

# MINUTES OF THE SUSTAINABLE DEVELOPMENT SELECT COMMITTEE

Monday, 4 March 2019 at 7.00 pm

PRESENT: Councillors Liam Curran (Chair), Patrick Codd (Vice-Chair), Suzannah Clarke, Mark Ingleby, Louise Krupski and James-J Walsh

APOLOGIES: Councillors Obajimi Adefiranye and Alan Smith

ALSO PRESENT: Councillor Caroline Kalu, Councillor Silvana Kelleher, Councillor Brenda Dacres (Cabinet Member for Parks, Neighbourhoods and Transport (job share)), Timothy Andrew (Scrutiny Manager), Christopher Dale (Development Manager), Rachel Dunn (Housing Policy and Partnerships Manager), Madeleine Jeffery (Private Sector Housing Agency Manager), Thiru Moolan (Head of Building Control) and David Syme (Strategic Planning Manager)

## 1. Minutes of the meeting held on 30 January 2019

1.1 **Resolved:** that the minutes of the meeting held on 30 January 2019 be agreed as an accurate record.

## 2. Declarations of interest

- Councillor Curran declared non-prejudicial interests in relation to item seven as: a member of the Campaign for Real Ale (CAMRA) and a member of the Baring Hall Trust.
- Councillor Ingleby declared a non-prejudicial interest in the whole agenda as a board member of Lewisham Homes and a non-prejudicial interest in relation to item seven as a member of the musicians' union (which campaigns for the performance of live music in pubs)
- Councillor Walsh declared non-prejudicial interests in relation to items four and five as the co-founder of 'the Bakerloo line extension.com' and as Council appointed governor to Trinity Laban.

## 3. Responses from Mayor and Cabinet

3.1 There were none.

## 4. Planning: annual monitoring report

4.1 David Syme (Strategic Planning Manager) introduced the report, the following key points were noted:

- The report provided an overview of the performance of the planning service in 2017-18.
- It was no longer a statutory requirement to produce the report but the planning service and the Council believed it was important to have a transparent and honest reflection of performance.

- Housing completions were down on previous years. There had been a net completion of 674 homes in the monitoring period compared to a target of 1385 homes.
- There had also been a significant downturn in completions across London (down by 20%).
- The number of completions was not always consistent. It fluctuated over the years.
- There had also been a downturn in the number of affordable homes that had been completed. In the monitoring period 39 affordable homes had been completed (approximately eight percent of the total number of homes) which was well below the borough's strategic target of 50%.
- The Council's strategic planning committee was going to consider how affordable housing delivery could be increased.
- Planning approvals for new homes had also fallen. There were 389 in the monitoring period compared to 1200 in 2016-17.
- In year monitoring (from April 2018 onwards) indicated that the number of approvals this year had risen significantly – already reaching 1259 (with 29% affordable homes, mostly at social and London affordable rent levels)
- The Council had not failed the housing delivery test – but in coming years it might be difficult to meet the target due to the dip in approvals.
- The number of planning applications overall had fallen during the monitoring period however, the planning service had exceeded its key performance indicators for the time taken to decide applications.
- In terms of non-residential property there had been a net loss of 15796 square meters – primarily of employment floor space.
- The majority of the loss had been 'plan led' loss.

4.2 David Syme (Strategic Planning Manager), Christopher Dale (Service Group Manager, Development Management) and Thiru Moolan (Head of Building Control) responded to questions from the Committee, the following key points were noted:

- The Greater London Authority carried out an assessment of land available in London for development. Lewisham contributed to this assessment. Consideration was given to the requirement for infrastructure to support new development.
- Lewisham carried out its own work to determine which sites would be suitable for development and what the density of development on those sites should be.
- There was a constant review of population statistics. Government population figures had recently been forecast downwards, this was thought to be primarily as a result of the UK leaving the European Union.
- Neighbourhood planning and the healthy neighbourhoods schemes (funded through the local implementation plan) should complement each other.
- The decision to reduce employment space in the borough had been taken by the Council a number of years ago and introduced into Lewisham's planning processes. That decision was now resulting in the reduction in employment floor space.

- Applications had been submitted for the next steps of the Convoys Wharf development. Discussions were ongoing with developers.
- The Council kept a register of residents interested in self-building in the borough. The planning service was required to give consideration to the demand for self-building land in the borough.
- Lawful development certificates were awarded in retrospect to developments that had not previously applied for planning permission. They could also be issued in advance to confirm that a development was within permitted development rights. The monitoring report did not provide a breakdown between the two kinds of certificate.
- Enforcement action was a “last resort” option for rectifying unauthorised planning activity. Lots of informal work took place before enforcement action was carried out. Additional information could be provided about the numbers of planning contraventions that were subject to enforcement action.
- The planning service worked with other teams at the Council (including housing) to coordinate enforcement action against rogue landlords, illegal development and planning contraventions.
- It was difficult to get accurate representation of building control figures because applicants could apply to private providers to grant building control. Building control figures were not reported in the annual monitoring report.
- There were very few cases in which immediate ‘article four’ directions (to remove permitted development rights) were used because of the potential for compensation.
- The number of homes in multiple occupation which could be affected by an immediate article four direction meant that the costs for compensation might be very high.
- Two estates in Lewisham were subject to article four directions that were not immediate. Owners had 12 months to adapt to the removal of development rights.
- Building control and planning powers were limited when it came to the subdivision of houses into homes in multiple occupation.
- If a property was divided into flats, building control regulations applied. In the case of a renovation of a home in multiple occupation this was not the case.
- Planning enforcement and building control shared the same IT systems.
- The Council had no powers to oversee the work of private building control providers. Approved providers were monitored by the regulator (the Construction Industry Council), which could remove provider licenses.
- It was difficult to forecast the number of future affordable housing completions.

#### 4.3 In Committee discussions the following key points were also noted:

- Members were concerned about the sustainability of increasing levels of development in London.
- There was concern about the status of Lewisham as a residential borough, without sufficient space for employment and business space.
- Lots of cases of planning infringements were referred by councillors to the planning service.

- Members requested advice from officers regarding additional powers that would be required to properly oversee the development of homes in multiple occupation.

4.4 **Resolved:** that the Committee would refer its views to Mayor and Cabinet as follows:

- The Committee would welcome a short, visual, two page summary of the annual monitoring report in future editions. It asks that this include key performance indicators for the service that can be widely understood.
- The Committee believes that allocation for self-build sites should be included in the five year housing land supply.
- The Committee requests that additional information be provided about the number of lawful development certificates issued by the Council, including a disaggregation by type.
- The Committee also requests that further analysis and benchmarking (with other authorities) of enforcement notices and cases be carried out.
- The Committee recommends that a review should be undertaken of the resources currently allocated to planning enforcement and building control.
- The Committee also recommends that the relevant cabinet member should meet with building control, the planning service and planning enforcement to identify what changes to national definitions and regulations would be needed to improve the statutory powers of these teams in order to ensure better standards and compliance in future.
- The Committee is concerned about the loss of employment space in Lewisham and it urges the Council to consider the potential impact of the borough becoming a purely residential location.
- The Committee plans to scrutinise the implementation of the 'building the local economy' priority in the corporate strategy. It intends to invite the cabinet member to a future meeting to provide an update on progress.

## **5. Local Plan update: New Cross area framework and station opportunity study**

5.1 David Syme introduced the report, the following key points were noted:

- The report was jointly commissioned by the Greater London Authority and Transport for London (TfL). Discussions about its development were also held with other key stakeholders, including Network Rail.
- The study initially focused on an area approximately a kilometre around New Cross Gate station.
- It highlighted proposed developments and future opportunities to identify how best they could link in with the proposed extension of the Bakerloo line.
- There was a particular focus on the station opportunity area around New Cross Gate to identify development opportunities and potential linkages with local stakeholders (including Goldsmiths).
- The study would inform the site allocations process in the Local Plan. It would also inform funding bids and strengthen the case for the Bakerloo line extension at TfL.
- A full consultation with stakeholders and the public had been carried out, which had informed the way the document was shaped.

- The document would be a ‘material consideration’ when the Council was considering planning applications – though it would not have statutory status.

5.2 David Syme responded to questions from the Committee, the following key points were noted:

- Lewisham had been identified in the London Plan as a Council that needed to protect its industrial land.
- New Cross Gate was already well connected, even without the Bakerloo line. The area would be likely to change (and require strategic thinking) regardless of the future of the Bakerloo extension.
- The projections for new jobs (13500) and homes (12000) in the area represented a net gain (rather than retention and safeguarding).
- It was intended that the Local Plan would have “place specific policies”. This would include provision to support small and medium size enterprises in key areas as well as supporting creative industries.

5.3 **Resolved:** that the Committee would share its views with Mayor and Cabinet as follows –

- The Committee commends the work that took place to develop this piece of work.
- The communications team should be tasked with publicising the study and making it accessible to residents.

## 6. Fire safety in tall buildings

6.1 Rachel Dunn (Housing Partnerships and Policy Manager) and Thiru Moolan (Head of Building Control) introduced the report, the following key points were noted:

- The report provided an update on work to ensure fire safety in Lewisham Homes and registered provided owner housing stock.
- There had been a number of intermediate amendments to the fire safety guidance for tall buildings in advance of a full government response to the Grenfell Tower tragedy.
- Following lobbying by the fire brigade (and other stakeholders) the definition of a tall building -for the purposes of the fire safety guidance- had been reduced from 30m (about ten floors) to 18m (around six floors).
- New building control regulations had limited the use of combustible cladding in new buildings over 18m. The new regulations applied broadly to residential buildings (there were some exceptions).
- Further changes to regulations would be made in the future.
- One of the likely changes would be that all work carried out on any building would have to be recorded in a single place and made available to a responsible person/duty holder.
- Retrofitting of old buildings and works carried out by numerous different contractors posed potential fire risks by compromising previous fire safety work.

6.2 Thiru Moolan and Rachel Dunn responded to questions from the Committee, the following key points were noted:

- Information about Lewisham's tall buildings was available on the Council's website.
- There was currently a requirement for sprinklers in all new buildings over 30m.
- The fire brigade recommended that sprinklers should be installed in all new buildings.
- The fire brigade was supportive of sprinklers because it vastly improved the safety of firefighting.
- One of the most effective life saving devices in residential property was a properly functioning smoke alarm. All new buildings had to include mains operated smoke alarms.
- The installation of fire doors in buildings was dependent on the layout of a building and the ability for residents to avoid the path of a fire. For example, where there were two or more routes of escape then a building was unlikely to require a fire door.

6.3 In the Committee's discussions, the following key point was also noted:

- There was a discussion about the importance of sprinklers in new buildings. Some members of the Committee believed that the Committee should follow the fire brigade's recommendation that sprinklers should be installed in all new buildings. Other members felt it would be more realistic (and achievable) to set a height standard for the inclusion of sprinklers.

6.4 **Resolved:** that the Committee would refer its views to Mayor and Cabinet as follows –

- The Committee recommends that, following consideration of the relevant evidence and with particular regard to the position taken by the London Fire Brigade, the Council should lobby the Government in favour of the installation of sprinklers in new buildings (below the currently required height).

## 7. Select Committee work programme

7.1 The Committee discussed the pubs update review report. Councillor Curran noted the evidence that had been gathered by the Committee and urged it to support an ambitious new policy for the protection of pubs in Lewisham. Councillor Codd highlighted the importance of adopting a robust version of the 'agent of change' principle, which had been proposed in the London Plan. Both Councillors noted the importance of achieving a balance between high standards in conversions of residential accommodation and freeing pubs from bureaucracy.

7.2 **Resolved:** that the recommendations of the pubs update review would be agreed and referred to Mayor and Cabinet, the Overview and Scrutiny Committee and the full Council (alongside the consideration of the Local Plan).

## 8. Items to be referred to Mayor and Cabinet

8.1 **Resolved:** that the Committee's views under items four, five, six and seven be referred to Mayor and Cabinet.

The meeting ended at 9.05 pm

Chair:

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Date:

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