 UPPER BROCKLEY ROAD, LONDON, SE4 1TG

The Presenting Officer outlined the details of the proposal and that the application was originally presented at Planning Committee C on the 23 November 2017, members resolved that the decision be deferred pending the submission of further information. The further information supplied was in regards to the non-opening blank opaque recesses on the south elevation facing towards the garden of 161 Upper Brockley Road. Specifically information regarding the definition of opaqueness, whether an opening mechanism is in place or not and whether the previous proposal allowed for an opening window in the third bedroom and whether it would comply with building regulations.

A new condition relating to the glazed panels/windows was also proposed by the Presenting Officer to be attached to a permission if approved.

The Presenting Officer answered questions from Councillors Clarke and Hooks in regards whether the proposed condition can be amended to include levels 4-5 of opaqueness, the presenting officer explained that the proposed condition could be amended.

The Committee received verbal representation from David Alabi from AATP on behalf of the applicants and highlighted that he believes the application now addresses the concerns raised.

The Committee received verbal representations from James Titley a resident and Chris Johnson from the Brockley Society who handed out a print out to members containing his objection and fire safety documentation. James Titley outlined the history of the application site and states the south elevation should be as approved on the original application. Chris Johnson raised concerns over whether the proposed glazing would pass building regulations.

Members asked for clarification on whether the proposal would comply with building regulations. The Presenting Officer stated the passing of planning permission does not overcome the requirement for building regulations consent.

Members asked Mr Titley about the building not being built to plan and difficulties with Thames Water. Councillor Clarke explained that these questions do not relate to the current application and that there are other courses of action available to Mr Titley if the application has been built in accordance with the plans.

Councillor Sophie McGeevor spoke under standing orders, questioning that if the building had not already been built she doubts that it would be approved. Councillor McGeevor also explained the impact of the building on the Brockley Conservation Area and that the south elevation is contrary to what was originally approved. Councillor McGeevor asked for the condition to be strengthened.

Councillor Hooks moved a motion to accept the officer's recommendation with the additional condition being amended, it was seconded by Councillor Jacca.

Members voted as follows:

FOR: Councillors Hooks, Jacca, Clarke, Bernards, Paschoud, Hordijenko and Sorba.

RESOLVED: That the application DC/17/103945 be accepted with the additional condition to be amended to include level of glazing.

Planning Officer Richard McEllistrum left the committee.

#### **4. THE ARCHES, CHILDERS STREET, LONDON, SE8 5PL**

The Presenting Officer outlined the details of the proposal for the alteration and conversion of six vacant commercial units (Use Class B1) into 1 x one bedroom, 6 x two bedroom and 1 x three bedroom self-contained flats, together with the provision of 4 car parking spaces and 17 cycle spaces. It was highlighted that there is no policy site designation, although noted that previously as part of the UDP there was a designation as an employment site, but the site has since been de-designated.

The Presenting Officer detailed the consultation that had been undertaken and that this had resulted in four objections being received. The objections were outlined to members. The Planning Officer also detailed the comments received as outlined in section 4.5 of the report.

The Presenting Officer noted that they received correspondence from an individual on the 22nd February 2018 stating that they were seeking to buy the units. It was explained by the Presenting Officer that as this email was only received on the 22nd February no consideration of these comments had been given in the report, but that the submitted marketing report had been used in the assessment of the application. The Presenting Officer also highlighted that alternative commercial uses for the units cannot be considered as they do not form part of the application proposal.

The Planning Officer stated that as documentation has been submitted to address specific conditions proposed and as such pre-commencement conditions would be amended to compliance conditions if permission were to be granted.

The Presenting Officer answered questions from Councillors Sorba and Jacca in regards to the de-designation of the site and whether the site can be re-designated

and how long the process would take. The Planning Officer stated that it can take several years and that the application must be considered against current policy.

The Presenting Officer answered questions from Councillor Paschoud in regards to why the scheme was approved with B1 units in the first place, and whether the proposed accommodation would be of an acceptable standard and also raised concern about units fronting the street and the amenity space. It was stated by the planning officer the proposed units would exceed floor to ceiling height standards, some units are 10-20sqm larger than the requirements and that proposed additional openings would improve light and outlook. The Planning Officer explained that as the street is residential in nature so is not a hostile environment and the appropriate materials can soften the façade.

Councillor Hooks asked if the units can only be marketed as B1. The Presenting Officer stated that the units have only be marketed as B1 as that is what they have consent for and there is no requirement to market them for none B1 uses.

The Presenting Officer answered questions from Councillor Clarke in regards to whether residential units are proposed in block two and whether a plan of the proposed frontage is available. It was confirmed by the Planning Officer that residential units are not proposed in block two and an elevation of the frontage was displayed.

The Committee received verbal representations from Simon Fowler of Bilfinger GVA and from Paul Hensher, the owner of the units. Simon Fowler clarified that a daylight and sunlight assessment was submitted and describes the proportion of glazing on the front elevation and the marketing of the units. Paul Hensher explained that the intention was to use the units as offices but highlighted that the size of the units and distance from the station has contributed to the unsuccessful letting of the units. Paul Hensher expanded on the objection received from a potential buyer and stated that he contacted the potential buyer by email in March 2016 and has not had a response.

Councillor Hooks asked why the units had only been marketed as offices and why haven't other commercial uses been proposed. Paul Hensher stated he did not believe other commercial uses would be suitable in relation to the existing residential units in the floors above and that the units are too large for retail units. Paul Hensher and Simon Fowler clarified that the marketing was in line with policy. Councillor Hooks asked what engagement was done with Deptford Folk prior to the submission of the application, Simon Fowler stated that none was taken as the purpose of the planning process is for the Council to undertake consultation.

Councillor Paschoud asked Paul Hensher if he owned the whole building, Paul Hensher stated he has a 900 year lease for the ground floor units and car parking area. Councillor Sorba asked whether Paul Hensher was involved in the original planning application and why were the units purchased if he was aware of difficulties with marketing. Paul Hensher stated he owns other offices in the immediate area and had misinterpreted the demand in the area. Councillor Clarke (Chair) said questions should be specific to the application in hand.

Councillor Clarke asked about the proposed windows on front elevation, Simon Fowler passed around coloured copies of the proposed front elevation and window

details. Councillor Clarke asked for clarification on the flood risk concern and the Planning Officer stated the Environment Agency agrees with evidence submitted by the applicant.

The Committee received verbal representations from Trina Lynskey of DeptfordFolk, a handout was provided outlining the objections from DeptfordFolk. Trina Lynskey outlined that local residents do not support the change from B1 and that the map in the handout shows the new residential units that have been approved with a five minute walk of the application site and outlines the types of new businesses that are moving into the area. Concerns were raised in regards to who is responsible for maintaining the public realm and that there was no engagement with local people.

Councillor Jacca asked Trina Lynskey if she believed the units have been advertised and whether she would object to a planning application for a different use. Trina Lynskey stated she does not believe the units have been advertised correctly. Councillor Clarke stated that questions need to be relevant to what is under consideration.

Members asked the Presenting Officer a series of questions in relation to the affordable housing provision reduction of the original scheme for providing B1 units. The Presenting Officer and Legal Services stated that reduction would have been in relation to old policy and the previous site designation.

Members deliberated the recommendation. Councillor Sorba proposed a motion to reject the officer's recommendation, it was seconded by Councillor Jacca. Planning and legal Officers sought clarification on the reason for refusal, which was given as insufficient marketing. However this motion was not carried forwards.

Members voted as follows:  
FOR: Councillors Sorba and Jacca

AGAINST: Councillors Clarke, Hooks, Bernarnds, Paschoud and Hordijenko.  
Members deliberated the recommendation further. Councillor John Paschoud proposed a motion to accept the officer's recommendation, it was seconded by Councillor Hooks.

Members voted as follows:

FOR: Councillors Hooks, Paschoud, Clarke and Hordijenko

AGAINST: Councillors Sorba and Jacca

ABSTAINED: Councillor Bernards

RESOLVED: That planning permission be granted in respect of application DC/17/103827 with amended conditions.

It should be noted that during the motion Councillor Sorba asked if the application could be deferred before the motion was seconded. Legal Services had to check the constitution for clarification on process as to whether a new motion could be proposed before a motion could be seconded.

**5. 34 SOUTHBROOK ROAD, LONDON, SE12 8LL**

The Presenting Officer outlined the application for the construction of a two storey infill extension to the rear of 34 Southbrook Road. It was explained that the ground floor extension already has planning permission and that the proposal would not be visible from the street scene. It was explained that an objection was received from the Lee Manor Society.

No questions were put to the Presenting Officer by members.

The Committee received verbal representations from Lee Turner of LJT Architects Ltd on behalf of the applicants. Lee Turner outlined that the owners are conscious of preserving the existing building but wish to extend the property to serve growing family. It was also stated the proposal is modest and sensitive to the existing building.

No questions were put to Lee Turner by members.

Councillor Paschoud asked what triggered the application to committee and the Presenting Officer stated that the Statement of Community Involvement detailed that if an objection is received from a registered amenity society then the application is required to be determined by a Committee.

Councillor Paschoud moved a motion to accept the officer's recommendation, it was seconded by Councillor Sorba.

Members voted as follows:

FOR: Councillors Paschoud, Sorba, Clarke, Hooks, Bernards, Hordijenko and Jacca.

RESOLVED: That the application DC/17/104679 be approved.

The meeting ended at 9.40pm.  
22<sup>nd</sup> February 2018

Chair