

**LEWISHAM COUNCIL  
STRATEGIC PLANNING COMMITTEE  
THURSDAY, 29 JUNE 2021 AT 7.35 PM  
MINUTES**

**MEMBERS PRESENT:**

Attendance:

In Person: Councillors John Paschoud (Chair), Kevin Bonavia, Suzannah Clarke, Olurotimi Ogunbadewa, Stephen Penfold and James-J Walsh.

Remotely: N/A

**Under Standing Orders:**

Councillor of Bellingham Ward: Allan Hall

**Apologies:** Councillors Andre Bourne and Aisling Gallagher

**OFFICERS:** Planning Officer (Officer), Senior Planning Lawyer (Observing meeting), Head of Development Management (HDM), Committee Officers x 2 (1 in person and 1 remotely).

**EXTERNAL LEGAL REPRESENTATIVE:** Charles Merrett, Barrister, Francis Taylor Building.

**Item  
No.**

**1     Declarations of Interest**

All Members present in the Council Chambers advised they had been lobbied, with regard to Item 3 on the meeting's Agenda.

**2     Minutes**

RESOLVED that the minutes of the meetings of the Strategic Planning Committee held on 23 March 2021 and the AGM, Strategic Planning Committee held on 26 May 2021 be agreed and signed as a correct record.

### **3 LAND AT SYDENHAM HILL ESTATE, LONDON, SE26**

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide:

- a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area.

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

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

Following the presentation, Members' raised concerns regarding the application, ecological concerns, accessibility, nomination rights, tenure, internal communal space, planning policy and consultation.

The Officer advised Members the application under consideration was the same application approved in 2020. The application was brought back before the committee, following a successful claim for judicial review in relation to planning permission, as outlined in the Officer's report.

The Officer confirmed there would be a programme of tree planting, to reinstate trees lost at a ratio in excess of two to one. The trees would be climate resistant. The Officer advised Members that the 46 replacement trees would not replicate the existing mature trees to be removed. This is because it would take approximately 5 years for the replacement trees to have the desired effect, of mimicking the existing

canopy. The Officer advised the species of trees to be used could be agreed via a condition included in the agreement with the applicant. Members were advised by the Officer that the development had been designed to accommodate 10% wheelchair user dwellings and would meet the Building Regulation standard (M4(3)). The remaining 90% would meet the accessible and adaptable standard Building Regulation standard (M4(2)). The Officer also referred to the presentation slides to provide clarification with regard to gradients. The Officer informed Members the nomination rights would be 110 Social Rent residential units, with at least 50% of nomination rights given to Lewisham Council. The remaining 50% of nomination rights would go to the applicant, City of London.

The Committee were advised by the Officer that the proposal would comprise of 100% affordable housing (by habitable room), on-site. It would be made up entirely of social rent tenured units. It was felt by officers the proposed housing mix and tenure responded to local needs. In addition, the increased weight given to social rent provision was considered an appropriate response to local need.

The Officer advised Members that the design team would review the location of the central column / investigate its deletion. The Officer stated the applicant would be better placed to better answer the question.

Members were assured by the Officer that the scheme had been amended following significant pre-application discussions. Whilst the scheme was the same as originally submitted, the corresponding application now under consideration, had been reviewed in context of the London Plan 2021 and found consistent.

The Committee were informed by the Officer that full and transparent consultation, with identified direct engagement and consultation events had taken place, as outlined in the Officer's report.

The applicant, addressed the Committee and described the scheme. The advice provided by the Officer, was reiterated by the applicant. Members were advised by the applicant that there were more than 9,000 people waiting for homes on the Lewisham and City of London housing lists. The applicant advised the Committee that they had worked on the application for 4 years. It was stated that 40 consultation events had been held. As a result of the consultations many changes had been made, such as: increase in the number of rooms, height reduced, improvements to the car park and enhancements to the landscaping i.e. open lawns, flower displays and wallflowers.

The applicant informed the Committee that they were committed to replanting more trees than would be removed from the development. Members were assured that the concerns regarding the internal communal space would be addressed after the consultation that had taken place with the local authority's Design Review Panel. The applicant advised Members that there was support for the 110 social rent homes to be provided and stated the development was appropriate with regard to scale, height, uses and grading.

Following Member's enquiries related to objections, viability, internal communal space, ecological concerns and the application.

The applicant acknowledged the objections to the developments height and advised Members that the application site was complicated and it was a 'balancing act' to consider options, challenges and proposals to deliver the scheme. The applicant noted that if the development height were reduced, the number of family units would also be reduced.

The Committee were advised by the applicant, that a reduction in the height of the development, would make it non-viable.

The applicant informed Members that the pillar in the internal communal space would be reviewed with a view to its removal, subject to further design work by condition.

It was agreed the applicant would be willing for a condition regarding the removal of the pillar from the internal communal space could be included in the agreement with the developer.

The applicant confirmed that condition regarding the replanting of tree on the development could be included in the agreement. The Committee were advised the applicant was not a tree expert and therefore could not provide a tree valuation. Members were advised however, that the applicant had a landscape architect. It was confirmed that the architect's landscape plan addressed current and future trees on the development

The Chair advised Members that the issues with regard to the pillar in the internal communal space, could be amended as a reserved matter.

A resident and legal representative speaking for residents addressed the Committee.

The representative advised Members of resident's objections to the proposal due to the impact on: design and impact on surrounding area, local facilities, transport and road network, biodiversity,

consultation, pollution, energy and sustainability. The representative advised Members the consultation felt like a 'tick box' exercise and it had not felt as though resident's concerns had been heard by the developer. The representative also expressed concern with regard to 42 documents that had been published within the last 12 days prior to the Committee meeting.

The objector's legal representative advised that the application had been ongoing for a long time and was 'still not right'. The legal representative outlined various harms, as had been captured in the Officer's report. The representative expressed concern that a number of documents were posted onto the local authority's website in the past week, prior to the Committee meeting. The objector's legal representative advised the developer should review the application and return to the Committee, with an application that had both local support and approval.

Questions were raised by Members relating to footprint, consultation and application amendments.

The representative advised an architect had been employed, who would be able to forward the figures that confirm the footprint of the development would be 42% larger than the current developments footprint.

Members were informed by the representative that during consultation the residents would have liked to have felt they had been 'listened to'. The objector's legal representative provided further clarification where documents had been posted to the local authority website close to and on the same day of the Committee meeting.

The Committee was advised that despite amendments following consultation with residents, some amendments were not satisfactory and therefore what had come forward was 'still objectionable'.

The objectors legal representative advised that it was possible for schemes to be built that avoided harm. Objections with regard to views were noted. Members were advised by the legal representative that the scheme needed to be redesigned.

The Chair acknowledged the concerns raised regarding documentation posted to the local authority's website shortly before the Committee meeting. The Chair advised that planning officers go 'above and beyond' in doing so, to ensure the Committee had all the required information before them to consider the applications before them.

Bellingham Ward Councillor Allan Hall addressed the Committee, under Standing Orders. The Councillor advised refusal of the proposal. It was felt the residents and officers should work together to ensure it was an acceptable proposal. The Councillor referred to the judicial review of the previous application and highlighted that it was the same quashed application that had returned to the Committee again, for consideration. The Councillor reiterated the objections as outlined in the Officer's report, noting each with the decision of the judicial review. The Councillor asked the Committee to consider who else was in support of the application, besides the developer and the local authority.

The Member's questions that followed related to documentation, support for the proposal, footprint, height and mass, pictures and trees.

The Officer advised that most documents had been consultation responses published to the local authority's website and in good time. The Officer advised the Committee that there was 1 response in support of the application, which was noted in the Officer's report. Members were informed by the Officer there was no data available, to compare against the 42% increase of the development footprint, as advised by the representative against the proposal, and that there is no policy test for such measurement

The Officer referred to the presentation slides to provide visual clarification with regard to the height and mass of the development. The Committee were told by the Officer with regard to pictures of trees, CGI was used so that foliage could be shown in context to schemes depicted.

During the course of the meeting, the Committee discussed the replanting of trees to replace the mature trees to be felled. It was felt a condition to ensure the replanting was a good idea. However a member noted that it was also important for the trees to be monitored over the 5 year period to ensure they met the purpose of restoring the tree canopy. The Chair asked the officers to review the current condition governing the tree replanting program to see if it met the 5 year monitoring request put forward by the member.

The Officer advised that Condition 4 of the agreement, could be reviewed and tightened up to cover management and maintenance of the developments landscape over a 5 year period. The period of time could also be increased, if required.

The Officer confirmed that the wording for conditions agreed, would be delegated to planning officers.

The majority of the Members felt the development was beneficial to the local community. Another member noted that the current mental health crisis was also a result of homelessness. The member noted the planning frameworks in place and felt that the challenge was to balance the needs of homelessness. Therefore 110 homes to be delivered was an 'extraordinary' development.

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

The Committee

## **RESOLVED**

That it be agreed to:

GRANT planning permission subject RESOLVED

That planning permission be GRANTED for the demolition of existing buildings at Mais House and Otto Close garages, SE26, and redevelopment to provide a part four, six and seven storey building and a part two and three storey terrace building providing a total of 110 residential units (use class C3), community room and estate office; together with alterations to the existing ball court; associated works to vehicular and pedestrian access from Sydenham Hill, Lammas Green and Kirkdale; provision of car and cycle parking, refuse storage and landscaping including amenity space and play area, subject to a S106 Legal Agreement, and conditions and informatives outlined in the main report, and in light of additional requirements as follows:

- 1 An additional condition requiring details of the specification of the Mais House entrance lobby outlining how the use of columns and visible structural support has been minimised.
- 2 An amendment to condition 4 'Soft Landscaping' to ensure details of the management and maintenance of the landscaping is secured in perpetuity.

The meeting closed at 9.58 pm.

Chair

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