

MINUTES OF THE PLANNING COMMITTEE C

Thursday, 24 February 2022 at 7.30 pm

PRESENT: Councillors Olurotimi Ogunbadewa (Chair), Stephen Penfold (Vice-Chair), Peter Bernards and Louise Krupski

ALSO PRESENT:

Apologies for absence were received from Councillor Mark Ingleby, Silvana Kelleher, Councillor Hilary Moore and Councillor James Rathbone

1. **Declarations of Interests**

Note: Prior to meeting Councillor Penfold advised the Clerk he would recuse himself from Item 6, on the meeting's Agenda and that he would be speaking under Standing Orders in objection to Item 6.

2. **Minutes**

RESOLVED that the minutes of the Planning Committee C held on the 2 December 2021 be amended to record that:

Councillor Peter Bernards was in attendance

Then agreed and signed as a correct record.

3. **Lewisham Spiritualist Church, 65 Boone Street, London, SE13 5SE - DC/21/123039**

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

The Committee noted the report and that the main issues were: Principle of Development • Residential Quality • Urban Design • Impact on Adjoining Properties • Transport • Sustainable Development
Following the Officers presentation, questions put to the Officer, from Members, related to: unit size, waste management, development usage and parking.

The Officer acknowledged an error in the Officers' report and provided further clarification regarding calculations relating to unit size.

Members were advised by the Officer that residential waste management collection times could be secured, by condition agreed with the developer. The DMTL also advised the Committee that waste management would be allocated between a private contractor and the local authority.

The Officer informed the Committee, that parking limits would be managed by conditions agreed with the developer and the local authority. It was also stated that the Highways Authority would be responsible for the CPZ highways consultation, regarding the development. The DMTL advised Members that the CPZ consultation process was not a material consideration for the application under consideration.

The Committee was informed by the Officer that soundproofing would also be applied by the developer to the windows and room structures. The DMTL confirmed the use as a place of worship would continue, with the added housing provision.

The agent addressed the Committee and described the application site. The agent discussed: community, ill repair issues, proposed facilities, additional well-being therapies proposed and charity business plan.

The applicant addressed the Committee and described the application site. The applicant discussed: benefits of the development, outlook, privacy, overshadowing, height, design, daylight and sunlight report, accessible public space, viability, parking and financial contribution for CPZ.

Members' questions to the agent, related to: usage.

The agent provided clarification regarding usage of the rooms.

A resident addressed the Committee with objections. The resident alleged that the Church was taking the opportunity to make money. The resident questioned the Committee not questioning the motives behind the application. The DMTL advised the resident that only material considerations could be discussed by Members, with regard to the application.

A member advised the resident to contact the Charity Commission. The Chair cautioned the resident to only consider material considerations.

Members' questions to the resident, related to: consultation.

The DMTL advised that the standard consultation provided was according to the size and scale of the development.

During Member discussion it was agreed that all concerns raised, would be adequately dealt with by officers.

The Committee considered the submissions made at the meeting, and **RESOLVED – unanimously**

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of the existing single storey church building at 65 Boone Street SE13, and the construction of a replacement five storey building comprising:

□ A church at ground floor and eight new separate flats above, with associated car and cycle parking, bin storage and soft and hard landscaping.

Subject to conditions and informatives outlined in the report.

4. 29-35 Tranquil Vale, London, SE3 0BU - DC/21/121861

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report. The Planning Officer confirmed the application was returning to Planning Committee C following deferral from a previous meeting.

The Committee noted the report and that the main issues were: Principle of Development • Housing • Urban Design and Heritage • Transport Impact • Impact on Adjoining Properties • Sustainable Development • Natural Environment • Planning Obligations

Following the Officers presentation, no questions were put to the Officer, from Members.

The agent addressed the Committee and described the application site. The applicant discussed: application amendments, parking, heritage, and the consultation process, impact on listed buildings, design, scale, daylight, sunlight assessment, family housing, biodiversity, environment and waste management.

Following the agents address, no questions were asked by Members.

A resident addressed the Committee with objections. The resident discussed: Planning Inspectorate appeal decision, issues that it was felt would affect their home, such as guttering and extractor problems, if the application were approved, external wall, ecological concerns, access, parking and lack of Construction Management Plan (CMP).

A representative from the Blackheath Society addressed the Committee with objections. The representative discussed: the lack of a CMP and requested the development have a site visit and be used as a test case, also that a CMP be submitted to the Committee or the local authority for scrutiny and approval. Following the resident and representative's address, questions asked by Members related to: parking and the development.

The DMTL advised Members the developer had complied the request for parking to be removed from the scheme. The DMTL advised that a CMP would be provided for the development.

The Officer explained the history of the application, using the presentation slides to provide further clarification in relation to the appropriateness of the development. The DMTL reiterated the reasons for the application's deferral related to parking concerns.

During Member discussion the removal of the parking from the current application was commended, as was the decision to include landscaping.

The Committee considered the submissions made at the meeting, and **RESOLVED – unanimously**

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of existing office building (Use Class E) and construction of two three-storey semi-detached houses with associated landscaping to the front and rear of 29-35 Tranquil Vale SE3 with access onto Collins Street.

Subject to conditions and informatives outlined in the report.

5. Blackheath Hospital 40-42 Lee Terrace SE3 9UD - DC/21/123944

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

The Committee noted the report and that the main issues were: Principle of Development • Urban Design • Impact on Adjoining Properties.

Following the Officers presentation, Members questions related to: Noise. The Officer advised the Committee that the applicant had submitted a noise report and that the Environmental Health Team confirmed the mitigation measures proposed, were appropriate.

The applicant addressed the Committee and described the application site. The applicant discussed: population health, location, noise output, noise assessment conducted, noise mitigation measures, no objections from environmental officers, no harm to listed building or conservation area, ability for environmental protection services to intervene if noise mitigation measures fail. The applicant discussed the reasons why the previous application was refused. The applicant assured Members the applicant had been re-submitted with issues of concern addressed.

Members' did not put any questions to the applicant.

A representative with objections addressed the Committee. The representative discussed: The ambient, long-term noise of the existing MRI machine and cooling plant, hospitals failure to comply with a noise abatement order issued in 2007, request that a condition agreed to ensure the abatement order be enforced, noise measurements, the continued noise from the existing MRI scanner and associated cooling plant, lack of consultation regarding current application.

Members' questions put to the representative, related to: conditions, plant operation times.

The DMTL advised the Committee that environmental health officers had assessed the noise assessment report submitted and they concluded the proposal was acceptable.

The Officer confirmed to Members the time of plant operation would be between 7am to 7pm. Members were also advised the noise would be reduced by 5dB.

During Member discussion several Members raised concerns regarding the impact of noise from the existing plant, which had not been addressed, in conjunction with the current proposal if approved. The DMTL advised the Members that noise testing conveyed the noise was accumulatively acceptable.

The Members also felt there was an issue of trust amongst the residents. If the current noise level was not addressed, then they would not welcome the current proposal. The Chair advised Members that noise arising from other areas of the site was not a material planning consideration given the noise assessment submitted.

Members requested further clarification. The Chair advised that the noise of the existing plant was not material to the consideration of the current application. Noise issues relating to the existing plant, would require intervention from environmental protection officers.

Members were not satisfied that noise from the existing plant was not viewed as a material consideration to the current application.

A Member put forward a motion that in light of current noise levels and the cumulative effect, the application should be deferred.

The DMTL advised Members that in order for a deferral, the motion would need to be in relation to information not put before the Committee.

The DMTL reiterated previous advice that environmental officers were satisfied with the noise assessment report, which was professional.

Members felt that despite the findings of the noise assessment report, there existed a conflict with the fact an alleged noise abatement order issued in 2007 issued to the hospital, had never been complied with.

Therefore the required information was before Members and a motion was put forward for a deferral on this basis. The motion was seconded. Members voted on the motion for the deferral of the application, with a result of 2 in favour, 1 against and 1 abstention. It was

RESOLVED – unanimously

Application would be DEFERRED to allow investigation regarding noise issues and to further review the site history.

6. Lewisham Way Youth and Community Centre, 138 Lewisham Way, SE14 6PD - DC/21/122742

Prior to the consideration of this item, Councillor Penfold recused himself.

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

The Committee noted the report and that the main issues were: Principle of Development • Urban Design • Impact on Adjoining Properties • Highways and Servicing

Following the Officers presentation, Members questions related to: proposal operation times and application history.

The DMTL advised Members the hours of operation would be from 9 to 6pm.

The DMTL advised the applicant would be able to provide a historical background to the application. The DMTL also provided clarification regarding the original recommendations set out, that governed decisions made by the Mayor and Cabinet, regarding the disposal of the application site.

Members' did not put any questions to the Officer or DMTL.

The applicant addressed the Committee and described the application site. The applicant discussed: business proposal, application, building history, community support, consultation process, target audience, noise mitigation measures, design, heritage, conservation area, viability.

Following the applicants address, Members questions related to: Community space and its operation.

The applicant advised Members a large community space would form part of the proposal. It would be available for public use, providing space for activities such as work meetings, within restricted hours.

The applicant advised the Committee that the community space would be managed by the employees of the proposal.

The DMTL informed Members the application under consideration did not require a community usage plan.

A representative from the Brockley Society, addressed the Committee with objections. The representative discussed: change of usage, cultural and musical history of the existing building, benefits of the existing development to the local community. A survey that conveyed the inability to find another organisation, that provided the same service/s locally as provided on the existing application site.

Councillor Stephen Penfold spoke under Standing Orders, against the application, representing his Ward: Brockley. The Councillor discussed: change of use, the cultural and musical history of the existing development. The Councillor shared a visual map of the borough with the Committee, to provide further clarification of the inability to find another organisation that provided the same service/s

locally, as provided on the premises of the existing application site.

The Councillor recommended the proposal not be approved.

Following Councillor Penfold's address, Members questions related to: change of use, footfall of existing development, noise.

The DMTL advised Members that questions regarding change of use would need to have been submitted to the Mayor and Cabinet in 2015, when the current site was being disposed of. The DMTL advised the applicant signed a lease agreement for the current use and were now applying for Planning Permission.

The Committee were advised by the DMTL that footfall issues relating to the existing building, were not relevant to the current application under consideration.

The applicant described the proposed noise mitigation measures and advised in last 3 years, no noise related complaints had been received.

The DMTL confirmed there had been no noise complaints or noise abatement notices issued. Members were advised that a noise assessment was conducted, conditions were agreed with the applicant, with regard to noise mitigation. As a result objections to the proposals were withdrawn as the conditions were viewed as robust. During Member discussion a Member raised a motion for the proposal to be refused on the grounds that no alternative premises were locally available, that provided the same services as the existing development.

The DMTL advised the Committee that the lack of community space locally available was not a viable grounds for refusal.

The DMTL advised Members that if a motion to refuse was granted, the applicant would have grounds for appeal, which would give rise to a risk of an appeal cost award.

The DMTL reiterated that the Mayor and Cabinet decision to dispose of the existing development in 2015, was part of the strategic plan, as set out by the local authority.

The Member withdrew their motion.

The Committee considered the submissions made at the meeting, and

RESOLVED

That it be noted that the Committee agreed to:

GRANT planning permission for the retrospective planning application for the change of use of Lewisham Way Youth And Community Centre, 138 Lewisham Way SE14 (Use Class F2(b) into a recording studio (Use Class E) with ancillary office space and shared community workspace (Use Class E), together with the alterations to the existing shop front, the construction of a wooden pergola, landscaping works,

installation of replacement windows, the creation of cycle parking, waste and recycling facilities and the creation of a community garden. Subject to conditions and informatives outlined in the report.

7. Garages at the rear of 4-24 Blythe Vale, SE6 4UJ - DC/21/123262

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

The Committee noted the report and that the main issues were: Principle of Development • Housing • Urban Design • Impact on Adjoining Properties • Transport • Sustainable Development • Natural Environment

Following the Officers presentation, Members questions related to: Noise and density.

The DMTL advised Members there were no conditions to be included regarding heat pump noise, as the noise assessment addressed that concern.

The DMTL provided further clarification regarding density, as set out in the officers' report.

The applicant addressed the Committee and described the application site. The applicant discussed: former usage, anti-social behaviour on site, consultation process, quality and range of dwellings, parking provision, proposal scale and design, overlooking and overshadowing mitigation measures and housing supply.

Members' put no questions to the applicant.

A resident, addressed the Committee with objections. The resident discussed: vehicle access, traffic, noise, consultation, waste management, parking, party wall, fire-safety and asbestos.

Following the residents address, Members questions related to: Fire safety and asbestos.

The applicant advised Members that traffic assessments and diagrams were supplied to, reviewed and approved by highway officers.

The DMTL informed the Committee, the asbestos on the application site, was not a material consideration for the current application. The asbestos would be a concern for building control.

The applicant assured Members that the asbestos would be removed from the application site professionally, in accordance with health and safety regulations.

The Chair suspended Standing Orders at 9.57 pm.

Councillor John Paschoud spoke under Standing Orders, against the application, representing his Ward: Perry Vale. The Councillor discussed: sustainability, his referral of the item under consideration to Planning Committee, density calculations, importance of a CMP,

disruption, impacts on residents and commercial neighbours, planning policy to illustrate concerns regarding loss of privacy.

Following Councillor Paschoud's address, Members questions that related to: Recommendations, conditions and consultation.

Councillor Paschoud advised the Committee that he knew the application site and described access issues on the site. The Councillor felt the proposal would not work as planned and recommended deferral of the application, until a draft CMP was submitted to Councillors.

The DMTL read out Condition 3 that related to the CMP to the Committee. Members were advised that access was not an issue, but officers could add wording to the CMP, that addressed access, if the Committee were minded to grant planning permission.

During Members discussion concerns were raised regarding consultation, the CMP and deferral of the application.

The applicant assured the Committee that they were willing to consult with residents and the local authority, with regard to the CMP. The applicant noted that consultation was not a requirement, but they saw its value.

The DMTL assured Members the scheme was a good example of high quality design in applying the Small Sites SPD.

The DMTL advised rather than defer the application, it would be better to grant planning permission, but include an informative that the CMP be returned to the Planning Committee C for decision.

The Committee considered the submissions made at the meeting, and **RESOLVED - unanimously**

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of the existing garages at the rear of 4-24 Blythe Vale, SE6 (land on the west side of Blythe Vale) and the construction of:

□ 9 dwellings, with associated hard and soft landscaping, car parking, cycle parking and refuse storage.

Subject to conditions and informatives outlined in the report and a informative that Condition 3 (Construction Management Plan) return to Committee C for decision.

8. **72 Wood Vale, London, SE23 - DC/21/123740**

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

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

Principle of Development • Urban Design • Impact on Adjoining Properties

Following the Officers presentation, there were no questions put to the Officer by the Committee.

The applicant did not attend the meeting.

There were no representatives present, with objections.

The Committee

RESOLVED – unanimously

That it be noted that the Committee agreed to:

GRANT planning permission for the construction of a garden room at 72 WOOD VALE, SE23.

Subject to conditions and informatives outlined in the report.

9. 70 Thorpewood Avenue, London, SE26 4BY - DC/21/124062 - ITEM REMOVED FROM AGENDA

ITEM REMOVED FROM AGENDA

10. 2 Senlac Road, London, SE12 - DC/21/124504

The Planning Officer gave an illustrative presentation, recommending the grant of planning permission for the proposal, as outlined in the Officer's report.

The Committee noted the report and that the main issues were: Principle of Development • Housing • Urban Design • Standard of Accommodation • Impact on Adjoining Properties • Highway and Transportation

Following the Officers presentation, no questions were put to the Officer by the Committee.

The applicant addressed the Committee and described the application site. The applicant discussed: site history, enhancements, parking, benefits and housing need.

Following the applicants address, no questions were put to the Officer by the Committee.

A resident, addressed the Committee with objections. The resident discussed: the single dwelling proposal, site usage, character, density, design, privacy, overlooking, objections from residents and marketing materials.

Members questions that followed, related to: marketing materials and grounds for refusal.

The DMTL advised Members that the applicant had supplied an advertisement and details from an estate agent, showing rental marketing details for the application site since August 2021. The Committee were advised that the applicant had also provided recent photos and a statement in an email, providing evidence of disuse of

the site. The DMTL stated that officers felt although detailed marketing evidence was generally required, given the site was embedded in a residential area with environmental issues and evolving policy that supported residential development on small sites, change of use from Sui-generis use to residential was acceptable.

The DMTL advised the Committee, if it were minded to refuse planning permission based on design, specific reasons would be required.

During the Members discussion a Member raised a motion to refuse planning permission on the basis of design, stating the development was not in line with neighbouring buildings, privacy mitigation measures resulted in poor interior lighting, it was not a family dwelling and the proposal would not satisfy the housing needs of the borough.

The DMTL advised the Committee that the wording of the refusal would be allocated to officers and agreed with the Chair.

Members voted on the motion to refuse the proposal, with a result of 3 in favour and 1 against. It was

RESOLVED

That it be noted that the Committee agreed to:

REFUSE planning permission for the construction of a:

Two storey one bedroom dwelling house at 2 Senlac Road SE12, together with the provision of a car parking space and bin store, with the final wording of the Reason for Refusal delegated to officers with the agreement of the Chair:

The Reason for Refusal agreed with the Chair following the meeting was:

The proposed new dwelling by reason of its appearance, materials and poor quality of design would fail to respond appropriately to the character of the area and would appear as a cramped and contrived form of development with adverse impact on the character of the wider area. For this reason the proposal would be contrary to paragraph 130 of the NPPF (2021); Policies D1 'London's form, character and capacity for growth', D3 'Optimising site capacity through the design-led approach' and D6 'Housing quality and standards' of London Plan, Policy 15 'High quality design for Lewisham' of the Lewisham Core Strategy (June 2011), Policies DM30 'Urban design and local character', DM31 'Alteration and extensions to existing building including residential extension', DM32 'Housing design, layout and space standards' of the Development Management Local Plan (November 2014) and Alterations and Extension Supplementary Planning Documents (April 2019).

The meeting closed at 11.03 pm