

ROYAL BOROUGH OF GREENWICH

WOOLWICH & THAMESMEAD AREA PLANNING COMMITTEE

THURSDAY 12 NOVEMBER 2020 AT 6.30 PM

MINUTES

PRESENT:

Members:

Councillor Stephen Brain (Chair), Councillor Linda Perks (Vice-Chair in the Chair for Item 5), Councillors Gary Dillon, David Gardner, Clive Mardner, Dominic Mbang and Nigel Fletcher

Officers

Assistant Director Planning and Building Control, Area Planning Manager East, Planning Officer x 2, Tree Officer and Committee Services Officer

Other Councillors in Attendance

Councillors Angela Cornforth and Gary Parker

At the commencement of the meeting, the Chair announced the procedure which would be followed for considering the planning applications. The Chair confirmed the names of members of the public who had registered to speak on each of the items and clarified that only those members of the public included on the register would be called to address the Planning Committee.

Item

No.

I Apologies for Absence

Apologies for absence were received from Councillor John Hills.

Apologies for leaving early were given by Councillors Stephen Brain, Clive Mardner and Dominic Mbang.

2 Urgent Business

There was no urgent business.

3 Declarations of Interest

Councillor Gary Dillon stated that in relation to Item 4 he was a member of the Charlton Society but it did not constitute an interest as he had not attended any meetings where they discussed the application, nor was he party to any correspondence on the application, nor was he approached by them about the application.

Councillor David Gardner stated that as he knew the site well and lived close to it he felt he would not take an objective view and therefore he would not participate in Item 4.

Councillor Linda Perks stated that she would absent herself from the Committee for Item 4 and would address the Committee as a Ward Councillor.

Resolved –

That the list of Councillors' memberships as Council appointed representatives on outside bodies, joint committees and school governing bodies be noted.

4 Land at rear of White Swan, 22 The Village, Charlton, London, SE7 8UD

Councillor David Gardner did not participate in this item.

Councillor Linda Perks absented herself from the Committee for this item.

The Planning Officer gave an illustrated introduction to the report.

In response to questions from the Committee the Planning Officer clarified the distance between the pub and the proposed new dwelling. He explained there was a limit to the maturity of any replacement tree. It was considered that the acoustic barrier was fit for purpose.

The Committee was addressed by two members of the public. It was said that the pub was family friendly and part of the community. The pub garden was an amenity and the development would mean the loss of a third of it. It

was questioned why the tree was being condemned. It was thought that pub gardens should not be excluded from the Council's backland infill policy.

In response to the question about why the tree was being condemned the Tree Officer gave details of examinations of the tree and the discovery of decay.

The Committee was addressed by Ward Councillors Gary Parker and Linda Perks. Concern was expressed that the reduction of the pub's amenity could affect its viability. It was noted the premises was a popular music venue and a family pub. The beer garden was an attraction, and used by children. Clarification was sought about what was to happen to the upstairs rooms of the pub. It was understood that the previous tenant of the pub had left because of a rise in rent. Scepticism was expressed about the acoustics particularly with the removal of the tree; it was suggested that the occupant of the proposed dwelling might in future complain of noise from the pub. It was queried why the development was being allocated car parking when there was a car park next to the site, and whether the access along Torrence Close would be safe. The Committee's attention was drawn to the draft London Plan paragraph 7.7.8 and its Policy HC7 which encouraged authorities to resist proposals which included loss of beer gardens and associated accommodation, so that they retained a pub's appeal and viability.

The Committee was addressed by the applicant's agent. In response to questions that had been raised he stated that the boundary line was per the submitted drawings, the present temporary fence was not the boundary. He said that the acoustic wall would mitigate noise. He said he understood that the first floor would remain part of the pub. He indicated that the development would also be accessible by foot. He stated that the applicant was happy to accept any condition in relation to the tree. He stated that the premises was not currently viable, irrespective of the size of the beer garden and the Covid-19 lockdown. It was felt the gain of a new dwelling outweighed the loss of a small part of the beer garden.

The Committee was addressed by the representative of the applicant. He said that the issue of safe access along Torrence Close had been looked at and Officers were satisfied that it was. He informed the Committee that the pandemic had created a lot of uncertainty for pubs and he suggested that if the proposal was not granted then the pub might remain vacant for another two years or more as it was not felt that under the current climate that a tenant would take on the pub. He commented that the pub had been shown to be not viable in February before the pandemic. He stated that though there would be a reduction in the size of the pub garden if planning

permission were granted it would continue to be a pub garden. He reminded the Committee of the comments made by the Tree Officer and he confirmed that the applicant was willing to accept any proposal with regard to a replacement tree.

In response to questions from the Committee about viability, the representative of the applicant, and the applicant's agent explained that the previous tenant had not been able to make the pub commercially successful, and the applicant was trying to find a new tenant. The viability report from February had indicated that the pub was not currently viable but that the reduction in the garden space would not have any impact on the viability of the pub. As Members were confused as to whether it was being suggested that the pub was viable at all it was stated that the premises with a reduced garden space could be made viable as pub, but that it might be that the applicant would have to reconsider the rent level.

From the Committee it was commented that if the rent level had been a contributory factor in determining the viability then why had the applicant not considered that with the previous tenant; it was queried where the applicant was looking for a new tenant and the reason why the applicant was not receiving any expressions of interest from new tenants. It was suggested that the applicant should consider the pub's community value in calculating its viability.

In response to other questions from the Committee, the representative of the applicant, and the applicant's agent indicated that there would be no overlooking of the proposed development because of the fence and because the proposed development had no windows on that side. It was reiterated that with regard to a replacement tree that the applicant was happy to agree with the Tree Officer's recommendation.

The Area Planning Manager East informed the Committee about the previous refused applications which had been appealed to the Planning Inspector. It was highlighted that the loss of the beer garden had not been raised as a reason for refusal before, and had not been raised as a reason for refusing the appeals by the Inspector. The Area Planning Manager East confirmed that despite a reduction in size the garden would be retained as a beer garden. The acoustic barrier would be subject to condition, and it was noted that the existing dwellings to the east which were situated closer to the pub than the proposed development did not have the mitigation of sound barriers.

In response to further questions from the Committee the Planning Officer advised the Committee on why the application met Core Strategy Policy H(c) Backland and Infill Development.

In discussing the matter Members acknowledged the concerns that had been raised. The matter of viability was considered and whether that was a sufficient reason for refusal. Whether or not the acoustic fence would absorb sound was considered. It was suggested that the replacement tree should be of sufficient size and be put in place before development began. It was felt that the proposed design and aesthetic of the proposed development addressed the reasons for previous refusals. While the development might change the character of Torrence Close and set a precedent it was accepted that they had to consider each application on its merits.

The Planning Officer advised that it was not possible to include an informative in relation to any potential future applications in Torrence Close.

The matter was put to the vote and with two votes in favour, two votes against, and one abstention, the Chair used his casting vote in favour and it was

Resolved -

That full planning permission for the construction of a single storey 3-Bed family dwelling with associated private amenity, driveway, bin and bike storage be granted

Subject to the conditions in appendix 2 of the report of 22 September 2020 as amended by the addendum reports of 22nd September 2020 and 12th November 2020, to be detailed in the notice of determination. The Assistant Director of Planning & Building Control is authorised to make any minor change to the detailed working of the recommended conditions, as set out in the report and its addendums, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

NB: Councillors Stephen Brain, Clive Mardner and Dominic Mbang left the meeting after this Item.

Councillor Linda Perks as Vice-Chair assumed the Chair for the rest of the meeting.

5 56 St Nicholas Road, Plumstead, London, SE18 1HH

The Planning Officer gave an illustrated introduction to the reports, highlighting the policy with regard to HMOs.

In response to questions from the Committee, the Planning Officer explained that though a case was opened no enforcement notice had been issued; the case related not to it being an HMO but to the internal works. He said the number of bins was in line with guidance, and they would be stored at the front of the building. The Area Planning Manager East added that any reduction in the number of bins might be objected to by Waste Services.

The Committee was addressed by a resident and representative of the Positive Plumstead Project. Concerns were raised about the quality of life for occupants of HMOs. It was questioned when the Royal Borough of Greenwich would have a HMO policy and when it would look at the proliferation of HMOs. It was noted the premises was situated close to a CPZ and the potential impact on parking was queried. The issue of bins and contamination when tenants did not understand the separation policy was raised.

The resident and representative of the Positive Plumstead Project was asked by the Committee whether there was any evidence for the suggestion of more car ownership for a HMO. She replied that they did not know where all the HMOs were that could provide that data, but indicated that parking was an issue in Plumstead as evidenced by the CPZs.

In response to further questions from the Committee, the Planning Officer stated the site had a PTAL rating of 2. Bicycle storage would be in the backyard, and bicycles would have to be carried through the property. The Area Planning Manager East added there was no expectation that a HMO would have more cars, and Highways Officers had not objected to the application.

The Assistant Director Planning and Building Control advised the meeting that there had been an initial discussion with regard to a HMO policy. It would be taken through as part of the next version of the Local Plan, but that was a two/three year process.

The Committee was addressed by Ward Councillor Angela Cornforth. She commented that works to the premises had been undertaken during the lockdown and an enforcement case opened; she added that the premises did not have a HMO licence. The number of bins were noted, and the tendency

for bins in such numbers to sprawl into the pavement. It was not felt that the kitchen dining area was adequate, particularly with the current requirements for social distancing and raised the issue of people being placed in HMOs in such circumstances. Councillor Cornforth felt a message had to be sent to retrospective developers who did not adhere to the planning/HMO rules.

The Chair indicated concerns about retrospective applications were shared, but that it was not a consideration in this particular application. The Chair noted that the effects of the pandemic were not a planning consideration. With regard to a question from the Committee about the responsibility for enforcing Covid-19 regulations in HMOs the Chair stated that was a matter to be raised with HMO licensing. The Planning Officer highlighted that each unit would have separate bathrooms.

The Committee was addressed by the applicant's agent. He said that the works referred to had been done under permitted development, and the enforcement case was dropped once it was seen that the current application had been put in. Also, it was under a single tenancy agreement at the moment and was not being used as a HMO. He explained that the original aim had been for 5 units, but two of the rooms were large and so classed as double, and the intention was to only apply for a HMO licence for 5. As a premises for 5 it might be possible to reduce the number of bins. The applicant was happy to have a bin store to conceal the bins. The units would have their own bathrooms, and the kitchen met the requirements for size. There would be a bicycle shed situated at the back of the premises. He drew Members' attention to the London Plan paragraph 3.55 about HMOs being part of the housing offer.

In response to questions from the Committee the applicant explained that the capacity for 5 bins was to be retained though only 3 bins were intended to be put in, because space was required to deal with garden waste.

The Area Planning Manager East advised the meeting that based on an application for 7 units 5 bins would be sought. If HMO capacity was reduced the applicant would have to discuss with Waste Services about a corresponding reduction in bin numbers.

During Members' discussion of the matter it was noted that until they had an HMO policy the application had to be considered under current policy. It was expected that the applicant and Officers would resolve the issue around the number of bins. It was agreed that the application was of good quality, particularly compared to some other HMO applications.

The matter was put to the vote and it was unanimously

Resolved -

That full planning permission for the conversion of the existing dwelling house (Use Class C3) into a 7-person HMO (sui generis) with associated external alterations at ground floor level to include replacement windows with bi-folding doors be granted

Subject to the conditions in appendix 2 of the report, to be detailed in the notice of determination. The Assistant Director of Planning & Building Control is authorised to make any minor change to the detailed working of the recommended conditions, as set out in the report and its addendums, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

The meeting closed at 9.06 pm

Chair