

**LEWISHAM COUNCIL
PLANNING COMMITTEE A
THURSDAY, 9 JANUARY 2020 AT 7.30 PM
MINUTES**

PRESENT: Councillor James-JWalsh (Chair), Councillors Tom Copley, Obajimi Adefiranye, Caroline Kalu, Jacq Paschoud, Luke Sorba, Abdeslam Amrani, Sophie Davis.

APOLOGIES FOR ABSENCE: Councillors Liam Curran, Octavia Holland.

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

ALSO PRESENT: Legal Representative.

**Item
No.**

1 Declarations of Interest

None received.

2 Minutes

RESOLVED that the minutes of the meeting of the Planning Committee A held on 14 November 2019 be agreed and signed as a correct record.

3 84 Ravensbourne Park, London, SE6 4YA.

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of existing two-storey building at 84 Ravensbourne Park, SE6, and construction of 9 self-contained flats, together with 3 car parking and 14 bicycle spaces and associated landscaping.

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

Principle of Development

Housing

Urban Design

Transport
Living conditions of neighbours
Sustainable Development
Natural Environment

Following members' enquiries relating to site location and mature tree loss, the Officer clarified the location of the proposed site in context to its current surroundings. He also confirmed that the site contained and, was bounded by mature trees and hedging. The Officer divulged that one tree within and one adjoined to the site was protected by Tree Preservation Orders (TPO). The Officer advised the Committee that the non-TPO trees proposed to be removed, were of insufficient value to warrant their protection with TPOs and, the loss of the on-site trees was considered to be acceptable. The Officer noted that a Section 106 agreement with the applicant would provide a contribution of £11,000 for additional tree planting outside of the site boundaries.

The agent for the applicant, addressed the Committee, advising of the extensive consultation undertaken with the Planning Inspectorate, planning officers and local residents. The agent described the proposed application site and, the 'landscape led' design approach. The agent reiterated the Section 106 tree planting funds, agreed with the applicant. The agent stated that the professional team involved in the site development were 'extremely proud' of the work undertaken. It was stated that the proposal was 'a very high quality, sustainable design solution' and, the new homes would be a valuable contribution to the housing supply.

Following a members enquiry relating to materials and fire safety, the agent advised the Committee that the material used looked like timber, but was in fact cement and, therefore would not burn. The intention was not to extend the look of the built environment into the park.

Residents, addressed the Committee, advising they represented the immediate neighbours to the application site. Residents were opposed to the proposal because of concerns relating to the design and scale of the proposal, impact on parking in the surrounding area, the loss of trees on site, and the impact on neighbouring residential amenity.

Questions were raised by members relating to mass and bulk, window design, density and, the weight that should be given to prior planning decisions.

The Officer confirmed the schemes design, measurements and explained the difference between mass and bulk. The Officer also advised the Committee that previous planning permission was refused because the Planning Inspectorate ruled the proposed development was 'unattractive in its massing and design'.

The agent advised the Committee that the decision to use reflective windows and, rotate the proposed scheme to a 45 degree angle, would serve to reflect the trees and, blend the scheme into the surrounding woodland.

The DMTL advised the Committee the Draft London Plan would soon be published, with the removal of the density matrix. The DMTL confirmed the current 2016 Plan with alterations since 2011, was still the adopted Development Plan, but the Draft London Plan was a material consideration in planning decisions. The DMTL also advised that the density matrix should be applied flexibly. It would contribute to the Borough's housing targets in a predominantly residential and highly sustainable urban location, making the most efficient use of land and optimising density. This was considered a planning merit, to which very significant weight was given.

The Legal Representative gave advice regarding the weight the Committee should give to the previous Planning Inspectorate decisions when considering the current planning application.

The Legal Representative advised that previous planning decisions were material considerations, but not binding precedent. The Committee should give regard to the prior decisions, but consider the current planning application on its own merits, in context to all material considerations put before them.

During the member discussion that followed, the majority view was that there were no grounds for the application to be rejected.

Members voted on the recommendation in the report with a result of 5 in favour and 1 against of the proposal.

The Committee

RESOLVED

That planning permission be GRANTED for the demolition of existing two-storey building at 84 Ravensbourne Park, SE6, and construction of:

- 9 self-contained flats (3 x one, 4 x two bed and 2 x three bed), together with 3 car parking and 14 bicycle spaces and associated landscaping.

Subject to Conditions and Informatives outlined in the report and subject to,

The prior completion of a Legal Agreement pursuant to Section 106 of the 1990 Act (and other appropriate powers) to secure the following PLANNING OBLIGATIONS, authorise the Head of Law to complete a legal agreement to cover among other things the following matters: -

- (a) Payment on completion of the deed of the Council's legal and professional fees in preparing and thereafter monitoring the agreement
- (b) Notice of commencement 28 days prior to a material operation.
- (c) Tree replanting contribution.
- (d) Car club membership for residents.

That the Head of Planning is delegated authority to negotiate the Legal Agreement.

That the Head of Planning is delegated authority to issue the planning permission and impose conditions (and informatives).

That the Head of Planning is delegated authority to make changes to the wording of the Committee's decision (such as to delete, vary or add conditions, informatives, planning obligations or reasons for the decision) prior to the decision being actioned, provided that the Head of Planning is satisfied that any such changes could not reasonably be regarded as deviating from the overall principle of the decision reached by the Committee nor that such change(s) could reasonably have led to a different decision having been reached by Committee.

4 16-18 Sunderland Road, London, SE23 2PR.

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of four rear elevation balconies at 16-18 Sunderland Road, SE23 together with the conversion of the roofs of two single outriggers from pitched to flat, and the replacement of four existing windows with glazed doors.

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

- Principle of Development
- Urban Design
- Standard of accommodation
- Impact on Adjoining Properties

Following members' enquiries relating to the change of use of the ground floor units and, the loss of useable kitchen space.

The Officer confirmed there would be a change in use due to the sub-division of the existing restaurant into units.

The Officer also confirmed that the proposal would reduce the existing useable kitchen space by providing the access to the doors serving the balconies. The Officer stated the application created a trade-off between a minor harmful change to the internal living space, in what was already a small apartment and, the benefit of adding outdoor amenity.

The agent, on behalf of the applicant, addressed the Committee describing the proposed balconies layout and measurements, stating careful attention was paid to the design and materials used. The agent advised that the principle of adding rear balconies to improve residential living standards, was previously established by the appeals scheme that was allowed by the Planning Inspectorate in June 2018. The proposed balconies would introduce private amenity space, which the current building failed to do. It was advised that the balconies would have no 'inverse impact' on the character or appearance of the surrounding area. The agent also confirmed that the applicant no longer intended to construct the 'zinc clad external rear staircase', approved by the Planning Inspectorate. The agent noted this

would have been a more prominent feature to the application site. The agent concluded the presentation by stating that the proposal complied with regulations and, would be subservient to its surroundings.

Following members' enquiries relating to the omitted external staircase from the current application, kitchen size and, the Inspectorates consent for the external staircase, the agent advised that due to 'party wall' discussions that were 'pragmatic', viability of the external staircase was assessed and, it was felt it was no longer a viable option at this stage. It was stated that the applicant still wanted to improve the quality of the units and the balconies were the best way of doing so. The agent advised that the existing kitchen and the proposed kitchen floor area remained ultimately the same, yet there would be a reduction by the use of the door. The agent stated the loss in kitchen space was to be balanced against the external amenity space provided for residents.

A resident, addressed the Committee, advising that she was representing the immediate neighbours to the application site. Residents were opposed to the proposal because of concerns relating to the design and materials being incongruent to the character of the host building and wider terrace, the impact on neighbours in terms of loss of privacy, increased noise levels and loss of security, residential quality of subject apartments, level of detail on submitted plans and, no established precedent of balconies on the rear elevation of this terrace.

Questions were raised regarding the internal living room space, the balconies and, the material difference between the Inspectorates decision and the current proposal. The Officer confirmed that there was no living room space, and that the kitchen space took the place of a living room.

The DMTL advised on the complexity of the circumstances leading up to the current application and, outlined the sequence of events. It was stated that the allowed Planning Inspectorate appeal established the concept of the 'fall back option'. The fall back option was a minor material amendment to the original application, to add four balconies across the first and second floors and extend the staircase. It would increase the internal floor areas of the apartments by moving the existing internal staircases to the extension. Therefore, the fall back option increased both the internal and external spaces of the apartments. When this decision was made, the Inspector advised of the 'improved living conditions the balconies would provide the future occupants of these quite small apartments'. It was noted that although the fall back option was provided, the current proposal before the members

now omitted the staircase and, extended the balconies to fill in the gap where the staircase was meant to be. The harm of the internal staircase was the reason the Inspectorate allowed the balconies. It was advised that this was a material consideration and, great weight should be given to this by the Committee due to the circumstances advised of around the current application. It was advised that on balance, the loss of internal kitchen space would be minimised by the proposed doors opening outwards onto the balconies and, the weight given to the benefits of outdoor amenity space outweighed the harm posed by the minimal loss of kitchen space. Therefore, the proposal would result in an improved standard of accommodation for the apartments. It was also considered that the current proposal would have a better appearance than the fall back option would. The DMTL advised that the material consideration was whether the loss of kitchen space was significant enough to outweigh the merit of the balconies to the overall amenity added to the standard of accommodation.

The Legal Representative confirmed the advice provided by the DMTL, stating Committee members would be minded to consider whether the improved appearance outside was enough to outweigh the loss of useable internal space. It was also advised there existed the legitimate fall back option, allowed on appeal, which could be implemented by the applicant, if the current application was refused.

During the member discussion, the Chair expressed great concern with regard to the application. He felt the Planning Inspectorate saw a 'tacit improvement' in amenity by moving the staircase outside. The payoff would have been liveable accommodation. Now the liveable part was removed, leaving behind living space that was substandard. The Chair advised the Committee he felt 'awkward' and 'difficult' in accepting the proposal and felt it was a 'bad planning decision'.

A member stated it was felt the proposal would not enhance what was already there. Therefore, there was no justification to approve the proposal.

Members also commented that if the applicant was minded to provide more space, then the proposal would have been to construct 1 bed units, as opposed to 2 bed units.

There was a concern amongst the Committee members about the quality, size and design. In addition, the general consensus was that the buildings had been allowed to fall into disrepair and, any further work done to them

would have to be of a restorative gesture, rather than adding to their decline.

All members agreed with the views expressed.

The Committee

RESOLVED - Unanimously

That it be noted that the Committee agreed to **REFUSE** planning permission for the construction of four rear elevation balconies at 16-18 Sunderland Road, SE23 together with the conversion of the roofs of two single outriggers from pitched to flat, and the replacement of four existing windows with glazed doors for the following reasons:

Residential quality of subject apartments impact on the standard accommodation would on balance, be negative.

The proposal would:

- Reduce the existing useable kitchen space.

5 118 Canonbie Road, SE23 3AG

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of an existing three (3) storey house (Use Class Sui Generis) to allow for the construction of one (1) three (3) storey building containing six (6) dwellings for Temporary Accommodation homes (Use Class C3) at 118 Canonbie Road, SE23 3AG, including small basement plant and store room, and associated landscaping, refuse storage and cycle parking.

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

- Principle of Development
- Housing
- Urban Design
- Impact on Adjoining Properties
- Transport

Natural Environment

Following members' enquiries relating to the proposal use as Class 3, public transport and, parking, and pedestrian safety, the Officer confirmed was Class 3 residential housing and, any type of residential accommodation.

The Officer confirmed that although the application site had a low Public Transport Access Level (PTAL) score, they supported the findings of the independent parking survey. The survey confirmed there was capacity on-street within 200m of the site to accommodate any parking demand generated by the development. The Officer also advised that the findings of the independent parking survey was supported by Highways Officers, therefore subject to the proposed conditions, the development proposal would not result in harm to the local highway network, pedestrian or highway safety.

The DMTL advised the Committee that the proposed development would provide six new temporary accommodation dwellings of which 100% would be for rent at Local Housing Allowance Levels and, would all be let at affordable rents capped by the Local Housing Allowance. This would meet an identified need. The homes would be managed by Lewisham Homes.

The agent, on behalf of the applicant, addressed the Committee advising the proposal addressed the largest housing crisis in the UK since the end of the Second World War. The agent described the schemes design and advised the Committee as replacing the current building not fit for human habitation. This would help to address the homelessness of over 2,300 people or 1 in 57 families registered as homeless. The agent stated that the proposed scheme had set a quality benchmark for local social rent housing.

Following a member enquiry regarding public transport the DMTL suggested junction works would be best delegated to a separate discussion between Lewisham Council and Committee members with regard to highways works to improve accessibility to the nearby bus stop.

During the member discussion, the Chair and several other Committee members praised the schemes design and, thanked the applicant for the proposed scheme, noting the positive benefit good high quality social housing could bring to people who experienced negative effects to their daily lives, due to displacement.

The Committee considered the submissions made at the meeting, and

RESOLVED - Unanimously

That planning permission be **GRANTED** for the demolition of an existing three (3) storey house (Use Class Sui Generis) to allow for the construction of:

- one (1) three (3) storey building containing six (6) dwellings for Temporary Accommodation (4 x 2-beds and 2 x 3-beds) homes (Use Class C3) at 118 Canonbie Road, SE23 3AG, including small basement plant and store room, and associated landscaping, refuse storage and cycle parking.

Subject to Conditions and Informatives outlined in the report and,

A requirement that officers should formulate amendments to:

- Condition 3 (Construction Management Plan): amend to have separate plans to cover the demolition and construction periods.
- Condition 4 (Site Contamination): amend to allow for demolition.
- Condition 6 (Refuse and Recycling Facilities): amend to be pre-occupation.
- Condition 7 (Cycle Parking Provision), amend to omit paragraph (b) due to typographical errors.

The meeting closed at 9.25 pm.

Chair
