

**LEWISHAM COUNCIL
PLANNING COMMITTEE A
THURSDAY, 10 JUNE 2021 AT 7.39 PM
MINUTES**

PRESENT: Councillor James-J Walsh (Chair), Councillors: James Royston (Vice-Chair), Patrick Codd, and Luke Sorba.

UNDER STANDING ORDERS: Councillor of Ladywell Ward: Carl Handley.

APOLOGIES FOR ABSENCE: Councillors: Obajimi Adefiranye, Liam Curran, Sophie Davis and Octavia Holland.

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

ALSO PRESENT: Paula Young – Legal Representative.

**Item
No.**

1 Declarations of Interest

The Chair advised the Committee:

- There would be a variation in the order of the meeting's agenda.
- That he had chaired a meeting in relation to item 3, on the meeting's agenda, but had no personal interest in the item.

2 Minutes

RESOLVED that the minutes of the meeting of the Planning Committee A held on 11 March 2021 be agreed.

3 84 Ravensbourne Park, SE6

The Planning Officer gave an illustrative presentation recommending the grant of planning permission for an application submitted under Section 73 of the Town and Country Planning Act 1990 for Minor Material Amendment in connection with the variation of Conditions (2) and (23) and the addition of a Condition to the planning permission (DC/19/113216) dated 22 June 2020 for Demolition of the existing two storey building at 84 Ravensbourne Park, SE6, and construction of 9

self-contained flats together with car parking spaces, bicycle storage spaces and associated landscaping (as amended by Section 96a application DC/21/121926 dated 27/05/2021) in order to allow:-

- Internal configuration of the approved scheme to change the Unit mix from 3x 1 beds, 4 x 2 beds and 2 x 3 beds to 7x 2 beds and 2 x 3 beds;
- Minor amendments to fenestration positioning

The Committee noted the report.

No questions were put to the Officer, by the Committee members.

The agent addressed the Committee on behalf of the applicant. He described the application site and the construction process. Members were advised that issues encountered and their impact on neighbouring properties had been noted by the applicant. The agent noted that they had not been satisfied with the development's stairwell. It was advised that this concern had been addressed to make the development compliant to building regulations. The agent concluded the development would result in 3 more bedroom spaces, 3 more residents and wheelchair access, via a wheelchair lift.

The Chair summarised the agents address, reminding members they were not considering a full application.

No questions were put to the agent, by the Committee members.

The following member's question put to the Officer related to increased density.

The Officer confirmed there would be an increase in density from 33 to 36 bedroom spaces. The Officer assured the Committee that the increase would not be considered a material difference.

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 an application submitted under Section 73 of the Town and Country Planning Act 1990 for Minor Material Amendment in connection with the variation of Conditions (2)

and (23) and the addition of a Condition to the planning permission (DC/19/113216) dated 22 June 2020 for Demolition of the existing two storey building at 84 Ravensbourne Park, SE6, and construction of 9 self-contained flats together with car parking spaces, bicycle storage spaces and associated landscaping (as amended by Section 96a application DC/21/121926 dated 27/05/2021) in order to allow:-

- Internal configuration of the approved scheme to change the Unit mix from 3x 1 beds, 4 x 2 beds and 2 x 3 beds to 7x 2 beds and 2 x 3 beds;
- Minor amendments to fenestration positioning

Subject to a S106 Legal Agreement and to the conditions and informatives outlined in the report.

4 Land to the rear of 159-161 Brookbank Road, SE13 7DA

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of part single/part 2 storey block incorporating roof space to provide:

- 2 x 2 bedroom self-contained flats at the rear of 159-161 Brookbank Road SE13.

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

- Principle of Development
- Housing
- Urban Design
- Transport
- Impact on living conditions of neighbours
- Impact on existing trees

Following the Officer's presentation, Committee members did not put any questions to the Officer.

The applicant did not attend the meeting.

A nearby resident addressed the Committee with objections to the proposal relating to height and overlooking. Another resident addressed the Committee and advised the members that the property he owned had been detached for 100 years. If the application were

granted, his property would be converted into a semi-detached property. The resident also advised the Committee of the impact of the developments characterisation on the surrounding area. Members were advised the application did not address the concerns raised such as privacy and the joining of the development to his own property.

Member's questions followed and related to clarification of particular points raised by the representative regarding his property, loss of privacy, overlooking, policy standards regarding the party wall and trees.

The Chair summarised the representative's speech and advised that a detached property would essentially be converted into a semi-detached, if the application were granted.

The Officer referred to an internet based satellite mapping application, to provide clarification to members regarding the development's boundaries and loss of privacy issues raised by the representative. Members were advised by the Officer that with regard to responsibilities, the development met the London plan criteria. In addition to this, the party wall was a separate issue, not managed by planning policy standards.

The Officer acknowledged that the trees could pose a highway risk as outlined in the Officer's report.

Committee member, Councillor Handley joined the meeting remotely. As such, he was not allowed to legally participate in the discussion of items on the agenda or cast votes. The Chair allowed Councillor to speak under Standing Orders.

Councillor Handley advised the Committee he felt it was unfair the representative purchased his home as a detached property, to then see it converted into a semi-detached by another individual's planning application, if granted. He felt there should be rules to govern such issues.

This view was supported by another member.

The DMTL advised the Committee to only consider material considerations. He confirmed there was no planning policy related to detached properties being converted into semi-detached through the submission of applications to the local authority. The DMTL advised the typology of the local area surrounding the development was mixed and therefore the current proposal was not objectionable. The DMTL also advised the party wall issue was not within the Officers remit to consider.

During the course of the meeting discussion concern was raised regarding the issue of the detached property being converted into a semi-detached property, if the application were granted.

The DMTL referred to the Party Wall Act and advised members that the Officers were discouraged from straying into this legislative area and reiterated it was not in the Officer's remit to do so.

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 construction of part single/part 2 storey block incorporating roof space to provide:

- 2 x 2 bedroom self-contained flats at the rear of 159-161 Brookbank Road SE13.

Subject to conditions and informatives outlined in the report.

5 49 Mount Ash Road, SE26 6LY

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the demolition of existing rear extensions and the construction of a single storey extension to the rear of 49 Mount Ash Road, SE26.

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

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

No questions put to the Officer by the Committee.

The applicant addressed the Committee. The Committee were advised that the proposal would meet regulatory standards and would have no impact on sunlight, or the developments chimneys. The development would in fact reduce light pollution. Members were informed that no part of the original water closet existed today. Only the footprint of the original water closet might remain. Members were assured the flat roof

would not be used as a roof terrace. No railings or access to the flat roof, would be built on the development. The applicant made comments that a local resident in attendance had personal interest and objections, because they were a member of a local conservation society.

A resident addressed the Committee, first by clarifying that they were not representing the local Society in this matter and had recused themselves from the Society's separate objection. The resident made comments alleging the Council's handling of the case had been improper. They went on to advise members of their concerns with regard to aesthetics, guttering, impact on neighbouring properties, drains and sewage, gardens, the highway near the development, land slippage and noted issues regarding the Officer's report.

The Chair noted the comments made by the applicant and the resident, with regard to the local resident in attendance and the Council's handling of the application respectively. The Chair expressed his concerns with the comments made and advised the matter would be passed to the local authority's legal department to address.

No questions were put to the resident, by Committee members.

Member's put questions to the Officer regarding conditions in the construction management plan, applications submitted, service gap, guttering, building controls, applications granted for other extensions,

The Chair confirmed technical conditions could be removed by the Planning Committee, if desired.

The Officer provided clarification regarding the number of extension applications approved. Members were advised that 3 applications for extensions were approved by the Planning Committee over the past 6 years. The Committee was informed that 2 of those applications were approved under delegated powers. It was noted that some of the applications granted, were for extensions larger than the current proposal under consideration.

Bellingham Ward Councillor Alan Hall addressed the Committee, under Standing Orders. Councillor Hall was against the application. The Councillor advised that: legal advice had been received, that he

was not a member of the Sydenham Society and that he was addressing the Committee, on behalf of a resident. Councillor Hall expressed concerns regarding the transparency of the process, regarding the application under consideration, conservation and history of the application site. Councillor Hall asked it be noted for the record that comments made in the Officer's report regarding the proposal, were inaccurately attributed to him. He assured the Committee he did not speak to the Planning team about the application under consideration.

Councillor Hall gave a historical account of the application site, noting the history of the developments original toilets, sewage and drainage systems. Members were advised if the application were granted, it would allow these systems to be built over. This could give rise to noxious fumes accumulating underground. It was advised that consultation outside of the immediate vicinity of the proposal was not favourable. Concerns had been raised with regard to underground springs and slippage. Reference was made to case law where residents took the local authority to court with regard to the collapse of the local highway, near the application site.

No questions were put to Councillor Hall by the Committee.

The Officer advised members there would be no excavation on the application site. The development would be built entirely in the sunken courtyard area of the application site.

With regard to the historical aspect of the toilet, sewage and drainage systems, the Officer advised none of the original toilet system remained on the development. The Officer stated the applicant had entered into a build-over agreement with Thames Water.

The Officer also advised the gap between the extension could easily be cleared, therefore leaves blocking the guttering was not considered a material consideration.

During discussion a Member commented it was very important that the conditions of the construction management plan, relating to access via the rear of the application site for works, would remain and not be removed from the plan.

Members voted on the recommendation in the report with a result of 3 in favour of the proposal and 1 abstention. It was

RESOLVED

That it be noted that the Committee agreed to:

GRANT planning permission for the demolition of existing rear extensions and the construction of a single storey extension to the rear of 49 Mount Ash Road, SE26

Subject to conditions and informatives outlined in the report.

6 38 Ermine Road, London, SE13

The Planning Officer, gave an illustrative presentation recommending the grant of planning permission for the construction of a single storey rear infill extension to dwellinghouse at 38 Ermine Road, SE13.

The Committee noted the report.

No questions were put to the Officer by the Committee.

The applicant briefly addressed the Committee, describing the application site.

No questions were put to the applicant by the members.

A residents addressed the Committee. The resident advised Members objections to the proposal relating to: precedents set had been ignored, the request for a site visit not followed up, incorrect measurements and an inaccurate impact assessment.

Member's questions followed and related to the objectors relationship to the application, measurements, site visit, planning weight given to current application in relation to prior applications submitted and the 45/25 degree tests referred to as the '25 line rule'.

The Officer confirmed officers had confidence in the measurements provided by the applicant, despite no site visit. The Officer provided clarification of the measurements, as outlined in the Officer's report. The Chair summarised the Officer's reassurance that the measurements would have been double-checked by the applicant and the local authority.

The DMTL advised members it was difficult to attribute planning weight to other nearby approvals as no specific information was collated regarding other approvals and each case would have been assessed on its' own merits.

The Officer advised the Committee that 3 similar properties had been identified and provided the dates their applications were granted. The Officer provided clarification regarding the 45/25 degree tests and advised members that failure of a development to meet the test criteria would not necessarily constitute a harm. The Officer confirmed they were satisfied the proposal had met the test criteria and measures would be put in place to mitigate any concerns raised.

During discussion a Member commented on the measurements and the lack of a site visit, but were satisfied with the information provided by the Officer.

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 construction of a single storey rear infill extension to dwellinghouse at 38 Ermine Road, SE13.

Subject to conditions and informatives outlined in the report.

The meeting closed at 9.41 pm.

Chair
