

ROYAL BOROUGH OF GREENWICH
LOCAL PLANNING COMMITTEE
TUESDAY, 28 JANUARY 2025 AT 6.30 PM
MINUTES

Present:

Councillor Dave Sullivan (vice Chair in the Chair); Councillors, Issy Cooke, Sam Littlewood, Asli Mohammed, Calum O'Byrne Mulligan, Simon Peirce and Pat Greenwell.

Under Standing Orders:

Councillors Mat Hartley and Roger Tester as Ward Councillors

Officers:

Assistant Director Planning and Building Control, Senior Principal Planning Officer and Committee Services Officer

At the commencement of the meeting, the Chair announced the procedure which would be followed for considering the item(s) before the Local Board Committee and confirmed the names of those who had been registered to speak, clarifying that only those people would be called to address the Planning Committee

**Item
No.**

1 Apologies for Absence

Apologies for absence were received from Councillor Gary Dillon.

2 Urgent Business

There were no items of urgent business. However, the Local Planning Committee accepted the applicant's and two public submissions in respect of Item 5 - Land to the rear of 28 West Park, Eltham, London, SE9 4RQ – Ref: 24/3211/F.

3 Declarations of Interest

Resolved -

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

4 Minutes

Resolved -

That the Minutes of the meeting of the Local Planning Committee held on 26 November 2024 and 3 December 2024, be agreed and signed as a true and accurate record.

5 Land To The Rear Of 28 West Park, Eltham, London, SE9 4RQ - Ref: 24/3211/F

The Local Planning Committee noted receipt of photos from two residents and the applicant's statement. Members accepted an illustrative presentation from the Senior Principal Planning Officer who recommended approval.

The Senior Principal Planning Officer responded to Members' questions that the existing garage would be demolished creating an access path to the site, which would be 2.6 metres opening to 3.9 metres, step free and was not a public right of way. The appointed Management Company would move the refuse bins from the onsite storage position to the street collection point and that it could be condition that the collection point was by 28 West Park. The access way lighting would be conditioned and the Construction and Management plans would cover the specifics of construction methods.

The Senior Principal Planning Officer advised the London Fire Brigade had not raised any formal objections to the proposal after being consulted and a dry riser system would be installed and would appear to be acceptable in line with Section 50.1 of building regulation 'Fire-fighting access'. Emergency access via accessway's was not unusual, noting that Planning Committee and Board had agreed applications with similar accessway distances.

The Senior Principal Planning Officer confirmed the area was listed as a low risk flood area (Flood Zone 1). However, noting the photos of flooding provided by residents, a number of flood mitigation proposals including the use of permeable paving, greening, soak away and water butts were proposed. Four parking surveys were undertaken over three days, in line with established practice, showing 28 spaces available at the busiest time. As a car free scheme the new residents would not be eligible for CPZ permits.

The Senior Principal Planning Officer advised there were three other infill developments in the immediate area, of varying density. Provision of the details of the boundary treatments were sought to be conditioned. The communal area firepit formed part of the landscaping proposals. That it would be considered reasonable to request the applicant arrange for the removal of existing cross over to the site entrance, without impeding the crossover to 28 or 30 West Park.

The Local Planning Committee accepted separated addresses from Ward Councillor, Councillor Matt Hartley and Councillor Roger Tester, noting the application was in Mottingham not Eltham and, both speaking in objection, expressed concern at the loss of the biodiversity and green space. The development would not be compliant with the London Plan backfill policy due to loss of existing residents amenities and safeguarding issues, such as overlooking to homes and gardens, noise nuisance and loss of sunlight.

They noted that there was little reference to the impact to residents in Court Road, with specific attention drawn to the 20 foot flank wall which would be directly at the end of Court Road gardens, creating sense of enclosure and overlooking. If approved, a boundary treatment, to preserve existing residents privacy should be sought.

In respect of the flooding risk, it was noted Royal Borough of Greenwich Planning department had required double depth foundations were used as part of the construction of a rear extension at 525 Court Road due to flooding issues. Assurances were sought from the applicant as to their response or actions if flooding was not adequately mitigated and was in line with residents lived experience.

Further, that concerns were raised at the pre-submissions discussions with neighbours in respect of the security of the site accessway regarding security by gate being left open as well as the noise and disturbance caused by the frequent opening & closing, particularly at night, causing noise nuisance and disturbance to 30 West Park, as it would be directly under bedroom windows and adjacent to the living room.

That they would have no objection to a smaller development, set further back from Court Road. However, if approved several conditions should be added to ensure all external lighting was to the minimum and not intrusive to existing residents; greening to the boundary treatment to Court Road; that the communal area firepit be removed and that the position of the refuse bins be reconsidered. That before a decision was made, Members of the Planning Committee undertook a site visit to significantly improve their understanding of the site.

In response to Members questions Councillors' Hartley and Tester felt the existing infill sites had no bearing on the character or merits of the proposal before Members. That the site supported a wide range of wildlife, including an abundance of hedgehogs and its loss would impact wildlife in the wider Mottingham area.

The Local Planning Committee accepted addresses of objection from six local residents who all requested that a site visit was undertaken and speaking in objection, raised the concern that the impact of flooding had been grossly underestimated, with many gardens frequently completely inundated after rainstorms. That as the area was clay soil with a high water table even with mitigation, the proposal would exacerbate the situation.

They felt the proposal was contrary the policies relating to in-fill sites; the London Plan; D14 (managing noise in new development proposals) as well as the Local Plan, which recommended refusal were a proposal would generally have a significant adverse effect on the amenities of adjacent occupiers. It was felt the proposed scale and density was not in line with the Council's Local Plan Core Strategy, being too big for the site and out of context with the area, resulting in overshadowing to existing residents gardens, increased noise levels, particularly from the

communal area; light pollution and a loss of privacy and peaceable enjoyment of their homes and gardens.

A speaker noted that at 7 meters from the rear of homes in Court Road, the high flank wall of one of the units would directly abut the end of the gardens, towering over the garden. It was requested a minimum of 10 feet be maintained between the flank wall and Court Road gardens with a 3 metre high boundary fence and the separation area planted with shrubbery. It was also noted that the proposal would impact existing wildlife and mature trees. That the boundary of the site should have improved greening and the size and condition of those plants should be conditioned.

Speakers requested that Condition 26 (Access Gate Operation) be amended requiring it be moved closer to the road and no parking allowed or enabled in front of the gate. Concerns were also raised in respect of people walking along the accessway being able to see into 30 Wet Park and their security.

That although a car free development, as family homes residents may have cars, which would add impact to the already pressured parking in the area. That there was insufficient cycle parking provision with 12 spaces for 28 people. The proposed cycle parking was not suitable for cargo bikes, was in the wrong location and had no charging point and should be located centrally and overlooked. Whilst not attracting any s106 contribution, the links to the cycle routes as well as the cycle routes themselves, should be improved

It was noted that Condition 3 referred to Ashburnham Triangle, not this site.

The Chair of the Mottingham Residents Association (MRA) addressed the Committee confirming support of the previous speakers points, re-empathising the concerns raised in respect of loss of privacy, overlooking, increased noise levels and increased risk of flooding as well as the unacceptable bulk and scale of the proposal. Concern was also raised at the access arrangements for emergency vehicles

That the MRA were aware of the need for housing and felt that the site should hold no more than 3 houses, located central to the site. That the consultation was poor and it was felt that a full assessment should be undertaken, requesting the Members undertook a site visit, particularly in relation to the impact on the gardens of the Court Yard residents. In response to Members questions, the residents and Chair of the MRA stated that the permeable resolutions would be laid on clay soil and, therefore, ineffective. That with 6 families, their visitors and deliveries, as it would be affixed to 30 West Park the entry gate would cause noise nuisance, at all hours, as well as anyone using that access path being able to see directly into the living room and bedrooms 30 West Park.

That cargo bikes were commonly used to take children to school and the onsite cycle storage should be communal, by the entrance, and of a secure, future proofed design, rather than the proposed sheds by the houses. That the mature Sycamore tree, by units 2 & 3 would need to be lopped back hard but maintenance would need to be agreed to avoid conflict.

That the consultation was more about the applicant sharing information with residents that seeking residents comments with many residents comments being dismissed, with residents being told they had 'become accustomed to a view they were not entitled to'.

The Senior Principal Planning Officer advised that none of the trees on site were protected and could be removed at any time, further, the report addressed the issues of pruning the boundary trees.

The Local Planning Committee accepted an address from the applicant who advised that the associated land behind 28 West Park, had been neglected, underutilised and needed expensive maintenance. Developing the land would ease the strain and cost of maintaining it whilst providing additional housing, which it was felt would contribute to the neighbourhood. As a resident themselves they had never or experienced any flooding on their property.

The applicants architect addressed the Local Planning Committee providing a brief history of the work to bring forward the scheme, which it was felt was consistent to the context of the area. That the London Plan encouraged support of incremental intensification proposals like this

one, which they had worked, proactively with the Greenwich Planning Department, to bring forward. They appreciated the residents had become accustomed to an open area to the rear of their gardens. The scheme had been designed to sit within its context, to be car-free, with a communal garden at its core. That they had lengthy engagement with the neighbors and amended aspects of the design as a result.

The applicant's planning consultant addressed the Planning Committee advising that the context for the Committee's decision should be balanced against the housing emergency and the Boroughs housing required targets, and the National Planning Policy Framework (NPPF) required a presumption of approval for new housing unless the decision makers can identify adverse impacts that would significantly and demonstrably outweigh the benefits. That the area was characterised by family homes, which the new homes would be subordinated to. They were designed to use quality contemporary materials and to be sympathetic to neighboring properties and a car-free scheme. That the proposal complied with the council's backfill policy, sitting comfortably within the site and complied with the Greenwich's urban design guide advocating for infill developments.

The applicant's planning consultant felt the objections could not be substantiated, noting that delivery vehicles already operated in the area, and it was estimated the development would result in one extra delivery visit per day. That the separation distance to existing properties exceeded those recommended by policy and was 100% compliant with daylight testing and guidance on overshadowing of existing properties.

That in respect of biodiversity, it was not possible to achieve 10 % improvement on sites with no existing built form, noting that, in line with legislation, an off-site mitigation payment for £60-£80,000 would be made; it was appreciated that any off-site provision may not benefit local residents. Having said this, landscaping would be at the heart of the development, with proposals including 43 new trees.

In respect of the concerns raised around emergency service access to the site he gave assurance that the proposal had been developed in conjunction with a fire engineer and would be fully compliant with all fire regulations, noting the length of the access way was in line with that on other housing estates in the Borough.

That engagement with local residents had been proportionate to the scale of the development as well as the Council Department consultation process, and whilst the concerns and objections are acknowledged, it was felt the public engagement was beyond that many applicants would undertake.

The applicant and his family were also the occupants of the property backing onto the site.

In response to Members questions the applicants agent and planning consultant advised that it would be the responsibility of the residents, under freehold obligations, and the appointed Management Company to ensure the site access way was kept clear. That amendments to the boundary fencing, and cycling storage could be addressed, as well as the removal of the drop kerb, directly in front of the gate whilst retaining such for 28 and 30 West Park if necessary.

The construction management plan would set out how plant would access the site during the construction phase noting that smaller construction vehicle would be able to access the site and, if required, over the roof delivery could be utilised, noting that they had undertaken successful construction on sites with similar access. The applicants planning consultant drew attention to the fact that planning consent and building control were separate functions.

The Local Planning Committee moved to considering the application before them. The Chair noted that they had been presented a comprehensive report by the Planning Officer and that all of the speakers had requested the Committee undertake a site visit.

Councillor Greenwell seconded the proposal for a site visit and Members indicated they supported the proposal, with the request that arrangements be made for them to also view the site from residents homes in Court Road and 30 West Park.

The Chair put the proposal for a site visit to the vote with –
6 Members in favour
0 members against
0 Members abstaining.

Resolved unanimously –

That a decision on the application be deferred in order to undertake a site visit to get a better understanding of the topography and possible impact on surrounding residents.

The meeting closed at 8.54 pm

Chair