

**LEWISHAM COUNCIL
PLANNING COMMITTEE B
THURSDAY, 28 NOVEMBER 2019 AT 7.35 PM
MINUTES**

PRESENT: Councillor Aisling Gallagher (Chair), Councillors Alan Smith, Silvana Kelleher, John Muldoon, Leo Gibbons, Mark Ingeby, Jim Malory.

APOLOGIES FOR ABSENCE: Councillor Suzannah Clarke.

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

ALSO PRESENT: Kheng Chau – Legal Representative.

**Item
No.**

1 Declarations of Interest

Councillor Muldoon declared a personal prejudicial interest in item 3, and withdrew from the meeting while this item was considered.

The DMTL provided an update of equalities considerations.

2 Minutes

The minutes of the last meeting were amended as follows:

- Further clarification was sought, as requested by the Chair regarding representation in the minutes of the Sydenham Society, who spoke against an application at the last meeting held on 17 October 2019. Following review of the minutes, the Officer confirmed the minutes would be issued as drafted at the next Committee B meeting.

RESOLVED that the minutes of the meeting of the Planning Committee B held on 17 October 2019 be agreed and signed as a correct record, subject to the above amendment.

3 Our Lady & St Philip Neri Roman Catholic Primary School, Mayow Road, SE23 2X G.

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of Our Lady and St Philip Neri Roman Catholic Primary School, Mayow Road SE23 and the construction of a part three/part four/part five storey building to provide 59 residential units, comprising 24 one bedroom, 27 two bedroom and 8 three bedroom self-contained flats, together with landscaping, play areas, cycle parking, accessible parking and associated works.

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

Principle of Development

Layout, Scale and Design

Housing – Mix and Tenure

Standard of Accommodation

Impact on Neighbouring Properties

Transport Impact

Sustainability and Energy

Ecology and Landscaping

Flood risk

Waste

Planning Obligations

Following members' enquiries relating to tenure, affordable rent, ecological concerns and the viability exercise, the Officer confirmed the development would be tenure blind. He also explained that the Social Rent element would occupy the entire Block B, accessed from Acorn Way, and the 39 Market units would occupy the entire Block A, and were located on all floors within Block C. Shared ownership was located on ground, first and second floors in Block C, accessed from Mayow Road. The Officer advised the Committee that the scheme would provide 11 London Affordable Rent, and 9 Intermediate units, with the overall affordable provision being 34% by unit: 55% Social Rent, 45% Intermediate.

The Officer advised the Committee that trees were subject to planning conditions, and further details would be submitted.

The Chair advised the Committee that the viability assessment undertaken by GL Hearn on behalf of the Local Planning Authority (LPA), had been available to view online since the end of October 2019, and was also included in the Supplementary Agenda to the report.

The agent on behalf of the applicant, addressed the Committee describing the benefits of the scheme, such as 59 new homes contributing to the councils housing provision targets, and the positive use of unutilised brownfield site. The agent also advised the Committee the applicant was in discussions with an affordable housing association. The agent stated if planning permission was granted, they would start construction as soon as possible in the New Year.

Following members enquiries relating to design, ecological, tenure and the review mechanism, the agent advised the decision to use brick was sympathetic to the surroundings. Also, the flat roof design was appropriate, as it was similar to the nearby school roof, and was more suitable for a block of flats. The use of metal for balconies, added a contrast against the brickwork. In addition, the agent stated that there were limitations in materials used, and brick was deemed the safest option in light of recent unfortunate events.

The agent confirmed there would be no difference between entrance designs for each block on the scheme, and the communal space would be shared by all blocks. The entrance design would meet the requirements in regard to how housing associations managed the scheme. The agent divulged that entrance design could be secured by condition, so that any future owner of the scheme would be required to adhere to the agreed standard conditioned. It was also confirmed there would be no concierge service, and 1 management company would service all blocks. The agent described in detail, the layout of the blocks on the scheme to clarify the reasons for design decisions made.

The agent advised there would be no resident access to the green roof, access would be for maintenance only, and the courtyard would provide sufficient communal space.

The agent stated the decision not to 'pepper pot' tenure types throughout the scheme, was related to the reluctance of housing associations to take up such developments.

The legal representative advised the Committee that the Affordable Housing Value (AHV) sets out when affordable housing review mechanisms should be secured. Fast-track schemes would be subject to an 'Early Stage Viability Review' (ESVR) if an agreed level of progress on implementation is not made within two years of permission being granted, or as agreed with the LPA. Viability tested schemes would be subject to the ESVR and a 'Late Stage Viability Review' (LSVR); this would be triggered at the point at which 75% of units are sold or let. Longer term phased schemes may also require a mid-term review.

A resident, addressed the Committee, advising that she was representing the neighbours to the application site. Residents were opposed to the proposal because of concerns relating to scale and height, high density, design, overlooking, ecological concern, construction disruption, parking, traffic congestion, and vehicle access.

The legal representative advised the Committee that it is recommended that a planning obligation ensured that residential occupiers of the scheme (except for disabled drivers) would not be eligible to apply for on-street parking permits should a CPZ be implemented in the future. He advised the Committee this restriction was common to major new developments within the Borough within existing/potential controlled parking zones, thereby protecting the amenity of existing residents who would need to park on-street.

The Manager advised that a Section 106 Agreement, including a requirement for a CPZ consultation would need to be agreed with the applicant, before such implementation was possible.

The Applicant confirmed they would be happy for a condition regarding a CPZ consultation, to be included in the Section 106 Agreement.

The Committee

RESOLVED - Unanimously

That planning permission be GRANTED for the demolition of Our Lady and St Philip Neri Roman Catholic Primary School, Mayow Road SE23 and the construction of a part three/part four/part five storey building to provide:

- 59 residential units, comprising 24 one bedroom, 27 two bedroom and 8 three bedroom self-contained flats, together

with landscaping, play areas, cycle parking, accessible parking and associated works.

Subject to Conditions and Informatives outlined in the report,

And a requirement that officers should formulate conditions in relation to the:

- Amendment of the S106 Heads of Terms to include a requirement for the applicant to finance a CPZ consultation.

4 79 Drakefell Road, London, SE14 5SH.

The Item was WITHDRAWN from the Agenda.

5 163-165 Bromley Road, London, SE6 2NZ.

The DMTL, gave an illustrative presentation recommending the grant of planning permission for the construction of a roof extension fronting Callander Road at 163-165 Bromley Road SE6 and the addition of a mezzanine floor to provide ancillary commercial storage and staff facilities, together with alterations to the side elevation and the construction of a one metre high front boundary wall and provision of 1 extra car parking spaces.

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

Principle of Development

Urban Design and impact on the setting of a Conservation Area

Transport

Impact on Adjoining Properties

Following members' enquiries relating to commercial deliveries, waste management and design concerns, the DMTL advised that the development would not be occupied until a Delivery, Servicing and Waste Management Plan been submitted to and approved in writing by the local planning authority. The DMTL confirmed there are windows in the area of the scheme designated as office space, and the scheme had a lift.

The agent, on behalf of the applicant, addressed the Committee describing proposed design improvements, and the reduction of the materials used, which would create a clean building line along Callander Road.

Following a member's enquiry relating to parking, the applicant advised parking was free for an hour before charges were incurred.

A resident, addressed the Committee, advising that she was representing the Ravensbourne Residents Association. Residents were opposed to the proposal because of concerns relating to funding, parking, deliveries, and servicing management.

The DMTL advised the weight to be attached to a local finance consideration remains a matter for the Committee. The DMTL also confirmed that a delivery and servicing plan would be devised, and would include measures to minimise the impact of servicing and deliveries at the site. The improvements would be secured through the use of a planning condition.

Members voted on the recommendation in the report with a result of 6 in favour of the proposal.

The Committee

RESOLVED

That planning permission be **GRANTED** for the construction of a roof extension fronting Callander Road at 163-165 Bromley Road SE6 and the addition of a mezzanine floor to provide ancillary commercial storage and staff facilities, together with alterations to the side elevation and the construction of a one metre high front boundary wall and provision of 1 extra car parking spaces.

Subject to Conditions and Informatives as outlined in the report, and amendments to Condition 17 as outlined in the Addendum Report.

6 35 David's Road, SE23 3EP

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the alteration and conversion of the existing garage/workshop at 35 David's Road, SE23, to provide two 2 bedroom

live/work units, including the construction of a single storey extension to the rear incorporating a terrace, a first floor extension and a new second storey, incorporating a roof terrace and dormer.

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

Principle of Development

Housing and Standard of Accommodation

Design

Transport

Impact on Adjoining Properties

Sustainable Development

Following members' enquiries relating to Live/Work units reverting to residential use, and the window design, the Officer advised that the workshop floor spaces of the live/work units would be finished and ready for occupation before the residential floor space was occupied, and the residential use would not precede commencement of the business use. The Officer also stated that the business floor space of the live/work unit would not be used for any purpose other than for purposes within Class B1 in the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any related legislation. The Officer also confirmed the additional height of the rear section was considered to improve the amount of daylight and sunlight received by the first floor habitable rooms, and the rear extension and additional windows would allow more natural light to reach the workshop area of the westerly unit.

The applicant addressed the Committee describing the lodged complaint with the ombudsman, explaining where the Council had failed to:

- Take into account the improvements at 35 David's Road.
- Notify him about his neighbour's planning application for a house extension.
- Take into account his own planning permission to build two live/work dwellings, with combined workshops before approving his neighbour's application.

The applicant advised the Committee that the application site measured 21.6m in length and 5.5m wide, and increased slightly to 6m wide at the rear, adjoined to Havelock Walk.

Two residents, addressed the Committee, advising that they were representing the neighbours to the application site. Residents were opposed to the proposal because of concerns relating to loss of outlook, tunnelling effect on rear windows and parking.

The DMTL clarified the role of the Local Government Ombudsman (LGO) decision, with respect to the planning application. He confirmed there was no amenity compromise with respect to the existence of the LGO decision. The DMTL advised that the Officers' recommendation was based solely on the planning merit of the scheme, and the Committee members must only give consideration to the planning merit of the scheme.

Officer advised that no undue loss of daylight, sunlight, outlook or privacy would be generated upon any neighbour as a result of the proposal. The amenity impact to adjoined occupiers was therefore considered to be acceptable. The Officer confirmed the implemented previous approval included 2x off street parking spaces, and this current proposal originally included one off-street car parking space.

The legal representative advised the Committee with regard to conditioning a restriction on parking to one car per household.

Members voted on the recommendation in the report with a result of 1 abstention and 6 in favour of the proposal.

The Committee

RESOLVED

That planning permission be **GRANTED** for the alteration and conversion of the existing garage/workshop at 35 David's Road, SE23, to provide:

- Two 2 bedroom live/work units, including the construction of a single storey extension to the rear incorporating a terrace, a first floor extension and a new second storey, incorporating a roof terrace and dormer.

Subject to Conditions and Informatives outlined in the report,

And a requirement that officers should formulate a condition for the:

- Prevention of future occupiers of each unit applying for more than one parking permit per unit.

The meeting closed at 9.49 pm.

Chair
