

PLANNING COMMITTEE A

Date of Meeting: **THURSDAY, 29 JANUARY 2015 TIME 7.30 PM**

PLACE: **ROOM 1 & 2, CIVIC SUITE, LEWISHAM TOWN HALL, CATFORD, SE6 4RU**

Members of the Committee are summoned to attend this meeting:

Membership

Councillors:

Abdeslam Amrani (Chair)

Roy Kennedy (Vice-Chair)

Obajimi Adefiranye

Andre Bourne

Amanda De Ryk

Pat Raven

Alan Till

Paul Upex

James-J Walsh

Joan Reid

The public are welcome to attend our committee meetings, however, occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

Barry Quirk
Chief Executive
5th Floor Laurence House
1 Catford Road
London SE6 4RU
Date: Tuesday, 20 January 2015

For further information please contact:
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Order Of Business			
Item No	Title of Report	Ward	Page No.
1.	Declarations of Interests		1 - 4
2.	Minutes		5 - 6
3.	Featherstone Lodge, Eliot Bank SE23 3XE 2	Forest Hill	7 - 66
4.	Land rear of 66 Taunton Road SE12 8PB	Lee Green	67 - 82
5.	65 Erlanger Road SE14 5TQ	Telegraph Hill	83 - 94
6.	32A Pendrell Road SE4 2PB	Telegraph Hill	95 - 106

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	PLANNING COMMITTEE A	
Report Title	DECLARATIONS OF INTERESTS	
Class	PART 1	29 JANUARY 2014

Members are asked to declare any personal interest they have in any item on the agenda.

(1) Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (a) Disclosable pecuniary interests
- (b) Other registerable interests
- (c) Non-registerable interests

(2) Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain.
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.
- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member's knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member's knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or

- (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council;
- (b) Any body exercising functions of a public nature or directed to charitable purposes, or whose principal purposes include the influence of public opinion or policy, including any political party;
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25.

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members' Interests (for example a matter concerning the closure of a school at which a Member's child attends).

(5) Declaration and Impact of interest on member's participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take not part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.

- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception);
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt;
- (d) Allowances, payment or indemnity for members;
- (e) Ceremonial honours for members;
- (f) Setting Council Tax or precept (subject to arrears exception).

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Committee	PLANNING COMMITTEE A	
Report Title	MINUTES	
Ward		
Contributors		
Class	PART 1	29 JANUARY 2014

MINUTES

To approve the minutes of Planning Committee (A)meeting held on the 4 December 2014..

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Committee	PLANNING COMMITTEE A	
Report Title	FEATHERSTONE LODGE, ELIOT BANK SE23 3XE	
Ward	Forest Hill	
Contributors	S Isaacson	
Class	PART 1	Date: 29 JANUARY 2015

Reg. Nos. DC/14/86666

Application dated 14.04.2014

Applicant Savills on behalf of Hanover Housing Association

Proposal The demolition of the existing Gatehouse, Laundry and Glasshouse at Featherstone Lodge, Eliot Bank SE23 and the change of use of the main building from a drug rehabilitation project (Use Class C2) to residential use (Use Class C3) as a Senior Cohousing Development to provide 1 one-bedroom self-contained flat and 7 two-bedroom self-contained flats, plus communal areas in Featherstone Lodge, the construction of 2 two-bedroom, two-storey duplex houses on the site of the Gatehouse, the construction of 4, two-bedroom, two-storey houses on the site of the Glasshouse, the construction of 19 units comprising 11 one-bedroom self-contained flats and 8 two-bedroom self contained flats in a part two/part three/part four storey new block in the rear garden, the construction of a new roadway from Eliot Bank along the northern edge of the site, to the rear of houses at 1-13 (consecutive) Knapdale Close, together with the provision of parking for a total of 20 cars, the construction of a scooter store for 4 mobility scooters, the provision of cycle storage for 33 cycles, the felling of protected TPO trees and the provision of additional landscaping, including alterations to the carriageway and footpath in Eliot Bank.

Applicant's Plan Nos. 10-397_001 Rev E, 10-397_PL_002 Rev C, 10-397_PL_004 Rev B, 10-397_PL_005 Rev F, 10-397_PL_006 Rev L, 10-397_PL_007 Rev F, 10-397_PL_008 Rev F, 10-397_PL_009 Rev G, 10-397_PL_10 Rev D, 10-397_PL_011 Rev D, 10-397_PL_012 Rev D, 10-397_PL_013 Rev D, 10-397_PL_014 Rev C, 10-397_PL_015 Rev C, 10-397_PL_016 Rev C, DAT / 9.0, DAT / 9.1, DAT / 9.2, DAT / 9.3, DAT / 9.4 DAT / 9.5, DAT / 9.6, DAT / 9.7, DAT / 9.8, DAT / 9.9, DAT / 9.10, DAT / 9.11, DAT / 9.12, DAT / 9.13, DAT / 9.13, C100 Rev T2, C440 Rev T2, 245_FL_PL_L09 & Drawing 397 SK 181 Revision A - Relative levels / daylight to Knapdale Close, 397_SK_184 and 397_SK_185

Planning Statement, Design & Access Statement, Preliminary Construction Logistics Plan, Heritage Appraisal, Landscape Proposals, Flood Risk Assessment & Sustainable Drainage Strategy, Site Investigation Report, Code for Sustainable Homes and BREEAM Report,

Transport Statement, Bat Survey, Ecological Management Plan (Amended 7/4/14), Arboricultural Impact Assessment and Arboricultural Method Statement, Energy Statement, Wheelchair Housing Statement, Energy Statement Addendum (Peter Deer & Associates dated 3 July 2014), Letter from Paul Mew Associates dated 23 July 2014, & Assessment of Large Vehicle Traffic Movements During Construction (Conisbee - dated 16 Sep 2014), Traffic and Parking Executive Summary by Paul Mew Associates (Dec 2014

Background Papers

- (1) Case File LE/550/1/TP
- (2) Local Development Framework Documents
- (3) The London Plan
- (4) National Planning Policy Framework (NPPF)

Designation

Core Strategy - Existing Use

1.0 INTRODUCTION

- 1.1 This application was considered by Members at the meeting of Planning Committee (A) held on 4th December 2014. Members resolved to defer determination of the application to a future meeting of Planning Committee (A) in order for further information to be provided in relation to the transport impacts of the proposals, in regard to both the construction phase, including contamination remediation works, and the permanent / operational impacts, regarding the quantum of development on the site, the level of car parking provision, the adequacy of access / servicing arrangements and the effect on the unmade section(s) of the highway in Eliot Bank.
- 1.2 This Report has therefore been updated and amended to provide additional information on the above issues in further detail, highways and parking issues, including traffic and parking during and post-construction, trip generation for the end use, more information/graphical representation showing closest bus stops and bus routes and additional drawings demonstrating distances between the Garden Block and Knapdale Close properties. The report also includes further information relating to the affordable housing provision.

2.0 Property / Site Description

- 2.1 Featherstone Lodge is a substantial property on the east side of Eliot Bank and at the top of the Kirkdale Ridge, close to the roundabout junction of Kirkdale and Sydenham Hill / Sydenham Rise. It was used for many years by the Phoenix House Project, which ran a drugs rehabilitation programme, but it has been vacant since 2007, apart from a caretaker resident to maintain site security. It is a high-quality building in many respects, with substantial grounds that form its setting. The grounds contain many trees, which are covered by a Tree Preservation Order.
- 2.2 The existing building is of considerable character and was considered for listing by English Heritage in 2010. The EH advice to the Secretary of State included the following description:-

"The house is broadly rectangular in plan, two-storeys plus attic, and built in stock brick with white painted stone dressings and a steeply-pitched tiled gable roof with projecting eaves and the insertion of some modern skylights. The later C20

extension to the north has a hipped roof. The principal (west) elevation features a large projecting gable to the south, a centrally placed entrance tower with an arched door and a pyramidal tiled roof, and a large triple-flue chimney to the north. The garden elevation has two large gables, the one to the north fronted by a two-storey canted bay. Running along the elevation to the south of the bay is the late- C20 single-storey outshut [sic]. Fenestration consists of mullion-and transom windows, mostly with uPVC double glazing but some retaining the original octagonal-paned metal windows on the ground floor."

- 2.3 English Heritage observed that the building has been significantly altered, both internally and externally. It has been extensively sub-divided as a result of institutional use and most of the original windows have been replaced with uPVC. As a result, the main building was not included for listing. However, Featherstone Lodge is locally listed, i.e. a 'non-designated heritage asset' and this status must be taken account of under the terms of the National Planning Policy Framework (NPPF). The list description is as follows:-

"Formerly the Lodge, built 1850s. Large house of multicoloured stock brick. Very high pitched, tiled roof with overhanging eaves. Two storeys, 8 irregular windows. Tall, grouped diagonal chimney stacks. Gothic style. Central square tower with pyramidal swept roof. Stone mullioned casement windows of one to 5 lights, some with transoms, in chamfered reveals. Many windows have decorative glazing with lozenge or chamfered quarry pattern. Pointed doors under hood-moulds with head stops. Two storey, 2 window left extension in similar style. The front door has a simple concrete looking shelter. The side elevation (facing Sydenham Hill) has rendered canted bay. The roof is tiled and pitched. Most windows are casement, some have 6 panes."

- 2.4 The top of the site forms part of the high land of the Forest Hill / Sydenham ridge, and both the application site and the surrounding land levels fall to the east. The lowest part of the Featherstone Lodge site is 9 metres lower than the Eliot Bank end.
- 2.5 The site is surrounded to the north and south by residential development. The rear gardens of the two-storey terraced houses in Knapdale Close lie immediately to the north, abutting the site boundary. To the north-east, as the land falls away, are the taller five/six-storey blocks of the Forest Estate, whilst to the south, across Julian Taylor Path are a terrace of two-storey houses that were built in the 1980's. Further down Julian Taylor Path, the roadway narrows to become School Lane and on its south side are the rear of blocks fronting Kirkdale, viz. Heath Edge, and Eliot Lodge - a Grade 2 listed building.
- 2.6 To the east, on lower ground, is Eliot Bank Primary School. A recently-constructed single-storey teaching block with roof terrace above lies closest to the eastern site boundary. The Julian Taylor Path / School Lane access along the southern side of the application site to the rear School entrance is narrow, particularly at its eastern end. This route is used by many school children both before and after school, as well as some school deliveries.
- 2.7 On the west side of Eliot Bank, slightly to the south-west of the Featherstone Lodge site entrance, lies Oak Cottage, an elegant two-storey mid-nineteenth century building that faces directly onto Eliot Bank.

- 2.8 On the west side of Eliot Bank, beyond the garden of Oak Cottage, the land level drops steeply and abruptly down to the garages of Frobisher Court, Sydenham Rise.
- 2.9 The site does not lie within a Environment Agency flood risk area or zone of archaeological priority.

3.0 Planning History

- 3.1 In August 1967, planning permission was granted for the change of use of Featherstone Lodge from the nurses home to a psychiatric unit for children for King's College Hospital.
- 3.2 In September 1969, planning permission was granted for the use of Featherstone Lodge as a rehabilitation hostel for ex-drug addicts. This was a limited period permission until September 1971, and the number of residents excluding staff was restricted to 20 persons only.
- 3.3 In October 1971, this use was extended until September 1976, and the permission included the use of the two-storey annexe as a hostel for senior residents of the main hostel.
- 3.4 In May 1977, the limited period for the use of Featherstone Lodge as a rehabilitation hostel for ex-drug addicts was extended until April 1982.
- 3.5 In July 1979, permission was granted for the erection of a temporary single-storey building at the side of Featherstone Lodge for use as an ancillary office. This permission was limited until April 1981 and personal to Featherstone Lodge Project.
- 3.6 In September 1982, the limited period for the use of Featherstone Lodge as a rehabilitation hostel for ex-drug addicts was again extended, until August 1984, then again in June 1983 until May 1988.
- 3.7 In May 1984, permanent permission was given for the continued use of Featherstone Lodge as a rehabilitation hostel for ex-drug addicts (Reg. No. 22398).
- 3.8 In July 1985, permission was granted for the conversion of The Gatehouse into a nine person shared house, together with the erection of a single-storey extension at the rear and a two-storey extension at the front.
- 3.9 In January 1987, planning permission was granted for the erection of a single-storey building at the rear of Featherstone Lodge to provide classroom and workshop facilities.
- 3.10 In March 1997, planning permission was granted for various alterations to Featherstone Lodge, including internal alterations, re-roofing including the removal of three redundant chimney stacks, replacement of most windows with white aluminium windows, and construction of a single-storey extension to provide a disabled WC, alterations to the existing conservatory and formation of a covered walkway to the Gatehouse (Reg'd. No. 41068).
- 3.11 In June 2013, a similar application to that currently being considered was submitted to the Council. Following consultation with local residents, which resulted in the submission of some 10 letters of objection, and detailed negotiations with the applicant, this application was eventually withdrawn in October 2013.

4.0 Current Application

The Proposals

- 4.1 The scheme proposes the change of use from Use Class C2 to Use Class C3 and the development of a residential scheme including cohousing. The development will comprise the demolition of the existing Gatehouse and the separate building located close to the southern boundary to Julian Taylor Path (called the Glasshouse by the applicant), along with the refurbishment and conversion of the main Lodge and the construction of new buildings to provide a total of 33 residential units.
- 4.2 The new build elements comprise:-
- 2 new units on the site of the demolished Gatehouse;
 - 4 new houses fronting Julian Taylor Path on the site of the demolished Glasshouse;
 - 19 flats in a new part two, part three, part four-storey block in the rear garden.
- 4.3 Of the 33 units proposed, 23 units are private market sale, 7 units are Affordable Rent and 3 units are shared ownership. This equates to 30% provision of affordable housing.
- 4.4 The density of the development would be 147 habitable rooms per hectare, based on a total of 93 habitable rooms.
- 4.5 Hanover are a specialist provider of accommodation for people 55 or over. The original proposal was for one resident in each property to be aged 55 or over. However, during the course of the application, Hanover has amended the age limit as follows:-
- Over 55s - for affordable housing; and
 - Over 50s - for private housing, particularly for cohousing.
- 4.6 The scheme comprises an element of cohousing. Cohousing is a sub-set of market housing. The applicant's Planning Statement explains cohousing as follows:-
- 4.7 *"Cohousing is a specific type of community composed of private homes supplemented by shared facilities. The modern theory of cohousing appears to have originated in Denmark in the 1960s among groups of families who were dissatisfied with existing housing and communities that they felt did not meet their needs. The community is planned, owned and managed by the residents, who also share activities which may include cooking, dining, childcare, gardening and governance of the community. Common facilities may include a kitchen, dining room, laundry, offices, guest rooms and recreational features."*
- 4.8 In this proposal, communal facilities are provided within the main lodge building. These include an office, kitchen and large meeting room. The Planning Statement advises that this would be a *"comfortable social centre for the group, with meeting and cooking facilities and some storage for bulk food and/or tables and chairs that would allow different activities to be accommodated."*
- 4.9 The applicant has submitted the following documents in support of the application:-
- Arboricultural Impact Assessment
 - Construction Logistics Plan
 - Design and Access Statement
 - Ecology Statement

- Energy Strategy & Code for Sustainable Homes Pre-Assessment
- Flood Risk Assessment & Sustainable Drainage Strategy
- Ground Investigation Report
- Heritage Statement
- Landscape Strategy
- Sustainability Statement
- Transport Statement
- Viability Assessment by Savills

- 4.10 The applicant has submitted a Design and Access Statement in support of the proposal that sets out in detail the history of Featherstone Lodge and charts the evolution of the design. This document also confirms that the new houses would exceed Code Level 4 standard under the Code for Sustainable Homes.
- 4.11 Three flats on the ground floor of the Lodge (all two-bedroom, three person units) and three in the garden flats will be wheelchair adaptable. All homes comply with Lifetime Homes standards, with the exception of Plot 6 in the refurbished Lodge.
- 4.12 Following a Local Meeting, the proposal has been revised to take account of comments raised, in particular from residents of Knapdale Close and Eliot Bank. The main changes are as follows:-
- (1) The alignment of the access road along the northern boundary has been amended slightly to allow improved landscaping along this boundary, to the rear of houses in Knapdale Close.
 - (2) Additional information regarding contamination and traffic generation.
 - (3) An entrance gate would be provided to the northern access road.

5.0 Consultation

- 5.1 This section outlines the consultation carried out by the applicant prior to submission and the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 5.2 Site notices were displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors. A Local Meeting was held on 9th July 2014. Minutes of the Local Meeting are attached as an Appendix.

Pre-Application Consultation

- 5.3 The applicant has undertaken a collaborative design process involving members of the Featherstone Cohousing Group. A series of four workshops were held during the development of the design and details of these are set out in the Design and Access Statement. An Open Day was held early in the process in September 2011, following the purchase of the site by Hanover Housing Association, and an exhibition was held in November 2012. At these events, local residents were invited to discuss the emerging proposals and inspect the detailed drawings and model of the scheme. A separate presentation was arranged with the head teacher and deputy headteacher of Eliot Bank School, and the applicant has stated that their comments have been taken on board in developing the application strategy. Further details are contained in the Consultations section of the Planning Statement.

Written Responses received from Local Residents and Organisations

5.4 18 letters of objection were received to the original notification from residents of Eliot Bank, Frobisher Court (Sydenham Rise), Julian Taylor Path, Knapdale Close & Little Brownings, raising the following issues:-

- Overdevelopment of the site - the proposed density of development is too high. Because it is 'land-locked', the site is not suitable for the proposed development. There are too many flats, four stories is too high, and the materials are not appropriate.
- Substantial damage to amenities of residents, caused by noise and disturbance.
- Loss of daylight / sunlight to houses in Knapdale Close at different times of the day, caused by the size and height of the garden flats.
- Overlooking, overshadowing and loss of privacy, particularly in adjoining gardens, from close proximity of new residents / feelings of confinement. The whole northern building should be reduced to two stories in height, moved further into the site, or at least angled away from the Knapdale Close boundary.
- Possible overlooking of houses in Julian Taylor Path.
- Good quality boundary treatments would be required.
- Impact on the locally listed building.
- Day-to-day noise - the gardens are very quiet at the moment, plus increased traffic noise.
- Disruption to the neighbourhood during the construction period. HGVs will be entering and exiting the site via very narrow and residential roads, in close proximity to a primary school. Eliot Bank climbs steeply from London Road and has several bends, which will compromise access for larger vehicles. Query regarding operation and position of a manned barrier at the bottom of Eliot Bank at the London Road junction.
- Safety is a major concern. The submitted traffic survey is highly misleading and the Construction Logistics Plan deeply flawed.
- Dreadful state of existing roads. The top section of Eliot Bank is so potholed that it is barely roadworthy, especially in winter.
- Damage to the existing private roads - on exiting the site, vehicles will be using the Sydenham Rise exit, which means they would use a stretch of road which is privately owned and not suitable to carry heavy HGV loads. This would cause significant noise and dust disruption to the occupiers of Oak Cottage as their main rooms face directly onto Eliot Bank, as well as possible damage to their property. The developers have refused to discuss this issue directly.
- Traffic exiting onto the Eliot Bank / Sydenham Hill / Kirkdale roundabout would be dangerous as larger vehicles could not negotiate the roundabout in one continuous movement and would have to reverse at least once because the turn is too tight. One resident of Knapdale Close requests that the developers access the site exclusively from the Kirkdale / Sydenham Hill roundabout and not via the London Road junction.
- Inadequate parking provision - the level of car parking provision is unlikely to be adequate for the numbers of units being built. This will result in parking spilling over into the already-congested Eliot Bank and adjoining estate roads, especially if some owners have more than one car. Again, this is a safety issue due to the schoolchildren using this route to and from Eliot Bank School.

- There is no footpath on the northern side of Eliot Bank between Featherstone Lodge and Sydenham Hill.
- The section of Eliot Bank outside the application site is not owned by Hanover Housing all the proposal also gave all the fresh this stretch with a view to discouraging the traffic is a deeper mature old, or substance, but inadequate or vague.
- The fact that there is official notification posted nearby to the effect that this part of Eliot Bank is unsuitable for motor vehicles but is not the responsibility of Lewisham Council, seems to invite indiscriminate dumping of rubbish and vandalism, and there has been recent fly tipping in the area.
- Loss of security / increased likelihood of opportunist burglary.
- Loss of protected trees, greenery and wildlife habitat, where foxes, mice and birds can dwell unmolested. The statement in the applicant's submission that *"the majority of trees will be retained across the site"* is not correct. While there is some replanting and retention of a 'wild garden' space, and the removal of so many trees and shrubs will adversely effect the abundant wildlife in the area, in particular birds. Specific objections raised to the removal of tree T46a, which could presumably be pruned rather than felled.
- Subsidence issues, including changes to the local drainage system, plus need to check the strength of the roads.
- The submitted plans are misleading as they do not show the extension that has been constructed at the rear of 11 Knapdale Close.
- Loss of value to properties.

5.5 A Petition, signed by the occupiers of 1, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13 Knapdale Close raises objections on the same grounds as set out above, with their main areas of concern being:-

- The removal of trees under Tree Protection Orders.
- Loss of privacy
- New access road - boundary security and noise concerns
- Parking
- Unadopted road.

Local Meeting

5.6 A local meeting was held on 9th July 2014. The Minutes of this meeting are attached as an appendix to this report.

5.7 Following the Local Meeting, the applicant has submitted further information regarding the issue of potentially contaminated soil from the site and the impact that this would have on estimated construction traffic requirements. In the letter from Paul Mew Associates dated 23 July 2014, it was estimated that during early groundwork and demolition stages of the project, the analysis showed that a total of 68 lorries would be required. The Preliminary Construction Logistics Plan indicated that a total of 28 HGV deliveries would be required for the delivery of superstructure components over the 18 month construction period, giving a total of 216 HGV deliveries.

5.8 The letter estimated that, as most of these HGV movements would take place in the first three months of the contract (demolition groundworks and foundations), this would be likely to equate to approximately 3 HGV movements per working day.

5.9 These figures were queried by officers and further site investigations were carried out by the applicant. This resulted in the submission of a further Assessment of Large Vehicle Traffic Movements During Construction (Conisbee - dated 16 Sep 2014).

Additional Consultation

5.10 Adjoining residents have been re-notified of the recent revisions to the scheme and further letters have been received reiterating the comments above and making the following additional points:-

- Even with the minor revisions recently put forward, no reduction in height or relocation of the three / four-storey block along the northern boundary has been achieved; this building will be overbearing and will still overlook adjoining houses and gardens in Knapdale Close, and block winter sunshine.
- Request the adjustment to the route of the access road be extended, with the tree screen to include the section behind 10 Knapdale Close.
- Still concerned over direct overlooking from the upper floors of the new block behind the Knapdale Close houses.
- Height of fences / access / lighting / locations of bins. A 1.8 metre high fence would not provide adequate privacy or security to the Knapdale Close houses, regardless of the additional trellis. Residents request that the height of the 'solid' part of the boundary is raised to 2.3 metres, which is the approximate current height as measured behind 10 Knapdale Close, plus the trellis. Also suggest mature specimens of shrubs are planted to aid security from the outset along this boundary.
- Gated access road - residents request that this could be electronically operated for added security.
- Residents reiterate their concerns expressed previously over highways, traffic and parking issues, which they do not consider have been adequately addressed. These concerns include site workers parking in Knapdale Close and Eliot Bank during the building process and lack of parking facilities on site, on completion of the building.
- The 'well documented problems of Eliot Bank' still seem to be ignored in the technical guidance submitted.
- Continued concern over the projected volume of traffic movement associated with the project, and questions what conditions the Council could impose that would be effective.
- Concerns over site safety and security during the course of development.
- The site could be used as an allotment, or possibly a shared garden. It would be worth considering a joint purchase of the land by all the surrounding home owners to make this happen.

5.11 The Solicitor acting for the owner of Oak Cottage has written recently stating that his client *"proposes to install width restrictors to permit access by ordinary traffic, but not unfettered access by large construction vehicles followed by a high volume of domestic traffic."*

5.12 Although a formal approach has not yet been received by Highways Team regarding this proposal, the owner will be advised that such barriers on the highway would not be permitted, that such an action would be illegal and would be the subject of immediate legal action by the Council, (who would also seek to recover costs).

Letters of Support

- 5.13 Four letters of support have been submitted, as follows:-
- 5.14 The occupier of 30 Benson Road SE23 writes as both a housing researcher (at London School of Economics) and a local resident to express her strong support for the application to create a cohousing scheme at Featherstone Lodge in Forest Hill, as follows:- *"The project has been sensitively designed so as to create a genuine new community whilst respecting - and indeed enhancing - the existing building and local community. London is facing a housing crisis, and this scheme could well serve as a template for other local authorities and groups to follow. The housing will be ideally adapted to the needs and preferences of active over-50s - an important demographic in the housing market, but one for which there is at the moment little explicit provision - and the environmental and social ideals of the prospective residents suggest that they will make a huge contribution to Forest Hill."*
- 5.15 The occupiers of 27 Chudleigh Road SE4 consider the plans are sensitive to environmental concerns and will go some way to meeting the needs of an ageing population who wish to downsize. *"The target for the owners of the properties offer a supportive network of concerned neighbours to people living nearby, both because of their maturity and the intentional nature of the community, assurances which are absent from purely commercial developments."*
- 5.16 The occupier of 58 Wharncliffe Gardens SE25 supports the scheme and considers it has been sensitively developed to bring the building back into use for much-needed housing, whilst developing the rest of the site at a relatively low density. This less-institutional approach to senior housing has been developed with feedback from a cohousing group keen to develop a community on this site.
- 5.17 The occupiers of 32 Whittell Gardens SE26 state that the Featherstone Cohousing has been meeting monthly since 2011 to develop this scheme, which would utilise a beautiful house and garden, retain as many trees as possible and plant more, as well as growing food and flowers and creating a pond. Featherstone Lodge Cohousing comprises people from Lewisham and other parts of South London who wish to live in a mutually-supportive and self-managing community. About 50% of the Members of the Cohousing Group own cars, so the plans do provide adequate parking on site. A car-sharing scheme is already planned, as it is unnecessary for every member to own a car and much more economic for the cost of car use to be shared.

(Letters are available to Members)

Written Responses received from Statutory Agencies

Highways and Transportation

- 5.18 Unobjectionable in principle, but access to / egress from the site is problematic in a number of respects. The roads adjacent to the application site, Eliot Bank and Julian Taylor Path, are narrow and some sections are not wide enough to accommodate two-way traffic movements. Eliot Bank (the section between the application site and Sydenham Hill) is a privately-maintained highway that is in a very poor state of repair. It is not currently in a suitable condition to accommodate the vehicular, pedestrian and cycle trips associated with the proposed residential development.

- 5.19 Eliot Bank is not wide enough to allow two HGVs to pass each other and two HGVs approaching each other on Eliot Bank to access / egress the site would result in congestion, and would result in vehicles undertaking reversing movements either out onto Eliot Bank or into the site to relieve the congestion. Vehicles undertaking reversing movements would have highway safety implications. The Construction Management Plan should confirm that construction traffic will operate in a one-way southbound operation from London Road.
- 5.20 The access to the site via Eliot Bank is not an attractive or safe environment for pedestrians and cyclists, the road is poorly lit and has an irregular road surface that is hazardous for cyclists. In addition, the carriageway and footway on Eliot Bank that provides access to the site do not meet DDA requirements. The road is in a poor state of repair and does not provide level access to the site. When approaching the site from the south (via Sydenham Hill / Kirkdale), the pedestrian route has stepped access and so could not be used by wheelchairs.
- 5.21 The site has a Public Transport Accessibility Level (PTAL) of 3, which is considered moderate. The site is not located within a controlled parking zone (CPZ). The proposed level of off-street parking at the development is consistent with various planning policies that encourage and promote sustainable transport modes, and is consistent with the site's level of accessibility. However, the inclines / gradients that have to be navigated to access the site do not form part of the accessibility assessment and may be a disincentive to sustainable modes of travel such as walking and cycling.
- 5.22 Eliot Bank and Julian Taylor Path are used by school children accessing the rear entrance of Eliot Bank School and, during a survey of Eliot Bank and Julian Taylor Path (at school arrival/departures times), school children were observed walking in the carriageways of both Eliot Bank and Julian Taylor Path. Construction traffic movements during school arrival / departures times could have highway safety implications, and to reduce the likelihood of conflict, a Construction Management Plan should be submitted prior to commencement on site. The Plan should include details of measures to reduce conflict between HGVs and school children.
- 5.23 The parking survey in the Transport Assessment indicates that there is parking capacity in the streets surrounding the site to accommodate any overspill parking generated by the development.
- 5.24 Therefore, in order to mitigate the impacts of the proposal, the following should be secured with the applicant:-
- The submission of a detailed Construction Management Plan that will include measures to control:-
 - (i) Traffic routes to and from the site.
 - (ii) Management of construction traffic, including controlled hours of access and numbers of vehicles, to ensure safe working for site workers, local residents and children / teachers attending Eliot Bank School.
 - (iii) Measures to deal with safe pedestrian movement.
 - (iv) Management of parking for construction workers, to ensure that overspill parking by workers does not cause congestion in surrounding streets.
 - (v) Installation of wheel-washing facilities to prevent mud on local road.
 - (vi) Security management.

(vii) Mitigation measures to control dust, noise and vibration emissions.

- Works to improve the stepped access from Sydenham Hill to provide a ramped access.
- Use of a Car Club or Car Sharing scheme to encourage the use of car-sharing and to reduce the level of car ownership at the development.

Housing, Health & Social Care Integration Project Team

- 5.25 The Council's Housing Strategy Team supports the principle of a cohousing scheme at Featherstone Lodge. The scheme will contribute towards the overarching aims which the Council has for housing for older people in the borough.
- 5.26 The scheme will provide an alternative model of housing for over 55's which will enable them to live as part of a community which is mixed tenure and which seeks to encourage positive relationships which may increase health and wellbeing in older age.

Environmental Health

- 5.27 In principle, the reports recommendation that all buildings should be assessed for the presence of Asbestos is agreed; and although the report did not refer to it would be my expectation that this material could have also been extensively used in the existing Lodge building especially in cellars/basements where a boiler and lagged heating pipes could be present. Therefore a thorough asbestos survey should be undertaken and its findings and recommendations for removal should undertaken by HSE approved operator, before any demolition works can be undertaken.
- 5.28 The site walkover did not appear to identify areas of potential contamination associated with a laundry or workshops needed to maintain the main buildings, where contaminative laundry chemicals, fuels, oils etc could have been used and stored; and I would request clarification on this aspect.
- 5.29 Only one round of Gas Monitoring was undertaken which is insufficient given the size of the site and the presence of made ground. Therefore I would request further monitoring is undertaken and targeted to the locations of the new proposed residential properties. Similarly, the number of soil sampling locations appeared insufficient and sporadic, again given the size of the site. However, the existing data has already identified widespread exceedences of Arsenic, Lead and BaP which is probably sufficient to define a remedial strategy without further sampling providing no further sources of contamination are determined in relation to the above points. An exception to this would be soils in vicinity to TP2 which produced extremely high contaminant concentrations and therefore necessitates further delineation.
- 5.30 From the submitted documents it is unclear as to whether some properties will have private gardens which should be clarified. The report states that if they are intended a remedial capping layer of 1m depth chemically clean soil should be provided in such sensitive site areas. Whilst in principle I would agree with this depth I would also advocate the inclusion of a granular detour to dig layer and geotextile membrane within the capping layer. Similarly whilst I am in agreement for the proposed 600mm capping layer in the communal landscaped areas, I would again also advocate the inclusion of geotextile membranes within these capping layers.

- 5.31 Although I am unable to determine it from the proposed landscape plans, it would not be unusual for some elderly residents to want an allotment area in order to grow their own produce, and I would therefore request confirmation/clarification that this not being proposed.

Nature Conservation & Ecology Manager

- 5.32 No objection in principle. The Updated Bat Survey specifies a soft strip, as included in the consultant's recommendation below:-

During the final bat survey on 4th September 2013, a common pipistrelle was observed on-site close to sunset. The bat was seen flying very close to the north eastern facade of the building. Although it is considered unlikely that the bat emerged from the building, due to difficulty viewing that section of the building, and as a precautionary measure, the features on this part of the building should be stripped by hand under the supervision of a licensed bat worker. It is understood that an extension is planned to be added to this area.

If bats are found at any point then all works must cease and a licensed bat ecologist contacted immediately.

Sustainability Manager

- 5.33 This proposal is compliant with the Council's Code and BREEAM pre-assessments, however they don't seem to be using the right target for the carbon reduction. Council policy is for a 40% reduction against the 2010 Building Regs or a 35% reduction against 2013 Building Regs, as per the London Plan. The new target for the 2013 Building Regs only came into operation for applications from April onwards, but the 40% reduction has been in place since 1 October 2013. The applicant should review their proposal accordingly. If they demonstrate they are unable to meet this standard on site, there is the Lewisham carbon offset fund.

Thames Water

- 5.34 No objection in principle. Further comments attached as informatives.

6.0 Policy Context

Introduction

- 6.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 6.2 A local finance consideration means:-
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 6.3 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate

otherwise.' The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 6.4 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 6.5 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 6.6 Other relevant national guidance includes:-

Conserving and enhancing the historic environment
Design
Housing and economic development needs assessments
Housing and economic land availability assessment
Land affected by contamination
Land Stability
Light pollution
Natural Environment
Noise
Planning obligations
Renewable and low carbon energy
Strategic environmental assessment and sustainability appraisal
Travel plans, transport assessments and statements in decision-taking
Tree Preservation Orders and trees in conservation areas
Use of Planning Conditions
Viability
Water supply, wastewater and water quality

London Plan (July 2011)

- 6.7 The London Plan policies relevant to this application are:-

Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing
 Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 3.17 Health and social care facilities
 Policy 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 5.4 Retrofitting
 Policy 5.7 Renewable energy
 Policy 5.10 Urban greening
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.15 Water use and supplies
 Policy 5.18 Construction, excavation and demolition waste
 Policy 5.21 Contaminated land
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.12 Road network capacity
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.5 Public realm
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.18 Protecting local open space and addressing local deficiency
 Policy 7.19 Biodiversity and access to nature
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy
 Policy 8.4 Monitoring and review for London

London Plan Supplementary Planning Guidance (SPG)

6.8 The London Plan SPG's relevant to this application are:

Housing (2012)
 Accessible London: Achieving an Inclusive Environment (2004)
 Sustainable Design and Construction (2006)
 Planning for Equality and Diversity in London (2007)

London Plan Best Practice Guidance

6.9 The London Plan Best Practice Guidance relevant to this application include:-

Development Plan Policies for Biodiversity (2005)
 Control of dust and emissions from construction and demolition (2006)
 Wheelchair Accessible Housing (2007)

Core Strategy

6.10 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre

Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:-

Objective 10:	Protect and Enhance Lewisham's Character
Spatial Policy 5	Areas of Stability and Managed Change
Core Strategy Policy 1	Housing provision, mix and affordability
Core Strategy Policy 7	Climate change and adapting to the effects
Core Strategy Policy 8	Sustainable design and construction and energy efficiency
Core Strategy Policy 14	Sustainable movement and transport
Core Strategy Policy 15	High quality design for Lewisham
Core Strategy Policy 16	Conservation areas, heritage assets and the historic environment
Core Strategy Policy 20	Delivering educational achievements, healthcare provision and promoting healthy lifestyles
Core Strategy Policy 21	Planning obligations

Development Management Local Plan

6.11 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:-

DM Policy 1	Presumption in favour of sustainable development
DM Policy 5	Sheltered housing and care homes
DM Policy 7	Affordable rented housing
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 27	Lighting
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 35	Public realm
DM Policy 37	Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
DM Policy 38	Demolition or substantial harm to designated and non-designated heritage assets
DM Policy 41	Innovative community facility provision

Residential Standards Supplementary Planning Document (August 2006)

- 6.12 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

Planning Obligations Supplementary Planning Document (January 2011)

- 6.13 This document sets out guidance and standards relating to the provision of affordable housing within the Borough and provides detailed guidance on the likely type and quantum of financial obligations necessary to mitigate the impacts of different types of development.

7.0 Planning Considerations

- 7.1 The main issues relate to the following:-

- Principle of Residential Development
- Demolition
- Proposed New Buildings
- Housing Mix
- Impact on Locally Listed Building
- Highways
- Trees
- Landscaping and Boundary Planting
- Ecology
- Noise
- Sustainability and Energy
- Planning Obligations

Principle of Residential Development

- 7.2 With regard to the loss of the existing use, the Phoenix House drugs rehabilitation project ceased in 2007 and there has been no institutional use of the building since that time, merely a caretaker presence to ensure security and prevent squatting / vandalism. In terms of the London Plan and Lewisham policies, the loss of the previously-existing C2 Residential Institutions use is considered acceptable, as it is regarded as surplus to current needs in the Borough.
- 7.3 The application site is located in an entirely residential area, and not subject to any specific restrictions in the development plan, so the principle of residential development is considered acceptable.
- 7.4 The Council's Housing Strategy Team supports the principle of a cohousing scheme at Featherstone Lodge, on the grounds that the scheme will contribute towards the overarching aims which the Council has for housing for older people in the borough.
- 7.5 The main Lodge building would be upgraded and adapted and used partly for communal facilities on the ground floor, with 8 residential units, being 7 x two-bedroom flats and 1 x one-bedroom flat.

Demolition

- 7.6 *The Gatehouse* - This is a structure that was constructed following a grant of permission in 1985. The building is not that old, but does not have any heritage status in its own right and therefore its loss is considered acceptable in the context of the overall scheme, given that it holds the key to facilitating access to the rear of the site.
- 7.7 *The Glasshouse* - No objection is raised to the principle of the demolition of the modern single-storey building located close to the southern boundary, which was constructed in the 1980s as part of the Phoenix House Project. Again, it is a reasonable building in its own right, but its replacement with a new building of improved design could be acceptable depending on relationships to adjoining properties, particularly given the close proximity to the houses on the other side of Julian Taylor Path.
- 7.8 *The Laundry* - This is a single-storey structure located on the southern end of the main Lodge building. This a later addition and not part of the original structure. No objection is raised to its demolition.
- 7.9 None of the above buildings are included in the local listing, which applies only to the main Lodge building.

Proposed New Buildings

Duplex units

- 7.10 The two duplex units will be located in a new building attached to the north end of the existing Lodge, replacing the demolished Gatehouse.
- The front of the building would be set 3 m back from the adjoining section of the Lodge, and it would project 7.4 m back from the rear of the adjoining Lodge element. The building would have a steeply-pitched roof with front facing gable, which reflects the style of other elements within the Lodge building.
- 7.11 It will be constructed using a light buff brick and have slim profile metal polyester powder coated windows. The front setback ensures subordination to the main Lodge building and the rear section of the building and roof step down to a lower level, following the contour of the ground. The two halves of the building would be separated by glazed link at ground floor level.
- 7.12 The building would provide two duplex units, each being two-bedroom, four-person units. Each would be provided with an external balcony space.
- 7.13 The London Plan Standards require the following gross internal floorspace (GIA) for new residential units:-
- | | |
|-------|-------------------|
| •1b2p | 50 m ² |
| •2b3p | 61 m ² |
| •2b4p | 70 m ² |
| •3b4p | 74 m ² |
| •3b5p | 86 m ² |
- 7.14 The two duplex units (Plots 13 and 14) are 2b4p units and would each have a floorspace of 88 m², in excess of the London Plan standard.

7.15 The steeply pitched roof design, as well as the set back to the front elevation, plus the detailing of the building and fenestration will relate well to the locally listed Lodge. Although the rear part of the building projects beyond the rear building line of the Lodge, this is less than the existing Gatehouse building that will be demolished. In addition, the stepped design with a glazed link between the two duplexes means that the rear element of the building is set at a lower garden level and officers consider that the replacement building will enhance the locally listed Lodge building.

7.16 Therefore the design and location of the duplex units are considered acceptable.

New houses

7.17 Four new houses are proposed facing Julian Taylor Path, roughly on the site of the demolished workshop building, known as the Glasshouse. They would be two-storey, with asymmetrically-pitched roofs. Each house would be two-bedroom, four-person. The distance between the front elevation of the new houses and the front elevation of the houses to the south in Julian Taylor Path varies between 13 and 18 metres. The two blocks are set at an angle to each other, with the gap widening towards the eastern end. Each house in the terrace steps down slightly by approximately 300mm. The height to the front eaves would be 5.2 m, with the ridge at 6.8 m.

7.18 The four houses (Plots 9-12) are 2b4p units and would each have a floorspace of 88 m², in excess of the London Plan standard.

7.19 The design of these houses has been improved during the consideration of this application, by the provision of better detailing and more visual interest in the first floor elevation. As these blocks are fairly close together, potential overlooking has been addressed by providing projecting oriel windows on the first floor south elevation that are designed to prevent direct overlooking between the new units and the Julian Taylor Path houses.

7.20 The materials would be the same buff brick as proposed for the new duplex units. The south-facing roof would be in zinc, with integrated solar tiles, whilst the rear roof slope would be fitted with photovoltaic panels fixed to a timber frame.

7.21 The design and location of the duplex units are considered acceptable.

The Garden Flats

7.22 The proposed garden flats would be provided in a new building located in the north-east corner of the site, and located to the south of Nos. 9-13 Knapdale Close. The building would be two-storey at its upper (west) end, to the rear of 9 Knapdale Close, then steps up to three stories behind the eastern part of the Knapdale Close terrace.

7.23 The building would be built into the slope of the hill so that whilst it increases to three and then four stories in height towards its eastern end, the parapet height of the taller elements remains consistent. The height of the two-storey element is 6.4 m to parapet, whilst the adjoining three-storey section measures 9.6 m to parapet from the higher ground level, which increases to 11.5 m as the ground level falls away to the east. The three units on the top floor are set back from the north edge of the building by 3.7 metres, to reduce its impact when viewed from the north.

- 7.24 The garden flats provide a total of 19 units, with four on the 'basement' floor, which is in fact at garden level as the land falls away, six flats on each of the ground and first floors, and three on the top floor. Eleven units will be one bedroom, two person (1b2p) units, which vary in size from 52 to 60 m², exceeding the London Plan standard of 50 m². Eight flats would be 2b3p. These vary between 66 and 69 m², again exceeding the London Plan standard of 61 m².
- 7.25 The garden flats building is simple in terms of its buff brickwork and fenestration, and its main feature is that the south-facing elevations will have a green oak frame to support the balconies that run along this side of the building.
- 7.26 The north elevation will be mainly buff brick, with a zinc-clad staircase tower towards its eastern end. Zinc cladding will also be used for the north and west-facing elevations of the top floor, whilst the east and west ends of the building will have a biodiverse green roof. The centre part of the roof will have photo-voltaic panels fixed to a timber frame. The central part of the north elevation will also have a green oak frame holding the access balconies. The refuse store will have a timber cladding screen.
- 7.27 Overall, it is considered that the design of the building, with its green oak frames and buff brickwork will relate well to the retained 'wild garden' and provide an interesting structure that will fit well into the landscaped setting.
- 7.28 It is the location and design of this building that has attracted the most opposition from nearby residents in Knapdale Close, who consider the position of the building is too close to the boundary and that it would cause overshadowing, overlooking and loss of privacy.
- 7.29 Following public consultation and the Local Meeting, the adjacent access road has been amended to be further away from the Knapdale Close boundary. This has allowed improved landscaping along the boundary to provide additional landscaped screening.
- 7.30 The distances between the western end of the garden flats building and the rear of 9 Knapdale Close is 21 metres, whilst that between the rear of 10 Knapdale Close and the three-storey element (which steps away from the boundary) is 23 metres. Towards the eastern end of the garden flats, the distance increases slightly to 24 metres. This is considered an acceptable distance.
- 7.31 The proposed building will have an impact on the eastern end of the Knapdale Close terrace, because the building will be visible within their field of view. There is currently an outlook into a completely green scene. However, in order to consider refusal of this application, the Council would have to demonstrate that there is an unacceptable impact upon amenity, for example by virtue of significant overlooking and loss of privacy, and/or that the proposal did not comply with the Council's normal standards.
- 7.32 In this case, the distances between the buildings comply with the Council's normal standard of a minimum of 21 metres between facing habitable rooms, such that a refusal based on direct overlooking could not be justified.
- 7.33 The applicant has agreed improvements to the proposed boundary treatment, by adjusting the access road alignment slightly further away from the northern site boundary, as well as confirming to residents that they are happy to discuss individual requests to adjust boundary treatment at detailed design stage.

- 7.34 With regard to safety and security, the Knapdale Close residents placed considerable weight on the need to maintain existing levels of security, given that there is no public access to the rear garden of Featherstone Lodge at present. The only access to the rear garden is either through the main building or via the locked gate onto School Lane.
- 7.35 At the Local Meeting, the applicant confirmed that they were agreeable to the installation of a gate at the top of the access road, so that there would not be unregulated public access into the site. Details of the exact construction of the gate can be reserved by condition.
- 7.36 Although the Council does not normally approve gated developments, in this case this is considered appropriate in order to ensure that the interior of the site remains as private as it is at present. The location of the proposed entrance gates, set well down the access road will also reduce the impact of their appearance in terms of the view from the public highway.
- 7.37 To the east, on lower ground, is Eliot Bank Primary School. The recently-constructed single-storey teaching block with roof terrace above lies closest to the eastern site boundary. This building will be fairly close to the east end of the garden flats, at about 9 metres apart, so there will be a certain amount of afternoon overshadowing of the school building, but not to an extent that would warrant a refusal of permission.
- 7.38 The east end of the garden flats building contains secondary windows to living rooms and also the second bedroom windows. In terms of potential overlooking, there are windows in all four elevations of the first floor of the new northern school building, so there is a possibility of a view into the school rooms from east-facing windows in the garden flats block, but the alignment of the blocks is such that these windows will face east through the gap, to the south of the new block. On balance, it is considered that an obscured glazing condition is not required in this case.
- 7.39 With regard to materials, the design approach is to use materials that reflect the woodland setting. Green oak will be used for the main external balcony framework on the south elevation, utilising 200mm x 200mm green oak sections, with flitch plate connections. The brickwork would again be the light buff brick used elsewhere on the proposed new buildings.

7.40 The design and location of the garden flats are considered acceptable.

Housing Mix

- 7.41 With regard to housing mix, the normal requirement set out in Core Strategy Policy 1 point 5 is that the provision of family housing (3+ bedrooms) will be expected as part of any new development with 10 or more dwellings. In the current scheme, the proposal is for a mix of one and two-bedroom units. This reflects the specific characteristics of the client group and the designation for the elderly. Hanover Housing Association specialise in providing housing for an elderly client group who wish to downsize and for those who are often not willing to move from larger family houses to single bedroom units.
- 7.42 The scheme is considered acceptable on the basis that it will contribute towards the overarching aims which the Council has for housing for older people in the borough and provide an alternative model of housing for over 50's (market) and

over 55's (affordable), which will enable them to live as part of a community which is mixed tenure. The proposed mix of units is therefore considered acceptable.

- 7.43 The age limits as detailed in the application will be secured as part of S106 agreement.

Impact on the Locally Listed Building

- 7.44 Featherstone Lodge is locally-listed as being of architectural or historic interest. This is not a statutory listing, but means that it is a 'non-designated heritage asset' and must be taken account of in determining this application, under the requirements of the NPPF.
- 7.45 With regard to the original submissions, officers had a number of concerns regarding the potential adverse impact of the proposals on the character of the top end of Eliot Bank and the locally listed status of Featherstone Lodge. These stemmed partly from the impact of the removal of the present greenery and trees, and partly from the scale and location of new additions / new buildings.
- 7.46 The Council accepts that many of the trees on the site have been allowed to grow too large, such that they now impinge significantly on the front elevation of the building, and would need to be either removed or substantially reduced.
- 7.47 The replacement of trees that have grown too large in close proximity to the building is accepted as necessary. Replacement trees will be provided as heavy standards to ensure that the site recovers its sylvan setting as early as possible. The existing car parking area at the front of Featherstone Lodge will be retained, but with additional planting introduced between the car bays.
- 7.48 It is important to ensure that the existing character of Featherstone Lodge is maintained. The proposed parking layout and landscaping proposals will ensure that the front elevation and its contribution to the character of Eliot Bank does not change to a significant degree.
- 7.49 Overall, the proposed extensions to the building, the new parking layout and landscaping plans will ensure not only the long term future of the building by the introduction of an economically beneficial use, but also preserve the locally distinctive character of this part of Eliot Bank.
- 7.50 The external alterations to the front elevation of the main Lodge building are limited, with the exception of the extension to the left (north-east) side to accommodate two duplexes. The front part of this extension has been set back to minimise its impact on the front elevation of the Lodge.
- 7.51 To the rear, the design of the rear duplex unit was originally problematic and, following detailed discussions with the architects, has been revised to create an extension that relates more sympathetically to the main house. This is now considered to have a high-quality contemporary design, as discussed above.
- 7.52 The location of the new units fronting Julian Taylor Path has been amended, following design discussions with the architects. These houses (Plots 9-12) would be set at a distance of 11 metres from the rear of the Lodge.
- 7.53 These spatial relationships are now considered satisfactory, and do not unduly 'cramp' the locally listed building.
- 7.54 The applicant has responded positively to concerns expressed by Council officers, both in the context of the previously-withdrawn application and the current submission, in order to reduce the cumulative impact of the proposed new buildings on Featherstone Lodge, and to ensure that the proposed development

preserves and enhances the significance of this locally listed building and its setting, and the distinctive character of the western end of Eliot Bank, which also forms the setting of the locally listed Oak Cottage.

- 7.55 The submitted plans, plus new tree / shrub planting and ecology measures will enhance the garden's role as a spacious setting to this high status suburban house.

Highways

- 7.56 The applicant has submitted a Transport Statement and a Construction Management Plan in support of the proposal. The scheme will retain the two existing access points onto Eliot Bank, but link them to provide 'In and Out' access through the front forecourt parking area.

Following the Local Meeting and further discussions with Council officers, the applicant has submitted a further Traffic and Parking Executive Summary (December 2014).

Car and Cycle Parking

- 7.57 The development will provide a total of 20 off-street parking spaces for the 33 units. Four of these would be disabled car parking spaces. Three of these will be located in the front forecourt and the other adjacent to the garden flats access road.
- 7.58 A total of 33 cycle parking spaces are proposed, i.e. one space per unit. The main group of these would be located on the north side of the garden flats, adjoining the access road and below the refuse store, in a timber-clad structure. Other covered cycle stores would be located in the front forecourt, adjoining the main entrance to the Lodge, and in two other locations close to Julian Taylor Path, one just to the rear of the Lodge and the other to the east of the four new houses.
- 7.59 The site has a Public Transport accessibility Level (PTAL) of 3, which is considered moderate. However, the inclines / gradients that have to be navigated to access the site are likely to act as a disincentive to sustainable modes of travel, such as cycling and walking.
- 7.60 Given the site's PTAL level, the proposed level of off-street parking at the development would normally be seen as consistent with the various planning policies that encourage and promote sustainable transport modes. But, given the additional factor of steep gradients, particularly towards Forest Hill town centre, the proposed level of off-street parking could potentially result in some over-spill parking on-street within the vicinity of the site.
- 7.61 The site is not located within a controlled parking zone. The sections of Eliot Bank adjacent to the site, and between the site and the Sydenham Hill / Kirkdale roundabout are privately-maintained highway. They are not within the control of the applicant or the Council, and it is not the Council's current intention to try and adopt this element of the highway, so that it becomes highway maintainable at the public expense.
- 7.62 Parking controls and/or restrictions cannot be introduced on roads adjacent to the site to minimise the impact associated with any overspill parking on-street. This concern over possible future parking is a common objection raised by local residents.
- 7.63 The members of the Cohousing Group have confirmed the provision of car sharing arrangements and the applicant has provided further details of car club / car sharing arrangements in order to address such concerns. This will be secured in the S106 agreement.

- 7.64 The Highways & Transportation Officer is of the view that the level of on-site car parking is adequate provided detailed car club / car sharing arrangements can be secured. The development is therefore regarded as acceptable, subject to a suitable condition requiring the submission of a Residential Travel Plan and car club / car sharing arrangements.

New Roadway along Northern Boundary

- 7.65 The proposal includes a new access road running through the site of the existing Gatehouse and routed along the northern boundary to the rear of houses in Knapdale Close. This would pass to the north of the root system of the main protected horse chestnut tree (T46). The Council's Arboricultural Officer has accepted that this is practicable, subject to detailed design and construction methodology.

Proposed Highway Improvements to Eliot Bank

- 7.66 Eliot Bank runs from London Road in the north to the junction of Kirkdale and Sydenham Hill in the south. The road between London Road and the northern boundary of the application site is adopted highway maintained by the Council as the Highways Authority.
- 7.67 The section of road which is between Knapdale Close and Julian Taylor Path to the south is non-maintained highway. It is public highway that has not been adopted and therefore is not maintainable at the public expense. This is unregistered land.
- 7.68 The section of road between Julian Taylor Path and the junction with Sydenham Hill/Kirkdale is also non-maintained highway. It is understood this portion of land is owned privately.
- 7.69 The Julian Taylor Path / School Lane access along the southern side of the site to the school is narrow, particularly after the pinch point.
- 7.70 The Council and the applicant accept that the section of Eliot Bank from the junction with Knapdale Close to the Sydenham Hill / Kirkdale roundabout is not currently in a suitable condition to accommodate heavy construction traffic.
- 7.71 As noted earlier, part of the application site boundary includes part of Eliot Bank adjacent to the site, which is unregistered land. The applicants, as part of the planning application, have proposed upgrading the road prior to construction as it is currently in a poor state of repair, including a large number of potholes. This work will be secured via a condition requiring a Construction Management Plan including a structural survey of the road with identified work carried out prior to development.
- 7.72 Post construction, the road will be improved to appear as a 'country lane', which form part of the application drawings and landscape plans. The delivery of this element of the scheme will be secured via a condition.
- 7.73 It should be noted that it is currently proposed that construction traffic would not actually use the section of Eliot Bank directly outside the site, as construction vehicles coming up Eliot Bank will turn into the site right at its north-west corner, just at the end of the tarmac section of the roadway. Vehicles would then emerge onto Eliot Bank from the existing main site entrance in the south-west corner of the site and proceed south to the Kirkdale roundabout junction.
- 7.74 With regard to this southern section of Eliot Bank, this is also an unmaintained highway. Concern has been raised regarding the impact of both the construction and operational phases on this section of the road.

- 7.75 The owner of Oak Cottage has indicated that he is the freehold owner of this part of Eliot Bank. In this instance, the owner effectively only owns the land 'under' the highway, not the highway itself. As public highway the road possesses a Right of Way to be used by all vehicles.
- 7.76 Given that this part of Eliot Bank is an unadopted highway, the question of improvement works to this part of the road constitute a civil matter between the applicant and parties with a legal interest in the land. This private matter cannot be taken into account in the determination of this planning application.
- 7.77 Notwithstanding this, as noted above a condition will be attached requiring a Construction Management Plan to include relevant and necessary works to this section of the road.
- 7.78 A condition requiring the submission of a Delivery and Servicing Plan, including a Waste Management Plan would ensure that suitable arrangements are proposed in line with the Council's guidelines.
- 7.79 The existing vehicle access onto Julian Taylor Path / School Lane would be retained to serve the 2 parking spaces proposed in this area.

Construction Traffic

- 7.80 There is considerable concern expressed by local residents over the impact of traffic during the construction phase, either from London Road (A.205 - South Circular Road), up Eliot Bank onto the site, or from the Kirkdale / Sydenham Hill roundabout. In addition, the possible impact on Eliot Bank School during the construction phase of the development and on completion needs to be addressed. The applicant has therefore submitted a Construction Management Plan to address the concerns expressed previously by the Head Teacher of the school with regard to the safety of the school children who walk along Eliot Bank and Julian Taylor Path to access the rear entrance to the School. It is also understood that the school has some early morning deliveries via this route.
- 7.81 The Construction Management Plan estimates an 18 month construction period, with the outline sequence of work as follows:-
- Demolish existing buildings
 - Construct new access road down to rear of site and re-profile ground on site for rear block and houses block
 - Lay piling mats and place piles for both blocks
 - Carry out underpinning and foundation works to the Lodge
 - Construct substructures, below ground drainage and service trenches
 - Construct superstructures
 - Excavate and place foundations for duplex block
 - Complete external works at rear
 - Superstructure to duplex block
 - Complete external works to front
- 7.82 In order to avoid school travel times, construction work and deliveries will be controlled, with times modified to 9am to 3pm and 4pm to 6pm Mondays to Fridays, and 8am to 1pm on Saturdays. No work would take place on Sundays or Bank Holidays.

- 7.83 The Plan states that:
- "Additional measures will be put in place to ensure sub contractors vehicles and deliveries do not occur during school pick and drop-off times. This will take the form of a 'manned barrier' at the entrance to Eliot Bank from London Road. Should vehicles' arrivals coincide with restricted hours, they will be turned away and instructed to return within permitted hours."*
- 7.84 Local residents have queried the practicality of such a 'manned barrier' and suggested that this would mean lorries queuing on the South Circular Road and causing obstruction and congestion. Officers agree this scenario would certainly need to be avoided, and a robust Construction Management Plan is the method to control this satisfactorily, plus monitoring during the construction period.
- 7.85 Eliot Bank and Julian Taylor Path are both narrow roads, and the latter is not wide enough for two-way traffic movements. Some parts of Eliot Bank have double yellow line parking restrictions. Generally cars park on-street in the unrestricted parts with two wheels partly on the pavement.
- 7.86 The sections of Eliot Bank adjacent to the site are unadopted highway. Eliot Bank carries two-way traffic throughout, although the roundabout junction at Sydenham Rise / Sydenham Hill / Kirkdale with Eliot Bank is "left turning, left turn out" only. It is not a "No Entry" into Eliot Bank from this roundabout - there is a "No Entry" sign close to the entrance, but this relates to the Sydenham Hill uphill spur of the roundabout, not Eliot Bank itself. In practice, the left turn in from Sydenham Hill into Eliot Bank is tight, with a tight entry radius, such that it is only suitable for cars or small vans. HGVs could not make this turn.
- 7.87 Construction traffic would be routed one-way southbound from London Road, up Eliot Bank to the site, then leave southwards to the Kirkdale roundabout. The swept path analysis drawings included in the Construction Management Plan confirm that construction vehicles could travel up Eliot Bank with adequate allowance for parked cars, safely access and exit the site, and successfully negotiate the roundabout junction (left into Kirkdale, as well as straight on into Sydenham Hill or right into Sydenham Rise).
- 7.88 No construction vehicles will need to either load or unload in Eliot Bank. All construction vehicles will be able to enter and leave the site in forward gear. Banksmen will be used where necessary to ensure highway safety.
- 7.89 A wheel wash station will be installed at the site entrance and exit to prevent undue mud on local roads. The report also states the immediate section of Eliot Bank would be swept and washed down each day.
- 7.90 A further issue relates to the management of overspill parking generated by construction workers. The applicant has confirmed that this would all be accommodated on site, and this would form part of the detailed Construction Management Plan in due course.
- 7.91 In conclusion, subject to suitable conditions, the Highways & Transportation Officer is satisfied with the details of the scheme. In particular, it should be noted that whilst the current Construction Management Plan is satisfactory for the current phase of the proposals, the applicant accepts that this will need to be worked up in detail when a contractor is chosen, and resubmitted and agreed with the Council's Highways Team, before any works commence on site (including works of demolition).

- 7.92 The question of the control of awkward and difficult construction access to a site was an issue in a recent Appeal regarding the Independents Day Centre, Independents Road, Blackheath (DC/10/76229), where the Council refused planning permission in November 2012 for a five/six-storey new residential development containing 16 units. The second reason for refusal was:-
- "Due to the limited facilities for vehicles to turn in Independents Road, vehicles would be likely to reverse into Lee Road, which would be prejudicial to the safety of vehicles and pedestrians at the junction of Independents Road with Lee Road, contrary to Policy 14 Sustainable movement and transport of the adopted Core Strategy (June 2011)."*
- 7.93 Paragraphs 25 and 26 of the subsequent appeal decision (Planning Inspectorate reference APP/C5690/A/12/2188830), issued on 17th September 2013, stated:-
- "25. Given the restricted extent of the site and the nature of Independents Road an initial construction management plan has been prepared. It is acknowledged that delivery vehicles would need to reverse down the road. The number of heavy vehicles would normally be limited to 5-8 per day and would be scheduled to avoid busier periods. Vehicular movements would also be controlled by a traffic marshal and other steps could be taken to minimise the impact. Inevitably, however, the construction period would be disruptive.*
- 26. Nevertheless it would be short-term and the suggested systems, procedures and protocols suggest that the consequences could be ameliorated if not eliminated. This could be covered by condition. The logistics of undertaking the development would be far from straightforward but there is no evidence that it would not be feasible with suitable safeguards in place. As such, this matter does not represent a reason to prevent an otherwise acceptable development from proceeding."*
- 7.94 Although the current application site at Featherstone Lodge and the Independents Road site are different, the basic issue of dealing with any potential highway impacts during the construction period by use of conditions and a Construction Management Plan is well established.
- 7.95 Highways advice is clear in this regard. The details of the Construction Management Plan can be controlled by the Council to ensure safe and appropriate deliveries of materials to / removal of spoil from the site.
- 7.96 A refusal of permission based on construction and servicing access is not considered to be justified in this case. This conclusion is based on the level of supporting information submitted and the experience obtained in the above-mentioned appeal case.
- 7.97 In addition to the above, it is considered necessary to include within the S106 works to the footway at the Eliot Bank / Sydenham Hill junction. This section of the footway is currently stepped, and is under the control of the Council as the Highway Authority.
- 7.98 Approaching the site from the north (from London Road), the footpath gradient to the site is 1:12 which does not comply with DDA standards of 1:20. Approaching the site from the south (via Sydenham Hill / Kirkdale), the pedestrian route has stepped access and so could not be used by wheelchairs. The S106 agreement will secure improvements to provide a ramped access to meet DDA requirements.

Post-Construction Traffic Issues

- 7.99 With regard to trip generation for the new development, the applicant has provided a Transport Statement which uses the standard 'TRAVL Travel Survey Database'. Additional information was submitted in December which provided further detail on trip generation for the proposed development.
- 7.100 This is the standard approach to assess multi-modal trip rates and trip generation for new developments in London. The documentation submitted includes a table for projected person vehicle trips for the proposed development, and this is reproduced in Appendix 2 at the end of this report.
- 7.101 This demonstrates that a total of some 82 vehicle trips would be generated on an average day once the scheme is completed and fully occupied. This equates to approximately 41 trips into the site and 41 trips out each day.
- 7.102 The table provides a 30 minute breakdown of trips from 7am to 10pm. Based on this table the most number of trips per 30 minutes occurs between 6.30pm and 7pm with a total of 5 additional movements during this period. 4 trips occur between 3pm and 3.30pm with another 4 between 7pm and 7.30pm. The remainder of the 30 minute blocks generate between 2 and 3 trips.
- 7.103 Assuming a split in the direction taken on exiting the application site it is considered that this number of vehicles would not lead to any significant level of damage to the highway, nor a significant level of disturbance to residents in the surrounding area.
- 7.104 It should be noted that the assumptions on which the projected person vehicle trips table is based does not make any allowance for any existing traffic which would have served the former use as drugs rehabilitation project, because the 'TRAVL Travel Survey Database' does not include any data for such drugs rehabilitation centres.
- 7.105 This use would have been likely to generate a reasonable daily traffic flow, including incoming and exiting members of staff and other specialist health care professionals, as well as day attendees to the rehabilitation clinic.
- 7.106 Officers consider that the increase in traffic movements by the change in use to residential and development level on the site are relatively low. On this basis the impact on the highway post construction is considered acceptable.

Trees

- 7.107 The application includes an Arboricultural Impact Assessment and Arboricultural Method Statement, which gives details of the 62 individual trees and 9 tree groups on the site. Loss of trees is a significant issue, and this proposal results in the removal of a considerable number of trees on the site. Some trees at the front need to be felled due to their close proximity to the main Lodge building, where they have been allowed too large in an inappropriate location. Other trees need to be felled to create a new access point into the front of the site.
- 7.108 At the rear, a substantial group of trees would need to be removed to allow the construction of the new northern building. The main conclusions of the Assessment are that the best trees would be retained and protected during development works, in particular the large horse chestnut (T46) that is the main dominating feature of the rear garden.

- 7.109 Important trees, such as the horse chestnut, monkey puzzle, holly and some sycamores will be retained. New trees will include a tulip tree, Mongolian lime and field maple. The front forecourt will include Mongolian lime, Eleagnus, Osmanthus and Christmas box.
- 7.110 The Council's Arboricultural Officer agrees with the overall assessment that many of the individual trees are in poor condition and that a radical approach is appropriate to secure a re-planting programme that will secure high-quality tree cover on the site for the future.
- 7.111 This replanting will also have the benefit of ensuring an appropriate sylvan setting in the future for this important locally listed building.
- 7.112 Japanese Knotweed has been a problem in recent years in the lower part of the site and has been the subject of an eradication programme, which is proving successful. Treatment will be continued if this invasive species re-emerges.

Landscaping and Boundary Planting

- 7.113 The landscape strategy proposed by the applicant divides the site into three elements: the forecourt and Eliot Bank, the upper garden, and the lower garden. It states that: *"the proposed chicane on Eliot Bank affords an opportunity to restore this neglected stretch of road, re-create a green and leafy walkway which will be quite separate from the traffic."*
- 7.114 The front forecourt will be improved by the planting of new trees and other planting around the parking bays and along the Julian Taylor Path boundary, which will achieve the dual aims of providing more appropriate planting to replace the trees that have become problematic due to large size and proximity to the Lodge, and enhancing the setting of the locally listed building.
- 7.115 The repair of the surfacing in Eliot Bank will allow the construction of a new raised and planted footpath along the site frontage, which will both enhance the appearance of the pathway and provide a safe route for pedestrians and school children. The new road surface is proposed as a tar and chip treatment, in order to improve its condition, whilst retaining an informal character.
- 7.116 The upper garden is described in the landscape strategy document as providing a 'village green' focus to the scheme, with the large horse chestnut tree as its focus. The ramped access along the southern side of the upper garden gives access to the four new houses. This will be planted as a 'landscaped walk', with buffer planting in front of each ground floor entrance.
- 7.117 This path then crosses the site to the garden flats and lower garden, also described as a 'forest garden' in the landscape strategy. The lower garden is set on the south side of the new garden flats and will be a 'wilder' space, planted with a mix of trees and shrubs close to the woodland edge. The landscape strategy also mentions planting with 'edibles and ornamentals' in the more open section. Any planting of an edible variety would need to be either grown in pots or, if in the ground, using imported soil and with geotextile layers included to ensure a contamination break with any made ground that may be retained below.
- 7.118 The issue of boundary planting along the northern edge of the site, to the rear of the Knapdale Close houses, was the subject of considerable discussion with local residents at the Local Meeting. The applicant has agreed to amendments to the alignment of the northern access road to allow such additional planting, to enhance screening and also aid security.

Suitable plants can be used to act as a barrier hedge to the boundary, including spiny/prickly species such as holly and hawthorn, as well as heavy standard new trees to provide immediate cover. Details can be controlled via the normal soft landscaping condition.

- 7.119 Plans of the treatment of external areas have been submitted indicating proposed works. While the works proposed would appear acceptable and in keeping with the development there is a not a high level of detail. A condition requiring details of hard and soft landscaping would ensure that a sufficient level of detail is received including plant and tree species and types of hard surfaces proposed.

Ecology

- 7.120 An Ecology Management Plan was submitted to support the application, which proposes a series of biodiversity enhancement measures to benefit ecology on the site. The aims of the Ecology Management Plan are twofold:-

- the creation of new habitats to attract a range of species, specifically birds, bats and invertebrates;
- to ensure that the development is an ecologically diverse and inspiring place to live and visit.

- 7.121 Given the unique nature of this project, where future residents have already been involved in the development of the proposals, the Ecology Management Plan envisages that they would be directly involved in the management and maintenance of the ecology proposals, with workshops arranged to provide residents with the detailed knowledge to bring this about. The following enhancements are proposed:-

- installation of four 1FQ Schwengler bat roost boxes on southerly-facing external walls of Featherstone Lodge;
- installation of four 2FR or 1 1FR Schwengler bat tubes on a southerly facade of the buildings;
- installation of six 1FD Schwengler bat boxes on trunks of retained mature trees;
- installation of three pairs of house sparrow boxes or bricks externally on the new building;
- provide nesting habitat for birds species such as song thrush, through the installation of four wooden open-fronted bird nesting boxes;
- development of a planting and mulching regimes that favours wildlife-friendly species;
- log piles and buried deadwood to back benefit invertebrates, including potentially stag beetle and hedgehogs; and
- installation of biodiverse roofs across the scheme.

- 7.122 In relation to the wider ecological assessment and the garden's value for wildlife (including bats), it is clear from the reports and site visits that the site helps support local populations of species including bats, hedgehogs, a wide range of birds and more than likely stag beetles, plus other invertebrates. The bat assessment recommends that the ideal would be to retain the majority of the trees and hedgerows.

The dense bramble, scrubby and wooded nature of the southern half of the site is the principal wildlife feature and it is this that is being impacted by the new development proposals. The applicant has attempted to minimise this impact in the provision of a protected 'wild garden' area, in design of the building and the subsequent landscaping and provision of brown living roofs.

- 7.123 With regard to bats, which are a protected species, bat surveys were carried out in July, August and September 2013, which indicated that this site is of low to moderate significance for foraging bats in the local area. Three bat species were recorded flying within the site boundaries.
- 7.124 The Council's Ecological Manager has looked at the bat survey and confirmed that on the whole this appears to be a comprehensive and thorough report. The recommended site enhancement in terms of 8 x Schwegler bat tubes and 6 x bat boxes is welcomed.
- 7.125 The Ecology Management Plan also includes a detailed list of suitable species to be used for the biodiverse roofs, and these are satisfactory.
- 7.126 The Ecology Management Plan includes an Enhancement Plan that specifies the location of the bad and bird nest boxes, the biodiverse roofs and log piles.
- The contents of the Ecology Management Plan are satisfactory and the Council's Ecology Manager has agreed to its general principles. A suitable condition is recommended to ensure compliance with this document.

Noise

- 7.127 Concerns have been raised by residents about construction noise. A condition requiring a Construction Management Plan, plus the Council's normal Code of Construction Practice will enable to Council to limit working hours to reasonable times in order to address these concerns, although it is inevitable that some disruption would occur during the demolition and construction phase.

Sustainability and Energy

- 7.128 The applicant had confirmed that the proposed houses would be constructed to meet Code for Sustainable Homes Level 4, and has submitted a pre-assessment report to confirm that this could be achieved. Solar pv panels would be provided on the roofs of buildings, but these would be set at a low angle and would not be visually obtrusive.
- 7.129 An Energy Assessment, plus a Energy Statement Addendum that deals with the comments raised by the Council's Sustainability Officer, have been submitted with this proposal. The Energy Statement Addendum confirms that the recent publication of the Carbon Offset Contribution of £104 per tonne (February 2014) was not considered as an option in the original energy statement.
- 7.130 It states that: *"On reflection, it may be beneficial to consider the option of the Carbon Offset and reduced level of heat distribution to the Lodge conversion."* The document suggests that the carbon offset option is left open until the end of the detailed design stage, and that the decision to utilise a carbon offset calculation could be confirmed before starting on site as a planning condition.
- 7.131 As this could lead to a contribution being required, it must be secured by Section 106 Agreement. A contribution will be calculated on the basis of the Carbon Reduction and Lewisham Carbon Offset Fund Guidance Document (February

2014), and this matter will be finalised during further negotiations on the Section 106 Agreement.

- 7.132 A condition to secure Code for Sustainable Homes Level 4 can be attached to the planning permission.

Affordable Housing

- 7.133 The scheme will provide 30% affordable housing, broken down as follows:-

Affordable Rent

7 x 1 Bed

TOTAL - 7 units

Shared Ownership

1 x 1 Bed

2 x 2 Bed

TOTAL - 3 units

- 7.134 Affordable housing is located in the new garden flats block. The block in its entirety consists of 19 flats, with a mix of private, shared ownership and affordable rent. This will be secured in the S106 agreement.
- 7.135 Part 3 of Core Strategy Policy 1 states that the Council will seek the maximum provision of affordable housing with a strategic target of 50% affordable housing from all sources. Part 4 of this policy advises that the starting point for negotiations will be a contribution of 50% affordable housing, subject to a financial viability assessment.
- 7.136 The applicant submitted a viability assessment to support a reduced level of affordable housing. An independent viability assessment was carried out. Based on the independent assessment, the provision of 30% affordable housing is considered to be acceptable in this instance.
- 7.137 Both viability assessments are available to members.
- 7.138 Part 5 of Core Strategy Policy 1 advises that the affordable housing component is to be provided as 70% social rented and 30% intermediate housing.
- 7.139 The proposal meets this split and is considered acceptable.

Affordable Rent Levels

- 7.140 Affordable rents are proposed to be set at 70% of market rents. The proposed affordable rent units are all one bed units. The Lewisham Council's 'Affordable Rent Study: Market Research & Affordability Analysis', published February 2014' which looked at affordable rent levels across the borough advised that Appropriate Affordable Rent levels would be:-

- · 1-bed: 80% market rent or LHA
- · 2-bed: 70 to 80% market rent or LHA
- · 3-bed: Up to 65% or a proportion at the capped rent of 50%
- · 4-bed: 50% market rent (capped rent)

- 7.141 On the basis of the Affordable Rent Study, officers consider 70% market rent to be acceptable.

Shared Ownership Income Levels

- 7.142 The Council's income thresholds for shared ownership are as follows:

Shared Ownership Unit	Income	Maximum Household Income
1 Bedroom Unit	£29,767.44	£40,823.92
2 Bedroom Unit	£34,445.18	£50,073.09

- 7.143 The shared ownership units will be sold based on these income levels. There is a 25% equity share minimum for mortgage purposes. Rent on the un-owned portion is proposed at 2.75%

Service Charges

- 7.144 The service charge is included for Affordable Rent units while it would be set at £35 per week for the shared ownership. This equates to £152 a month or £1,820 a year. This is considered to be a reasonable service charge level.

Grant Funding

- 7.145 £420,000 from the GLA part of the Mayor's Care and Support Specialised Housing Fund in July 2013. This funding is still available but the applicant has advised that the start on site must be this financial year or the funding may be lost.

- 7.146 The scheme was supported under the Mayor's Care and Support Specialised Housing Fund in 2012, following support from the Housing Team and the dialogue has been progressed throughout the design development. The Council's Housing Team are fully supportive of the proposals. They have welcomed the scheme as an alternative model of housing for over 55s, which will enable them to live as part of a community that is mixed tenure and which seeks to encourage positive relationships which may increase health and well-being in older age.

Planning Obligations

- 7.147 The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

- 7.148 It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NFFP also sets out that planning obligations should only be secured when they meet the following three tests:-

- (a) Necessary to make the development acceptable;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

7.149 Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests.

7.150 The applicant has provided a planning obligations statement. The Council considers the following obligations are necessary to mitigate the impacts of the development:-

(1)	Education:	£25,174.21
(2)	Health:	£42,900.
(3)	Leisure:	£26,843.68
(4)	Employment Training	£11,250.00
(5)	Libraries:	£6,385.50
(6)	Community Centres / Halls	£ 3,978.80
(7)	Parks/Gardens/Open Space	£29,716.07
	<u>Total</u>	<u>£146,248.26</u>

7.151 In addition, a 35% reduction in CO2 emissions against 2013 Building Regs or carbon offset contribution is required in accordance with CS Policy 8. Exact total to be confirmed during S106 negotiations.

7.152 The proposal is for a older person development where at least one person in each household is over 55 years of age in the affordable housing units, and over 50 for the private housing and cohousing. This will be secured in perpetuity within the S106 agreement.

7.153 The provision of a car club parking space will be secured in perpetuity within the S106 agreement.

7.154 Works to improve the current stepped access and provide a DDA compliant ramped access will also be secured via the S106 agreement.

7.155 The applicant requested the omission of an education-related payment, but officers consider that the definition above does not preclude families. Indeed, this is supported by the definition of cohousing set out in the applicant's Planning Statement (Para 3.5).

7.156 However, it is accepted that given that the number of younger children in the scheme is likely to be limited and in the light of this, a reduced contribution (using the S106 calculator as a starting point) is considered acceptable in this regard.

7.157 Officers consider the obligations outlined above to be satisfactory at this stage in order to make the development acceptable in planning terms. Officers are satisfied the proposed obligations meet the three legal tests as set out in the Community Infrastructure Levy Regulations (April 2010).

8.0 Community Infrastructure Levy

7.1 The above development is CIL liable and the applicant has submitted the relevant form.

9.0 Equalities Considerations

- 9.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (i) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
 - (II) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not
 - (III) foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 9.2 The protected characteristics under the Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The London Plan recognises the need for provision of housing for an ageing population is set out in (paragraph 3.50) and the proposed development is considered to comply with these stated policy aims.
- 9.4 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 9.5 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that there is no adverse impact on equality.

10.0 Conclusion

- 10.1 The proposed cohousing scheme at Featherstone Lodge will contribute towards the overarching aims which the Council has for housing for older people in the borough.
- 10.2 The Featherstone Lodge scheme will provide an alternative model of housing for over 50s which will enable them to live as part of a community which is mixed tenure and which seeks to encourage positive relationships which may increase health and wellbeing in older age, and this approach is supported in principle.
- 10.3 In terms of the planning and highways issues, it is considered that the design of the scheme has been amended substantially during the course of negotiations with the developer and that design concerns expressed by conservation and urban design officers have been satisfactorily addressed.
- 10.4 There will inevitably be some impact on adjoining residents in terms of loss of the existing tree cover and the fact that new buildings will be within their sight, but this in itself does not constitute a reason for refusal unless 'demonstrable harm' is likely to occur. It is not considered that this is the case.
- 10.5 The window-to-window distances between facing blocks are within Council standards and, again, the amendments made during the course of the application to amend the line of the northern access road to allow additional planting along the northern boundary is helpful in this regard.
- 10.6 With regard to highways and construction management issues, the Council accepts that any development will cause some disruption during construction, and the aim is to manage and limit that impact as far as possible, in the interests of the safety of pedestrians including schoolchildren,

cyclists and other road users, as well as local residents. Construction traffic is an essential element of any new development scheme and the Council could not refuse permission on the grounds that there are some traffic and highway peculiarities with the Featherstone Lodge site; rather those issues need to be managed through the use of a robust Construction Management Plan.

10.7 The submitted Construction Management Plan is satisfactory for this stage of the development, but a more detailed Plan would need to be prepared in the future, if planning permission is granted, and once a contractor is chosen. It is considered that that such a Plan can satisfactorily address residents' concerns of construction traffic management and highway safety.

10.8 The application has been considered in the light of policies set out in the development plan and other material considerations. The proposed development is considered to be satisfactory in principle and in detail and, subject to the imposition of suitable conditions and a Section 106 Agreement regarding the matters set out below, it is recommended that permission is granted.

11.0 **RECOMMENDATION (A):**

To agree the proposals and authorise the Head of Law to complete a legal agreement under Section 106 of the 1990 Act (and other appropriate powers) to cover the following principal matters:-

- affordable housing as detailed in 7.133 to 7.144 (inclusive) of this report
- highway contributions
- details of car club / car sharing
- contributions of employment / training
- contributions to education
- contributions to health
- contributions to leisure
- contributions to libraries
- contributions to community centres / halls
- contributions to parks/gardens/open space
- contribution to carbon offset or demonstrate 35% reduction in CO2 emissions against 2013 Building Regs
- obligations to secure age eligibility criteria
- legal and monitoring costs

11.1 **RECOMMENDATION (B):**

Upon the completion of a satisfactory Section 106 Agreement, in relation to the matters set out above, authorise the Head of Planning to Grant Permission subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:-

10-397_001 Rev E, 10-397_PL_002 Rev C, 10-397_PL_004 Rev B, 10-397_PL_005 Rev F, 10-397_PL_006 Rev L, 10-397_PL_007 Rev F, 10-397_PL_008 Rev F, 10-397_PL_009 Rev G, 10-397_PL_10 Rev D, 10-397_PL_011 Rev D, 10-397_PL_012 Rev D, 10-397_PL_013 Rev D, 10-397_PL_014 Rev C, 10-397_PL_015 Rev C, 10-397_PL_016 Rev C, DAT / 9.0, DAT / 9.1, DAT / 9.2, DAT / 9.3, DAT / 9.4 DAT / 9.5, DAT / 9.6, DAT / 9.7, DAT / 9.8, DAT / 9.9, DAT / 9.10, DAT / 9.11, DAT / 9.12, DAT / 9.13, DAT / 9.13, C100 Rev T2, C440 Rev T2, 245_FL_PL_L09 & Drawing 397 SK 181 Revision A - Relative levels / daylight to Knapdale Close

Planning Statement, Design & Access Statement, Preliminary Construction Logistics Plan, Heritage Appraisal, Landscape Proposals, Flood Risk Assessment & Sustainable Drainage Strategy, Site Investigation Report, Code for Sustainable Homes and BREEAM Report, Transport Statement, Bat Survey, Ecological Management Plan (Amended 7/4/14), Arboricultural Impact Assessment and Arboricultural Method Statement, Energy Statement, Wheelchair Housing Statement, plus Energy Statement Addendum (Peter Deer & Associates dated 3 July 2014), Letter from Paul Mew Associates dated 23 July 2014, & Assessment of Large Vehicle Traffic Movements During Construction (Conisbee - dated 16 Sep 2014).

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

Pre Commencement Conditions

Local Labour

- (3) (i) No development shall commence on site until a local labour strategy has been submitted to and approved in writing by the local planning authority. The strategy shall include (but is not limited to):-
- (a) Proposals to achieve a target of fifty per cent (50%) local people and local businesses as employees contractors and sub-contractors during the construction of the Development.
 - (b) A commitment to working with the local planning authority's local labour and business coordinator.
 - (c) Routes to employment, including direct access to employment opportunities at the development and addressing wider barriers to employment.
 - (d) Early warnings within the local planning authority's area of contracts to be let at the development.
 - (e) The number and type of jobs to be created and the skill requirements in relation to those jobs.
 - (f) Recommended training routes to secure jobs.
 - (g) Proposals to encourage diversity in the workforce.
 - (h) Measures to encourage local businesses to apply for work in relation to the development.
 - (i) Training opportunities and employment advice or programmes and employment and training brokerage arrangements.
 - (j) Provision of opportunities for modern apprenticeships including the number and type of apprenticeships available.
 - (k) Provision of opportunities for school leavers, older people and those who have been out of work for a long period.

- (l) Provision of work experience for local people during the construction of the development including the number of weeks available and associated trades.
 - (m) Provision of childcare and employee assistance to improve working environments.
 - (n) Interview arrangements for jobs.
 - (o) Arrangements for working with schools and colleges.
 - (p) Measures to encourage local people into end use jobs.
 - (q) Targets for monitoring the effectiveness of the strategy including but not limited to the submission of monitoring information to the local planning authority on a monthly basis giving details of:-
 - The percentage of the on-site workforce which are drawn from persons whose normal residence is within the Lewisham borough.
 - Social and demographic information of all contractors, sub contractors, agents, and employers engaged to undertake the construction of the development.
 - Number of days of work experience provided.
 - Number of apprenticeships provided.
- (ii) The strategy approved by the local planning authority under part (i) shall be implemented in its entirety and distributed to all contractors, sub-contractors, agents and employers engaged in the construction of the development.
- (iii) Within three months of development commencing and quarterly thereafter until the development is complete, evidence shall be submitted to demonstrate compliance with the approved strategy and monitoring information submitted to the local planning authority in writing, giving the social and demographic information of all contractors, sub-contractors, agents and employers engaged to undertake the construction of the development.

Reason: In order that the local planning authority may be satisfied that the development makes appropriate provision for local labour and delivers jobs to supports sustainable development in accordance with the National Planning Policy Framework (2012) and to comply with Core Strategy Policy 21 Planning Obligations in the Core Strategy (2011).

Construction Management Plan

- (4) No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. Construction shall only take place in accordance with the approved Plan. The Plan shall include but not be limited to details of:-
- i) Structural assessment of the unadopted/unmade section of Eliot Bank to identify suitability for construction traffic with any required measures necessary to be carried out prior to commencement of development;
 - ii) condition survey of Eliot Bank, and assessment of potential remediation measures and reinstatement in the event of any damage during construction;

- iii) construction traffic movements and traffic management measures, in order to rationalise travel and traffic routes to and from the site, including full details of the number and time of construction vehicle trips to the site, with the intention of reducing the impact of construction-related activity;
- iv) details of pedestrian routes and measures to ensure safe pedestrian access to the site and other premises in Eliot Bank and Julian Taylor Path;
- v) location of loading / unloading areas, and storage of plant and materials and site accommodation;
- vi) details of on-site parking provision for construction workers;
- vii) hours of construction including times of deliveries (to be arranged to avoid opening hours for the rear gate into Eliot Bank School);
- viii) the location and operation of plant and wheel washing facilities;
- ix) measures to control the emission of dust and dirt during demolition and construction;
- x) details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process;
- xi) security management, including the erection and maintenance of security hoarding;
- xii) demolition including a method statement and provision for the attendance of a bat ecologist.
- xiii) details of the training of site operatives to follow the Construction Management Plan requirements;

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and in order to ensure satisfactory vehicle and pedestrian management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2011).

Contamination Remediation

- (5) (a) No development (including demolition of existing buildings and structures) shall commence until each of the following have been complied with:-
 - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model have been submitted to and approved in writing by the local planning authority.
 - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination. encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council.
 - (iii) The required remediation scheme implemented in full.

- (b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the Council shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.
- (c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council.

This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.

The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

Code for Sustainable Homes for Newbuild Residential Development

- (6) (a) The new buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.
- (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

BREEAM

- (7) (a) The converted Lodge building shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No development shall commence until a Design Stage Certificate for The Lodge building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

Piling Operations

- (8) (a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.
- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Materials / Design Quality

- (9) No development shall commence on site until a detailed schedule and specification / samples of all external materials and finishes / windows and external doors / roof coverings to be used on the buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and

Refuse Storage

- (10) (a) No development shall commence on site until details of proposals for the storage of refuse and recycling facilities for each residential unit hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

Cycle Parking Provision

- (11) (a) A minimum of 33 secure and dry cycle parking spaces shall be provided within the development.
- (b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.
- (c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

Hard Landscaping Details

- (12) (a) No development shall commence on site until drawings showing hard landscaping of any part of the site not occupied by buildings (including details of the permeability of hard surfaces) have been submitted and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under part (a) shall be completed prior to occupation of the development.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2011), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

Protection of Trees During Construction

- (13) All recommendations contained in the Arboricultural Impact Assessment and Arboricultural Method Statement (D F Clark Bionomique Rev H - dated March 2014) shall be adopted and implemented in full during the course of the development. Before any works of demolition or construction take place, all tree protection measures shall be installed. All tree works shall be carried out in full compliance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations). The Council's Arboricultural Officer shall be immediately consulted if there are any changes to the above regime.

Reason: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Prior to Above Ground Works Conditions

Boundary Treatments

- (14) (a) Details of the proposed boundary treatments including any gates, walls or fences shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works. Such details should include access arrangements and control mechanisms for the gate to the new roadway along the northern boundary.
- (b) The approved boundary treatments and entrance gate details shall be implemented prior to occupation of the buildings and retained in perpetuity.

Reason: To ensure that the boundary treatments are of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Soft Landscaping

- (15) (a) A scheme of soft landscaping (including details of proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or

diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Prior to Occupation Conditions

Road remediation

- (16) The development hereby approved shall not be occupied until the improvements to the section of road between Knapdale Close and Julian Taylor Path shown on the submitted plan PL_006 Rev L The Design and Access Statement, & Landscape Proposals (by Clarke Associates) has been constructed in full accordance with the said plans.

Reason: In order to ensure that the local planning authority may be satisfied that the road improvements associated with the development are carried out, for the benefit of road users and pedestrians using this part of Eliot Bank, and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), Policy 5.3 Sustainable design and construction, and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2011) and DM Policy 35 Public Realm of the Development Management Local Plan (November 2014).

Road remediation

- (17) A post-construction road structural survey of Eliot Bank shall be carried out, to include an assessment of required remediation measures, and all identified measures shall be carried out in full before any of the residential units are first occupied.

Reason: In order that the local planning authority may be satisfied that the impact of the demolition and construction process is mitigated and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), Policy 5.3 Sustainable design and construction, and Policy 6.3 Assessing effects of development on transport capacity of the London Plan (2011) and DM Policy 35 Public Realm of the Development Management Local Plan (November 2014).

Ecology Management Plan

- (18) All recommendations contained in the Ecology Management Plan hereby approved shall be adopted and implemented in full during the course of the development and all bat and bird boxes shall be installed on site before any of the residential units are first occupied.

Reason: To comply with Policies 5.10 Urban greening, and 7.19 Biodiversity and access to nature conservation in the London Plan (2011), & Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

Residential Travel Plan

- (19) (a) No part of the development hereby approved shall be occupied until such time as a Residential Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Residential Travel Plan from first occupation.
- (b) The Residential Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.
- (c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

Living Roofs

- (20) (a) Details of the construction and type of living roofs shall be submitted to the local planning authority in writing prior to the commencement of the above ground works and carried out in accordance with the details approved and maintained thereafter.
- (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- (c) Evidence that the roof has been installed in accordance with (a) shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011) and Core Strategy Policy 10 managing and reducing flood risk and Core Strategy Policy 12 Open space and environmental assets.

External Lighting

- (21) (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage and prevent undue impact on wildlife, especially bats. Proposals should demonstrate that any external lighting around bat boxes or tubes would be minimal and 'bat sensitive', with light directed towards the ground using shields, hoods or cowls, and be motion-sensitive to reduce light pollution. Any other methods identified by the Council's Ecology Officer should be incorporated.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with 7.19 Biodiversity and access to nature conservation in the London Plan (2011), and Core Strategy Policy 12 Open space and environmental assets and DM Policy 24 Biodiversity, Livings Roofs and Artificial Playing Pitches and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

Delivery and Servicing Plan

- (22) (a) The development shall not be occupied until a Delivery and Servicing Plan including a Waste Management Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

Parking Management Plan / Car Sharing

- (23) Prior to the occupation of any of the residential units hereby approved, a Parking Management Plan (PMP) shall be submitted to and approved in writing by the local planning authority. The Plan should provide details of measures to manage the parking areas within the site. The development shall be operated in all respects in accordance with the approved PMP. The PMP should include details of car club / car sharing arrangements.

Reason: To ensure that the local planning authority may be satisfied as to the adoption and operation of the Parking Management Plan (PMP) and to ensure that the use of the buildings does not increase on-street parking in the vicinity.

Vehicular Access

- (24) The development hereby approved shall not be occupied until the vehicular access and front forecourt arrangement as shown on the submitted plan 10-397_PL_006 Rev L has been constructed in full accordance with the said plans.

Reason: In order to ensure that satisfactory means of access is provided and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

Conditions which do not require details to be submitted

Lifetime Homes

- (25) Each of the dwellings shall meet Lifetime Home Standards (in accordance with the 2010 (Revised) document) as shown on drawing nos. 10-397_PL_005 Rev F, 10-397_PL_006 Rev L, 10-397_PL_007 Rev F, & 10-397_PL_008 Rev F hereby approved.

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Wheelchair Homes

- (26) The three flats on the ground floor of the Lodge and three flats in the garden flats block (Plots 19, 23 and 24) designated as the 6 wheelchair dwellings hereby approved shall be constructed to be easily adapted in full accordance with the SELHP Wheelchair Homes Design Guidelines (November 2012) as shown on drawing no. PL_006 Rev L prior to their first occupation. For the avoidance of doubt, a parking space should be provided for each wheelchair unit and where a communal access is to be the principal access for wheelchair users or relates to communal access to amenity space or facilities intended for the enjoyment of residents of the development, the specification for the said communal access shall not be less than the specification for access for wheelchair units under the SELHP Wheelchair Homes Design Guidelines.

Reason: To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

Satellite Dishes

- (27) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the elevations or the roof of any of the buildings on site.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Plumbing or Pipes

- (28) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces elevation of any of the buildings on the site.

Reason: In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

Removal of PD Rights from Dwelling Houses

- (29) No extensions or alterations to the dwelling houses hereby approved, whether or not permitted under Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

Use and Retention of Amenity Space

- (30) The whole of the amenity space (including roof terraces and balconies) as shown on drawing nos. 10-397 PL_005 Rev F, 10-397 PL_006 Rev L, 10-397 PL_007 Rev F, & 10-397 PL_008 Rev F hereby approved shall be retained permanently for the benefit of the occupiers of the residential units hereby permitted.

Reason: In order that the local planning authority may be satisfied as to the amenity space provision in the scheme and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

Provision of Parking Spaces (Residential)

- (31) The whole of the car parking accommodation shown drawing no. 10-397 PL_006 Rev L hereby approved shall be provided prior to the occupation of any dwelling and retained permanently thereafter.

Reason: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 14 Sustainable movement and transport of the Core Strategy (June 2011) and Table 6.1 of the London Plan (July 2011).

Retention of Trees (Full Planning Permission)

- (32) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority.

Reason: To comply with Policy 7.19 Biodiversity and Access to Nature Conservation in the London Plan (2011), Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and DM Policy 24 Biodiversity, Livings Roofs and Artificial Playing Pitches and DM Policy 25 Landscaping and Trees of the Development Management Local Plan (November 2014).

INFORMATIVES

- (1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (2) The applicant is advised that any works associated with the implementation of this permission (including the demolition of the existing garages or breaking out of vehicle hardstandings) will constitute commencement of development. Further, all pre-commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the local planning authority, before any such works of demolition take place.
- (3) You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham, Good Practice Guide - Control of pollution and noise from demolition and construction sites" available on Lewisham web page..

Thames Water Informatives

- (4) **Surface Water Drainage** - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is

recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- (5) There may be public sewers crossing or close to the development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
- (6) Legal changes under the Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes shared with neighbours or situated outside of the property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should the proposed building work fall within 3 metres of these pipes, the applicant is recommended to contact Thames water to discuss their status in more detail and to determine if a building over/near to agreement is required. Contact Thames Water on 0845 850 2777 or for more information visit their website at www.thameswater.co.uk

APPENDIX

NOTES FROM PUBLIC RESIDENTS MEETING - 9th JULY 2014

Site at FEATHERSTONE LODGE, ELIOT BANK SE23 - DC/14/86666

Attendees:

Steve Isaacson (SI) - Lewisham Planning

Catherine Paterson (CP) - Lewisham Highways & Transportation

Councillor Paul Upex (Cllr PU)

Patrick Devlin (PD) - PTE Architects

Bernard Fitzsimons - PTE Architects

Mick Booth - Hanover Housing Association

Nick Hodgskin - Hanover Housing Association

Scott Hudson (SD) - Savills - Planning Consultants

Nick Ferguson (NF) - Paul Mew Associates - Traffic Consultants

Nigel Collier – PRP (Employer's Agents)

Julia Farr - Cohousing Group

Helen McIntosh

21 residents from properties bounding the site in Eliot Bank, Heathedge, Julian Taylor Path, Knapdale Close & Little Brownings SE23

The Local Meeting commenced at 5.30pm

Following introductions, the Architect for the scheme (PD) explained how the proposed development had changed since the earlier planning application that was withdrawn. There have been amendments to the design and location of the various new buildings that would be located around the main Lodge, including reduction in the number of cottages on the Julian Taylor Path side from 5 to 4, increased spacing between the blocks to avoid undue encroachment on the locally-listed building (as requested by the Council's Conservation Officer), plus inclusion of carriageway improvements in Eliot Bank outside the site.

They have also carried out more work on ecology, construction management and highways issues. The northern block is more compact and the relationship to gardens along the Knapdale Close boundary has been improved.

Main Issues discussed

Height and Positioning of the Northern Block

Residents are unhappy with the relationship of the northern block to the houses and gardens in Knapdale Close, and requested that this block be moved from this position to

the lower part of the site where it would have much less impact. Improvements were also suggested to the relationship of the access road and landscaping along this northern boundary. As currently proposed, the building is too high, too close to the boundary, will cause significant overlooking and loss of privacy to the Knapdale Close residents, and devalue their houses. Some residents were concerned that they would not be able to allow their children to play in the gardens if they did not know who would be looking in from adjoining properties.

PD: Agreed to look at increasing the width of the landscaped strip by adjusting the route of this access road, thereby allowing the retention of additional trees and screening to reduce possible overlooking and maintain privacy. PTE to provide a drawing illustrating the position of kitchen windows facing Knapdale; amendments to the kitchen windows on this elevation could also be considered if necessary.

New Access Road / Knapdale Close Boundary Treatment

Residents are unhappy with the positioning of the new access road to the rear of the Knapdale Close houses and questioned whether the existing walls and fences would be retained.

PD: Confirmed that Hanover would be happy to discuss with individual residents their exact requirements for security and retention or replacement of existing walls and fences. The applicant has already held discussions with the Secure by Design Officer of the Metropolitan Police, who recommended a 1.8 metre high solid boundary, with a substantial trellis on top, perhaps up to a further 0.9 metre in height. Details could be finalised in discussions with individual residents.

SI confirmed that, if the Planning Committee is minded in due course to grant permission, then conditions could be attached to cover such issues as boundary treatments, and hard and soft landscaping.

Gated Access Road ?

Residents questioned whether there would be free access into the site, thereby increasing security risks. Concern expressed over recent burglaries in the area. Thieves will have access from the back as well as the front. Several houses have been burgled and there has been an increase in fly tipping, including fires when dumped rubbish has been set alight.

PD: The possibility of a gate at the top of the access road will be explored.

SI: Explained that, although historically Lewisham Council has not encouraged gated estate developments (of the Dulwich type formerly lived in by Mrs Thatcher), the provision of a gate at the side of the building would most likely be satisfactory, as this would not be serving a larger estate road, but a small private access serving only 4 car parking spaces.

Julian Taylor Path Cottages

Further to the above, the design of the 4 cottages fronting Julian Taylor Path has been revised to improve the street elevation, whilst at the same time ensuring that the first-floor windows are screened to look up and down the road, to avoid overlooking the houses opposite.

Daylight & Sunlight / Visual Impact

The roof line of the new north building is too high.

PD: Explained that the roofline of this building had been remodelled to reduce its height and overall bulk, but accepted that part of the new roof would be higher than the Knapdale Close houses. The size and roofline of the proposed garden flat block conform to BRE guidance aimed at avoiding overshadowing and loss of daylight to neighbours.

Urban Design

Residents stated that the design of the scheme had not changed significantly since the earlier application, and Hanover had made no attempt to address the issues raised previously by local residents and the School. One resident stated that the design was poor and that the proposed larger building looked like a 'carbuncle'.

PD: The design has evolved in the ways outlined above. The school has had significant input to the traffic management proposals.

Highways & Traffic / Parking Issues

Residents considered the amount of parking on the site for future occupiers was inadequate and would lead to more on-street parking in surrounding roads, especially Knapdale Close and the other nearby estate roads, and increase possibility of parked cars blocking existing driveways. The Council itself has stated that Eliot Bank was unsuitable for vehicles. The proximity of Horniman Museum was mentioned, as this increased the demand for on-street parking in surrounding roads. The exact location of the traffic counter in Eliot Bank was questioned, as it would have missed most of the traffic coming up Eliot Bank into other parts of the estate.

Cllr PU: Questioned whether this site would have an in and out gate for vehicles.

PD: Confirmed that a new 'in' gate would be formed onto Eliot Bank, and that refuse collection would all be as existing, from Eliot Bank and Julian Taylor Path. Refuse vehicles would not access the lower part of the site and it would be the responsibility of the cohousing management group to ensure that all refuse was collected and brought up to the top of the site for collection day. There would be no need for increased visits by refuse collection vehicles.

Residents were concerned about the practicality of lorries accessing the site from London Road, given the steep and curving nature of Eliot Bank. Dangers to Schoolchildren were also mentioned by several speakers. Residents stated that at present, the refuse lorries do not drive all the way up Eliot Bank from London Road, but drive in from the Kirkdale / Sydenham Hill roundabout. Two cars cannot pass each other, but have to use 'passing places'. *[Entry from the Kirkdale / Sydenham Hill junction is not technically a 'No Entry' junction, but only a 'No Left Turn' from Sydenham Rise.]*

Residents were concerned to ensure that Eliot Bank would not become a 'rat-run' if it was provided with a better road surface.

PD: Explained that one of the aims of the cohousing scheme, which contained a mixture of one and two-bedroom apartments, would be to have fewer cars and to share use of them. The new scheme would have a total of 20 car spaces, including disabled vehicle parking spaces, for the 33 flats. Future residents would also be investigating car sharing opportunities.

Residents questioned whether a new access road could be squeezed in down to the bottom of the site to serve a new taller building closer to the school and away from the Knapdale Close boundary.

Lorry Movements

The owner of Oak Cottage flagged up that the Contamination Report mentioned that the level of contamination (including lead and arsenic) was such that a large quantity of topsoil would need to be removed from the site, which must lead to a significant number of truck movements. He expressed significant concern over the possibility of 32 ton lorries travelling out over this gravel road, given the proximity of his living room to the roadway, and heavily criticised Hanover for their lack of engagement, despite his willingness to discuss the issue. Anyone that damaged the road would be legally bound to contribute to its repair, maintenance and upkeep.

PD: Agreed that the Contamination Report would be re-investigated. He confirmed that there was currently no proposal to remove a significant topsoil layer, and would clarify this as soon as possible. The Soil Report may need to be amended. [This has since been clarified: there is no requirement for the removal of topsoil outside previously developed areas. It was confirmed that Hanover would commit to repairing the roadway if any damage was caused, and would undertake a Condition Survey before any construction works commenced.

Mr Booth of Hanover: Confirmed that discussions and meetings on the issues had been held over a number of months with the owner of Oak Cottage.

PD: Confirmed that discussions had taken place with the Headteacher of Eliot Bank School, and that the Construction Management Plan could be used to ensure that delivery times were kept outside school opening times.

Residents were concerned that this restriction on delivery times would mean more noise and disturbance outside these times, as vehicle movements would have to be concentrated.

SI: Confirmed that the Council could impose a condition requiring adherence to a detailed Construction Management Plan.

PD: Confirmed that the broad parameters of this plan could be set down now, but that the detail would have to wait until a contractor was appointed. He considered it would be possible to both control traffic safely and provide high-quality and much-needed new housing for the older age group.

A technical study of vehicle movements called a "Swept Path Analysis" of Eliot Bank confirmed that larger vehicles would be able to access the Featherstone Lodge site, despite the well-documented problems of Eliot Bank. It was questioned whether this study was misleading because it took place during school holidays.

Noise & Disturbance

Residents were concerned about noise and disturbance from building operations, including use of power drills, vehicle deliveries during construction and post-construction noise from new neighbours. Subsidence and noise from piling was also mentioned, plus the drop in ground level by the parking spaces in Julian Taylor Path.

PD: Confirmed that impact piling would not be used, rather bored piles, given the clay soil conditions in the vicinity.

[This would be a matter for Lewisham's Building Control Officers, or other Approved Inspectors, acting under the London Building Acts. Foundation design for such a clay site would often include bored piling, partly to ensure that slow water movement through the clay soil was not significantly interrupted.]

Trees and Landscaping

Residents were concerned about loss of trees and wildlife, especially birds.

PD: Future residents in the cohousing group also valued the wildlife and were committed to improve the ecology of the site, as set out in landscape plans and Ecology Report.

Other Issues

- One resident questioned the relationship of Hanover Housing Association to the Council and/or the Labour Party. **SI** confirmed that Lewisham Council did not and have not previously owned this site. **Cllr Upex** confirmed that there were no links between the applicant and the Labour Party.
- One resident stated that the planning process is 'extraordinarily unfair'.
- There is a desperate need for more housing in London, whilst Featherstone Lodge has stood almost empty for several years. It is important that this building is reused and re-occupied.
- The "Over 55's" designation means that one of the occupiers of each unit must be 55 or over. Properties can be sold on, but the same 'Over 55' occupancy condition would apply. The scheme includes 10 'affordable' homes.

Conclusion

Residents were keen to point out that they were not saying "No Development" and indeed supported the general principles of the cohousing scheme and the re-use of the Lodge building to provide new housing. The main unacceptable elements were the height and positioning of the northern block, the positioning of the new access road, plus issues of security, loss of privacy and overlooking, and loss of exceptional wildlife.

SI: Outlined the next stage of the planning process, whereby he would write up minutes of the Local Meeting and publish these on the Council website, alongside the plans for the application. The applicant would consider the issues raised by residents and possible design changes to the scheme, which may then result in the submission of further drawings. In due course, the case would be referred to the Planning Committee of the Council, who had the power to make a final decision, taking all the relevant planning issues into account, including representations received from local residents.

The Meeting finished at 7.30 pm

MINUTES

FEATHERSTONE LODGE, ELIOT BANK SE23 3XE (Item 4 on the Agenda)

The Planning Officer outlined details of the proposal for the demolition of the existing gatehouse, laundry and gymnasium and change of use of the main building from a drug rehabilitation project (Use Class C2) to residential use (Use Class C3) as a Senior Cohousing Development to provide 1 one-bedroom and 7 two-bedroom self-contained flats, communal areas, the construction of 2 two-bedroom, two-storey duplex houses on the site of the gatehouse, 4, two-bedroom, two-storey houses on the site of the gymnasium, 19 units comprising 11 one-bedroom and 8 two-bedroom self contained flats in a part two/part three/part four storey new block in the rear garden, a new roadway from Eliot Bank along the northern edge of the site, to the rear of houses at 1-13 (consecutive) Knapdale Close, the provision of 20 car parking spaces, a store for 4 mobility scooters, 33 cycle storage spaces, the felling of protected TPO trees, additional landscaping, including alterations to the carriageway and footpath in Eliot Bank.

The Committee received verbal representation from Mr S Hudson of Savills (Agent) on behalf of the applicants, who confirmed that improvements works to the road and new chestnut trees in the rear garden are also included within the proposal. When challenged by one of the Members who stated that this borough is against gated communities, Mr S Hudson confirmed that this project is not a gated community, but residents raised concerns regarding security and the gate is set back from the front boundary.

The Committee also received verbal representations from a resident of Oak Cottage, Eliot Bank, who read from a prepared statement objecting to the proposal on the grounds that this site is land locked in a residential area, parking for additional traffic, site contamination the exit at London Road is unsuitable for construction traffic and the section of land adjacent to Featherstone Lodge is in dispute.

Councillor Upex spoke Under Standing Orders as a ward councillor and circulated letters to Members, stating, since the public meeting in July the developers have not answered questions raised by ward councillors or residents regarding safety to children and the local community by construction vehicles, right of access parking for local residents and loss of trees, However residents are not objecting on the size or scale of the development.

Councillor Adefiranye arrived during the presentation of the proposal and Councillor Upex vacated the room after speaking Under Standing Orders.

Councillors Adefiranye and Upex did not take part in the deliberation or voting process of this application.

Following deliberation Councillor Kennedy (Chair) moved the motion to reject the officer's recommendation and defer the item. which was seconded by Councillor Till

Members voted as follows:

FOR: Councillors: Kennedy (Chair), De Ryk, Raven, Till, and Walsh.

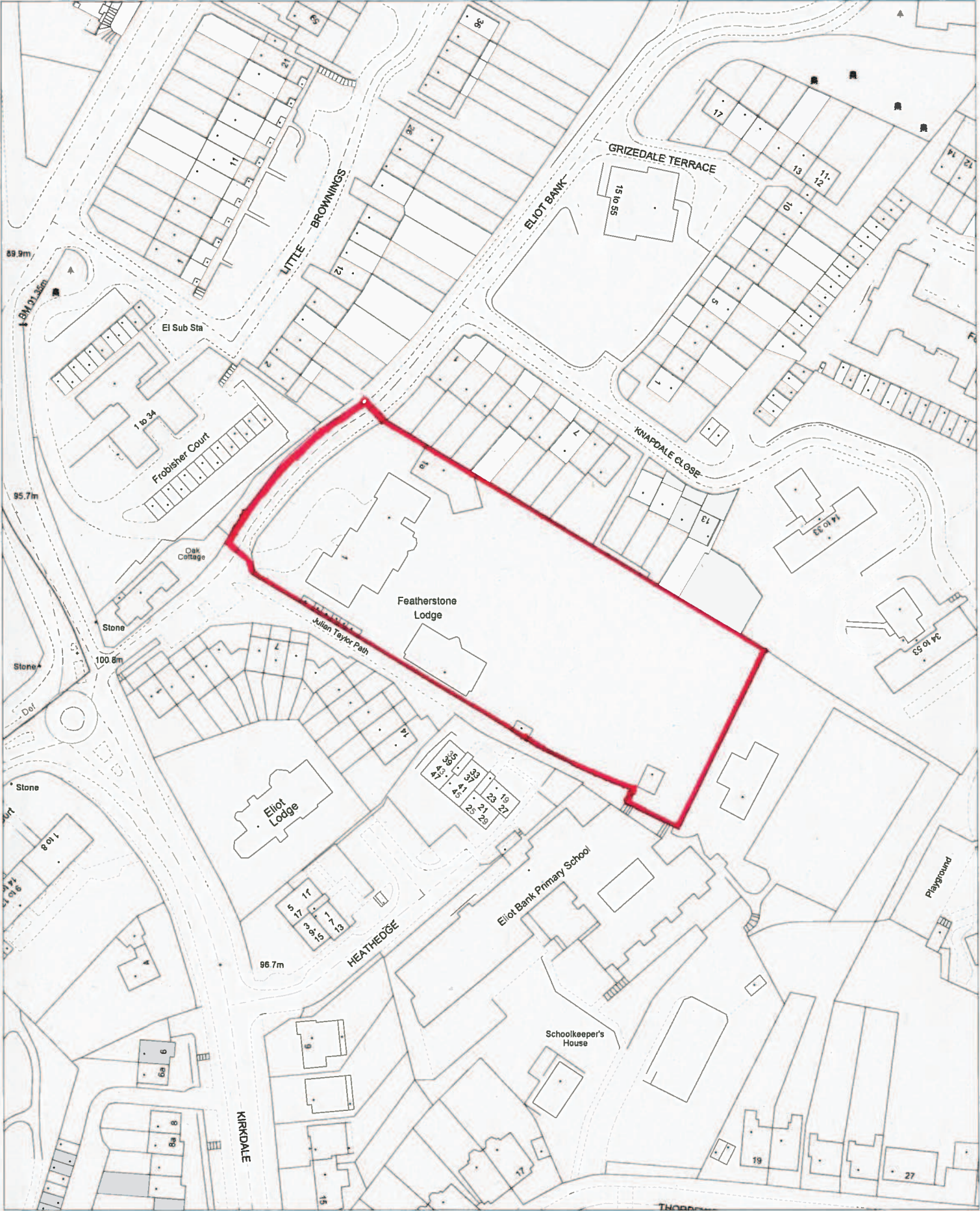
AGAINST: Councillor Bourne.

RESOLVED: that a decision in respect of application no DC/14/86666, be deferred for further information to be provided in relation to the transport impacts of the proposals, in regard to both the construction phase, including

contamination remediation works, and the permanent/operational impacts, regarding the quantum of development on the site, the level of car parking provision, the adequacy of access/servicing arrangements and the effect on the unmade section(s) of the highway in Eliot Bank.

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Featherstone Lodge - Eliot Bank SE23



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Committee	PLANNING COMMITTEE A	
Report Title	60-66 TAUNTON ROAD SE12 8PB	
Ward	Lee Green	
Contributors	Julia Robins	
Class	PART 1	29 JANUARY 2015

Reg. Nos. DC/14/ 89249

Application dated 22.10.2014

Applicant Bramerton London on behalf of Mr Grievson

Proposal Application submitted under Section 73 of the Town and Country Planning Act 1990 for a Minor Material Amendment in connection with the planning permission dated 24 March 2011 (DC/10/75529) for the construction of a part single/part two storey, three bedroom house to the rear of 60, 62, 64 & 66 Taunton Road SE12, together with the provision of bin stores, 4 cycle spaces and 2 car parking spaces with access onto Taunton Road to allow changes to the internal layout, external alterations and the lowering of the floor slab at ground floor level.

Applicant's Plan Nos. Proposed Plans: 08-1228 P 03 rev A
Contextual elevations, 08-1228 P02 Rev D
Proposed elevations (03/12/14)

Background Papers (1) Case File LE/445/66/TP
(2) Local Development Framework Documents
(3) The London Plan

Designation Lee Manor Conservation Area
Not a Listed Building

1.0 Property/Site Description

- 1.1 The site originally formed part of the curtilage of 66 Taunton Road which is an extended two storey, semi-detached property on the north side of Taunton Road.
- 1.2 Planning permission was granted in March 2011 for the construction of a part single/part two storey, three bedroom house within the rear part of the garden with access onto Taunton Road. Building works began on the site on 14th March 2014 and construction of the building is now well advanced at the site.
- 1.3 No. 66 Taunton Road originally had a garage at the side and a large L-shaped garden, part of which extended along the rear boundaries of nos. 60, 62 and 64 Taunton Road.

To the north and west the site boundary comprises a 1.8m high brick wall which is the boundary wall of Manor House Gardens, while the remaining boundaries comprise timber fencing. To the east the site abuts part of the garden of 58 Taunton Road.

- 1.4 To the north and west the site abuts Manor House Gardens. On the west side of the property there is a pedestrian entrance to Manor House Gardens. Within the park, to the rear of the property, is a fenced ball games court.
- 1.5 The site lies within the Lee Manor Conservation Area.

2.0 Planning History

- 2.1 2002 – DC/02/51792. Certificate of Lawful Development issued in respect of the demolition of the existing single storey kitchen extension at the rear and the construction of a larger single storey replacement kitchen extension.

2002 – DC/02/52488. Permission refused for the construction of a two storey extension to the side of 66 Taunton Road SE12 together with a single storey extension to the rear to provide additional living accommodation. A subsequent appeal was dismissed.

2007 – DC/07/67313. Permission granted for the retention of a yellow brick boundary wall to the rear garden of 66 Taunton Road SE12.

2011 - DC/10/75529 Permission was granted (24/03/11) for the construction of a part single/part two storey, three bedroom house within the rear part of the garden together with the provision of bin stores, 4 cycle spaces and 2 car parking spaces with access onto Taunton Road. The approved dwelling is modern in design and designed in the form of two rectangular 'blocks' with a central linking element. The two blocks are different in size and scale as the block closest to the rear gardens of the neighbouring properties in Taunton Road would be single storey with a mono-pitched roof that slopes down to the southern boundary. The larger block would be aligned with the northern site boundary to the park, and would be two storeys, partly set into the site. This would have a larger footprint and would also have a mono-pitch roof that would slopes down toward the park boundary. The link element would be substantially glazed.

- 2.2 The area between the flank of no.66 and the park boundary would be laid out as a driveway to provide vehicular and pedestrian access to the proposed new house and would open out to an area of hardstanding where two car parking spaces and turning space is proposed. Cycle and refuse storage is also proposed within this area.
- 2.3 There would be areas of garden for the new property on three sides with the main garden area to the eastern end of the site.
- 2.4 Conditions 1, 3, 5, 7 and 8 of the 2011 planning permission were discharged during 2013.
- 2.5 Development works began on the site on 14th March 2014.

3.0 Current Planning Application

3.1 This application has been submitted under Section 73 of the Town and Country Planning Act 1990 and seeks to amend the 2011 planning permission to allow Minor Material Amendments to the consented scheme involving changes to the internal layout, external alterations and the creation of a half basement throughout.

3.2 The originally consented scheme was for the construction of a part single/part two storey, three bedroom house to the rear of 60, 62, 64 & 66 Taunton Road SE12, together with the provision of bin stores, 4 cycle spaces and 2 car parking spaces with access onto Taunton Road. The proposed amendment would alter the internal layout.

3.3 The alterations proposed are as follows:

- A reduction in the ground floor slab level on the south side of the building to enable the creation of a further level of accommodation to the south side of the building, resulting in the provision of three bedrooms at first floor level. In the consented scheme one bedroom was at ground floor level;
- The provision of full height glazing on the north west elevation and glazing up to roof level on the south east elevation;
- The introduction of a band of timber panelling across the centre of the window on north west elevation and an of area of panelling above the entrance door;
- Given that the floor level would be lowered on one side of the building there would be a greater amount of cladding on the front and rear elevations
- Alterations are proposed to the internal layout.

3.4 In the proposed scheme by reducing the floor level it enables there to be sufficient headroom to insert an additional level into the southern side of the building. The proposed layout would be an open-plan living room/dining room/kitchen on the northern side of the building, a central hall with staircase, and on the southern side there would be a 'snug', shower room, utility room and study. On the first floor there would be a master bedroom on the southern side with a large ensuite and two bedrooms and a family bathroom on the northern side.

3.5 The consented scheme involved a dropped floor level on the northern side of the building and this application proposes this within the remainder of the house, resulting in a lowered floor level across the whole building. The floor level would drop down by approximately 0.5m on the southern side.

4.0 Consultation

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.

- 4.2 Site notices were displayed and letters were sent to residents in the surrounding area and the relevant ward Councillors.
- 4.3 Six objections were received in response to the consultation from the following properties 56, 58, 60, 64, 73 and 106 Taunton Road. The planning issues raised are:
- These changes dramatically increase the size of the house from a 3 bedroomed house to a 5 bedroomed house;
 - Traffic will increase entering this very narrowly accessed site. There will be further considerable traffic impact on the traffic and access of more cars close to park gates;
 - It will make neighbouring properties far more overlooked and increase loss of privacy– especially with the addition of glass doors opening out on the newly proposed first floor;
 - Removal of wooden cladding will significantly affect the aesthetic and environmental impact of the building which sits in a sensitive conservation area. This rolls back on some of the proposed eco credentials and design elements of the property and will make it far less attractive. It will make it far more visible for neighbours and far from the promised ‘invisible’ building;
 - Objection to full height glazing to master bedroom, bedroom 2 and other proposed glazing changes;
 - Object due to more light pollution spilling into rear garden of no. 60.
 - Even further light leakage through increased glazing, spoiling others back gardens and potentially reducing bird life. Already lots of outdoor lights are planned for the front and back garden which will significantly alter the neighbours enjoyment of their gardens changing their outlooks and park views even further.
 - Concerned about “mission creep” associated with these changes. The original plan was approved under the strict proviso that it would not change. If the additional storey is approved how long before a change to add roof windows is made?
 - Feels like a material not minor change;
 - The scale of the property is already being felt with its dominant position between Taunton Road and Manor House Gardens;
 - Goes against everything the ‘conservation’ status was set up for;
 - This road has a community feel and consists of modest house and this house would be much more than modest;
 - It has the community up in arms about its size and impact on the conservation area;
 - Adding windows would have a significant impact on the houses that back onto the site and park users;
 - House is looking over the park.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 The other relevant national guidance is:
- Flexible options for planning permissions
 - Conserving and enhancing the historic environment
 - Design
 - Climate change
 - Renewable and low carbon energy

London Plan (July 2011)

- 5.6 The London Plan policies relevant to this application are:
- Policy 5.3 Sustainable design and construction
 - Policy 7.3 Designing out crime
 - Policy 7.6 Architecture
 - Policy 7.8 Heritage assets and archaeology
 - Policy 7.18 Protecting local open space and addressing local deficiency

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG's relevant to this application are:
- Housing (2012)
 - Sustainable Design and Construction (2006)

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 15 High quality design for Lewisham

Core Strategy Policy 16

Development Management Local Plan

- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 The following policies are considered to be relevant to this application:
- DM Policy 1 Presumption in favour of sustainable development

DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 32	Housing design, layout and space standards
DM Policy 33	Development on infill sites, backland sites, back gardens and amenity areas
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document

- 5.11 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are:

- a) Principle of development
- b) Impact of the proposed alterations on neighbouring properties
- c) Significance of the changes on the elevations

Principle of Development

- 6.2 Since 2009 a process has been in place to enable formal consideration of modifications to approved proposals following the grant of planning permission. The applicant is entitled to apply to make amendments and has followed the formal process for making minor material amendments to the consented scheme. The NPPF Planning Practice Guidance Note: Flexible Options for Planning Permissions advises that there is no statutory definition of a minor material amendment, however it would normally include amendments where their scale and/or nature result in a development which is not substantially different from the one which has been approved. Where an application under s73 of the Town and Country Planning Act is granted, the effect is the issue of a new planning permission.
- 6.3 As outlined above in paragraph 2.4 the consented scheme is designed in the form of two rectangular 'blocks' with a central linking element. As consented, the northern (two storey) block involved a floor level set approximately 0.5m below the adjacent garden land level. The applicant now proposes to provide a lower ground floor slab for the entire building in the same way, so that all of the ground floor would be 0.5m below the adjacent garden land. This would allow the provision of an additional floor within the smaller southern block. The external envelope of the building is largely constructed and the height and form of the building (above the adjacent ground level) would not be altered.

6.4 The originally consented ground floor layout comprised a living room and kitchen on the northern side of the house, a hall with storage and staircase in the centre and master bedroom, and study on the southern side of the house. In the northern block at first floor level there would be two bedrooms and a family bathroom. In the proposed scheme, by reducing the floor level of the centre and southern blocks to the same level as consented for the northern block, sufficient internal headroom would be created so as to allow insertion of a first floor level into the southern block. This would result in an additional 29m² floor area, although due to the form of the sloping roof, a significant proportion of this would have limited floor to ceiling height. As a result the proposed ground floor layout would be an open plan kitchen/living/dining room on the northern side of the building, central hall way with staircase, and on the southern side there would be a 'snug', shower room, utility room and study. On the first floor there would be a master bedroom on the southern side with a large ensuite and two bedrooms and a family bathroom on the northern side.

6.5 The principle of making amendments in this case is considered acceptable, subject to consideration of the impact of the amendments and the design changes.

Impact on neighbouring properties

6.6 The proposal involves the reduction of the ground floor slab level of the whole building to the same level as consented for the northern block.

6.7 Externally while this would be visible on the southern and central element of the building, the external form and height of the proposed building would not change above current ground level. Nor would the external size of the property alter in relation to the surrounding garden land. As a result the proposed alteration to the ground floor slab level would not have a physical impact on the neighbouring properties in terms of loss of light and overshadowing.

6.8 The insertion of a first floor in the southern element is not considered likely to give rise to significantly greater impact from noise, disturbance or traffic movements from the new property than that which was consented, as it would remain a three bedroom dwelling, although all of the rooms would be more spacious and there would be a greater area of living accommodation on the ground floor.

6.9 No additional (or larger) window openings are proposed on the south-west elevation, which faces the rear gardens of neighbouring properties in Taunton Road. An additional Juliette balcony was proposed in the originally submitted plans on the north west elevation, however this has been deleted from the scheme. The Juliette balcony which was part of the consented scheme which is on the rear of the northern element of the house remains.

6.10 The application proposes to increase the height of the windows within the south east and north west elevations. The impact of this on neighbouring properties is considered minimal, given the location of the application property and the distance maintained between it and neighbouring properties. The property sits at right angles to the properties which front Taunton Road. Nos 62 and 64 face the flank elevation of the proposed

house, where no change is proposed to the proposed ground floor windows and flank of the property and as such the impact would be the same.

- 6.11 No. 60 and 66 have oblique views of the front and rear elevations of the application property. The windows in the both the front and rear elevations are recessed by 0.1m from the elevations and the sloping roof projects beyond the rear elevation by approximately 0.2m which partially obscures views from the windows to the gardens which abut the site. Whilst the rear elevation of the property is partly visible from these houses, it is not considered that the impact of the change in window height would have a significantly greater impact than with the consented scheme.
- 6.12 The difference in impact (i.e. on privacy and overlooking) to Nos. 56 and 58 Taunton Road whose gardens abut the rear of the application site, is considered to be negligible in comparison with the consented scheme, given the distance from the property and the fact that it is the end of the rear gardens which abut the application site.
- 6.13 In terms of the impact on No. 68, which is located on the opposite side of the pedestrian entrance to Manor House Gardens, there is sufficient distance and screening (in the form of trees on the property boundaries) such that the impact of the increase in the size of the windows would be minimal. Therefore the proposed elevation change is not considered to give rise to a greater impact.
- 6.14 As with the consented scheme, it is proposed to remove permitted development rights.

Design and Conservation Issues

- 6.15 Development Management Local Plan DM Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that "*alterations and extensions, including roof extensions will be required to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context*".
- 6.16 DM Policy 36 states that the Council will not grant planning permission where development would be incompatible with the special characteristics of the area, its buildings, spaces, settings, form and materials.
- 6.17 In terms of appearance, the proposed full height glazing on the north west elevation and the extension of the glazing up to roof level on the south east elevation is considered not to be significant in terms of the overall design of the building, as the style of windows is maintained. The increase in glazing would mean that the amount of timber cladding is reduced. The change to the windows slightly changes the design of the south east and north west elevations and that change is considered to slightly improve on the approved design.
- 6.18 The introduction of a band of timber panelling across the centre of the window on north west elevation is considered to be a minor addition and would not detract from the appearance of the building.

- 6.19 The introduction of an area of solid panelling above the front door is also minor in nature and arises from the lowering of the slab level at the entrance to the new property.
- 6.20 The lowering of the ground floor slab level proposed results in minor changes to the south east and north west elevations - there would be a small increase in timber cladding across the bottom of the building on the south east elevation. This change is considered to be minor and would not detract from the appearance of the building.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

8.0 Community Infrastructure Levy

- 8.1 The above development is not CIL liable.

9.0 Equalities Considerations

- 9.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 9.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality. In this matter there is minimal/no impact on equality

10.0 Conclusion

- 10.1 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 10.2 The proposed amendments are considered to be minor material in nature and the impact of the amendments are considered not to be significant for the reasons given above.
- 10.3 As the application is for a s73 application a new planning permission will be issued incorporating the relevant conditions from the original permission.

11.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:-

- (1) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

08-1228/P.01, Proposed Plans: 08-1228 P 03 rev A Contextual elevations, 08-1228 P02 Rev D Proposed elevations (03/12/14), P.04, SK-10, Design & Access, Statement September 2010, Arboricultural Implication, Assessment Report by Thermo Ecology Ltd Ref, TE09-062-AIA-Doc 16 December 2009 and PPS 25 Flood Risk, Assessment by the Stilwell Partnership 22 September 2010

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (2) Prior to occupation of the development, the treatment of the external areas (including planting, paving and boundary treatments) shall be carried out in full accordance with the approval DC/13/85744 dated 11/03/2014. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written approval to any variation.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (3) Prior to occupation of the development, the lighting to external areas within the site, including the proposed parking areas shall be carried out in full accordance with the approval DC/13/85743 dated 11/03/2014. Any such lighting shall be installed in accordance with the approved drawings.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- (4) No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014)

- (5) No extensions or alterations to the building, whether or not permitted under Article 3 and Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactment thereof, shall be carried out without the prior written permission of the local planning authority.

Reason: In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011).

- (6) No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (7) The external finishes of the building hereby approved shall be carried out in full accordance with the approval DC/13/85744 dated 11/03/2014.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character

- (8) The building shall not be occupied until the pavement crossover serving the property and the restoration of the footway have been carried out in full accordance with the approval of the Council's Highways Group.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the development and to comply with Policies 14 Sustainable movement and parking and 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (9)
- (a) Prior to occupation of the development, the treatment of the roof areas (including planting) shall be carried out in full accordance with the approval DC/13/85742 dated 11/03/2014.
 - (b) The living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
 - (c) The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the local planning authority.

Evidence that the roof has been installed in accordance with sub-points (a) to (c) above shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2011) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014)

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Committee	PLANNING COMMITTEE A	
Report Title	65 ERLANGER ROAD SE14 5TQ	
Ward	Telegraph Hill	
Contributors	Colm Harte	
Class	PART 1	29 JANUARY 2015

Reg. No. DC/14/89277

Application dated 26.09.2014

Applicant Mr J Lacey on behalf of Mr A Harder

Proposal The construction of a single storey rear extension, together with the re-instatement of the front wall, railings, gate, path and the installation of a roof light in the rear roof slope.

Applicant's Plan Nos. A0000, A1000, A2000, A3000 Rev B, A4000 Rev A, A5000 Rev B, A13000, A6000 Rev B, A7000 Rev B, A8000 REV B, A9000 REV B, A12000, A1000 Rev A Design and Access Statement, Heritage Statement, Email dated 17/12/14.

Background Papers

- (1) Case File DE/47/65/TP
- (2) Local Development Framework Documents
- (3) The London Plan (July 2011)

Designation Telegraph Hill Conservation Area
Telegraph Hill Article 4(2) Direction

1.0 Property/Site Description

- 1.1 The subject property is a two storey with basement semi-detached Victorian dwellinghouse, situated on the east side of Erlanger Road within the Telegraph Hill Conservation Area, which is subject to an Article 4 Direction.
- 1.2 The property has an original three storey rear projection, the lower floor of which is at a lower level than the ground floor of the main house. There is a small conservatory structure to the rear main elevation, with a short flight of steps down to the rear garden.
- 1.3 The original front boundary wall and tiled entrance path have been removed and the front garden provides a hard paved parking area.
- 1.4 Erlanger Road is largely made up of two storey houses of similar design, with canted bays to first floor level to the front, some of which have basements.

2.0 Planning History

- 2.1 DC/13/84731: Planning permission granted for the installation of hardwood double glazed replacement windows to the front, side and rear of the property.

2.2 DC/13/85807: An application for the construction of a single storey rear extension, front brick wall with railings above and gate was withdrawn following Officer advice.

3.0 Current Planning Application

3.1 The current proposal involves the construction of a single storey extension to the rear measuring 7m deep and 2.3m wide. The extension would infill the side return to the flank of the rear projection and would have a slightly higher element at the rear of the main house to accommodate internal steps down to the remainder of the extension. The proposed extension would predominantly be 3m in height and would have a flat roof, with a small section of sloping roof 1.4m in depth over the internal steps where the extension abuts the main rear elevation. The extension would align with the main flank wall of the building and would involve the removal of the existing ground floor bay window in the flank of the rear projection. It would have a large flat roof light.

3.2 In terms of materials, the extension would be finished in facing brickwork to match the existing property. The rear extension would feature a large double glazed pivot door in the rear elevation and two side facing glazed panels.

3.3 It is proposed to reinstate the traditional tiled path, construct a new front boundary wall, railings and a gate. The alterations and additions to the front of the property, including the installation of railings and front tiled path would reflect the neighbouring properties.

3.4 A low profile conservation type roof light is proposed to be installed within the rear roof slope that would replace an existing smaller roof light, above the existing internal stairs.

4.0 Consultation

4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received.

4.2 A site notice was displayed and letters were sent to neighbouring residents, to the relevant ward Councillors and to the Telegraph Hill Society.

Written Responses received from Local Residents and Organisations

4.3 Individual letters of objection have been received from Nos. 63 and 71 Erlanger Road raising the following issues:

- Concern is raised that the height of the proposed extension would negatively impact the privacy and daylight and sunlight access of 63 Erlanger Road.
- Concern is raised that the proposed rear extension would result in an overbearing presence on part of the rear private open space area of the adjoining property;
- Concern is raised that the proposed design of the rear extension is not in keeping with the character of the conservation area, would damage the character of the existing house and detract from the overall appearance of the properties. Particular concerns were raised regarding visibility of the proposed extension from Sherwin Road and also from the rear of neighbouring properties on the eastern side of Erlanger Road;

- Insufficient consultation carried out.

Telegraph Hill Society

4.4 Objection from Telegraph Hill Society on the following grounds:

- The proposal would result in the loss of the unusual side bay window;
- The proposed windows to be installed to the rear and side of the proposed extension are not in keeping with the character of the existing building or the wider conservation area;
- The side and rear windows along with the roof light of the proposed extension, would result in light spillage, which would effect the residential amenity of adjoining properties. Concerns that the proposed skylight would also permit views directly into the subject property from the upper floor windows of the neighbouring property located at 63 Erlanger Road.

Amenity Societies Panel

4.5 An objection was raised to the proposed rear extension on the basis of light pollution and that the proposal was out of context with the host building. The proposed works to the front of the property are considered suitable subject to appropriate railing details being provided.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF.

In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that 'due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211 and 215 of the NPPF.

London Plan (July 2011)

- 5.5 The London Plan policies relevant to this application are:

Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.14 Existing housing
Policy 5.3 Sustainable design and construction
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and demolition waste
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture

London Plan Supplementary Planning Guidance (SPG)

- 5.6 The London Plan SPGs relevant to this application are:
Accessible London: Achieving an Inclusive Environment (2004)
Housing (2012)
Sustainable Design and Construction (2006)

London Plan Best Practice Guidance

- 5.7 The London Plan Best Practice Guidance's relevant to this application are:
Control of dust and emissions from construction and demolition (2006)

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy

Spatial Policy 5 Areas of Stability and Managed Change

Core Strategy Policy 1 Housing provision, mix and affordability

Core Strategy Policy 7 Climate change and adapting to the effects

Core Strategy Policy 8 Sustainable design and construction and energy efficiency

Core Strategy Policy 9 Improving local air quality

Core Strategy Policy 14 Sustainable movement and transport

Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.10 The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development

DM Policy 22 Sustainable design and construction

DM Policy 25 Landscaping and trees

DM Policy 30 Urban design and local character

DM Policy 31 Alterations/extensions to existing buildings

DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

6.0 Planning Considerations

- 6.1 The main issues to be considered in respect of this application are:

- a) Design and Conservation
- b) Impact on Adjoining Properties

Design and Conservation

- 6.2 Development Management Local Plan DM Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that "*alterations and extensions, including roof extensions will be required to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys and porches. High quality matching or*

complementary materials should be used, appropriately and sensitively in relation to the context.”

- 6.3 DM Policy 36 states that the Council will not grant planning permission where development would be incompatible with the special characteristics of the area, its buildings, spaces, settings, form and materials.
- 6.4 New rooms provided by extensions to residential buildings are required to meet the space standards in DM Policy 32 Housing Design, layout and space standards. Extensions will not be permitted where they would adversely affect the architectural integrity of a group of buildings as a whole or cause an incongruous element in terms of the important features of a character area.
- 6.5 The proposed single storey rear extension would infill the side return of the original rear projection at ground floor level, adjacent to number 63 Erlanger Road. The proposed extension would be aligned with the main flank elevation and would therefore be set 990 mm away from the side boundary with No.63.
- 6.6 The proposed extension would be in a contemporary design in brick construction and featuring large glazed panels in the flank and rear elevations. It is noted that partial views to the upper floors of the rear elevation of the subject property exist from Sherwin Road, when viewed across the rear gardens of two neighbouring properties (61 and 63 Erlanger Road). It is considered however that the proposed ground floor extension would not be highly visible. The Telegraph Hill Society has raised concerns that the proposed windows and glazed door would not be in keeping with the original window design.
- 6.7 The Council is supportive of contemporary design provided it relates well to the host property and is well detailed. In this case, the proposed extension design is considered to be complimentary to the existing property and would be clearly read as a later addition. The proposed double size, glazed door in the rear elevation of the extension would be contemporary in design and is considered to juxtapose acceptably with the design of the rest of the house due to its simplicity. It would not be highly visible from the public realm (in Sherwin Road) and it is considered it would have a largely neutral impact on the character and appearance of this part of the conservation area. It is proposed to be finished using matching facing materials and finishes which would help ensure that it would be in keeping with the host dwelling. The extension would remain below the level of the existing first floor windows, which would ensure that the extension does not appear dominant.
- 6.8 The current proposal is considered to represent a significantly more modest proposal than the scheme which was previously submitted (DC/13/85807) and withdrawn following advice from officers. The previous proposal involved a larger ‘wrap around’ extension and included the removal of the ground floor section of the two storey bay window in the rear elevation of the rear projection. The proposed alteration to the window opening in the existing rear facing bay could be carried out as permitted development.
- 6.9 It is acknowledged that the proposal would result in the loss of the existing single storey side bay window. DM Policies 31 and 36 requires extensions to respect original features and the Telegraph Hill Society have objected to the removal of the bay window. The retention of this bay window would preclude an extension infilling the space to the side of the rear projection and it is considered this would fetter, to an unreasonable extent, the owner’s ability to develop their property. The Council has previously accepted the removal of side bay windows to allow infill

extensions in a number of instances. For example, permission was recently granted at 36 Pepys Road which is also located within the Telegraph Hill Conservation area for the construction of an infill side extension that resulted in the removal of this feature (DC/14/87529/80832).

- 6.10 In this case the bay window is not a feature that is highly visible from the public realm and it is therefore considered that its loss in this location would have a negligible impact on the character and appearance of the conservation area.
- 6.11 In terms of materials, the proposal would be finished in brickwork to match the existing property. A condition is proposed requiring further details of materials to ensure satisfactory high quality detailing.
- 6.12 The proposals to remove the front garden car parking space and reinstate a front boundary wall with railings and a front gate and path are welcomed and subject to satisfactory materials and detailing, would result in a significant improvement to the appearance of the property frontage, since the front garden is currently of poor appearance. A low front boundary wall of satisfactory design is proposed that would be surmounted with railings, with a hedge behind. A mosaic tiled path to the entrance and front steps in natural stone are proposed. As part of the documentation provided, the applicant has provided examples of the proposed front boundary treatment and tiled entrance footpath. The approach to the design of the front garden is satisfactory and a condition is proposed to require details of materials and finishes to be agreed with the Council prior to the commencement of works.
- 6.13 Objection has also been raised to the proposed roof window to be located upon the rear roof slope of the existing house. Views of the proposed rear roof from Sherwin Road are largely screened by the pitched roof of the existing three storey rear projection and therefore the rooflight would not be highly visible from the public realm. There is an existing skylight window in this position and the applicant has also indicated that the proposed roof light would be of a low profile conservation type. The proposed rear rooflight, set flush with the roof slope, is considered to be acceptable.

Impact on Adjoining Properties

- 6.14 DM Policy 31 states that residential extensions, roof terraces, balconies and non-residential extensions adjacent to dwellings should result in no significant loss of privacy and amenity (including in relation to sunlight and daylight) to adjoining houses and their back gardens.
- 6.15 In relation to privacy, the proposed ground floor extension includes two side facing windows. As part of this application, a replacement 2 metre boundary fence, between the subject site and No. 63 Erlanger Road is to be installed. This is considered to prevent any unacceptable overlooking from the proposed extension. It should also be noted that the proposed side facing glazed panel which links the rear extension to the existing dwelling would replace an existing glazed porch. It is therefore considered that the proposed extension and associated glazing would not result in a significant loss of privacy to the adjoining property.
- 6.16 An objection has been raised based on concerns about loss of daylight and sunlight to the neighbouring property No. 63 Erlanger Road, which is to the north and at a somewhat lower level relative to the application property. However, considering the location of the existing two storey rear projection, the height of the

proposed extension and the proposed 990 mm set back from the property boundary, the loss of daylight and sunlight to the rear facing windows and garden is not considered to be significant. The properties have generous rear gardens and it is not considered that the proposed extension would have a harmful impact to the extent that refusal of permission is indicated.

- 6.17 No.63 would retain a satisfactory outlook and it is not considered that the proposed extension would be over-dominant. The proposed development is therefore considered acceptable in terms of its impact upon the amenities of neighbouring occupants.
- 6.18 Concerns have been raised regarding the impact of light spillage from the proposed roof light in the single storey extension. The impact is considered not to be significant in a built-up location where existing windows of neighbouring properties are in close proximity and in the context of the existence of street lighting in both Erlanger Road and Sherwin Road.

7.0 Local Finance Considerations

- 7.1 Under Section 70(2) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:
- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).
- 7.2 The weight to be attached to a local finance consideration remains a matter for the decision maker.
- 7.3 The Mayor of London's CIL is therefore a material consideration. CIL is not payable in relation to this application.

8.0 Equalities Considerations

- 8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 In this matter there is considered to be no impact on equality.

9.0 Conclusion

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations, including the representations received.

9.2 The proposal is considered acceptable and permission is recommended.

10.0 RECOMMENDATION **GRANT PERMISSION** subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Drawing Nos: A0000, A1000, A2000, A3000 Rev B, A4000 Rev A, A5000 Rev B, A13000, A6000 Rev B, A7000 Rev B, A8000 REV B, A9000 REV B, A12000, and A1000 Rev A.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with DM Policy 31 of Lewisham Council's Development Management Local Plan.

- (4) Notwithstanding the drawings and information hereby approved, no development shall commence on site until a detailed schedule, specification and samples of all facing materials, roof coverings, windows and external doors have been submitted to and approved in writing by the local planning authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to the existing building and its surroundings and to comply with Policies 15 High quality design for Lewisham.

- (5) Notwithstanding the drawings and information hereby approved, no development shall commence in relation to the front garden works until a detailed schedule, specification and samples of all materials, railings and finishes have been submitted to and approved in writing by the local planning authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to the existing building and its surroundings and to comply with Policies 15 High quality design for Lewisham.

INFORMATIVE

The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.

65 Erlanger Road SE14



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Committee	PLANNING COMMITTEE A	
Report Title	32A PENDRELL ROAD, LONDON, SE4 2PB	
Ward	Telegraph Hill	
Contributors	Kate Hayler	
Class	PART 1	29 JANUARY 2015

<u>Reg. Nos.</u>	DC/14/88943
<u>Application dated</u>	01.09.2014 as amended (18.11.2014)
<u>Applicant</u>	Kristina Butschbacher Architecture on behalf of Mr & Mrs Rohit Patkar
<u>Proposal</u>	The construction of a single storey extension to the rear, together with the installation of replacement railings and handrails to the lightwell at the front of the building.
<u>Applicant's Plan Nos.</u>	Location Plan, 32APR.PL.01, 02, 03, 32APR.Front Railings, Rear Garden Facade Photo (Received 01/09/2014) and Design & Access Statement Rev A and 32APR.PL.04 & 05 (Received 18/11/201)
<u>Background Papers</u>	(1) Case File DE/60/32A/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Existing Use
<u>Screening</u>	n/a

1.0 Property/Site Description

- 1.1 The application property is the basement/ground floor flat within a three storey mid terrace Victorian house that has been converted into flats. The property is accessed from the front, down steps into a semi-basement area. There is a change in level between Pendrell Road and Drakefell Road such that the front of the property is at basement level but the rear of the property is at ground floor level and the unit has sole access to a generously proportioned rear garden. To the rear there is an original 3 storey outrigger extension.
- 1.2 The application site is in the Telegraph Hill Conservation Area but is not in the vicinity of any listed buildings.

2.0 Planning History

- 2.1 None relevant.

3.0 Current Planning Applications

- 3.1 The current application is for the construction of a single storey extension to the rear of 32A Pendrell Road SE4, together with the installation of replacement railings and handrails to the lightwell at the front of the building.
- 3.2 The proposed handrails would match those on the pathway to the upper floor flats and would be finished in cast iron.
- 3.3 The proposed rear extension would infill the side return to the side of the outrigger extension leaving a courtyard measuring 3m deep by 1.4m wide. The extension would wrap around the end of the outrigger extension and would extend out from the existing rear elevation by 4m. The extension would feature an a-symmetric dual pitched roof such that the eaves forming the boundary with no 34 are 2.6m high and the eaves forming the boundary with No. 30 are 2.3m high.
- 3.4 In terms of materials, the flank walls are to be finished in reclaimed London Stock bricks and the roof would be finished in natural slate to match the host property. As originally submitted the rear wall was to be finished in treated timber but following concerns raised by the Telegraph Hill Society and the Council's Conservation Officer, this has been amended to be reclaimed London Stock bricks. The extension would feature 3 rooflights and would allow the existing living room to be converted into a second bedroom.

4.0 Consultation

- 4.1 Site notices were displayed and letters were sent to residents and business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.2 One letter of objection was received from a neighbouring occupier and one letter of objection was received from the Telegraph Hill Society. The following matters were raised:
- The size of the extension is excessive;
 - The proposed Velux rooflight could result in noise since the extension is to be a main living area/dining area. We suggest the use of fixed glazing would prevent this problem;
 - The proposed black stained timber is not in keeping with the character of the Telegraph Hill Conservation Area.

Telegraph Hill Society

Objection from the Telegraph Hill Society on the following grounds:

- The large plate glass/aluminium type windows are ugly and inappropriate to the conservation area and do not reflect the character or alignment of existing doors or windows;
- The extension will have 3 rooflights which will severely impact on the enjoyment of neighbouring properties as the upward facing roof lights will shine directly into the windows of adjoining properties and allow these properties direct views into the floors below. The design is not neighbourly;

- The replacement railings at the front are acceptable in principle although the detailed design of these are not clear and should be conditioned;
- The proposed extension extends out 4.05m past the rear wall of our property and will extend along roughly a quarter of the length of the garden which would create a sense of enclosure;

4.3 In addition to the above objections, the applicant has forwarded emails from the other leaseholders of the property confirming that they had no objection to the proposals.

Thames Water

4.4 No objection

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of

consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 The other relevant national guidance is:
Conserving and enhancing the historic environment
Design

London Plan (July 2011)

- 5.6 The London Plan policies relevant to this application are:
Policy 5.4 Retrofitting
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology

London Plan Supplementary Planning Guidance (SPG)

- 5.7 The London Plan SPG's relevant to this application are:
Housing (2012)

Core Strategy

- 5.8 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment

Development Management Local Plan

- 5.9 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

5.10 The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 22	Sustainable design and construction
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings
DM Policy 32	Housing design, layout and space standards
DM Policy 36	New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens

Residential Standards Supplementary Planning Document

5.11 This document sets out guidance and standards relating to design, sustainable development, renewable energy, flood risk, sustainable drainage, dwelling mix, density, layout, neighbour amenity, the amenities of the future occupants of developments, safety and security, refuse, affordable housing, self containment, noise and room positioning, room and dwelling sizes, storage, recycling facilities and bin storage, noise insulation, parking, cycle parking and storage, gardens and amenity space, landscaping, play space, Lifetime Homes and accessibility, and materials.

6.0 Planning Considerations

6.1 The main issues to be considered in respect of this application are:

- a) Design and Conservation
- b) Impact on Adjoining Properties
- c) Sustainability and Energy

Design and Conservation

- 6.2 Development Management Local Plan DM Policy 31 'Alterations and extensions to existing buildings including residential extensions' states that "*alterations and extensions, including roof extensions will be required to be of high, site specific, and sensitive design quality, and respect and/or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys and porches. High quality matching or complementary materials should be used, appropriately and sensitively in relation to the context.*"
- 6.3 DM Policy 36 states that the Council will not grant planning permission where development would be incompatible with the special characteristics of the area, its buildings, spaces, settings, form and materials.
- 6.4 The proposals to replace the existing low quality handrails to the front of the property with high quality cast iron railings that match the railings on the rest of the property are welcomed and are considered to make a positive contribution to the character and appearance of the conservation area.
- 6.5 The proposal includes a rear extension which is the full width of the garden. Such extensions can give rise to conservation and other concerns. In this case the original rear bay window has been removed and was replaced with a brick infill and patio doors some years ago.

The negative potential effects have been ameliorated in the proposals by the limited depth of the proposed extension and the well-handled double pitched roof which breaks up the rear elevation into two elements, reflecting the visual articulation of the original building.

- 6.6 The proposed rear extension would not be visible from the public realm and is not considered to have a significant impact on the character and appearance of the conservation area. In terms of the impact of the proposals on the host property, it is considered that the single storey design would ensure that the extension remains subservient to the host property. The proposed [amended] materials would match those of the host property and the proposed asymmetric roof (which reduces impact on the amenity of neighbouring occupiers) is considered to be an acceptable contemporary element that would complement the appearance of the host property. Concern has been raised about the design of the windows/doors on the rear façade but it is considered that the proportions and alignment of the windows would be sympathetic to those on the upper floors. In addition, the proposed door is a set of double French doors, similar to those that appear in the neighbouring property.
- 6.7 It is considered that the design of the proposals would have an acceptable relationship with the host property and would have an acceptable impact on the character and appearance of the Conservation Area.

Impact on Adjoining Properties

- 6.8 DM Policy 31 states that residential extensions should result in no significant loss of privacy and amenity (including sunlight and daylight) to adjoining houses and their back gardens. The policy also states that residential extensions should retain an accessible and usable private garden that is appropriate in size in relation to the size of the property, and retain 50% of the garden area.
- 6.9 Whilst relatively large, the proposal would retain in excess of 50% of the existing garden area. Concerns have been raised that the proposal would have a negative impact on the amenity of neighbouring occupiers.
- No. 34 Pendrell Road has a window on the rear wall of the main house and two windows on the side wall of the outrigger extension. The proposed wrap around extension has been designed with a courtyard element that will maintain light to the window on the rear wall and the two side windows. The proposed extension has been designed to minimise the height of the parapet walls on the boundary with neighbouring properties. Whilst there might be some loss of light to these windows as a result of the increase of height on the boundary from 1.8m to 2.6m, it is not considered that the impact would be significant in comparison to the impact from the existing built form and boundary treatment.
- 6.10 Concern has been raised about the sense of enclosure that would result from the proposed extension. With the recent changes to permitted development rights, it is generally understood that larger extensions will now be acceptable where in the past they might have been considered to result in an unacceptable impact on neighbouring amenity (including increased sense of enclosure). The gardens to these properties are large (17m) and the adjacent properties will still have access to a large proportion of garden that will be unaffected by the proposal. There might be some increased sense of enclosure when the proposed extension is experienced from the area of garden directly adjacent to it and in the narrow

section of the side return, but given the changes to permitted development rights, it is no longer considered that a 4m single storey extension would necessarily have an unacceptable impact on residential amenity.

6.11 Concern has been raised about noise from the proposed extension but given that the unit will remain in residential use, it is not considered that the proposal would result in unacceptable levels of increased noise. It is not considered that a condition requiring the rooflights to be fixed shut would be necessary. Concern has also been raised about light spillage from the proposed rooflights. However, in a recent appeal decision, where concern was raised about light spillage from roof windows in a residential extension (Ref: APP/C5690/A/14/2226795), the Inspector's view was that most people have curtains or shutters which they would use to close out any unwanted light and that the proposal would not result in a loss of amenity from light spillage.

6.12 On balance, it is considered that the proposal would have an acceptable impact on neighbouring amenity.

Sustainability and Energy

6.13 The proposal complies with the principle of extending an existing building and maximises the use of a site. For a development of this scale it is not considered appropriate or necessary to insist upon the inclusion of renewable energy facilities.

7.0 Community Infrastructure Levy

7.1 The proposed development is not CIL liable.

8.0 Equalities Considerations

8.1 Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:-

- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- ii. advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

8.3 The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

8.4 In this matter there is considered to be no impact on equality.

9.0 Conclusion

9.1 This application has been considered in the light of policies set out in the development plan and other material considerations.

9.2 On balance, Officers consider that that the proposal would have an acceptable impact on the character and appearance of the conservation area and the host property and would not result in an unacceptable impact on the amenity of neighbouring occupiers. The scheme is therefore considered acceptable.

10.0 **RECOMMENDATION** **GRANT PERMISSION** subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Location Plan, 32APR.PL.01, 02, 03, 32APR.Front Railings, Rear Garden Facade Photo (Received 01/09/2014) and Design & Access Statement Rev A and 32APR.PL.04 & 05 (Received 18/11/201)

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) No new external finishes, including works of making good, shall be carried out other than in materials to match the existing.

Reason: To ensure that the high design quality demonstrated in the plans and submission is delivered so that local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (4) Notwithstanding the drawings and information hereby approved, no development shall commence on site until a detailed schedule, specification and samples of all facing materials, roof coverings, windows and external doors have been submitted to and approved in writing by the local planning authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to the existing building and its surroundings and to comply with Policies 15 High quality design for Lewisham.

- (5) Notwithstanding the drawings and information hereby approved, no development shall commence in relation to the proposed replacement railings at the front until details of the design and specification of the proposed railings have been submitted to and approved in writing by the local planning authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to the existing building and its surroundings and to comply with Policies 15 High quality design for Lewisham.

INFORMATIVES

- a) The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- b) There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- c) With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

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