

**LEWISHAM COUNCIL
PLANNING COMMITTEE A
THURSDAY, 16 MARCH 2023 AT 7.30 PM
MINUTES**

IN ATTENDANCE: Councillor Peter Bernards (Chair) Councillor Oona Olaru (Vice Chair) Councillors, Natasha Burgess, Liam Curran, Ayesha Lahai-Taylor, Hilary Moore, and John Muldoon.

MEMBERS OF THE COMMITTEE JOINING THE MEETING VIRTUALLY None.

APOLOGIES FOR ABSENCE Councillors John Paschoud and James Rathbone.

OFFICERS: Area Team Leader, (ATL) Planning Officers and Committee Officer.

ALSO PRESENT: (Legal Representative)

**Item
No.**

1 Minutes

RESOLVED that the minutes of the meeting of Planning Committee A held on 5 January 2023 be confirmed and signed as an accurate record.

2. Declarations of Interest

Councillor Muldoon declared a non-pecuniary interest in item 3. His employer had a professional relationship with one of the project team. In the interests of total transparency, he said that he would take no part in the discussion of the application and would leave the room for the duration of this item.

It was agreed that the order of business be changed so that item 3, 1 & 1A Brockley Cross SE4 2AB, be considered at the end of the agenda items.

3 1 & 1A Brockley Cross London SE4 2AB

3.1 Councillor Muldoon declared an interest and left the room during the discussion of this item.

3.2 The Planning Officer said there were two minor errors. The second sentence in paragraph 78 should not have been included in the report. In paragraph 218, fourth bullet point, there was a small error in the figure for the financial contribution towards consultation of a CPZ in the local area which should read '£15,000'.

3.3 The Planning Officer then gave an illustrative presentation recommending the grant of planning permission for the demolition of the existing buildings and the construction of a part two/part four storey plus basement to provide 7 self-contained flats, together with 12 cycle storage, refuse storage and

associated landscaping at 1-1a Brockley Cross SE4, subject to a Legal Agreement pursuant to S106 of the Town and Country Planning Act 1990 and to the conditions and informatives in the report.

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

- Principle of Development
- Urban Design and Impact on Heritage Assets
- Impact of Neighbouring Amenity
- Transport Impact
- Natural Environment
- Planning Obligations

In response to members' questions, officers clarified points about the height of the proposed building in relation to neighbouring properties and the reasons why this was considered to be a high-quality design.

Applicant

3.5 A presentation was made by the agent in support of the application. He clarified that the material on the top floor was not copper it was a bronze-coloured powder coated metal.

3.6 The agent said that this was a revised planning application for a prominent site in the heart of Brockley. He said that previous applications did not include the high-quality materials as proposed in this application. The applicant had recently completed a development on Brockley Road and wanted to bring forward a scheme that residents in Brockley would be proud of. Architects who had been successful in the borough had been engaged and this team understood the importance and sensitivity of this constrained site.

3.7 Discussions had been held with this Council's Urban Design and Conservation Officer and they had not raised any objections to the proposal following amendments made after the pre application meeting. The Conservation Officer considered this application to be of high quality and that the scheme was a significant design improvement over the previous scheme which was upheld at appeal.

3.8 The agent said that the site was challenging because of its size and proximity to the highway. He said that the design had been successful in providing high quality residential accommodation. Impact on neighbours had been mitigated as outlined in the report. There was a high level of compliance for daylight/sunlight. There had been positive engagement with the community and a number of letters of support had been sent to this authority. There had been a small number of objections, but these comments were in conflict with the opinions of officers.

3.9 Members then asked questions and were advised that:

- The intention for the roof was a bronze/copper tone with a level of patination for the finish. It would not have the oxidising element of copper which would turn green over time. One of the conditions required details of the materials to be used in the project to be submitted for consideration by conservation officers.
- The land was at a busy junction and jutted into the road. Members were concerned about the flats on the ground floor, there was little separation from the road, and they wanted to know how the applicant planned to mitigate the impact on future residents. Members were advised that the ground floor flats were all duplex units. The family flat had 3 clear aspects. It would have a wraparound sunken terrace with the living area on two floors which would provide relief from the highway. Unit 1 was set back by an amenity depth of between 1½ -2 metres to provide a sunken terrace with a void on the Geoffrey Road side. The units had been studied in 3D with cameras. The conclusion was that the proposals would mitigate the impact of the closeness of the highway.
- The Agent clarified that the application was submitted on 23 January 2023; this was not before the end of the consultation period. An email had been received from the Brockley Society with their comments on 21 January 2023. The end of the consultation period was on 22 January. The application was considered to be strong, it was a good scheme and supported by officers so no amendments were made.
- The lift was of sufficient size to accommodate a wheelchair. This was for those visiting the building.
- A construction management plan had been submitted, which outlined how the site would be set out during construction works. The agent said that they would be signing up to the considerate constructor's charter, and a full construction management plan must be submitted outlining detailed plans of how construction impact would be mitigated. Highways Officers had reviewed the construction management plan and were broadly in agreement with it. Comments were referred to the applicant. Although the construction site was on a junction with 3 roads, it was not considered that the construction impacts would be so significant that it would impact on the wider highway network.
- The drawing of the proposed front elevation appeared to be taller than the dimensions contained in the report. The planning officer outlined the difference in height for all the different parts of the proposed building and said that it was of similar height to the surrounding buildings and had been designed sensitively to respect the building height of 1 Geoffrey Road. Slides were shown of the proposed building and its relationship with the street and the proposal was considered to be acceptable.

Representations

3.10 Three residents attended the meeting and made representations opposing the application. The points raised were as follows:

- The proposed building was considered to be too high. It was also out of character with the other older buildings in the area that were two and a

half storeys high and the proposed building would not be in keeping with the area.

- The home of one of the residents was opposite the site and he said that there would be 16 windows facing the front of his house.
- Commercial space would be lost if the application was granted. It was an important site in the middle Brockley Cross which had a mixture of residential and commercial properties. Residents wanted to retain some commercial space.
- The applicant wanted the site to be a 'gateway' into the Conservation Area. Residents did not believe that this would be achieved. The loss of the commercial value was strategic. The inclusion of commercial properties would connect them with everything in the area including Malpas Road.
- The area for residents to walk past the building would be very narrow and was not considered to be safe particularly for parents with children. Residents had been campaigning to improve safety in Malpas Road following several major accidents involving vehicles. There should be greenery on the site and this would help to protect pedestrians.
- The quality of the materials to be used for the building was questioned because high quality materials were not used in a recent development on Brockley Road.
- A resident read out proposals for Brockley which was set out in a recent local plan. If the application was not right for the site, it could put the whole area of Brockley in jeopardy.
- All of the slides of the proposed building clearly showed that it was too tall in relation to the surrounding properties. It was twice the height of the properties in Malpas Road.
- Residents wanted a development on the site but something that was interesting and included commercial properties. There were too many flats proposed for such a small area and a Victorian property would be demolished in this conservation area if the application was granted.

3.11 At the request of a member, the planning policy outlined in the local plan, was read out by a resident.

3.12 Officers were asked whether the proposed height of the building could be reduced. Members were advised that a judgement could only be made on the application that had been submitted. It was considered that the height would be similar to the surrounding buildings, particularly in Brockley Cross.

3.13 The Area Team Leader then made a general point about height. He said that the London Plan had been adopted in 2021 and one of the key differences to previous plans was a drive for optimising the capacity for small sites, particularly those within close proximity to excellent transport links. The site's specific characteristics and its role within the townscape in this part of the conservation area had been considered. In addition, officers had regard to the direction of travel and that Lewisham were robust in demonstrating that the sites available in sustainable urban locations, were being used to develop residential homes.. Members still needed to consider

whether the proposed building would cause harm to the local conservation area and could not be outweighed by the other planning merits.

- 3.14 The Area Team Leader said that the Local Plan had just gone out to reg 19 consultation, therefore weight could not be attributed to that. He did not expect weight to be attributed before the end of 2023, so it had been assessed against adopted policies.
- 3.15 In response to a question, members were advised that previous permission granted for the site had not expired and was an implementable scheme. However, officers considered it to be inferior in design and quality to this application. It did have some commercial space which reduced it down from 54 square metres to 30 square metres. This application was solely for residential use and because of the increased height had allowed an increase in the number and size of the flats. The application site was not categorised as a commercial street frontage and shared more similarities with a residential frontage. The existing commercial units were the only ones along Geoffrey Road and Upper Brockley Road. The address for the application site had previously been 1 Geoffrey Road, and would have been used for residential purposes. It had been vacant for a number of years and the commercial units had not been leased to local businesses. For all these reasons, officers had given more weight to Housing delivery targets.
- 3.16 In response to a question about deliveries to the site, members were advised that highways officers did not have any concerns regarding deliveries to the site and did not recommend an extra condition and did not condition a delivery servicing plan bearing in mind the scale of the development. However, a condition could be added about delivery access if considered necessary. Members asked officers to consider what could be done to improve delivery access for goods and services to the site. The agent clarified that there was an existing dropped kerb on the site which had given access to car sales and was big enough for a loading bay. He agreed to accept this as part of a Section 278 agreement if this was agreed by highways officers. The legal officer said that highways officers may determine that there was a highways safety issue and the provision of a loading bay would not, therefore, be possible. They would need to undertake a number of safety assessments including the safety of pedestrians on the pavement outside the building. The Area Team Leader recommended that officers be asked to investigate best endeavours either to provide a loading bay for goods and services to the site on the highway, or if a highways assessment plan concluded this to be an unsafe option, then a delivery and servicing plan should be secured.
- 3.17 The Committee considered the submissions made at the meeting and with two members abstaining, it was moved and seconded it was;

RESOLVED that the application be **GRANTED** for the demolition of the existing buildings and the construction of a part two/part four storey plus basement, to provide 7 self-contained flats, together with 12 cycle storage, refuse storage and associated landscaping at 1-1a Brockley Cross SE4, subject to a S106 Legal Agreement and to the conditions and informatives in

the report and an additional planning obligation to investigate best endeavours to either (a) provide a loading bay for goods and services to the site on the highway; or if a highways assessment concluded this to be unfeasible, (b) secure a delivery and servicing plan.

4 LAND AT CHURCH GROVE, LONDON, SE13 7UU

4.1 The Planning Officer gave an illustrative presentation recommending the grant of planning permission for the retention of a community hub building, comprising of a mixed use of a shared office space (Class E(g)(i)) and multi-use community space (Class F2(b)., subject to the conditions and informatives in the report.

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

- Principle of Development;
- Urban Design and Impact on Heritage Assets;
- Impact on Adjoining Properties;
- Highways and Transport
- Sustainability

Applicant

4.3 A presentation was made by one of the volunteers from RUSS (Rural Urban Synthesis Society) in support of the application. He outlined the principles and the history of RUSS. He said that the community hub, which had been created by RUSS in 2019, had sustainable credentials with many of the construction materials originating from reclaimed sources. In order to continue this sustainability legacy, the community hub should be retained.

4.4 The running of the community hub was taken very seriously by RUSS and was operated professionally. The building held all the necessary compliance certificates and insurance. There was also robust management policies and controls in place for all users of the hub. Potential hirers were vetted by the volunteer hub manager and required to comply with their standard conditions of hire. Local key holders were available to resolve issues but this had never been necessary.

4.5 When the adjacent residential scheme was complete, RUSS residents and volunteers would closely supervise the community hub and its users. Since 2019, the hub had been of benefit to hundreds of people from a wide range of groups. The groups that use the hub and regular external bookings were then outlined. RUSS's hire charges were competitive and local community groups and near neighbours were offered a 'pay what you can' rate. All income from the hub was reinvested into community objectives.

4.6 There was proven current and anticipated demand to retain the hub for RUSS and the community, based on nearly 4 years of operating experience and associated data. Retaining community assets was in alignment with key local, regional, and environmental policies and was of benefit to all. There were no plans to change the hub, the application had been made to

ensure that the existing and successful hub was made permanent for the benefit of the local community.

- 4.7 In response to a question about the reason for retrospective planning consent, members were advised that a pre application meeting was held in January 2022. An application was made in May 2022 but due to resourcing challenges within the planning team, it had taken in excess of a further 14 weeks before it was submitted to Committee. The applicant then read out the hours of operation as outlined in the report.
- 4.8 There were no objectors present.
- 4.9 The Committee considered the submissions made at the meeting. It was moved and seconded and;;

RESOLVED that planning permission be **GRANTED** for the retention of a community hub building, comprising of a mixed use of a shared office space (Class E(g)(i)) and multi-use community space (Class F2(b)., subject to the conditions and informatives in the report.

5 199 Waller Road London Road SE14 5LX

- 5.1 The Planning Officer said that there was an error under Section 2 of the officer report. Relevant planning permission was missing. Records showed that in 2018 an application for the construction of the roof extension and roof light to the rear roof as well as two front roof slope lights in the front elevations was approved.
- 5.2 The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of a rear roof extension and rooflights to the front and rear roof slopes at 199 Waller Road SE14 subject to the conditions and informatives in the report.
- 5.3 The Committee noted the report and that the main issues were:
- Principle of Development;
 - Urban Design and Impact on Heritage Assets;
 - Impact on Adjoining Properties;

Applicant

- 5.4 The Architect involved in the project, spoke on behalf of the applicant. He said that the planning application guidance for the area had been followed. The conservation area had been respected and planning permission was granted in 2020 for a similar development at neighbouring property in Waller Road. It was considered that this was a good precedent for the rear dormer because the design was almost exactly the same as for this application. The street facing the proposed heritage style roof light, was below the limit required by the SPD.

- 5.5 In response to a question from the Chair, the applicant advised that a new application had been made because a previous application for this development had not begun before the expiration of three years beginning with the date on which the permission was granted.

Representation

- 5.6 The Chairman of the Telegraph Hill Society, addressed the Committee in objection to the application. He said that the Society were grateful for the changes that had been made to this application following comments made by the society. The previous application had been made prior to the current extensions SPD, which was considered to have made a material difference.
- 5.7 The Chairman said that the Society had concerns regarding the rear elevation. It was not the same application as the one granted to the neighbouring property in 2020, because this application was for two dormer windows and a skylight. The previous application did not have a skylight.
- 5.8 The major concern for the society was whether the front roof light met the requirements of the SPD. The applicant claimed that it was smaller than the maximum allowed. The Society considered that it was probably more than the maximum allowed.
- 5.9 The Chairman said that the Society accepted that this section of Waller Road had several roof lights and was an accepted characteristic. However, unlike council officers, they considered this to be of material harmful to the area. This application, however, would take up the whole middle section of the roof and was considered to be unacceptable in a conservation area.
- 5.10 In response to questions asked by the Chairman of the Telegraph Hill Society, those present were advised that in paragraph 5.5.4 of the SPD, it stated that a replacement rooflight should not exceed 600mm in width. This application did not exceed that maximum and so it was acceptable in a conservation area. It was also a replacement within the middle roofline which was also acceptable.
- 5.11 In a response to a question about the skylights from the Chairman, the planning officer displayed the drawings of the roofs as shown on page 57 of the SPD. The Area Team Leader drew members' attention to paragraphs 48 and 49 in the report. He said that officers were not saying that it was an example of drawing 2 but rather that it was an adaptation of drawing 1. There were no dimensions on the drawings, so it was not possible to infer whether or not the ones shown on drawing 1 were less than 600mm wide or more than the 740mm of the height of the roof light that was being proposed. Officers were clear that it was an adaptation of drawing 1 and not an example of drawing 2. It was proposing one less roof light than was shown in drawing 1.
- 5.12 The Committee considered the submissions made at the meeting. It was moved and seconded and with one member abstaining it was

RESOLVED that planning permission be **GRANTED** for the construction of a rear roof extension and rooflights to the front and rear roof slopes at 199 Waller Road SE14 subject to the conditions and informatives in the report.

The meeting closed at 9.50 pm.

Chair
