

**LEWISHAM COUNCIL
PLANNING COMMITTEE A
THURSDAY, 7 JANUARY 2021 AT 7.35 PM
MINUTES**

PRESENT: Councillor James-J Walsh (Chair), Councillors: Obajimi Adefiranye, Patrick Codd, Sophie Davis, Carl Handley, Pauline Morrison, John Paschoud and Luke Sorba.

APOLOGIES FOR ABSENCE: Councillors: Liam Curran and Octavia Holland.

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

ALSO PRESENT: Legal Representative: Charles Merrett, Barrister from Francis Taylor Building on behalf of LBL.

**Item
No.**

1 Declarations of Interest

The Chair advised that although Councillor Sorba had referred Item 4 of the Agenda to Committee, there was no need for him to recuse himself from its' consideration, if he could confirm he had no interests. Councillor Sorba confirmed he had no interests.

2 Minutes

RESOLVED that the minutes of the Planning Committee A meeting held on 4 November 2020 be agreed and that the following text in those minutes, regarding Item 3 as follows:

‘...any works affecting the public highway should not hinder the movement of mobility scooters.’

be amended by Officers to:

‘...any works affecting the public highway and in particular the pavement should not hinder the movement of mobility scooters’

3 1 and 1a Malpas Road, London, SE4 1BP & 110 Lewisham Way, London, SE14 6NY

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of the ancillary storage buildings, change of use and the construction of a part single/part 2 storey building to provide:

- 1 one bedroom flat and 1 one bedroom house at 1 Malpas Road SE4, together with the retention of the existing ground floor retail unit and the construction of an extension to the existing flat at second floor level at 110 Lewisham Way SE4.

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

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

Following the Officer's presentation, questions were raised by Members relating to: building dimensions, retail storage space, residential space, ceiling height and current application.

The Officer advised Members with regard to the building dimensions of the refused application the information would be located and shared later in the meeting.

The Chair advised the Committee that retail storage space was not a material consideration for the application before them. The DMTL reiterated the Chair's advice and advised that due to the change of use order from the previous year, the issue of retail storage space was not a material consideration. Members were also advised that the existing storage space could now be used for a range of commercial or business uses, under new Class E without further planning permission.

It was acknowledged by the Officer that transgressions existed with regard to the measurement of the unit's garden measuring 4 metres instead of the required 5 metres. Divergence from the specified unit height in planning policy was noted with regard to Unit 1a. The

Committee were informed that 75% of the floor space under planning policy was contributed to ceiling height.

The Officer confirmed that 1b Malpas Road did not form part of the current application under consideration. Although it did form part of a prior joint application brought before a Planning Committee.

Neither the applicant nor their agent were available to address the Committee. Members were advised of the reasons by Officers.

A local resident addressed the Committee. The resident advised Members of resident's objections to the proposal due to: changes to plans, consultation, development footprint, change of use, enclosure, outlook, boundary wall height, the sunlight/daylight report, windows, privacy, parking, cycle storage, noise disturbance, design, size, materials, safety, demolition works, and drainage.

There were no questions for the resident from Members.

Members put questions to the Officer regarding: traffic, height, consultation, overlooking, windows and drainage.

The Officer provided clarification to traffic concerns raised as outlined in the officer report. Explanation was given as to why certain streets were not included in the parking survey, which was in accordance with the highways officer's request. The Officer assured Members that cycle parking would be available and there would be an acceptable impact on parking stress. It was stated that measures would be implemented, to mitigate any parking impact.

The Officer referred to their presentation to clarify issues the resident raised, regarding windows located to the rear of the development. Members were informed that the windows would be glazed and would not open fully, which was a condition agreed. It was also noted that the windows would be in keeping with neighbouring buildings, with similar windows facing into their gardens.

The Committee were advised that the noise disturbance, was considered by officers to be acceptable.

The Officer provided clarification regarding the boundary height as detailed in the officer report. Members were advised the measurements were in keeping with the existing site situation.

It was confirmed by the Officer that no comments of support to the development were received from residents or local businesses.

Members were also advised this was not a material consideration to the application before them. The Officer also confirmed there were no

objections to the scheme from Transport for London (TfL) or the Highways Department.

Advice regarding overlooking and the windows opening mechanism was reiterated by the Officer. Members were also assured the windows would be glazed.

The Chair requested an informative to be included in the decision notice for soil pipes to be implemented on the development, to mitigate drainage issues raised by the resident. The Chair's request was noted by the Officer.

Brockley Ward Councillor Stephen Penfold addressed the Committee, under Standing Orders. Councillor Penfold was against the application. The Councillor cited DM Policy 32.4.e as detailed in the officer report and advised Members the development did not fulfil the local authority's requirements, to support single person dwellings. The Councillor voiced objections with regard to the proposed developments height. It was emphasised that the space requirements, as outlined by planning policy had not been met. The Councillor expressed the same concerns, with regard to the proposed outdoor space. The Councillor also raised concerns with regard to fly-tipping and the impact of parking on the local vicinity, in particular Luxmore Road.

The Officer advised Members that single person dwellings were subject to the requirement that they would have an exceptional design quality and be in highly accessible locations. Officers considered that the proposed development would meet the policy criteria in terms of exceptional design. The Officer informed the Committee that the internal design of the unit was also considered to have met the criteria as the unit would be oversized with a separate bedroom, dual aspect and private external amenity space. Officers felt the requirements of DM Policy 32.4.e had been satisfied.

Members were advised the site had a PTAL of 6a, indicating a highly accessible location. As such the proposal did not include any off-street parking, which was supported given the high PTAL rating. It was confirmed a CPZ did not operate on Malpas Road and therefore it was not possible to restrict cars from parking in the surrounding area. The Officer advised a Parking Stress Survey Report had been submitted to convey parking capacity in the surrounding area. He advised Luxmore Road had not been included in the Highway Departments calculations for parking stress. In response to the surveys findings, the applicant agreed to provide cycle storage, to be secured by condition.

The Officer addressed questions put to him earlier in the meeting with regard to: building dimensions and retail storage space. Members were the previous refused application conveyed a proposed development arranged over 3 storeys. However, the current application showed the proposed development arranged over 2 storeys. This constituted a significant material difference.

Clarification was provided to the Committee regarding where the cycle storage would be located in Unit 1a and Unit 1e's gardens. It was advised that officers felt there would be sufficient space.

During discussion, a Member shared concern regarding accommodation, noting the differences in unit size between the previous refused applications larger scale and the current applications smaller dimensions. However, Members agreed overall with the conditions to be imposed.

Members voted on the recommendation in the report with a result of 6 in favour of the proposal and 2 against.

RESOLVED

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of the ancillary storage buildings, change of use and the construction of a part single/part 2 storey building to provide:

- 1 one bedroom flat and 1 one bedroom house at 1 Malpas Road SE4, together with the retention of the existing ground floor retail unit and the construction of an extension to the existing flat at second floor level at 110 Lewisham Way SE4.

Subject to conditions and informatives outlined in the report.

4 60 Erlanger Road, London, SE14 5TG

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of existing double garage and construction of a new outbuilding to the rear of 60 Erlanger Road, SE14.

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

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

There were no questions for the Officer from Members.

The agent addressed the Committee. The agent described the development, advising of the applicant's intention to provide a gym and storage space. The agent also addressed issues such as footprint, height and cladding. With regard to cladding the agent acknowledged the objection from the Telegraph Hill Society (THS). It was advised that following the objection, the applicant had reverted back to the use of brick. In addition, the agent confirmed the roof of the development would be reverted back to slate. The agent also confirmed the outbuilding would be for incidental residential use only and there would be improvements to the appearance of the garden space. The agent stated that in response to the THS objections to the materials, the materials were changed. It was advised as a result the THS withdrew that objection. The agent concluded the current application would improve upon the 'dilapidated garages' and should be 'considered acceptable'.

There were no questions for the agent from Members.

Local residents addressed the Committee. The residents advised Members of their objections to the proposal due to inaccurate drawings. It was felt the drawings were deliberately inaccurate, to the applicants' advantage, as they reduced the size of the residents' garden. The residents advised the Committee they had submitted accurate copies of Land Registry plans of the land to Officers prior to the meeting. Members were advised that notations on the Land Registry plans stated no survey had taken place and these notations were removed by Officers when shared with the Committee. The residents stressed their concerns with regard to the footprint of the proposed development.

There were no questions for the residents from Members.

Members made enquiries to the Officer, in regard to: the drawings of the developments boundary, height and legal advice.

The Officer referred to the officer presentation to provide clarification regarding the building location and boundary. The Officer advised the Committee the building would not be any closer to the neighbouring building. The Officer provided further advice on how measurements had been calculated, as outlined in the officers' report.

The Officer concluded the development would be built on the applicants land.

The Officer confirmed the height of the development, noting it was also pitched away from the neighbour's house and garden. The Officer assured Members that officers felt the proposal was acceptable.

The legal representative provided further clarification on boundary disputes. It was advised such disputes would be an issue of land ownership. It would be relevant in terms of implementation. However in planning, such consideration could be set aside. This was because planning applications could be granted on land not owned by the applicant.

The Committee considered the submissions made at the meeting, and

RESOLVED - unanimously

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of existing double garage and construction of a new outbuilding to the rear of 60 Erlanger Road, SE14.

Subject to conditions and informatives outlined in the report.

The meeting closed at 9.20 pm.

Chair
