

ROYAL BOROUGH OF GREENWICH

PLANNING BOARD

19 JANUARY 2021 AT 6.30PM

MINUTE

PRESENT:

Members:

Councillor Stephen Brain (Chair); Councillors Norman Adams, Olu Babatola, Gary Dillon, Ian Hawking, Denise Hyland, Mehboob Khan, Clive Mardner, Linda Perks, Geoffrey Brighty and Nigel Fletcher

Officers:

Assistant Director Planning & Building Control, Planning Manager (Major Developments), Senior Principal Planning Officer, Solicitor for Legal Services and Committee Services Officer

Under Standing Orders:

Councillors Charlie Davis, Anthony Okereke and David Stanley

At the commencement of the meeting (conducted remotely) the Chair announced the procedure which the Meeting of the Board would be followed for considering the item(s) before the Board.

Item

No.

1. Apologies for Absence

There were no apologies for absence

2. Urgent Business

The Planning Board noted and accepted the Planning Officers' Addendum Report's, circulated in advance of the meeting, in relation to;
Item 4 – Land adjoining Halsbrook Road / Highbrook Road / Rochester Way, Kidbrooke, SE3 – Ref: 20/2323/F

3. Declarations of Interest

With regard to Item 4 - Land adjoining Halsbrook Road / Highbrook Road / Rochester Way, Kidbrooke, SE3 – Councillor Nigel Fletcher declared that as he had been party to representations made in respect of this application but had expressed no view on the matter. That he would leave the meeting and take no part in the debate or vote on the applications.

Resolved –

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

4. Land adjoining Halsbrook Road / Highbrook Road / Rochester Way, Kidbrooke, SE3 – Ref: 20/2323/F

Councillor Nigel Fletcher declared that he had been party to representations made in respect of this application but had expressed no view on the matter. He left the meeting and took no part in the debate or vote on the application.

The Chair read a statement advising that the Planning Board Meeting of 15 December 2020 had voted to defer the item for a site visit, however, a further national lockdown came into force, due to the Covid-19 pandemic. Consequently, the decision had been made to bring the item back to the Planning Board without Members undertaking the site visit.

Notwithstanding the decision to undertake a site visit the Planning Board was required to progress decision making in a timely manner, provided that sufficient information is presented. The Planning Board was not legally obligated to undertake the site visit before making a formal decision. The office's presentation would include photographs displaying the context of the site and provide information and clarity on the site and its content and, providing Members consider they have sufficient clarity on the planning merits of the scheme, it is lawful to come to a decision.

With regards to Save the Brooks alternative plans, these were submitted today and copied to the Planning Officer and, in line with standard practice for the submission of additional documents, are commented upon in the addendum report. It was clear that these alternative plans had not been formally submitted and are therefore not before the Board for determination.

At the invitation of the Chair the Solicitor for Legal Services addressed the Board confirming that as the alternative proposal had not been formally submitted it was not possible to present it for determination. The Planning Board should make their decision on the applicant's proposal which was submitted before them for consideration.

He continued that did not mean that the relevant planning issues and objections raised were to be disregarded, as they were an important part of the decision making and must be considered as a usual part of the decision-making process. That the officer's addendum report correctly addressed the issue of the alternative proposals, as they were obliged to report any further information received or copied to the case officer or the planning committee.

The Planning Board noted the Planning Officers Addendum report, which had been published in advance of the meeting, and accepted an illustrative presentation of the application from the Senior Principal Planning Officer.

The Planning Officer confirmed that £32,000 had been secured for a pedestrian crossing and could also be used for a range of traffic calming measures.

The Councils Highways Officer responded to a Members question that TfL would make the final decision on whether a signal control crossing could be installed on Rochester Way. However, the traffic assessment data and recent road incident data indicated that such a request would not meet TfL's criteria and, even assuming a significant increase in the numbers of people walking, cycling and using the crossing, it was still unlikely that TfL would support a signal control crossing at this junction. A non-signal controlled crossing such as a zebra crossing may be considered as appropriate.

In respect of the existing speed camera on Rochester Way, the Highways Officer advised that it would have been installed by TfL, in consultation with the police, to address speeding issues and appeared to have had the desired impact.

The Planning Board accepted a joint address from two representatives of the Save the Brooks campaign who had sought a proposal, that they considered better suited the neighbourhood, be developed by mutual engagement with the residents. They expressed disappointed and upset at the recent communications with the Council and the applicant, which they felt had become unnecessarily aggressive and legal rather than the open and respectful discussions sought.

The Save the Brooks Campaign representative were disappointed it had not been possible to conduct a site visit, believing a number of Members were not aware of the challenges of the area. They felt that the proposal was misleading by combining the two Brooks Estate elements into one single area; making proposals based on seven green areas which were half an hour or more from the core of the estate, and many residents would see all the green space within 100 meters of their homes completely removed. Additionally, four of the proposed, replacement, green areas were not publicly accessible, including two nature reserves secured by locked gates.

The Save the Brooks Campaign representative noted that parking was an issue which would be exacerbated, creating a risk to pedestrians and dangerous roads. Many existing residents would experience loss of light and unacceptable levels of loss of privacy. The design proposed yellow brick flat roof buildings in excess of two story's which did not reflect the existing design of the Brooks Estate

The Save the Brooks community did not oppose social housing on their doorstep but did oppose the proposal, as submitted.

In response to Members questions the Save the Brooks representatives confirmed that Kidbrooke Park was accessible to the public but was not within walking distance for people with disability or young children and was only accessible by crossing the busy Rochester Way.

They advised were asked to act as a contact point with residents and submit comments to the applicant and officer however, communications had been one sided as emails were not responded to and feedback was not given by the applicant or the Council. They felt that the lines of communications had not been positive and needed to be looked at and rectified, going forward.

The Planning Board accepted address' from two residents, who speaking on the application commented that

- The green areas and public amenities needed to be better suited to existing and future residents. The proposed green area required taking 2 small children across the Rochester Way, whereas there were 2 small greens opposite the block, which would be lost, were accessible without children navigating busy roads
- There appeared to be no play provision for young people 10+ to play ball games, etc., noting the proposal to use Sutcliff Park which was 40 minutes' walk away.

- Many of the proposed amenities were only accessible via dangerous walking routes and would be overcrowded with existing and new users.
- The proposal was not in keeping with the design or character of the Brooks Estate, contrary to the London Plan points 74 and 76. It better reflected the design of the Jacks Acre Estate which was separate to the Brooks Estate.
- One of the speakers noted that their private proposal for a two-story extension to a house on the Brooks Estate was refused due to 'size, scale, height and design which would result on a terminal impact on local character'. He questioned why the same reasons for refusal did not apply to this application and it displayed double standards, giving favour to one type of proposal over another.

In response to Members questions the last speaker confirmed that they appealed the refusal for their extension, which they lost for the reasons given.

Ward Councillor Charlie Davis addressed the Planning Board noting that the previous speakers had covered a significant number of concerns raised with him by residents. As this was a development by the Royal Borough of Greenwich more should be done to reflect the existing Estate design, as it did not complement the existing character or history of the area and any architectural references were so subtle as to fail, creating a development that would stand out like a sore thumb. He noted that there had been a failure to address the genuine concerns at overlooking. The PETL rating was artificially lifted by assuming the use of a pathway to Eltham Station, which most residents did not use. The residents at Ridgebrook would have access to only 17 car parking spaces which would increase parking on residential roads. There was no assurance of a new pedestrian crossing to the Rochester Way, to support the safe access to the replacement green area, and it appeared unlikely that the TfL would support a crossing.

Councillor Davis concluded that the development would not provide improvements for the existing or future communities and needed to be reconsidered. The applicant should take on board residents' comments and concerns and work with and for the community, as well as looking at other, more suitable, sites.

Ward Councillor David Stanley addressed the Planning Board, supporting the proposal for social housing but held concern at the layout, design, and the poor retention of green areas. Constituents had raised concern at overlooking and loss of light from the three-floor block, 18 metres from existing homes, which had not been addressed. At double the density of the rest of the site, 18 new homes were being shoehorned into the small

Halsbrook Road area and, whilst not opposed to housing, residents sought fewer homes and the retention of some green space in the area. Further, the reduction of units would ease the negative impact the proposal would have on parking. Many held Road safety concerns due to the extensive history and ongoing situation of accidents, crashes, and vehicle damage on Bournbrook Road, as the existing traffic calming and speed reduction methods were ineffective, needed to be re-assessed.

Councillor Stanley considered that the proposal should complement the existing Brooks Estate which the contemporary, flat roof, yellow brick design did not. More existing green space should be retained and protected, as had been achieved in other similar developments, for the benefit of existing and future residents. Reducing the provision for 80 to 77 units would still enable the overall New Build target to be met.

The applicant's representative addressed the Planning Board, noting that there had been an extensive debate on the item and that planning guidance required that the planning merits of the scheme be judged against any harm. The benefit of the scheme would be the provision of 100% social rented housing; Zero carbon output units of modern construction methods which improved energy efficiency and minimised disruption during the construction phase; 60% of the existing green space would be retained with £750,000 made available for improvements, in consultation with residents, to the existing play space. Residents' concern at increased flood risk and loss of trees would be addressed by way of increased and meaningful environmental enhancements proposals. There would be increased car parking provision and he felt that the positive benefits of the scheme outweighed any harm.

The applicant's agent felt that the assertions that the developer and Council had not listened to, taken account of, or responded to residents' concerns, was an inaccurate perception. Extensive planning led consultation had been undertaken and residents' concerns had been heard but it was not always possible to comply with all their requests. Further, the application had been considered by the Design Review Panel as well as input from urban designers.

He noted that comments had been expressed relating to other Greenwich Build sites as well as private sites which did not form part of the application and should not be considered as part of the determination. The design, character of the area and aesthetics of the proposal were a subjective position.

The applicants architect reiterated that design aesthetics were subjective and considered that the proposal reflected the range of variation in design and character of the surrounding area. The application was of a high-quality design with dual aspect, large windows and generous internal space. Whilst flat roofs were not to everyone's taste but did have strong sustainability credentials and allow for the creation of homes with larger internal space. A key consideration had been to create homes with sustainability to the forefront whilst retaining an extensive amount of public space, incorporating new trees, new play space and securing additional funding towards the local area to benefit all residents.

The applicant's agent summed up, re-emphasizing the benefits of the proposal which was policy compliant with a range of public benefits and felt that the improvements to the retained open space and affordable housing provision outweighed the loss of some of the existing open space.

In response to Members questions the applicant's agent confirmed that £72,000 had been secured towards pedestrian improvements to the Rochester Way.

The applicants transport consultant responded to a Member that in respect of road safety concerns on surrounding Estate Road; the access and egress of the parking podium on Ridgebrook Road had been assessed, was not on a bend and met the Department for Transport's guidance on visibility sight lines. He noted that, whilst there may have been road incidents the police database showed that, within the past five years, there had been no incidents severe enough to be recorded and there had been no record of any personal injury. Likewise, there were no records of road traffic incidents at the corner on Bournbrook Road. Both roads were 20mph with adequate approaching visibility, from either direction.

The applicants landscape architect responded to Member that the footprint of the new build units would occupy 20% of the land with new roads, footpath and parking utilising a further 20%. 20% would be utilised for private gardens and the communal space to the rear of Bournbrook Road. 40% of the land would be retained as enhanced public green space, fully accessible to resident and their input would be sought as to the facilities and improvements they would like to see provided.

The applicant's architect (Shed KM) responded to Members concern at the use of flat roofs and the design of the proposal that it had been considered by the Design Review Panel and Council Planning Officers to create a design that was appropriate in terms of layout, scale and mediated between existing

dwelling and the proposal. He noted that a lighter brick would alleviate any sense of encroachment onto neighbouring properties; the flat roofs, whilst a departure for the area, reflected the contemporary examples on the Jacks Acre Estate. That it was considered important not to simply respond to the Brooks Estate, but the wider setting including the developing character of the Rochester Way

Members moved to consider the application.

A Member commented that believed that good design, size, mass, street scene and topography were planning considerations, and this was not the first time that the design of a Greenwich New Build scheme had been brought into question. Concerns had been raised over the square block design being used and whilst there was a desperate need for new social housing there was also a need to be sensitive to the surrounding design of the location of new developments.

Councillor Perks felt that it was clear a crossing was required to Rochester Road and understood there was scope for exploring general road traffic calming. She expressed a desire that there was also exploration for a crossing, not an island, to the west of the site with its busy road, green space both sides and Children's centre and, if possible, the Conditions be re-worded to support this.

Councillor Hyland supported the proposal for a second crossing, given the desire line to the playground, a good safe crossing was necessary, noting that the more road obstructions there were the more careful drivers were.

A Member noted that there were many differing building styles in the Borough and the area with buildings being built on bombed areas and infilled or extension on land that were completely different to their surroundings, creating more interest than a pastiche of their surroundings. They paid credit to all resident who had spoken and commended them on their positive suggestions and noted that, whilst Greenwich New Build was a Council owned company the Planning Board could give no weight to this and must judge the application on its merits. Whilst it would have been ideal if the applicant could have embraced all the suggestions of the residents, they felt that the applicant had taken on the concerns they could. Whilst understanding the concern at the loss of green open space, they felt that felt that the benefit of the application outweighed that cost.

A Member commented that on balancing the arguments for and against the proposal they felt that the benefits outweighed the concerns. They noted that no road incidents had been formally reported in the past five years but understood the road safety concerns and supported the proposal for an additional crossing.

A Member noted that the public green areas were an integral element of the design of the Brooks Estate and were an amenity clearly still valued by residents. Halsbrook Road green would almost be lost entirely, and they were greatly concerned at these valuable green areas being earmarked for any development. They felt that the 4 story and 5 story blocks were entirely out of character with the entire area, not just estate. Whilst supporting and acknowledging the benefit the application would bring in providing new homes this did not outweigh their objection to building on public green space and the out of character nature of the design.

A Member commented that they had experience of access to an abundance of green open space which was of enormous benefit to residents and impacted on the way that children grew up. They understood the need for social housing and fully supported this noting that they were working with Officers and Cabinet Members to identify space that could be used for housing developments. However, they were disappointed that this proposal was not more sympathetic to the character of the area, considering the loss of green space the community would sacrifice and that it had not been possible to embrace design suggestions that may have eased some of the residents' concerns and loss to the local community.

The Chair noted the comments on road safety and proposed if Members would be minded to seek a re-wording of the Directors agreement to seek '£72,000 towards traffic calming measures in the vicinity of the site included at least one new pedestrian crossing across Rochester Way'.

Councillor Mardner requested it be put on record that he fully supported social housing, and these were the size required but he remained conflicted with the character and issues around the zebra crossing, though felt the proposal put by Councillor Perks and the Chair would help and supported this. However, he was unable to support the application due to the character of the development.

Members discussed the proposed wording of the amendment, seeking two crossings be conditioned.

The Planning Manager (Major Developments) addressed the Board cautioning that the costings had not, as yet, been fully costed and the Board could be committing the financial figure that may not allow for two crossings.

The Senior Principal Planning Officer addressed the Board suggesting consideration of re-wording to '£72,000 towards traffic calming measures in the vicinity of the site including a minimum of one new pedestrian crossing with investigation of a second'.

The Chair considered that the Members points had been well made and the proposal needed to avoid a lack of ambiguity as well as reflect the strong concern that the area required two crossings. A Member supported the Chair's comments, noting that putting a cash limit on safety was not acceptable.

A Member questioned what the position would be if the amendment was agreed but could not be financially supported.

At the request of the Chair the applicant addressed the Board stating that they understood what Members were trying to achieve and noted that any condition had to be enforceable. The Council's Highways Officers view that there was a need for a crossing was accepted and Greenwich New Builds would look at the funding streams to comply with the condition.

The Chair put the proposal to amend to the finalised detailed terms of the planning obligations pursuant to a Directors' Agreement, to include the following amendment to the vote, which was agreed unanimously -

'A minimum of £72,000 towards traffic calming measures in the vicinity of the site to include two new pedestrian crossings across Rochester Way'

Before moving to the formal vote, at the request of the Chair, the Clerk again sought confirmation from all Members that they had maintained zoom connection to the meeting for the entirety of the presentation and discussion on this item. No Member indicated that they had experienced any loss of connectivity. It was noted that, whilst Councillor Mardner had momentarily lost connectivity for less than a minute he had not missed any material information.

The Planning Officers' recommendation to grant planning consent, with the proposed amendment, was put to the vote with 6 Members in favour; 1 against and 3 abstentions.

Resolved –

That planning permission be granted for the construction of dwelling houses and a commercial unit together with associated landscaping, amenity and playspace, refuse, cycle and car parking spaces

Further explanation (not forming part of the formal description of development set out above):

The construction of 80 dwelling houses between 2- 5 storeys (100% social rent) (Use Class C3) and a retail unit (460 sqm) (Class A1) together with associated landscaping, amenity and playspace, refuse, cycle and car parking spaces

That Planning Permission consent be granted subject:

- To the prior completion of a Directors' Agreement containing the planning obligations as summarised in the heads of terms set out in this report (see section 22.0), addendums, and the minute of the Planning Board meeting.
- Authorisation of the Assistant Director of Planning & Building Control to:
 - a. make any minor changes to the detailed wording of the recommended conditions as set out in the main report (Appendix 2), addendum's and the minute of this Planning Board meeting, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice; and
 - b. finalise the detailed terms of the planning obligations pursuant to a Directors' Agreement, as set out in this report, its addendum's, and the minute of the Planning Board meeting. And in line with the agreed amendment as follows,

'A minimum of £72,000 towards traffic calming measures in the vicinity of the site to include two new pedestrian crossings across Rochester Way'
- In the event that the Directors' Agreement is not completed within three (3) months of the date of this Planning Board meeting, to authorise the Assistant Director of Planning & Building Control to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured, and if so, to determine the application with reasons for refusal which will include the following:

- In the absence of a Directors' Agreement to secure financial and non-financial contributions including for Affordable Housing, Transport and Highway Works the development is contrary to policies H3, H5, H(e), EA(c), OSI, EI, CH(a), IM1, IM4, IM(b) and IM(c) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014) and the Planning obligations (s106) Guidance SPD (adopted July 2015); and
- The conditions set out in Appendix 2 of the main report.

The meeting closed at 08:33pm

Chair