



PLANNING COMMITTEE

MINUTES of the OPEN section meeting of the PLANNING COMMITTEE held on WEDNESDAY, 21ST APRIL 2004 at 7.00 PM at the Millpond TRA Hall, 210a Jamaica Road, SE16

PRESENT: Councillor David Hubber (Chair),
Councillor Jonathan Hunt (Vice Chair) and
Councillor, Aubyn Graham.

**ALSO
PRESENT:** Councillor Linda Manchester (observer)

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors, Mick Barnard, David Bradbury, Catriona Moore and Dermot McInerney.

CONFIRMATION OF VOTING MEMBERS

The Members listed as present were confirmed as the Voting Members.

NOTIFICATION OF ANY OTHER ITEMS WHICH THE CHAIR DEEMS AS URGENT

Item 1A – Addendum Report – Development Control.

DISCLOSURE OF INTERESTS AND DISPENSATIONS

None were declared.

RECORDING OF MEMBERS' VOTES

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any Motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda.

1A. ADDENDUM – DEVELOPMENT CONTROL (See pages 51 – 52)

The addendum report had not been circulated to Members five clear days in advance of the meeting, nor had it been available for public inspection during that time. The Chair decided that it should be considered for reasons of urgency to enable members to be aware of any late objections and observations received. Applications are required by statute to be considered as speedily as possible. Delay in initiating enforcement action means adjoining residents have to suffer the nuisance for a longer period. Deferral would also delay the processing of applications/enforcements and cause inconvenience to all those who attend the meeting.

1. DEVELOPMENT CONTROL (See pages 1 -- 50)

- RESOLVED:**
1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda be considered.
 2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
 3. That where reasons for the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

1.1 DOWNINGS ROADS MOORINGS, 31 MILL STREET, SE1 (See pages 1 – 50 & addendum pages 51 – 52)

PROPOSAL: *Continued use of the existing moorings at Downings Roads for mixed use purpose including residential, business, barge repair, live/work and for berthing of vessels in the course of navigation and retention of associated type beds (**Applications A and B**).*

The Chair informed the meeting that due to the nature of these applications, he would allow 10 minutes for each speaker wishing to make representations.

The Committee heard the officer's presentation on this application and drew Members attention to the addendum report contained therein.

Members were also advised that there were two applications which both had indicative layouts. Application A shows an asymmetrical layout of the area within which it is proposed that vessels will be moored, whilst Application B shows a more formalized layout. The exclusion zones have been provided and are sited 16 metres along the riverbank. Although there is no exclusion zone on the open space part of the development.

Officers stated that the above proposal is contrary to Southwark's Unitary Development Plan (UDP) policies and the emerging Policies in the Southwark Plan (Revised Deposit UDP March 2004), concerning metropolitan open land and amenity to residents in terms of privacy and activity.

It was noted that the applicant had offered to enter into a legal agreement, however officers felt this was difficult to enforce because the agreement would not necessarily make the use of the site acceptable.

Members noted the officer's comments concerning the consultation process and reported that the department received around 800 letters of support and several letters of objections.

Representations were heard from the objectors. The first objector spoke on behalf of the Riverview Residents Association, also representing 130 residents adjacent to Downings Roads and objecting on behalf of Reeds Road residents. She mentioned the loss of amenity, noise nuisance (industrial activity) and visual intrusion.

The second objector spoke about the metropolitan open land and Providence Tower and Reed Wharf open space area.

The applicants then addressed the Committee and circulated additional information for the Members to consider. He spoke about the officer's report in that the distance of 16 metres is subject to further discussion and negotiation. The applicant made reference to the issues raised by the objectors concerning noise from the barges and the design concept.

A supporter for the application also addressed the Committee and spoke at length about the families at Downings Roads.

The Committee noted Councillor Stephen Flannery's written statement in his capacity as Ward Member. In addition, Councillor Stanton made representations at the meeting as Ward Member.

RESOLVED: That planning permission for Application A, (03-AP-2435) and Application B, (03-AP-2440) be refused on the grounds as set out in the draft decision notices:

Applications A and B

1. That the proposed use of the site by reason of its inappropriate location, scale and permanence would be considered unacceptable in principle. As such it is considered contrary to Policies R.2 and E7.1 of the Unitary Development Plan, adopted 1995 and Policies 3.25, 3.29 and 3.31 of the Second Draft Deposit UDP April 2004.

2. That the proposed uses by reason of their scale, permanence location and character are considered to harm the character and appearance of the townscape, St Saviours Dock conservation area and the setting of listed buildings. As such the proposals are contrary to Policies E4.1, E4.3, E4.6, E7.1 and E7.3 of the Unitary Development Plan, adopted 1995 and Policies 3.16, 3.18, 3.29 of the Second Draft Deposit UDP April 2004.
3. That the use by reason of its design, layout and proximity to adjacent residential occupiers would generate noise, disturbance, overlooking and loss of privacy, together with an increased sense of enclosure at high tide, detrimental to the amenity of those residents. As such the proposal is considered to be contrary to Policy E3.1 of the Unitary Development Plan, adopted 1995 and Policy 3.2 of the Second Draft Deposit UDP April 2004.
4. That the proposals fail to provide sufficient information regarding land based refuse storage and waste disposal facilities to accurately assess whether residential and public amenity may be adequately protected in the future. On this basis, the proposals fail to satisfy the tests set out in Policies E7.2 and E7.3 of the Unitary Development Plan, adopted April 2004 and Policy 3.7 of the Second Draft for Deposit UDP, April 2004.

The meeting ended at 8.50 p.m.

CHAIR
DATE