

# **MINUTES OF THE PLANNING COMMITTEE A**

**Thursday, 27 February 2020 at 7.30 pm**

PRESENT: Councillors James-J Walsh (Chair), Obajimi Adefiranye, Sophie Davis, Liam Curran, Caroline Kalu and Luke Sorba

ALSO PRESENT:

Apologies for absence were received from Councillor Tom Copley and Councillor Jacq Paschoud

## **1. Declarations of Interests**

Councillor Curran declared a personal interest as a:

- Director of the Baring Trust, a heritage conservation organisation that operates in Grove Park.
- Founder Member of the Grove Park Neighbourhood Forum, which included the area where the application site considered in item 3, is located.

The Chair advised that the single objection to item 4, received from the Deptford Society had been withdrawn.

## **2. Minutes**

RESOLVED that the minutes of the meeting of the Planning Committee A held on 9 January 2020 be deferred, for review and the inclusion of the legal frame work and, planning policies that supported the reasons for refusal of planning permission for item 4.

## **3. Willow Tree Riding Establishment, Ronver Road, SE12 0NL**

The Planning Officer, gave an illustrative presentation recommending the refusal of planning permission for the demolition of the existing stables and the construction of new equestrian facilities to include stalls, a barn shelter, tack building, reception/office, and a perimeter track for riding, at Willow Tree Riding Establishment, Ronver Road, SE12, together with the use of the existing access onto Ronver Road and associated works.

The committee noted the report and that the main issues were:

- Principle of Development
- Urban Design
- Impact on Adjoining Properties

- Transport
- Natural Environment
- Sustainable Development

Questions were raised relating to site access, insufficient information provision, pedestrian safety and, the ecological status of the application site.

The PO advised the Committee that currently, there was no public access to the proposal site. It was confirmed that despite no public access, private access was allowed for surveys to be conducted.

It was confirmed that policy 7.16 'Green Belt' would be removed from the first reason provided for the recommendation for refusal, as it was not material to the application.

The HO stated that further pre-application engagement was required for the submission of a formal application and, that the applicant did not go forward with this requirement.

The HO advised that the lack of segregation for pedestrians would create conflict between vehicles and pedestrians, which would be unacceptable in terms of pedestrian safety. It was also advised the situation would be further exacerbated, as the proposed hard landscaped area would be used by larger vehicles i.e. horse boxes and delivery vehicles etc. It was advised that without a segregated pedestrian access, the proposed building configuration adjoining the car park would constrain manoeuvring vehicles and, produce a harmful pedestrian environment. The DMTL also advised that from the initial and additional information that was provided it was unclear which trees were to be retained, removed or felled.

The Ecologist advised if the members decided to grant planning permission, conditions would be required, for further surveys to be undertaken. This was because the current surveys were on the cusp of validity, due to the passage of time since the initial surveys were conducted. It was also confirmed that conditions would have been required to avoid and, mitigate ecological impacts of the proposed development.

Following member questions to officers, the Chair invited a representative of the applicant to address committee, however no representative of the applicant was in attendance or registered to speak. The Chair invited residents to speak to the proposal. A resident, addressed the Committee, advising that he was representing the immediate neighbours to the application site. Residents were opposed to the proposal because of concerns relating to the sites trees, biodiversity, buildings and track. The resident concluded his address by advising residents supported the reports recommendation for refusal of planning permission.

The Chair advised the resident that he would send a note to Lewisham council, with regard to the non-material planning reasons the resident raised.

The Legal Representative provided the Committee with clarification of the use and, application of conditions and informatives to application determinations. It was confirmed that recent ecological surveys had been provided and, reviewed by the council's Ecologist. It was noted that subject to conditions, the surveys were deemed by the Ecologist to be acceptable. As the surveys were approved by the Council's own expert, citing them as an additional reason for refusal could be considered as unreasonable and, weaken the Committees determination if taken to Appeal. It was advised there were currently four strong sustainable reasons for the refusal of planning permission.

The Chair reiterated the advice provided by the Legal Representative and, advised the Committee to be minded to only consider the material planning considerations. The Chair also cautioned the Committees regarding their desire for new surveys, as an additional reason for refusal of planning permission. The Chair concluded he would ask Officers to include an informative in regard to the surveys provided. Councillor Suzannah Clarke addressed the Committee representing her Ward, Grove Park speaking in favour of the Officers report recommendation. The Councillor expressed concerns raised with regard to the track to be included in the proposal. The Councillor also discussed the importance of preserving the biodiversity of the site and, requested an informative be considered for the investigation of the priority habitats of wet woodland and reed beds on the application site. The Councillor also put forward the consideration of protection for the site as a Site of Metropolitan Importance (SMI).

During the Committee discussion that followed, it was highlighted that the Planning Inspectorate had dismissed a previous development proposal at appeal, due to the harm that the scheme could potentially cause to biodiversity in the local area. A member cited the Inspectorate's decision, emphasizing the refusal was based on ecological grounds. It was felt this should also apply to the current application as a reason for refusal of planning. The member also disagreed with the Officers view that enough information had been supplied in relation to the ecological status of the current proposal. The DMTL advised members that the current scheme was a materially different submission and the Inspector's view in the previous appeal was that insufficient ecological information had been provided. However, information that had now been provided with the current application and assessed, was deemed sufficient for planning purposes by the Council's Ecologist.

The Committee considered submissions made at the meeting and the view was expressed that, in addition to the four reasons provided for the refusal of planning permission, the following informatives would be included to address: the time-limited nature of the ecological survey submitted with application, the applicant's further investigation of the presence of priority habitats (including wet woodland and reed beds), and, the current ecological status of the site. The informatives would be added to the decision notice, with the final wording delegated to officers.

### **RESOLVED - Unanimously**

That it be noted that the Committee agreed to REFUSE planning permission for the demolition of the existing stables and the construction of new equestrian facilities to include stalls, a barn shelter, tack building, reception/office, and a perimeter track for riding, at Willow Tree Riding Establishment, Ronver Road, SE12, together with the use of the existing access onto Ronver Road and associated works for the following reasons:

- 1) The proposed development would give rise to materially larger buildings on Metropolitan Open Land (MOL) in a configuration that will result in an urbanising visual impact and harm the openness of the MOL, contrary to Policies and 7.17 'Metropolitan Open Land' of the London Plan (2016), Policy G3 'Metropolitan Open Land' of the Draft London Plan (2019), Core Strategy Policy 12 'Open space and Environmental assets' of the Core Strategy (2011) and paragraph 145 of the National Planning Policy Framework (NPPF) 2019.

2) The proposed tree removal and un-restricted grazing on the site would have a detrimental impact on the character and appearance of the site and would lead to a demise of trees which in turn detract from the TPO and MOL designations, contrary to Paragraph 170 of the National Planning Policy Framework (NPPF), Core Strategy Policy 12 'Open Space and Environmental Assets' of the Core Strategy (2011) and DM Policy 25 'Landscaping and trees' of the Development Management Local Plan (2014).

3) The proposed site layout is considered to be unacceptable in terms of pedestrian and highway safety; and insufficient information has been submitted to determine the impact of the proposal on the safety of the users of the highway network, contrary to Paragraph 109 of the National Planning Policy Framework (2019), Core Strategy Policy 14 Sustainable movement and transport (June 2011) and DM Policy 29 Car Parking of the Development Management Local Plan (November 2014).

4) The proposed Tack Building and Store, by reason of scale and siting and lack of clarity about the trees along the boundary, is considered to be an overly dominant addition and unneighbourly form of development when viewed from No. 77 Ronver Road, resulting in harm to the residential amenities of No. 77 Ronver Road by way of a loss of outlook and increased sense of enclosure, contrary to Paragraph 127 of the National Planning Policy Framework (2019); Policy 7.6 'Architecture' of the London Plan (2016), Policy 15 High Quality Design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban Design and Local Character of the Development Management Local Plan (2014).

#### **4. 79 Deptford High Street, London, SE8 4AA**

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the installation of a replacement shopfront and the display of non-illuminated fascia sign and non-illuminated projecting sign at 79 Deptford High Street SE8.

The committee noted the report and that the main issues were:

- Principle of Development
- Urban Design and heritage impact
- Impact on Adjoining Properties
- Transport impacts

The informal representative, on behalf of the applicant, addressed the Committee with objections to the proposal.

The Chair called on the Officer to provide the representative with clarification of what was required of the applicant. The Officer advised that the applicant's previous retrospective planning application for the installation of a replacement shop front at 79 Deptford High Street, SE8 had been refused on the grounds outlined in the Officers report. The Officer confirmed that the applicant had been consulted in writing and, advised that the shopfront must be re-designed to include traditional features in respect of the proportions and design. The applicant had also been advised to reduce the size of the fascia sign.

The Chair advised the representative that what was currently in place was not considered by the Council to be compliant and, the current proposal was acceptable. If planning permission were granted, the applicant would be expected to make the alterations as the Council had instructed.

The DMTL provided further clarification by advising the Committee that the Council has powers of enforcement, and there was an active planning enforcement investigation with regard to the shopfront. It was confirmed that if the applicant did not implement the permission, they would be considered to be in breach of the Council's planning controls.

During a brief discussion that followed, a question was raised relating to disabled access to the application site. The Officer confirmed this would be addressed by building regulations.

The Committee considered the submissions made at the meeting, and

### **RESOLVED – Unanimously**

That planning permission and advertising consent be **GRANTED** for the installation of a replacement shopfront and the display of non-illuminated fascia sign and non- illuminated projecting sign at 79 Deptford High Street SE8.

Subject to respective Conditions and Informatives outlined in the report.

The meeting closed at 8.45 pm.