

ROYAL BOROUGH OF GREENWICH

LOCAL PLANNING COMMITTEE

TUESDAY, 22 OCTOBER 2024 AT 6.30 PM

MINUTES

Present:

Councillors Councillor Gary Dillon (Chair), Peter Baker, Asli Mohammed, Calum O'Byrne Mulligan and Pat Greenwell.

Under Standing Orders:

Councillor Nas Asgar - Plumstead Common Ward Councillor

Officers:

Assistant Director Planning and Building Control, Senior Principal Planning Officer, Planning Officer, Senior Principal Planning Officer, Planning Officer, 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 Planning 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 Councillors Issy Cooke, Sam Littlewood and Dave Sullivan.

Councillor Jo Van den Broek attended as an appointed deputy.

2 Urgent Business

There were no items of urgent business but it was noted that a public submissions of comments and photos had been provided to Members, in respect of Item 6, in advance of the meeting.

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.

4 123 Greenwich South Street, London, SE10 8NX - Ref: 24/I204/MA

Members accepted the Planning Officers illustrative presented of the application with the recommendation to grant minor material planning consent.

The Planning Officer and the Senior Principal Planning Officer responded to Members' that the proposed amendments related to the hours of operation and delivery on Sundays and Bank Holidays. In line with the original planning consent deliveries and customer parking would be on South Street; a noise impact assessment was undertaken and deemed acceptable. Due to the commercial unit size Sunday trading hours did not apply and the operator of the commercial unit was not a material planning consideration.

The Senior Principal Planning Officer clarified that as no condition was imposed, in respect of restricting possible pavement parking, as part of the original application any proposed amendments to conditions or refusal must be enforceable and pass the reasonable planning tests.

Councillor Aidan Smith, Ward Councillor, addressed the Planning Committee, who speaking in objection to the proposal expressed that he felt the extension may align with the operational needs of retailers, logistical considerations, or profit margins, but refusal would not render the retail unit unviable. He advised he already received complaints regarding disturbance by store deliveries further down Greenwich South Street, noting that this location was considerably narrower and the resulting echo from the buildings would exacerbate noise levels. Whilst deliveries may not be considered of statutory noise nuisance level, they were sufficiently loud enough to disturb residents' sleep. He contended that if the proposed two-hour extension had a minimal impact, from a planning perspective, or would not make the unit unviable, the application should be denied as approving the revised hours, particularly in the morning, would negatively affect the amenity and peace of the existing residents.

The Planning Committee accepted a residents address who, speaking in objection noted the existing hours were already onerous on residents and the proposed changes were absurd for a heavily residential area in close proximity to the store and the hours would not be greater than other stores in the local vicinity. The delivery lorries, including refrigeration units, would create additional noise and pollution and would be delivered in an unsocial manner and however the retailer and delivery company saw fit, not how the Council prescribed. Whilst the retailer may not be a planning consideration, a food store required a greater range of deliveries than, for example, a toy store.

In response to Members' questions the resident believed that deliveries via the rear car parking area may help reduce the disturbance and road congestion. Although the area was a Controlled Parking Zone (CPZ) with yellow lines, shoppers would park anywhere.

The applicants Town Planning Manager addressed the Planning Committee assuring Members that the request would not lead to further amendments explaining they were not involved in the original application and took on the lease knowing they would be seeking an extension of the start and end of day hours to avoid loading restrictions, reduce shopper conflict with deliveries and in line with operational preferences, which worked well in their other convenience stores. The delivery vehicles would be tail lift ridged lorries which could not function if partially parked on the pavement. If the Council installed bollards to the pavement, it would not cause an issue. There would be 2 to 3 deliveries per day, from their warehouse and smaller independent providers, such as magazines, and it was not envisaged there would be deliveries during both the early and late extension hours with the main delivery would take up to 40 minutes; 20 minutes to unload and 20 minutes to reload the empty cages. The Rear parking area was for the residential units use only and one parking bay was allocated for staff. Due to business confidentiality, it was not possible to consult with residents on the proposals, in advance.

A Planning Committee Member noted the comments from residents and Ward Councillor and an online search indicated the standard opening hours for convenience stores in the area was 8am and would the applicant be flexible around the Sunday morning extension, given the facility to deliver Saturday evening. The Chair asked if the applicant would accept Sunday opening hours of 7am to 11pm and deliveries and servicing as 8am to 10pm, noting the applicants represented had acknowledged there was the opportunity to deliver Saturday evening for Sunday morning trading.

The applicants Town Planning Manager responded that that he understood the arguments and felt Members' concerns were based on presumptions with no evidence that the requested opening hours were unacceptable and there should not be in respect of the delivery. Further, that the proposed 7am to 11pm opening hours could be accepted but not 8am delivery and servicing, noting that deliveries would not, necessarily, be 7am on the dot and could be 7.15am or 7.50am, it allowed for flexibility. He re-iterated that they would not be seeking an amendment if it was felt it was unreasonable and that they would not, probably, win on appeal.

Members' moved to their deliberation noting it was a very residential area and it was not unacceptable for residents to want an extra hour of peace or sleep on Sunday morning and the applicant should have consulted residents. The extant hours were agreed on the basis of retail by a similar convenience store, with the late Sunday delivery hour and it was not clear why an earlier Sunday morning delivery was now necessary. It was considered 7am Sunday opening was acceptable with 8am deliveries, there were no issues with the additional end of day hour request.

A Member noted that whilst the applicant's representative had politely advised that if the request was refused, they would appeal and win, this was not a material planning consideration that Members needed to consider.

The Chair sought and received confirmation from the Planning Officer that it would be possible to amend the hours sought and put it to the applicant's representative that the concern was around the Sunday morning delivery and re-presented the proposal of 7am opening with 8am deliveries for Sunday.

The applicants Town Planning Manager responded that they would be comfortable with the opening hours but would need to review the reasons given for refusal of the delivery and services hours requested before considering whether to submit an appeal.

The Chair put the proposal to grant the minor material application, as recommended, to the vote with

2 Members in favour

3 Members against

0 Members abstaining.

As the application had been refused the Chair clarified with Members the grounds for refusal which were that the noise from deliveries, prior to 8am on a Sunday would have a detrimental impact on the amenity of the residents, for

peaceable habitation, at a time it was reasonable to expect the area to be quiet.

Resolved –

That a minor material amendment submitted under Section 73 of the Town & Country Planning Act 1990 for a minor material be refused.

That refusal was on the basis that Members believed the noise from deliveries, prior to 8am on a Sunday would have a detrimental impact on the amenity of the residents, for peaceable habitation, at a time it was reasonable to expect the area to be quiet.

5 24 Lucknow Street, Plumstead, London, SE18 2SN - Ref: 24/2093/F

It was noted that Members were provided with a public submission, in advance of the meeting, and they accepted the Planning Officers illustrative presented of the application with the recommendation to grant planning consent.

In response to Members' questions the Planning Officer and Senior Principal Planning Officer advised that the pre-existing two floor extension was a feature of most houses in the area. The request was for construction of two single-storey rear extensions, retaining approximately 4.29m x 4.47m of the rear garden. It was considered there was sufficient space for 5 bins to the front area of the house and access to the cycle storage, in the garden, would be through the hallway and communal kitchen.

Councillor Nas Asghar addressed the Committee as a Ward Councillor noted the extension would be considered a permitted development, if not part of the wider HMO development but expressed concern that the difference in land height would still result in a loss of light and overshadowing to 22 Lucknow Street. Accepting it was a party wall issue she still felt that there were insufficient details of the internal layout and detailed on noise insulation to address nuisance from en-suite bathrooms and showers against neighbouring bedroom walls, not designed to be beside such facilities. There were no details on management of the cycle parking and residents were likely to have cars, as there was no controlled parking, encouraging a parking impact assessment be undertaken. She felt that there were implications due to the cumulative impact of another HMO in the area.

The local Planning Committee accepted addresses from 3 residents who, speaking in objection to the proposal, noted that neither the applicant nor their agent had advised or consultant neighbours on the proposal.

One speak advised they had been in the property which was exactly the same scale as their home and they were unable to get their bike in and out of the house. The Council had provided an on street bike storage which was always full with residents bikes.

That the two story extension would create a sense of enclosure, loss of light and look into the neighbours bedroom, skylight, and garden. The existing Victorian drainage line was struggling with the existing usage, often flooding, and questioned its ability to cope with the increase burden of multiple new inflows. The construction style of the houses meant residents could already hear neighbours and mitigating action should be set out, before consent, in respect of the noise from toilets and showers against neighbouring bedroom walls.

One speaker noted that the London Plan Policy D6 stated the layout should be fit for purpose with adequately sized rooms. The change of use space standards stated a 5-bed house should be a minimum of 110 sq. metres, the proposal as 15 sq. metres below this and 27 sq. metres short of the London Plan best practice standard, potentially breaching the London Plan Policy H9. The kitchen plans failed to demonstrate the location for a refrigerator or two sets of cooking facilities, which were an HMO licensing and management requirement for six-person capacity.

They continued that the proposed internal staircase would require the removal of a load bearing wall, was not safe, would require the installation of steels and would result in a permanent re-design of the building. The size of the internal staircases' were small and at 45 degrees steeper than building regulations allowed and similarly the 10 metre corridor, from the front to the back garden, was only 70 cm wide, which raised health and safety concerns as well as difficulty getting furniture in and out. That it was note a sustainable development due to the proposed structural changes, including the removal of the chimney breast, making it unlikely the property would be converted back into a family home.

The speaker noted that the London Plan set out that medium family sized dwellings had a vital a role in meeting housing needs and should be protected and felt the application was of poor quality, raised Health & safety concerns

for future residents, and breached several aspects of the London Plan, Local Planning Policy and the NPPF.

A Member noted that the Planning Committee could not take account of party wall issues as they were not classed as a material planning matter. If granted, the party wall issues must be resolved before the commencement of works.

In response to Members' questions the respective speaker's advised the existing street cycle storage always full. The garden of 22 Lucknow Street was lower, due to the slope of the street, than the new extensions which would allow overlooking into the communal hallway roof skylight and back bedroom.

The Planning Officer responded to Members that it was not uncommon for residential and HMO's plans not to indicate the dimensions of the hallway, this maybe a consideration for HMO licensing. If it were deemed cycle parking would not be accessible at the rear, the application would still be acceptable. There was no spiral staircase, this was a minor error in the drawing. The rear extensions were both single story with no windows facing No.22.

The Planning Manager (Major Developments) confirmed that the stairwell was a double winder with safe zone, not spiral. Further the single story extensions were permitted development and could be built out without consent and were only included in the application as part of the wider changes to the dwelling.

The Chair noted that the applicant, agent, or representatives were in attendance, therefore Planning Officers responded to Members questions advising the provision of cycle parking was preferred but its removal would not justify refusal. The space sizes met planning size requirements for a HMO and the HMO Licensing process would address the layout of the kitchen and other internal areas.

In considering the application Members' noted that HMO's formed part of the wider mixed housing offer but felt that this was a poor proposal and that it was just technically acceptable. That many of their concerns fell outside Planning considerations but would be captured by the HMO Licensing process.

Members felt it was difficult to make a decision as they had questions of clarification, they wished to put the applicant who was not in attendance.

The Chair put the proposal that the matter be deferred in to allow the applicant to attend to respond to Members questions with

5 Members in favour of deferment

0 Members against

0 Members abstaining

Resolved unanimously -

That a decision on the matter be deferred in order that the applicant, who was not in attendance, can provide detailed responses to Members questions at the next meeting of the Committee.

6 43 The Slade, Plumstead, London, SE18 2NB - Ref: 24/2649/HD

The Planning Officer gave an illustrative presented of the application with the recommendation to grant planning consent.

There were no speakers registered to this item and Members indicated that they had no questions for officers and were happy to move to the vote.

The Chair put the recommendation to grant planning consent to the vote with –

5 Members in favour

0 Members against

0 Members abstaining

Resolved unanimously -

That householder planning permission be granted for the erection of single storey rear extension.

That conditional planning permission be according to the conditions set out in Appendix 2, to be detailed in the notice of determination.

That the Assistant Director of Planning & Building Control be authorised to make any minor changes to the detailed wording of the recommended conditions as set out in this report and its addendums, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

7 Plumstead Manor School, Old Mill Road, London, SE18 1QF - Ref: 24/0825/F

The Planning Officer gave an illustrative presentation of the application with the recommendation to grant planning consent and responded to Members that the acoustic barrier was required by condition. It would be 3 metres high and 10kg to limit the noise of balls striking the fence. The hours of operation were in line with the Environmental Health recommendation though the school had requested longer hours, which could be extended after the MUGA had come into use and there was no evidence of noise nuisance.

The Planning Officer continued that the nearest resident was 24 metres away, in Tuscan Road. The location for the proposed Multi-Use Games Area (MUGA) was a play area up to 2011/12 and could be re-used as such without a MUGA without requiring consent. Seating would be provided under and around the trees, both elements were conditioned.

The Planning Committee accepted addresses from 2 local residents who lived closest to the MUGA and spoke in objection advising that they had not been consulted.

One speaker advised they worked unsocial hours and were disturbed by noise from the children playing in an area further from her home and coming out of school screaming and shouting, which would be made worse by the MUGA. The noise mitigation would just address balls hitting the fence but not children screaming, shouting and whistles. The playground was previously in use when it was an all-girls school but rarely use before conversion to a car park.

Due to CPZ's in nearby streets, parking was encroaching into Ancona and other streets, causing issues in terms of emergency vehicle and refuse vehicle access. That this would be made worse by teachers parking and community activity use. It was noted the parking assessments were not undertaken at busy use times.

In response to Members questions, the speakers respectively advised there was the Woolwich Leisure Centre as well at Plumstead Common already being used without issue. It was not clear how many of the teachers cars would be displaced and there was no parking left for residents when the school, and others in the area (5) had weekend events in addition to general parking issue which recently meant an ambulance could not park and paramedics had to walk to the patients house. They considered that making

the area permit parking / CPZ would only displace the parking further and not resolve the situation.

The Planning Committee accepted an address from the applicant's agent who advised the site had formally been used as a playground up to 2011. The school currently had only 8% of the required open space, having to undertake activities on Plumstead Common which had raised Health and Safety concerns.

Unlike the previous play facility, which adjoined the nearest houses, the MUGA would be set back 1.4 meters from the boundary. The acoustic fencing would surround the MUGA along with access gates, making it available as a community facility. It was requested that Condition 10, hours of operation of 10am to 5pm, be amended, requesting 9am to 7pm to allow greater school and community use, noting that the hours given were not in line with other MUGA's and Council play parks. Further, it was questions if the acoustic fencing was required to the side facing the school.

That staff parking requirements had reduced since 2011 with 29 cars displaced, which the 4 parking surveys indicated could be easily accommodates, as it was indicated there were 917 spaces within 500 metres of the school.

The applicants agent also advised that the School were requesting an additional Condition requiring the delivery of secure weatherproof cycle storage.

In response to Members questions the applicant's agent and school headteacher advised that school staff were consulted on the loss of the car park, with only 1 objection. 2/3rds of the staff drove due to having to live outside of London, however the school was looking at car sharing, cycle schemes and public transport use. The current school cycle bays were limited to 15 for teachers and pupils and not secure, with bikes having been stolen.

A noise report was undertaken, showing the MUGA could operate to 8pm and weekends, but the School felt this was not necessary. It had also indicated that the acoustic barrier was not required, however it was felt appropriate, to reduce possible disturbance to neighbours, but did not feel that it was necessary for the side facing the school. The extension of hours, from 5pm to 7pm, would allow for greater use for afterschool activities and community use.

The School had their own Premises Management Team who would manage the site and monitor use. Consideration was also being given to installing additional CCTV. There was no additional lighting proposed which would limit the use of the MUGA, to daylight hours.

In determining the application Members considered the requested amended hours of operation were reasonable and of community benefit, given the noise mitigation provided by the acoustic barrier. It was noted that cities were loud, with cars and whilst children could be noisy, they were already accessing and using the school.

A Member expressed discomfort at extending the agreed hours, against the wishes of the residents and officers recommendation. Another Member noted that as there was no floodlighting the hours of use would be naturally restricted as the MUGA could only be used for the longer hours in the summer months, most of which was formed of the school holiday.

Concerns at parking pressure was noted as a potential issue but felt that this was not a greater disadvantage than the benefits of the MUGA and encourage the headteacher to continue discussions with teachers on green travel plans. The findings of the parking survey, that there was capacity for the displaced vehicles was accepted.

The Chair put the proposal to amend the hours of operation to 9am to 7pm hours and applicants requested additional condition to secure weatherproof cycle storage to the Members, who agreed, in principle.

The Chair put the recommendation to grant planning permission with the amended hours of operation and provision of secure cycle storage to the vote with

5 Members in favour

0 Members against

0 Members abstained

Resolved unanimously -

That full planning permission be granted for the Conversion of school car park to Multi-Use Games Area (MUGA).

That consent was subject to the conditions set out in Appendix 2 with the following amendment and addition –

- Condition 10 - The multi-use games area shall be restricted to the hours of 09:00 to 19:00 on Mondays to Sunday (including public holidays) unless otherwise agreed in writing by the Local Planning Authority.
- New Condition – that secure, weatherproof cycle storage be provided within the development site.

That the Assistant Director (Planning & Building Control) be authorised to make any minor change to the detailed working of the recommended conditions, as set out in the report (Appendix 2), its addendums and the minutes of this Area Committee meeting, where the Assistant Director of Planning & Building Control considers it appropriate, before issuing the decision notice.

The meeting closed at 8.10 pm

Chair