

# ROYAL BOROUGH OF GREENWICH

## PLANNING BOARD

16 APRIL 2024 AT 6.30PM

### MINUTES

#### **PRESENT:**

##### **Members:**

Councillor Gary Dillon (Chair); Councillors Majella Anning, Olu Babatola, Sandra Bauer, David Gardner, Maisie Richards Cottell, and Pat Greenwell.

##### **Officers:**

Assistant Director of Planning & Building Control Planning Officer, Assistant Head of Legal Services and Committee Services Officer.

##### **Also in attendance:**

Councillor Anthony Okereke – Leader of the Council

At the commencement of the meeting, the Chair announced the procedure which would be followed for considering the item before the Board and confirmed the names of those who had registered to speak, clarifying that only those included on the register would be called to address the Planning Board.

#### **Item**

#### **No.**

#### **1. Apologies for Absence**

Apologies for absence were received from Councillors Peter Baker, Clare Burke-McDonald, and Danny Thorpe,

#### **2. Urgent Business**

The Planning Board accepted the Planning Officers' Addendum Report and public submissions, circulated in advance of the meeting, in relation to Item 4 – 1-18 Shepherds Leas, 135 Riefeld Road, Eltham, London, SE9 2RD – Ref: 23/0984/F

### 3. **Declarations of Interest**

Councillor Pat Greenwell made a declaration in relation to Item 4: I-18 Shepherds Leas, 135 Riefeld Road, Eltham, London. SE9 2RD – Ref: 21/4467/F, in that she had made a pre-determined decision and would be addressing the Planning Board in objection to the application.

#### **Resolved –**

- That the list of Councillors' memberships, as Council appointed representatives on outside bodies, joint committees and school governing bodies be noted.
- That Councillor Pat Greenwell's declaration be noted.

### 4. **I-18 Shepherds Leas, 135 Riefeld Road, Eltham, London, SE9 2RD – Ref: 23/0984/F**

Councillor Pat Greenwell declared an interest in the application and removed herself from the Members table, taking no part in the determination of the application and stating that she would be addressing the Planning Board in objection to the proposal.

Planning Board noted the public submissions, in relation to the application, and accepted an illustrative presentation from the Planning Officer who advised that the play and open green area would be accessible to all residents of the development. The application would provide a degree of biodiversity net gain but as it was submitted prior to legislation requiring 10%. The locations of the new controlled crossing on Rochester Way would be agreed with the Highways Department. The number of objections received had reduced by, approx. 70% from the previous application ref: 21/4467/F.

The Planning Officer further confirmed that all the external cladding materials would be of non-combustible materials including terracotta tiles and would comply with post Grenfell fire regulations. The colour of the tiles could be amended, if required and submission of samples would be secured by planning condition.

Planning Board accepted an address from Councillor Pat Greenwell, Ward Councillor who, in objection to the proposal stated she believed that a lot of objections to the original proposal were signed by the Friends of Oxleas Woods due to the impact on the view from the Oxleas Woods café, which had been addressed.

Councillor Greenwell quoted the Planning Inspector, who rejected the appeal against refusal of consent for the 9-story proposal as “an alien urban feature, contrasting starkly with the surrounding character of the area”. That at 7 stories it would still breach the Council’s tall buildings policy; would adversely affect the local character; and did not respect its setting in an area of special landscape character and green belt, the character of which would be adversely affected. The proposal was not sympathetic to the predominantly 1930s, architectural surroundings and would dominate the environment and adversely impact the amenities of residents of Riefield Road. There were a lot of public parks and woodlands in close proximity and used by children and adults and she felt that the on-site play provision of 671 m<sup>2</sup>, in addition to the doorstep play, was excessive and could be utilised to design a lower building.

Councillor Greenwell stated that both she and residents supported the redevelopment of the site to provide affordable housing, but not a development of the current scale, which was excessive.

In response to Members comment that the Planning Inspector considered 7 storeys acceptable Councillor Greenwell expressed that, as it was not an urban area where 7 storeys would be acceptable. In respect of the play area, she felt there was sufficient existing green areas to use the on-site play area to reduce the development height.

At the request of the Chair, the Planning Officer explained a larger, lower development was considered but due to the proximity of flats to the A2 and railway line, as well as other limitations on the site, it was considered unacceptable.

Planning Board accepted an address from a representative of the Riefield Road Residents Association, a Bexley Councillor and 5 residents, all speaking in objection. The consensus was that there was no objection to the site being redeveloped and used to provide housing, but the appearance and massing of the proposal was not in keeping with the area. It would be too tall, unacceptably dominant, and not sympathetic to its setting or the environment.

A concern was expressed that residents only had 6 days’ notice of the meeting, giving little time to consider the 4 complex documents published in respect of the development.

That the existing housing blocks on site were in a good structural condition and should be refurbished not demolished which would reduce the release of embedded carbon through demolition and be less costly.

The site was not suitable for a tall building and did not show sensitivity to or harmony with the natural surroundings. Further, it would encourage further tall buildings in the area and there was no need for a way marker. The proposal could be reconfigured to be less bulky noting that there were numerous housing blocks adjacent rail tracks; noting trains did not run at night. Further, many homes already existed and were continuing to be build adjacent to busy roads.

It was expressed that the reduction to 7 floors was a positive one and that it would mitigate the damage to the view from Oxleas café. However, the tall tower would remain visible, 2 metres above the tree line and would still impact views.

Concern remained at the negative impact on the local wildlife and natural environment. That the light pollution from the development would disturb and adversely impact the local wildlife, particularly in the adjacent crematorium grounds.

It was expressed that Falconwood was not a transport hub and was not served by a night bus. The lack of parking would not make the development attractive to key workers, many of whom relied on a car to undertake shift work. A proposed Controlled Parking Zone (CPZ) would adversely impact residents, both in Greenwich and Bexley Borough and existing road congestion would be exacerbated by this development. There were no details given of how congestion would be managed during the construction phase, noting the proximity of the A2 slip road, almost adjacent to the development site entrance.

Secured on site cycle parking was welcomed but a commitment was sought that low step, Direct Vision construction vehicles were used for the safety of cyclist and pedestrians. It was noted that there was no reference to where the proposed new Rochester Way crossing would be located.

The development would have a negative impact on residents of Blackfen and Falconwood and there had been little to no consultation with residents in those areas of Bexley Council. It was questioned that, as mechanical

ventilation was required was the site suitable for housing. The local Dentist were already not taking new patients.

In response to Members questions, the respective speakers advised that the development may claim to be net carbon but this did not take account of embedded carbon released during demolition. It was not agreed that there would be a positive impact on biodiversity, and it was felt there would still be a visible impact above the tree canopy, both at a local and long view.

The Planning Officer confirmed that 40 documents had been published, in early 2024, which related to the additional second stair core which only impacted the internal layout and would have no impact on the height or scale of the proposal. It was considered that as no material change to the proposal had occurred, no further consultation was required. The release of embedded carbon was addressed in the London Plan and the applicant had submitted a report on how existing construction materials would be reused or recycled.

A representative for the Friends of Oxleas Woodlands addressed the Planning Board, advising that, whilst some reservations were still held, following the height reduction, the Environmental Impact Assessment (EIA) was accepted. It was requested that the applicant made a commitment that no amendments were made to the development that would adversely impact the EIA or view from Oxleas café.

The Friends of Oxleas Woodlands representative advised that they could not finance an independent EIA and were asking the Council to ensure the work undertaken on the EIA was sufficient.

The applicant's representatives addressed the Planning Board highlighting the key points of the application and how the reasons for refusal, of the original proposal, had been addressed. That the proposal provided a coherent building which protected the amenities of residents and the setting within a green environment. 3 disabled vehicle parking bays would be provided with the facility to add a further 4, resulting in 1 bay for each wheelchair adapted flat. A car club would also be provided. Disability access to Falconwood train station would be a matter for TFL and was not within the remit of the applicant to address.

At a maximum height of 7 floors, the tallest element would be in line with the comments of the Planning Inspector and the development would comply with the new building fire safety requirements.

The verified view confirmed that protected view from Oxleas Café would no longer be impacted and there would be limited impact on intermediate views of the site.

In addressing concerns that had been raised, the applicant's architect noted the development complied with the Council's new Tall Building Assessment guidance. The low-rise proposal, developed in 2014, did not involve Meridian Home Start, had extended beyond the applicant's land ownership, would have seen the proposed removal of all the mature trees on site and was built to the road and rail boundary, it was considered not to be feasible.

The on-site public green and playspace was policy compliant and allowed for a buffer zone between the play area and ground floor homes. The surrounding woodlands and green areas did not have dedicated child play provision and were around a kilometre away from the site, in either direction.

To maximise delivery of affordable housing on the site, in line with policy requirement, the development would be distinct from the low-rise semi-detached houses. The existing on-site buildings were considered as a design start point with the proposal emulating the characteristic of buildings enveloped by landscaping. The design and finish would complement the natural surroundings, with the minimum impact on wildlife. A construction management plan was secured by condition.

In response to Members questions the applicant's architect advised the Council's Highway Department would select the appropriate location for the new pedestrian crossing. The request to use low step, clear view vehicles for construction could be considered as part of the Construction Management Plan. The cycle parking, along with the development, adopted the principle of designing out crime.

That several iterations of the development had been considered. There were several constraints which restricted the percentage of the land that could be used to build on, including TFL retaining ownership of a track of land by the rail lines; the dual carriageway retaining wall had to be retained; protected tree roots which encroached into the site and a 15-metre building exclusion zone. The restrictions resulted in 55% of the site being available for development.

The recommendations made in the EIA report were to be adopted and were secured by condition and the applicant was committed to securing adherence through the lifetime of the development.

The applicant's architect further advised that the fired clay terracotta cladding would be completely non-flammable, held on by aluminium brackets with non-combustible mineral insulation and fire breaks. The materials and colour of the cladding would be agreed with Planning Officers.

The applicant's representative confirmed that the housing allocation policy would be by agreement with the Council and tenants would be considered with an income between £25,000 - £80,000 pa, depending on apartment size. Lettings would be for an initial 1-year tenancy, with a 4-year tenancy thereafter.

Members deliberated the proposal before them with some Members expressing sympathy with the objectors, but it was also noted that a lot of the objections raised did not relate to the planning consideration before the Bord. The comments raised in respect of the impact on Bexley Council residents were appreciated and noted.

It was considered that the applicant had taken steps to address the concerns that lead to the initial refusal and dismissal at appeal.

A Member expressed that it was appropriate to consider that the previous application had been refused, which was upheld at appeal, with the Planning Inspector making it clear that, in their opinion, it would be an acceptable development at 7 stories. That the proposal was a high-quality development; car free and in a high PTAL rating; would not be seen from Oxleas Wood café and would have a minimum impact of surrounding street scene. They considered the benefit of the development outweighed any disbenefit.

A Member noted the large reduction in objections from the 9 storey proposal and that it was a shame that voices of the residents and objectors had not been listened to at the time, as if they had been the development would be nearer to coming on line.

It was noted that the development would provide 100% intermediate affordable housing. There were no issues with the play provision and the colour of the development could be deferred to Officers under planning conditions.

A Member noted that Councillor Greenwell's quote from the appeal decision of an 'alien urban feature, had related to the view from Oxleas café, which has been resolved.

The Chair noted the adverse concerns in respect of the proposed teal colour of the development and proposed an Informative be added that the colour be more sympathetic to the site's green natural environment.

The Chair put the recommendation to grant planning consent, in line with the Planning Officers report, with the additional Informative in respect of the external development colour being more harmonious to the site's natural environment to the vote, with -

6 Members in favour

0 Members against

0 Members abstaining

**Resolved -**

- That full planning permission be granted for the demolition of existing buildings and redevelopment of the site to provide residential units with associated blue-badge parking and soft landscaping.
  
- That consent be subject to
  - (i) The satisfactory completion of a Section 111 of the Local Government Act 1972 between the Council local planning authority (LPA) and Meridian Home Start requiring that company and any other relevant interest holders upon obtaining relevant interests to enter an agreement or a confirmatory deed under S106 of the Town and Country Planning Act 1990 containing the planning obligations summarised in the heads of terms at Section 25 in this report and
  - (ii) Conditions set out in Appendix 2 and any addendums.
  
- That the Assistant Director (Planning & Building Control) be authorised to:
  - (i) Make any minor changes to the detailed wording of the recommended conditions as set out in the report (Appendix 2), its addendums and the minutes of this Planning Board meeting, where the Assistant Director (Planning & Building Control) considers it appropriate, before issuing the final decision notice
  
  - (ii) Finalise the detailed terms of the section 111 agreement (including appended documents) and form of the planning obligations as set out in this report (Section 25), its addendums and the minutes of this Planning Board meeting
  
  - (iii) Consider, in the event that the Section 111 Agreement is not completed within three (3) months of the date of this Planning Board



resolution, whether consent should be refused on the grounds that the agreement has not been completed within the appropriate timescale, and that the proposals are unacceptable in the absence of the recommended planning obligations; and if the Assistant Director (Planning & Building Control) considers it appropriate, to determine the application with reasons for refusal which will include the following:

- In the absence of a legal agreement to secure the necessary obligations regarding affordable housing, health and education infrastructure, transport and highway works, public transport enhancements, public realm improvements, employment and training, the development would fail to mitigate its impact on local services, amenities and infrastructure, environmental sustainability and open space contrary to policies H1, H4, H5, H7, H8, S2, SI 2, SI 3, T2, T4, T9 and DFI of the London Plan (2021) and H3, H5, H(e), EA4, EA(c), OSI, EI, CH(a), IM1, IM4, IM(a) and IM(b) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (Adopted July 2014), and the Planning Obligations (s106) Guidance SPD (July 2015).

The meeting closed at 08.41 pm

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Chair