

**LEWISHAM COUNCIL
PLANNING COMMITTEE A
THURSDAY, 11 MARCH 2021 AT 7.33 PM
MINUTES**

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

APOLOGIES FOR ABSENCE: Councillors: Sophie Davis, Carl Handley, Liam Curran and Octavia Holland.

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

ALSO PRESENT: Paula Young – Legal Representative.

**Item
No.**

1 Declarations of Interest

Councillor Paschoud advised that he was a member of the Sydenham Society and confirmed he had no interests in Item 4 on the Agenda.

2 Minutes

RESOLVED that the minutes of the Planning Committee A meeting held on 7 January 2021 be agreed.

3 Anayah Apartments, 54b Trundley's Road, London, SE8 5FB

The Planning Officer gave an illustrative presentation recommending the grant of planning permission for the Prior Approval under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development Order 2015 (as amended)) for the construction of an additional storey to 54b Trundley's Road, SE8 to provide:

- 1 x 1-bed and 2 x 2-bed flats.

The Committee noted the report.

Following the Officer's presentation, there were no questions for the Officer from Members.

The applicant made no address to the Committee, but advised he was available to answer Members questions.

No questions were put to the applicant by the Members.

A local resident addressed the Committee. The resident advised Members of resident's objections to the proposal due to the developers' actions, such as the: removal of (his) solar panels, green building converted back to a normal building, charges levied to reinstate the solar panels and green building, bin and bicycle storage, complaints ignored and lack of engagement. The resident concluded due to the issues raised, the application should be refused.

At the Chair's request, the representative expanded on their concerns regarding bins and the bicycle store.

The representative advised that due to complaints received, the developer added new bin storage. However despite requests, CCTV was not installed to mitigate fly tipping. It was felt the developer was only addressing issues raised by residents, because of the application now put before the Committee. The representative advised this attention from the developer would be 'short term' for the benefit of gaining approval of the application. It was concluded that the developer's service was 'poor' and if two extra units were allowed to be built, there would be more people at the development and 'more problems'.

The Chair acknowledged that the concerns raised by the representative were important. However, the Chair was minded to advise the representative that the issues raised were not planning considerations. The issues raised were matters between landlord and tenant. As such, they could not be considered by the Committee.

The representative was advised of legal recourse avenues they could follow by a Committee Member and the Chair, who also outlined the decision making powers held by the Committee.

The Chair addressed the representative's concerns regarding bicycle storage and the bins to the Officer.

The Officer confirmed that advice had been taken from Highways, which confirmed the development would be car free, therefore bicycle storage was important. Members were advised that the applicant was

willing to have conditions implemented by the officers to mitigate this raised concern.

The Committee were advised by the Officer that following legal advice, it was determined not possible for the bin storage to be conditioned. However, the applicant had also agreed that the officers could implement a condition regarding bin storage.

Members put questions to the Officer regarding the removal of the solar panel and fire safety.

The Officer advised the Committee the removal of the solar panels by the developer was not a planning consideration.

Clarification was provided by the Officer with regard to fire safety, as detailed in para 41(i) of the officer's report. In relation to this, the issue of the building not surpassing 18 metres meant the requirement to provide details of fire safety was not triggered.

During discussion, Members compared the current and prior application. The Members noted the amendments made by the applicant to the current application, in relation to the prior application.

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 Prior Approval under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development Order 2015 (as amended)) for the construction of an additional storey to 54b Trundley's Road, SE8 to provide:

- 1 x 1-bed and 2 x 2-bed flats.

Subject to conditions and informatives outlined in the report.

4 10 Thorpewood Avenue, London, SE26 4BX

The Planning Officer gave an illustrative presentation recommending the grant of planning permission for the demolition of existing double garage and construction of a two storey two bedroom house to the

side and rear of No 10 Thorpewood Avenue SE26 at lower ground and ground floor levels and adjustment to the existing dormer.

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 the Officer presentation, Members put questions to the Officer regarding refuse, garage access and the dormer.

The Officer advised the Committee that a condition relating to refuse storage could be implemented, so that it was specific to 10 Thorpewood Avenue.

The Committee were given further clarification by the Officer with regard to garage access as outlined in the officer report via reference to their Officer's presentation slides.

The Officer confirmed to Members that the reduction and refinement of the dormer, could be assured via condition on the applicant.

The agent addressed the Committee. The agent advised Members they had lived in the neighbourhood for 35 years. They advised the Committee that the proposed development would provide needed 'high quality', 'elegant', 'low profile' housing. The neighbouring properties were described in a very positive manner by the agent. They stated the new house built would 'complement' the existing neighbouring homes, as well as the courtyards. The agent informed the Committee that there had been consultation with neighbours and raised issues had been addressed. The agent then went on to describe the landscape, environment and materials that related to the proposed house. It was advised the timber to be used, blended with the surrounding woodland. The applicant advised Members there was support from local residents for the proposal.

A resident joined the applicants address to reiterate the applicant's sentiments and inform the Committee there were no issues with overlooking or transport links. The resident concluded the address by assuring Members the proposal would make a 'positive contribution' to the neighbourhood.

Members asked the applicant questions relating to the new application in contrast to the previous application and overlooking.

The applicant advised the previous proposal had been much larger.

However the new proposal had a reduced footprint and height.

It was also advised that the two storey elevation of the previous proposal was now ground level.

The Committee were advised that the overlooking issue had been resolved due to the reductions. In addition, the proposal was set back from the boundary and screened with a solid screen. The overlooking would therefore be the same as overlooking on a garden, in a normal suburban setting. The applicant concluded that neighbours agreed privacy had been maintained.

The Sydenham Society addressed the Committee on behalf of local residents. They advised Members of resident's objections to the proposal due to Thorpewood Avenue being a school street and access to the site via Hassocks Close. The Society also felt the intention to have access to the garages at the rear of the property was unclear. The Sydenham Society advised the Committee these concerns should be addressed, with implemented mitigation measures via the construction management plan.

Members questions that followed, related to safeguards that could be enforced by the local authority, with regard to Thorpewood Avenue noted as a school street and the construction access via Hassocks Close.

The applicant referred to a map they provided to the local authority.

The map was used to clarify that the applicant was aware of and mindful that Thorpewood Avenue was a school street.

The applicant also assured the Committee that Hassocks Close would not be used for construction purposes.

The DMTL confirmed no access for construction purposes via Hassocks Close would be conditioned explicitly into the construction management plan. The Chair requested an informative be added to draw attention to the School Street scheme.

There were no questions for the Officers from Members.

During discussion a Member noted the applicant and representative with objections both seemed to agree, rather than disagree, on the mitigation measures to be implemented.

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 two storey two bedroom house to the side and rear of No 10 Thorpewood Avenue SE26 at lower ground and ground floor levels and adjustment to the existing dormer.

Subject to conditions and informatives outlined in the report and,

A requirement that officers should:

- Add a condition requiring completion of the works to reduce the existing dormer prior to occupation of the new dwelling.
- Add wording to the refuse condition to ensure the refuse details include both the existing and approved dwelling.
- Add wording to the CMP condition stipulating that access to the development for construction purposes, must be restricted to Thorpewood Avenue and no access should to be allowed via Hassocks Close.
- Add an informative to draw the Applicant's attention to the recent School Street initiative in the local area when preparing the CMP

5 70 Deptford High Street, London, SE8 4RT

The Planning Officer gave an illustrative presentation recommending the grant of planning permission for the change of use of 70 Deptford High Street SE8 to an amusement centre - adult gaming (sui generis)

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

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

Member's questions following the officer's presentation related to the definition of concentration of betting shops on Deptford high street. The Officer advised the Committee that in regard to the proposed use, there were no policies specifically preventing changes of use to adult

gaming centres. However, the London Plan (March 2021) identified the harm that could arise from an overconcentration of certain uses and highlighted gambling uses, such as betting shops and amusement centres within those potentially harmful uses. The Development Management Local Plan identified the detrimental impacts that could arise from an overconcentration of these types of uses. The Officer advised the Committee that the proposed change of use would not result in the loss of a retail unit. Nor would it increase the concentration of gambling uses within the high street.

The applicant did not attend the meeting.

The Deptford Society addressed the Committee. The Society advised Members of their objections to the proposal due to lack of community benefit. The Society noted the petition raised by local businesses and residents against the premises proposed change of use. The Society stated the principle of development was to sustain and enhance the quality of community life. It was felt this proposal would not do so. It was noted that during the pandemic, vibrancy on the Deptford High Street had been lacking and this development would not do anything to add to increased vibrancy. The Society advised Members that local councillors and residents were against the proposed change of use. It was felt that despite the possible threat of an appeal by the applicant, the local authority should refuse the application. Emphasis was placed on the deprivation of the area and the difficult times currently faced by many of the residents during the pandemic and even before.

There were no questions for the Deptford Society from Members.

New Cross Ward Councillor Brenda Dacres addressed the Committee, under Standing Orders. Councillor Brenda Dacres was against the application. The Councillor advised that the proposal in a high deprivation area, would have a 'detrimental', 'accumulative' and 'negative' effect on the local community. It was also noted that primary and secondary schools were in close vicinity to the premises. The Councillor expressed concern over the message this proposal would send to young, vulnerable children seeing gambling activity in such establishments. Members were advised that near the premises, there were also organisations that offered support to the homeless and those affected by drug addiction. In addition, there was also a pawn shop close to the proposal. The Committee were informed the proposal would have an impact on the level of drinking and drug abuse affecting the area. This was a problem the local traders and

residents were trying to stand up against. The Councillor also expressed concerns regarding the negative effects on families affected by gambling. The Councillor concluded by stating the local community were tired of being 'run over' by establishments, seeking to prey on people in the community.

During the discussion that followed, the Chair noted that the local authorities Licensing, had already granted permission for the premises use. The concern regarding the premises change of use was put to the DMTL.

The DMTL acknowledged the objections on a moral basis, but advised they did not carry weight in planning considerations. The DMTL also confirmed that whilst the premises currently appears vacant, its lawful planning use is as a gambling outlet and could be brought back into operation at any time. Therefore, technically there would be no net increase in gambling outlets in the area. The Committee were informed there was no 'specific quantum' of what denoted over concentration. It was confirmed that there was currently no new policy in place that altered the existing approach. There was also no set number or cap on the number of gambling establishments allowed on the high street. The DMTL also advised Members that it would be hard for the local authority to argue that the four gambling outlets currently on the high street constituted an over concentration.

A Member raised concerns regarding the 'evening economy' envisaged for Lewisham. It was felt the evening economy was not being promoted to encourage diversity of the town centre. Another Member also raised concerns that the proposal did not 'enhance the environment' or 'human life'. It was noted by the Member that the applicant had not attended the meeting to address Committee with regard to their application.

The DMTL advised Members to be minded that these concerns did not form part of planning considerations. It was likely that the Planning Inspectorate would consider that gambling was a form of entertainment and that not all individuals experienced negative problems from participating.

The legal representative confirmed the DMTLs advice, noting that if the application was refused and went to an appeal, it would not be sustainable and would most likely incur costs to the local authority. The Chair reminded Members there were no legal framework to reject the proposal.

Earlier in the meeting at 9.21 pm, one of the Members lost their internet connection to the meeting. The Chair briefly adjourned the

meeting so the issue could be resolved. The Member was able to reconnect to the meeting at 9.31pm. The Chair advised the Member that they were welcome to participate in the discussion on Item 5, but they would not be able to participate in the voting that would follow.

Members voted on the recommendation in the report with a result of 4 in favour of the proposal and 1 against. It was

RESOLVED

That it be noted that the Committee agreed to:

GRANT planning permission for the change of use of 70 Deptford High Street SE8 to an amusement centre - adult gaming (sui generis)

Subject to conditions and informatives outlined in the report.

The meeting closed at 10.14 pm.

Chair
