

MINUTES OF THE PLANNING COMMITTEE C

Thursday, 10 December 2020 at 7.30 pm

PRESENT: Councillors Olurotimi Ogunbadewa (Chair), Stephen Penfold (Vice-Chair), Peter Bernards, Suzannah Clarke, Silvana Kelleher, Louise Krupski, Paul Maslin, Jacq Paschoud and James Rathbone

ALSO PRESENT:

Apologies for absence were received from Councillor Mark Ingleby

1. Declarations of Interests

Councillor Krupski advised the Committee that Rushey Green was her Ward.

2. Minutes

RESOLVED that the minutes of the Planning Committee C meeting held on 8 October 2020, be agreed and signed as a correct record.

3. 25 SCROOBY STREET, SE6 4JB

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of the existing buildings and the construction of a part one/part two storey block, comprising:

- 1, one bedroom and 3, two bedroom dwelling houses on the site of 25 Scrooby Street SE6, together with ancillary works including cycle and refuse/recycling stores, boundary fences, entrance gates and landscaping.

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

- Principle of Development, including loss of commercial
- Housing
- Urban Design
- Impact on Adjoining Properties
- Transport

Members raised enquiries relating to the unit size, prior application approvals, waste management and sought legal advice regarding the application being refused.

The Officer clarified to Members the circumstances surrounding the prior application approvals, as outlined in the officer report. It was advised that the prior

approvals were granted prior to the government's legislative amendments to certain planning Prior Approval application requirements, which included unit sizes. The Committee was informed by the Team Leader that after April 2021, it was unlikely such applications would be approved, as undersized units were actively being phased out.

The Committee were advised by the Officer that one unit of the scheme would have a large 16 squared metre private garden. Officers also advised that the positioning of the bins on the residential boundaries, did not necessarily constitute harm. However the Officer agreed an informative could be added to advise the Developer that the waste condition details should propose an enclosure, for onsite waste storage to protect amenity.

The Legal Representative provided legal clarification to the Committee with regard to the implications of refusing the application. The Legal Representative concluded that if the application was refused, the developer would be able to resort to their 'fall-back' option of the prior applications granted approval.

The agent on behalf of the applicant, addressed the Committee. The agent outlined the nature of the applicants business. Members were advised the applicant had purchased the application site with its prior granted consents. He described the businesses currently on site and the approved change of use applications granted to the application site. Members were advised the current application intended to enhance on the existing building and create 'a better development'. The Committee were informed of issues relating to light and wear and tear of the building, to be addressed by the applicant. The agent then discussed the intention to add space so that units would become family dwellings. Emphasis was placed on the encouragement of residents 'putting down roots' in the community. It was advised the current application applied for would provide this and was preferable, despite the availability of the fall-back option. The agent noted the ecological enhancements, green roof, car free intentions and local amenities. Attention was also drawn by the agent, to privacy screens for windows on the scheme. It was stated as a result, there were no overlooking issues. The agent concluded the development would be a 'good quality replacement scheme' and would contribute to the community, providing much needed accommodation.

The following enquiries from Members related to unit size, number of units and privacy.

The agent advised the Committee that the current application would be an improvement upon the prior approved applications that constituted the 'fall-back' option for the developer. It was conceded that whilst unit 2 of the scheme did not meet the pending national space standards, the ground floor open plan was an improvement on the prior approved applications.

It was confirmed by the agent that the developer had specified 4 units and therefore, it was not possible to speak for the applicant with regard to reducing the number of units to 3 to provide more family dwelling space per unit. The agent also added such a measure would put pressure on the share of amenity space, where children were concerned. The agent again advised Members the scheme had been purchased by the developer with the prior application approvals already in place.

The agent informed Members that the schemes windows were half covered by a louvre design, which prevented overlooking onto other properties.

During the course of the meeting, several Members voiced intense opposition to granting the application, but noted the developers' fall back option was a much worse scenario, if it were to be executed.

A Member felt that to avoid the fall-back option by approving the current application, was an act 'consigning' people to poor living conditions and was a 'poor line to follow'. A fellow Member felt the application was only brought before the Committee to demolish the current development, because it was financially better to do so, rather than build on the existing scheme. Another Member raised concerns to the lack of light and unit size, commenting that 'hovels' were being built.

The Legal Representative and Team Leader reiterated their earlier advice with regard to the implications of a refusal of the current application and the developer's available fall back option.

Members considered the advice and were in agreement that further legal advice should be sought.

A Member proposed the Committee went into closed session, to seek further legal advice on the application before them.

A motion was proposed that the meeting go into closed session for legal advice. The motion was successful, followed by a vote. The result of the vote was 6 in favour, 1 abstention and 2 against the proposal to move the meeting into closed session.

The meeting went into closed session at 8.43pm. The meeting reconvened at 9.04 pm.

A representative addressed the Committee, on behalf of the Wildfell Road Residents Association, advising that residents were opposed to the proposal because of concerns related to: asbestos, design, materials, overlooking, privacy, light, disturbance, overcrowding, parking and traffic.

Members voted on the recommendation in the report, with a result of 5 in favour, 2 abstentions and 2 against the proposal.

RESOLVED

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of the existing buildings and the construction of a part one/part two storey block, comprising:

- 1, one bedroom and 3, two bedroom dwelling houses on the site of 25 Scrooby Street SE6, together with ancillary works including cycle and refuse/recycling stores, boundary fences, entrance gates and landscaping.

Subject to the prior completion of a legal agreement pursuant to Section 106 of the 1990 Act (and other appropriate powers) to secure the planning obligations set out in paragraph 10 of the report, and the conditions and informatives as outlined in the report and,

A requirement that officers should:

- Add an Informative to the Planning Decision Notice to advise the Developer that the waste condition details should propose an enclosure for onsite waste storage to protect amenity, with the wording of the Informative delegated to Officers.

The meeting closed at 9.11 pm