

# MINUTES OF THE PLANNING COMMITTEE A

Thursday, 5 July 2018 at 7.30 pm

PRESENT: Councillors Abdeslam Amrani (Chair), Octavia Holland (Vice-Chair), Mark Ingleby, Luke Sorba and James-J Walsh

ALSO PRESENT: Officers: Helen Milner – Planning Service, Paula Young - Legal Services, Alfie Williams - Planning Committee Co-ordinator.

Apologies for absence were received from Councillor Juliet Campbell, Councillor Liam Curran and Councillor Paul Maslin

## 1. Declarations of Interests

There were no declarations of interests.

## 2. Minutes

The Minutes of the Planning Committee (A) meeting held on 12 April 2018 were agreed by members.

## 3. THE ARCHES, CHILDERS STREET, LONDON, SE8 5PL

## 4. ROTHESAY COURT, LE MAY AVENUE, LONDON, SE12 0BA

The meeting began at 19:30. Planning Manager Helen Milner outlined the details of the application to members. Helen Milner then gave an overview of the consultation undertaken which included letters to more than 200 local residents and a public notice. It was noted that one objection concerned fire safety and it was explained to members that fire safety is covered by building regulations.

Helen Milner then gave an overview of the comments submitted by the Council's Highways Department who requested that a Transport Statement be submitted to be secured by condition. Councillor Amrani asked whether the development would be wheelchair accessible. Helen Milner confirmed that there were lifts and that wheelchair access standards are also covered by building regulations.

The committee then received a verbal presentation from Shona Fleming, CEO of ScotsCare. Shona Fleming explained that ScotsCare is a charity for Scottish people living London providing sheltered accommodation, counselling, support and social events. ScotsCare have three sites in London with 37 flats at the site in Grove Park. Shona Fleming then explained that ScotsCare have a waiting list of 55 people and that this application would facilitate the provision of an additional 12 flats, helping to make a small dent in the housing crisis by helping those who are homeless or in temporary accommodation. It was then stated that the proposed mansard roof extension provides the best design solution as it results in no overall increase in height. Shona Fleming then explained that

ScotsCare had worked with the Council for 10 months during pre-application and had consulted residents prior to the submission of the application.

Councillor Sorba asked which definition of affordable housing is being used. Shona Fleming replied that it was below 80% of market rent. Council Holland enquired whether additional services would be provided to residents. Shona Fleming explained that there would be an additional communal living room and an additional laundry room.

Councillor Ingleby asked whether a condition could be added securing details of the bin stores. Helen Milner confirmed that a condition could be added. Councillor Walsh asked whether the development included solar panels. Helen Milner stated that solar panels are shown on the proposed roof plan. Following further deliberation from members Councillor Ingleby moved a motion to approve the application with the addition of condition for the bin stores. The motion was seconded by Councillor Walsh.

Members voted as follows:

FOR APPROVAL: Councillors Amrani, Holland, Ingleby, Sorba and Walsh.

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/17/103284 subject to the additional bin store condition and the negotiation and signing of the Section 106 Agreement.

## **5. ST CLEMENTS HEIGHTS, 165 WELLS PARK ROAD, LONDON, SE26 6RP**

Planning Manager Helen Milner introduced the details of the application to members and noted that the application relates to a development granted outline planning permission in 2013, which is currently under construction. Helen Milner explained that four objections were received to the proposal with the main issues relating to overlooking, noise disturbance and ecological impact. It was then noted that the balconies on the floors above were approved under the original permission and did not form part of the proposed development.

Councillor Walsh asked whether the townhouses were one unit and if drainage had been considered. Helen Milner confirmed that the townhouses are single units and that drainage is covered by building regulations. Councillor Ingleby asked whether the proposed balconies are confined to the upper ground floor. Helen Milner confirmed that they are. Councillor Sorba asked whether there was a history of noise complaints relating to the upper floor balconies. Helen Milner noted that the building is under construction and therefore isn't occupied.

The committee then heard representation from Oliver Milne from Savills, representing the applicants. Mr Milne noted that the principle of external amenity space has already been consented and stated that the proposed balconies represent a more efficient use of space. Oliver Milne then explained that the balconies would not feature any external lighting. Mr Milne finished by referencing the conclusions of the noise impact report.

Members then received representation from Annette Eliot-Dunn objecting to the application. Annette Eliot-Dunn explained that local residents were promised that the development would not result in light pollution however, this promise has not

been kept. It was then stated that trees screening the development had been removed and that conversations from the building site can be clearly heard at nearby houses. Annette Eliot-Dunn then explained that the loss of trees had resulted in greater noise and light pollution from the site and noted that the block is clearly visible from Vigilant Close. Annette Eliot-Dunne concluded by raising concerns regarding the impact of additional lighting and heaters on the balconies.

Councillor Walsh stated that the committee are not considering the impact of the construction stage of the development and asked for clarification over the main objections to the balconies. Annette Eliot-Dunn responded that the main concerns were noise disturbances and light pollution. Councillor Walsh asked what specifically is concerning about the balconies. Annette Eliot-Dunn responded that the topography of the land amplifies noise and that lights are often left on overnight.

Helen Milner stated that the consented building provides outdoor amenity space and therefore the material planning considerations relate to potential increase in noise and light caused by the additional balconies. Councillor Ingleby asked what the benefits the additional balconies provide. Helen Milner responded by explaining that the benefit is additional amenity space, but the main planning consideration here is whether the balconies result in additional harm. Councillor Sorba asked whether there had been a breach of condition at the construction site. Helen Milner replied that the construction stage is a separate matter and is not related to the proposal.

Councillor Walsh noted that members can only consider the current proposal and moved to approve the application. The motion was seconded by Councillor Holland.

Members voted as follows:

FOR APPROVAL: Councillors Amrani, Holland, Ingleby and Walsh

AGAINST: Councillor Sorba

**Resolved:** That planning permission be approved in respect of application DC/18/105677

## 6. 10 MANOR LANE, LONDON, SE13 5QP

Planning Manager Helen Milner introduced the details of the application to members and noted that two objections were received to the application including an objection from the Lee Manor Society. The objections concerned the contemporary roof design of the extension which includes a celestial window and the impact on neighbouring amenity. Helen Milner noted that the extension is entirely confined to the rear and is therefore not visible from the public realm.

Councillor Walsh asked whether the celestial window is entirely glazed and would there be any light spill. Helen Milner commented that there is potential for light spill but noted that this is a densely populated urban area with an existing degree of light spill. Councillor Walsh asked where the internal lights are positioned. Helen Milner replied that this question should be reserved for the architect and commented that it is not possible to control internal lighting. Councillor Walsh responded that the type of glazing can be conditioned.

The committee heard a verbal presentation from Olga McMurdo, the architect for the project, and Lucy Smith-Unwin the owner of the property. Olga McMurdo described the design brief which was to retain the period features within a contemporary design and to enhance the integration between the internal and external space. Olga McMurdo then commented on the rear extensions in the vicinity of the property and noted the variety of roof designs and different scales and dimensions. It was then explained to members that the roof design references the outrigger roof pitch and is designed to allow as much natural light into the extension reducing the need for artificial light.

Lucy Smith-Unwin stated that they bought the property because they fell in love with the period features and hoped to restore those features. Mrs Smith-Unwin then explained that she had pre-application discussions with the Council and amended the design to reduce the potential impact on neighbours. It was also noted that the drawings were sent to the Lee Manor Society prior to the submission of the application.

Councillor Ingleby asked whether there was internal planting and if the glazing will prevent reflection. Olga McMurdo explained that the illustrations on the drawing were house plants and stated that the glazing would be high clarity reducing reflection. Councillor Holland asked for the design rationale for the roof design. Olga McMurdo responded that the roof design reflects the pitched roofs of the host property and stated that flat roofs are a modern feature.

Councillor Holland enquired whether the rear of the property was visible from the public realm. Helen Milner responded that the property is classic terrace plot form arranged rear to rear and therefore is not visible from the public realm. Councillor Holland asked how long the gardens are. Olga McMurdo responded that the garden is 24m in depth. Helen Milner noted that a number of the neighbouring properties have extensions obscuring views of the extension from neighbouring gardens. Councillor Walsh stated that the pitch of the roof is steeper than the existing outrigger. Olga McMurdo explained that the pitch is the same angle but that the 2D drawing may be visually misleading.

Members then heard a verbal presentation from Charles Batchelor, representing the Lee Manor Society, objecting to the proposed development. Charles Batchelor began by explaining that a loss of detail and unsympathetic additions over time detract from and destroy the conservation area. Mr Batchelor clarified to members that the Lee Manor Society had seen drawings prior to the submission of the application but they did not include the rear extension. Mr Batchelor stated that the design of the roof is clearly contrary to DM Policies 31 and 36 as it would not respect the Victorian form of the property and would stand out amongst the neighbouring extensions. Mr Batchelor concluded by drawing attention to the new Alterations and Extensions SPD and stated that the document emphasises a renewed focus on protecting the rear elevations of properties in conservation areas.

Helen Milner noted that the document is in draft form and has not undergone any formal consultation and stated that the document provides guidance for larger rear extensions. Members were advised that the document should be afforded very limited weight at this stage. Helen Milner also advised members that the section highlighted in DM Policy 31 relates to roof extensions and is therefore not applicable in this case.

Councillor Sorba stated that the Lee Manor Society had the right to protect the conservation area and asked what how much regard should be given to the rear of properties. Paula Young stated that members should have regard to preserving or enhancing the conservation area. Helen Milner stated that it is not a policy requirement for extensions to replicate the design of the host property and noted that the Council have consistently supported contemporary design approaches to the rear of properties. Councillor Sorba asked for clarification whether policy requires the preservation of the original features or whether the character shifts through time. Helen Milner stated that it is only possible to preserve from the date of designation.

Councillor Walsh stated that the roof pitch was visually jarring and is not subordinate to the property. Helen Milner responded that subordinate relates to scale and that this a ground floor extension that does not compete with any first floor features. Helen Milner also noted that only one element projects above the level of the neighbouring extension and regard should be given to whether the extension will be harmful. Councillor Walsh responded by highlighting that the roof design is not contemporary given that it references the outrigger roof. Helen Milner replied that the extension uses a combination of contemporary and traditional materials.

Councillor Holland asked for clarification on the difference between the protection afforded to the front and rear elevations. Helen Milner responded that alterations to the front of properties have a greater impact on the appearance and perception of the conservation area and noted that a number of alterations to the buildings existed prior to the designation of the Lee Manor Conservation Area.

Councillor Walsh asked whether the committee could approve the alterations to the front and refuse the rear extension. Paula Young confirmed that it is possible to issue a split decision. Councillor Sorba stated that the front elevation should be approved and suggested that the applicant could compromise on the design of the rear extension. Helen Milner stated that it would depend on what the concerns are and that conditions could only be used for details such as materials. Councillor Amrani stated that the concerns could not be addressed by conditions and asked members to decide whether the rear extension caused harm to the conservation area.

Councillor Holland stated that her concerns related to the roof design but would not be comfortable recommending refusal. Helen Milner noted that DM Policy 36 does not state that the rears properties should not be protected. Councillor Walsh noted that the new Extensions and Alterations SPD gives a greater level of guidance on these sort of applications and expressed concern with the stepping of heights of rear extensions on the road. Helen Milner explained that the Extensions and Alterations SPD carries very limited/no weight and would only gain weight through formal consultation. Councillor Amrani noted that it is a live document and therefore likely to change.

There followed further deliberation from members. Councillor Ingleby then moved a motion to approve the application. The motion was seconded by Councillor Holland.

FOR APPROVAL: Councillors Amrani, Holland, Ingleby,

AGAINST: Councillors Sorba and Walsh

**Resolved:** That planning permission be approved in respect of application DC/18/106282

Standing orders were suspended at 21:45.

**7. 39 AISLIBIE ROAD, LONDON, SE12 8QH**

Helen Milner introduced the details of the application to members and explained that most houses on the road benefit from permitted development rights for roof extensions. Helen Milner explained that no objections had been received to the application and that the application could not be decided under delegated authority as it was an application submitted by a Councillor.

Following brief deliberation from members Councillor Walsh moved a recommendation to approve the application. The motion was seconded by Councillor Holland.

FOR APPROVAL: Councillors Amrani, Holland, Sorba, Ingleby and Walsh

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/18/106481

**Meeting ended at 22:18**

**8. MALIBU COURT, KIRKDALE, LONDON, SE26 4BG**

Councillor Holland was absent for the introduction and was therefore unable to decide the application.

Helen Milner introduced the details of the application to members and noted that the application site is not within a conservation area but is located adjacent to the Halifax Street Conservation Area. Helen Milner then explained that an application for a three storey, four bedroom house on the site was refused permission in 2017 and that extensive discussions with the applicant had subsequently taken place.

Councillor Ingleby noted that landscaping is reference in the report but no landscaping conditions had been recommended. Helen Milner replied that a condition will be added. James Walsh stated that the fenestration does not align with the neighbouring property. Helen Milner explained that the land levels on the road vary significantly. James Walsh asked whether there was a design reason. Helen Milner replied that the proposed house seeks to reference the design of the terrace but is not a pastiche.

Then committee then received a presentation from Derek Draper on behalf of the applicant. Derek Draper stated that they had worked with Officers for 15 months to arrive at an acceptable design. Mr Draper explained that the development

would retain a level of openness with views and access to the carpark maintained and that the proposed bin store will tidy up the appearance of the street. Mr Draper then explained to members that the contextual design referenced the surrounding features and noted that the standard of accommodation meets the requirements of the London Plan. Mr Draper concluded by stating that the development was a high quality proposal influenced by and respecting the surrounds.

Councillor Walsh asked Mr Draper why the roof line was lower than the neighbouring property. Derek Draper responded that the proposal followed the roof line of the road. Councillor Ingleby asked a question regarding the quality of the proposed materials. Helen Milner responded that details of the materials are secured by condition.

Following further deliberation from members, Councillor Walsh moved a motion to approve the application with the addition of the landscaping condition. The motion was seconded by Councillor Sorba.

FOR APPROVAL: Councillors Amrani, Sorba, Ingleby and Walsh

AGAINST: None

**Resolved:** That planning permission be approved in respect of application DC/17/104742