

**LEWISHAM COUNCIL
PLANNING COMMITTEE B
THURSDAY 19 OCTOBER 2023 AT 7PM
MINUTES**

IN ATTENDANCE: Councillor Jack Lavery (Chair) Councillor Aliya Sheikh (Vice-Chair) Councillors, Billy Harding, Liz Johnston-Franklin, Hilary Moore, John Muldoon, Oana Olaru and John Paschoud.

OFFICERS: Development Management Team Leader, (DMTL) Planning Officers and Committee Officer.

ALSO PRESENT: Paula Young (Legal Representative)

**Item
No.**

1 Minutes

RESOLVED that the minutes of the meeting of Planning Committee B held on 24 August 2023 be confirmed and signed as an accurate record.

2. Declaration of Interests

Councillor Muldoon said that he would be recusing himself for the determination of item 4, Garages to the rear of Creeland Grove SE6 4LE, because his employer had a professional relationship with one of the project team. He intended to leave the meeting before consideration of this item.

3 Rear of 14 Wickham Road, London, SE4 1PB

3.1 The Planning Officer gave an illustrative presentation recommending the grant of Temporary planning permission for the change of use from garden land to holiday let accommodation, comprising three shepherds' huts, together with comprehensive landscaping works and community accessible forest garden on land to the rear of 14 Wickham Road SE4.

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

- Principle of Development
- Urban Design & Heritage Impact
- Transport
- Impact on Adjoining Properties
- Natural Environment

- Planning Obligations

3.3 In response to questions asked, members were advised that:

- Temporary planning permissions were rare. The reason why they were granted was that a trial run was required to test the impacts of a development. This was an unusual application in the context of a residential area. Along with the management plan, officers considered it to be sufficient to prevent any harm to residents. If an application was received for permanent planning permission, officers would have the benefit of knowing the effects of the management plan and how they co-existed with the residential properties.
- If, at the end of the temporary planning permission, an equal number of complaints/support for the application were received, officers would weigh up the benefits of the community scheme with any harm experienced by neighbours. Officers would also have the benefit of knowing about the enforcement of the management strategy and whether the management plan should be strengthened.
- It was noted that there was only one entrance/exit to the site. Officers considered this to be sufficient for the small number of people expected to use the site.
- Highways officers had reviewed the scheme and agreed that the development would not have an unacceptable impact on parking stress in the surrounding roads. There would be cycle parking on the site to encourage active travel; one per person for those using the holiday accommodation.
- Within the management plan there several ways in which residents could contact the applicant. There would be a phone number, email address and a website where noise nuisance could be logged. The applicant was also committing to installing noise monitors and would be secured within the management plan.
- Previous planning applications had been refused for the site because the plans were more intensive in terms of the use and the scale. This application was more in keeping with the character of the area, respecting the scale of the garden area and had the benefit of community use and landscaping with the planting of trees which would enhance the verdant character.

3.4 The agent Paul Webster and the applicant Joe Bradby attended the meeting. Mr Webster said that they were proud to present a new, innovative mixed-use concept that bridged the divide between public and private. He outlined the reason for application and said it would bring back an unused site into beneficial use. He raised the following points:

- The proposal would open the site up to community partners on a programmed basis Monday to Wednesday. Accommodation would be open to short stay guests Thursday to Sunday.
- The gated area would be ideal for educational and wellbeing use.
- Three shepherd's huts would provide small scale, short stay holiday lets. Only 6 people would be accommodated at any one time, and this would

restrict impact on the local area. The huts were designed to be self-sufficient. They would be manufactured off site, wheeled into place, and connected to services. A video camera entry system would enhance security.

- Hot tubs would not be part of the proposal.
- Site boundaries would be enhanced with trellises and planting.
- The majority of the site would be dedicated to green open space.
- Guests would only be able to access the site via public transport links, bicycle and foot.
- A thorough management plan accompanied the application. It outlined the management steps that would be taken to mitigate any noise or disturbance. The rules for staying on site were outlined.
- A robust method for managing and handling complaints had been set out in the plan which detailed contact information and how issues would be addressed comprehensively.
- This innovative scheme had been created in response to a need for accommodation. Unlike other holiday lets, there had not been loss of housing stock through change of use.

3.5 Members asked questions of the applicant and the following points were raised:

- There would be 3 shepherd huts accommodating 6 people and would be single storey structures. There would be comprehensive landscaping of the site. There would not be any impact on privacy for local residents.
- Noise issues had been considered in great detail and there would be active noise monitoring on the site; residents would have access to someone 24 hours a day.
- Community use would not be open to the public. There would be defined community groups accessing the site with defined times between 9am to 5pm. There would be limited scope for a noisy environment.
- Housing stock had been lost to Airbnb uses. The shepherd huts would fill a need for tourist accommodation without the loss of housing stock.
- The needs of children coming to the site would be accommodated. There would be benches, plaques, and boards for the children so that they could learn about Brockley and nature. They would attend on days when the shepherd huts were not in use so bathroom facilities would be available. The applicant would be working with community groups to ensure that it was used in an appropriate manner and fit for purpose.
- The shepherd huts were purpose built for short stay accommodation made of oak and good quality materials; they were not temporary structures. This was a unique application, and the potential success of the site was not yet known. If it did not cause undue disturbance to neighbours, an application for permanent planning permission would be made.
- Schools would not be charged to use the site, but the applicant did not want to engage with community groups until the application was

granted. He had ideas about possible partners he would like to work with and if successful would contact local schools.

- The applicant wanted to re-create a tranquil retreat that was usually associated with the countryside. Guests would have all the benefits that London had to offer. Airbnb's were prevalent in London in properties that should be people's homes. The shepherd huts were being offered for a specific use rather than making quick, short-term gains.
- The Lewisham Local Plan specifically encourages the use of tourist accommodation. There was a need for holiday lets because there was a prevalence of Airbnb's across London. Houses and flats were being used as Airbnb purposes rather than for residential, family accommodation. This scheme would redress that balance.
- There had been concerns about noise nuisance. All potential patrons would be vetted, and they would be sent rules of stay. The site would have a security code and video entry system and the applicant would be able to see who was coming onto the site and that the people were expected. The huts were double glazed, and sound proofed; each hut would have a sound monitor and staff would be able to log on to the App to make sure any noise nuisance levels were low. If there were any problems, staff could be contacted by email, phone or their website. The applicant wanted to work with neighbours and ensure that the site was managed correctly.

3.6 Three residents addressed the Committee. Two were in the room and one online. The first person to address the Committee, said that she was not an objector but wished to raise the following points.

- the landscaped plan was misleading because the pale green block in an 'L' shape was a single storey home which could hardly be seen and was about 2 ½ feet from the first shepherd hut.
- The success of the huts would depend on good management.
- 7/8 trees would be felled to make way for the shepherd huts.
- The first hut beside the window to the single-story timber building should be moved because it would block out light.
- There was concern about potential late night noisy parties.

3.7 The second person to make a representation said that the first hut would be uncomfortably close to her home. She was concerned that this application, if granted, could lead to further similar schemes and there had been little concern for the community in the previous two applications. She had found it difficult to contact this company so this resident had concerns about whether she would receive timely responses to complaints about noise or anti-social behaviour.

3.8 The third person to address the Committee, said that this was an unusual application because it was not suitable for a residential area.

- The management plan was not robust; there was no on-site management or clarity regarding who the person was who would address any problems on a 24-hour basis.
- She had serious concerns about bringing members of the public onto private land on a code basis.
- There had been a number of burglaries on Manor Avenue and Wickham Road through the mews and the Police had recommended secure access through the mews.
- This application was a commercial venture hidden behind a 3 day a week adventure garden and it was questioned whether it was needed.
- Although there were several references to community, there was a contempt for residents who were the community. There was clear objection to this application and there would not be any benefits for neighbouring residents.

3.9 In response to residents' comments, the planning officer made the following points.

- There would be some impact on the outbuilding. Outbuildings did receive as much weight as main residential dwellings. He did not believe the impact would be too great particularly because it was at the rear of the garden where main amenity space was not generally considered to be used.
- Security – Currently the site was empty with a timber fence. A new brick wall would improve security as would more activity on the site and passive surveillance.

3.10 The planning officer then addressed points raised by members.

- Some of the detail of the access plan had not been provided at this stage but secured by a planning obligation. An access plan would have to be sent to officers to discharge that obligation. The detail would be approved through that process.
- Need for holiday accommodation – The London Plan Policy E10 states that there is a requirement for 58,000 bedroom spaces by 2041. The plan supports new applications for holiday lets.

3.11 The Chair invited members to ask further questions of residents.

- Consultation - There were initial conversations with Park Hill, three neighbours attended. Apart from the Council planning meeting, there was no consultation with residents.
- Management Plan – when asked how the management plan could be tightened up to address residents' concerns, the response was that it could not be managed unless a member of staff was on site 24 hours a day. It was considered disingenuous to state that a number would be available somewhere that would alleviate residents' concerns. If there was noise, there was no clarity as to how this would be managed.

3.12 Final questions for clarity were asked by members and addressed by officers as follows.

- Trees – existing trees had been surveyed and seven were category C. The trees could not remain if the application was granted. Seven trees would be planted to replace these trees and officers would want to see a variety of species. Condition 12 would ensure that the development was carried out in accordance with the tree protection plan.

3.13 The Chair suggested that an extra informative be added so that if the developer applied for the extension of this temporary planning permission or applied for future permanent planning permission, that they be encouraged to engage in wider consultation with local residents.

3.14 The Committee considered all written documents and the submissions made at the meeting and

It was **MOVED**, **SECONDED** and **RESOLVED** that temporary planning permission for the change of use from garden land to holiday let accommodation, comprising three shepherd huts, together with comprehensive landscaping works and community accessible forest garden on land to the rear of 14 Wickham Road SE4. Be **GRANTED** subject to the completion of a S106 Legal Agreement and to the conditions and informatives set out in the report. In addition, an extra informative be added so that if the developer applied for the extension of this temporary planning permission or applied for future permanent planning permission, that they be encouraged to engage in wider consultation with local residents.

At this point, Councillor Muldoon left the meeting.

4 Garages to the rear of Creeland Grove SE6 4LE

4.1 The Planning Officer gave an illustrative presentation recommending the grant of planning permission for the demolition of the existing garages and construction of 3 x part one/part two storey dwellings and 3 x two storey plus roof space dwellings, together with associated landscaping, refuse storage and 14 cycle spaces on the garages to the rear of Creeland Grove SE6.

4.2 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

4.3 In response to questions asked, members were advised that:

- The applicant was not required to provide accessible parking spaces; no parking spaces were proposed in this application. This was in line with the London Plan principles for this type of development.
- There would not be access to the flat green roofs from any windows or doors.
- One of the bins stores was 40 metres away from the pickup point. There was a management agreement in place, secured by a condition, so that the management company would drag all the bins to the pickup point for Lewisham's waste operatives to empty. The management company would then place the bins back in the store.
- The design of the proposed buildings would sit comfortably with the existing street scene.
- The layout of the buildings had been considered to ensure that it did not impact on neighbours. Separation distances were shown on slides to those present.

4.4. The planning agent Max Plotnek addressed the Committee. He outlined the history of the application and said that reasons behind the appeal refusal had been carefully considered. The scale of the development had been reduced, separation distances between blocks had been increased, houses were proposed instead of flats, parking had been removed in favour of landscaping and the TPO trees would be retained. Mr Plotnek believed this new application addressed all of the reasons for refusal; officers supported the application, and the proposed development would have minimum impact on neighbouring properties.

4.5 Visual impact was considered acceptable. Windows along Exbury Road would be obscured at first floor level and above. The line of protected trees along the site frontage had been respected with the development framed around them.

4.6 The scheme was car free with sufficient parking along Creeland Road and within 200 metres of the site. A comprehensive landscaping proposal had been submitted despite this being a minor development and demonstrated a commitment to improving biodiversity and environmental quality. This would be achieved by bringing back into use land that was regularly used for fly tipping and anti-social behaviour.

4.7 Mr Plotnek said that plans for the development of the site had been challenging due to its small, constrained shape, yet he considered the design to have been successful in providing high quality residential accommodation, including much needed family units. A positive pre application engagement process had been carried out and a further public meeting during the application determination. Complaints from residents had been covered in their submission.

- 4.8 Mr Plotnek clarified that all the properties would be wheelchair accessible in accordance with building regulations. The London Plan required all units to be wheelchair accessible unless there was good reason for them not to be.

Objection

- 4.9 The first objector addressed the committee. He expressed concern about privacy for his property which adjoined the site. He was pleased to note that there would not be any access to the flat roofs. Plans had been changed to save the trees with the TPO orders, however, the Council's tree expert had concerns about how they would survive.

- 4.10 The objector also had concerns about the impact that building works would have on the existing mature trees and the wildlife close to the boundary with Exbury Road. He asked that any foundations/ new development be set back from the shared wall boundary. Originally, the developer mistakenly claimed that he owned the party wall, but it was half owned by the residents and half by the developer. He requested that this wall should remain, and everything pushed back approximately one foot. Residents would then have less concerns about the development because they would retain a brick wall at the end of their garden instead of a slatted wooden fence which would not be secure or as nice to look at.

- 4.11 The Chair explained that members of the committee would be making a decision on the application before them. He asked for clarity regarding the objector's concerns about possible future alterations. The Development Management Team Leader said that officers had recommended condition 9 in the agenda pack. It removed the ability for any of the occupiers to extend or alter their homes under permitted development. It did not prevent them from submitting an application for planning, if they wanted to extend their property, a full planning application would need to be submitted.

- 4.12 In response to a member's question about whether the trees on the site would survive, members were advised that Lewisham's tree officer had raised concerns but was grateful that the trees would be kept on site. There was a tree protection plan in place which would mean that the developers would need to protect trees and tree roots from the development. The pathway and soft landscaping around the trees had been considered with the trees and tree root protection zone in mind. Although there were some concerns, a balanced decision had been made and officers believed that the application was acceptable in terms of the two TPO Ash trees.

- 4.13 The Committee considered written submissions and the submissions made at the meeting and it was:

It was MOVED, SECONDED and RESOLVED that planning permission be granted for the demolition of the existing garages and construction of 3 x part one/part two storey dwellings and 3 x two storey plus roof space dwellings, together with associated landscaping, refuse storage and 14 cycle spaces on the garages to the rear of Creeland Grove SE6. subject to a S106 Legal

Agreement and to the conditions and informatives set out in the report,
subject to the conditions and informatives outlined in the report.

The meeting ended at 8.45 pm.

Chair