

Committee	PLANNING COMMITTEE (B)	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	Date: 02 March 2017

## MINUTES

To approve the minutes of the meeting of Planning Committee (B) held on the 19<sup>th</sup> January 2017.

### LONDON BOROUGH OF LEWISHAM

MINUTES of the meeting of the PLANNING COMMITTEE (B) held in THE ACCESS POINT, LAURENCE HOUSE, CATFORD SE6 on 19<sup>th</sup> January 2017 at 7:30PM.

PRESENT: Councillors: Reid (Chair), Ogunbadewa (Vice-Chair), Ingleby, Moore, Muldoon, Paschoud, Siddorn, McGeevor.

OFFICERS: Michael Forrester - Planning Service, Kevin Chadd - Legal Services, Andrew Harris - Committee Co-ordinator.

APOLOGIES: Mallory, Wise

#### 1. DECLARATION OF INTERESTS

None.

#### 2. MINUTES

The minutes of the meeting of Planning Committee (B) held 01<sup>st</sup> December 2016 need amendments and will be agreed and signed at the next meeting subject to changes.

#### 3. 197 NEW CROSS ROAD, LONDON, SE14 5DQ

The Planning Officer Michael Forrester outlined the details of the case. He outlined to members that the application had been appealed on the ground of non-determination and that member's decision was instead to inform Officers how the case would have been determined if it were not appealed.

Councillor McGeevor raised concerns regarding money laundering and complaints against coral by the gambling commission. She stated that these issues had not been addressed in the Officer's report. Kevin Chadd (Legal) followed by reminding members that the decision should be based on the suitability of the use proposed, and that allegations of other issues were not material to the that decision.

Councillor Ingleby sought clarification over the last informative attached to the report which stated that advertising consent would be required for any new signage and full planning

permission for any changes to the shop front. The Planning Officer Michael Forrester clarified with members that the change of use would not require any physical alterations and that changes to the shopfront and any signage would be a separate planning matter.

Councillor Paschoud stated that there had been recent past unease regarding the number of betting shops in the area and asked if this was pertinent to the determination of the application. The Planning Officer Michael Forrester responded stating that the application had been deferred so the Metropolitan Police could be consulted and this would be the factor which the case should be determined on.

The committee then received verbal representation from Ms Altine Topping (Agent), who presented the scheme and the findings from the consultation with the Metropolitan Police. Ms Topping then responded to objections raised at the last meeting, stating that the shop would not provide an additional shop as it would replace an existing unit at 141 New Cross Road. She stated that they had been granted a licence from the Licencing Committee and that Coral had social responsibility programs to prevent crime and antisocial behaviour. She went on to state that there was no evidence that the proposal would result in an increase in crime or criminal activity and that the proposal was in line with Council Policy.

Councillor McGeevor asked whether there was an opportunity for criminal activity to expand, to which Ms Topping stated there wasn't as the number of units would not be increasing.

The committee then received verbal representation from an objector, Ms Shereener Browne. Ms Browne outlined concerns regarding antisocial behaviour and crime and the findings of the police report. She stated that if permission were to be granted that a prominent beautiful building would become a forecourt for criminality and antisocial behaviour.

Councillor Ingleby asked about the response from the community to the safer neighbourhood panel. The applicant responded stating that locals did not report incidents anymore as nothing was done about it.

Councillor Reid (Chair) arrives.

Councillor McGeevor sought further clarification over the factors which members were able determine the application on. Kevin Chadd (Legal) stated that the location and how it related to other sites was a consideration, but that the decision if based on policy unless material considerations indicated otherwise. Members then clarified the matters which were relevant to the determination of the application with one another.

The committee then received verbal representation from Councillor Dacres Bourne who was speaking in opposition of the application under standing orders. Councillor Dacres outlined her concerns regarding the proposal including criminal and antisocial issues in the surround area, the prominence of the building and views of the local community.

Following further deliberation by members, Councillor Ingleby moved a motion to reject the Officer's recommendation to approve the application. It was seconded by Councillor McGeevor.

Members voted as follows:

FOR: Ingleby, McGeevor

Against: Siddorn, Moore, Paschoud, Muldoon

ABSTAINED: Ogunbadewa (Vice-Chair)

Kevin Chad (Legal) confirmed that the motion had been defeated. Councillor Paschoud then moved a motion to accept the Officer's recommendation to approve the application. It was seconded by Councillor Siddorn.

Members voted as follows:

FOR: Siddorn, Moore, Paschoud, Muldoon

Against: Ingleby, McGeevor

ABSTAINED: Ogunbadewa (Vice-Chair)

RESOLVED: That planning permission would have been granted in respect of application No. DC/16/096758 in line with Officer's recommendation. However, as the applicant appealed on grounds of non-determination, the application will be determined by the Planning Inspectorate.

#### 4. 49 MOUNT ASH ROAD, LONDON, SE26 6LY

The Planning Officer Michael Forrester outlined the details of the case, which was recommended for approval by Officers. He also clarified with members that the structure required planning permission as the property was subject to an Article 4 Direction. Following a question from Councillor Paschoud, the Planning Officer Michael Forrester clarified that an existing water closet would be incorporated into the new extension by increasing the size of the existing structure.

The committee then received verbal representation from Mr Adam Humphries (Applicant). Mr Humphries relayed to Members that the purpose of the extension was to make better use of the existing small and awkward layout and to remove an existing dilapidated extension. He further clarified the new water closet arrangement, following Councillor Paschoud's previous question, and went on to outline that structure would be obscured from various roads, would maintain a single storey height with incorporated living roof and would be 3.3m away from 32 Kirkdale.

Questions from members followed, including clarification over works to a rear wall at the property, the vegetation to be used in the green roof and potential subsidence at the property. Mr Humphries explained that the works to the rear wall were to turn it into a retaining wall as it had been previously collapsing and that there had been no subsidence. He then clarified the types of plans which would and wouldn't be used in the green roof.

The committee received verbal representation from objectors, Mr Damian Falkowski (Neighbour) and Ms Mary McKernan (Neighbour and on behalf of the Sydenham Society). Mr Falkowski outlined concerns regarding previous subsidence at a neighbouring site. Ms McKernan outlined concerns regarding errors in the Officer's report, the validation of the application, the number of objectors listed in the report, missing elevations and the accessibility of a service gap should the structure be built.

Questions from members followed. Councillor Reid (Chair) asked Ms McKernan what address she lived at and whether she had appointed a party wall surveyor. Ms McKernan responded that she lived at 32 Kirkdale and that she had not employed a surveyor at that time.

Councillor Reid (Chair) then sought clarification over the alleged missing elevations, validation of the application and errors in the report. The Planning Officer Michael Forrester confirmed that information had been uploaded onto the Council's website and were all available to the public. He stated that the plans had the required information to be validated and that the materials were confirmed in the application form. With regard to the missing elevation, he stated that while there was not a side elevation, the relevant information could be seen on the proposed section plan.

Ms McKernan asserted that the plans were not clear and that the Case Officer stated that there should be an elevation. She went on to say that the plans had a lack of detail regarding the servicing gap and that the proposed gap which would be left was not practical. Councillor Siddorn asked for clarification over the surface gap from the Presenting Officer.

The Planning Officer Michael Forrester clarified the dimensions of the servicing gap. He then asserted to members that servicing is building control issues, and would not constitute a planning consideration. He went on to say that a construction management plan was included in the proposed conditions.

Councillor Paschoud asked the applicant if a manhole would be covered as a result of the works, which Mr Humphries confirmed there would not.

Councillor Muldoon sought clarification on what would be required for building control. The Planning Officer Michael Forrester stated that in addition to planning permission, permission from building control would also be required. He stated that drainage could not be conditioned, but that the application could be deferred for more information on this.

Following further deliberation by members, Councillor Muldoon moved a motion to defer the application to a future committee to allow for further information on drainage. It was seconded by Councillor Paschoud.

Members voted as follows:

FOR: Reid (Chair), McGeevor, Siddorn, Moore, Paschoud, Muldoon, Ingleby

ABSTAINED: Ogunbadewa (Vice-Chair)

RESOLVED: That in respect of the planning application No. DC/16/098571, the decision be deferred to allow time for further consideration.

5. 44 DARTMOUTH ROW, LONDON, SE10 8AW

The Planning Officer Michael Forrester outlined the details of the case, which was recommended for approval by Officers. He stated that an objection from the Blackheath Society had been omitted from the report and circulated it to members. He also stated that the current application was for retrospective planning permission, as the works had already been carried out.

Councillor Reid (Chair) sought asked for clarification over what was regarded as acceptable in terms of overlooking. The Planning Officer Michael Forrester clarified that general views were considered acceptable, while overly intrusive views, generally resulting in direct overlooking were unacceptable. Councillor Moore then sought clarification over the existing structure that had been removed. The Planning Officer Michael Forrester clarified this on the

plans for members and stated that there had been no objections from the Conservation Officer.

The committee then received verbal representation from Mr Mark Fletcher (Applicant). Mr Fletcher outlined to the members that the aim of the works was to improve the privacy and appearance of the property. He apologised that the application was made retrospectively, stating he had been unaware the works required permission. He went on to state that the works had been done in a high quality material, had improved the appearance and symmetry of the property and that planting had been incorporated to improve privacy. Finally he stated that screening had been also incorporated and that the proposal complied with council policy.

Councillor Paschoud then sought clarification over a previous application which had been withdrawn. The Planning Officer Michael Forrester confirmed that the earlier application made in the autumn of 2016 had been withdrawn due to inaccuracies in the plans and that this application had also been retrospective. Councillor Ingleby queried whether the depths of the area had changes, which the applicant confirmed they had not.

The committee received verbal representation from objectors, Mr Stephen Howlett and Mrs Jane Howlett (neighbours). They outlined their concerns regarding the application to members, specifically the privacy implication on their property. They also stated that there were inaccuracies in the existing plans and errors within the Officer's report. Finally they asserted that the planting and screening were not effective mitigation against the loss of privacy.

Questions followed by members, specifically regarding the height of the privacy screen, which were confirmed by the objectors. Following further deliberation by members, Councillor Reid (Chair) moved a motion to accept the Officer's recommendation to approve the application. It was seconded by Councillor Ogunbadewa (Vice-Chair).

Members voted as follows:

FOR: Reid (Chair), Ogunbadewa (Vice-Chair), McGeevor, Paschoud, Muldoon, Ingleby

ABSTAINED: Siddorn, Moore

RESOLVED: That planning permission be granted in respect of application No. DC/16/99250 subject to the conditions outlined in the report.